23.2 Release from correctional centres

Policy Summary

An inmate must be released from custody if there are no legal orders (detainers) authorising their detainment in custody. Releases from a correctional centre may be scheduled or unscheduled.

The early release or prolonged detention of inmates can result in CSNSW being subject to legal action and can erode public confidence in the correctional system. However, with an inmate's consent, their release may be delayed for up to four days if there is good reason to do so.

Registrable persons must be given written notice of their reporting obligations and the consequences that may arise if they fail to comply with those obligations on release.

Sentence Management Operations (SMO) has the responsibility of identifying inmates to be released and must provide written confirmation (i.e., a 'release package') authorising a release before it occurs.

When an inmate is eligible for release, staff must ensure compliance with all legislative, policy, and operational requirements before the release occurs.

Management of Public Correctional Centres Service Specifications

Service specifications	Professionalism and accountability

Scope

This section applies to all correctional centres and other facilities administered by or on behalf of CSNSW and all CSNSW employees.

Table of contents

1 Release from correctional centres 5

1.1 Policy 5

1.2 Requirements for an inmate's release 5

1.3 Release packages 6

1.4 Identification of inmates 7

1.5 Bails 7

1.6 Case management for inmates due for release 8

1.7 Payments from Services Australia 8

1.8 External leave programs 9

1.9 Release certificate 9

1.10 Procedures for generating a release certificate 10

2 Time of release 10

2.1 Policy 10

2.2 Inmate request or consent to delay release 10

2.3 Reasons for a delay (section 8A only) 11

2.4 Conditions for delaying release 12

2.5 Procedures for delayed releases 12

3 Registrable persons 13

3.1 Policy 13

3.2 Procedures 14

4 Interstate transfers 14

4.1 Policy 14

4.2 Procedures 14

5 Compassionate release 15

5.1 Policy 15

5.2 Procedures 15

6 Immigration/deportation 16

6.1 Policy 16
6.2 Procedures 16
7 Property on release 17
7.1 Property inspection 17
7.2 Complaints in relation to private property 17
7.3 Return of CSNSW property 17
8 Inmate financials on release 18
8.1 Fares to place of residence 18
9 Quick links 19
10 Definitions 19
11 Document information 23

1 Release from correctional centres

1.1 Policy

An inmate must be released from custody if there are no legal orders (detainers) authorising their detainment in custody. Releases may take place at a correctional centre, including any centre to which the inmate has been temporarily transferred, from police or court cells following a court appearance, or from a hospital.

An inmate's release may be either scheduled, such as on sentence expiry, or unscheduled, such as when bail is granted. Unscheduled releases commonly follow an Audio-Visual Link (AVL) court appearance but may occur at any time. Requirements regarding the timing of releases and delayed releases are detailed in Section 2.

Sentence Management Operations (SMO) is responsible for identifying inmates eligible for release and must authorise any release before it occurs. SMO will provide written confirmation that an inmate is authorised for release from custody on a specified date (refer to subsection 1.3 *Release packages* for further information regarding release packages).

Contact information for local SMO units that can be contacted during business hours are provided in the *SSA contact list*. Alternatively, SMO can be contacted after hours by phone on [redacted] or by email to [redacted]

1.2 Requirements for an inmate's release

When an inmate is eligible for release, staff must ensure compliance with all legislative, policy, and operational requirements before the release occurs.

Where an inmate is being released:

- the inmate's identity must be verified, and their OIMS photograph must be current and accurately reflect their appearance.
- all health-related requirements must be met, including the provision of any necessary medication or referrals from Justice Health NSW.
- the inmate must receive all personal property and funds held in custody, with accurate record-keeping and updates made in OIMS.
- the inmate must be provided with any approved travel assistance or financial support, in accordance with COPP section 23.3 *Fares to Residence on Release.*
- the inmate's release package must be reviewed and endorsed, and all clearance documentation must be submitted to SMO following release.
- a Release Certificate must be prepared and issued to the inmate.
- the inmate must be informed of, and sign, all required documentation prior to release, including, but not limited to reporting conditions, bail acknowledgements, and child protection notices (i.e., 'form 3's).
- any requirements relating to participation in external leave programs must be finalised prior to release.

- all required notifications to external agencies, including the NSW Police Force for registerable offenders, must be completed.
- OIMS and associated records must accurately reflect the inmate's discharge from custody.
- the inmate's Case Management File (CMF) must be finalised and forwarded to administration for archiving.

