

Custodial Operations Policy and Procedures

8.7 Inmate financials

Policy summary

Inmates are permitted to receive funds into their trust account from external sources, such as their personal and professional contacts, and from corporate remitters. They are also permitted to send monies out to these contacts.

All personal and professional contacts and corporate remitters must be registered and recorded on OIMS before a deposit can be accepted.

Individual and monthly deposit limits apply to all inmates. However, there are a number of exemptions to this including:

- special purpose deposits
- payments for the Victims Services Levy (VSL)
- wages from work release employers
- cash in the possession of the inmate when they were received into custody.

Management of Public Correctional Centres Service Specifications

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| Service specification | Professionalism and accountability |
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Scope

This section applies to all correctional centres and other facilities administered by or on behalf of Corrective Services NSW (CSNSW), and all CSNSW employees.

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1 Inmate financials

1.1 Electronic banking for inmates

Inmates are permitted to receive funds into their trust account from external sources, such as their personal and professional contacts, and from corporate remitters.

All personal and professional contacts and corporate remitters must be registered and recorded on the Offender Integrated Management System (OIMS) before a deposit can be accepted.

A limit of \$100 applies to the amount of each deposit made for an inmate, and no more than \$800 may be deposited per month. The monthly limit unless otherwise specified is the same at all correctional centres.

If an inmate has no support (i.e. any personal contacts on the inmate phone system, no next of kin or visits contacts) then they can submit an *Inmate request* form to obtain a bank transfer of up to \$800.00 from their external bank account. Inmates can also request a recurring transfer to occur of no more than \$800 per month. When the inmate request form is received, the authorised officer processing the request must review the request, and if supported, raise a 00 Ref Support Services in OIMs. The correctional centre's Manager Offender Services & Programs (MOSP) or, in centres without a MOSP, the Senior Services and Programs Officer (SAPO) will decide whether to approve the request.

1.2 Special purpose deposits

Special purpose deposits allow inmates to make one off purchase of goods or services if it would be unreasonable to expect an inmate to meet the cost of these items from funds in their trust account.

An inmate must apply through an *Inmate request* form and must detail what the money is to be used for and the exact amount required. No extra monies can be applied for.

Special purpose deposits:

- must be approved by the Governor or their delegate before the funds are received and must only be used for the intended/approved purpose
- cannot be made using BPAY or AusPost Services
- must be made by a bank cheque or Australia Post money orders and posted or paid in person at a correctional centre subject to the Governor's approval
- are not subject to the monthly limit.

The inmate can have access to these funds once they have been cleared.

Applications to receive a special purpose deposit must only be approved in the following circumstances to:

- enable the purchase of necessities on initial reception into the correctional system A limit of \$200.00 applies to this purchase
- purchase a television (**refer to COPP section 4 Inmate property**)
- pay for external/distance education fees, including text books as recommended by education staff
- meet the cost of medical treatment

- meet the costs of private escorts to external medical/dental treatment appointments, attendance at tribunals, funerals, etc.

1.3 Deposits to secure release on bail

A cash surety can be deposited by an acceptable person or the accused (inmate) to secure release on bail.

Where a person is depositing funds to secure the release of an inmate on bail the deposit must only be made by bank cheque during banking hours or cash at any time (section 82 of the *Bail Act 2013* and clause 26 of the *Bail Regulation 2014*) with documented proof that it was obtained by the presenter (an ATM receipt).

If a bank cheque is used CSNSW must contact the bank of issue to verify the cheque was issued to the surety for the amount displayed on the cheque and that no action has been taken to cancel the cheque.

The authorised officer must determine if the person is considered an 'acceptable person' to act as surety but that person does not have to be an existing personal or professional contact of the inmate (refer to the [Sentence Administration Manual - 6.21.3.2 Deposit Security](#)).

1.4 Money by post

Money orders, cheques or cash sent to inmates by post with the exception of pre-approved overseas cheques in Australian Dollars (AUD) or special purpose deposits will not be accepted (refer to **COPP section 8.1 Inmate mail**).

