

Inmate Classification and Placement Corrective Services NSW

Progression to C3 / Category 1, and External Leave Programs (ELP)

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Progression to C3 / Category 1, and External Leave Programs (ELP)

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1 Overview

The policy and procedures within this document must be utilised in conjunction with the [OVERARCHING POLICY - Policy for Inmate Classification and Placement](#).

All staff must be familiar with the overarching policy prior to utilising this document.

The overarching policy and the instructions and procedures within this document apply to all staff involved in the inmate classification and placement processes within NSW correctional centres.

Corrective Services NSW (CSNSW), in carrying out the sentence directions of the courts and determining an appropriate security classification, has an objective to encourage inmates to develop skills and attitudes which will assist them in adapting to normal community life prior to release.

CSNSW provides programs at correctional centres and within the community that address inmate needs and assists them in adapting to normal community life on their release.

In accordance with [Crimes \(Administration of Sentences\) \(CAS\) Act 1999](#) the Commissioner may issue local leave orders, and local leave permits allowing inmates to be taken, and be absent from correctional centres in NSW, and assist with External Leave Programs (ELPs). The following sections of the CAS Act can be utilised to enable ELPs:

- [Section 25 Local Leave Orders](#)
- [Section 26 Local Leave Permits](#)

Participation in unescorted ELP may only be considered if participation would improve the personal resources of the inmate, and/or strengthen motivation to reduce risk of reoffending. The relevance of participation should be reflected in the inmate's case plan.

The policy and procedures within this document provide:

- directions on the application of inmates progression to C3/Cat1 security ratings, and
- directions for the participation of eligible inmates in escorted, and unescorted ELP, and
- establishes standards to enable Governors (or delegates), and Managers of Transitional Centres (TCs), to manage and monitor all escorted, and unescorted ELPs operating from their correctional centre.

2 Related Documents

This policy and procedure must be read and implemented in conjunction with:

- [Management of Public Correctional Centres Services Specifications](#)
- [Inmate Classification and Placement - Reviews](#)
- [Inmate Classification and Placement - Inmate Request for Review \(Appeal\)](#)
- [Inmate Classification and Placement - Section 6 Orders](#)
- [Inmate Classification and Placement - SORC and Subcommittee Managed Inmates](#)
- [Inmate Classification and Placement - CSNSW Placement Guide](#)
- [COPP - 19.2 Movement orders and permits](#)
- [Deputy Commissioner's Memorandum No: 2009/11 Disclosure of information regarding registered victims](#)

- [Deputy Commissioner's Memorandum No: 2011/156 Disclosure of criminal history information to Work Release employers](#)
- [Inmate's Standard of Conduct for all ELP](#)
- [Commissioner's Memorandum 2014/32 - Forensic Patients - Compliance with Court and Tribunal Orders](#)
- [Department of Justice Corporate Plan](#)
- [Business Plan - OMP](#)
- [C3/Cat 1 External Leave Plan](#)

3 External Leave Programs (ELP) - General

ELPs comprise of escorted and unescorted ELP. The type of ELP in which an inmate may participate is determined by their security rating:

ELP	SECURITY RATING
<p>Escorted ELPs</p> <p>Inmates require a level of supervision and are supervised by an officer or some other person authorised by the Commissioner.</p> <p>In accordance with Inmate Classification and Placement - Section 6 Orders.</p>	<p>Male inmates</p> <p><i>C2 security rating with a Section 6(2) Off, or Section 26 permit.</i></p>
	<p>Female inmates</p> <p><i>Category 2 security rating with a Section 6(2) Off, or Section 26 permit.</i></p>
<p>Unescorted ELPs</p> <p>Inmates need not be supervised by staff and may be monitored by the Electronic and External Monitoring Group (EEMG) Security and Investigations (S&I) Division.</p>	<p>Male inmates</p> <p><i>C3 security rating.</i></p>
	<p>Female inmates</p> <p><i>Category 1 security rating.</i></p>

3.1 Correctional centres in NSW with ELPs

The entire range of escorted and unescorted ELP may be offered at all correctional centres designated to accommodate C3/Cat1 inmates, see [Inmate Classification and Placement - CSNSW Placement Guide](#).

Correctional centres/complexes accommodating minimum security inmates throughout NSW may provide a range of unescorted ELPs. The programs available at each centre may vary according to resources and opportunities available.

Inmates should be encouraged to aim for unescorted ELP participation towards the end of their sentence. The Case Management Unit's (CMU) should include this intention in the case plan, at the time of the initial classification and placement determination. Participation in unescorted, and escorted ELPs is a significant component of Throughcare for the inmate returning to community life after discharge from custody.

Unescorted ELPs within correctional centres in NSW provides an opportunity for eligible inmates approaching the end of their custodial sentence to:

- re-establish family relationships which have been affected through incarceration,
- assist the inmate and the family to gradually reintegrate as a family unit,
- assist in readjustment to community living upon release on parole or directly to the community without supervision. This is particularly important for inmates who have served a long period removed from the community in custody,
- assist with the opportunity to establish positive support networks upon release,
- provide the opportunity to seek employment upon release,
- provide the opportunity to establish links for housing, support services, e.g. counsellor upon release,
- provide Community Corrections, CSNSW staff, Serious Offenders Review Committee (SORC) (where applicable) and State Parole Authority (SPA) with the opportunity to monitor performance of the inmate in the community with minimal supervision prior to consideration for release on Parole,
- provide the opportunity for Community Corrections and SPA to monitor the appropriateness of the inmate nominated accommodation upon release on Parole,
- provide community experience for the inmate to test coping abilities and to enable the inmate to seek additional support and assistance prior to release e.g. long term inmates would not be familiar with such common facilities i.e. ATMs,
- provide the opportunity for inmates to re-establish themselves in the community while still supported by the specialist services available through the correctional centre,
- enable the inmate to gain meaningful employment which may be ongoing upon release,
- enable the inmate to assume financial responsibility for themselves and their families,
- enable the inmate to participate in external education and/or training,
- enable the inmate to make restitution to the community,
- enable the inmate to contribute towards the cost of their incarceration, and
- acknowledge and reinforce demonstrated motivation to avoid re-offending.

Consideration for participation in unescorted ELPs can only occur through the case management process whereby a case plan nominates such participation as assisting the inmate to gain relevant social, cognitive and vocational skills which will enable them to avoid re-offending and returning to custody.

Approval for an inmate to participate may only be granted if the benefits to the inmate, and the community are noted in their case plan and it is considered that they will benefit by participating in such programs. To enable participation on the program it is essential that staff obtain and assess the necessary reports and documentation in sufficient time prior to the date that the inmate becomes eligible for entry into an unescorted ELP.

Priority for inclusion in unescorted ELPs should be given to those inmates facing significant barriers to reintegration into the community after release from custody due to limited personal resources, for example, inmates serving long terms of incarceration, those with little or no previous employment history, those with a long term history of recidivism, those with poor social skills. Additionally, the significance of approval for participation in reinforcing positive motivation to avoid re-offending should not be underestimated.

Prior to commencing participation in an unescorted or escorted ELP, the inmate must be advised of the importance of maintaining good community relations, and that their failure on that program could jeopardise the future of such programs for other inmates from that correctional centre.

Governors (or their delegate) should work closely with the Community Consultative Committee (CCC) and other interest groups to ensure the success of these programs. The role of CCC includes the provision of assistance to centres in the development of unescorted and escorted ELPs.

This consultative process improves community understanding and perception of CSNSW objectives, as well as promoting and facilitating the involvement of inmates in community projects and employment opportunities. The reintegration of inmates into the community through participation in unescorted and escorted ELPs requires sensitivity to local employment conditions and community perceptions.

4 Escorted ELP

In accordance with Section 26 of the [Crimes \(Administration of Sentences\) Act 1999](#) the Commissioner (or delegate) may issue a Local Leave Permit allowing an inmate to be absent from a correctional centre on such conditions and for such a period as specified in the local leave permit.

Participation in escorted ELPs is dependent upon the inmate's classification, recommendation from the Classification Placement Team (CPT) and approval by the Governor/TC Manager.

Inclusion in supervised ELPs is not routine and may only occur if considered of benefit to the inmate in preparation for release from custody. The Governor/Manager, under delegation from the Commissioner, may authorise certain categories of inmates to work and participate in sport outside the correctional centre. Examples of escorted ELP includes, but is not limited to:

- work off the complex/property of a centre,
- participation in sporting or other supervised programs off the centre complex/property

Escorted ELPs must be carried out in accordance with [Inmate Classification and Placement - Section 6 Orders](#).

4.1 Escorted ELP - inmate sporting and recreational activities

When issuing section 26 (1) (b) local leave permits for outside activities, e.g. sport, Governors/ TC Managers are to note the provisions of clauses 12, 13 and 14 of the [CAS Regulation](#) which define each security rating.

Governors/TC Managers are also reminded of the provisions of section 38 of the [CAS Act](#) relating to inmates absent from a correctional centre still being in custody.

