

SENTENCE ADMINISTRATION MANUAL
SECTION 3 – ORDERS AND DETAINERS (WARRANTS)

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This manual details procedures primarily in relation to inmates subject to full time custodial orders. Further detailed information may be obtained from the Community Offender Services Policy & Procedures Manual from the Corrective Services NSW intranet site or by clicking [here](#).

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3.1 ORDERS & DETAINERS (WARRANTS)

During the criminal justice process, a court is required to issue various documents to advise stakeholders of their obligations in relation to an order made by that court.

For Corrective Services, the court will always issue it with a warrant to authorise the person's detention in custody (either on remand or sentenced) if ordered. If a person has had a non-custodial sentence imposed, it will issue Corrective Services NSW (CSNSW) with an appropriate order outlining the effect of the orders (such as the duration of the sentence, conditions etc).

The vast majority of orders CSNSW receives are either remand warrants or sentence warrants. There is a smaller 3rd category of other orders which can detain persons, issued by officers or agencies, usually for short term detention. These 3 categories are outlined below.

3.2 ADJOURNMENTS

During proceedings pending before it, a court is required to make a determination in relation to bail if the matter is adjourned. If bail is refused or granted but not met the accused will be remanded to custody in a correctional centre. He/she will remain in such custody until the next court appearance or until bail is granted and met, whichever occurs first.

3.2.1 Remand Warrants

A remand warrant is issued by a court to authorise an accused person to be detained in custody at any time during proceedings against him/her until sentencing. An accused is eligible for bail during this time but will remain in custody if bail is refused or if it's granted but the conditions are unable to be met.

The warrant orders and authorises Corrective Services to detain the offender until the date specified in the warrant at which stage they are to be brought before the court as indicated. The warrant will further specify if the offender is to appear in person or to appear by Audio Visual Link (AVL).

3.2.1.1 Inmates not required to attend if Legally Represented

A warrant may sometimes have a notation that the person is "Not Required to Attend if Legally Represented".

On the basis of the notation, it is safe to assume that the person is legally represented and there is no need to determine if the so.

The inmate is not to be sent to court but the person should appear on the court list with a status as "Not required".

Sentence Admin staff should ensure that a further warrant is obtained following the hearing of this matter.

If the inmate is not represented and the court requires the inmate's attendance the matter can be relisted or heard by AVL.

Chapter 4 (4.4.1.1 and 4.1.3.1) of the Sentence Admin Manual provides extra detail on processing these matters for the court list.

3.2.1.2 *Court Requests for Reports and/or Assessments*

At times Courts will request a report or an assessment to be completed on an inmate prior to their next court appearance.

This request is generally made through a notation on a warrant under “Additional Information”.

A notation of this request is to be entered in OIMS Offender Legal Cases, in the Comments field in Court Events block. To assist staff preparing the report, the comment should reflect the exact wording of the court’s notation on the warrant.

Sentence Administration staff must forward a “[Request for Court Report and/or Assessment](#)” Form to the appropriate section. Copies of warrants are only to be provided in relation to psychiatric and psychological reports and for Compulsory Drug Treatment Referral. For requests for other reports, OIMS should be referred to. Instructions for completing this form can be found by clicking [here](#).

(Note that from 14 November 2011, all requests for Psychological Reports are to be forwarded to the Principal Advisor of Psychology (Head Office) for processing and allocation.)

3.2.2 Remand Warrants for Appeal Matters

A remand warrant may sometimes be issued in relation to an appeal pending against a sentence matter. These are issued in the same format to other remand warrants and will also include a bail determination. They should be entered in the Offender Legal Cases screen following instructions for appeal matters as per the OIMS Data Entry Manual.

On some occasions, a warrant may still be current but the inmate’s sentence to which it relates has previously expired. This should not affect the inmate’s release eligibility.

If such circumstances exist, the court is to be advised of the situation and a request for the warrant to be cancelled should be made.

In the absence of any cancellation, the Cluster Manager and/or Regional Manager should be contacted to escalate the matter. In any case, the warrant remains active according to its terms until further advice is received from the court.

This topic is also covered in Releases (6.17.1)

3.2.3 AVL Appearances

In many preliminary proceedings, a court may hear the matter by Audio Visual Link (AVL). In such cases, the accused appears at court from a purpose-built booth at the correctional centre which is linked to the court.

Courts are advised on a daily basis of all inmates appearing at court by AVL through an electronic exchange of information between Corrective Services and the Department of Justice and Attorney-General. Courts schedule the appearances to avoid conflicting bookings throughout courts and correctional centres.

In performing the data entry, Sentence Administration staff must ensure the correct court code (starting with "Video") is entered to allow correct information to be transmitted in the data exchange.

All warrants issued in Justice Link will default to AVL appearance for all adjournment warrants. If a warrant has been issued for an appearance by AVL before a court for which there is no OIMS AVL location, the court is to be contacted for clarification. If it is confirmed that appearance is to be held by AVL, the Manager of Video Conferencing is to be notified and will arrange creation of the OIMS court code.

3.2.3.1 - Issuing Warrants

Upon completion of the appearance and if the inmate is subsequently adjourned or sentenced, the court will issue a warrant and forward it to the centre. The court will do so by faxing or by emailing to the respective centre's proxy email address. Sentence Administration staff are responsible for ensuring the warrants are reconciled with the daily court list and entered to OIMS within 1 working day.

3.2.3.2 - Documents Issued When Bail Granted Following AVL Appearance

3.2.3.2.1 - Self Bail Granted

If Self Bail has been granted, the court will issue a warrant of adjournment in the usual fashion. Action should be taken to enter the inmate into the bail undertaking as soon as possible if they are able to meet the conditions. The inmate may choose not to enter into his/her undertaking in which case he/she will remain in custody. He/she should indicate their request in writing using [this form](#). The warrant issued is the authority to detain the person.

3.2.3.2.2 - Surety Bail Granted

If bail is granted with a condition or conditions that require an acceptable person to enter bail, the court will issue a warrant in the usual manner.

The exception to this is when the surety enters the bail undertaking at the court before the warrant is issued. On these occasions, the court may not issue a warrant and instead just issue the bail undertaking. The inmate should be entered into his/her bail undertaking as soon as possible and released if he/she is eligible.

If the inmate elects not to enter the bail undertaking or is unable to meet the conditions of the bail, immediate contact should be made with the court to obtain a warrant to authorise his/her ongoing detention. If an inmate does not want to enter into the bail undertaking, he/she should complete [this form](#) to provide acknowledgement of their intentions and the completed form placed on the warrant file.

3.2.4 Data Entry

Details from the warrant are recorded in OIMS to ensure the person is brought before the court on the specified date.

They are entered in the Appearance Order screen in OIMS immediately upon receipt.

As mentioned above, the court code must correctly reflect whether the appearance is by AVL. All such codes begin with a "V". If an inmate appeared at court by AVL, the OIMS entry should reflect this by entering the corresponding video court code in the Court of Appearance field.

Accurate bail information is also to be entered in the bail field of the screen. This information is used to generate the Form 13 report, used by Corrective Services NSW to advise courts of inmates in custody who have had bail granted but have been unable to meet the conditions. The requirement is specified in [Section 42 of the Bail Act 2013](#).

Refer to the OIMS Data entry manual for instructions.

3.2.4.1 Association Alerts

If a warrant has information advising that certain inmates should not associate with another, either in custody or whilst in transit, the details are to be entered in OIMS as an Association Alert.

The Authoriser of the alert should be entered as the court of issue.

This information is of high importance as it allows the Court Escort Security Unit and Inmate Classification & Placement to appropriately manage these inmates.

This information is different to non-association and place restriction orders that a court may make under section 17A of the Crimes (Sentencing Procedure) Act. These are dealt with in more detail in 3.3.3 below.

3.2.5 Bail Application and Review Hearings

The Bail Act provides the Supreme Court of NSW with the power, upon application, to grant bail or to review an existing bail decision of another authorised officer, magistrate, or authorised justice.

Inmates will most commonly apply to the Supreme Court for bail or a review of bail. Applications by inmates are almost exclusively heard by the Supreme Court by AVL with the inmate's correctional centre.

The decision of the Supreme Court will override the previous decision made.

- *(The processing of applications by Sentence Administration staff is dealt with in Chapter 5)*

Upon granting bail, the Supreme Court will provide the result of the application in the form of a Court Order Notice (Click [here](#) for an example). The Court Order Notice will outline that the matter was heard before the Supreme Court, the details of which will contain information such as the inmate's name, date of birth and the Justice Link case number. The order will also specify the order made by the court

The information is also entered into Justice Link by court staff, accessible by CSNSW staff with Supreme Court access.

3.2.5.1 Reconciling Supreme Court Bail Application and Review Results

3.2.5.1.1 OIMS Data Entry

Upon bail being granted Sentence Administration staff will update the respective OIMS screens in the following manner

Appearance Orders Screen

The "BAIL" field of the relevant outstanding charge entry in this screen should be updated to "GRANTED"

Bail Screen

The "BAIL" field of the relevant outstanding charge should be updated with details of the relevant conditions granted.

If the bail decision relates to multiple warrants, a separate entry will need to be made against each warrant.

Click [here](#) for data entry instructions.

3.2.5.1.2 Warrant File

- The Court Order Notice is to be reconciled to all outstanding remand warrants. The steps to be followed to ensure accuracy in this process are:
 - Match name, date of birth and CNI of the inmate on both warrant file and Court Order Notice
 - Match case numbers on remand warrant(s) to case numbers on Court Order Notice.
 - If not all case numbers on all outstanding warrants are accounted for, refer the Court Order Notice and

Remand Warrant back to the Supreme Court Bail Registry for advice prior to the inmate entering bail.

- Match all Court hearing locations and dates for all outstanding warrants. If these do not match refer to Supreme Court Bail Registry for advice prior to entering of any bail undertaking.
- Match all offences on all outstanding warrants. Once again any discrepancies are to be referred back the Supreme Court prior to inmate entering bail.
- A notation on the warrant/s for which bail has been granted should be made indicating that bail has been granted by the Supreme Court on the relevant date and a copy of the Court Order Notice should be attached to it.

The same procedures apply if bail is granted or varied at any other court.

Click [here](#) for an example.

3.3 SENTENCING

3.3.1 Sentencing Options for a Court

Upon completion of a criminal matter and the offender has been found guilty or entered a plea of guilty, a court has a range of sentencing options it may impose.

3.3.1.1 Non-Custodial Options

3.3.1.1.1 *Fine*

- Offender required to pay a pecuniary penalty within a certain timeframe.
- Failure to pay may result in further penalties such as property seizure, CSO etc.
- Fines are not convertible to custodial sentences and cannot be “cut out” while in custody.

3.3.1.1.2 *Section 10 Bond (Crimes (Sentencing Procedure) Act 1999)* [click here](#)

- Without proceeding to conviction, a court that finds a person guilty of an offence may -
 - Order the charges be dismissed.
 - Discharge the person on condition he/she enters into a GBB for up to 2 years.
 - discharge the person on condition he/she enters into and complies with an intervention program.

3.3.1.1.3 *Section 10A Order (Crimes (Sentencing Procedure) Act 1999)* [click here](#)

- The court may dispose of proceedings without imposing any other penalty.

3.3.1.1.4 *Conditional Release Order (Section 9 Crimes (Sentencing Procedure) Act 1999)* [click here](#)

- A court may impose an order for a person to be of good behaviour for up to 2 years and commences on the day it was made.
- Standard conditions require the person not to commit any further offence and to appear before the court if called upon to do so during the term of the order.
- It may also be subject to additional conditions such as
 - participation in a rehabilitation program
 - abstention,
 - a place or person restriction
 - supervision by Community Corrections
- But it may not impose conditions requiring home detention, electronic monitoring, curfews or community service work conditions.

3.3.1.1.5 *Section 11 Bond (Griffiths Remand) (Crimes (Sentencing Procedure) Act 1999)* [click here](#)

- Once a court has found an offender guilty, whether or not it proceeds to conviction, it may adjourn sentencing proceedings and order the offender enter into a rehabilitation or intervention program for up to 12 months.
- While the proceedings are adjourned the offender may be released on bail for the duration of the adjournment.

3.3.1.1.6 *Community Correction Order (Section 8 Crimes (Sentencing Procedure) Act 1999)* [click here](#)

- Instead of imposing a sentence of imprisonment on a person, a court may make a Community Correction Order for up to 3 years which commences on the day it is made.
- Standard conditions require the person not to commit any further offence and to appear before the court if called upon to do so during the term of the order
- It may also impose additional conditions It may also be subject to additional conditions such as
 - Curfew – limited to 12 hours per day
 - Community Service work up to 500 hours
 - participation in a rehabilitation program
 - abstention,
 - a place or person restriction
 - supervision by Community Corrections
- But it may not impose conditions requiring home detention, electronic monitoring, or curfews beyond 12 hours per day.