1.3 Release packages

SMO is responsible for preparing a release package where an inmate is authorised to be released from custody. A release package includes a clearance form and any other relevant documentation required to support the lawful release of the inmate, such as reporting arrangements, bail acknowledgements, or other court or administrative documents.

Release packages are prepared as follows:

- **Scheduled Releases:** The correctional centre's SMO unit prepares release packages in advance of the scheduled release date and distributes them to the appropriate areas within the correctional centre (e.g. reception room, Senior Assistant Superintendent (SAS)).
- **Unscheduled Releases:** The correctional centre's SMO unit prepares release packages during business hours. Outside of business hours, the SMO Lodgements/Processing team is responsible for preparing the release package. These packages are also distributed to relevant areas within the correctional centre (e.g. reception room, SAS).

SMO will send the completed release package to the relevant correctional centre to confirm that the inmate is authorised for release. All release packages must be emailed to the correctional centre's designated reception room or another agreed email address as determined by local procedures.

The releasing officer must record the time and date of the inmate's release on the clearance form and return the completed form to SMO by email once the release has been carried out.

Types of clearance forms that may be provided depending on the release type include:

Name of clearance form	When the clearance form is used
Fresh custody clearance form	Inmates who are fresh custody and: • appear in person at court • are being assessed for a release to a mental health facility following a court appearance.

Name of clearance form	When the clearance form is used
Inmate release eligibility form	Inmates who: • are from a correctional centre appearing in person at court • are being assessed for a release to a mental health facility following a court appearance.
Eligible for release from a correctional centre form	Inmates who are to be released from a correctional centre. This will be signed by two SMO staff.

1.4 Identification of inmates

The identification of the inmate to be released must be checked against the details recorded in OIMS, including images.

If there is no photograph available of the inmate, such as where they have been recently received from police custody and no photo accompanied the inmate, officers must exercise extreme caution and take steps to verify the inmates identify before releasing them, this may include:

- comparing the inmate with a photograph in their property (e.g. driver licence), and
- asking them questions from the documentation available that is not likely to have been memorised by another inmate familiar with CSNSW practices.

There have been instances of an inmate being released while impersonating another inmate and this must be guarded against.

Every inmate released from custody to community-based supervision must have their image electronically recorded when officially released from custody at a correctional centre or transitional centre.

1.5 Bails

Where an inmate has been granted bail, their release from custody must be arranged as soon as practicable and without unreasonable delay, provided that:

- the inmate has been granted bail and is able to meet all pre-release conditions; and
- clearance has been given confirming there are no legal orders or other requirements that prevent the inmate's release from custody.

The only exception to this requirement is where an inmate has requested to delay their release and not enter bail at that time (refer to subsection 2.2 *Inmate request or consent to delay release*).

Inmates granted bail may have pre-release conditions that must be satisfied before the bail can be processed, such conditions may include, but are not limited to:

- payment of a cash or security deposit
- surrender of the inmate's passport

- release to a specific named person or location.

Where release to a named person or location is required, and the relevant person attends the correctional centre to collect the inmate, SMO must be immediately notified. SMO will determine whether the inmate is eligible for release and, if eligible, will:

- verify that the person collecting the inmate is the correct named person and that all pre-release conditions have been met; and
- prepare the inmate's release package.

1.6 Case management for inmates due for release

The SAS or an assigned officer is responsible for developing case plans and referrals for inmates serving sentences greater than three months, addressing post release issues as identified during the screening and induction process, and the CMF.

Inmates serving a sentence of less than three months, who do not come under the supervision of a community services officer, are expected to participate in an exit-screening program.

The program may take the form of group sessions, or one-on-one interviews by case officers, Service Integration staff or inmate peers.

It is the responsibility of the Service Integration Manager (SIM) to oversee the development of an exit screening program for inmates serving short-term sentences, depending on the identified needs of their inmate population.

The following are areas of concern to be addressed and finalised prior to an inmate's release:

- proof of identification
- housing
- clothing
- transport needs
- financial issues (e.g. bank accounts, Department of Human Services (DHS) (Centrelink) interviews)
- any identified AOD or mental health issues.

Inmates identified during the screening process as needing assistance in any of these areas should be referred to an appropriate member of the Service Integration staff for follow up.

1.7 Payments from Services Australia

The Incarcerated Customer Servicing Team (ICST) from Services Australia can assist inmates with accessing payments they may be eligible to receive where they have been in custody.

CSNSW staff should notify the ICST of any inmate that is being or has been released from custody that may be eligible for a payment. Where an inmate is scheduled to be released from custody, the Service Integration Team (SIT) will notify the ICST of an inmate who may be eligible to receive a payment.

