

COMMUNITY SERVICE WORK POLICY

POLICY NO. C9

ACT CORRECTIVE SERVICES



ACT
Government

Justice and Community Safety

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1 PURPOSE

ACT Corrective Services (ACTCS) is committed to ensuring that offenders sentenced to a community based order with a community service condition, are appropriately managed with a focus on providing safe and meaningful unpaid work opportunities that offer the offender positive engagements and pro-social relationships in the community.

This policy provides the principles of management for offenders subject to a community service condition in the community.

2 SCOPE

This policy applies to Community Corrections staff.

Where required, the Assistant Commissioner, Community Corrections will establish a Community Instruction/s under this policy.

3 DEFINITIONS

Community Based Order

An order made by a Court for a sentenced offender requiring or permitting the offender to be in the community. A community based order may include an Intensive Correction Order, a Good Behaviour Order or a Drug and Alcohol Treatment Order.

Community Service Condition

A condition of a community based order which stipulates that an offender must perform a certain amount of Community Service Work (CSW) and the timeframe in which to perform it.

Community Service Work

Community service work includes work or community service program participation or education or therapy program participation in accordance with s 316 of the *Crimes (Sentence Administration) Act 2005* that is required of an offender under a community based order.

Offender

A person sentenced to a community based order.

Community Corrections Officer

An Officer who is delegated under the *Crimes (Sentence Administration) Act 2005* to supervise offenders.

Community Service Work Coordinator

An Officer who is responsible for the management of the Community Service Work Unit (CSWU) and is delegated under the *Crimes (Sentence Administration) Act 2005* to direct an offender to do CSW.

Community Service Work Supervisor

An Officer who is delegated under the *Crimes (Sentence Administration) Act 2005* to give directions to offenders in relation to CSW.

Administrative Officer

An Officer who is delegated under the *Crimes (Sentence Administration) Act 2005* to direct an offender to do CSW.

Agency

A non-profit organisation that has been accredited to provide work placements for offenders to undertake unpaid work in accordance with the processes in the *Crimes (Sentence Administration) Act 2005*.

4 PRINCIPLES

- 4.1 The objective of community service work (CSW) is to:
 - a. promote the offender's rehabilitation and reintegration into the community in a way which also 'gives back' to the community; and
 - b. facilitate offender attendance and participation in programs, therapy, or education.
- 4.2 CSW must be suitable for the offender.
- 4.3 CSW directions must be reasonable and appropriate and must consider the offender's human right to enjoy just and favourable conditions of work without discrimination. This includes ensuring that, as far as possible, all CSW directions comply with work health and safety laws and include adequate entitlements to meals and rest breaks.
- 4.4 CSW directions should be made to support the offender's compliance with the community service condition and should not be made to make compliance unreasonably difficult or onerous.
- 4.5 CSW directions must only set tasks the offender is capable of doing, and must not, as far as practicable, interfere with the offender's normal attendance at another place for work or at a school or other educational institution. An offender must not be directed to work more than eight (8) hours in any one day.
- 4.6 Reasonable accommodations should be made to any directions to support the offender to comply with CSW directions. This may include translating or interpreting the direction in a language the offender can understand or placing Aboriginal and Torres Strait Islander offenders in culturally relevant Agency placements.
- 4.7 CSW directions must contain all the details required by the *Crimes (Sentence Administration) Act 2005*.
- 4.8 ACT Corrective Services will partner with community agencies to develop and source CSW placements for offenders.
- 4.9 Partnerships with agencies will increase the availability of meaningful work placements for offenders.
- 4.10 Agency placements will:
 - a. provide benefit to the local community
 - b. provide developmental opportunities for offenders
 - c. connect offenders to the local community.

5 INDUCTION

- 5.1 Registration of a new CSW condition will be completed by the Sentence Administration Section.
- 5.2 All offenders subject to a CSW condition must undertake a CSW Induction prior to starting CSW.
- 5.3 Inductions will be undertaken by Community Corrections Officers or delegated Community Corrections staff.
- 5.4 The induction will outline the offender's obligations, their placement options, work health and safety guidelines and responses to non-compliance.
- 5.5 The completion of the induction will credit the offender with one (1) hour of CSW.

6 PLACEMENT AND TIMESHEETS

- 6.1 Agency or work crew placements will be made by the CSW Unit and must, as far as practicable, limit any impact on the offender's paid employment.
- 6.2 Offenders will agree to and sign a Work Instruction, which outlines when and where they will perform their CSW.
- 6.3 It is the responsibility of the CSW Unit to provide offender timesheets to the nominated agencies.
- 6.4 It is the responsibility of the offender to sign their timesheet, both at the start and the end of each CSW instance.
- 6.5 An offender cannot complete/be credited with more than eight (8) hours of CSW per day.
- 6.6 An offender may be required to undertake alcohol and other drug testing in relation to CSW attendance.

7 INCIDENT MANAGEMENT


- 7.1 All near misses, incidents, or injuries sustained during CSW must be reported to the relevant Team Leader/Community Service Work Coordinator within 24 business hours of the occurrence.
- 7.2 Reporting of incidents and associated notifications are to be undertaken as per the *A2.1 Incident Response and Reporting Community Instruction*.

8 RESPONDING TO NON-COMPLIANCE

- 8.1 Where an offender is non-compliant with the agreed Work Instruction, consideration should be given to removing the offender from their placement. This consideration should include regard to the interest in maintaining good relationships with the Agency, the good working order of the ACTCS work crew as well as the rights and rehabilitation of the offender. The offender should not be removed from their placement for minor or technical instances of non-compliance, although long term non-compliance or requests from the Agency should be actioned.
- 8.2 Instances of ongoing non-compliance will be managed in accordance with the *Breach Policy*.

9 RELATED DOCUMENTS

- Crimes (Sentence Administration) Act 2005
- A2.1 Incident Response and Reporting Community Instruction
- Breach Policy
- Human Rights Act 2004


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Commissioner
ACT Corrective Services
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