4.2 Escorted ELP - inmate participation in escorted contact sport

Inmates may participate in contact sport providing that a person holding a current First Aid Certificate, with a medical/first aid kit, is in attendance.

Inmates are not permitted to participate in, or receive instruction in boxing or any form of martial arts. This restriction includes judo, karate and any other refinements of unarmed combat containing martial overtones.

4.3 Escorted ELP - eligibility criteria

The following criteria must be met prior to any inmate being found suitable for escorted ELP:

- must be within two years of their Earliest Possible Release Date (EPRD),
- must have served a minimum of six months, and
- must have served half their non-parole period (NPP), or fixed term sentence (FS) before becoming eligible to participate in any external sporting or leisure activity,
- Inmates serving sentences of six months or less will not normally be eligible to participate in an external sporting or leisure activity. However, if the CPT recommends that participation will assist the inmate to return to normal community life, and that recommendation is supported by the Governor/ TC Manager and approved by the Regional Director Custodial, the inmate may participate, and
- participation in external sporting or leisure activities for inmates in the following cohorts must be considered by the Serious SORC or in the case of Forensic Patients (FPs) the Pre Release Leave Committee (PRLC) who will forward a recommendation to the Commissioner for determination:
 - Serious offenders
 - FPs managed by the Mental Health Review Tribunal (MHRT).

4.4 Escorted ELP – eligibility checklist

ESCORTED ELP – CRITERIA	MET	NOT MET
1 Within two years of EPRD		
2 Served a minimum of six months		
3 Served half NPP or FS		
4 SORC, PRLC or FPs referred to SORC/PRLC for approval		

4.5 Escorted ELP - exclusions

In accordance with the [CAS Act](#) and [CAS Regulation](#), the following category inmates are not eligible for escorted ELP:

- Male inmates – L, A, B, C1 or E, and
- Female inmates – L, 4, 3 or E.

Governors/TC Managers are to ensure these inmates do not participate in external sporting programs.

Any non serious offender or public interest inmate, who falls outside the eligibility criteria may be considered for participation in an escorted external sport or leisure activity. Special circumstances must exist which demonstrate that such an activity is significant to the inmate's successful return to normal community life.

Participation in this case must be supported by the CPT, recommended by the Governor/ TC Manager, and will only be permitted to participate in an escorted external sport, or leisure activity with the approval of the Regional Director Custodial (or delegate).

4.6 Escorted ELP - approval process

The approval process has two distinct phases:

1. Approval of the activity, and
2. Approval of an inmate's participation

4.6.1 *Approval for individual activities*

The Governor/TC Manager must seek prior approval in writing from the Regional Director Custodial (or delegate) for any new external sporting or leisure activity to be undertaken by inmates.

4.6.2 *Approval for inmate participation - general*

Before any inmate participates in an external sporting or leisure activity they must receive a recommendation from the CPT and the Manager of Security (MOS) /TC Manager supporting their participation in such programs.

If the Governor/TC Manager supports a CPT recommendation to permit an inmate to participate in an external sporting or leisure activity, they will refer the application and the CPT / MOS /TC Manager's assessment to the Regional Director Custodial (or delegate) for consideration.

The Regional Director Custodial (or delegate) will advise the Governor/TC Manager of the decision made.

Where approval has been given for the inmate to participate in a sporting or leisure activity, the Governor/TC Manager can then issue an order in accordance of section 26 (I) (b) of the [CAS Act](#).

4.7 Escorted ELP - supervision

██████████ supervising each inmate team/group participating in an external sporting or leisure activity. Therefore, if there are two teams participating there must be at least two officers in attendance. If the inmates are from a correctional centre, the supervisory officers are to be correctional officers.

No overtime is to be incurred in respect of officer supervision of an external sporting or leisure activity unless the Regional Director Custodial (or delegate) has given prior approval.

4.8 Escorted ELP – sporting and leisure activity records

The Governor/TC Manager of each centre should ensure that a nominated officer, develops and maintains a record of sporting and leisure activities occurring for the centre.

A register of these records is to be available for inspection by the relevant Regional Director Custodial.

4.9 Escorted ELP - appropriateness of approved activities

The Regional Director Custodial (or delegate) and Governor/TC Managers are to ensure that the approved external sporting or leisure activities are consistent with CSNSW and community expectations of the types of activities which are suitable for inmates' participation.

4.10 Escorted ELP - approval for inmate participation for SORC and PRLC inmates

The CPT is to consider applications from inmates who wish to participate in escorted leave programs in accordance with [Inmate Classification and Placement - SORC and Subcommittee Managed Inmates](#) from:

- Serious offenders, and
- FP's managed by the MHRT.

In accordance with [Inmate Classification and Placement - SORC and Subcommittee Managed Inmates](#), the Governor/TC Manager is to indicate whether or not, they support the inmate's application. The S/CAPO must then forward the application to the Manager/Deputy Manager Classification and Placement (M/DMCP) for consideration, and endorsement, or otherwise of the proposed activity.

The M/DMCP must then forward the application, and supporting documents to the SORC or PRLC (for FPs) for consideration. The SORC or PRLC must then consider the application and make recommendation/s to the Commissioner for final determination.

The Commissioner must approve the inmate's participation in external sporting or leisure activities.

Where the Commissioner approves an inmate's participation in an external sporting or leisure activity, the Governor/TC Manager will issue an order under the provisions of section 26 (I) (b) of the [CAS Act](#).

5 Pre-Release Transitional Centres (TC)

Inmates at TCs are managed on [Section 26 Local Leave Permits](#), in accordance with the CAS Act. All movements in and out of a TC require a Local Leave Permit.

TC are established to support and encourage inmates to address their offending behaviour and to attend to their personal issues. TC living is designed to mirror community living and is undertaken in a community based facility.

Inmates housed at these centres are eligible for all unescorted ELPs. In addition, these inmates are able to access external networks through activities that they would normally access when living in the community. Examples of these activities include, but are not limited to:

- shopping,
- visit to the hairdresser,
- visit to the doctor,
- family counselling,
- alcohol and drug counselling.

The Manager of the TC possess the delegation to approve these activities. All external activities of these inmates are subjected to relevant CSNSW policies and procedures, and are subject to compliance checking and electronic monitoring by the Electronic and External Monitoring Group (EEMG) Security and Investigations (S&I) Division.

Note: For removal of an inmate from a TC, a report outlining the issue/s must be forwarded to the TC Manager (this delegation can only be exercised by officers with the same level of delegation, or a higher level of delegation, as the officer who issued the permit), and/or the AC for revocation of the Section 26 Order. The inmate is then transferred to a correctional centre where the inmate must be referred for review of their classification and placement in accordance with [Inmate Classification and Placement - Reviews](#).

Cancellation of the Section 26 Order and placement within a secure facility may be facilitated by the TC Manager as is determined necessary. This does not negate the need for the review process outlined above to be initiated by TC staff the inmate is/has been transferred from.

6 Community Projects Program

CSNSW is committed to the development of Community Project Programs at all minimum security centres. The Governor/TC Manager is to consider introducing such programs where it can be demonstrated that the participation of inmates will be of benefit to the local community and to the inmates involved. The CCC should play an active part in the development of these projects.

Eligible C2/Cat 2 inmates can be considered for participation, they must be supervised and be issued with a Section 6(2) Off Complex/Property warrant.

The essential criteria for entry is as follows:

- the Community Project Program is subject to the discretion of the Governor/TC Manager with the concurrence of the AC (or delegate).
- inmates must be able to demonstrate that they are suitable and can present a positive impression to members of the outside community
- supervision is to be monitored by the Governor/TC Manager who must ensure that the work is appropriate and relevant to the rehabilitative needs of the inmate and meets the aims/objectives of the Community Project Program
- regular checks during the performance of the work will be conducted by an officer from the centre for the purpose of:
 - checking the inmate attendance;
 - checking the progress and the effectiveness of the work;
 - ensuring there is a public relations benefit.

6.1 Correctional/Community Partnerships Program

Community reparation is an important element for the reintegration of selected inmates into the community on release. The Correctional/Community Partnerships Program:

- provides the opportunity for selected inmates to be involved in work that is of mutual benefit to the community and the workers, while not threatening the job opportunities of people employed in the Regional Council area; and
- maintains community support for the correctional centre in its endeavour to successfully reintegrate inmates into the community on release; and
- provides real work experience and life skills in the community for participating inmates.

An Memorandum Of Understanding (MOU) is signed between the local Regional Council and participating the correctional centre. This MOU is intended to promote a spirit of partnership between the parties. The CCC, and the correctional centre can play a significant role in the development and maintenance of the partnership agreement.

The focus of projects is on those that will improve the community amenities or provide assistance to government, or non-government and non-profit organisations.

The participating correctional centre administers all aspects of the projects relating to the supply and coordination of inmate labour. An inmate must be a C3/Cat1 classification to participate and will be supervised by a Council elected supervisor.

A C3/Cat1 inmate participating in a Correctional/Community Partnership Program is deemed to be participating in an unescorted external leave work release program.