3.3.1.1.7 *Intensive Correction Order (Section 7 Crimes (Sentencing Procedure) Act)*

- A court may sentence a person to imprisonment and further order that term of imprisonment is subject to an Intensive Correction Order directing the term is served by way of intensive correction in the community.

- The term may not exceed 2 years for a single offence or 3 years for multiple offences.
- The court is not to set a non-parole period on such sentences.
- There are restrictions on the type of offences for which ICOs are available – eg murder, manslaughter, prescribed sexual offences, and other more serious offences.
- Standard conditions require the person not to commit any further offence and to appear before the court if called upon to do so during the term of the order
- It may also impose additional conditions It may also be subject to additional conditions such as
 - supervision by Community Corrections
 - Home detention conditions
 - Electronic monitoring condition
 - Curfew
 - Community Service work up to 750 hours
 - participation in a rehabilitation program
 - abstention,
 - a place or person restriction
- If the offender breaches his/her order, the supervising officer may make additional conditions.
- If the breach is serious, the matter may be referred to the State Parole Authority for consideration of revoking the ICO. If revoked, the offender is liable to serve the remaining balance in full-time custody. A revocation warrant will be issued in similar format to a revocation of parole warrant.
 - SPA will review revocations and may reinstate an order after at least one month in custody.

3.3.1.1.8 Sentence Administration Role

Sentence Administration officers may receive orders for non-custodial sentences imposed as above for inmates following a court appearance.

A copy of the order should be provided to the centre's Community Corrections (formerly Probation and Parole) unit for recording in OIMS if necessary.

These orders do not authorise the detention of a person in custody in any circumstances.

3.3.2 Custodial Options

(Refer to Part 4 – [Crimes \(Sentencing Procedure\) Act 1999](#)).

When an accused is sentenced to full time imprisonment for an offence (State or Commonwealth) the court may impose any of the following terms:

- Fixed term.
- Sentence with a non-parole period.
- Life imprisonment with non-parole period.
- Life sentence.

It must further specify-

- Term of imprisonment (either fixed term or NPP).
- Term of Non-Parole Period (if applicable).
- Commencement date of 1) & 2).
- Expiry date of 1) & 2).

As a general rule, all sentences are served concurrently unless the court orders otherwise.

3.3.2.1 Aggregate Sentences

From 14 March 2011, Section 53A was introduced to allow a court to sentence an offender to an aggregate sentence of imprisonment for 2 or more (State) offences. In doing so, it may set a single non-parole period in relation to that sentence. Courts may still set a single sentence for each offence as is the current practice.

3.3.2.1.1 Record individual sentences that would have been imposed

In sentencing an offender to an aggregate sentence, subsection 2(b) requires the court to make a record of the sentence that would have been imposed for each offence (after taking into account such matters as are relevant under Part 3 or any other provision of this Act) had separate sentences been imposed instead of an aggregate sentence.

Failure to do so does not invalidate the sentence nor constitute a sentence anomaly so Sentence Administration staff are not required to seek details.

3.3.2.1.2 Commonwealth Offences

This sentencing provision applies only to those imposed for State offences. Sentences for Commonwealth offences are already imposed under the (Commonwealth) [Crimes Act 1914](#) in a similar way to which State aggregate sentences will be imposed.

3.3.2.1.3 Data Entry

Instructions for entering Aggregate Sentences are available [here](#).

3.3.3 Non-association and Place Restriction Orders

When sentencing a person for an offence that is punishable by a term of imprisonment of 6 months or more a court may make -

- 1) A non-association order ([example](#)) which prohibits the person from associating with a specified person for a specified term or
- 2) A place restriction order ([example](#)) which prohibits a person from frequenting a specified place or district for a specified time.

The orders are not administered by CSNSW but are recorded in OIMS as an 'other penalty order (OPO)' in the Community Orders tab of Offender Legal Cases screen for information purposes only.

They differ from association alert information in 3.2.4.1 above which are not formal orders.

Non-association and place restriction orders are suspended while a person is in custody.

3.3.3.1 Processing Orders

Upon receipt of the above orders State Sentence Administration staff should ensure the document is served on the inmate and a signed copy returned to the court by email. The copy should be saved to TRIM through OIMS and no further action is required.

3.4 ROLE OF SENTENCE ADMINISTRATION OFFICER

The initial role of the Sentence Administration officer is to make determinations as the validity of details on the warrant and parole order. Refer to Section 2.2 of this Manual for further information on what to look for on a warrant.

3.4.1 Verification of Data Entry

Where facility exists to do so, all data entry is to be verified by a Senior Administration Officer within one working day of its entry.

All verification is to be reconciled in conjunction with the Unverified Records Report (Click [here](#) for instructions) daily with the exception of Sentence Administration Areas where there is only one staff member located. In these areas it is the responsibility of the Cluster Manager to ensure regular verification of data entry.

Procedures

1. After data entry in any of the following screens the Administration Officer (Clerk 3/4 or Acting) is to place the warrant file (s) in the *designated location* for verification
 - Legal Orders
 - Bails
 - Compulsory Drug Treatment Orders
 - Sentence Adjustment
 - Appeals
2. The relevant data entered should be clearly noted with a post-it note or similar for the Senior Administration Officer's attention.
3. The Senior Administration Officer (Clerk 5/6 or Acting) is to commence verification after the completion of the Daily Discharge/Court List.
4. The Senior Administration Officer will retrieve the warrant files that have been placed in the designated verification area and verify the data entry, taking into account
 - The accuracy of the information
 - The information complies with relevant legislation
 - Court notations and /or recommendations have been acted upon

- Other anomalous information has been clarified (e.g. consecutive sentences, conflicting court dates, etc.)
- 5. An entry should not be verified in OIMS until the matter has been rectified by the court. If a matter has been referred to the court, a Sentence Administration case note is to be entered, outlining the action taken to clarify/rectify
- 6. Any incorrect data entry is to be returned to an Administration Officer for modification. Once the Administration Officer has re-entered or entered the data, the warrant should be returned to designated verification area for verification.
- 7. If a warrant is retrieved from the designated verification area but does not appear to have any information to verify, it is to be returned to the Administration Officer for clarification/rectification.
- 8. Following verification of all entries from the designated verification area, the Senior Administration Officer is to print an Unverified Record Report from the Day to Day Reports in OIMS Utility Menu for all
 - Unverified Legal Orders
 - Unverified Appeals
 - Unverified Orders
 - Unverified Bail
 - Unverified CDT Orders
 - Unverified Orders
 - Unverified Sentence Adjustments
- 9. If an inmate appears on the Unverified Report and the data cannot be verified, the reason must be recorded on the Unverified Report. *(For example, with Section 26 Orders entered by SPA and waiting SPA staff verification, next to the inmate's name write "SPA")*.
- 10. A copy of the notated Unverified Report should be provided to the respective Cluster Manager prior to ceasing duty. A Nil Return is to be provided if relevant. If verification cannot be completed, the Senior Administration Officer is to inform their Cluster Manager.
- 11. All reconciled Unverified Reports are to be kept in a register in the Sentence Administration Area for Audit purposes.

Click [here](#) for procedure to verify Sentence Warrants

Click [here](#) for procedure to verify Adjournment Warrants

3.5 WARRANTS AND PAROLE ORDERS

3.5.1 Warrants

The warrant is the legal authority for Corrective Services to detain a person. Without a warrant from the court, the inmate may be unlawfully detained. The warrant specifies important information which is used by Corrective Services to

calculate primarily the time for which he/she is to be held as well as other information concerning the offence etc.

Some courts issue a separate warrant for each offence for which imprisonment has been imposed and some will issue a single warrant with all the offences on it.

Click here to view various examples of warrants and orders Corrective Services NSW deals with.

- [Local Court Sentence Warrant](#) (with fixed sentences or sentences & NPPs).

3.5.2 Parole Orders

3.5.2.1 Sentences up to 3 years

When a court sentences an offender to a sentence (or an aggregate sentence) of up to (and including) 3 years and specifies a non-parole period in relation to it, the court must issue a parole order, ordering the release of the offender at the expiration of the non-parole period. They are usually referred to as a “Court Based Parole Order”.

Parole Orders are issued under [Section 50 of the Crimes \(Sentencing Procedure\) Act 1999](#) and release to parole is automatic unless revoked by the State Parole Authority beforehand.

- If the court does not issue an order, initially contact the court by phone to request. If an order is not immediately forthcoming follow up the phone call by sending a “Request for Parole Order” form from the Sentence Administration Template Correspondence to the court. Make note in Incident Register to this effect.

The SPA may revoke a Court Based Parole Order prior to release for any reason after which the SPA is responsible for issuing a new order following a review hearing.

*** If a court issues a [Section 50](#) Parole Order for a sentence over 3 years, it should be disregarded and either destroyed or placed on the warrant file with a line ruled through it. Do not provide a copy to any other person.

3.5.2.1.1 Provide copies of S50 Parole Orders to Community Corrections

Copies of parole orders should be provided to the Community Corrections Unit (formerly Probation and Parole) at the correctional centre upon receipt. If the expiry dates of the sentence and or NPP are subsequently adjusted as the result of an escape or other event, a copy of the amended order is to be provided to the Community Corrections Unit

3.5.2.2 Sentences over 3 years

For sentences exceeding 3 years with a non-parole period (including aggregate sentences), release to **parole is only granted by the State Parole Authority** and it will issue a separate Parole Order.

- For sentences exceeding 3 years (including aggregate sentences), the State Parole Authority may make a parole order up to 3 months before the expiration of the NPP, authorising release on a certain date. If parole is not granted the inmate will serve the whole sentence (unless parole is granted at a future review hearing)

3.6 DATA ENTRY IN OIMS OF SENTENCE WARRANTS

The details of all sentence warrants MUST be entered onto the Legal Orders screen of the OIMS data base as soon as possible but within 1 working day of its receipt. Even if a warrant requires some correction, its details must still be entered but should include a comment that some correction action is required and/or underway.

Appeal results are to be updated using the Appeals screen to ensure the new sentence overrides the original sentence if necessary and to show the appearance is not in relation to new charges which may affect the inmate's classification.

The information on the warrant is entered into OIMS primarily to enable Corrective Services to accurately calculate inmate release dates. This supports the core business of the organisation in ensuring that inmates serve the time in custody as imposed by the court.

From this and the offence details, other staff in the organisation can make further determinations as to classification, case management, etc as well as for statistical purposes.

- As a general rule, all warrant details should be entered onto the system immediately or within 1 working day of their receipt at the centre.
- Enter all same offences with the same sentence under the same order simply using the "counts" field to indicate how many offences there are.
- Enter all offences dealt with on the same date under the same conviction in the Sentence Warrants screen even if more than one warrant has been issued.
- Ensure the correct sentence jurisdiction is entered for each offence. Refer to JusticeLink or contact the court where clarification is required.
- If an entry requires deletion, the centre's Team Leader should be contacted to delete the order (delete access is restricted to senior staff). If based at MRRC, contact the Senior Administration Clerk for deletion of records. For centres with a single Sentence Administration Officer, contact should be made with the respective Cluster Manager to delete.
- If a sentence is the result of an appeal, the entry is to be updated using the Appeal screen (Institutions > Legal Orders > Sentence Administration > Appeals).

All information is entered into the OIMS database.

Instructions for entering data in Sentence Warrant screen are available [here](#).

Instructions for entering data relating to Appeals are available [here](#).

Instructions for entering Aggregate Sentences are available [here](#).

3.7 CHILD PROTECTION NOTICES

Under [Section 6 of the Child Protection \(Offenders Registration\) Act 2000](#), inmates who have been in custody for 14 days or more and have been identified as a Registrable Offender in terms of that act must be given written notice of his/her reporting obligations upon release.

Information is recorded in the Registrable Offender screen in OIMS. An inmate is automatically identified as a Registrable Offender from offence details entered in the Legal Orders screen. The OIMS Offence Codes (Law Part Codes) are programmed to flag an entry in the Registrable Offender screen when the offence makes the person registrable as per the Act.

If manually entering an entry, the OIMS offence code is as close as possible to the offence on the warrant. JusticeLink will provide the Law Part Codes in most instances.

If it is unclear that an offence is one that makes an offender 'registrable', confirmation can be obtained from JusticeLink or the Child Protection Registry if necessary. If it is confirmed the offence is a Child Protection offence, the OIMS offence can be updated accordingly. Obtain a copy of the JusticeLink extract for confirmation. Place an appropriate comment in the Legal Orders screen.