Where an unscheduled release occurs, the releasing officer is to confirm with the inmate whether they have previously received a payment from Services Australia. If the inmate has previously received a payment, the releasing officer is to either:

- advise the SIT staff who will contact the ICST, or
- where there are no SIT on duty, contact the ICST and advise them that the inmate has been released from custody and may be eligible to receive a payment.

ICST can be contacted on from 8:30 am to 4:30 pm from Monday to Friday on [redacted]. Information regarding support that is available via Services Australia for inmates is available on the Services Australia website and includes information relating to payments, housing support, social work services and mental health support.

Inmates may contact Services Australia up to 21 days prior to their release from custody regarding payments they may be eligible to receive confirm any payments they may be eligible to receive.

1.8 External leave programs

Inmates participating in the external leave program must return the Home Radio Monitoring Unit (HRMU) to the correctional centre. The HRMU must be returned to the Electronic Monitoring Group (EMG).

Arrangements must be made for the removal of any bracelets/anklets are required, and notification of returns to the correctional centre made to the EMG.

1.9 Release certificate

SMO will prepare and check the releases from CSNSW custody. A fully completed release checklist will be provided to the custodial staff advising that a particular inmate is eligible for release. All releases will be emailed to the reception room or locally agreed email address relevant at the correctional centre.

An authorised officer of the centre is responsible for providing inmates with a *Release Certificate* at the time of release, and for endorsing the *Release Package* with the date/time of release.

All inmates who have been in CSNSW custody (including court cells) for more than 48 hours are to be issued with a *Release Certificate*.

In exceptional circumstances where an electronic *Release Certificate* cannot be issued (e.g. remote court location) staff are permitted to issue the inmate with a *Release Certificate (duplicate book).* These books are available through the Corrective Services Industries (CSI) catalogue (product code 341 006).

Replacement *Release Certificates* are not to be issued due to risk of fraudulent claims to DHS (Centrelink) for crisis benefits. Released inmates who claim to have lost their *Release Certificate* must be directed to contact SMO on [redacted] to arrange for verification of incarceration.

1.10 Procedures for generating a release certificate

	Procedure	Responsibility
1.	Place the speciality paper that must be used for a *Release Certificate* in the printer and generate a Release Certificate in OIMS (go to *> utilities> report submissions> application field – Inmate Management reports> Report name – Release certificate Report> Parameters – min number> Date of release – date> Run report).*	MOS/SAS/OIC/ Releasing officer
2.	Check details of the *Release Certificate* are correct: • a photo of the inmate • the inmate's name • the inmate's date of birth • the time of release • booking number • *Release Certificate* number • dates of incarceration and • the name of the correctional centre released from.	MOS/SAS/OIC/ Releasing officer
3.	Sign the *Release certificate* and ensure the inmate signs it.	MOS/SAS/OIC/ Releasing officer

2 Time of release

2.1 Policy

Scheduled releases should be made during office hours where possible to ensure the required checks and procedures are carried out.

There will be occasions where inmates will apply for release outside of normal business hours to comply with transport or reporting arrangements. Written requests by inmates and the relevant decision should be placed on the digital inmate warrant file.

Midnight releases are **not** generally recommended to be an acceptable practice; however, the Governor/MOS/SAS has the final discretion.

2.2 Inmate request or consent to delay release

Under section 8(2) of the *Crimes (Administration of Sentences) Act 1999,* an inmate can request to delay their release to the next working day if the release date for their current sentence is on a Saturday, Sunday or Public Holiday. No Reason is required to be given for this to occur.

Separately, section 8A of the *Crimes (Administration of Sentences) Act 1999* specifies that an inmate may be released from custody up to four days after the date that the inmate would otherwise have been eligible to be released, if:

- there is a good reason to delay the release (such as a lack of transport), **and**
- the inmate requests or consents to the delay.

The inmate **must not** be held in a correctional centre for a period longer than the four-day limitation or beyond the period requested or consented to by the inmate.

Inmates may request a delay to their release by completing a *Request/Consent by inmate to delay release* form prior to or on their release date.

Inmates who are being released on bail who wish to delay their release can simply decline to enter into their bail acknowledgement until they are ready to be released. This is provided as an option on the *Request/Consent by inmate to delay release* form.

Where a court has ordered that a person be taken to a mental health facility for admission or assessment under section 19 or 21(a) or (b) of the *Mental Health and Cognitive Impairment (Forensic Provisions) Act 2020*, release of the inmate **cannot** be delayed. These orders must be actioned immediately.