A C2/Cat2 inmate may participate in a Correctional/Community Partnership Program but must be under the supervision of correctional centre staff and must have a Section 6(2) Off Complex / Property warrant.

7 Registered victims - general

In accordance with [section 256](#) of the *CAS Act* CSNSW maintain a Victims Register. The Victims Register is kept by the Restorative Justice Registered Unit (RJU). The RJU are responsible for identifying registered victims via an alert on the Offender Information Management System (OIMS):

Victims Register – Contact Victims Register.

In accordance with [section 256B](#) of the *CAS Act* registered victims of serious offences must be contacted for submission. In addition to this CSNSW determined that registered victims of non-serious offences will also be advised.

The RJU only will maintain records of victims' submissions except as noted below. Copies when relevant may be stored on SORC files, such copies must not be subject to external viewing – all enquiries including requests made in accordance with the [Government Information \(Public Access\) Act 2009](#) must be forwarded to the RJU via email: restorative.justice@dcj.nsw.gov.au.

A victim's submission must not be filed on the CMF, or warrant file, it must be shredded after the CPT, M/DMCP, and SORC/PRLC where applicable, has considered its contents.

When unescorted ELP participation is approved for an Aboriginal inmate, the S/CAPO should inform the relevant Aboriginal Client and Community Support Officer via email:

[REDACTED] to ensure ongoing support is available in the community.

This requirement to advise registered victim's for all cohort of inmates applies only for progression to C3/Cat1. It does not apply for any escorted absence from the correctional centre/complex, or for supervised activities within the correctional centre/complex, under a Section 6(2), or Section 26 order.

Note: An inmate must not be advised that there is, or is not a registered victim.

7.1 Registered victims – Serious Offenders (SORC)

In the case of serious offenders, where the SORC has formed the intention for the serious offender to be considered for progression to C3/Cat1 the SORC secretariat must identify via the OIMS alerts any registered victim/s, and then must make contact with the Coordinator Victims Register via email: victims.support@dcj.nsw.gov.au.

The C3/Cat1 progression must not proceed until a response is received from the Coordinator Victims Register.

The Coordinator Victims Register will then contact the victim/s, who are given 21 days to make a written submission.

The Secretariat of the SORC must advise the Coordinator Victims Register in the case of a serious offender.

This process must be completed at each application/referral for progression to C3/Cat1, where a serious offender with registered victim/s is concerned.

7.2 Registered victims – Public Interest Inmates (PRLC) or Non Serious Offenders

For inmates that are public interest or non-serious offenders, the S/CAPO must identify via the OIMS alerts any registered victim/s, and then must make contact with the Coordinator Victims Register via email: victims.support@dcj.nsw.gov.au.

The M/DMCP must await a response from the Coordinator Victims Register, C3/Cat1 progression must not proceed until a response is received from the Coordinator Victims Register, before proceeding.

The Coordinator Victims Register will then contact the victim/s, who are given 21 days to make a written submission. CPT's and the M/DMCP should carefully consider any Community Corrections management strategies for the inmate upon their gaining parole.

For public interest inmates, any submissions received from the Victims Support Unit must be included with the documentation forwarded to the PRLC see [Pre-Release Leave Committee Requirement Checklist](#).

The S/CAPO must then again contact the Victims Register once a decision has been made.

This process must be completed at each application/referral for progression to C3/Cat1, where a public interest inmate (PRLC) or non serious offender with registered victim/s is concerned.

8 Consideration of progression to C3/Cat1

Consideration for progression to C3/Cat1 can be initiated by:

- a written Inmate Application Form (IAF), or
- referral via:
 - the CPT, or
 - from any other staff member, or
 - the SORC.

8.1 Pre-requisite for progression to C3/Cat1

8.1.1 Program completion

Inmates assessed as being program eligible, and who refuse to participate in criminogenic programs identified at reducing their assessed risk factors, must not progress to a minimum security level of C3/Cat1 for non-serious offenders (C2/Cat2 for serious offenders see [Inmate Classification and Placement - SORC and Subcommittee Managed Inmates](#)) until successful participation in the identified criminogenic program occurs.

Sex offenders assessed as suitable for a therapeutic program but who refuse to undertake the identified program, must not progress to C3/Cat1 for non-serious offenders. In this case these inmates must not be progressed beyond C2/Cat2 and must not be issued with a Section 6(2) order, or a Section 26 permit.

In the case of an Aboriginal inmate such refusal should be brought to the attention of the relevant Regional Aboriginal Programs Officer (RAPO).

In the case of an inmate with a disability, such refusal should be brought to the attention of State-wide Disability Services (SDS) requesting advice as the refusal to participate may, for example, be associated with the inmate's disability.

8.2 C3/Cat 1 - eligibility criteria

In order to be considered for an unescorted ELP an inmate must achieve progression to C3/Cat1 security rating. To meet the eligibility criteria for progression to C3/Cat1 inmates must:

- be sentenced to 12 months or more to FS, NPP, or
- 6 months or more to fixed term sentence, or NPP, for Specific Need Inmate groups i.e. young adult offenders (YAO) participating in the Program, disability where supported by SDS, and
- be clear of all criminal court and other matters which may result in a change to EPRD on current sentence/s, including Crown Appeal, and
- have completed half minimum term, and
- have been subject of a target urinalysis, and not found guilty of a positive result during the three months immediately prior to the date of consideration, and
- fulfilled all aspects their case plan, including targeted criminogenic program completion,
- be assessed as having satisfactory behaviour and custodial conduct.

An inmate remains eligible if they have lodged a Notice of Intention to Appeal, and/or when an inmate's appeal has been accepted for hearing/is being, or/has been heard.

8.3 C3/Cat1 – progression

The classification and placement approval process for C3/Cat1 must be consistent with the standard classification and placement procedures for all inmates.

8.3.1 C3/Cat1 requirements

In addition to the requirements set out in [Inmate Classification and Placement - Reviews](#), the following additional tasks must be completed for all C3/Cat1 considerations, prior to the assessment being made available for the D/MDCP.

The S/CAPO, must:

1. Ensure C3/Cat1 candidates have not received a positive urinalysis result in the three months prior to the C3/Cat1 consideration.
 - a. Where an inmate has not been subject to urinalysis testing in the three months prior, the S/CAPO must coordinate target urinalysis testing.
2. Submit a [Criminal Record Inquiry \(CRI\) \(Offenders\)](#) form to the Corrections Intelligence Group (CIG) requesting a suitable period to allow assessment, of at least 2 years.
3. Confirm if the inmate is SORC or one of its subcommittee managed via the OIMS Management Program screen.

4. Obtain sentencing comments and recommendations of the sentencing court, or Police Facts where available.
5. Identify via the OIMS alerts any registered victim/s.
 - a. where there is a registered victim/s the S/CAPO must make contact with the Coordinator Victims Register via email: victims.support@dcj.nsw.gov.au. Note this is for public interest and non SORC managed inmates only; see [Registered victims - general](#) for further information.

8.3.2 Processing applications for inmates identified as sex offenders

In addition to the standard criteria, in the case of processing considerations to C3/Cat1 for inmates identified as sex offenders, the CPT must ensure that a risk assessment has been undertaken.

The results of the risk assessment must indicate that the inmate:

- has been assessed for Sex Offender Program (SOP), and
- has been determined they are not eligible/required to participate in a SOP, or
- has successfully completed a SOP, prior to being considered for progression to C3/Cat1.

8.3.3 C3/Cat1 progression - OIMS questionnaire

The CPT must complete the review in accordance with [Inmate Classification and Placement - Reviews](#), and make recommendations to support, or otherwise, all C3/Cat1 considerations, to centre management.

The MOS (or Functional Manager (FM) Security in centres operating without a MOS), and Governor (or MOS in centres operating without a Governor) must indicate in the OIMS questionnaire their support, or otherwise, including a comment prior to the assessment being made available to the D/MCP for approval.

The results of the CRI from CIG must be taken into consideration by the Governor/TC Manager when making their recommendation to the M/DMCP. These records must then be conveyed to the M/DMCP.

8.3.4 C3/Cat1 progression - approval

The time frame from the date the CPT makes its recommendation, to the final approval/non approval for all C3/Cat1 considerations by the M/DMCP, should not exceed 28 days.

CPT's should not delay consideration of, or M/DMCP reject C3/Cat1 application/consideration on the basis alone that sponsor documentation is not complete. It is the inmate's responsibility to find an appropriate sponsor. The fact that an administrative function (the responsibility of the correctional centre/complex), such as sponsor approval is not complete should not be a consideration in regard to the appropriateness of the classification. Where a sponsor is required, the Governor/Manager will not approve participation in an unescorted ELP until a sponsor has been approved by the Governor (or their delegate).

The S/CAPO must ensure all documentation in accordance with the [Progression to C3/Cat1 – checklist](#), be made available to the M/DMCP for approval.

Provided the inmate is not under the management of the SORC or one of its subcommittees, the M/DMCP has the delegation to approve the recommendation for progression in classification to a C3/Cat1 classification.

