COPP 8.4 Prisoner Finances

Prison

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| PrinciplesAs referenced in the [Guiding Principles for Corrections Australia 2018](https://dojwa.sharepoint.com/sites/intranet/department/standards/Pages/ops-standards.aspx):2.3.11 Prisoners who engage in work, rehabilitation programs or fulltime education are remunerated in line with the applicable policy/legislation.2.3.16 All prisoner property and money is managed in a lawful, effective and accountable manner that respects prisoners’ entitlements. |

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# Scope

This Commissioner’s Operating Policy and Procedure (COPP) applies to all prisons administered by or on behalf of the Department of Justice (the Department).

# Policy

Prisoner gratuities and private cash are managed through an internal accounting and banking function.

Each Prisoner Private Cash Account (PPCA) shall be administered and managed consistent with the requirements of the [Financial Management Act 2006](http://www.slp.wa.gov.au/legislation/statutes.nsf/main_mrtitle_333_homepage.html) and the related Treasurer’s Instructions.

Prisoners are not permitted to have cash in their possession, unless it is authorised by the Superintendent for a particular purpose (eg absence permit).

Prisons shall provide a canteen to enable prisoners to purchase personal items that are not supplied as basic prison issue.

Prisoners may apply to transfer monies held on their behalf which may include transfer of international funds.

# Handling of Money

## Submitting payments into a PPCA

### Corrective Services has implemented a cashless system which aims to minimise cash handling at all prisons.

### Only registered visitors in accordance with [COPP 7.2 – Social Visits](https://dojwa.sharepoint.com/sites/intranet/prison-operations/Pages/prison-copps.aspx) may submit payments into a PPCA. Registered visitors can submit payments via the following options (in order of preference):

1. online payment (Prisoner Deposit Fund Form) via the Department of Justice website
2. EFTPOS either by telephoning the prison or in person at visits. Gatehouse Officers shall encourage all in person visitors to use EFTPOS as the default method of making payments into a PPCA
3. cash deposit in person at visits
4. cheque in person at visits or mailed to the prison
5. a money order mailed to the prison.

## Receiving payments from external sources

### Payments received from external sources such as ATO Tax Refunds, Royalties payments, Redress, Criminal Compensation etc, may be (subject to approval and where possible) either:

1. Deposited into a nominated external bank account
2. Only if above is not a viable option, funds may be placed into prisoner’s PPCA and released in accordance with permitted amounts and with approval from the Superintendent or delegate.

## Cash

### Cash transactions involving the physical exchange or provision of a prisoner’s money shall be conducted or supervised by the cashier during business hours.

### Only registered visitors are approved to collect money from the prison. Visitors collecting money will be required to sign appropriate documentation and those depositing money will be issued a receipt.

### Transactions conducted outside of business hours (eg weekend release or visits) are to be issued a receipt by gate staff. A copy of the transaction is maintained in the receipt book and monies secured in a sealed envelope, inside the gate safe. These transactions shall be checked and handed over to the following shift until collected by the cashier on the next business day. The cashier will then double check with a second nominated person to verify money receipted and money collected match.

### Prisons are not to accept any money for a prisoner who is not currently located in their prison without the prior written approval of the delegated officer approved by the Superintendent where the prisoner is located.

# Prisoner Private Cash

## General requirements

### A PPCA in the name of each prisoner shall be established on TOMS and the account maintained in the prison in which the prisoner is located.

### No interest shall be accrued on a PPCA.

### Minimum Security Prisoners may, subject to the approval of the delegated officer, arrange for the opening of interest-bearing external accounts (eg bank, building society, etc.) to deposit private cash but they are not permitted to conduct any financial transactions on such accounts while in prison, other than in connection with the prisoners participation in the Prisoner Employment Program (PEP) or otherwise involving an absence permit[[1]](#footnote-1).

### Prisoners are not permitted to engage in, or establish gambling or online betting accounts, whilst in prison.

### Prisoners are not permitted to conduct any business or undertake any financial transactions related to that business whilst in prison.

### Prisoners may have money credited to their PPCA or Prisoner Telephone System (PTS) account by a registered visitor, or from the sale of art or hobby material they own.