A request by an inmate to delay their release may only be authorised by the Governor of the correctional centre or OIC.

The Governor or OIC must ensure that the inmate is advised of their right to withdraw their consent to remain in custody at any time. If the inmate withdraws their consent, the inmate **must be** released as soon as practicable.

Inmates may withdraw the request or consent to delay their release under section 8(2) or 8(2A) or indicate that they now wish to enter into their bail acknowledgement by advising a custodial officer that they want to be released.

An inmate may lack the capacity to consent to a delayed release (for example, if the inmate has a serious mental health concern or cognitive impairment such as intellectual disability). The NSW Department of Justice 'Capacity Toolkit' provides comprehensive information for assessing whether an inmate has capacity. If it is identified that the inmate lacks the capacity to consent, additional steps should be taken to facilitate legal assistance. If a Public Guardian is appointed, then the Guardian should be contacted to complete the request.

2.3 Reasons for a delay (section 8A only)

Section 8A allows for the inmate to apply to delay their release for a maximum of 4 days.

A delay to the release of an inmate beyond their release date under Section 8A is subject to the inmate providing their request or consent together with good reasons.

Some examples of reasons where a delay may be appropriate include:

- logistical difficulties with transport from the correctional centre to their residential address, for example:
    - critical transport delays or interruptions
    - where public transport is not available, requiring someone to collect them by car; or
    - public transport connections are only available after the original release date.
- where there is a flood or natural disaster and the inmate is unable to leave;
- significant safety or security concerns for the inmate.
- medical requirements (such as where urgent medication or medical treatment would not be available if released on that day);
- where appropriate arrangements are required to support the inmate with reintegration, such as accommodation or critical health or mental health supports.

2.4 Conditions for delaying release

If an inmate's request or consent to remain in custody is approved, risks must be assessed to determine how the inmate should be best managed.

The Governor/OIC must take all reasonable care to prevent harm or injury to the inmate, in line with usual duty of care responsibilities towards inmates.

In most cases, the inmate seeking delayed release should be isolated from other inmates but may be placed two-out if a risk assessment finds two-out placement most suitable.

If the inmate is to remain in custody longer than one day after their release date, the inmate must be consulted on a daily basis by the SAS (or authorised officer) to confirm whether they do or do not wish to be released that day.

The inmate **must be released** at the end of the 4th day after their release date.

The risk assessment results and the daily consultation with the inmate must be documented in OIMS case notes.

2.5 Procedures for delayed releases

	Procedure	Responsibility
1.	Provide the inmate with the *Request/Consent to delay release* form, and any assistance required to complete the form. For section 8A, decide if there is a good reason to delay release along with an inmate's request or consent, and approve or decline delay. **Note:** Examples listed under subsection ***2.3 Reasons for a delay*** of this policy.	Governor/OIC
2.	Ensure that all relevant staff are advised of the delay to the inmate's release and the day that the inmate is to be released. Ensure the inmate is advised that they can withdraw their consent at any time and have their release processed as soon as practicable (e.g. the following A watch).	Governor/OIC
3.	Ensure that an email is sent to SSA informing the unit that the inmate's release has been delayed.	Governor/OIC/ Authorised officer
4.	Enter a case note in OIMs recording: • the date that the inmate was due to be released • the date that the inmate requested/ consented to a delay to their release • details of the inmate's request or consent and reasons for the delay • the decision made regarding the application • who has made the decision (name and rank).	Governor/OIC/ Authorised officer
5.	Ensure that an assessment of risks to the inmate is conducted and these managed appropriately (refer to subsection ***2.4 Conditions for delaying release*** of this policy).	Governor/OIC/ Authorised officer

	Procedure	Responsibility
	Results of a risk assessment must be documented in an OIMS case note.	
6.	If the inmate has been held in custody for longer than 1 day following their release date, consult daily with the inmate about their willingness to continue to remain in custody (refer to subsection ***2.4 Conditions for delaying release*** of this policy). Enter a case note in OIMS recording the daily consultation.	SAS
7.	Ensure that the inmate is released on the day requested/ consented to (no later than 4 days after their release date).	Governor/OIC
8.	If the inmate wishes to be released prior to their agreed delayed release date, ensure that the *Amendment to request/consent* section of the form is completed. Inform SMO by email and release the inmate as soon as practicable (subject to operational requirements) after they sign the withdrawal.	Governor/OIC

3 Registrable persons

3.1 Policy

Under section 6 of the *Child Protection (Offenders Registration) Act 2000,* if an inmate is identified as a registrable person (i.e., they have charges for offences against children) and has been in custody for at least 14 days must have a *Form 3: Child protection notice* completed and be advised of their reporting obligations and the consequences that may arise if they fail to do so after their release.

