# Life on Track

**Operational Manual** July 2013





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## FOREWORD

Life on Track marks a fresh, new approach to creating safer communities.

The service builds on my Department's previous achievements in addressing re-offending through a person-centred approach. It involves significant collaboration between the government and non-government sectors. My Department consulted widely in developing the service, with the views of key stakeholders within and outside Government having a crucial influence in design of the service. Life on Track is delivered by local NGOs. It reflects the Government's recognition of the valuable contribution non-government organisations continue to make and the expertise of these frontline organisations in delivering services within the community.

The development of Life on Track, and this Operational Manual, was greatly influenced by experience and lessons learned from other NSW crime prevention and therapeutic justice programs. Life on Track combines the most positive and successful elements of these programs.

Life on Track reflects the NSW Government's commitment, voiced in NSW 2021: a plan to make NSW number one, to develop services that are positive, relevant, valuable and reliable in which customers are at the centre of service design. It adopts a person-centred approach. Identifying the underlying needs of individual defendants, Life on Track connects defendants with the most appropriate programs and specialist services to reduce re-offending and build a safer NSW community.

The new service targets repeat offenders and is designed to service a high volume of defendants. This will ensure the greatest impact on the Government's NSW 2021 goal of preventing and reducing the level of re-offending by 5% by 2016. Overall, Life on Track is designed to help defendants rehabilitate and begin to make more positive contributions to their families and their communities.

This Operational Manual is a best practice resource for the delivery of Life on Track. The service will be delivered by different local NGOs in various communities across NSW. As such, the Life on Track Operational Manual will be a valuable resource to maintain appropriately high standards and consistent results.

Laurie Glanfield Director General, Department of Attorney General and Justice



## **1** Introduction

### **1.1 This document**

This document ('the Manual') provides a clear and comprehensive guide to the Life on Track service ('the service'). Life on Track adopts a joint agency approach and therefore the Manual includes information relevant to:

- the NSW DAGJ staff
- staff of non-government organisations (NGOs) delivering the service
- Magistrates, who provide leadership in the operation of Life on Track at court
- other individuals or organisations associated with Life on Track.

The contents of the Manual will continue to evolve. At the time of writing, Life on Track is commencing in start-up sites. The Manual will be updated periodically to reflect changes to Life on Track, enhanced evidence and lessons learnt from the implementation of the service.

The Manual was developed following a process of review of the CREDIT and MERIT operational manuals and supporting documentation. It was also informed through in-depth stakeholder consultation and extensive document review. Discussions and negotiations with NGOs, including those delivering Life on Track, further contributed to the development of this Manual.

- The Manual and its appendices currently feature:
  - an overview of Life on Track including its origins, theoretical basis, aims, objectives and desired outcomes
  - a description of the service process
  - information about core service relationships
  - supporting policies and procedures
  - useful templates.
- The Manual is divided into sections relevant to key stakeholders. There is repetition between sections but this is avoided within sections. It is noted that this *Introduction* section provides an overview of the service and includes an outline of the basic information about the service. This chapter one highlights the key features of the service relevant to magistrates, including reports that will be submitted to the court. Each report is underlined the first time it is discussed.
- The information contained in this Manual should facilitate consistency of service delivery across various sites. Life on Track stakeholders should have sufficient guidance for the service to be implemented with confidence and delivered as intended. At the same time, it is clear that what works in the city may not always apply in regional or rural areas, and the requirements of magistrates may vary in different locations. The Manual is a framework within which to operate. It seeks to provide sufficient flexibility for magistrates and Life on Track staff to effectively respond to the specific circumstances of their courthouse and local community. It relies on Life on Track staff



using their professional discretion and expertise, with reference to the growing evidence base about successful criminal justice interventions, to implement the service at different locations.

• Should you have any questions or comments about the contents of the Manual, please contact the Senior Policy Officers, Criminal Justice Interventions (CJI), Crime Prevention and Community Programs Division (CPCPD), NSW DAGJ.

## **1.2 Life on Track**

#### **1.2.1** About the service

Life on Track is a service that offers person-centred support to adult defendants in the Local Court who are motivated to make improvements in their lives. A person-centred response involves identifying the needs of individuals and building a holistic response that adequately responds to the entirety of a person's needs. Specifically, Life on Track assists defendants to address the underlying causes of their offending behaviour.

Life on Track has several objectives. It seeks to reduce the re-offending rate through person-centred support and intervention and, in so doing, improve the efficiency of the justice system and promote victim and community confidence in the justice system. It also aims to contribute to the quality of decision making in the Local Court by helping ensure that information about defendants' needs and rehabilitation efforts are put before the court.

Life on Track began in 2013 in the two start-up sites of Bankstown Local Court (servicing Bankstown, Sutherland and Kogarah Local Courts) and Lismore Local Court (servicing Lismore, Ballina, Casino and Kyogle Local Courts).

The design of the service is based on therapeutic jurisprudence principles. These principles recognise that specialised treatment for particular groups of offenders can be effective in reducing re-offending by addressing the underlying causes of their behaviour. Therapeutic jurisprudence acknowledges the broader role of the law as a therapeutic agent beyond the traditional response of the criminal law to emphasise deterrence through appropriate punishment.

Life on Track sits within CJI in the CPCPD at NSW DAGJ. Life on Track will be delivered by local NGOs in each area of operation. For information about NGO service providers in different locations, refer to the Life on Track website at <u>www.lifeontrack.lawlink.nsw.gov.au</u> or Appendix 53.

#### 1.2.2 Life on Track objectives and desired outcomes

#### **Objectives:**

- Deliver person-centred support and intervention to address the underlying causes of crime with the aim of reducing re-offending.
- Increase timely access to evidence-based support through the front end of the criminal justice process (i.e. from arrest and charge, through court to sentencing) to reduce re-offending.



- Improve the efficiency of the justice system by delivering more streamlined supports and providing earlier, more comprehensive information to courts.
- Increase confidence in the justice system (victim and community perspectives) through effective responses to re-offenders.

#### **Desired outcomes:**

- Improve identification and early targeting of repeat offenders through routine risk/need screening.
- Create a single entry point for court-based treatment/support services.
- Streamline and standardise evidence-based assessment and treatment approaches with a person-centred focus.
- Increase facilitated access to services to address underlying causes of crime for individual repeat offenders.
- Reduce offending and improve community safety.

#### 1.2.3 Background

#### The policy imperative

*NSW 2021: A plan to make NSW number one*<sup>1</sup>, sets the Government's 10-year plan for change and establishes the Government's goal of preventing and reducing the level of re-offending (Goal 17) in NSW. It sets two key targets:

- A 5% reduction in juvenile and adult re-offending by 2016.
- An increase in completion rates for key treatment and intervention programs.

DAGJ is committed to the *NSW 2021* justice related goals and targets. DAGJ contributes to the achievement of these targets through delivering and facilitating programs and services that contribute to building safe communities. The CPCPD within DAGJ works towards 'crime prevention and reduction in re-offending'.