In the case of progression to C3/Cat1 of an inmate with registered victim/s the M/DMCP must ensure the registered victim has been contacted in accordance with [Registered victims - general](#) and [Registered victims – Non SORC or PRLC](#).

This decision therefore indicates suitability for participation in unescorted ELPs, and will enable the correctional centre Governor to consider the inmate for participation in unescorted ELPs.

8.3.5 C3/Cat1 progression - SORC and subcommittee approvals

In the case of an inmate managed by the SORC or a subcommittee, the process occurs as above. In addition the M/DMCP must:

- provide a written recommendation in the OIMS questionnaire, directly following the CPT recommendation. The recommendation must include the type of unescorted ELPs proposed, and
- refer all documentation in accordance with the [Pre Release Leave Committee Requirement Checklist](#) to the SORC or the subcommittee.

The SORC or subcommittee will then make recommendation/s to the Commissioner for consideration and ultimate determination.

Also see [Inmate Classification and Placement - SORC and Subcommittee Managed Inmates](#).

8.3.6 C3/Cat1 progression - following determination

Following the classification decision, if approved, the S/CAPO must ensure the CRI is shredded.

If the C3/Cat1 progression is not approved, the S/CAPO is to ensure the CRI is kept for a period of one month. If required the CRI must be included in the review/appeal package.

Where the M/DMCP rejects the recommendations of the CPT, the inmate may make application for a review in accordance with the [Inmate Classification and Placement - Inmate Request for Review \(Appeal\)](#).

In the event of a review/appeal, once it has taken place the S/CAPO must then ensure the CRI is to shredded.

8.4 Progression to C3/Cat1 – checklist

C3/CAT1 – CRITERIA	MET	NOT MET	
1			IAF, CPT or SORC referral
2			Sentenced to 12 months or more to FS/NPP, or
3			Sentenced to 6 months or more to FS/NPP for Specific needs
4			Be clear of all court matters that may affect EPRD
5			Completed half minimum term
6			Case plan met, and programs completed, where applicable
7			OIMS Management Program screen checked for SORC or PRLC
8			Target urinalysis testing conducted with nil positive results for 3 months
9			Satisfactory behaviour and custodial conduct
10			Completed CRI (Offenders) received, at least 2 years
11			Sentencing comments and recommendations of the sentencing court (where available)
12			Police Facts received (if no sentencing comments available)
13			Identify OIMS alerts for any registered victim/s, where there is a registered victim/s the Coordinator Victims Register is contacted via: victims.support@dci.nsw.gov.au

9 Unescorted ELP

Participation in unescorted ELPs should be identified as a case plan goal at the time of initial classification of the inmate. The inmate's willingness to participate in the program should be canvassed at this stage, the procedures for entry outlined, and the benefits of the program explained. The inmate's case plan should reflect steps leading to future participation.

Following receipt of progression to C3/Cat1 security rating, inmates may participate in unescorted ELPs. The Governor/TC Manager, under delegation from the Commissioner, may authorise eligible C3/Cat1 inmates to work and participate in activities outside of the correctional centre. Examples of unescorted ELP includes, but are not limited to:

- Day Leave,
- Weekend Leave,
- Work Release,
- Education Leave,
- Vocational Training,
- Life Skills i.e. Alcoholics Anonymous, Gamblers Anonymous and Finance Management,
- Industrial Training/Work Experience,
- Community Based Projects,
- VOTP and CUBIT Community Maintenance,

These programs are designed to assist inmates re-establish family and community ties.

It is not a requirement to have had a Section 6(2), and/or 26 order issued prior to consideration for participation in an unescorted ELP.

It is not a requirement to undertake Day Leave prior to participation in another ELP, with the exception of Weekend Leave.

The documentation for serious offenders must be forwarded to the Executive Officer and Registrar, SORC and for public interest inmates to the Committee Officer, PRLC via e-mail: SORC@dcj.nsw.gov.au.

9.1 Unescorted ELP - approval for participation

Prior to an inmate proceeding onto an approved unescorted ELP the following must also be applied:

1. The Governor/TC Manager must ensure that prospective sponsors undergo an OIMS check, verifying the relationship. This must be completed at the correctional centre.
2. The Governor/TC Manager must forward all inmate C3/Cat1 [Criminal Record Inquiry \(Offenders\)](#) and inmate sponsor [Criminal Record Inquiry \(Non Offenders\)](#) forms directly to the CIG.
3. The CIG must conduct a database and criminal history check and return the report directly to the requesting Governor/TC Manager.
4. Once the Governor/ TC Manager has approved the inmate's ELP application and/or the inmate sponsor application, a copy of the Governor's/Manager's signed approval on the CRI request is to be forwarded via email: [REDACTED] together with one passport photo of the inmate and sponsor/s to the Manager, EEMG, S&I Division. The sponsor's name must be on the back of their photos and the inmate's Master Index Number (MIN) must be on the back of all the photos.
5. Local Leave Permits issued must be read to the inmate (and sponsor for Day/Weekend Leave) by an officer who will certify in writing that this has been done, and the inmate (and sponsor when appropriate) must sign the form.
6. Where the leave is not taken or alterations to an order become necessary the order must be returned to the Governor/TC Manager for cancellation, amendment, variation or re-issue as required.
7. Completed [Application for Day or Weekend Leave](#) forms must to be emailed by the close of business on the Wednesday prior to the Weekend Leave period, to EEMG, S&I Division at: [REDACTED]
8. All inmates must sign an acknowledgement of [Inmate's Standard of Conduct for all ELP](#).

Note: The Governor/TC Manager may delegate any of the above in regard to the issuing of a local leave permit, to the MOS, Principal, or FM at the correctional centre in which the inmate is accommodated.

9.2 Unescorted ELP - Leave Plans

Before an inmate commences participation in an unescorted leave program, a written Leave Plan is to be approved by the Governor, (can be delegated to MOS/ FM Security), or by the SORC (for serious offenders) or PRLC (for public interest inmates). The following must be used to record the inmates leave plan:

➤ [C3/Cat 1 External Leave Plan](#)

The delegated officer is to ensure the Leave Plan includes all relevant information pertaining to the inmate's leave conditions, including, but not limited to:

- time frames;
- locations;
- sponsor; and
- employer.

Once the appropriate program has been identified, the delegated officer is to request a [Criminal Record Inquiry \(Non Offenders\)](#) form for the nominated sponsor/s.

Work release/employment checks must be coordinated by the EEMG, S&I Division, who then forward the results directly to the Governor/TC Manager.

Prior to authorising a Section 26 Local Leave Permit, which ultimately results in approving participation in unescorted ELPs, the Governor/TC Manager must consider any CIG response, and EEMG recommendations.

9.3 Unescorted ELP - candidacy

Primary candidates for unescorted ELPs are inmates who are serving a sentence of three years or more and whose release will be determined by the SPA at the expiration of any NPP.

All staff, in their decisions, advice and recommendations must be mindful of the following:

- public interest and safety;
- public confidence in the administration of criminal justice;
- sentencing comments and recommendations of the sentencing court (when available);
- registered victim/s
 - any prior breaches by the inmate. Prior breaches must be carefully considered, including: removal from an escorted/unescorted ELP when serving a previous sentence, and/or
 - previous breaches of bail, parole or other community based orders

9.4 Unescorted ELP - time frames and criteria

Following receipt of C3/Cat1 security rating an inmate must then meet the following to participate in unescorted ELP:

CRITERIA	ELIGIBILITY – TIME FRAME
9.4.1 Work Release / Education Leave	
Non-Serious Offenders	2 YEARS from EPRD
Serious Offenders <i>Preparation for External Work / Education Leave</i>	2 YEARS from EPRD
Serious offenders <i>Work / Education Leave</i>	18 MONTHS from EPRD
9.4.2 Day Leave / Weekend Leave	
Work Release / Education Leave <i>Day Leave</i>	12 MONTHS from EPRD 1 x Day Leave each 28 DAYS
	18 MONTHS from EPRD for Inmates in a camp/farm location)
Work Release / Education Leave <i>Weekend Leave</i>	4 MONTHS from EPRD with successful 3 x Day Leave, may progress to Weekend Leave each weekend
Inmates not participating in any other ELPs <i>Day Leave</i>	9 MONTHS from EPRD 1 x Day Leave each 28 DAYS
Inmates not participating in any other ELPs <i>Weekend Leave</i>	2 MONTHS from EPRD with successful 3 x Day Leave, may progress to Weekend Leave each weekend
9.4.3 Camp placements – special consideration	
<i>Day Leave</i> Camp placement: Mannus (MAN), Glen Innes (GNS), Oberon (OBE), Brewarrina (BRE) and Ivanhoe (IVA), in accordance with: Inmate Classification and Placement - CSNSW Placement Guide .	18 MONTHS from EPRD: for Inmates in a camp/farm location Leave obtained is transferrable 12 months from EPRD when C3 is obtained in a camp.
9.4.4 Eligible female inmates for TC	
Female offenders assessed as eligible and suitable for the Bolwarra TC Program	May be considered for progression to Cat1 outside of the listed time frames to enable participation in this Program
9.4.5 Adult Nucleus – special consideration	
Day Leave OBE, YAO Program Adult Nucleus Inmate	Eligible to apply for Day Leave each 14 days when deemed by the MOS OBE to have significantly contributed to the YOA Program. Leave obtained is transferrable 9 months from EPRD when C3 is obtained in a camp.