A *Form 3: Child protection notice* advises the inmate:

- when to report to police
- documentation/information they must provide to police
- what happens if they want to leave NSW
- special reporting arrangements if they have a disability
- what to do if there are changes to their circumstances.

It is important that the *Form 3: Child protection notice* is completed correctly, as the NSW Police Force (NSWPF) rely on the completion of this form to successfully prosecute registrable persons should they not comply with their reporting obligations.

Section 2 of the form ('What does this mean') must be completed by the releasing officer and include:

- **the exact date** that the inmate must report to the police station (this **must** be within 5 days of their release from custody)
- the inmates name (i.e., the name of the registrable person)
- the inmate's signature.
- The releasing officer's details as the notifier.

If the inmate refuses to sign or has not been given notice, this must be identified on the form, and a comment/explanation provided.

A copy of the completed form must be sent to the Child Protection Register by email to [redacted]

3.2 Procedures

If an inmate is identified as a registrable person, the following procedures must be applied in conjunction with either scheduled/unscheduled release procedures.

	Procedure	Responsibility
1.	Generate a *Form 3: Child protection notice* from OIMS and provide it with the *Release checklist* and other release documentation for the inmate.	SMO
2.	Ensure the *Form 3: Child protection notice* is completed, and a copy provided to the inmate. Ensure that every field of the form is completed.	MOS/SAS/OIC/ Releasing officer
3.	Forward a copy of the form to the Child Protection Register, either by email to [redacted] or by fax to [redacted] immediately. Ensure all pages of the Form 3: Child protection notice are emailed/faxed to the Child Protection Register.	MOS/SAS/OIC/ Releasing officer/Assigned Officer
4.	Ensure the original *Form 3, Child protection notice* is returned with the Release from a Correctional Centre form to SMO via email.	MOS/SAS/OIC/ Releasing officer/Assigned Officer

4 Interstate transfers

4.1 Policy

Once an interstate transfer has been approved, correspondence will be sent from the SMO unit advising the General Manager (GM) (delegate), Court Escort Security Unit (CESU), Corrections Intelligence Branch, and the Governor of the correctional centre, of the pending release.

The inmate must only be released on receipt of an endorsed *Order of Transfer* authorising the release of the inmate and outlining the specifics of the escort to the receiving state.

4.2 Procedures

	Procedure	Responsibility
1.	Advise the SAS and the OIC reception room on receipt of the *Order of transfer* of the pending release to allow time for a pre-release property inspection.	Governor/ delegate
2.	Advise the inmate of the terms of their transfer and seek written instructions from the inmate as to the disposal of personal property that will not be taken on the escort.	MOS/OIC

	Procedure	Responsibility
	Inform the inmate that they will meet the cost and bear the risk if they would like personal property forwarded to them. These arrangements will be co-ordinated by the SAS and the Service Integration officer.	
3.	Have the transport officer sign for all documents and property travelling with an inmate being transferred from the complex.	MOS/OIC
4.	The transfer of an inmate from NSW follows the same process as a scheduled release. A copy of the detainer will be included in the package for the benefit of escorting officers and the receiving jurisdiction.	SMO
5.	Advise the Health Centre of the pending release.	SAS
6.	Prepare a cheque in respect of the inmate's private cash.	Accounts Clerk
7.	Obtain certified copies of detainer to accompany the inmate on their escort interstate.	SMO

5 Compassionate release

5.1 Policy

There is provision for the release of inmates under exceptional extenuating circumstances or if the inmate is dying. This would generally be to facilitate ease of care and treatment for an inmate who had suffered a serious or life-threatening injury while in gaol, or who may be suffering from a terminal illness.

The procedures for release at the expiration of sentences apply on the receipt of an order from the State Parole Authority (SPA) or other releasing authority, advising of an inmate's early release on compassionate grounds.

If the inmate has been transferred to a public hospital:

- the MOS/SAS, or an authorised officer must conduct the pre-release interview (where possible).
- the Service Integration officer involved should facilitate the return of the inmate's property.

Once the inmate's exceptional medical circumstances are identified, the Governor or delegate of the centre must complete the following procedures.