When it is apparent an inmate should be noted as "registrable", contact the relevant Sentence Administration Cluster Manager to update the Child Protection screen.

3.7.1 OIMS Data Entry Instructions

Data entry instructions for OIMS Child Protection screen – click [here](#).

3.8 SENTENCING GUIDELINES AND ANOMALIES

The [Crimes \(Sentencing Procedure\) Act 1999](#) sets down procedures courts must follow when imposing a sentence for an offence against NSW legislation. It places certain restrictions on courts and the type, length and commencement dates of sentences they impose. Statutory limits apply to the length of a sentence that may be applied to each offence. These are specified under the [Crimes Act 1900](#) and any other Act under which the offence is detailed.

Sentencing procedures for federal offences are outlined in the Commonwealth [Crimes Act 1914](#) and the [Criminal Code Act 1995](#).

The main provisions are outlined below.

3.8.1 Sentences for State Offences Generally

- When sentencing an offender, a court must specify –
 - The commencement date of the sentence. Unless specified otherwise, a sentence will commence on the date of imposition and run concurrently with all other sentences.
 - The term of the sentence (including aggregate sentences).

- Length of non-parole and parole periods (if relevant).
 - o A parole period must not exceed 1/3 of the non-parole period (including a non-parole period set for an aggregate sentence) unless the court decides special circumstances apply (failure to do so does not invalidate sentence).
 - o A non-parole period may not be set unless the sentence to which it applies exceeds 6 months.
 - o The court may decline to set a non-parole period if it appears to the court it is appropriate to do so.
- The earliest day on which it appears the offender is entitled to be released from custody or eligible for release on parole.
- It may order the sentence (including aggregate sentences) may commence from a future date but only if that future date is not later than the day immediately after the expiry of another non-parole period or fixed term.
- A sentence of imprisonment starts at the beginning of the day it commences and expires at the end of the day it expires.
- If a court sets a non-parole period on a sentence of imprisonment (including aggregate sentences) of 3 years or less, it must also issue a parole order directing the release of the offender at the expiration of the non-parole period.
- Unless the court specifically states the offender not be subject to supervision during his parole order, a parole order is taken to include conditions requiring the offender to be supervised while on parole.
- If a non-parole period is set on a sentence exceeding 3 years (including aggregate sentences), the State Parole Authority must issue a parole order to authorise the offender's release prior to the expiration of the sentence.
- If a court sentences a person to more than one term of imprisonment, the above provisions apply to each sentence, except for aggregate sentences.

3.8.2 Consecutive (or Partly Consecutive) Sentences

- A court may specify that a sentence (including aggregate sentences) be served consecutively or partly consecutively with any other existing (or yet to commence) sentence.
- In making an order to the effect that a sentence (including aggregate sentences) is to be served consecutively, it must commence at the expiration of the non-parole period of a sentence or the expiration of a fixed term.
- A person must be serving another Fixed term or NPP for a court to be able to date a sentence from a later date.
- If his/her NPP has expired and they are only serving their parole period, the court may not date a sentence from a later date. It must commence from date of imposition or an earlier date.

3.8.3 Data Entry for Consecutive Sentences

OIMS data entry instructions for consecutive Sentences – [click here](#).

3.8.3.1 Offences of Assault (or other Offences against the Person) while a convicted inmate

- Refer to [Section 56 of the Crimes \(Sentencing Procedure\) Act 1999](#).
- Sentences imposed for the offences of assault or other offences against the person while a convicted inmate, unless specified otherwise, are to be served consecutively with any other sentence yet to expire. However, a court may instead direct it to be served concurrently with any sentence.
- Sentences for assaults or other offences against the person against correctional officers while a convicted inmate must be served consecutively with any other sentence yet to expire unless the court is of the opinion that special circumstances justify it being served concurrently.

3.8.3.2 Offences of Escape by Inmates

- Refer to [Section 57 of the Crimes \(Sentencing Procedure\) Act 1999](#).
- A sentence imposed upon a person for an escape while an inmate of a correctional centre is to be served consecutively with any other sentence yet to expire at the time of sentencing.
- If another term of imprisonment is imposed in the same proceedings, the sentence for the escape must commence at the expiration of the other term. Subsection [1A](#) was included from 14 March 2011, requiring a court to impose a sentence of imprisonment for escape after any other sentence of imprisonment imposed in the same proceedings.
- Imposition of a consecutive sentence for escape is subject to the above provisions relating to consecutive sentences.
- Sentences for escape lawful custody by persons who were not inmates at the time are not bound by this provision.
- For calculation and data entry purposes, the commencement date of such consecutive sentences is the date immediately after the expiration of the existing sentence as adjusted for time at large.

3.8.4 Restrictions on Local Courts

- A Local Court may not impose a sentence exceeding 2 years for any single offence. Refer to the [Criminal Procedure Act 1986](#).
- Under [Section 58 of the Crimes \(Sentencing Procedure\) Act 1999](#), a Local Court may not impose a single sentence or combination of sentences that expire more than 5 years after the commencement of the total sentence period.
- The exception is for sentences for escape lawful custody and an offence against the person (committed as a convicted inmate). In these cases, a Local Court may impose a sentence:

- Expiring any time after an existing sentence if the existing sentence was imposed by any court other than a Local Court, or if more than one, any one of them. *(this is particularly relevant for instances where an offender is serving the balance of parole and the original sentence is over 5 years)*
- Expiring not more than 5 years 6 months after the date the existing sentence began if imposed by a Local Court (disregarding time at large for the escape).

3.8.5 Sentences for Federal Offences Generally

When an accused is sentenced to full time imprisonment for an offence against the Commonwealth, under the (Commonwealth) [Crimes Act 1914](#), the court may impose any of the following terms:

- (a) Fixed term.
- (b) If the sentence is up to and including 3 years, the court may make a recognizance release order after having served a specified period in custody. The offender may be released from custody at the end of that period and be on a good behaviour with conditions as specified by the court. The person may be required to be under supervision for longer than the balance of the sentence.
- (c) Sentence with a non-parole period (overall sentence > 3 years). Release to parole is authorised by the Commonwealth Attorney-General.
- (d) Life imprisonment with non-parole period.
- (e) Life sentence.

The sentencing process differs from that for state offences in that the court may set a single non-parole period or recognizance release order in relation to all sentences imposed.

Common examples of Commonwealth offences are importation of drugs, social security or tax fraud, using carriage service (phone, mail) to harass etc or to distribute child porn, pirating DVD's etc and counterfeiting money.

It is important to differentiate the Commonwealth offences and accurately record them so that the correct releasing authority issues release documents. The role of the Sentence Administration officer is to clarify and follow up where necessary where the court has not clearly marked the offence as a commonwealth one.

OIMS has provision to record Commonwealth sentences and should be entered as such once identified.

3.8.5.1 Sentences Up to (and including 3 years)

(Refer to [Section 20 of the Crimes Act 1914](#)).

- When imposing a custodial sentence or sentences up to and including a total of 3 years upon an offender, the court may specify a single recognizance release order in relation to the overall sentence period. The Court may not set a non-parole period. Refer to [Section 19AC](#) of the Crimes Act. The offender may be subject to the order to be of good

- behaviour for up to 5 years, despite the balance of the sentence remaining.
- At the expiration of the specified period, the offender is to be released subject to any additional conditions (e.g. supervision by Community Offender Services) made by the court in relation to that order.
- The offender may be subject to the additional conditions for a period of up to 2 years only.

3.8.5.2 Sentences over 3 years

- A court may only specify a single non-parole period if the total of the sentences exceed 3 years. Refer to [Section 19AB](#) of the Crimes Act.
- A court may not make a recognizance release order on sentences exceeding 3 years. *Prior to 27 November 2015 when amendments to the Crimes Act 2014 took effect, the court could make such orders.*
- If a court imposes a sentence exceeding 3 years, it may set a non-parole period. At the expiration of the NPP, the Commonwealth Attorney-General or the Minister for Home Affairs or their Delegate may issue the parole order directing the offender's release to parole no earlier than 30 days prior to the expiration of the NPP.
- If an offender was subject to a recognizance release order and a new sentence resulted in the aggregate term exceeding 3 years, a court may not set a new recognizance release order but set a new non-parole period (or decline to set a NPP at all).
- The Commonwealth Attorney-General or Minister for Home Affairs may, no less than 3 months prior to the expiration of the non-parole period direct that the offender not be released on parole at the expiration of the non-parole period.

3.8.6 **Revocation of Commonwealth (Federal) Parole Orders**

3.8.6.1 Revocation of Commonwealth Parole by the Commonwealth Attorney-General

If a person has been released to parole on a commonwealth offence, the Commonwealth Attorney-General may revoke the parole order under [S19AU](#) of the Crimes Act 1914 if the offender has, or is suspected to have, failed to comply with a condition of the parole order.

Unless the offender's whereabouts remain unknown or there are other grounds to do so, the Attorney-General is required to provide notice to the offender of the intention to revoke the parole order at the end of 14 days of the date the notice is issued.

Click [here](#) for an example of warrants issued.

3.8.6.2 Revocation of Parole by Courts

Under [S19AQ](#) of the Crimes Act 1914, a parole order is taken to have been revoked if that person is sentenced by a court to more than 3 months imprisonment. The court may set a non-parole period on the balance.

Click [here](#) for an example of an order made in these circumstances.

3.8.6.3 Issuing Arrest Warrants

Following the revocation order being made, application is then made by the Attorney-General under [S19AV](#) to a court to issue a warrant for the arrest of the offender and to be brought before the court to be dealt with according to law. If a person is arrested under such a warrant, he/she may be detained in a court cell complex until he/she appears at court. They cannot be granted bail by the police.

3.8.6.4 Appearance at Court

If the court is satisfied the person has been duly notified of the Attorney-General's intention to revoke parole, it may commit the person to custody for the balance of the sentence. It may further set a non-parole period on the balance. The court will issue a warrant to this effect. Refer to [S19AW\(1\)](#) of the Crimes Act 1914.

If the court has not been able to complete the hearing, it may further adjourn proceedings and issue a warrant under [S19AW\(2\)](#) for the remand of the person in custody until the adjournment date.

If the court is not satisfied the person has been duly notified of the intention to revoke parole, the court may commit the person to custody on remand, usually to a date to be fixed. The remand period will allow time for the Commonwealth Attorney-General to provide the person with notification of the parole conditions that have been breached. The person has 14 days to make a submission stating why the parole order should not have been revoked. Refer to [S19AX](#) of the Crimes Act 1914.

The Commonwealth Attorney-General's Department will liaise with the court and the court will advise CSNSW of the listing date.

At the hearing, the court has the option to set a non-parole on the balance of the sentence. In these circumstances, a Local Court has the power to impose a NPP on any balance, even if the balance exceeds 2 years. The court does not set a recognizance in these cases.

3.8.6.5 OIMS Data Entry

The details of these warrants are entered in Offender Legal Cases screen using the offence "Breach of Parole" and it is "Commonwealth" for the Type field. Refer to [this example](#) as a template for data entry.

Do not update the Holds/Warrants/Detainers (Parole Revocation) screen. It is for NSW SPA revocations only.

3.8.6.6 Imprisonment Status

The offender remains as unsentenced until his/her sentence is confirmed.

3.8.6.7 Appeals

An offender may appeal to the Supreme Court in relation to the actual revocation, the balance or the NPP under [S19AY](#) of the Crimes Act 1914.

An appeal must be lodged within 21 days after the order being appealed against was made.

The Supreme Court may order the conditional release of the person while the appeal is pending.

3.9 **SENTENCING ERRORS (ANOMALIES)**

Failure to specify a sentence within these parameters may require clarification from the court to determine its intent and may need further corrective action.

Courts have the power under [Section 43 of the Crimes \(Sentencing Procedure\) Act 1999](#) to re-open proceedings and correct sentencing errors.

The role of Sentence Administration is to identify such anomalies and bring them to the attention of the court for correction where necessary.

In the first instance, staff should check JusticeLink for confirmation of the sentence details. Further contact with the issuing court will then be required to clarify the court's intention and request amended documents if it appears there is an administrative error.

Should the inquiries identify an error in sentencing by the judge or magistrate, formal notification should be made to the Sentence Administration Cluster Manager by email for determination and advice. *The Cluster Manager may refer the matter directly to the court or seek further advice from the relevant Sentence Administration Regional Manager.*

A written submission should be made to the court outlining the apparent error and suggest corrective action.

A range of template correspondence is available from the [Sentence Administration Forms](#) page on the intranet.

Appropriate follow up action should be scheduled.

Make a notation in OIMS using the Case Notes screen ([instructions here](#)) outlining the action taken in regards to the anomaly and a similar entry in the comments field of the OIMS entry. These should be updated upon the matter being rectified.