Life on Track sits within CJI which develops and implements evidence based strategies, interventions and programs designed to reduce re-offending, provide support to victims and hold offenders accountable for their behaviour. CJI does this to promote community safety and confidence in the justice system. CJI consists of a number of programs and activity areas. The design of CJI's programs is influenced by aspects of 'problem solving' courts and draws on the principles and theory of therapeutic jurisprudence and restorative justice.

<sup>&</sup>lt;sup>1</sup> NSW Government. (2011). NSW 2021: A plan to make NSW number one. Department of Premier and Cabinet, September 2011.



#### The issue

A considerable proportion of NSW offenders will re-offend based on:

- unpublished NSW statistics indicating that 43% of incarcerated offenders will re-offend and return with a new correctional sanction within two years of being released<sup>2</sup>
- re-offending patterns of a cohort of 78,500 offenders convicted in 1994 and studied over a 15 year period<sup>3</sup> showing that:
  - 58% of adult and 79% of juvenile offenders were reconvicted over the 15 years to 2009
  - 21% of adult offenders re-offended within 12 months of being convicted
  - 31% of adult offenders re-offended within two years of being convicted.

In understanding the profile of the offender population, there is also a clear overrepresentation of certain vulnerable groups in the criminal justice system, including:

- Aboriginal and Torres Strait Islander peoples while Aboriginal and Torres Strait Islander peoples represent about 2.2% of the NSW population<sup>4</sup>, 23% (2,294) of inmates in NSW were reported to be of Aboriginal and Torres Strait Islander background<sup>5</sup>
- people with mental health problems, cognitive disabilities and behavioural disorders approximately 50% of males in the NSW criminal justice system have a mental disorder and/ or cognitive disability and a drug and alcohol issue<sup>6</sup>.

#### The response

Therapeutic jurisprudence in the criminal justice system focuses on how the law impacts on the wellbeing of the individual as a whole. This is in addition to the traditional role of the law in enforcing social norms and values, deterring illegal acts and determining punishment.

Life on Track is a person-centred approach to facilitate equitable and timely access to services and supports for defendants. Life on Track marks a shift in the overall management of re-offenders away from a program-driven model, towards an approach that seeks to understand the needs of the individual and build a response that adequately meets those needs.

<sup>&</sup>lt;sup>2</sup> Steering Committee for the Review of Government Service Provision (2012). Report of Government Service Provision 2012. Productivity Commission. Canberra.

<sup>&</sup>lt;sup>3</sup> Holmes, J. (2012). Re-offending in NSW. Crime and Justice Statistics. Issue paper no. 56, revised January 2012. BOCSAR.

<sup>&</sup>lt;sup>4</sup> ABS. (2010). Population characteristics, Aboriginal and Torres Strait Islander Australians, 2006, ABS Cat. No. 4715.0

<sup>&</sup>lt;sup>5</sup> ABS. (2011). Prisoners in Australia, 2011. Cat No. 4517.0.

<sup>&</sup>lt;sup>6</sup> Butler, T. & Allnut, S. (2003). Mental illness among New South Wales Prisoners. Corrections Health Service.



Two relevant components of Life on Track that reflect therapeutic jurisprudential theory are:

- using, where appropriate, processes and sanctions that encourage rehabilitation over retribution
- building partnerships with agencies to better address social, welfare and health needs of offenders during the court process.

The service builds on the successes of the CREDIT and MERIT programs, as well as other Departmental initiatives. CREDIT currently operates in Burwood, Tamworth and Quirindi Local Courts and MERIT operates in 65 Local Courts throughout NSW. While MERIT focuses on drug and in some cases alcohol treatment, CREDIT addresses a broader range of issues that are directly and indirectly related to offending behaviour. Life on Track builds on the successful elements of CREDIT and is designed to:

- intervene to encourage entry into services and case management at an early stage of the court process, regardless of a defendant's guilt or innocence
- accept referrals from a range of sources including magistrates and solicitors
- promote greater collaboration between a number of agencies to address underlying issues that are related to the defendant's offending behaviour
- provide sufficient flexibility to allow for varying levels of judicial involvement in monitoring the progress of defendants through the service.

Most defendants are likely to be experiencing some difficulty in their lives however not all difficulties lead to re-offending. Life on Track provides assistance to address the broad range of issues that contribute to defendants' likelihood of re-offending.

Specifically, Life on Track provides assistance to address challenges in regard to:

- access to formal assistance (for example, legal services and financial support)
- housing
- financial management
- physical and mental health
- addiction (drugs, alcohol and gambling)
- employment and education
- domestic violence or sexual assault support
- disability services.

It also promotes a strengths-based approach through enhancing social engagement, significant relationships, recreation and the pursuit of personal goals.



## **1.3 Eligibility and Suitability Criteria**

#### 1.3.1 Eligibility

Defendants are *eligible* to participate in Life on Track if they:

- are an adult
- are on bail, have bail dispensed with, or are eligible for release on bail and likely to be granted bail
- voluntarily agree to participate in Life on Track and are motivated to address one or more issues that contribute to their offending behaviour
- are at medium to high risk of reoffending and / or have medium to high level needs (defined in Life on Track as seeking assistance with one complex area of need or two or more areas of need)
- are not on a current NSW Corrective Services Supervision Order, and
- are neither currently charged with a sexual offence, nor convicted of a sexual offence within the previous five years.

#### 1.3.2 Suitability

Defendants are *suitable* to participate if they meet the eligibility criteria and:

- reside in an area where they are able to participate in treatment and other services as agreed
- have access to transport to be able to meet with the Life on Track team and other services as agreed in their Life on Track Case Management Plan
- consent to the Life on Track team exchanging information with relevant government and non-government agencies to facilitate their access to required services and programs
- understand and agree to the participation requirements of Life on Track, and
- understand that their participation in Life on Track may have no impact on the sentence that they receive.

Eligibility and suitability screening occurs through the brief needs screen and comprehensive assessment process described below.

#### **1.3.3 Immediate Response Assistance**

Following a brief needs screen, Life on Track staff may identify a defendant as ineligible or unsuitable for Life on Track but in need of immediate crisis intervention. For example, the defendant may be experiencing a mental health crisis but not reside in an area where they can maintain the requisite contact with Life on Track staff. In these cases, Life on Track staff can provide 'Immediate Response' assistance for no longer than one week.



Immediate Response assistance involves Life on Track staff referring the defendant to suitable external services to address the defendant's immediate need and providing the defendant with information about relevant services for ongoing support. A defendant is not a participant of Life on Track if they only receive Immediate Response assistance. More information about Immediate Response is included in the Life on Track Levels of Service Guidelines ('the Guidelines') at 2.3.