5.2 Procedures

	Procedure	Responsibility
1.	Contact the Director, SMO on (02) 8346 1000 to identify the protocols necessary to apply for early release. The Director, SMO will provide information regarding the kinds of reports to be prepared, and the relevant personnel to be notified.	Governor (delegate)

	Procedure	Responsibility
2.	Where time is critical (such as where the inmate is dying), instruct the Director, SMO to immediately notify the Commissioner and the releasing authority that an application for release may be forthcoming based on the medical evidence alone.	Governor (delegate)
3.	Ensure that the Service Integration officer (e.g., SAPO) notifies the Next of Kin (NOK) and facilitates visits by the NOK.	Governor (delegate)
4.	Communicate with both the Service Integration officer and the correctional officers undertaking the escort with regards to the protocols for visits, if the inmate is to be transferred to a public hospital.	Governor (delegate)

6 Immigration/deportation

6.1 Policy

An inmate may have an immigration hold placed on them by the Department of Immigration (Australian Border Force), which means that the inmate should be handed over to Border Force if they are eligible for release.

The imprisonment status of inmates in these circumstances is Deportee. The Australian Border Force will advise SMO in writing of release details, including the proposed date and time the inmate will be escorted. The Australian Border Force are responsible for escorts of such detainees.

These detainees must be accompanied by an *Order to hold* signed by an authorised officer from the Australian Border Force and can only be released on the authority of that department.

SMO will prepare any transfer to the Australian Border Force as a release from CSNSW custody, any enquiries in relation to such releases should be brought to the attention of SMO of the correctional centre.

6.2 Procedures

	Procedure	Responsibility
1.	Ensure the officers escorting the inmate are in possession of a *Transfer of custody order* issued by the Australian Border Force.	MOS/OIC SMO
2.	Advise the SAS and the OIC of reception of the requirement for the inmate to be released to the Australian Border Force.	MOS/OIC SMO
3.	Ensure all other release requirements are finalised (e.g., *Release Package* has been prepared and finalised).	MOS/OIC

	Procedure	Responsibility
4.	Facilitate a property inspection and obtain written instructions about the disposal of any private property which will not accompany the inmate on deportation. Inform the inmate that they bear the risk and meet the expense if they would like their property forwarded to them. These arrangements must be co-ordinated between the SAS or authorised officer and the Service Integration officer attached to the centre.	SAS/Authorised officer
5.	Complete the *COVID-19 checklist: Release to immigration* and hand to Border Force when they arrive to take custody of the inmate.	SAS/Authorised officer

7 Property on release

7.1 Property inspection

Where sufficient notice of the release is provided, the SAS or authorised officer is to facilitate an inspection of the inmate's private property and cash records prior to the pre-release interview. This information is particularly crucial in determining any entitlement to a special gratuity payment.

7.2 Complaints in relation to private property

An inmate may lodge a written complaint with the accommodation officer as to the condition of, or any missing property, or any error in the property records.

This complaint must be referred immediately to the SAS, who must ensure the complaint is investigated by the OIC reception room, and the results provided to the inmate at the time of pre-release interview.

Should the inmate not be satisfied with the results of the investigation, the Governor (delegate) must forward notification of this fact to the Director or their delegate.

7.3 Return of CSNSW property

Prior to release, inmates must return all CSNSW property including library material, clothing and equipment (including OTAB's and associated accessories but excluding earphones).

Property issued by CSNSW is noted on the inmate property card maintained in the reception room.

When arranging for pre-release property inspections, area managers should advise inmates of all property due to be returned on the day of release **(refer to COPP section *4 Inmate property*).**

If an inmate has a disability alert on OIMS, the Equipment block of the OIMS *Disability screen* must be checked to see if the inmate has been issued with disability equipment.

If the inmate has been issued with disability equipment, the equipment must be returned and the *Issued/returned by* field in OIMS completed **(Refer to COPP section *6.9 Inmates with a disability*).**

8 Inmate financials on release

8.1 Fares to place of residence

Where there is a demonstrated need inmates are entitled to financial assistance to meet the cost of travelling to their residence within NSW (e.g. the inmate does not have the finances or any other means of transport to their residence) **(Refer to COPP section *23.3 Fare to residence on release).***

In some circumstances, inmates can be provided with assistance for their release (i.e., fares to place of residence). Refer to **COPP section *23.3 Fares to place of residence*** for further information about the types of supports that can be provided.

Sentence Administration Manual section *6 Release of Inmates from a Correctional Centre,* subsection 6.6 Inmate fares also include information about these processes.

