

DEPARTMENT OF CORRECTIVE SERVICES

**POLICY CONCERNING THE
STRATEGIC FRAMEWORK FOR
PROGRAM ACCREDITATION AND
THE ROLE OF THE OFFENDER
PROGRAMS UNIT**

May 12th 2006

1. Introduction

The Board of Management of the New South Wales Department of Corrective Services adopted a *Strategic Framework for Program Accreditation* in April 2003. The *Framework* outlines the Rationale for Accreditation and lists criteria for the Accreditation of Program Materials (Section A) and Sites in which programs will be delivered (Section B).

In November 2004, the Department appointed a Manager of the Program Development Unit (now called the Offender Programs Unit) whose role includes oversight of the Accreditation process as described in the *Framework*.

From June 2005, the Department has specified which Correctional Programs are to be run by publishing periodically the *Compendium of Correctional Programs in New South Wales*. This is published and updated by the Manager, Offender Programs Unit.

Operational authority to direct staff who deliver correctional programs lies with the Manager, Offender Services and Programs (in custody) or the District Manager (in the community). Authority to administer the Accreditation process lies with the Manager, Offender Programs Unit. This policy describes the relationship between operational managers and the Manager of the Offender Programs Unit.

2. Policy

Programs must be delivered to offenders on the basis of empirically assessed risk and need.

All pre-program assessments as specified in the relevant Program Manual must be completed prior to the offender being admitted to the program.

Programs to be delivered to offenders in New South Wales must be those described in the current edition of the *Compendium of Correctional Programs in New South Wales*. No program that is not described in the Compendium may be delivered.

Programs are to be delivered in the way that is described in the relevant Program Manual.

Sites where programs are to be delivered must conform to the Site Accreditation Criteria endorsed by the Board of Management (*Accreditation Strategic Framework, DCS 2003*).

Where there is any doubt as to the conditions under which the program should be run, advice must be sought from the Manager, Offender Programs Unit. Advice should be sought by the Manager Offender Services and Programs (in

custody) or the District Manager (in the community). Advice may also be sought by program delivery staff and Offender Programs Unit staff.

Where it is found that the criteria specified by the Strategic Framework are not met, the Manager, Offender Programs Unit will initiate action to rectify this. If, in the course of this action, it is found that the criteria cannot be met, the Manager, Offender Programs Unit may suspend the operation of the program or withdraw it from the site.

3. Legislation

The following legislation is relevant to this document:

Crimes (Administration of Sentences) Regulation 2001.

Division 5 Inmate services and programs

Clause 60 Inmate services and programs

- (1) The Commissioner may provide an inmate with services and programs that:
 - (a) offer the inmate an opportunity to develop skills, behaviours and attitudes that lessen the likelihood of the inmate re-offending, or
 - (b) contribute to the inmate living in society after release from custody, or
 - (c) promote the health, safety and well-being of the inmate.
- (2) Without limiting subclause (1), such services and programs may include:
 - (a) welfare services,
 - (b) services for inmates who have disabilities,
 - (c) alcohol and other drug counselling services,
 - (d) psychological counselling services,
 - (e) literacy and numeracy programs,
 - (f) educational and vocational training programs, including the provision of libraries,
 - (g) pre-release and post-release programs to enable inmates to adapt to normal lawful community life,
 - (h) sports and recreational activities.

- (3) In the exercise of a function under this clause, the Commissioner must give special attention to the needs of inmates who have low literacy or numeracy.
- (3A) The Commissioner must also give special attention to the needs of inmates who have a disability.
- (4) Services and programs may be provided by correctional officers or by other persons approved by the Commissioner.
- (5) A person employed or otherwise engaged in the provision of a service or program:
 - (a) is subject to the directions of the Commissioner in respect of the nature and scope of the service or program and its method of delivery, and
 - (b) is subject to the directions of the General Manager in respect of any matter affecting the good order and security of the correctional centre.

Clause 61 Behaviour of inmates participating in services and programs

While participating in a service or program provided under this Part, an inmate must comply with any lawful and reasonable direction of the person employed or otherwise engaged in the provision of the service or program.

Note. Failure by an inmate to comply with the requirements of this clause is a correctional centre offence.

3.2 Crimes (Sentencing Procedures) Act 1999

Clause 85 Definitions

In this Part:

assessment report means a report prepared under section 89.

assigned officer has the same meaning as it has in Part 5 of the Crimes (Administration of Sentences) Act 1999.

development program means a personal development, educational or other program.

