SENTENCE CALCULATION AND WARRANT ADMINISTRATION

CORRECTIONS VICTORIA – SENTENCE MANAGEMENT DIVISION

SENTENCE MANAMENT MANUAL

*This Commissioner’s Requirement describes the role of Sentence Calculation and Warrant Administration in the interpretation and maintenance of records related to the sentencing and remand of prisoners****.***

What

As an integral component of the sentence management function, the Sentence Management Division (SMD) is responsible for ensuring that the recording, interpreting and calculation of sentences of imprisonment imposed by the courts are correctly administered.

Sentence Calculation and Warrant Administration (SCWA), a unit of SMD, performs this function and maintains full and accurate records of prisoners’ warrants, sentences imposed by the courts, transfers, discharges, bails and fines.

Why

Sections 6A and 6B of the *Corrections Act 1986* define when a person is in the legal custody of the Secretary and when that custody ceases. The capacity to interpret sentences and conduct authorised adjustments to sentences is essential to the sentence management function.

When

The management and interpretation of records relating to prisoners’ sentences and court appearances is ongoing throughout the term of imprisonment. The sentence is entered into the system when received and updated as required.

Who

SCWA maintains records of prisoners’ sentences, court appearances and judgements. SCWA conducts initial calculations of sentences and adjustments as required in the course of sentences.

Prison management is responsible for ensuring that all relevant documents are forwarded to SCWA.

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Contents

1. General requirements
2. Specific requirements

Related Policy and Procedures

*Corrections Act 1986*

*Freedom of Information Act 1982*

*Sentencing Act 1991*

*Information Privacy Act 2000*

Corrections Regulations 2019

*Charter of Human Rights and Responsibilities Act 2006*

Department of Justice and Community Safety Information Management Policy

Commissioners Requirement – *Emergency Management Days*

Sentence Calculation Manual

Review and Action a Request for Prisoner Release

**1. General requirements**

SMD is responsible for ensuring that the recording, interpreting and calculation of sentences of imprisonment imposed by the courts are lawful and accurate.

SCWA is responsible for establishing guidelines to ensure compliance with legislation, maintaining quality assurance and maintaining electronic records that pertain to prisoner court appearances and the sentencing and remand of prisoners.

The specific responsibility of the unit is to ensure that interpretations of sentencing decisions as stated on imprisonment warrants accurately reflect and record the intentions of the judiciary. In relation to these activities, SCWA provides professional advice, in accordance with the legislative acts outlined above, to stakeholders including Corrections Victoria staff, other government departments and the public.

The objectives of the sentence calculation and remand process are to:

* calculate the sentence in accordance with the *Sentencing Act 1991*
* manage calculation of sentences throughout the prisoner’s imprisonment cycle
* ensure sentence discrepancies are identified and responded to in an accurate and efficient way
* maintain electronic records for each sentenced prisoner including remand warrants, fine warrants and/or imprisonment warrants
* ensure pre-sentence detention days granted by the judiciary accurately reflect time held in custody for the single matter related to that sentence, and to recommend amendments if necessary
* ensure that the sentence calculation guiding principles are implemented in all sentence calculation functions and activities
* ensure all queries are responded to in an efficient and professional manner.

**2. Specific requirements**

SCWA has two manuals that govern its specific requirements. These are the *Sentence Calculation Manual*, which requires Commissioner approval, and the *Review and Action a Request for Prisoner Release*.

Specific requirements include:

* all warrants received by prisons must be transmitted to SCWA
* all original warrants must be maintained in a fireproof cabinet and stored in a secure area
* all prisons must receive gaol orders for prisoners to attend court and ensure the prisoner is available on the date specified
* all prisoners with bail granted warrants but with conditions yet to be met must be returned to court on the eighth day if the bail is not executed prior to that date
* verification of all prisoner details.