9 Quick links

- *Related COPP*
- *Forms and annexures*
- *Related documents*

10 Definitions

Appellant (App)	Inmates who have appeal against all unexpired full time imprisonment sentences on the grounds that they are not guilty (Conviction) and/or the sentences is too harsh (Severity). DDP can also appeal on the grounds that a sentence is too lenient.
Appropriate Officer	Judge, registrar or assistant registrar of the Court of Criminal Appeal, the Supreme Court, the Land and Environment Court, the Industrial Court, the District Court or the Drug Court, or • Magistrate of the Local Court or a Children's Magistrate, or • an authorised justice, or • police officer with power to grant bail, or • an officer of the Department of Communities and Justice authorised by the Commissioner of Corrective Services for the purposes of this section, or • a person prescribed by the regulations as an appropriate officer.
AVL	Audio Visual Link
Bail	Bail may be granted to an inmate which provides a set of conditions that an inmate must adhere to while at liberty. The bail will also determine when the inmate will be required to appear before the court on a specified date. Bail conditions may include conduct requirements, a security to be provided, character acknowledgements, accommodation requirements, pre-release requirements and enforcement conditions.
CESU	Court Escort Security Unit
CMF	Case Management File
COPP	Custodial Operations Procedures Policy
DHA	Department of Home Affairs (Formerly, the Department of Immigration and Border Protection)
DHS	Department of Human Services (Centrelink)
ECP	An inmate's nominated contact person in case of a medical emergency, such as, but not limited to spouse, de facto partner, a parent, adult child, sibling, or trusted person. ECP can be the same person as the nominated NOK. The ECP is contacted if an inmate is taken to hospital with life threatening injuries and it is obvious he or she will be admitted.

	For non-life threatening injuries, the inmate's ECP is contacted on the day admission to hospital is confirmed. An inmate's consent to contact the ECP will be obtained unless the inmate is incapable of giving consent. The ECP will also be contacted if an inmate is an inpatient and: - Their medical condition deteriorates and becomes life threatening; or - Their hospital stay is extended beyond the expected hospital discharge date. The ECP is not contacted in the case of death, unless they are also the nominated NOK.
EMG	Electronic Monitoring Group
EPRD	Earliest Possible Release Date
Federal (Commonwealth) Attorney General's Department (AG)	The Attorney General's office in Canberra is the releasing authority in the case of Commonwealth parole.
Fixed term sentence	A sentence with no non-parole period. The inmate is eligible for release on the expiration of the fixed term.
GM	General Manager
Good behaviour bond	This is a deferred sentence under sections 9, 10, and 11, or a suspended sentence under section 12, of the Crimes (Sentencing Procedure) Act 1999. Under these orders inmates can be released from custody upon their signing an order from the court that includes conditions to be of good behaviour for a specified period of time. There will usually be a number of other conditions listed on the bond e.g. reporting to the Probation and Parole Service or attending for treatment programs.
Head sentence	Total sentence period consisting of the Non-Parole Period and the Parole Period
NOK	An inmate's nominated contact person in the case of death, or deemed life threatening by Health staff, such as, but not limited to spouse, de facto partner, a parent, adult child, sibling, or trusted person. The NOK is contacted in the case of death and this is done by Police. The NOK will not be contacted upon admission to Hospital for a non-life threatening situation.

Non-parole period (NPP)	This refers to the minimum period an inmate must serve in custody before they may be released to parole. In cases of sentences of three years or less, an inmate's release is automatic at the expiration of the non-parole period. The Parole Order is used by the Sentence Court (NSW Offences only) In cases where sentences are more than three years, the inmate's case for release must be considered by the State Parole Authority or Federal A/Gs who will issue parole orders if parole is granted. An inmate is subject to automatic release at the expiration of their Head sentence.
OIC	Officer in Charge
OSASO	Office of Statewide Administration of Sentences and Orders
Parole	Parole refers to that portion of a sentence to be served in the community. Parole orders will specify the conditions under which the inmate is to be released. Only those inmates whose orders include specific conditions to accept the supervision of the Community Offender Services will have to report to a parole officer in the community.
Parole Revocations/Breach of Parole (BOP)	The State Parole Authority can revoke parole orders, balance of Periodic Detention orders, and balance of Home Detention orders on receiving information that parolees have breached their conditions of release. In some instances the State Parole Authority may issue a BOP warrant ordering the parolee's return to custody. The State Parole Authority must consider the parolee's case to determine if they are to be released prior to the sentence expiry date.
Pre-Release Period (PPR)	Is the term of full imprisonment (if it is imposed by the Sentencing Court) that an inmate must serve prior to being released on a Recognizance Release Order.
Remand Inmate	A remand inmate is defined as a person who has either been unable to meet bail conditions or has had bail refused. This may also be in respect of appeal matters. As remand warrants will expire on the day the inmate appears in court, a new remand warrant or other form of detainer must accompany the inmate upon his/her return to the correctional centre.
Recognizance Release Order (Recog)	Is an order (if the court deems it necessary) that authorises the automatic release of an inmate sentenced on Federal Offences where the sentence term(s) is less than 3 years.
Registrable person	As defined in 3A of the Child Protection (Offenders Registration) Act 2000
SAS	Senior Assistant Superintendent
Scheduled release	is prepared by SMO in advance and a release list is disseminated to appropriate areas of the Correctional Centre.

