

## Custodial Operations Policy and Procedures

### 9.4 Application for Crisis Payments

#### Policy Summary

Corrective Services NSW (CSNSW) aims to ensure that inmates are provided with the opportunity to apply for a Crisis Payment – Prison Release (crisis payment) through the Department of Human Services (DHS), so that financial support is available to eligible inmates on release from custody.

An inmate may lodge an application for a crisis payment up to 21 days before being released or within 7 days of being released, and must meet the eligibility criteria at the time of applying.

DHS may provide a crisis payment in anticipation of an inmate's release. The inmate cannot have access to these funds until they are released from custody.

#### Management of Public Correctional Centres Service Specifications

|         |                                  |
|---------|----------------------------------|
| Outcome | Rehabilitation and Reintegration |
|---------|----------------------------------|

## 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.

## Related Documents

*Social Security Act 1991*

*Social Security (Administration) Act 1999*

*Management of Public Correctional Centre Outcome Specifications*

## Related Custodial Operations Policy and Procedures

*23.5 Fares to Residence on Release*

## Definitions

|                           |                                                                                                                                                                                                                                                                                                                                                                                                                            |
|---------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 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                                                                                                                                                                                                                                                                                                                                                                                 |
| CSNSW                     | Corrective Services NSW                                                                                                                                                                                                                                                                                                                                                                                                    |
| DHS                       | The Department of Human Services (formerly referred to as Centrelink) is a Commonwealth statutory authority that delivers services, programs, and payments for Government Departments. It is responsible to the Minister for Human Services.                                                                                                                                                                               |
| LOPS                      | Local Operating Procedures                                                                                                                                                                                                                                                                                                                                                                                                 |
| OIMS                      | Offender Integrated Management System                                                                                                                                                                                                                                                                                                                                                                                      |
| OS&P                      | Offender Services and Programs                                                                                                                                                                                                                                                                                                                                                                                             |
| Release Certificate       | A Release Certificate is issued to all inmates who have been in custody (correctional centres or police/court cells) for more than 48 hours. A Release Certificate serves as evidence of an inmate's incarceration and may be used when obtaining housing or financial assistance. A release certificate must only be issued once and generated in OIMS. (Refer to exceptions in <i>Section 23 - Release of Inmates</i> ). |
| SAC                       | Sentence Administration Corporate                                                                                                                                                                                                                                                                                                                                                                                          |
| Severe Financial Hardship | Severe financial hardship is defined as having less than the equivalent of a fortnight's DHS benefit or allowance in available funds.                                                                                                                                                                                                                                                                                      |

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# 1 Application for Crisis Payments

## 1.1 Policy

Corrective Services NSW (CSNSW) aims to ensure that inmates are provided with the opportunity to apply to the Department of Human Services (DHS) for financial assistance on release from custody.

DHS may provide a 'crisis payment' which equates to one week's payment of an inmate's relevant social security pension or benefit. An eligible inmate will also be entitled to an advance payment of up to seven days of the first instalment of their social security pension or benefit that they are qualified to receive.

The eligibility criteria for a crisis payment states that an inmate must:

- have been in custody for at least 14 days
- qualify to receive a social security pension or benefit
- be in severe financial hardship.
- The day of release is not to be included as part of the 14 day criteria.

An inmate may lodge a claim up to 21 days prior to their release date, or within 7 days of being released. It is recommended that an application be lodged prior to the inmate's release, as this may occur outside of standard business hours or at a remote location. The number of crisis payments that an inmate is eligible to receive within a 12 month period is restricted only by the requirement to have been imprisoned for at least 14 days on each occasion.

DHS may provide a crisis payment in anticipation of an inmate's release, which is to be stored in a separate sub-account of an inmate's trust account (within the Central Public Monies Account) that has been specifically created for this purpose. The inmate must not have access to these funds until they are released from custody. The crisis payment will be issued to the inmate as part of the discharge process.

As part of their application, an inmate will be required to sign a document authorising release of payment back to DHS in the event that they are not released from custody. If payment has been received from DHS in anticipation of the inmate's release and this has not been issued to the inmate due to a change in circumstances, the payment should be returned to DHS within 14 days after the inmate was due to be released. These payments should not be withheld to repay any debts that may be owed to CSNSW by the inmate.

An inmate who is released unexpectedly from court or is granted bail may not receive a *Release Certificate*. In these cases, the inmate may attend a DHS office which will verify their previous custody and entitlement to a crisis payment by phone with the correctional centre they were discharged from, or with Sentence Administration Corporate (SAC).

An inmate should be advised that the availability of sufficient identification (such as bail papers, or recognisances) may assist this process. DHS may also require evidence to verify a lack of funds (such as a bank account balance) from an inmate who has been released from custody.

## 1.2 Procedures

Governors, through authorised officers, should liaise with the local DHS office to implement local operating procedures that are in line with the generic procedures set by DHS. In correctional centres where kiosk facilities are available, inmates should be directed to use these systems.

|    | Procedure                                                                                                                                                                                                                                                                                                                  | Responsibility                 |
|----|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|
| 1. | Advise inmates of the criteria and procedures (including any Local Operating Procedures (LOPS)) involved in applying for a crisis payment.<br><br>Confirm that inmates who intend to apply for a crisis payment are aware they are to submit applications within the allocated times as set by DHS                         | Authorised officer/ OS&P staff |
| 2. | Notify DHS of the number and names of inmates being discharged on a weekly basis, as arranged locally between the correctional centre and the DHS office                                                                                                                                                                   | Authorised officer             |
| 3. | Arrange interviews with inmates.<br><br>The Governor or the authorised officer will receive notification of the dates and times of these interviews.<br><br>Note: the inmate will be expected to complete all necessary documentation during their interview with DHS or its agents                                        | DHS                            |
| 4. | If approved, the crisis payment, in the form of a direct deposit, will be made to the appropriate centre.<br><br>Local procedures may be implemented in each centre                                                                                                                                                        | DHS                            |
| 5. | Store payments received from DHS in a separate sub-account, which has been set up for this purpose within the inmates trust account (within the Central Public Monies account)                                                                                                                                             | Authorised officer             |
| 6. | Prepare payment as part of the discharge process and provide to the inmate on release                                                                                                                                                                                                                                      | Authorised officer             |
| 7. | Verify the inmate's previous custody and entitlement by phone with the correctional centre from where the inmate was discharged, or with SAC.<br><br>This will occur If an inmate has been discharged unexpectedly from court or is granted bail and has not received a <i>Release Certificate</i> and attend a DHS office | DHS/inmate                     |
| 8. | Check and verify Monies to ensure that payment has been made to the inmate.<br><br>Payments not made to the inmate are to be returned to DHS no later than 14 days after the inmate was due to be released from custody.                                                                                                   | Authorised officer             |

## 2 Document Information

| <b>Business Centre:</b> Custodial Operations |      |                                                                                                     |
|----------------------------------------------|------|-----------------------------------------------------------------------------------------------------|
| <b>Approver:</b> Kevin Corcoran              |      |                                                                                                     |
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