An entry in the Incident Register should also be made and monitored. If the inmate is transferred prior to the matter being finalised, the centre to which the inmate has been transferred should be advised of the outstanding anomaly. An email is the preferred method of communication and a copy should be forwarded to the Sentence Administration Cluster Manager for information.

3.9.1 Common Sentencing Anomalies

Under [Section 43 of the Crimes \(Sentencing Procedure\) Act 1999](#), a court has the option to re-open criminal proceedings if it has imposed a penalty contrary to law or failed to impose a penalty required by law. The court may deal with the matter in the offender's absence. Sentence Administration staff may refer identified matters to the court for clarification and/or correction if necessary.

Referred matters should be approved by the Sentence Administration Unit's Team Leader prior to being sent to the court. A copy of the referral should be provided to the Regional Manager and a register of referrals is to be maintained by the Regional Manager for review and statistical purposes.

3.9.1.1 Enter details in Incident Register

When a referral for clarification of a sentence has been made to a court, an appropriate entry should be made in the Incident Register, Case Notes, as well as the comments field of the OIMS entry. They should be scheduled for follow up action if no response has been provided within 10 working days.

Click [here](#) for the relevant procedure relating to the Incident Register.

3.9.1.2 Incorrect Expiry Dates of Sentences on Warrant

A court is required to specify the expiry date of all sentences it imposes. However, it's a common occurrence for the court to get the expiry date of the sentence incorrect on the warrant. If the sentences do not match the expiry date of that calculated by OIMS, it will be necessary to contact the court to clarify the orders made by the judge/magistrate.

- If the expiry date is only incorrect by no more than 2 days, no further action is required. The date calculated by OIMS will stand.
- If the expiry date varies by more than 2 days, the Sentence Administration officer must obtain clarification of the court's order.
- If the court confirms the expiry date was specified by the Judge/Magistrate, a written request should be sent to it, seeking clarification of the order.
- In the absence of any further advice from the court, the date calculated by OIMS will stand and override any date provided by the court.
- As long as the court has provided a commencement date and length of sentence, the expiry of the sentence cannot be changed. OIMS is set up to correctly calculate expiry dates of sentences and should not be overridden.
- [Section 48 of the Crimes \(Sentencing Procedure\) Act 1999](#) states that in failing to correctly specify a correct expiry date, the sentence is not invalidated. The requirement to do so is merely to require the court to give information about the likely effect of a sentence. While this date should be correct, it's not a binding date and failure to issue an amendment or replacement warrant does not hinder the inmate's release on the correct date.

3.9.1.3 Incorrect Commencement Date of Consecutive Sentences

A sentence which has been specified as being consecutive to an existing sentence must commence the day after the expiry of the existing sentence. Courts often issue a warrant specifying a sentence as being consecutive but specify an incorrect commencement date.

- If a court issues a warrant indicating the sentence is to be served consecutively, with no corresponding date (or a date which corresponds with that on OIMS), the details are to be entered into OIMS, commencing at the expiration of the latest expiring non-parole period or fixed term (whichever is the later). Use the “Consecutive link in the OIMS Legal Orders (Custodial Sentences tab) screen”.
- If a warrant indicates a sentence is to be served consecutively but also includes a commencement date that does not correspond with that calculated by OIMS –
 - o If the commencement date is only incorrect by no more than 2 days **before** the correct date, the warrant should be entered in OIMS using the commencement date specified on the warrant.
 - o If the commencement date is only incorrect by no more than 2 days **after** the correct date, no further action is required. The date calculated by OIMS will stand and should be entered as a consecutive sentence using the “Consec” link in the Legal Orders screen (Custodial Sentences tab).
 - o If the commencement date is incorrect by more than 2 days **before** the correct date, the Sentence Administration officer must obtain clarification of the court’s order.
 - The details must be entered in OIMS using the commencement date on the warrant until confirmation of the court’s intention is obtained.
 - In the absence of any further advice from the court, the entered details will stand.
 - o If the commencement date is incorrect by more than 2 days **after** the correct date, the Sentence Administration officer must obtain clarification of the court’s order.
 - The details must be entered in OIMS using the correct date from OIMS until confirmation of the court’s intention is obtained.
 - In the absence of any further advice from the court, the entered details will stand.
- If a warrant specifies only a commencement date with no indication the warrant is to be served consecutively, the sentence is to be entered in OIMS as per the warrant.
- If the commencement date is more than 1 day after the expiry of the latest non-parole period or fixed term, it must be referred to the court for corrective action. It is not possible to leave a gap in the sentence term to be served by an inmate.

3.9.2 **Escape Sentences**

3.9.2.1 Incorrect commencement date

- A court will sometimes incorrectly specify a commencement date for a sentence for escape lawful custody without taking into account the adjustment for time at large.

- [Section 57 of the Crimes \(Sentencing Procedure\) Act 1999](#) specifies that a sentence for an offence involving an escape lawful custody (including attempts to escape) is to commence at the expiration of any other existing non-parole period or fixed term.
- When sentencing a person to imprisonment for such an offence, courts are further required under subsection 1A (effective 14 March 2011), to impose the sentence after any other sentence of imprisonment imposed in the same proceedings.
- Such sentences are extended under [Section 254 of the Crimes \(Administration of Sentences\) Act 1999](#) for the period the person was at large.
- Upon the warrant failing to correctly specify a correct commencement date for an escape sentence, it should be entered in OIMS using the day after the adjusted date as the commencement date for it.
- Advice should be forwarded to the court advising of the correct date for its information.
- In the absence of any response from the court, the data entry as above will stand.

3.9.2.2 Sentence Imposed by Local Court exceeding 5 years 6 months

- A Local Court may not impose a sentence for escape lawful custody that would result in an inmate's total sentence expiring more than 5 years and 6 months after its original commencement (disregarding any period of extension).
- This provision only applies if the existing sentence is comprised of at least 1 other sentence imposed by a Local Court.
- The matter should be referred to the sentencing court as soon as possible.
- Details should be entered in the OIMS Legal Orders screen as per the warrant and include a comment that the sentence has been referred for correction.
- In the absence of any corrective response from the court within 10 working days, the data entry will stand, however, further follow up action must be taken to ensure the matter is dealt with.
- A Local Court may only impose an individual sentence of up to 2 years imprisonment.

3.9.3 **Sentence made Consecutive to Existing Parole Period**

[Section 47 of the Crimes \(Sentencing Procedure\) Act 1999](#) does not allow a court to specify a sentence to commence at a later date (than the date it is imposed) if the inmate is only serving a sentence that has a non-parole period already expired (not revoked parole orders – see 3.9.3.1 below).

In such cases, a referral to the court should be made to clarify its intention. The referral should point out that the sentence appears to contravene the provisions of [Section 47](#) and indicate the latest possible date it may commence.

In some cases, the court may reopen proceedings but if the commencement date originally specified has passed, it may confirm that date.

If the court takes no further action upon receipt of Corrective Services advice, and the inmate has less than 12 months remaining of the parole period to serve,

the sentence should be entered in OIMS as per its imposition. It will stand as per the court order, unless subsequently amended.

In some cases a court may take no further action upon receipt of Corrective Services advice. If inmate has more than 12 months to serve of the parole period and/or there is a parole review scheduled within the following 12 months of commencement, follow up action must be undertaken to ensure the sentence complies with the legislation. When necessary, refer the matter to the relevant Sentence Administration Regional Manager for action.

3.9.3.1 Sentence made Consecutive to Revoked Parole Order

Section 47 did apply to sentences made consecutive to revoked parole orders but subsequent cases in the Court of Criminal Appeal have varied the interpretation of that section. The outcome of these cases is that the court has a discretion when to commence a sentence for an offence committed while the offender was on parole and where parole was revoked by reason of the commission of the offence.

No further action is required to be taken if the court orders any sentence to commence at any time during the revocation of parole period.

Refer to R v Pham [2005] NSWCCA 94; or Callaghan v R (2006) 160 A Crim R 145; [2006] NSWCCA 58 for full details of the determinations.

3.9.4 Non-parole Period Set on 6 Month (or less) Sentence

[Section 46 of the Crimes \(Sentencing Procedure\) Act 1999](#) specifies that a court may not set a non-parole period on a sentence if the sentence term is 6 months or less.

If a court makes an order to this effect, it should be referred to the court for correction as soon as possible. If there is no subsequent amendment or response from the court, the inmate is to be released as per that court order at the expiration of the non-parole period (subject to any other existing detainers etc).

Enter such sentences in OIMS' Legal Orders screen as per the warrant and place an entry in the comments field that the matter has been referred to the court for correction.

~~3.9.5 Section 12 Bond imposed When Inmate Subject to Other Sentences~~

Section 12 Bonds were removed as a sentencing option with the amendments in 2019.

3.9.6 Recognizance Release Orders - Federal Sentences

Upon imposing a recognizance release order (on sentences \leq 3 years), the court is required to issue an order to release the offender after having served a specified period of time. The most commonly encountered problem with these orders are the format they are issued.

Recognizance release orders are often issued under a state offence parole order under [Section 50 of the Crimes \(Sentencing Procedure\) Act 1999](#). They should be issued under [Section 20\(1\)\(b\) of the \(Commonwealth\) Crimes Act 1914](#).

Sentence administration staff should contact the court to request issue of a recognizance release order in the correct format.

3.9.7 Clarification of Federal Offences

In some cases, a federal offence is difficult to identify purely by the offence on the warrant. A common instance is for the offence of "Obtain Benefit by Deception". This offence could be either state or federal depending on the victim. If it's against a commonwealth agency such as Centrelink, then it is a commonwealth offence but if it's against say, Housing NSW, it is a state offence.

Where it is unclear, Sentence Administration staff must clarify from the court whether it is a state or federal offence. The information can be obtained from JusticeLink by referring to the legislation under which the offender has been charged.

Once clarified, a short comment should be entered in the Legal Orders screen, indicating confirmation of the jurisdiction of the offence.

A corresponding note should be placed on the actual warrant or a comment placed in the comments field of the TRIM document.

3.9.8 Appeal Results

In some cases, a court will determine a matter in relation to a person who has previously been released on bail pending the appeal determination. The court will sometimes issue an order confirming the original conviction, without taking into account the time at large while on bail.

3.9.8.1 Appeals to the District Court

If the District Court confirms the original sentence or imposes a new sentence after an appeal to it by a person who has been on appeal bail for any period of time, it may fail to take into account the time the person has been on bail. In these cases, the warrant is to be entered into OIMS as per its terms but a referral is to be made to the court, outlining the fact the person has been released on bail for that particular amount of time.

The court may make a further order or clarify that the period at large is not to be counted as time served, or re-sentence the offender.

The OIMS entry is then to be updated according to the new order.

3.9.8.2 Appeals to the Court of Criminal Appeal

The time at large for a person who has been on bail for a period of time prior to a decision by the CCA is automatically disregarded as a period of time served in relation to the sentence. Refer to [Section 18 of the Criminal Appeal Act 1912](#).

Upon receipt of an inmate following a determination by the CCA, the sentence is to be entered in OIMS as per the court's order with an adjustment entered

(If a new OIMS booking has been created for an offender who has been on appeal bail, the sentence is to be adjusted manually in the OIMS Legal Orders screen with appropriate comments. If a new booking has not been created (eg the person is/has also been on a Community Based Order), the Appeal screen can be utilised and the subsequent adjustment event created can be used to adjust the sentence.)

3.9.9 Victims Support Levy (VSL)

The [Victims Rights and Support Act 2013](#) specifies that for every state offence punishable by imprisonment and for which an offender is convicted, he/she will be liable to pay a Victims Support Levy (VSL)*. The amount payable is based upon the level of court convicting the offender. It is further adjusted annually, based on the official rate of inflation by issue of a [notice](#) by the Minister. There is no limitation on the date the offence was committed.

For the financial year of 2019-20, the respective amount for Local Court convictions is \$83 and \$184 for District and Supreme Court convictions. The amounts for the 2018-19 financial year were \$81 and \$181 respectively. Historical amounts below

Financial year	DC & SC Conviction	LC Conviction
2013–2014	\$161	\$71
2014–2015	\$166	\$74
2015–2016	\$169	\$76
2016–2017	\$172	\$77
2017–2018	\$177	\$79
2018–2019	\$181	\$81
2019–2020	\$184	\$83
2020-2021	\$188	\$85
2021-2022	\$190	\$86

**The VSL was previously known as Victims Compensation Levy under the Victims Support and Rehabilitation Act but was replaced by the Victims Rights and Support Act from 3 June 2013.*

The [Fines Act 1996](#) further allows for deduction of the levy from the inmate's earnings (only) if sentenced to a term of imprisonment.