### Prisoners shall be able to receive private cash deposits of up to $150 per week.

### Prisoner’s private cash accounts shall not exceed $200, unless authorised by the Superintendent or delegate.

### Funds received through the mail or paid in by visitors in the form of a cheque are not to be made available to the prisoner until the cheque has been cleared, generally 14 days. Funds received in the form of cash, money order or EFTPOS payment may be available to prisoners upon receipt.

### Funds transferred to prisoners via an online payment shall be available after it has been successfully processed.

### Money received during business hours into the prison will be receipted and deposited to the credit of the PPCA trust account in accordance with Treasury banking instructions.

### Payments received by prisoners that relate to a period in custody shall be returned (eg Centrelink) with a covering letter stating that the recipient is in custody and the date of their imprisonment, with the exception of prisoners with residential children, who may receive Centrelink family payments.

### Prisoners in receipt of carers allowance shall be paid funds into their PPCA by the Department of Human Services. Authorised officers shall facilitate in-house EFTPOS transactions, crediting these monies to the prisoner’s Centrelink account on TOMS (subset of the prisoner’s PPCA).

## Access to private cash

### Prisoners may spend money from their PPCA on canteen spends as per their supervision level in accordance with [COPP 10.1 – Prisoner Behaviour Management](https://dojwa.sharepoint.com/sites/intranet/prison-operations/Pages/prison-copps.aspx).

### Superintendents may provide further breakdown of PPCA spending limits for external (town) spends in accordance with their Standing Order.

### Prisoners must submit a C63 to the delegated officer when they wish to spend money from their PPCA on town spends.

### Prisoners must authorise payment from their PPCA, except when restitution has been ordered in accordance with section 10. Prisoner accounts must be amended as soon as possible following authorisation of payment.

### Money handed in at Reset or similar external stakeholders, will either be returned to sender or receipted and frozen in the prisoner’s PPCA until release with no exceptions.

# Prisoner Gratuity Earnings

## General requirements

### Prisoner gratuity earnings are operated on a notional basis but the financial management is as if it was actual cash.

### Prisoner gratuity earnings shall be managed and accounted for in a manner consistent with the requirements of the [*Financial Management Act 2006*](#_Related_legislation) and related Treasurer’s Instructions.

### All transactions involving a prisoner’s gratuities shall be recorded on TOMS, using the GPC system, which automatically calculates earnings based on the approved level and number of days a prisoner works.

## Access to gratuities

### Prisoners may spend money from their gratuity earnings on canteen spends as per their supervision level in accordance with [COPP 10.1 – Prisoner Behaviour Management](https://dojwa.sharepoint.com/sites/intranet/prison-operations/Pages/prison-copps.aspx).

### Superintendents may provide further breakdown of gratuity spending limits for non-canteen items in accordance with their Standing Order.

### Prisoners must submit a C63 to the Superintendent when wishing to spend gratuity earnings on town spends.

### Spends can be data entered from spends abstracts by the delegated Officer with approved access to the GPC system.

### Prisoners must authorise payment from their gratuity earnings.

### Prisoners accounts must be amended as soon as possible following prisoner authorisation of payment.

# Prisoners Telephone Account

## General requirements

### A telephone account in the name of each prisoner shall be established and maintained at the respective prison at which they are located.

### Appropriate accounting procedures must be in place to support the prisoner’s use of the Prisoner Telephone System (PTS).

### The use of the PTS is based on the prisoner having the necessary amount of credit available before they can make a telephone call.

## Access to PTS

### Prisoners may access money from their PTS account as per their supervision level in accordance with [COPP 10.1 – Prisoner Behaviour Management](https://dojwa.sharepoint.com/sites/intranet/prison-operations/Pages/prison-copps.aspx).

### Subject to the limit determined by the Superintendent[[2]](#footnote-2), funds may be received into a PTS account for the purpose of providing a credit in the PTS.

### This money shall be received in accordance with sections 3 and 4 with an additional entry to identify money to be used to pay for telephone calls.

### The person responsible for depositing funds into a prisoner’s PTS account shall be provided with a copy of the receipt and the prisoner shall be informed of the amount credited to their PTS account.

### A prisoner may make an application on a Transfer of Cash to Prisoner Telephone Account form to transfer credit from their PPCA or gratuities account to their PTS account, up to the approved limit. Special approval from the Superintendent is required to exceed the approved limit.