## **1.4 Scope of Life on Track**

Life on Track is designed for defendants in the Local Court who require assistance to address their complex needs and reduce their risk of re-offending. DAGJ is committed to assisting these defendants both to improve the quality of their individual lives and improve community safety. Life on Track is not a replacement for human service providers. It seeks to identify appropriate services to meet defendants' needs and facilitate access to these services. In this way, Life on Track will work collaboratively with human service providers to provide appropriate referrals to their services.

## **1.5 Process Overview**

Below is a brief description of the stages of Life on Track. For a more detailed description of the staged service delivery, please refer to 2.2.

#### **1.5.1 Identify potential Life on Track participants**

One of the key outcomes that Life on Track seeks to achieve is early identification and targeting of medium to high risk defendants. To do this, any adult charged with an offence by NSW Police in Local Area Commands (LACs) that feed into a Local Court where Life on Track operates is subject to a risk of reoffending screening using the GRAM (Group Risk Assessment Model) tool. The GRAM tool is an actuarial tool that was developed for Life on Track by BOCSAR. For more information about the GRAM screening, please refer to 2.2.1 and 2.3. Results of the GRAM screening will be forwarded by the NSW Police GRAM Screening Officer to Life on Track staff.

#### 1.5.2 Contact potential participants of Life on Track

Life on Track staff will contact potentially eligible defendants, based on their GRAM score, to inform them about Life on Track, discuss their needs and discuss their willingness, if appropriate, to participate in case management. Defendants will be encouraged to participate in an initial screening, using the Life on Track Brief Needs Screening Tool, to determine their eligibility for the service.

#### **1.5.3** Accept referrals of potential participants to Life on Track

Life on Track staff will also accept referrals of defendants to Life on Track from various sources. Referrals will be based on the defendant having one complex need or two or more needs that contribute to their offending behaviour that they want assistance to address. Life on Track accepts self-referrals as well as referrals from magistrates, lawyers,



service providers and family of defendants. Defendants can be referred to Life on Track on more than one occasion.

If Life on Track staff are present at a courthouse when a defendant is referred to Life on Track at court, they will immediately conduct a brief screen using the Life on Track Brief Needs Screening Tool (see 1.5.4).

Where a defendant is referred to Life on Track at court, and Life on Track staff are not present at court:

- court officers and defence solicitors are asked to provide the defendant with promotional material about Life on Track and direct the defendant to contact the Life on Track office within three (3) working days to arrange a meeting for a brief needs screen.
- Where the referral occurs in the court room, the defendant will be instructed to record their basic information on the 'Potential Life on Track Defendants form' (see Appendix 2) before leaving the courthouse. The form will be at Registry and registry staff may provide assistance if required. Alternatively, defence solicitors may assist their client complete the form and submit it to Registry.
- Registry staff will place the completed 'Potential Life on Track Defendants form' in a Life on Track in-tray located in the Local Court Registry. It is the responsibility of Life on Track staff to regularly request the contents of the Life on Track in-tray from the Registry counter.

The 'Potential Life on Track Defendants form' ensures that defendants referred to Life on Track by the court do not fall through any cracks in the system and that Life on Track staff have adequate information to progress court referrals.

Where a defendant is being referred to Life on Track outside court, the referrer should provide a completed Life on Track Referral form (available from the Resources page on the Life on Track website at <u>http://www.lifeontrack.lawlink.nsw.gov.au/lifeontrack/resources.html</u>. This will ensure that all relevant information about the defendant is obtained. Life on Track staff may accept verbal referrals of defendants if completion of a referral form is not possible. Life on Track staff will always accept verbal referrals from family of defendants and verbal self-referrals. When accepting verbal referrals, Life on Track staff must record all the information they receive from the referrer on a Life on Track Referral form.

Life on Track staff will contact the defendant within one week of receipt of a referral. During this initial contact, Life on Track staff will explain the service and arrange a meeting for a brief needs screen.

#### 1.5.4 Conduct initial brief needs screen

Life on Track staff will conduct an initial screening using the Life on Track Brief Needs Screening Tool to identify the defendant's main areas of need.

If the defendant was referred to Life on Track from the court and the brief needs screen establishes that a Life on Track Comprehensive Assessment is required, but it cannot be



completed prior to the next court appearance, a **Life on Track Brief Needs Screening Report** (see Appendix 8) will be prepared. This report is provided to the court. It confirms the defendant's eligibility to participate in Life on Track and indicates the approximate time required to conduct the Life on Track Comprehensive Assessment to confirm the defendant's suitability for the service. It assists the magistrate to determine the length of any possible adjournment if they seek to be informed by Life on Track staff of the outcome of the comprehensive assessment.

#### 1.5.5 Single entry point for treatment/support services

Following the brief needs screen, defendants will either:

- remain with Life on Track to participate in a Life on Track Comprehensive Assessment or
- be referred to another, suitable court or community based program/service to address their primary area of need.

For example, if the defendant's greatest need relates to a history of and continued drug use, the defendant may be best suited to participation in MERIT and will be referred to that program. Similarly if the defendant requires assistance with only one area of need, such as social security, Life on Track will provide Immediate Response assistance to connect them with Centrelink. If the defendant presents as mentally unwell or has a history of mental illness and no current supports, Life on Track may refer the defendant to the Statewide Community and Court Liaison Service (SCCLS).

Life on Track staff will provide a **Life on Track Non-Acceptance Report** (see Appendix 15) to the court, to advise that the defendant cannot participate in Life on Track and the reasons for non-acceptance. This will occur if the defendant had their matter(s) adjourned or referred to Life on Track by the court and Life on Track then refers them to another more suitable service/program into which they are accepted. Life on Track staff will also provide the court a Life on Track Non-Acceptance Report if the brief needs screen establishes that the defendant is not eligible or suitable for Life on Track.

A Non-Acceptance Report will not be provided to the court while Life on Track awaits the outcome of a referral of a defendant to an alternate community or court based program. This is because the defendant may become a Life on Track participant if they are not accepted on to the alternate program.

Where a defendant is referred to Life on Track by another service provider or individual and the brief needs screen established the defendant is not eligible, suitable or best suited to Life on Track, the referrer will be told that the defendant has not been accepted onto the service.

#### 1.5.6 Conduct Life on Track Comprehensive Assessment

Life on Track staff will conduct an in-depth assessment using the Life on Track Comprehensive Assessment Tool with the defendant to identify their criminogenic and non-criminogenic needs. This information will directly inform the defendant's Life on Track Case Management Plan.



Where possible, this will be undertaken within two weeks of the brief needs screen, and prior to the next court appearance, to avoid adjournments.

At the time of undertaking the comprehensive assessment, or shortly thereafter once the defendant's suitability for Life on Track is confirmed, Life on Track staff should consider the appropriateness of a defendant who has entered a guilty plea for participation in Forum Sentencing (see Appendix 49 for Forum Sentencing Notification and Participation Procedures).

