

Inmate Classification and Placement Corrective Services NSW

Section 23 Transfer of Inmates

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Section 23 Transfer of Inmates

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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.

Section 23 of the [Crimes \(Administration of Sentences\) \(CAS\) Act 1999](#) allows the Commissioner for Corrective Services NSW (CSNSW) to transfer inmates from one correctional centre to another for the following reasons:

- the correctional centre is being or is about to be repaired, altered, enlarged or rebuilt;
- an outbreak or threatened outbreak in the correctional centre of an infectious disease;
- the correctional centre has ceased or is about to cease to be a correctional centre;
- the correctional centre is overcrowded;
- inmates in the correctional centre need to be separated in compliance with the requirements of the regulation;
- any other reason specified in the Order.

2 Related documents

This document should be read and implemented in conjunction with:

- [Custodial Operations Policy and Procedures \(COPP\) - 19.2 Escorts - Movement orders and permits](#)
- [Management of Public Correctional Centres Services Specifications](#)
- [COPP - 3.5 HS, EHS, EHRR, NSI, AA and Cat 5](#)
- [PR1 - Procedures for the Reception, Screening, Induction and Orientation of CSNSW Inmates](#)
- [Inmate Classification and Placement - Category AA and Category 5 Inmates](#)

3 Procedures for Section 23 Transfer of inmates

Authority to transfer inmates is drawn from the [CAS Act](#).

Escort procedures are carried out by CSNSW in accordance with the [COPP - 19 Escorts](#) and [COPP - 3.5 HS, EHS, EHRR, NSI, AA and Cat 5](#).

This document deals with the transfer of inmates by way of Section 23.

The Court Escort Security Unit (CESU) transports inmates between correctional centres and 24 hour court cell complexes to courthouses, medical facilities and other approved locations. The CESU manages scheduled and unscheduled transfers of inmates to correctional centres in NSW, as well as interstate and international escorts.

The Manager of Security (MOS), Inmate Transfers Unit (ITU) coordinates all movements and bed-allocations throughout NSW correctional centres.

3.1 Section 23 Request for transfer

Senior/Classification and Placement Officers (S/CAPOs), Sentence Administration Officers and Authorised officers are responsible for requesting Section 23 Movement Orders. Prior to requesting movement for any minimum security inmate (C1, C2, C3, Cat3, Cat2, Cat1), they must check the Offender Information Management System (OIMS) Offender Legal Orders Screen [REDACTED] for any further court commitments that postdate the last classification assessment.

Following a ratified classification and placement decision an inmate may not be transferred immediately to their allocated placement/Gaol of Classification (GOC). Due to a number of reasons this may result in the allocated GOC being deemed inappropriate and therefore no longer suitable for transfer to their GOC.

Prior to submitting any section 23 request for transfer, the authorised officer must review the OIMS to ensure the appropriateness of the intended request. I.e. the GOC must be safe for the inmate to be transferred to, and be in accordance with the [Inmate Classification and Placement - CSNSW Placement Guide](#). The authorised officer should review the following OIMS screens to assess suitability for request to transfer, note this list is not exhaustive:

- Alerts [REDACTED]
- Offender Non-Associations [REDACTED], including STG Non-Association
- Management Program [REDACTED]

An inmate must not, in any circumstances, be taken off escort by being placed on a Work Hold.

3.2 Category AA and Category 5 Section 23 transfer

Movement Orders for AA or Category 5 inmates must be approved by the Assistant Commissioner (AC) Custodial Corrections or AC Security and Investigations (S&I).

3.3 Cancellation of Section 23 Orders

When a Section 23 Order is not acted upon by the centre, the S/CAPO is to forward a cancellation advice to the MOS, ITU for approval to remove the inmate from the escort. A cancellation of the Order will then be issued by the MOS ITU. Both the original Section 23 Order and the cancellation of that Order are to be placed on the inmate's warrant file.

4 Procedure for S23 Transfer - Checklist

PROCEDURE	RESPONSIBILITY
1 Identify inmate for Section 23 transfer.	S/CAPO Sent Admin
2 Complete Section 23 Request.	S/CAPO Sent Admin
3 Check OIMS Offender Legal Orders Screen.	S/CAPO Sent Admin
4 Ensure appropriateness of transfer to GOC	S/CAPO
5 If Cat AA/5 AC Custodial Corrections or S&I must approve.	AC
6 Action Section 23 Request.	ITU
7 Transfer inmate via Section 23.	CESU

5 Abbreviations

ACRONYM	MEANING
AC	Assistant Commissioner
CAPO	Classification and Placement Officer
CAS Act	Crimes (Administration of Sentences) Act 1999
CESU	Court Escort Security Unit
COPP	Custodial Operations Policy and Procedures
CSNSW	Corrective Services New South Wales
ITU	Inmate Transfers Unit
OIMS	Offender Information Management System
MOS	Manager of Security
NSW	New South Wales
SCAPO	Senior Classification and Placement Officer
Sent Admin	Centre Sentence Administration Unit
S&I	Security and Investigations

6 Document history

VERSION	DATE	REASON FOR AMENDMENT
1.0	25 October 2019	In line with Case Management Review outcomes
1.1	23 October 2020	General formatting update and improvements
2.0	2 February 2021	Full review conducted