### The prisoner and the delegated officer must sign the application before it can be processed.

### A journal is updated after every debit transaction, debiting the Prisoners Private Cash Trust Account (total of all Abstracts) and crediting the Telephone Revenue account for the prison. At the end of each month a journal transfer is submitted, once cross checked with TOMS.

# Prisoner Purchases and Canteen Management

## Prisoner purchases

### A list of personal items obtainable from the canteen and an updated price list are to be made available to all prisoners.

### Prisoners shall be informed what items they can obtain from town spends and any limitations that may apply.

### Normal access, procedures and times will be clearly detailed in the prison’s Standing Order, including after-hours access for late receivals, where applicable.

### Unit Managers shall ensure eligible prisoners receive access to the canteen, including after hours if it can be facilitated.

### The reception or orientation officer shall ensure information regarding the scope and availability of canteen services is made available to all prisoners upon reception.

## Management of prisoner funds

### Prisoners must authorise payment for goods from either their gratuities or PPCA.

### Prisoners must immediately check items received for faults, damage etc. prior to signing the acknowledgement of receipt.

### Prisoner accounts must be amended as soon as possible following prisoner authorisation of payment.

### Controls must be in place to prevent overspending of accounts by prisoners.

## Complaints

### Procedures must be in place for managing complaints from prisoners on unsatisfactory, faulty or damaged items.

### A documented record of complaints on canteen operations shall be maintained by the delegated officer.

### Where complaints are sustained, the documented corrective action taken shall be retained.

## Financial management

### The Finance Coordinator (or similar position), in conjunction with the Canteen Officer/Supervisor shall prepare monthly trading and profit and loss statements and submit to the Superintendent for action or comment as deemed necessary.

### The Superintendent or delegate may authorise the disposal and/or donation of any canteen stock and ensure this is accurately documented.

### All documentation is to be retained in support of the trading account.

## Quality assurance

### Canteen financial operations are to be reviewed and reported on to the Superintendent.

### Quarterly meetings shall be held to discuss the prison canteen operations, complaints, accident prevention and suggested improvements to the delivery of service as detailed within the prisons Standing Order.

# Recycling Programs

### Prisons/prisoners who are participating or intend to recycle eligible containers under the Containers for Change Scheme are not eligible to receive a refund for exchanged containers.

### Eligible containers are to be returned to a registered donation point run by local community groups, charities or not-for-profits, where the containers are donated to that group or organisation to claim the refund.

### Additional information including the location of donation points and approved organisations or charities can be found on [Containers for Change](https://www.containersforchange.com.au/wa/donate-your-refund) website.

### Superintendents are to ensure the above process is implemented and in consultation with prisoner representatives (eg Peer Support) identify the preferred organisation/s and or charity from the listed approved organisations to receive all donated amounts.

### For audit purposes Superintendents are to record the name of the approved organisation/s, maintain a record on the number of eligible containers donated and provide the information to the relevant Deputy Commissioner on request.

# Electronic Transfer of Prisoner Funds

### Prisoners may apply for the electronic transfer of funds from their gratuities account to either an Australian or international bank account of a registered visitor where there is a legitimate reason for the transfer such as financial hardship.

### The Superintendent may approve an electronic transfer of funds from a PPCA account in exceptional circumstances.

### Prisoners applying to transfer funds must complete an [Electronic Funds Transfer Form](https://dojwa.sharepoint.com/sites/intranet/prison-operations/Pages/prison-copps.aspx) and a C63 form.

### If approved, the delegated officer shall inform the prisoner this could take up to 10 business days to process and they will be required to pay any fees incurred on processing the funds transfer or converting these funds into other currencies.

### The prisoner shall also be informed that the funds will be transferred electronically direct into the nominated bank account.

### Upon completion of these forms, the Incurring Officer will submit for approval to the Superintendent or delegated officer.

### Once approved, the cashier is to open a separate abstract for each transfer that has been requested.

### If the prisoner requires funds from both gratuities and PPCA to make up the one total, two separate abstracts are to be created.

### The abstract may then be submitted, and a copy printed off.

### The authorised officer shall complete a [Payment Voucher Form](https://dojwa.sharepoint.com/sites/intranet/finance/Pages/Finance-Forms.aspx).