The Trust Accounts module of OIMS is linked to the Legal Orders screen and has provision to calculate the amount providing the details have been entered. Refer to data entry instructions above.

VCL liability is suspended following lodgement of an appeal and its conclusion. Liability is annulled if the conviction is set aside. OIMS will generate correct liability figures provided the Appeal screen has been correctly completed. Inmate Accounts process the deduction of the liability and rely totally on accurate information in the Legal Orders screens. Refer to Appeals in Section 4 of this Manual (Movements and Schedules).

VSL does not apply to:-

- Any Commonwealth or ACT offences
- Revocation orders by State Parole Authority (Parole, Home Detention, Intensive Correction Orders).
- Revocations of Good Behaviour Bonds, Conditional Release Orders, Community Correction Orders, Community Service Orders and Suspended Sentences.
- Drug Court Sanctions (VSL still applies to Drug Court convictions)

3.9.9.1 Inmates Remaining In Custody After Sentence Has Expired

If an inmate remains in custody after a particular sentence has expired (whether on remand or for other sentences), VSL deductions will continue to be made from his/her earnings until satisfied.

3.9.9.2 Non-Custodial Appeal Results

If the result of an appeal results in the imposition of a non-custodial sentence (eg Bond, ICO, CSO etc) and the offender remains in custody, the offender remains liable to pay his/her VSL obligations and OIMS will continue to deduct VSL from the inmate's account accordingly.

Since the inmate remains liable to pay any remaining balance to the court for each VSL obligation (for non-custodial sentences), the inmate may be provided with a written statement indicating how much has been paid. This will allow the court to reduce the remaining balance accordingly.

3.10 STATE PAROLE AUTHORITY REVOCATION ORDERS

3.10.1. Revocation Orders

3.10.1.1 Balances of Parole

If a person has been released to parole and fails to comply with the conditions of the parole order, the SPA may revoke the person's parole and issue a warrant for their arrest and imprisonment. If the person is not in custody, the police will arrest them. If the person is in custody at the time of revocation, Corrective Services has the power to execute the warrant.

The sentence is the remainder of the parole period at the time of the breach (as calculated by the SPA in consultation with Sentence Administration Corporate and will be on the warrant). The person will start serving that sentence from the time they are admitted into custody or the effective date of revocation – whichever is the latter.

3.10.1.2 Balances of Intensive Correction Orders (ICO)

A person who has been sentenced to an Intensive Correction Order (ICO) may have their order revoked by the State Parole Authority (SPA) if the person breaches their order.

If an ICO is revoked, the SPA will issue a revocation warrant authorising the person's arrest and detention in a correctional centre. If the person is not in custody, the police will arrest them. If the person is in custody at the time of revocation, Corrective Services has the power to execute the warrant.

The sentence is the remainder of the ICO at the time of the breach (as calculated by the SPA in consultation with State Sentence Admin (SSA) and will be on the warrant). The person will start serving that sentence from the time they are admitted into custody or the effective date of revocation – whichever is the latter.

3.10.1.3 Reinstatement of Revoked ICOs

The SPA may reinstate a revoked ICO after a person has served 1 month in full time custody. The offender will be required to complete the ICO in the community upon release.

Reinstatements become effective immediately but the SPA may specify a future date the order becomes effective.

3.10.2 Entering on OIMS

When entering details on OIMS, the [Warrants/Holds/Detainers](#) screen must first be completed. It advises the SPA that the warrant was executed. The SPA is required to be advised because it has certain legislative requirements (refer to [Section 173 of the Crimes \(Administration of Sentences\) Act 1999](#)) to review every matter that has been revoked.

If the inmate is a fresh reception, update the Legal Orders screen with the relevant details including the sentence. It will date from the most recent date of entry into custody or the effective date – whichever is the latter. Select the most appropriate offence code for the revocation – eg Parole, Reintegration Home Detention, Intensive Correction Order or Periodic Detention.

If the inmate is in custody at the time of revocation, the warrant will be forwarded to the respective centre by State Sentence Admin Unit at Windsor. The warrant should be verified as soon as possible and placed on file.

The details of the new sentence are to be referred to the centre's Classification officer for information, especially if the new sentence affects the inmate's release date.

If the inmate is currently unsentenced, the Reception Room/Intake Area must be notified of the change of imprisonment status.

Note – ***VSL does not apply for these sentences.***

3.10.3 Calculation of Balances

Balances of SPA revocation orders are calculated by the State Parole Authority using the 'Calculate Balances' screen in OIMS.

As a general rule they are calculated in the following manner:-

- Obtain Expiry date of sentence from OIMS entry (A).
- Determine effective date of revocation from nominated by SPA (B).

- Raw balance is difference between A and B (C) – obtained from OIMS [Calculation of Sentences and Balances](#).
- Subtract any periods in custody after B.
- Final balance (D) commences from date of admission to custody on execution of warrant or effective date (B), whichever is the latter.

3.10.4 Reviews

SPA will issue a notice of revocation to the inmate within 21 days of the warrant being executed. It will set a review of the revocation of parole within 28 days of the notice being served ([sect 173 C\(AS\) Act 1999](#)). If the revocation is not rescinded the SPA will set regular review dates but generally they will be done on a yearly basis, unless in the circumstances of manifest injustice (as defined by [clause 233](#) of the Crimes (Administration of Sentences) Regulation 2008).

Therefore, inmates with balances of parole less than 12 months will serve the entire balance unless the revocation is rescinded at the initial review hearing.

For an inmate serving BOP the SPA must issue a parole order to authorise his/her release prior to the expiration of it.

3.10.5 Suspension of Parole Orders

Under [Section 172A of the Crimes \(Administration of Sentences\) Act 1999](#), on application (verbal, telephone, email or fax) by the Commissioner for Corrective Services, a judicial member of the State Parole Authority may suspend a person's parole order in urgent circumstances and when there is insufficient time for the State Parole Authority to convene in full.

An order is issued to authorise the offender's arrest and return to custody for a period of up to 28 days while the State Parole Authority considers formal revocation of the person's parole.

Sentence Administration staff should forward an email to the Secretary of the Parole Authority upon the offender's admission to a correctional centre advising of his/her return to custody and that the details have been recorded in OIMS. A copy of the email should be provided to the relevant Sentence Administration Cluster Manager.

At the next available hearing date and time, the SPA will formally consider revoking the offender's parole order.

Upon arrest and return to custody, the SPA will schedule a review hearing in the usual manner and either confirm revocation of the offender's parole or rescind the revocation and the inmate may be released.

3.10.5.1 OIMS Data Entry

Upon receipt into custody, the details of the suspension order should be recorded in the Legal Orders screen, using the offence of "Parole Order Suspended Suspension". The sentence should be entered as a sentence type of "BOP" and duration is 28 days from date of arrest. There is no requirement to update the Parole Revocation Screen at this stage.

Upon formal notification of revocation, the offence should be amended to “revocation of parole”, the sentence should be varied to reflect the calculated balance and the parole revocation screen can be updated.

Sample [Suspension of Parole Order](#).

Sample [Data Entry](#).

3.10.6 Balances of Periodic and Home Detention

Periodic detention ceased as sentencing option in 2008 and the final remnants of the program finished in 2018. Home detention ceased as a sentencing option in 2018. However, there are still outstanding warrants for breaches of these orders which will result in the person being admitted to custody.

If a person is admitted to custody on a revocation warrant for such orders, the person is required to be resented by a court within 14 days of execution of the warrant in accordance with Schedule 2, Section 80(7) of the Crimes (Sentencing Procedure) Amendment (Sentencing Options) Act 2017.

Upon admission, the details are to be forwarded to OSASO@justice.nsw.gov.au for that unit to prepare an information package for the court.

The court’s decision (eg bail or resentence) will determine the future custody of the offender and will override the sentence on the revocation warrant.

3.10.6.1 Entering on OIMS

When entering details on OIMS, the Parole Revocation screen must first be completed. .

Enter the offence as Revocation of Order – Law Part Code 93393. Do not enter any sentence details but enter a comment that the person is required to be resented and that the matter has been referred to OSASO for action.

The inmate’s imprisonment status is ‘Unsentenced’

3.10.7 Offenders extradited from other states on a revocation order

On occasion, a person may be extradited from another state to serve the balance of a revocation order.

Even though the warrant will not be actually executed until their return to NSW, the offender will be entitled to credit for the time in custody awaiting extradition to NSW only.

Time spent serving another sentence in another state will not be credited as time served on the revocation order.

The police will provide information as to the arrest in the other state and that should be used to enter the sentence details to OIMS.

A comment should be entered to advise that the person was extradited from the other state and had been in custody since the advised date.

3.11 JUVENILE OFFENDERS

Offenders who commit an offence as a juvenile (i.e. under 18 at the time of offence) may be dealt with by a court with jurisdiction to hear such matters. Generally they will be committed to custody in a Juvenile Detention Centre administered by the Juvenile Justice NSW or a Juvenile Correctional Centre administered by Corrective Services.

However, upon turning 18, differing provisions apply to them and depending on the circumstances, they may be received directly into Corrective Services' custody, despite the court order.

3.11.1 Legislation affecting detention of Juvenile Offenders

The main Acts and associated Regulations administering the detention of juvenile offenders are:-

- [Children \(Criminal Proceedings\) Act 1987.](#)
- [Children \(Detention Centres\) Act 1987.](#)
- [Crimes \(Administration of Sentences\) Act 1999.](#)

3.11.2 Orders made by courts committing offenders to Detention Centres, Juvenile Correctional Centres and Correctional Centres.

3.11.2.1 Children's Court Jurisdiction

The Children's Court generally deals with matters relating to offences committed by persons under 18 **and** under 21 when charged before the court with the offence. The most severe punishment it may impose is to:-

- a) if the offender is under 21, impose a Control Order committing the person to the control of the Minister administering the [Children \(Detention Centres\) Act 1987](#) (refer [S33\(1\)\(g\)\(i\)](#) of the Children (Criminal Proceedings) Act 1987)

or

- b) if the offender is over 21, impose a Control Order committing the person to the control of the Minister administering the [Crimes \(Administration of Sentences\) Act 1999](#) (refer [S33\(1\)\(g\)\(ii\)](#) of the Children (Criminal Proceedings) Act 1987)

It may also remand a person into the custody of a detention centre with or without bail. This may even happen to someone over 21 if they were under 21 when charged before the court, although Juvenile Justice NSW may make submissions to the court against such an order.

It may make an order committing a juvenile to a correctional centre (including a juvenile correctional centre) for the period of remand in some cases if the person is charged with an indictable offence (Refer to [Section 28A of the Children \(Detention Centres\) Act 1987](#)).

It may not sentence a person to imprisonment but may make an order under [Section 28B of the Children \(Detention Centres\) Act 1987](#) committing a person to

a correctional centre in relation to a control order if the offender has been convicted of a detention centre offence while in custody for an indictable offence.

This does not limit the power of the Director-General of Juvenile Justice to make an order under [Section 28 of the Children \(Detention Centres\) Act 1987](#) to transfer custody to a correctional centre in certain circumstances.

3.11.3 Serious Children’s Indictable Offence and Indictable Offences

The Children’s Court does not make determinations as to guilt or sentencing with “serious children’s indictable offences” as defined by the [Children \(Criminal Proceedings\) Act 1987](#). It also does not make determinations with some indictable offences depending on the seriousness and nature of the offence and other factors relating to the offender. The Children’s Court may be involved the preliminary stages and may commit the person for trial or sentencing at a higher court.

In such cases, the offence is dealt with according to law (i.e. as an adult) and the court may impose a term of imprisonment and/or remand a person into a correctional centre.

If the court dealing with such matters is of the opinion the offender should serve the sentence in a detention centre, it must make a further order under [Section 19 of the Children \(Criminal Proceedings\) Act 1987](#). Such offenders must be transferred to a correctional centre when reaching the age of 21 years (or 18 if convicted of a serious children’s indictable offence), unless he/she is within 6 months of their release date (in some instances). In some cases, the court may specify a younger age at which he/she is to be transferred to a correctional centre.

Such transfers are automatic and acted upon in accordance with the court’s order. No further S28 order is required.

There is nothing to limit the power of the Director-General of Juvenile Justice to make an order under [Section 28 of the Children \(Detention Centres\) Act 1987](#) at any time to transfer custody to a correctional centre in certain circumstances.

3.11.4 Transfers of Inmates from Juvenile Detention Centres to Juvenile Correctional Centres or Correctional Centres

A transfer order may be made regardless of whether the offender is actually in Juvenile Justice custody. Outlined below is a guide of the various legislative orders required to legally transfer and admit the differing categories of juvenile offenders. The examples included in this memo are not exhaustive, so refer to Sentence Administration Cluster manager or Regional Manager for clarification if necessary.