Clause 90 Court may impose conditions on community service order

- (1) A court may impose such conditions as it considers appropriate on any community service order made by it, other than conditions requiring the person to whom the order relates to make any payment, whether in the nature of a fine, compensation or otherwise.

- (2) The conditions imposed by the court:
 - (a) may require an offender to participate in development programs, and
 - (b) may require the offender to undergo testing or assessment for alcohol or drug use in accordance with the directions of the offender's assigned officer.
- (3) A community service order requiring an offender to participate in development programs:
 - (a) must not require the offender to participate more than 3 times in any one week, and
 - (b) must not require the offender to participate for a total period of more than 15 hours in any one week, and
 - (c) must not specify a total period of less than 20 hours for participation.

Clause 95A Intervention program as condition of good behaviour bond

- (1) A good behaviour bond may contain a condition requiring the offender to participate in an intervention program and to comply with any intervention plan arising out of the program.
- (2) A good behaviour bond may not contain such a condition unless the court is satisfied:
 - (a) that the offender is eligible to participate in the intervention program in accordance with the terms of the program, and
 - (b) that the offender is a suitable person to participate in the intervention program, and
 - (c) that the intervention program is available in the area in which the offender resides or intends to reside, and
 - (d) that participation by the offender would reduce the likelihood of the offender committing further offences by promoting the treatment or rehabilitation of the offender.
- (3) This section does not limit the power of a court under section 95 (c) to impose a condition on a good behaviour bond as to participation in any program for treatment or rehabilitation that is not an intervention program.
- (4) This section does not limit the kinds of conditions that may be imposed on an offender by means of any other order or direction under this or any other Act, so that such an order or direction may include a condition of a kind referred to in subsection (1) or (3).

Clause 95B Referral of offender for assessment

Before a court makes an order providing for an offender to enter into a good behaviour bond that contains a condition referred to in section 95A (1), the court may refer the offender for assessment as to the suitability of the offender to participate in an intervention program.

Note. Regulations may be made for or with respect to the assessment of the suitability of a person to participate in an intervention program under the *Criminal Procedure Act 1986*.

4. Related policies / documents

- Guidelines for Making a Submission for Program Accreditation (NSW DCS, May, 2005)
- Accreditation Criteria, Section A Program Accreditation (NSW DCS, April 2003)
- Accreditation Criteria, Section B Site Accreditation (NSW DCS, April 2003)
- Compendium of Correctional Programs in New South Wales

5. Definitions

Correctional program	<p>A structured intervention designed to change patterns of behaviour or thinking in such a way that it has maximum impact in terms of reducing re-offending (DCS 2005)</p> <p>For the purposes of the policy this does not include educational programs delivered by the Adult Education and Vocational Training Institute (AEVTI).</p>
Accreditation	<p>The formal recognition of a course by the accrediting authority in accordance with the <i>Standards for State and Territory Registering / Course Accrediting Bodies (ANTA 2001)</i></p>
accrediting authority	<p>A body with the authority and responsibility for accrediting courses and training programs.</p> <p>For the purposes of this policy, the Offender Programs Unit is the Accrediting authority.</p>

Program Accreditation Panel (PAP)	Panel that will be convened from time to time by the Manager, Offender Programs Unit, comprising persons suitable by virtue of their knowledge and experience in the design and delivery of offence-related programs.
Site Accreditation Panel (SAP)	Panel that will be convened from time to time by the Manager, Offender Programs Unit, comprising persons suitable by virtue of their knowledge and experience in the design and delivery of offence-related programs.

6. The role of the Offender Programs Unit

The OPU promotes and ensures excellence in the design, production, implementation and evaluation of programs to offenders in the care of the NSW Department of Corrective Services in alignment with the Department's mission and Corporate Plan.

7. Responsibilities of the Program Accreditation Panel

The Panel is responsible for assessing the program for accreditation or approval as specified by the *Strategic Framework*. For details, see the document Accreditation Criteria, Section A Program Accreditation (NSW DCS, April 2003).

8. Responsibilities of the Site Accreditation Panel

The Panel is responsible for assessing the program delivery site for accreditation or approval as specified by the *Strategic Framework*. For details, see the document Accreditation Criteria, Section B Site Accreditation (NSW DCS, April 2003).

9. Review date

This policy is due for review by April 1st 2008