1.5 Deposits exempt from limits

The following deposits and credit transactions are exempt from the individual and monthly deposit limit:

- wages paid by a work release employer to an inmate participating in the work release program;
- correctional centre wages paid to an inmate employed in a CSNSW services position or Corrective Services Industries (CSI) Business Unit;
- special purpose deposits as specified above. Note: special purpose deposits will be credited to the special purpose sub account of an inmate's trust account, the inmate is only able to access these funds for the specific purpose as approved by the Governor;
- cash in possession of an inmate when initially received into custody;
- cash in the possession of an inmate on return to a correctional centre after participating in an external leave program (day leave, weekend leave, activities shopping or work release etc.). This exemption only applies where the inmate was issued with cash prior to departing the centre and where the residual amount is returned to the centre;
- deposits received from corporate remitters or diplomatic missions of foreign countries and work release employers;
- credit transactions processed in the OIMS *Inmate Financials* module for the Offender Telephone System (OTS), buy-ups, Victims Services Levy (VSL), return of unclaimed monies etc.

1.6 Procedure for sending inmate monies out

All applications by an inmate to send money out must be approved by the Governor or delegate. All money sent out of the correctional centre will be by EFT or cheque. This includes payments to both personal and professional contacts and corporate payees.

| | Procedure | Responsibility |
|----|---|--------------------------------|
| 1. | Provide the inmate with an <i>Inmate monies</i> form. | Correctional officer |
| 2. | For a Personal and Professional payee: Check the completed form to verify the application clearly details the payee's: <ul style="list-style-type: none"> • Visitor Identification Number (VIN) • full name and address • email address. The form must also show the amount and reason the money is being sent out. This information must be cross-checked against the details in the OIMS <i>Personal and Professional</i> module. Intelligence holdings must also be checked. | Correctional officer |
| 3. | If the money is to be sent to a corporate payee then the inmates must include the full name and address of the corporate payee (no VIN required). The invoice/account statement to be paid and must be attached to the application. | Correctional officer |
| 4. | Ask the inmate to provide the payee's bank account details if they are not already recorded in OIMS. | Correctional officer |
| 5. | If more than \$200.00 is to be sent out make a recommendation on the application. The Functional Manager (FM) may approve amount of \$200.00 or less. | FM |
| 6. | Approve/not approve the application if more than \$200. | Governor or authorised officer |
| 7. | Return the application to the FM. | Governor or delegate |
| 8. | Inform the inmate of the outcome (file the application on the inmate case file if not approved). | FM |
| 9. | Send the approved application to the inmate accounts section for processing. | FM |

1.8 Transfer of funds between inmates

The transfer of funds between inmates is not permitted other than if:

- a Visiting Justice or Governor makes an order for compensation for damage to an inmate's property against a fellow inmate
- the inmate has requested the transfer of funds to immediate family who is also in custody (father, mother, son or daughter).

Inmates are not permitted to deposit money into another inmate’s account at the time of their release.

An inmate can only deposit money into another inmate’s account after release once they have been approved as a visitor of the inmate and have received a VIN.

1.9 Victims Support Levy

The *Victims’ Rights and Support Act 2013* states that an inmate will be liable to pay a Victims Support Levy (VSL) for every State offence punishable by imprisonment and for which an inmate is convicted.

These amounts may be adjusted each financial year in accordance with the formula set out in *clause 107 of the Victims’ Rights and Support Act 2013*.

In addition, the *Fines Act 1996* allows for deduction of the levy from the inmate’s earnings (only) if sentenced to a term of imprisonment. The VSL does not apply to ACT or Commonwealth offences, revocation orders by State Parole Authority (SPA) (Parole, Home Detention) or revocation of Bonds, Community Service Orders (CSO) and suspended sentences.

2 Work release

2.1 Procedure for work release job specifications

The officer in charge of the work release program at the correctional centre must ensure a *Job specification form* is completed for each inmate before they commence external employment.