If during the process of conducting the comprehensive assessment a developmental disability or mental health issue is identified, Life on Track staff must consider if a referral should be made to the SCCLS (see Appendix 52 for the Procedures relating to the *Mental Health (Forensic Provisions) Act* for details).

At the end of the Comprehensive Assessment, the Life on Track case manager will ask the defendant to identify and prioritise their goals for case management. The defendant is then asked to sign their prioritised goals. Before the defendant signs their goals, the Life on Track case manager will discuss with them what is expected of Life on Track participants. This includes following all reasonable directions of the case manager, behaving respectfully towards Life on Track staff, informing the case manager of changes to the defendant's contact details, attending appointments on time and notifying the case manager if appointments will be missed. Upon signing the identified and prioritised goals for case management, the defendant becomes a Life on Track participant.

#### **1.5.7** Determine the appropriate level of service

Life on Track staff will determine the level of service that the participant will receive by referring to the Levels of Service Guidelines (see 2.3). The Guidelines define three levels of case management and a category of Immediate Response. It outlines the services Life on Track staff provide, the maximum length of service, estimated frequency of contact and availability of brokerage funds at each level of service. The maximum period for which a participant can receive case management depends upon their level of service: three months for Level 1 participants, six months for Level 2 participants and nine months for Level 3 participants. Limited brokerage funds are available for use for Level 3 participants to facilitate their access to external services.

#### **1.5.8 Develop and finalise a Life on Track Case Management Plan**

Life on Track staff will develop an outcome-focussed, individual Life on Track Case Management Plan with the participant and obtain the participant's agreement to the Plan. The Plan stipulates the length of time the participant will be case managed by Life on Track. The case manager and participant will both indicate their agreement to the Plan by signing a Life on Track Case Management Plan Agreement.

The Life on Track case manager will prepare a **Life on Track Case Management Plan Report** and provide it to the court at the defendant's first court appearance after signing the Life on Track Case Management Plan Agreement. The Life on Track Case Management Plan Report describes the key areas of need to be addressed under case management; expectations about the kinds of interventions with which the participant will



engage; and the level and duration of participation required of the participant (in accordance with their level of service).

#### **1.5.9 Implement the Life on Track Case Management Plan**

A Life on Track case manager will implement the Life on Track Case Management Plan with the participant, including by facilitating the participant's referral and entry to appropriate external services, treatment and programs and supporting the participant's continued engagement. Life on Track case managers will adopt motivational interviewing techniques to understand the participant's perspective, minimise any resistance, develop a foundation of respectful collaboration and eventually elicit motivation for change from the participant themself. Motivational interviewing describes a client-centred counselling and communication style that helps clients become more focussed and goal-directed.

Magistrates may opt to list the defendant's matter/s for additional mentions to be informed of their progress on Life on Track. This increased level of judicial monitoring is welcomed to promote the defendant's participation in Life on Track by playing a role in encouraging completion. Adjournments of no longer than six to eight weeks are considered ideal.

Life on Track case manager will prepare and provide **Life on Track Progress Reports** for the court at each mention. Life on Track Progress Reports will explain: the defendant's progress to date, rationale for ongoing participation with the service, and expectations of what will be/is yet to be achieved.

If a participant withdraws or is discontinued from Life on Track between mentions, for example due to non-engagement, Life on Track staff will provide a **Life on Track Withdrawal / Discontinuation Report** to the court to inform the magistrate (see 1.5.12 for more information about withdrawal and discontinuation).

#### 1.5.10 Prepare for sentencing

Magistrates exercise complete judicial discretion in determining when a Life on Track participant will be sentenced. Reports to the court will inform magistrates of participants' progress on Life on Track as their court matter progresses. Magistrates' review of participants' progress on Life on Track is welcomed to encourage and motivate further participation and positive change.

Where a participant completes their Life on Track Case Management Plan (participation with the service) prior to sentencing, case managers will provide a **Life on Track Final Court Report** to the court when the defendant is exited from the service.

In cases where magistrates decide to proceed to sentence prior to the end of case management, Life on Track staff will prepare and provide report to the court prior to sentencing. If the defendant has been case managed by Life on Track for at least eight weeks, case managers will provide a **Life on Track Final Court Report**. If the defendant has not been a Life on Track participant for eight weeks, a Life on Track Progress Report will be provided to the court.

Defendants who are sentenced prior to completing Life on Track will continue to be case managed for the agreed duration of their Life on Track Case Management Plan.



A Life on Track Final Court Report details the defendant's compliance and progress and any changes in their lifestyle, behaviour or attitude resulting from participation in Life on Track.

As participation in Life on Track is voluntary, unsuccessful completion should not attract any additional penalty on sentence. Staff advise participants of this at commencement with the service and that any penalty received at sentence relates only to the offending and not to participating in Life on Track. Defendants should be referred to their legal representative for questions related to sentencing considerations.

#### 1.5.11 Exit Planning

Exit planning is an important element of Life on Track. Effective exit planning will ensure participants are linked with appropriate, locally available supports and treatment in the community, where this is required. Approximately two thirds of the way through a participant's Case Management Plan, the Life on Track case manager will consider and develop an exit plan with the participant. Exit plans will be finalised prior to participants leaving the service. Life on Track case managers will also coordinate links for the participant to ensure they are supported in the community after exit, to maintain their advances.

#### 1.5.12 Withdrawal or Discontinuation from Life on Track

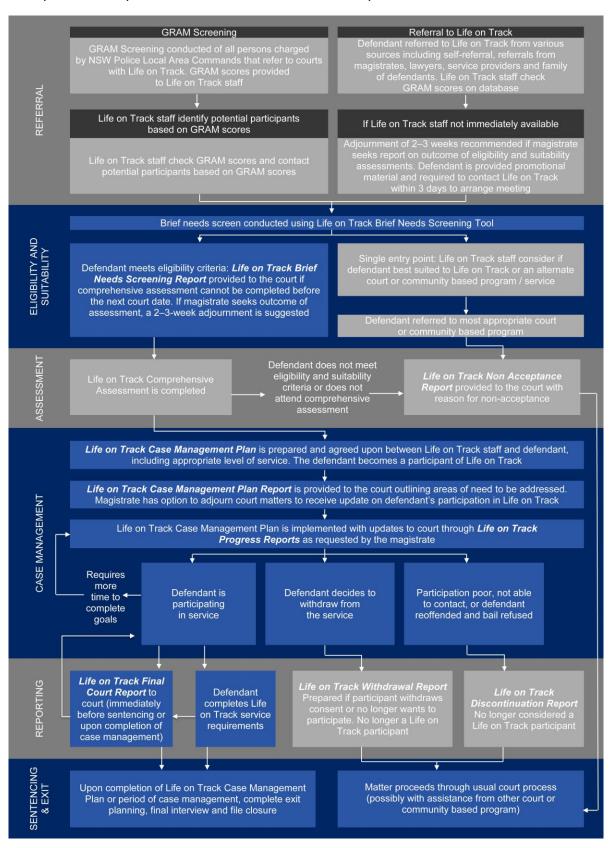
At any point after becoming a Life on Track participant, defendants may withdraw themself from, or be discontinued from, the service. A participant may be discontinued if they cease to comply with the eligibility and suitability criteria, are consistently difficult to contact, or do not make a genuine effort to rehabilitate.