### All completed documents are to be provided to the Incurring Officer for checking and signing.

### Retain a copy of all documents for filing and forward all original documentation to Financial Services.

# Transfer of Funds between Public and Private Prisons

### The cashier must ensure that all funds held in a prisoner’s accounts are transferred in full when any movements occurs of prisoners between public and private prisons. This includes funds held in gratuities/PPCA and any balance held in telephone accounts.

### The cashier shall ensure a prisoner’s Securetek account has been deactivated with the funds credited back to the PPCA for transfers between public and private prisons.

### Prisoners, once transferred, shall be required to reapply to have their funds transferred to their telephone account from their private cash account.

# Restitution

## Approval for deductions from gratuities and PPCA

### Approval for deductions from gratuities and other funds held on behalf of prisoners is by the Superintendent as delegated by the Chief Executive Officer CEO)[[3]](#footnote-3).

## Procedures for restitution

### As soon as practicable after restitution[[4]](#footnote-4) is ordered, the Prosecuting Officer, shall submit a request for approval to deduct the restitution ordered to the Superintendent. Information to be included in the request shall include:

1. date of conviction and charge number
2. amount of restitution ordered, and manner specified
3. name of visiting justice ordering the restitution
4. nature of the offence.

### Deductions are to be made using the following as a guide:

1. any PPCA funds held on behalf of the prisoner
2. any accrued gratuities
3. up to 50% of the weekly balance of gratuities earned.

## Deductions in respect to damage of government property or contractor

### Orders for approval of the deduction of prisoners' funds[[5]](#footnote-5) are to be processed in accordance with [section 11.2](#_Procedures_for_restitution).

### Accounting checks are to be established to ensure that the cashier/records officer processes such approvals promptly.

## Quality control

### The Prosecuting Officer shall liaise with prison records staff to ensure that all restitution recorded in the punishment book is promptly approved by the Superintendent and arrangements for deduction of the amount ordered are put in place without delay.

### The Prosecutions Officer shall initial the punishment book on each occasion.

### The punishment book shall be regularly inspected and endorsed by the Superintendent or delegate to ensure that these procedures have been carried out.

# Fines Enforcement

### Prisoners can apply to pay their fines from their gratuities or their PPCA by completing a C63 form. Approved prison staff can log into the Integrated Courts Management System (ICMS) payment portal and process the payment accordingly.

# Release from Prison

### All prisoner accounts must be reconciled on TOMS and the appropriate report generated for the amount of the balance to be paid to the prisoner on release. The prisoner is to sign for the money received.

### If a prisoner is released after hours, they shall be advised to return the following morning to be paid out monies owed. Alternatively, the cashier can arrange for any monies owed to be paid at the front gate by the OIC afterhours.

### Authorised officers shall complete a [Payment Voucher Form](https://dojwa.sharepoint.com/sites/intranet/finance/Pages/Finance-Forms.aspx) for amounts beyond the prison's cash advance capacity and submit to Accounting Services. The authorised officer shall inform the prisoner when they will receive payment by cheque or electronic funds transfer in such cases.

### In instances where a prisoner is to be deported on release, they shall also submit an [Electronic Funds Transfer Form](https://dojwa.sharepoint.com/sites/intranet/prison-operations/Pages/copp-forms.aspx) in accordance with section 9.

# Standing Orders

### The Superintendent of each prison may develop and issue a Standing Order to include:

1. delegated officers authorised to handle prisoner monies
2. level of prisoner expenditure on town spends using PPCA and gratuities
3. days, times and frequency of prisoner access to the canteen
4. restrictions on canteen purchases
5. procedures for managing prisoner complaints on unsatisfactory, faulty or damaged goods purchased
6. quarterly canteen meetings
7. limits on payments to and sending from a prisoners PTS
8. the amount of money (not including gratuities credited) which may be received and held on behalf of a prisoner[[6]](#footnote-6) (eg carers allowance)
9. cash transaction procedures, including on release.
10. procedures for special purchases and requests
11. cashier times.