9.5 Unescorted ELP - Day and Weekend Leave Programs

Unescorted Day and Weekend Leave Programs permit the temporary absence of an inmate from a correctional centre/TC. To participate in an unescorted day or Weekend Leave programs, the inmate must meet program requirements, and must be accompanied by an approved sponsor.

An unescorted ELP permits an inmate to be absent from a correctional centre with an approved sponsor at location/s approved by the Governor/TC Manager, for a specified time period, see [Unescorted Day and Weekend Leave – absence time frames](#) for time periods.

The [Application for Day or Weekend Leave](#) must be approved by the Governor of the correctional centre. All inmates participating on the unescorted ELPs as a C3/Cat1 should leave the centre on an appropriate section 26 permit authorised by the Governor/TC Manager (or delegate).

9.5.1 Unescorted ELP - Day leave

In accordance with the [Unescorted ELP - time frames and criteria](#), where an inmate is participating in a Work Release or Vocational Training Program and is required to attend their work location on a Saturday or Sunday, the Governor/TC Manager may give permission for the inmate to travel to and from the location and must be approved by the Governor of the correctional centre via an [Application for Day or Weekend Leave](#).

Day leave will usually only be approved for Saturdays, Sundays or Public Holidays. In special circumstances, Day Leave may be granted on a weekday at the discretion of the Governor/ TC Manager, e.g. when the inmate or sponsor is required to work over weekends, or when the inmate is a mobile camp participant.

An inmate participating in Day Leave in accordance with the [Unescorted Day and Weekend Leave – absence time frames](#) is to be collected from, and returned to the centre by the sponsor on the same day. Usually collection will occur from 8.00am. However, the Governor/Manager may vary the time to meet local/family requirements.

The period of absence from the correctional centre will usually be restricted to a maximum of 12 hours.

An inmate will not be permitted to participate in any excursions while on Day Leave unless the Governor/TC Manager approves the inmate's attendance/participation in such excursions as specified in the [Application for Day or Weekend Leave](#).

The Governor/TC Manager can consider an excursion for an inmate on Day Leave, if the distance travelled by the sponsor is considered to be unreasonable (i.e. in excess of 2 hours). In such cases, consideration may be given for an excursion to a location closer to the centre.

Inmates on Day Leave must have specific approval from the Governor/ TC Manager for where they will be staying during the leave period and any movements away from the primary location to alternate location/s during the leave. Inmates must be at the approved location/s with their sponsor at all times.

9.5.2 Unescorted ELP - Weekend Leave

In accordance with the [Unescorted ELP - time frames and criteria](#), and following successfully completing three Day leaves at any correctional centre/TC, and in accordance with the [Time frames and criteria for unescorted ELPs](#), an inmate will be eligible to apply for Weekend Leave, four months from their EPRD.

This must be approved by the Governor of the correctional centre via the [Application for Day or Weekend Leave](#). The first Weekend Leave may be approved 28 days after the last Day Leave taken.

Once Weekend Leave has been approved, it can only be taken every weekend. An inmate may choose to apply for Day Leave on one day every weekend in lieu of Weekend Leave.

Weekend Leave will usually be taken from 4.00pm on a Friday to 8.00pm on Sunday in accordance with [Unescorted Day and Weekend Leave – absence time frames](#). The Governor/TC Manager has the discretion to grant Weekend Leave over any three consecutive day period and to determine the hours of Weekend Leave in order to suit the inmate's work roster or other special circumstances, providing the timeframe is not extended. It may be taken on weekdays (e.g. if the inmate or sponsor is required to work on weekends).

The period of absence from the correctional centre/TC will usually be restricted to a maximum of 52 hours.

Weekend Leave must not exceed three consecutive days unless special approval has been given, e.g. the Commissioner may approve additional days during the Christmas break, or inmates are mobile camp participants away from the centre for an extended period of time.

Inmates must remain in the company of the sponsor at all times as far as practicable unless an emergency arises. Should an emergency arise the inmate is to contact the officer in charge (OIC) at the correctional centre/TC and advise the nature of the emergency. The OIC must ensure the information is recorded correctly, the Governor/TC Manager, and the EEMG, S&I Division are notified.

Inmates on Weekend Leave must remain at the sponsor's residence or other place specified in the Weekend Leave Application between the hours of 9.00pm and 8.00am the following morning, on any night they are on leave. Inmates are not permitted to move from one sponsored residence to another without the approval of the Governor/TC Manager.

If it is not feasible to remain at the sponsor's residence during the Weekend Leave another place must be specified in the Application for Weekend Leave, e.g. a motel in country locations. The motel must have a fixed telephone line where EEMG staff are able to contact the sponsor/inmate. The Governor/TC Manager must be satisfied that the motel is a suitable place for the inmate to spend time. Travel time to sponsor's address should usually be within three hours of the correctional centre/TC, however discretion is available to correctional centre Governors to vary this.

Governor/TC Managers should give regard to staggering allocation of Weekend Leave in order to avoid large numbers of inmates on leave during any one weekend. This will allow more effective monitoring by the EEMG.

9.5.3 Unescorted ELP - Excursion

In accordance with the [Unescorted ELP - time frames and criteria](#), excursions may be part of the unescorted day and Weekend leave programs. The purpose of an excursion is to allow the inmate and their sponsor to be absent from the sponsor's residence for a defined period to attend an approved location see [Unescorted Day and Weekend Leave – absence time frames](#).

Excursions are designed for inmates whose sponsors and/or their dependants would otherwise be disadvantaged by their participation in a day or Weekend Leave program (for example excessive travel time being incurred by the sponsor to affect Day Leave to and from the sponsor's residence).

Governors/TC Managers may permit an inmate to participate in excursions away from the sponsor's place of residence:

- where there is evidence that the inmate's sponsor, and/or their dependant may be disadvantaged if the inmate had to remain for the entire period of the leave at the place of residence, and/or
- when the excursion would hold a rehabilitation component for the inmate.

Inmates approved for an excursion may be permitted, for example, to:

- attend a special family function,
- attend a dependent's/sponsor's children's sporting event/s, or,
- go shopping with their sponsor.

Excursions are to be viewed as a privilege, not a right. Inmates must provide supporting documentation when making an application for an excursion. For example, a copy of a children's family member's sporting event draw to attend such sporting events.

Excursions should take place only within daylight hours.

The excursion time frame must include:

- the travel time to and from the sponsor's residence,
- the travel time to and from the excursion location,
- the travel time to and from the correctional centre. For example, an inmate returning to a centre after an approved 5 hour excursion must return to the centre within the 5 hours. Not 5 hours (excursion) + 2 hours (travel time) = 7 hours

An excursion should take place only to a nominated and approved location (e.g. the Parramatta CBD would be unacceptable. Parramatta Westfield's Shopping Centre would be acceptable). A maximum of two locations may be nominated for each excursion.

All excursions must have an itinerary submitted and signed by the inmate, outlining where the inmate will be at any given time during the day. Additionally, inmates in the metropolitan and regional areas will nominate a time and a EEMG meeting point, from the EEMG nominated meeting point approved list, where staff can conduct checks. No other meeting place will be approved by the Governor/TC Manager. Meeting points will only be utilised for approved excursions that extend beyond a 2-hour duration.

When considering an inmate's application for an excursion, Governor/TC Manager are to be mindful that the duration of the excursion should be appropriate to the activity. For example, if a sponsor needs to shop for groceries, this may only take 2 hours and the excursion timeframe should reflect this activity. Governor/TC Manager are to use the above information as a guide in achieving consistency in the administration of this scheme.

9.5.4 Excursion exclusions

No excursion is permitted to a licensed premise.

9.6 Unescorted ELP Day and Weekend Leave – absence time frames

Inmates on day and Weekend Leave may be required to wear an electronic monitoring device, supply a urine sample, undertake breath analysis and be subject to pat searches, and bag searches on their return to the correctional centre/TC.

CRITERIA	PERIOD OF ABSENCE
9.6.1 Day Leave	Permits absence from 8.00am to 8.00pm at intervals of not less than 28 days.
9.6.2 Weekend Leave	Permits absence from 4.00pm Friday to 8.00pm Sunday (days and times may be varied by the Governor/ TC Manager to accommodate inmate needs, e.g. employed as a shift worker).
9.6.3 Excursion	Inmates on Day Leave may be approved excursion/s of an agreed duration at the discretion of the Governor/ TC Manager (or delegate).

9.7 Unescorted ELP - sponsor suitability

A sponsor participating in the unescorted Day/Weekend Leave Program has certain responsibilities and obligations. A mature family member should whenever possible be nominated as primary sponsor.

The overriding qualification of a suitable sponsor is that of an immediate family member, or other person who is able to fulfil the role of assisting the inmate to reintegrate into family and community life.