Where a participant withdraws or is discontinued from Life on Track, their case manager will provide a **Life on Track Withdrawal Report** or **Life on Track Discontinuation Report** to the court as appropriate. The report will explain why the defendant is no longer a participant of Life on Track and provide an update of the defendant's progress prior to cessation with Life on Track.



#### Figure 1 – Life on Track Service Process

This process map does not include Immediate Response assistance.





## **2** Service delivery

## **2.1 This section**

Chapter 2 is designed to provide more in-depth information for Life on Track coordinators and case managers. It provides:

- a detailed description of the stages of service delivery
- Life on Track Levels of Service Guidelines for case management
- a map of critical stakeholder relationships.

## 2.2 Staged delivery

A detailed description of service delivery follows.

#### 2.2.1 Identify potential Life on Track participants

The Risk-Needs Responsivity model of offender rehabilitation states that offender recidivism can be reduced if the level of treatment services provided to the offender is proportional to the offender's risk of re-offending. This requires three things: identification of the defendant's risk of re-offending, matching the level of intervention to the level of risk and tailoring the intervention to the learning style, motivation, abilities and strengths of the defendant.

Life on Track uses BOCSAR's actuarial tool called GRAM to identify the risk of reoffending for each defendant.

GRAM Screening Officer(s) GRAM screen all persons charged with an offence by NSW Police Force LACs that feed into courts at which Life on Track operates. The process followed to obtain a GRAM score is outlined below.

- The GRAM Screening Officer(s):
  - screens all defendants using the GRAM tool according to the agreed procedure and the data in the COPS (Computerised Operational Police System) database
  - stores a list of GRAM scores in relation to all defendants in a dedicated tab in the Life on Track database.
- Life on Track staff:
  - receive an automatic email from the database with a list of new defendants of medium to high risk, without current sexual charges or prior convictions for sexual offences.

#### 2.2.2 Contact potential participants of Life on Track

Life on Track staff may identify a potential Life on Track participant based on risk of reoffending information from GRAM scores or needs-based referral to Life on Track.



Where a defendant is identified as a potential Life on Track participant prior to their first court appearance, Life on Track staff will contact the defendant by phone prior to their court date to inform them about the service and encourage their participation in a brief needs screen.

If Life on Track staff are unable to contact the defendant by telephone, they will send a Life on Track Introduction Letter (see Appendix 6). This letter will inform the defendant of the service and request they call or visit Life on Track to discuss their potential involvement. If a defendant is willing to engage, Life on Track staff will try to complete the Life on Track brief needs screen and comprehensive assessment with the defendant prior to their first court appearance.

If a defendant is contacted by Life on Track less than three weeks before their first court appearance an adjournment will generally be required for Life on Track staff to complete both the brief needs screen and comprehensive assessment and provide the results to the court. Life on Track staff will advise the defendant's solicitor how long it is likely to take to complete the screen and comprehensive assessment (maximum of three weeks). The solicitor will be able to inform the court if the magistrate seeks to adjourn the matter to be informed of the defendant's eligibility and suitability for Life on Track.

As participation in Life on Track is voluntary, defendants can decline to participate in the brief needs screen when contacted or decline any further support offered. This will not exclude them from becoming a Life on Track participant in the future.

Sometimes Life on Track may not be able to properly contact a defendant before court based on a referral or GRAM score. In these cases Life on Track staff may request Registry staff to place a flag on the defendant's court file asking the magistrate to consider referring the defendant to Life on Track. Life on Track staff will also alert staff from Legal Aid NSW and the Aboriginal Legal Service (NSW/ACT) to defendants' potential eligibility and request staff from these services refer the identified defendants to Life on Track should they have contact with them.

#### 2.2.3 Accept referrals of potential participants to Life on Track

Defendants may be referred to Life on Track if they have one complex need or two or more needs that contribute to their offending that they are motivated to address. Life on Track can receive referrals via numerous pathways including:

- Self-referral
- Magistrates
- NSW Police (including police prosecutors)
- Local Court officers
- Local Court Registrars
- Service providers
- Solicitors (Legal Aid, Aboriginal Legal Service, Community Legal Centres, private practitioners)



- Other court-based programs and services such as MERIT and Forum Sentencing
- Family of the defendant.

#### Referrals at court

When a referral to Life on Track is made at court (including by the magistrate) and a Life on Track staff member is not present at court:

- written information about the service<sup>7</sup> may be provided by the court officer or defendant's solicitor. Alternatively, the defendant may be referred to Life on Track brochures on display at the court.
- the court or defendant's solicitor will instruct the defendant to contact the Life on Track team within three (3) working days to arrange a meeting to conduct a brief needs screen.
- the defendant will be asked to record their contact information on the 'Potential Life on Track Defendants' form (see Appendix 2) at the Registry desk. The defendant's solicitor may assist them to do this.
- Registry staff will keep completed 'Potential Life on Track Defendants' forms in the Life on Track in-tray located in Registry. Life on Track staff will collect these completed forms regularly.

The magistrate may consider adjourning the defendant's matter(s) to enable Life on Track staff to complete the brief needs screen. The adjournment does not need to be more than two to three weeks. Life on Track staff would aim to complete both the brief needs screen and comprehensive assessment with the defendant during the adjournment.

If a Life on Track staff member is present at court when a defendant is referred, staff will aim to complete a brief needs screen with the defendant on the day. Life on Track staff will submit a Life on Track Brief Needs Screening Report to the court as detailed in 2.2.4.

#### Defendants in custody

Defendants in custody on remand may be referred to Life on Track if the magistrate indicates a bail application is being considered and there is a likelihood that the defendant may be granted bail. In these circumstances Life on Track staff will conduct a brief needs screen with the defendant in custody. Life on Track staff will submit a Life on Track Brief Needs Screening Report to the court as detailed in 2.2.4. Defendants successful in securing bail will be given a meeting time within the following two weeks to participate in a Life on Track Comprehensive Assessment.

Ongoing support cannot be provided to defendants serving a custodial sentence or remanded in custody. Support will only be offered to those who are granted bail. If immediate support is required to obtain bail or comply with bail conditions, such as sourcing suitable accommodation, this assistance can be provided according to the Immediate Response category in the Levels of Service Guidelines (see 2.3).