Service Integration Manager	Senior Service Integration Manager (SSIM), Service Integration Manager (SIM) Service integration Team Leader (SITL)
Service Integration Team (SIT) staff	Services and Programs staff that form part of the centre's service integration team
SMO	Sentence Management Operations
SPA	State Parole Authority grants parole on full time sentences greater than 3 years for NSW Offences and Interstate sentences being served in NSW. SPA can also revoke Parole Orders, ICOs, Home Detention Orders and Periodic Detention Orders imposed on NSW Offences.
Unscheduled release	A release of an inmate at short notice.

11 Document information

Business centre:	Security and Custody
Approver:	Leon Taylor, Deputy Commissioner Security and Custody
Date of effect:	16 December 2017
EDRMS container:	18/7334

Version	Date	Reason for amendment
1.0		Initial publication *(Replaces section 11 of the superseded Operations Procedures Manual)*
1.1	12/03/19	Inclusion of Parts 2.2 – 2.5 Delay of release Inclusion of Part 3 Registrable persons
1.2	12/03/20	General formatting update and improvements
1.3	23/09/20	Included requirement to complete and hand to ABF the COVID-19 Checklist: Release to Immigration at [6.2] Procedures.
1.4	28/01/22	Amended throughout to incorporate the introduction of Digital Inmate Warrant files – refer to Commissioners Memorandum 2022/03 *Transition to Digital Inmate Warrant Files*.
1.5	08/07/22	Expanded NOK and ECP definitions.
1.6	05/10/22	Updated Sub-Section 1.5 – Release Certificate – Removal of Senior Commissioned Custodial Officer to an Authorised Officer of the centre to be responsible for the Release Certificates – refer to Commissioners Memorandum 2022/03 *Transition to Digital Inmate Warrant Files*.
1.7	27/11/23	Amended to reflect changes to SA Manual 6.4 *Delay of Day of Release*. Refer to Deputy Commissioners Memorandum 2022/21 *Inmate Request or Consent to Delay Release*. Updates in line with CSNSW restructure: Deletion of reference to Security & Intelligence (S&I).
1.8	08/04/24	Updated subsections 2.2 – 2.5 to reflect change to legislation
1.9	09/08/24	Inclusion of Offender Tablets (OTABS) at 7.3 *Return of CSNSW property*
1.10	12/09/24	Amendments at 1.1 *Policy* to clarify when Sentence Management must be consulted and/or informed. Amendments to sections 2.2 – 2.5 to include new *Request/Consent by inmate to delay release* form.
1.11	18/12/25	Policy reviewed and updated: • *Policy summary* to reflect subsection [1.1] *Policy.* • At subsection [1.1] *Policy* to include the requirement for a legal detainer to hold a person in CSNSW custody, where

	and when releases may occur (including examples of the types of release) and the requirement for SMO confirmation authorising an inmate's release. • Inclusion of subsection [1.2] *Requirements for an inmate's release.* • Inclusion of subsection [1.3] *Release packages.* • Inclusion of subsection [1.4] *Identification of inmates.* • At subsection [1.5] *Bails* to include additional content outlining various requirements relating to processing of bails. • Inclusion of subsection [1.6] *Case management for inmates due for release.* • Inclusion of subsection [1.7] *Payments from services Australia.* • Inclusion of subsection [1.10] *Procedures for generating a release certificate.* • References to FM changed to SAS throughout document. • At Part [3] *Registerable persons* to outline new requirements relating to releases of registerable offenders. • At subsection [5.2] *Procedures* (part 5 *Compassionate release*) position title for Director, SMO. • At Part 6 *Immigration/deportation* to outline that an inmate may have an immigration hold in place. • At subsection [6.2] *Procedures* to outline requirement SAS/OIC to be informed of requirement for the inmate to be released to the ABF if there is an immigration hold. • At Part 10 *Definitions,* inclusion of 'Bail', SIM, and Service Integration Team staff.