3.11.4.1 Juvenile Detainees over 16 and under 18 years of age

The Director General of Juvenile Justice may make an order transferring the custody of a juvenile detainee to a juvenile correctional centre only ([Section 28\(2B\) of the Children \(Detention Centres\) Act 1987](#)).

3.11.4.2 Offenders over 18 and under 21 years of age

Offenders who are over 18 and under 21 years old may be held in either a Detention Centre, Juvenile Correctional Centre or Correctional Centre depending on the circumstances.

3.11.4.3 Offenders over 21 years of age

Unless within 6 months of his release date, a juvenile inmate may not be held in a detention centre or Juvenile Correctional Centre if he/she is over the age of 21 years. They must be transferred to a correctional centre.

Offenders arrested on warrants of any kind must not be detained in a detention centre and may be detained in a correctional centre ([Section 9A of the Children \(Detention Centres\) Act 1987](#)).

As mentioned above in 3.11.2.1, offenders over 21 may be remanded by the Children's Court to a detention centre in if he/she was under 18 when the offence was committed and under 21 when charged before the court.

3.11.5 Juvenile Correctional Centres

Depending on the circumstances, offenders between 16 and 21 years old may be held in a Juvenile Correctional Centre administered by Corrective Services NSW. Currently there are no gazetted Juvenile Correctional Centres.

3.11.6 Transfers from a Detention Centre to a Juvenile Correctional Centre

Juvenile inmates may be transferred to a juvenile correctional centre any time between the ages of 16 and 21. An order under [Section 28 of the Children \(Detention Centres\) Act 1987](#) is required by the Director-General of Juvenile Justice and with consent of Commissioner of Corrective Services.

3.11.7 Transfers from a Detention Centre to a Correctional Centre

Offenders over 18 may be transferred from a detention centre to a correctional centre (including juvenile correctional centres) on the basis of an order made under [Section 28 of the Children \(Detention Centres\) Act 1987](#) by the Director-General of Juvenile Justice and with consent of Commissioner of Corrective Services. There is criteria which must be satisfied prior to making such an order (refer to [Section 28\(2A\)](#) of this Act).

3.11.7.1 Subsequent Transfer of Offenders to a Correctional Centre upon turning 18 years of age

Offenders under 18 may only be transferred to a juvenile correctional centre under the above section. A further order made by the Minister (of Corrective Services) under [Section 41C of the Crimes \(Administration of Sentences\) Act 1999](#) is required to authorise their transfer to a correctional centre once they become 18.

3.11.8 Transfers between a Correctional Centre and a Juvenile Correctional Centre

3.11.8.1 Transfers to a Juvenile Correctional Centre

Transfers of an inmate under 21 years of age from a correctional centre to a juvenile correctional centre may be made by the Commissioner of Corrective Services for any reason. An order must be made under [Section 41C\(1\) of the Crimes \(Administration of Sentences\) Act 1999](#).

3.11.8.2 Transfers to a Correctional Centre

Transfers from a juvenile correctional centre to a correctional centre may only be ordered by the Minister upon recommendation from the Commissioner or the Review Council ([Section 41C\(2\) of the Crimes \(Administration of Sentences\) Act 1999](#)).

3.11.9 Offenders in Juvenile Custody who Commit a Detention Centre Offence

A juvenile inmate over 18 years old in custody in a detention centre may be convicted and sentenced to a term of imprisonment in a correctional centre for a Detention Centre Offence. These offences include escapes or attempted escapes from a detention centre, failing to comply with a condition of leave order (including failure to return) or any other offence committed while a detainee in a detention centre.

If an offender is sentenced to a term of imprisonment for a detention centre offence and that term expires prior to the existing control order, the balance of the existing control order automatically becomes a term of imprisonment.

If the person was on remand, the remaining period for remand is required to be served in adult custody.

No order is necessary and the offender serves that term in adult custody. Refer to [Section 28BA of the Children \(Detention Centres\) Act 1987](#).

The provision only applies to offenders over the age of 18 years.

3.11.10 Admission of Juvenile Offenders to Correctional Centres/Court Cells on various arrest warrants

No person over 21 years of age and arrested on a warrant of any kind is to be detained in a Juvenile Detention Centre ([Section 9A\(1\) of the Children \(Detention Centres\) Act 1987](#)). Therefore, they may be received into a Court Cell Complex or correctional centre without any additional order being made.

In determining the age of an offender, the date of birth indicated on the warrant is to be taken to be his/her correct age unless confirmation to the contrary is obtained.

3.11.11 Juvenile Offenders subject to arrest warrant or order issued for breach of Good Behaviour Bond, Probation, Community Service Order, or Escape from Lawful Custody.

Under the provisions of [Section 9A of the Children \(Detention Centres\) Act 1987](#), any offender over 18 subject to an arrest warrant for the offences indicated below is to be detained in a correctional centre. These offenders may be accepted directly from police into a correctional centre or court cell complex.

- Breach of Good Behaviour Bond.
- Breach of Probation.
- Breach of Community Service Order.
- Revocation of Parole (refer to 3.11.11.1 below)
- Escape Lawful Custody.

Please note that arrest warrants issued for the above reasons, except for revocation of parole, usually require the offender to be brought before the next available sitting of the Children's Court. Since these offenders would generally be received at a court cell complex, the Officer in Charge of the complex must arrange his attendance at the relevant court.

The result of the ensuing court hearing will determine the further placement of the offender.

Example - An offender is arrested on an arrest warrant for "breach of probation", requiring his appearance before a court. He/she may be detained in a court cell complex until the court appearance.

The court remands the offender to a detention centre and issues a remand warrant to that effect.

Despite the offender's age and the offence, the offender must be placed into Juvenile Justice custody immediately.

3.11.11.1 Juvenile Offenders Subject to a Revocation of Parole Order

Any Children's Court revocation warrant issued from 26 February 2018 requires the person to be held in Juvenile Justice custody upon arrest – even if the person is over 18. CSNSW does not have authority to detain the person on that order alone. The exception is for offenders over 21 at the time of arrest who are to be held in CSNSW custody.

Children's Court parole revocations issued prior to 26 Feb 2018 require the offender to be detained in adult custody if they are over 18.

The SPA may issue parole revocation warrants for juveniles who have since turned 18 and these are sufficient to detain in CSNSW custody.

3.11.12 Transfer of Juvenile offenders to a correctional centre upon reaching the age of 21 years

Upon reaching 21 years of age, offenders in custody at a detention centre or juvenile correctional centre must be transferred to a correctional centre, unless

within 6 months of their release date. The original order made by the sentencing court under [Section 19 of the Children \(Criminal Proceedings\) Act 1987](#) is the authority for transfer in these cases.

Juvenile Justice will liaise with Corrective Services NSW prior to transfer to allow a classification decision to be made to ensure appropriate placement.

If the offender is to be transferred prior to turning 21 years old (or prior to age specified in the [Section 19](#) Order), a separate order under [Section 28 of the Children \(Detention Centres\) Act 1987](#) is required.

3.11.13 OIMS data entry.

When an inmate is received into Corrective Services' custody, the Legal Orders screen should be completed in the same way as for adult warrants. The sentence type should be entered as either a fixed term or sentence/NPP, commencing on the original date imposed by the court.

An entry should be made in the Comments field indicating the reason for transfer to adult custody. For example "Inmate transferred to Corrective Services custody from Juvenile Justice on (date) under Section 19 of the Children (Criminal Proceedings) Act 1987".

3.11.14 Offenders in Adult Custody with further Control Orders or Appearance Orders issued by Children's Court

3.11.14.1 Inmates on Remand with an unexpired Control Order or Juvenile Appearance Order

An inmate over 18 and under 21 held in custody on remand in relation to adult matters (including for detention centre offences) may also be subject to an unexpired control order or juvenile appearance order.

Under S9A(3)-(5) of the Children (Detention Centres) Act, any juvenile order automatically becomes an adult order after the person has been in adult custody for 28 days. In entering these to OIMS, a notation should be entered in the comments field that 'the order becomes an adult order as per S9A of the Children (Detention Centres) Act.'

3.11.14.2 Data Entry in OIMS

Until the 28 days has passed, the sentence details should not be entered. However, the court, date, future appearance date and offence should be entered in OIMS Legal Orders screen with a comment that a control order was imposed and its details (length and commencement date).

Upon expiration of the 28 days, the screen should be updated with the appropriate offence, court and sentence details with a comment such as "Sentence originally imposed as a control order - order becomes an adult order as per S9A of the Children (Detention Centres) Act'.

3.11.14.3 Sentenced Inmates with a later expiring control order

3.11.14.5 Inmates with Revocation of Parole Warrants issued by the Children's Court

An inmate on remand or serving a sentence in relation to adult matters may be subject to a revocation of parole order issued by the Children's Court.

The warrant becomes an adult sentence after 28 days in adult custody but the Children's Court will still be responsible for conducting a review hearing of the revocation order. Sentence Administration officers are to monitor all Children's Court review hearing results to ensure any variations are recorded.

3.11.14.6 Data Entry

If a Children's Court revocation warrant is issued for an inmate, the details should be recorded in OIMS but the sentence should not be entered until the person has been in CSNSW custody for 28 days.

3.11.14.7 Review Hearings

The centre's Classification staff should also be notified of any changes to the order for information.

3.11.15 Children's Court Remand Warrants

An inmate in custody at a correctional centre may also be on remand to appear at a Children's Court due to a warrant issued by it under [Section 9 of the Children \(Detention Centres\) Act 1987](#) and [Section 27 of the Children \(Criminal Proceedings\) Act 1987](#). If the person has been in adult custody for 28 days or more, the warrants are sufficient authority for the person to appear at court..

If the person has been in custody for under 28 days, Sentence Administration Officers must contact the relevant court to request an order under [Section 77 of the Crimes \(Administration of Sentences\) Act 1999](#) to facilitate his/her attendance.

3.11.16 OIMS Data Entry

Refer to various instructions above for details of OIMS data entry requirements for offenders with outstanding control orders and/or transferred orders.

3.11.17 Assessment of Documentation

~~3.11.17.1 Referral of Warrants to Sentence Administration~~

~~3.11.17.2 Assessment Criteria~~

As a general policy guideline, Sentence Administration will recommend the issue of a [Section 28](#) Order when a juvenile sentence (including non-parole periods) expires after any existing adult fixed terms or non-parole periods or remand warrants.

3.11.17.3 Verbal Approval

Refer to links below for examples of various warrants and documents.

3.11.18 TRIM ANNEXURES

Examples of Orders

- Children's Court – Revocation of Parole Warrant – under Children Detention Centres Act – (from 26 February 2018).

- Children's Court – Revocation of Parole Order – Crimes Admin of Sentences Act (Pre 26 February 2018)

3.12 MENTAL HEALTH AND COGNITIVE IMPAIRMENT FORENSIC PROVISIONS ACT 2020

FORENSIC PATIENTS & CORRECTIONAL PATIENTS

Refer to Forensic Liaison Processes and Procedures Manual ([Click here](#)) for all information in relation to:

- o Forensic Patients
- o Correctional Patients.
- o Section 19 Mental Health And Cognitive Impairment Forensic Provisions Act 2020 Orders
- o Mental Health Review Tribunal (MHRT) Orders
- o Data entry.

Refer all inquiries to Senior Project Officer / Forensic Liaison Officer in Statewide Administration of Sentences and Orders on 8346 1150.

3.13 COMPULSORY DRUG TREATMENT ORDERS

3.13.1 Eligibility of Offenders

Inmates serving a sentence with a non-parole period of at least 18 months and with no more than 3 years remaining to be served are eligible to be considered for a compulsory drug treatment order (CDTO) by the Drug Court.

Eligible convicted offenders as defined by [Section 5A of the Drug Court Act 1998](#) are referred to the Drug Court by the sentencing court.

Imposition of a CDTO results in the inmate's detention in a Compulsory Drug Treatment Correctional Centre as defined by the [Crimes \(Administration of Sentences\) Act 1999](#). Compliance with an order allows inmates to serve their sentences in various levels of security while allowing them to address and eliminate their drug dependency under a judicially supervised program.

Failure to comply with the conditions may result in revocation of the order and placement back into a mainstream correctional centre. Revocation may also affect an inmate's subsequent assessment for release to parole.

The only centre at this stage is based at Parklea and only male inmates are eligible for an order. Warrant files are located at the CDT and administered by Sentence Administration staff from the Windsor Sentence Administration Unit.