A sponsor is required to be at least 18 years of age. A sponsor must provide proof of age and identification that must be sighted by the Governor/TC Manager (or delegate) and noted on the Declaration by Sponsor Form. The sponsor should have personally known the inmate for a period of at least 12 months, and the relationship must preferably have existed outside the correctional centre/TC.

9.7.1 Sponsor exclusions

A sponsor must not:

1. have been convicted and sentenced for offences relating to the importation, manufacture, distribution or trafficking of a commercial quantity of drugs during the previous ten years;
2. have been convicted and sentenced for offences relating to the sale of a commercial quantity of drugs during the previous five years;
3. have been convicted and sentenced for offences relating to a serious crime of violence during the previous three years;

4. have served a term of imprisonment as an adult during the previous three years; or
5. be facing any charges relating to a criminal offence.

However, where a prospective sponsor is the spouse/partner, or parent/guardian of the inmate, and is affected by points 4, or 5 as above, they may be considered and approved for sponsorship providing the Governor/TC Manager is satisfied that the rehabilitative benefits for the inmate and/or family members outweigh any other considerations. For example where young children of the inmate or partner are involved.

In these particular cases, the Governor/TC Manager or delegate should interview the spouse/partner, or parent/guardian and a detailed report be compiled prior to approval by the Governor/TC Manager.

9.7.2 Sponsor approval

In approving sponsors for Day and Weekend Leave Programs, the Governor/TC Manager must be satisfied that each sponsor:

- is a person of integrity,
- an appropriate community representative,
- will be a positive influence in helping the inmate complete the program successfully.

If they fail to meet these responsibilities and obligations they may be considered as 'unsuitable' to continue as a sponsor.

Prospective sponsors must:

- be interviewed by the Governor/TC Manager (or their delegate), and
- complete the [Sponsor Interview Package for Day and Weekend Leave Program](#), and
- be given in advance a copy of the Day/Weekend Leave conditions within the sponsorship interview package which they will be required to comply.

If considered necessary by the Governor/TC Manager (or by the CPT prior to making a recommendation to the Governor/TC Manager) a 'home visit' is to be made by a Community Corrections Officer, Services and Programs Officer (SAPO), EEMG or any other appropriate officer that the Governor/TC Manager may appoint. In such cases a written report must be provided to the Governor/TC Manager.

Telephone numbers and/or points of contact are to be supplied so that staff can make spot checks. A mobile telephone number or a pager number will not be accepted as the primary means of contact. The sponsor must ensure that the number provided is for the approved residential address of the sponsor.

Note; should staff detect that a 'call forward' facility has been used to forward the call to another location not specified on the inmate's itinerary, the matter must be reported to the Governor/TC Manager immediately.

An initial [Criminal Record Inquiry \(Non Offenders\)](#) on the sponsor is to be facilitated by the delegated officer, submitted directly to the CIG. Subsequent criminal record checks should be requested by the delegated officer at least once in each six month period. The sponsor is to sign their agreement to have criminal record checks undertaken prior to the initial check.

Sponsors must provide details of any current or previous sponsorships with the applying inmate, or any other inmate.

A prerequisite to ELP participation the inmate must sign the bottom of the [Inmate Job Application form](#), consenting to the release of their criminal history details to their Day/Weekend Leave sponsor/s.

Sponsors will acknowledge that they have received details of the inmate's criminal history by completing the *Declaration by Proposed Sponsor* section of the [Sponsor Interview Package for Day and Weekend Leave Program](#).

The [Inmate's standard of conduct for all External Leave Programs](#), which form part of the Day Leave/Weekend Leave orders, must also be signed by the sponsor and the inmate prior to the inmate leaving the correctional centre on Day/Weekend Leave.

A sponsor is to provide four passport-size photographs for use by centre staff to assist in identification when the sponsor signs an inmate out/in and to enable home checks to be conducted when the inmate is on leave. In the case of photographs being lost after being supplied to the centre, the centre is to pay for replacement.

9.7.3 Sponsorship responsibilities

An inmate must be collected and returned to custody by the nominated sponsor/s. The only exceptions will be in the following circumstances:

- where the sponsor is frail, aged or has a disability which prohibits ease of travel,
- where the sponsor is unable to travel due to illness (a doctor's certificate will be required prior to another visit being approved with this sponsor). **Note:** This situation should not exceed 6 weeks by which time a new sponsor must be identified. Alternatively, the inmate may take Day Leave or Weekend Leave with another of their approved sponsors.

9.7.4 Multiple sponsors

An inmate should be encouraged to have more than one sponsor. This will permit the inmate to be collected or returned to the centre by either sponsor in certain circumstances approved by the Governor/TC Manager, e.g. the inmate is to be collected from the centre by one sponsor and returned by the other, or the unforeseen illness of one sponsor, which may necessitate the inmate being returned by the other sponsor etc.

In cases where an alternative sponsor has been approved, the name and address of that sponsor must be included as a special condition of the order.

9.7.5 Cases where no sponsor is available

In cases where no sponsor is available, the CPT should consider the appropriateness of this program for the inmate and, if the program is considered necessary, should endeavour to have arranged a suitable volunteer sponsor.

9.7.6 Sponsorship breakdown

In the case of breakdown of a sponsored leave arrangement, the Governor/TC Manager is to investigate the circumstances. The investigation should involve consultation with the EEMG.

If, in the Governor/TC Manager's opinion, the fault lays with the sponsor, they must decide whether or not the sponsor is suitable for further sponsorship of that particular inmate, or any other inmate, and for limited period or permanently.

Where a sponsorship is deferred or cancelled by the Governor/TC Manager the details should be recorded on the inmate's CMF. The EEMG and the CIG must also to be advised.

Where the breakdown is not the fault of the inmate, they must not be penalised by exclusion from participation in the unescorted ELP. The opportunity should be given for the inmate to nominate an alternative sponsor/s.

9.8 Unescorted ELP - Works Release / Education and Vocational Training Programs

The unescorted Work Release/Education and Vocational Training Program, is designed to give inmates the opportunity to gain meaningful employment that may be ongoing after release thus assisting positive reintegration into the community. Furthermore it gives the inmates the opportunity to participate in vocational training which will enhance employment prospects.

Work Release/Education and Vocational Training Programs allow selected inmates to go to employment, education and vocational training in the community while continuing to serve the latter portion of their sentences in minimum-security conditions within a correctional centre/TC, in accordance with the [Unescorted ELP - time frames and criteria](#).

Staff are to make every effort to assist suitable inmates to gain employment, education and vocational training course participation that is both meaningful and potentially beneficial upon release.

Note: this program also includes miscellaneous ELPs:

- Industrial Training,
- Work Experience,
- Community Projects and
- Life Skills.

These programs are usually part-time and are conducted in conjunction with Work Release, Education Leave, and/or Vocational Training and may be paid or unpaid, and must be relevant to future employment prospects or the development of appropriate life skills. Supporting documentation on the appropriateness of the program, or activity must be submitted to the Governor/TC Manager. Once approved, a copy must be forwarded to the EEMG.

9.8.1 Vocational training

Vocational training must be relevant to employment prospects. Supporting documentation attesting to the appropriateness of the course must be submitted.

CSNSW's Inmate Traineeship Program (ITP), and the Animal Welfare Program Nationally Recognised Certificate Courses (NRCC) are to be considered equivalent to education/vocational training in the community for inmates classified C3/Cat1. Such inmates must hold a current Training Contract Identification Number (TCID) to complete a Traineeship, or a NRCC.

9.8.2 Potential employers and employment

Potential employers may be identified from family members with no criminal conviction in the last 5 years, reputable community organisations, companies, businesses, institutions, government authorities/agencies or individual persons.

Potential employment may be accessed through media advertisements, family members, reputable community organisations, companies, businesses, employment agencies (government and private), CSNSW staff or person/s known to the inmate.

Following the identification of a potential employer, the inmate must complete an [Inmate job application form](#). The delegated officer must then submit this form, via email to the EEMG at [REDACTED] for pre-employment screening and a field assessment.

After an employment position has been offered, but prior to employment commencing, the EEMG must check that the offered employment and employment situation is authentic, accredited and legal.

The Governor/TC Manager may consider shift /non-shift work, traineeships and seasonal employment situations for eligible inmates. Should seasonal/contract employment and/or traineeships necessitate absence from the centre overnight, the Governor/TC Manager must first obtain approval from their Regional Director Custodial, detailing work particulars, proposed accommodation, supervision and travel arrangements.

All employers will be required to sign an [Employer responsibilities and obligations form](#).

The employer, by signing the Agreement, acknowledges their responsibilities and obligations to ensure that the inmate complies with the conditions applicable to their temporary absence from the centre.

All employers will be advised that a requirement of the program is that a security check be made of the work releasee's immediate supervisor (employment sponsor) and may also be required of the principals of the business/company i.e., owners, company directors, managers. Security checks will be conducted by the CIG on request from the centre (requests are made by completing the form [Criminal Record Inquiry \(Non Offenders\)](#) and thereafter a renewal period every 12 months.