The form must be completed and sent to the administration manager or the senior accounts officer with a copy retained by work release staff.

| | Procedure | Responsibility |
|----|--|------------------|
| 1. | <p>Review the completed <i>Job specification form</i> submitted by the inmate.</p> <p>The <i>Job specification form</i> must contain the following detail:</p> <ul style="list-style-type: none"> • inmate details, name and Master Index Number (MIN) • employer details, full name, address, contact phone number and contact person • employment details, days and hours worked and daily start and finish times (excluding overtime) • salary details, net salary and payment frequency and whether the inmate will be required to work overtime • deduction details, date deductions will commence, amount required for weekly fares, incidentals and bracelet hire. | OIC work release |
| 2. | <p>Inform the inmate a weekly deduction will be made from their available funds to satisfy any outstanding VSL as per the condition of entry to the work release program.</p> <p>Record the interaction in an OIMS case note.</p> | OIC work release |

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| 3. | Advise the inmate they must complete a new <i>Job specification form</i> each time their work release situation changes. | OIC work release |
| 4. | Make sure the inmate signs the <i>Job specification form</i> to acknowledge that all the details are correct. | OIC work release |
| 5. | Forward the <i>Job specification form</i> to the administration manager or senior accounts officer for processing. | OIC work release |

2.2 Deductions from wages on external work release

Inmates participating in an external work release program are required to contribute to the costs of administering the:

- external work release program
- travel fares
- other expenses relating to their participation in the program, and
- the costs of their imprisonment during the period in which they participate in the program.

This will be calculated as a percentage of the wage (including overtime and penalty rates) and will be debited to an inmate's trust account when a wage is received. This deduction will therefore depend on pay frequency and is not a regular weekly deduction. The deduction is 15% of the inmate's total net wage.

2.3 Inmate wages from external employment

Work release employers are generally required to pay inmate wages by EFT to the Central Public Monies Account. Some smaller employers may wish to pay wages with cheque or cash directly to the inmate.

While this process is accepted these employers should be actively encouraged to move to EFT payments. Inmates paid by cheque or cash must present their wages and pay advice to the correctional centre accounts office immediately on their return to the correctional centre. The funds will be credited to the inmates trust account.

3 Quick links

- [Related COPP](#)
- [Forms and annexures](#)
- [Related documents](#)

4 Definitions

| | |
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| ATM | Automatic Teller Machine |
| AUD | Australian dollars |
| Authorised officer | The officer authorised by the Governor to perform the functions prescribed as part of the Custodial Policy and Procedures. |
| COPP | Custodial Operations Policy and Procedures |
| CSI | Corrective Services Industries |
| CSNSW | Corrective Services NSW |
| CSO | Community Service Order |
| Corporate Remitters | Generally state and federal government departments or agencies and private businesses |
| EFT | Electronic Funds Transfer |
| FM | Functional Manager |
| Governor | As per section 3 of the Crimes (Administration of Sentences) Act 1999 in relation to a correctional centre, Governor includes any person who is for the time being in charge of the correctional centre or any person (however) described who is authorised by the Commissioner to be in charge of the correctional centre. This includes a Manager of Security in charge of a correctional centre. |
| MIN | Master Index Number |
| OIMS | Offender Integrated Management System |
| OTS | Offender Telephone System |
| Personal and Professional Contacts | an inmate's friends, relatives, medical contacts, legal representative and spiritual contacts |
| SPA | State Parole Authority |
| VIN | Visitor Identification Number |
| VSL | Victims Support Levy |

5 Document information

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| Business centre: | Custodial Operations | |
| Approver: | Kevin Corcoran | |
| Date of effect: | 16 December 2017 | |
| EDRMS container: | 18/7210 | |
| Version | Date | Reason for amendment |
| 1.0 | | Initial Publication (<i>replaces section 4.1 of the superseded Operations Procedures Manual</i>) |
| 1.1 | 12/03/20 | General formatting update and improvements |
| 1.2 | 07/08/23 | Amendment at subsection 1.1 <i>Electronic banking for inmates</i> to clarify the maximum amount for each deposit, and the monthly limit on deposits for inmate accounts (refer to Commissioner's Memorandum 2023/04). |