3.13.2 Imposition of a Compulsory Drug Treatment Order (CDTO)

Upon imposition of a CDTO, the Drug Court must issue a warrant committing the offender to a Compulsory Drug Treatment Correctional Centre as well as a corresponding order ([example](#)).

The effect of the order is to revoke any existing parole order made under [Section 50 of the Crimes \(Sentencing Procedure\) Act 1999](#) (court based parole orders). The Drug Court then becomes the jurisdictional authority for issue of any subsequent parole order, irrespective of the length of the non-parole period.

Upon issuing an order, the Drug Court will make contact with the CDT CC and arrangements will be made to transfer the inmate to the CDT CC.

Sentence Administration staff at the centre where the inmate is located at the time the order is issued are responsible for entering the order details.

Data Entry guide – click [here](#).

3.13.3 Release of Offenders with a CDTO

Under [Section 106T of the Crimes \(Administration of Sentences\) Act 1999](#), the Drug Court is taken to be the authority to issue a parole order for an inmate subject to a current CDTO. The Drug Court will issue an order following consideration prior to the expiry of the non-parole period.

3.13.4 Revocation of Compulsory Drug Treatment Orders

Following a breach of a CDTO, the Drug Court will issue a warrant, committing the offender to a correctional centre for the balance of the original sentence. The balance is calculated by the Drug Court, based on the date of the breach.

The balance commences from when the offender returns to custody, which allows any time at large to be taken into account.

Any court-based parole order remains revoked and a new order must be issued by the State Parole Authority.

Therefore, Sentence Administration staff at the centre of re-admission of the offender are to advise the Secretary of the Parole Authority of the inmate's re-admittance by email.

In considering making an order for release to parole, the Parole Authority will take into account the fact that the CDTO was revoked.

If no parole order is issued, the inmate will be eligible for release at the expiration of the head sentence.

3.14 DRUG COURT SANCTIONS

The Drug Court has power under the [Drug Court Act 1998](#) to commit an offender to a correctional centre who is applying for admission to a Drug Court program or for an offender who is participating in a Drug Court program. This is a separate process to the issuing of orders for Compulsory Drug Treatment Orders for offenders already sentenced.

3.14.1 Detoxification/Assessment/Plan Development

Under [Section 8A of the Drug Court Act 1998](#), the Drug Court may commit an offender to a correctional centre for up to 21 days at a time in order to assess an offender for admittance to the program, development a treatment plan or to allow for the offender's detoxification.

The court will issue a remand warrant with the date the inmate is to be returned to the Drug Court (example [here](#)). The court will specify the centre at which the inmate is to be held. These warrants are to be entered in the appearance order screen.

The inmate is to be taken to the Drug Court on the date specified on the order.

3.14.2 Sanctions

An offender who is participating in a Drug Court program and who fails to comply with its conditions may be subject to a sanction imposed by the Drug Court under [Section 16\(2\)\(f\) of the Drug Court Act 1998](#).

Among a range of options, the Drug Court may impose a sanction upon the offender, committing them to a correctional centre for up to 14 days.

A warrant will be issued (example [here](#)) and will specify the length of the sanction and the centre at which the inmate is to be held. These warrants are to be entered in the Sentence Warrant screen using "Fixed Sentence" as the sentence type.

The Drug Court may also order the person's appearance before it on a date specified – usually at the end of the sanction period. This information should be entered as an appearance order in the same Legal Case as the fixed term. The inmate is to be taken to court on that date and not released from custody.

If there is no remand order made, the inmate is eligible for release from the correctional centre at the expiration of the sanction period.

3.15 SERVICE AND EXECUTION OF PROCESS ACT ORDERS

An interstate court has the authority to order CSNSW for the attendance of an inmate before it (by AVL or in person) to give evidence under [Section 39](#), [Section 67](#) or [Section 79 of the Service and Execution of Process Act 1992](#). The section under which an order is issued depends on the type of hearing being conducted – i.e. criminal or civil.

The order will be made in conjunction with a subpoena issued to the person (inmate) requiring their attendance at the court.

While an order under this section is an authority for the physical transport (when specified) of an inmate to the other state to give evidence, the interstate court should be contacted in the first instance to determine whether it may be appropriate to conduct the hearing by Audio Visual Link.

If the interstate court remains satisfied that the inmate must appear in person, the order issued by the court under the above sections is sufficient authority for the escort of the inmate to that state.

If an inmate is to be transported to the other state, the other state is to ensure the escorting state's expenses are paid or reimbursed. This includes transport, accommodation, labour and other expenses. Furthermore,

Sentence Administration staff should liaise with the Court Escort Security Unit to make the appropriate escort arrangements. That Unit may further liaise with the interstate court to discuss other logistical issues and payment of expenses.

Sentence Administration staff should make an entry in the offender Legal Cases screen in OIMS as a new Legal Case. Click [here](#) for an example.

3.15.1 Offenders being transported between states under orders made under Service and Execution of Process Act.

Inmates who are being transported, either to or from another state under these orders may be held in custody at a prison (or correctional centre, cells etc) at the request of the escorting officer (custodian).

A Corrective Services NSW location may hold an interstate offender at the request of the custodian. There are no written orders made by the escorting officer, but he/she should provide a copy of the order upon which he/she is being transported. They should further indicate when the offender will be collected and contact details in any emergency.

This provision also applies to any offender being returned to another state to face charges in that state.

[Example](#) Warrant to Remand Person to Another State under Service and Execution of Process Act.

3.16 EXTRADITION ACT (COMMONWEALTH) ORDERS

The (Commonwealth) [Extradition Act 1988](#) provides for offenders wanted for criminal proceedings in another country with which Australia has an extradition arrangement, to be ordered to be taken to the other country.

Under [Section 15](#) of the Act, the person may be committed to a correctional centre while the case is pending. If the person is found to be an extraditable person, he/she may be further committed under [Section 18](#) until a surrender warrant is issued under [Section 23](#).

A surrender warrant under Section 23 authorises the release of the person into the custody police officer specified in the order for further release into the custody of an escorting officer from the other country.

Example – [Extradition Act Section 18 Order](#).

Example – [Surrender Warrant \(Section 23\)](#).

3.17 IMMIGRATION REQUESTS (ORDERS) TO HOLD

Officers from the Department of Immigration and Border Protection are empowered under the [Migration Act 1958 \(Commonwealth\)](#) to order the detention in custody of a person they believe to be an unlawful non-citizen. An order will be issued under the Migration Act 1958, signed only by an Immigration Officer (example [here](#)). It authorises the detention of the subject person until other arrangements are made to transfer the person to an Immigration Centre or remove from Australia.

(In September 2012, the Department of Immigration advised that it considered Requests to Hold issued prior to 27 September 2012 (for unsentenced inmates only) were invalid due to legal concerns. As a result, any existing orders were cancelled by Immigration. This did not apply to sentenced inmates.

The legal issue has been resolved and from 5 September 2014, Dept Immigration advised that it will recommence issuing Requests to Hold)

3.17.1 OIMS Data Entry

3.17.1.1 Offender Legal Cases screen

The details of these requests are to be entered in the Legal Orders screen, as a DTBF order option so it remains active throughout the imprisonment episode.

If advised by Immigration that the person is no longer of interest, the DTBF should be changed to the date the advice was received.

Refer to the OIMS Data Entry Guide for details of data entry.

3.17.1.2 Release Notifications

An entry in the Release Notification screen is to be made by Sentence Administration Corporate outlining the details of the relevant Immigration officers to be contacted when the person would otherwise be eligible for release.

When a person would otherwise be eligible for release, State Sentence Administration staff are to notify the Immigration contacts and update the Completion section of the screen. Details of arrangements for collection of the inmate are to be recorded in the comments field.

3.17.2 Advising Classification and Case Management

Upon receipt of an Immigration Request to hold or subsequent advice that the inmate is no longer required to be held as per an existing order, written notice should be provided to the centre's Classification and Case Management officer for information and review.

3.18 CRIMES (SERIOUS OFFENDERS) ACT 2006 ORDERS

3.18.1 Interim Detention Orders

Under the [Crimes \(High Risk Offenders\) Act 2006](#), upon application by the State, the Supreme Court may order the detention of a serious sex offender or violent offender if it considers the person may commit a further serious offence upon release.

An interim detention order may be imposed while the matter is proceeding in the Supreme Court authorising a person's detention for up to 28 days at a time but only for a maximum total period of 3 months.

3.18.1.1 OIMS Data Entry

Such orders are to be entered in the Legal Orders screen, using "Interim Detention Order" (LawPart Code 91739) as the offence and using "Fixed Sentence" as the sentence type for the period specified by the court.

Contact details for the ESO Team are -
Phone **9854 5200**, fax **9854 5207** or email ESOTeam@justice.nsw.gov.au

3.18.2 Expiration of Interim Detention Orders

If an inmate's interim detention order is due to expire, Sentence Administration staff at the relevant correctional centre are to contact the Extended Supervision Order Team for advice as to any further requirements before the inmate is to be released.

It is common for such orders to be renewed on the day they expire so the person is not be released until confirmation is received to do so.

Click [here](#) for an example order.

3.18.3 Continuing Detention Orders

Following consideration by the Supreme Court of an application for a Continuing Detention Order by the State, it may impose an order authorising the detention of a person for up to 5 years.

The matter must be reviewed at least every 12 months and the Supreme Court may revoke the order.

3.18.3.1 OIMS Data Entry

The term is entered in OIMS Legal Orders screen, using “Making of continuing detention orders - unacceptable risk” (LawPart Code 91892) as the offence and using “Fixed Sentence” as the sentence type for the period specified by the court.

3.18.4 Expiration of Continuing Detention Orders

At the expiration of a continuing detention order Sentence Administration staff should refer the matter to the ESO Team for advice as to any further requirements before the inmate is to be released.

3.18.5 Interim Supervision Orders

Upon application by State, under the Supreme Court may impose an extended supervision order upon a person who it considers is likely to commit a further serious offence if not supervised. While such proceedings are pending the Supreme Court may impose an interim supervision order under [Section 9 of the Crimes \(High Risk Offenders\) Act 2006](#). Such an order is insufficient to detain a person in custody but is authority for his formal supervision by the ESO Team.

If an inmate is subject such an order, Sentence Administration staff should refer the matter to the ESO Team for advice as to any further requirements before the inmate is to be released.

3.18.5.1 OIMS Data Entry

If the offender is in custody at the time the order is issued, an OIMS entry in the Sentence Warrant screen should be made, using the comments field to outline the result. Example [here](#).

Formal entry in OIMS of the supervision order will be made by ESO Team.

3.18.6 Extended Supervision Orders

Upon application by the State, under [Section 10A of the Crimes \(High Risk Offenders\) Act 2006](#), the Supreme Court may impose an extended supervision order upon a person who it considers is likely to commit a further serious offence if not supervised. Extended supervision orders may be made for a period of up to 5 years effective from the date of imposition.

If a person breaches such an order, he/she is liable to a maximum penalty of up to 2 years imprisonment.

Such orders are not an authority to detain a person in custody. If an extended supervision order is imposed upon an inmate, Sentence Administration staff should contact the ESO Team for advice as to any further requirements before the inmate is to be released.

3.18.6.1 OIMS Data Entry

If the offender is in custody at the time the order is issued, an OIMS entry in the Sentence Warrant screen should be made, using the comments field to outline the result. Example [here](#).

Formal entry in OIMS of the supervision order will be made by ESO Team.

3.18.7 Entry of Alerts in OIMS

On a monthly basis, the Extended Supervision Order Team (ESO Team) will provide to the Executive Director Sentence Administration a list of those offenders who are being considered for an extended supervision or detention order.

An alert will be entered in OIMS for each of those offenders, requiring Sentence Administration officers to contact the ESO Team for further instructions if the inmate is to be released. The inmate is not to be released until cleared by the ESO Team. If there is any difficulty in contacting the ESO Team, the Cluster Manager should be advised and further advice sought.

Contact details for the ESO Team are -
Phone **9854 5200**, fax **9854 5207** or email ESOTeam@justice.nsw.gov.au .

3.19 HEARINGS OF MATTERS IN OTHER STATES

There are no provisions to formally order the appearance of an inmate at an interstate court, except under certain provisions of the Commonwealth [Service and Execution of Process Act 1992 \(SEPA\)](#) and then only if appearing as a witness or in relation to non-criminal matters such as care proceedings, civil proceedings, etc.

If the inmate is required as a witness in an interstate matter, the interstate court may issue an order under S39 of the SEPA which must be complied with.

For non-criminal proceedings against the inmate, defined as 'investigative functions' or 'adjudicative functions', the SEPA allows a court to issue an order for appearance under S67 or 79 of the act.

Orders issued under this act should be manually entered to OIMS with the relevant details so the listing will appear on the various reports.