# Annexures

## Related COPPs

* [COPP 7.2 – Social Visits](https://dojwa.sharepoint.com/sites/intranet/prison-operations/Pages/prison-copps.aspx)
* [COPP 10.1 – Prisoner Behaviour Management](https://dojwa.sharepoint.com/sites/intranet/prison-operations/Pages/prison-copps.aspx)

## Definitions and acronyms

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| Term | Definition  |
| Chief Executive Officer | Director General, Department of Justice. |
| Commissioner’s Operating Policy and Procedures (COPP) | COPPs are policy documents that provide instructions to staff as to how the relevant legislative requirements are implemented. |
| Guiding Principles for Corrections in Australia, 2018  | The guidelines and the accompanying principles constitute outcomes or goals to be achieved, rather than a set of absolute standards or laws to be enforced. They represent a statement of intent that each Australian State and Territory can use to develop their own range of relevant legislative policy and performance standards to reflect best practice and community demands. |
| Officer in Charge (OIC) | An officer designated as having the charge and superintendence of a prison in the absence of the Superintendent. |
| Prisoner | Any person in lawful custody and referred to as a prisoner in s. 3 of the [*Prisons Act 1981*](http://www.slp.wa.gov.au/legislation/statutes.nsf/main_mrtitle_751_homepage.html); also includes a person not yet in the custody of a prison, but in the custody of a Contractor under the court security and custodial services contract. |
| Prosecutions Officer | A prison officer authorised by a Superintendent to conduct the prosecution of prison charges before a Superintendent and Visiting Justice and authorised, under s. 74(3) of the [*Prisons Act 1981*](http://www.slp.wa.gov.au/legislation/statutes.nsf/main_mrtitle_751_homepage.html), to conduct the prosecution of a prison charges before a court of summary jurisdiction. |
| Security Manager | The officer designated and assigned responsibility for the security of that prison. The officer position may be referred to as the Assistant Superintendent Security (ASSEC). |
| Standing Order | Legislated Operational Instruments where the Superintendent of a prison may, with the approval of the Chief Executive Officer, make and issue written standing orders with respect to the management and routine of that prison under s. 37 of the *Prisons Act 1981.* |
| Superintendent  | The Superintendent as defined in s. 36of the [*Prisons Act 1981*](http://www.slp.wa.gov.au/legislation/statutes.nsf/main_mrtitle_751_homepage.html) includes any reference to the position responsible for the management of a private prison under Part IIIA of the [*Prisons Act 1981*](http://www.slp.wa.gov.au/legislation/statutes.nsf/main_mrtitle_751_homepage.html).Does not extend to the Officer in Charge of a prison. |
| Total Offender Management Solution (TOMS) | The computer application used by the Department of Justice for the management of prisoners in custody. |

## Related legislation

* *Financial Management Act 2006*
* *Prisons Act 1981*
* *Prisons Regulations 1982*

# Assurance

It is expected that:

* Prisons will undertake local compliance in accordance with the [Compliance Manual](https://justus/intranet/department/standards/Pages/monitoring.aspx).
* The relevant Deputy Commissioner will ensure that management oversight occurs as required.
* Operational Compliance Branch will undertake checks in accordance with the [Operational Compliance Framework.](https://dojwa.sharepoint.com/sites/intranet/department/standards/Pages/monitoring.aspx)
* Independent oversight will be undertaken as required.

# Document Version History

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| --- | --- | --- | --- | --- |
| Version  | Primary author(s) | Description of version | Date completed | Effective date |
| 1.0 | Operational Policy | Approved by A/Director Operational Projects, Policy, Compliance and Contracts | 6 December 2021 | 28 December 2021 |
| 2.0 | Operational Policy | Approved by A/Director Operational Projects, Policy, Compliance and Contracts | 16 February 2022 | 16 February 2022 |
| 3.0 | Operational Policy | Approved by the Deputy Commissioner Operational SupportCM Ref: D23/926970 | 21 November 2023 | 29 November 2023 |
| 4.0 | Operational Policy | Approved by the Assistant Director Operational PolicyCM Ref: D24/383828 | 8 April 2024 | 9 April 2024 |

1. s. 83 *Prisons Act 1981* [↑](#footnote-ref-1)
2. r. 47(2) *Prisons Regulations 1982* [↑](#footnote-ref-2)
3. r. 73 *Prisons Regulations 1982* [↑](#footnote-ref-3)
4. r.73 *Prisons Regulations 1982* [↑](#footnote-ref-4)
5. r. 49(1) *Prisons Regulations 1982* [↑](#footnote-ref-5)
6. r. 48(1) *Prisons Regulations 1982* [↑](#footnote-ref-6)