<sup>&</sup>lt;sup>7</sup> Life on Track brochure with contact details for Life on Track staff (see Figure 4)



#### Referrals outside court

Where a service provider is referring a defendant to Life on Track outside court they should complete a Life on Track Referral form. This includes referrals from a solicitor, another court-based program or police. Completed referral forms ensure Life on Track has all relevant information required about the defendant. Where completing a referral form is not possible, Life on Track staff may accept verbal referrals. Verbal referrals will always be accepted for self-referrals or referrals from defendants' family members. When accepting verbal referrals, Life on Track staff must record all the information they receive from the referrer on a Life on Track Referral form. Life on Track staff will contact the defendant within one week of receipt of a referral to explain the service and arrange a brief needs screen.

#### 2.2.4 Conduct initial brief needs screen

To conduct a brief needs screen, Life on Track staff will have a brief conversation (approximately 20 minutes and no longer than 30 minutes) with the defendant using the Life on Track Brief Needs Screening Tool.

Prior to, or at the start of this conversation, Life on Track staff should confirm the nature of the charge and if the defendant has a current NSW Corrective Services Supervision Order. If the defendant has any ongoing or outstanding charges that are ineligible sexual offences, has a prior conviction within the last five years for an ineligible sexual offence or if there is a current, ongoing NSW Corrective Services Supervision Order, the defendant cannot participate in Life on Track. If the magistrate revokes the Supervision Order, the defendant would be eligible to participate in Life on Track. During the brief needs screen with the defendant, Life on Track staff will establish whether the defendant meets the service's eligibility criteria. The Life on Track case manager must discuss the following issues that will assist in determining the defendant's suitability (although the final determination may not be possible until the Life on Track Comprehensive Assessment occurs):

- Explain the purpose and process of Life on Track.
- Ensure that the defendant understands that participation in Life on Track is voluntary.
- Describe the nature of the commitment required from participating defendants, particularly in relation to attendance at appointments.
- Obtain verbal consent to exchange information with relevant agencies.
- Ensure that the defendant understands that their participation may have no impact on their sentence.
- Gain an indication of the number and nature of the main areas of difficulty experienced by the defendant in their life.
- Gauge the defendant's willingness to participate in Life on Track; specifically, to address challenges in their life that may have contributed to offending.



Upon completing a brief needs screen, Life on Track staff will create an electronic and a paper file for the defendant in accordance with the Life on Track Records Management and Audit Policy (see Appendix 35).

#### If the defendant is deemed ineligible

If the court adjourned the defendant's matter or referred the defendant to Life on Track and:

- the defendant is clearly ineligible to participate or
- the defendant fails to attend the brief needs screen interview or
- the defendant's participation in the brief needs screen is uncooperative or inadequate

the case manager must prepare a Life on Track Non Acceptance Report for the court. The report should state that the defendant is not eligible for the service and the reasons why. For further information about the Life on Track Non Acceptance Report, see Chapter 3. Also see the Life on Track Non Acceptance Report template at Appendix 15.

#### If the defendant is deemed eligible but not yet assessed for suitability

The Life on Track case manager prepares a Life on Track Brief Needs Screening Report for the court if:

- the court adjourned the defendant's matter or referred the defendant to Life on Track
- the defendant is found eligible for Life on Track following a brief needs screen
- the case manager cannot complete the Life on Track Comprehensive Assessment with the defendant before their next court appearance.

The Life on Track Brief Needs Screening Report informs the court that a comprehensive assessment will be completed with the defendant and that if they are suitable for the service, a Life on Track Case Management Plan will be developed.

Magistrates may opt to adjourn a defendant's matter/s for a period of two or three weeks to be informed of the outcome of the comprehensive assessment.

A defendant on a current NSW Corrective Services Supervision Order may be referred to Life on Track by the magistrate, or their referral to the service may be supported by the magistrate. Where this occurs and the defendant is eligible for Life on Track but for the Supervision Order, the case manager should include in the Brief Needs Screening Report that the defendant would be eligible for Life on Track if the magistrate opts to revoke the Supervision Order.

For further information about the Life on Track Brief Needs Screening Report, see Chapter 3. Also see the Life on Track Brief Needs Screening Report template at Appendix 8.



#### 2.2.5 Single entry point for treatment / support services

During the brief needs screen, the case manager will have identified the defendant's primary area(s) of need. The Coordinator must review and approve completed Life on Track Brief Needs Screening Tools. Following the review, and based on the recommendations made in the Life on Track Brief Needs Screening Tool, defendants will be allocated to a Life on Track case manager for a comprehensive assessment to be completed. Alternatively they may be referred to another court or community based program such as MERIT (see below for referral pathway to MERIT). Allocation to Life on Track case managers will be based on current caseloads and the identified support needs of the defendant.

In this way, Life on Track may be utilised as a single entry point to court and community based services as it screens defendants to determine the most appropriate program/service to which they may be directed.

Life on Track has an agreement with the MERIT program. MERIT will accept appropriate referrals from Life on Track following the brief needs screen or the comprehensive assessment and rely on information from those assessments to avoid duplication. Similarly, Life on Track will accept referrals from, and exchange information with, MERIT.

#### **Referral pathway to MERIT**

If the brief needs screen identifies MERIT as the most appropriate program to address a defendant's primary area of need, a referral will be made. The referral process that Life on Track and MERIT staff follow is outlined below.

- Life on Track:
  - provide details about the MERIT program to the defendant including the nature of the program and implications of agreeing to be referred. This may involve the provision of the MERIT brochure
  - obtain consent from the defendant for the referral to MERIT, as MERIT is a voluntary program
  - contact the local MERIT office to make the referral
  - fax/email a copy of the completed Life on Track Brief Needs Screening Tool to the local MERIT office
  - keep all correspondence relating to the referral on the defendant's Life on Track file.

The MERIT team:

- review the completed Life on Track Brief Needs Screening Tool and arrange to conduct a more comprehensive assessment with the defendant
- inform Life on Track staff of the outcome of the referral either by letter or email, including whether the defendant is accepted into MERIT.



#### Referral pathway to Statewide Community and Court Liaison Service (SCCLS)

The SCCLS operates in 20 Local Courts in NSW including Sutherland and Lismore Local Courts. The SCCLS provides assessments and reports to the court on defendants' mental health matters and, where appropriate, assists with the referral of defendants with mental health issues into appropriate psychiatric health services. Generally, the SCCLS only conducts assessments and prepares reports with respect to defendants on the day of court or within 48 hours prior to court. This ensures that the assessment and report most accurately reflects the current mental health status of the defendant.

If a defendant presents as mentally unwell at court, the priority is to determine whether they should be referred to the SCCLS for a mental health assessment. This referral may occur *prior to* the brief needs screen or at any other point in the service continuum.