All inmates must be advised that a Field Officer attached to the EEMG will conduct electronic monitoring and physical checks at work sites. Where a continuous electronic monitoring device is to be installed the employers will receive a briefing about the use of the device prior to its installation.

An employer may be deemed by the Commissioner (or delegate) to be unsuitable if they have been convicted of an offence, which is not a spent conviction under the State or Commonwealth legislation in accordance with Part 2 of the [Criminal Record Act, 1991](#).

9.8.3 Approved employers

All approved employers of inmates on work release or work experience must be viewed as partners with CSNSW in its responsibility for assisting successful re-integration of inmates into the community.

CSNSW staff must recognise that the employer's primary responsibility is to their business success and to the clients of the business when making decisions or requirements relating to inmates in the work place e.g. requests for overtime.

Note: Industrial training/work experience sites must be approved by the EEMG.

9.8.4 Disclosure of an inmate's criminal history to employers

It is a condition of participating in the Work Release Program that inmates consent to their criminal history being disclosed to prospective employers. Disclosure of an inmate's criminal history to an employer is a breach of privacy legislation, without the consent of the inmate.

To participate in Work Release/Education and Vocational Training Programs, inmates must sign a Disclosure Statement consenting to the release of their criminal history to prospective employers in accordance with [Deputy Commissioner's Memorandum No: 2011/156 Disclosure of criminal history information to Work Release employers.](#)

In the event of an inmates who refuse this requirement, they will not be allowed to participate in the program.

The delegated officer must ensure the signed disclosure statement is filed on the CMF. CSNSW Officers must not disclose to an employer any information relating to an inmate's criminal history without the inmate's consent.

Following receipt of the signed disclosure statement the delegated officer is to advise prospective employers of the inmate's criminal history.

9.8.5 Travel Times

Staff at the centre should ensure that an inmate employed under the work release/education and vocational training program should not have excess travel time. Staff must utilise the [NSW Government Transport Trip Planner](#), to ascertain the most suitable method of travel, times and other details.

This travel information must be reflected in the inmate's Section 26 permit under 'special instructions'. The inmate must be briefed about the method of the transport prior to proceeding to work.

9.9 Unescorted ELP - special circumstances

Special circumstances can be submitted to the Commissioner via SORC or PRLC, or the DCP whichever is applicable for ELPs outside the above criteria for any variation to leave frequencies.

The request must be made by the Governor of the correctional centre. Special Circumstances may include, but are not limited to:

- Traineeships being undertaken while a C3 classification,
- Community Projects, when unsupervised by CSNSW staff,
- evidence based compassion and hardship.

9.10 Interstate leave permits for unescorted Day/Weekend Leave

Further to section 26 which permits inmates classified to C3/Cat1 to access ELPs. [Section 29](#) of the CAS Act, permits inmates classified to C3/Cat1 to participate in Day Leave and Weekend Leave Programs interstate, in participating States. The [COPP 19.2 Movement orders and permits](#) includes the provisions for interstate leave, the following form must be used in all cases:

[Section 29 Interstate leave permit](#)

The period specified in an interstate leave permit must not exceed 7 days.

In accordance with [section 33](#) of the Act, the Commissioner (or delegate) must give prior notice to participating State's of the inmates intended travel.

Prior to the first occasion upon which the proposed interstate Day Leave or Weekend Leave is to be taken in a participating state, the Commissioner (or delegate) must ensure at least seven days written notice is given to the State the inmate is intending on travelling.

Currently the only participating state is the ACT. In accordance with the COPP the following must be used for the purpose of notification are as follows:

Australian Capital Territory - [Section 33 Interstate notification form ACT](#)

Advanced notice in writing will enable the participating State's to liaise with CSNSW to ensure that:

- no outstanding warrants are in existence with respect to the inmate
- any person registered as a victim of crime on the Victim's Register is notified.

9.10.1 Delegation to Approve Interstate Leave Permits

The following delegations apply to all applications for Interstate Leave Permits:

- **Level A**
 - AC Offender Management and Programs (OMP)
 - Superintendent Custodial Corrections
- **Level B**
 - AC S&I
 - AC Custodial Corrections

9.10.2 Quarterly reports on Interstate Leave Permits

Regional Directors Custodial (or delegate), during the week following the last day in March, June, September and December each year, must ensure that a quarterly report is submitted to the Director, EEMG detailing all Interstate Leave Permits via email: [REDACTED]

9.11 Unescorted ELP - specific needs

Specific needs cohorts of inmates may require, and be granted approval for participation in unescorted ELPs outside the standard [Unescorted ELP time frames and criteria](#).

9.11.1 Inmates with Intellectual Disabilities

In the case of an inmate with a intellectual disability, the CPT must refer all applications to participate in unescorted ELPs to SDS. SDS must provide advice regarding the inmate's inclusion, or exclusion from any ELP proposed in the inmate's case plan, prior to any ELPs being approved.

9.11.2 Bolwara Transitional Centre Program

Female inmates who fall outside the [Unescorted ELP time frames and criteria](#), but are assessed as eligible and suitable for participation in the Bolwara TC Program, may progress, with the support of the TC Manager to Cat1 classification to enable participation.

9.11.3 Primary Carer/Sole Family Wage Earner

In the case where an inmate is confirmed to be the primary carer, or the sole family wage earner prior to being convicted of an offence and imprisoned. And/or where special family circumstances exist, but who fall outside the [Unescorted ELP time frames and criteria](#). The CPT may make a recommendation, with the support of the Governor/TC Manager, to the M/DMCP for the inmates classification to be reviewed in accordance with the [Inmate Classification and Placement - Reviews](#), to provide the inmate with the opportunity to participate in the Work Release Program.

Where an application in this case is supported by the M/DMCP, the M/DMCP must then refer the recommendations to the Director Inmate Classification and Placement (DCP). The DCP must then forward the application to the AC OMP for determination.

This special provision for participation in the unsupervised Works Release Program only applies to inmates serving a sentence with a fixed or non-parole period of no more than 3 years and who are not designated as serious offenders, or public interest inmates.

Responsibility for proving eligibility for consideration under this category lies with the inmate.

Inmate must provide evidence that immediately before the custodial sentence was imposed:

- the inmate was the primary carer or sole family wage earner wholly responsible for supporting the family,
- the inmate was partly responsible for the support of family members by way of child support or maintenance payments or other similar payments in accordance with legislative requirements and/or a court order,
- the inmate was employed in full-time or part-time paid employment,

- there is evidence from the employer that the workplace/business in which the inmate was employed would re-employ the inmate if they were permitted to participate in the Work Release Program,
- there is evidence that members of the family suffer significant financial hardship as a result of the loss of income from the inmate's previous employment and which may result in Department of Communities and Justice, formerly Family and Community Services (FACS) initiating action to protect a child and/or children.

To assist in determining whether an inmate should be allowed to participate in the unescorted Work Release Program the following matters must be taken into account:

- “financial hardship” is to be determined in accordance with the [Social Security Act 1991](#). That is, the financial position of the family members after any “unavoidable reasonable expenditure” or “reasonable costs of living” has been taken into account,
- “reasonable costs of living” include but are not limited to the following costs: food, rent, mortgage payments, regular medical expenses, council rates, water and sewerage payments, gas bills, electricity bills, phone bills, costs of petrol, public transport costs or any other cost considered to be a reasonable cost of living in relation to a particular family member,
- “unavoidable reasonable expenditure” includes, but is not limited to, the following costs:
 - repairs to or replacement of essential white goods situated in the person's home,
 - school expenses,
 - essential expenses arising on birth of a family member's child or the adoption of a child,
 - the costs of essential repairs to the family member's car or home,
 - premiums in respect of motor vehicle or home insurance,
 - expenses in respect of motor vehicle registration,
 - essential medical expenses,
 - any other costs considered to be “unavoidable reasonable expenditure”.

If the inmate's application to participate in the unescorted Work Release Program, based on the primary carer or sole family wage earner criteria, is approved the following conditions must apply:

- the inmate will leave from and return to the centre to which they have been classified when not at their place of employment, and
- after all lawful deductions from the inmate's wages have been made for their incidentals, the remaining wages must be applied exclusively for use of the members of the family.

10 SORC and PRLC inmates and ELP

This document contains directions for inmates and all staff involved in ELP in correctional centres within NSW. In the case of SORC and the Subcommittee; PRLC inmates and ELP, these document must be utilised in accordance with [Inmate Classification and Placement - SORC and Subcommittee Managed Inmates](#).

Serious Offenders and Public Interest Inmates will only be permitted to participate in unescorted ELPs if the Commissioner has granted approval following consideration of recommendation(s) from the Serious Offenders Review Council (SORC) or its sub-committee the Pre-Release Leave Committee (PRLC) for such participation.

10.1 SORC/PRLC inmates approaching eligibility

The S/CAPO must provide the Urinalysis Coordinator with a list of names of the SORC/PRLC inmates who are approaching the three month period immediately prior to being eligible for a C3/CAT1 progression. Also refer to [Inmate Classification and Placement - SORC and Subcommittee Managed Inmates](#).