There is no provision to order an inmate's appearance in relation to criminal matters if the person is being held on other NSW issued detainers. If an interstate court wishes to proceed with a matter for an inmate in custody in NSW, it should be advised to consider making application for Interstate Transfer or Extradition under the terms of the respective laws.

3.20 INMATES APPEARING BEFORE A VISITING MAGISTRATE (VJ)

Inmates that allegedly commit an offence whilst in custody can be dealt with in two different ways.

If the offence is a serious charge arrangements will be made for the police to arrest and charge the inmate ([Section 25](#)) and have him/her appear before a court of law to be dealt with by the Court.

If the matter is relatively minor it may be dealt with by either the General Manager of the Correctional Centre or by a VJ.

3.20.1 Penalties General Manager may impose

Refer [Section 53](#), Crimes (Administration of Sentences) Act 1999.

3.20.2 Penalties Visiting Magistrate may impose

Refer [Section 56](#), Crimes (Administration of Sentences) Act 1999.

3.20.3 Who is a Visiting Magistrate

Refer [Section 227](#), Crimes (Administration of Sentences) Act, 1999.

3.20.4 Role of Sentence Administration Staff

Sentence Administration Staff either are only involved where the inmate has had his/her sentence extended or a term of imprisonment imposed on the inmate.

Sentence Administration staff are not generally involved in the processing and entering of non-custodial penalties imposed by the General Manager or Visiting Magistrate.

Sentence Administration Staff are only interested in matters where the VJ has imposed a custodial sentence. Refer to [Section 56\(1\)\(e\) of \(f\) of the Crimes \(Administration of Sentences\) Act 1999](#).

3.20.5 How advice is obtained from the Visiting Magistrate

All matters where an inmate appears before the VJ will be prosecuted by a Legal Officer from Corrective Services.

When the VJ finishes his/her consideration of the case against the inmate he/she will then determine an appropriate penalty as indicated above.

That penalty will be recorded on the VJ bench notes and a copy given to the Corrective Service's Legal Officer who prosecuted the matter.

The Legal Officer will forward the result(s) to both the General Manager of the Correctional Centre and Sentence Administration Corporate in Head Office.

Results of hearings are processed and entered in OIMS by the General Manager's delegate at each centre.

However, should the VJ impose a term of imprisonment these matters should be referred to Sentence Administration to update OIMS, as it has a direct relationship of the inmate's imprisonment.

3.20.6 OIMS Data Entry

When the VJ imposes either extension of a sentence or a term of imprisonment the VJ is required to have a written record of the determination. The normal format of this documentation is by way of the VJ's bench notes (there is no prescribed form for this).

Following the determination, the VJ will give a copy of the outcome to the Departmental Legal Officer who prosecuted the case and who in turn forward copies to the General Manager of the Correctional Centre where the inmate is detained and another copy to Sentence Administration (if a term of imprisonment has been imposed).

Data Entry Instructions – [click here](#).

However, should a VJ impose a term of imprisonment on an offender whilst in custody, Sentence Administration Staff should contact the Local Court from where the VJ came to obtain a Warrant of Commitment.

This warrant is entered in the same manner as any other Warrant of Commitment.

3.20.7 Lodging of appeals to District Court from decision of Visiting Magistrate

Inmates may appeal to the District Court against the imposition of a sentence by the VJ.

Refer to [Section 62 of the Crimes \(Administration of Sentences\) Act 1999](#).

It should be noted that an inmate can only lodge an appeal against a decision of the VJ when the VJ has actually sentenced the inmate to a term of imprisonment or an extension of imprisonment.

The appeal should be treated as any other appeal from the Local Court to the District Court except that the appeal documentation is forwarded direct to the VJ and not to the Court where the sentence was imposed.

3.21 DEFENCE FORCE DISCIPLINE ACT 1982 ORDERS

A person who is a member of the armed forces may be dealt with by various Defence Force officers and tribunals for various (civil) criminal offences committed while a member of the forces. Such proceedings are dealt with under the [Defence Force Discipline Act 1982](#) by a "service tribunal" such as a court martial, a Defence Force Magistrate or a summary authority.

The service tribunal may impose a custodial sentence in accordance with the Defence Force Discipline Act and the Commonwealth Crimes Act 1914 and is served in a correctional centre.

A warrant will be issued outlining the sentence under the Defence Force Discipline Act.

The sentence should be entered in OIMS as a commonwealth offence and sentence.

Click [here](#) for an example warrant and data entry.

3.22 FAMILY LAW ACT 1975

The [Family Law Act 1975](#) is a Commonwealth Act dealing with divorce, parenting arrangements between separated parents (whether married or not), property separation following a divorce, and financial maintenance involving children or divorced spouses.

Proceedings under the Family Law Act are under civil jurisdiction and as such, these inmates are to be classed as Civil Inmates.

Committal Warrants

A court may commit a person to custody under the Family Law Act 1975 for failing to comply with an order made by that court (contempt of court). It will issue a warrant addressed to CSNSW ordering the detention of a person for a period specified. It may further specify a period after which a person may be released upon entering a bond, in a similar way that a Commonwealth sentence with a recognizance is set.

An example of a warrant can be viewed [here](#).

A person held in custody is a "Civil" inmate and should be held separately to other persons in custody on criminal matters.

If a person wishes to purge his/her contempt, he/she must apply to the court. If the court is satisfied that the contempt is purged, it will issue a further advice upon which he/she may be released (subject to other checks).

The serving by a person of a period of imprisonment imposed for failure to make a payment under a child maintenance order does not affect the person's liability to make the payment.

Arrest Warrants

A court may also issue a warrant for the arrest of a person to appear before the court. A person arrested under such an order may be accepted into and detained in a court cell complex and taken before the court as required.

An example of such an order is included [here](#).

A person held in custody is a "Civil" inmate and should be held separately to other persons in custody on criminal matters.

DOCUMENT HISTORY

Version	Date	Reference
1.0	26-11-09	First issue
1.1	15-10-2010	<p>Sect 3.2.4 – Updated to clarify data entry requirements for AVL appearances.</p> <p>Sect 3.9 Updated to include current amounts to VCL</p> <p>Sect 3.12 – Updated to include amended contact details for Mental Health (Forensic Provisions) Act 1990 and a link to the Forensic Procedures Manual</p>
1.2	22-11-10	<p>Sect 3.3.1.1.8.1 inserted relating to newly introduced Intensive Correction Orders. Periodic Detention has been removed as a sentencing option.</p> <p>Sect 3.9 – Inserted link to Case Note Instructions for Anomalies</p> <p>Sect 3.8.5 updated to clarify that courts may set a recognizance release order for Commonwealth sentences exceeding 3 years and may not set a non-parole period on sentences up to 3 years</p>
1.3	22-03-2011	<p>Following amendments to Crimes (SP) Act effective from 14-3-11:-</p> <p>Sect 3.3.2.1 inserted to provide information on Aggregate Sentences (refer</p> <p>Sect 3.8.3.2 amended to outline court's requirement to impose sentences for escapes after any other sentence imposed in same proceedings (refer S57)</p>
1.4	8-6-11	Sect 3.6 updated to clarify deletion is performed by Team Leaders and Cluster Managers (for single Sentence Admin staff centres)
1.5	15-6-11	Section 3.2.5 added to include procedures for processing results of Supreme Court Bail Applications
1.6	21-6-11	Sect 3.17 added to provide instruction for entry of Immigration Orders to Hold. As a result, subsequent numbers have changed
1.7	20-7-11	<p>Sect 3.2.5.1 updated to include a detailed process to reconcile results of Bail Reviews/Application</p> <p>3.2.1 updated to include instructions on completing a Court Request for Report or Assessment Form.</p> <p>3.9.1 Link to Incident Register procedure included References to Incident Log changed to Incident Register</p> <p>3.18.7 included details on Sentence Admin entering Community Compliance & Monitoring Group alerts for inmates being considered for extended detention or supervision orders.</p>

1.8	23-8-11	Included 3.4.1 for Procedures to verify data entry
1.9	21-10-11	3.2.4 Included instructions on data entry of remand warrants and referring requests and recommendations 3.2.4.1 Updated to include a detailed process to reconcile results of Bail Reviews/Application 3.10.2 Updated to include instructions on data entry of SPA Revocation Orders
1.10	11-11-11	3.2.1.1 Change to procedure to request Psychological Reports – now requests sent to Principal Advisor of Psychology for processing. 3.9.3.1 – inserted to clarify that courts may make sentences consecutive or partially consec to Balances of Parole 3.9.9 VCL updated to indicate that VCL remains liable if inmate sentenced to bond etc on appeal and remains in custody and/or if inmate sentence expires and remains in custody. 3.8.2 Removed reference to consec sentences when serving BOP (refer 3.9.3.1)
1.11	2-3-12	3.21 Defence Force Discipline Act Orders section included 3.22 Family Law Act Orders included
1.12	2-4-12	3.2.3 Updated to reflect upgrade to Justice Link where all adjournment warrants default to AVL
1.13	1-5-12	3.11 – Juvenile procedures updated to reflect OIMS Elite data entry requirements 3.12 – Mental Health Orders procedures manual is under construction and link to it has been removed.
1.13	21-5-12	3.12 – Mental Health Orders Procedures Manual link reinstated 3.8.6 Section on Commonwealth Revocation of Parole Orders inserted. 3.15 More information on Service & Execution of Process Act orders included.
1.14	5-7-12	3.9 – Updated section on VCL to reflect increase in amounts due to CPI. Further included that Drug Court sanctions do not attract VCL
1.15	15-11-12	3.2.3.1 & 3.2.3.2 added to outline that courts will issue warrants when bail granted but not when surety bail is entered. In these cases, a bail undertaking only will be issued. 3.4.2.1 Added re entering Association Alert when notation on warrant
1.16	Sept 2012	3.17 Immigration requests to hold no longer being issued due to legal concerns.
1.17	3-7-13	3.9.9 Updated to reflect changes to Victims Comp Levy and amounts.
1.18	8-9-14	3.17 – Immigration Requests to Hold will now be issued for unlawful non-citizens from 5-9-14

1.19	27-10-14	3.9.9 – adjusted to reflect new VSL values. 3.5.2 Changed to require staff to provide adjusted copies of parole orders to Community Corrections if adjusted due to escape etc.
1.20	20-11-14	3.2.2 Modified to require BR Remand Warrants for appeal matters to remain active after sentences to which it applies have expired. The court should be contacted to seek a cancellation but until it is acted on, the order remains an active detainer.
1.21	23-1-15	3.10.2 – updated to reflect changes to verification procedures and entry of SPA issued revocation warrants
1.22	3-3-15	3.2.1.1 – added section on inmates not required if legally represented. 3.2.1.1 Court Requests for Report and Assessment now becomes 3.2.1.2
1.23	12-5-15	3.8.6 updated links to Crimes Act 1914
1.24	24-8-15	Updated to reflect Sentence Admin Branch becoming Sentence Admin Corporate
1.25	17-2-16	3.9.9 – adjusted to reflect new VSL values (Manual not updated at time of amendment but OIMS values were changed on 1-7-15)
1.26	30-3-16	3.8.5 – Amended to reflect restriction on setting Recog Release Orders on sentences to only overall sentences of up to and including 3 years.
1.27	1-7-16	3.9.9 Victims Support Levies – updated to reflect new amounts. OIMS values also updated.
1.28	14-6-18	3.4.4 added to include info about non-association and place restriction orders. 3.9.9 VSL amounts updated to 2017-18 rates
1.29	22-6-18	Updated VSL Rates to 2018-19 Financial year amounts and refreshed details about High Risk Offender orders
1.30	3-7-2018	3.14 Updated to remove references to Parramatta Drug Court Wing and minor alterations to content.
1.31	27-6-19	3.9.9 Updated VSL rates for 2019-20 financial year and updated details of SPA calculations
1.32	27-9-19	3.11.11.1 added to include details about Children’s Court parole revocations
1.33	5-5-20	3.10.6 Revocation of PD and HD orders – updated to reflect requirement for court to re-sentence offenders on these order. 3.3 Non-custodial sentencing options updated for Conditional Release order, Community Correction Orders and new Intensive Correction Orders.
1.34	20-7-20	3.9.9 Victims Support Levies – updated to reflect new amounts. OIMS values also updated.
1.35	29-4-21	General updates – Juvenile Orders, Mental Health Orders and SPA Revocation Orders

1.36	1-7-21	3.9.9 Victim Support Levies – updated to reflect new amounts. OIMS values also updated. 3.19 Interstate Appearances – updated to advise inmates can't appear on criminal charges in other states by AVL
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NEXT REVIEW DATE

Ongoing