Life on Track must:

- complete the Mini Mental Health checklist with the defendant if there is uncertainty about the defendant's mental health status
- immediately contact SCCLS staff if the defendant's presentation or the checklist indicated the defendant is mentally unwell or has a history of mental illness or a developmental disability
- speak with SCCLS staff. Discuss the defendant's presentation, information from the Mini Mental Health checklist and ascertain whether it is appropriate for SCCLS to assess the defendant
- allow SCCLS to conduct an assessment prior to any further Life on Track contact with the defendant
- follow up with SCCLS staff about the outcome of the assessment. If the defendant is or becomes a Life on Track participant, seek a copy of the SCCLS report to the court from SCCLS after providing a copy of the defendant's consent
- do not show or give the report to the defendant or other service providers. Include a copy of the SCCLS report on the participant's Life on Track file.

If the outcome of the SCCLS assessment and referral is that the defendant is hospitalised, and the defendant is not yet a participant of Life on Track (they have not yet signed their agreed goals at the end of the a Life on Track comprehensive assessment – see 2.2.6), Life on Track will close the defendant's file and cease to have contact with the defendant unless they are discharged from hospital and referred to Life on Track again.

If the outcome of the SCCLS assessment and referral is that the defendant is hospitalised, and the defendant is an existing Life on Track participant, Life on Track staff will liaise with the hospital and re-engage with the defendant once they are discharged from hospital.

If the outcome of the SCCLS assessment and referral is that the defendant is linked with a Community Mental Health Team, Life on Track can continue to assess and case manage the defendant/participant, working in tandem with the CMHT. Remember that Life on Track can work directly with the CMHT without involving SCCLS. This would occur, for example,



if there is no crisis assistance required at court or the defendant has a history of engagement with the CMHT.

If a defendant does not present as mentally unwell but it is apparent after the brief needs screen or comprehensive assessment that the defendant, although stable, has mental health issues and is not currently involved with any mental health services, Life on Track may refer or discuss the defendant/participant with SCCLS staff for expert advice.

SCCLS staff will:

- accept referrals of defendants who are presenting as mentally unwell at court from Life on Track staff (wherever possible after the Mini Mental Health checklist has been completed)
- provide feedback to Life on Track staff about their assessment of referred defendants, including by providing Life on Track staff with a copy of the SCCLS report for the court where the defendant is a Life on Track participant and consent can be demonstrated
- wherever possible, provide expert advice to Life on Track staff to assist in identifying the most appropriate referrals for defendants with mental health concerns.
- Where SCCLS requests available information about Life on Track participants from Life on Track, and the participant consents to sharing information with SCCLS, Life on Track should promptly provide the information to SCCLS.

In this way, a Life on Track case manager may refer a defendant to another, more appropriate court of community based program, instead of Life on Track, following the brief needs screen. Once the other program has actioned the referral and accepted the defendant on to their program, the Life on Track case manager will prepare and submit a Life on Track Non Acceptance Report to the court. As where a defendant is ineligible for Life on Track, the report will state that the defendant has not been accepted on to Life on Track because they have been accepted on to another, more appropriate program, and provide details of that program.

#### Referring 'Immediate Response' defendants to community based services

If a defendant is neither medium to high risk nor has medium to high level needs, they are not eligible to be a Life on Track participant. However, the defendant may require immediate assistance to access help. In these situations, the Life on Track case manager will identify the appropriate service to address the defendant's immediate crisis need and facilitate a referral to the community based service. The case manager provides all relevant details of the service, including their contact information, to the defendant. The defendant can then communicate with the service without Life on Track. Life on Track staff will document all referrals in defendants' progress notes and must exercise clinical judgement in determining the degree of follow-up required for each defendant. For example, follow up will generally be warranted where the immediate need relates to mental health concerns that include a risk of self harm.



#### 2.2.6 Conduct Life on Track Comprehensive Assessment

#### About the Life on Track Comprehensive Assessment Tool

The Life on Track Comprehensive Assessment Tool was designed to assist case managers to identify the key factors that will form the basis of a Life on Track Case Management Plan. It is designed as a high-level instrument to be delivered by experienced and qualified case managers. It is written in plain language and should be used in a conversation style as much as possible. The questions included in the tool are used by Life on Track staff as a guide to promote discussion with the defendant and identify the issues of most significance to them and of relevance to the service.

The Life on Track Comprehensive Assessment Tool (see Appendix 10) has been informed by a number of stakeholders and existing assessment instruments in the areas of criminal justice; housing; mental health; disability; and gambling, alcohol, substance and drug addiction. It is supplemented by the Life on Track Drug Use Checklist (Appendix 11) and Life on Track Mini Mental Health Checklist (Appendix 12). These checklists should be completed as necessary in accordance with the prompts included in the Life on Track Comprehensive Assessment Tool.

The main outcomes sought by the comprehensive assessment are:

- to obtain details of the defendant's areas of need previously identified through the brief needs screen. Case managers will have a copy of the completed Life on Track Brief Needs Screening Tool and will use their professional discretion to obtain further information without duplicating questions already asked during the screen.
- to provide a comprehensive record of the defendant's current situation.
- to identify the issues of most significance to the defendant, areas of strength and availability of resources.

This information will directly inform the nature of the Life on Track Case Management Plan and the interventions it includes (the next stage of the process). For more information about the Life on Track Comprehensive Assessment Tool, see Chapter 3.

#### Obtain written consent

Before conducting the comprehensive assessment the Life on Track case manager must obtain written consent from the defendant. Case managers must explain key information to defendants before asking them to complete and sign the consent form (see Appendix 9). This includes explaining the limits to confidentiality and information required by the Information Protection Principles. Please refer to the Life on Track Privacy, Confidentiality and Responding to Disclosures policy (Appendix 32) for more information.

Where a case manager establishes that a defendant lacks capacity to provide consent, written consent must be obtained from their legally appointed guardian. See DAGJ's Capacity Toolkit for further information about determining capacity (available at http://www.diversityservices.lawlink.nsw.gov.au/divserv/ds\_capacity\_tool.html).



Where a case manager establishes that a defendant lacks capacity to provide consent but requires crisis support and intervention, this may be provided concurrently with efforts to secure written consent from the defendant's legally appointed guardian.

Where a defendant appears to temporarily lack capacity to provide informed consent, for example due to mental instability, the case manager may assist the defendant while also seeking consent to continue working with them from an appropriate family member or next of kin.

#### Conduct the Life on Track Comprehensive Assessment (using the assessment tool)

Before starting the comprehensive assessment, case managers should inform the defendant that participation in Life on Track is voluntary.

Case managers must remember that:

- the Life on Track Comprehensive Assessment Tool is not a counselling or diagnostic instrument
- the comprehensive assessment should be completed in approximately 60 minutes and no longer than 90 minutes (in most cases)
- defendants may require the presence of a support person and/or qualified interpreter.

Assessments consider the:

- nature and extent of the defendant's issues that relate to their offending
- degree to which the identified problems can be treated or changed
- strengths of the defendant
- extent of any current or previous efforts to intervene on these issues
- likely available interventions in the geographical area
- capacity and willingness of the defendant to participate.