10.1.1 Forensic Patients (FPs) and ELP

Inmates who are identified as FPs will only be permitted to participate in unescorted ELPs if a recommendation has been forwarded by the MHRT to the Minister for Health and the Minister has approved such. The Minister's approval must then be referred, after consideration by the CPT and Governor/TC Manager, to the PRLC through the classification process for consideration and decision by the Commissioner. See [Inmate Classification and Placement - SORC and Subcommittee Managed Inmates](#); 6.6 Forensic Patients and ELP.

11 Breach of ELP conditions

Any inmate who breaches the conditions of their escorted or unescorted ELP must immediately be reviewed by the CPT, in accordance with the [Inmate Classification and Placement - Reviews](#). Breaches include:

- as detailed in the [Inmate's Standard of Conduct for all ELP](#), and/or
- is subject to correctional centre disciplinary action in accordance with Division 6 of the [CAS Act](#), and/or
- is subject to further criminal charges, including being convicted of trafficking prohibited drugs or substances into a correctional centre/complex

11.1 Inmates refusing to provide, or returning a urinalysis sample that indicates illicit or non-prescribed drug use during ELPs

Inmates refusing to provide a urinalysis sample, or who return a urinalysis sample that indicates illicit or non-prescribed drug use, must immediately be reviewed by the CPT in accordance with the [Inmate Classification and Placement - Reviews](#).

Whilst the review is in process the Governor/TC Manager has discretion on what action is required in regards to the inmate continued participation in the ELP. Action may include, but is not limited to:

- issue a warning,
- partial suspension, or
- total suspension from the unescorted/escorted ELPs, for a determined period of time.

Transfer from the correctional centre should only occur if security or safety risks are apparent, or where there is likely to be a detrimental effect on the centre's overall programs. In such cases the CPT must provide detailed reasons for the requested to the M/DMCP.

Local management strategies such as Management Plans should be considered before a transfer to another correctional centre is requested.

11.2 Participation of inmates on methadone in unescorted ELPs

An inmate on the Methadone Program is not to be excluded from participating in unescorted ELPs if that is the only reason for considering exclusion. Requirements of the Methadone Program (contact Justice Health – Long Bay) include stability, ongoing monitoring, and urinalysis testing of the inmate.

As a rule, there are no additional restrictions on employment other than those applicable to all inmates participating in the Work Release/Education and Vocational Training Programs. However, relevant Justice Health staff may recommend restrictions on the type of work performed by inmates on the Methadone Program.

An inmate will be suspended immediately from participating in an unescorted ELP if they enter the Methadone Program after having commenced the ELP. The inmate may re-enter the ELP after reapplying and successfully meeting all policy requirements.

12 Monitoring and evaluation of ELPs

- Governors/TC Managers are responsible for approving and maintaining Local Leave Permits at each correctional centre/TC.
- The FM Case Management must ensure the records of initiatives, meetings and actions taken to progress eligible inmates into unescorted ELPs are maintained on the inmate's CMF.
- Delegated officers must ensure relevant OIMS screens and the inmates CMF reflect participation in unescorted ELPs.
- Inmates participating in unescorted ELPs must be strip-searched on a random basis on returning to the centre. [REDACTED]
- Inmates will be subject to urinalysis and breath testing in accordance [COPP 18 - Inmate drug and alcohol testing](#).

Note: The Governor/TC Manager, in authorising the inmate's participation, must have regard to the security and protection of the community.

13 Child protection and unescorted ELP

When child protection issues are evident and the inmate wishes to have contact with children while on unescorted ELP, the following must occur:

- the inmate must specify any children with whom they intend to have contact on day or weekend leave in their;
- the delegated officer must contact the Child Protection Co-ordination and Support Unit (CPCSU) via email: [REDACTED] to identify if a child-contact risk assessment has been done under Child Contact Assessment Program (CCAP), and/or to seek advice;
- where applicable the CPCSU will provide a copy of the child-contact risk assessment.

Note: where child visits have been approved under CCAP, it is important to note this doesn't mean there are no risks to a child on ELPs. The CCAP assesses visits in supervised environments only.

In accordance with section 248(1)(a) of the [Children and Young Persons \(Care and Protection\) Act 1998](#), the delegated officer must request a Child Safety Check from the Department of Communities and Justice (formerly Family and Community Services (FACS)) where an inmate intends to have contact with children during unescorted ELPs.

The delegated officer must complete the [Application for information exchange under Chapter 16A](#) form and email it to the Department of Communities and Justice (formerly FACS) information exchange unit: [REDACTED]

Note: this may take up to 20 working days to complete a Safety Check.

The ELP application can progress, pending the outcome of the Safety Check. The following information is required to complete the request:

- Child carer's name, Date of Birth (DOB) (this would usually be the sponsor)
- Children's name, DOB, address
- Offender's name, DOB
- Brief Summary (issues, offences)
- Staff member's contact details
- If there is a history of domestic violence and the sponsor is the victim very careful consideration should be given as to whether this is appropriate and manageable, because children could be at risk of harm if the sponsor is not capable of managing the inmate.
- If a CCAP assessment has not been done by the CPCSU a risk assessment in relation to child contact will need to be conducted by the CPCSU. Depending on the offence this may also involve Director, Statewide Programs.

Where an inmate is in custody on DV matters the CPCSU do not seek out carers.

Note: Inmates convicted of violent or sexual offences against children cannot be involved in organisations in their direct service delivery to children aged under 18 years e.g. child care centres, children's hospital visitation, charitable/religious organisations.

14 Inmate financials

Inmates wages, incidentals, Victims Services Levy (VSL) and all other financial transactions are to be managed in accordance with [COPP 8.7 - Inmate financials](#).

14.1 Limitations on Overtime Earnings

The Governor/TC Manager is to ensure that overtime earnings of inmates on work release is monitored. As a general rule, overtime should not be worked more than twice a week. The EEMG should be called upon to check excessive overtime requests.

15 Security and Intelligence (S&I) Division

The EEMG, S&I Division in partnership with Security Operational Group (SOG), S&I Division is tasked with conducting unannounced home visits on offenders participating in the ELP across NSW.

Roles performed includes; Electronic Monitoring, Drug Court Programs, Work Release Checks, Day Leave and Education Leave Checks.

The scope of the S&I Division will involve electronic and compliance monitoring of the following programs/orders including, but not limited to:

- unescorted ELPs, and
- Community Supervision Orders approved by the Drug Court.

Note: Electronic Monitoring assists in the monitoring compliance to unescorted External Leave Orders. Inmates must agree to electronic monitoring as a condition of approval for participation in an unescorted ELP. Inmates are permitted to be on an unescorted ELP without electronic monitoring where it is not available or otherwise deemed as non-operational.

16 Abbreviations

ACRONYM	MEANING
AC	Assistant Commissioner
CAPO	Classification and Placement Officer
CAS Act	Crimes (Administration of Sentences) Act 1999
CAS Reg	Crimes (Administration of Sentences) Regulation 2014
CCAP	Child Contact Assessment Program
CCC	Community Consultative Committee
CIG	Corrections Intelligence
CRI	Criminal Record Inquiry
CSNSW	Corrective Services New South Wales
CMF	Case Management File
CMU	Case Management Unit
COPP	Custodial Operations Policy and Procedures
CPCSU	Child Protection Coordinator and Support Unit
CPT	Classification and Placement Team
DCP	Director Inmate Classification and Placement
DMCP	Deputy Manager Classification and Placement
DOB	Date of Birth
EEMG	External Electronic Monitoring Group
ELP	External Leave Program
EPRD	Earliest Possible Release Date
FACS	Family and Community Services (formerly)
FM	Functional Manager
FP	Forensic Patient
FS	Fixed Term Sentence
ITP	Inmate Traineeship Program
MCP	Manager Classification and Placement
MHRT	Mental Health Review Tribunal
MIN	Master Index Number
MOS	Manager of Security
MOU	Memorandum of Understanding
NPP	Non-Parole Period
NRCC	Nationally Recognised Certificate Courses
NSW	New South Wales
OIC	Officer in Charge

ACRONYM	MEANING
OIMS	Offender Information Management System
OMP	Offender Management and Programs
PRLC	Pre Release Leave Committee
RAPO	Regional Aboriginal Programs Officer
RJU	Restorative Justice Unit
SAPO	Services and Programs Officer
SCAPO	Senior Classification and Placement Officer
SDS	State-wide Disability Services
S&I	Security and Investigations
SOG	Security Operations Group
SOP	Sex Offender Programs
SORC	Serious Offenders Review Council
SPA	State Parole Authority
TC	Transitional Centre
YAO	Young Adult Offender
VSL	Victims Services Levy

17 Document history

VERSION	DATE	REASON FOR AMENDMENT
1.0	25 October 2019	In line with Case Management Review outcomes
1.1	16 March 2020	Update in line with changes to Victims Services Unit's Policy & Procedures
1.2	21 October 2020	In accordance with IC&P Memo 2020/06 General formatting update and improvements
2.0	2 February 2021	Full review conducted