Questions posed by the Life on Track Comprehensive Assessment Tool relate to:

- current contact with existing services
- ensuring basic living standards
- current finances
- identifying disability considerations
- identifying health considerations
- identifying mental illness
- addictions past and present (including alcohol, drug use, gambling)
- employment / educational history
- significant relationships
- social activities



• areas of change – top priority issues for the Life on Track Case Management Plan.

The last section of the Life on Track Comprehensive Assessment Tool can be used to record observations. Case managers should record any non-verbal information about the defendant that they obtain during the interview. This information may inform their thinking about the development of the Life on Track Case Management Plan. For example, 'the defendant appears to be...

- experiencing cognitive impairment (for example, can't follow instructions)
- hallucinating or delusional, disoriented or have other signs of mental impairment
- intoxicated
- unable to effectively communicate (after excluding language/cultural barriers or sensory limitations)
- displaying aggressive behaviours.'

This will inform the Life on Track Participant Risk Assessment Checklist (see Appendix 40 and Appendix 39 for Life on Track Participant Risk Management Policy).

#### If the defendant is deemed both eligible and suitable

If the defendant is assessed as both eligible and suitable at the end of the comprehensive assessment, the case manager will explain to them what is expected from Life on Track participants. These expectations are included in the Life on Track Case Management Plan Agreement (see Appendix 13). It is expected that the defendant will:

- follow all reasonable directions of the Life on Track case manager
- behave in a respectful manner towards Life on Track staff
- agree to participate in a mutually agreed Life on Track Case Management Plan
- inform the case manager of any change in address or telephone number before or within 48 hours of the change
- be on time for all appointments
- notify the case manager and relevant service if they cannot attend an appointment.

The defendant will then identify and prioritise their goals for case management as required by the Life on Track Comprehensive Assessment Tool. Upon signing these prioritised goals, the defendant will become a Life on Track participant.

#### Forum Sentencing

During the comprehensive assessment, or soon after, all Life on Track participants who have entered a guilty plea should be considered for their eligibility to participate in Forum Sentencing. The process that Life on Track and Forum Sentencing staff follow is outlined below.

• Life on Track:



- complete the Forum Sentencing Checklist (see Appendix 50) to determine potential eligibility
- Provide Forum Sentencing promotional material to the defendant
- Obtain consent from the defendant to include the defendant's potential suitability and eligibility for Forum Sentencing in the next report to the court
- Include the defendant's potential suitability and eligibility for Forum Sentencing in the next report to the court
- Fax a copy of the Forum Sentencing Checklist to the Forum Sentencing intake team for use if the magistrate refers the defendant for Forum Sentencing.
- Forum Sentencing staff:
  - Review the completed Forum Sentencing Checklist and arrange to have an eligibility/suitability assessment conducted with the defendant if the defendant is referred to Forum Sentencing by the magistrate
  - Inform Life on Track, by letter or email, of the outcome of the assessment and whether the defendant has been accepted into Forum Sentencing.

Notification of a defendant's potential eligibility and suitability for Forum Sentencing does not constitute a referral of the defendant for participation in Forum Sentencing. Magistrates retain judicial discretion to determine whether a defendant participates in Forum Sentencing. The notification from Life on Track alerts magistrates to a potential defendant who they may order to be assessed for eligibility and suitability for participation in Forum Sentencing.

Defendants who are identified as not suitable for Life on Track due to having no issues to be addressed may be suitable for Forum Sentencing. Details of the involvement of Life on Track staff in Forum Sentencing can be found in the Forum Sentencing Notification and Participation Procedures (see 7.11 and Appendix 49).

#### 2.2.7 Determine the appropriate level of service

The Life on Track Levels of Service Guidelines (see section 2.3) describes the three levels of case management offered by Life on Track.

Levels of service exist to ensure that the intensity and duration of Life on Track case management aligns with a participant's level of risk and need. Life on Track targets participants at the highest risk of re-offending with the highest service level. This is consistent with the evidence based Risk Needs Responsivity model of rehabilitating offenders which states that the level of supervision and treatment provided to offenders needs to be commensurate with their level of risk of re-offending to be effective.

The Levels of Service Guidelines define the duration of the Life on Track Case Management Plan, the frequency of contact and the services provided to participants at each level of service. The appropriate level of service is determined by the participant's risk of re-offending (as determined by their GRAM score), their level of need and special needs and the clinical judgement of Life on Track staff. The special needs of a participant include factors such as disability and homelessness.



Where a participant's level of service is to be increased or decreased, in accordance with the Levels of Service Guidelines, the Life on Track Coordinator must be consulted and approve the variation.

#### 2.2.8 Develop and finalise a Life on Track Case Management Plan

#### Prepare Life on Track Case Management Plan

The Life on Track Case Management Plan (see Appendix 13) provides a tailored strategy to address the underlying causes of offending behaviour or major difficulties experienced by the defendant (primarily criminogenic in nature). It also assists with identifying the current resources available to and strengths of the defendant.

The Life on Track Case Management Plan should:

- identify critical areas of change to be addressed through case management
- establish expectations about the kind of education and rehabilitation in which the defendant will engage
- be informed by the defendant's needs and GRAM score
- define the level of service / participation required and the anticipated duration of the defendant's involvement in the service.

#### Meet to review and confirm the Life on Track Case Management Plan

This follow-up meeting with the defendant should:

- be used to explain the proposed Life on Track Case Management Plan and make any necessary amendments
- result in an agreement between the Life on Track case manager and the defendant about the nature and objectives of interventions (as described in the Life on Track Case Management Plan) to be implemented through case management
- confirm that the defendant understands and agrees to the specified 'level of service' (that is, requirements of their participation). This includes:
  - number of hours per week or month the defendant may need to devote to successfully complete the service
  - duration of their participation in the service (up to nine months, depending on assessed levels of risk and need)
  - expectations about contact with the Life on Track case manager over the service period
- result in a Life on Track Case Management Plan Agreement (see Appendix 13) being signed by both the defendant and case manager.

## Case managers must not discuss GRAM scores with defendants in any circumstances. Life on Track Case Management Plan Report

The Life on Track Case Management Plan is used to inform a report to the court: the 'Life on Track Case Management Plan Report'. This report describes the:



- key areas requiring support or assistance to be addressed under case management
- expectations about the kind of education and rehabilitation that the participant will engage in
- level of participation required, and the anticipated duration of the participant's involvement in Life on Track.

The Life on Track Case Management Plan Report does not provide details about the treatment, programs or services that the participant will undertake in addressing the key areas in which they need assistance.

Magistrates may opt to adjourn the defendant's matter/s to monitor the progress of defendants participating in Life on Track. Adjournments of no longer than six to eight weeks are considered ideal.

#### 2.2.9 Implement the Life on Track Case Management Plan

To implement the Life on Track Case Management Plan, the case manager and the participant work together to access the external services, programs, treatment or courses agreed to in the Plan. Case managers use change talk and other motivational techniques as part of the cycle of change model to motivate participants to change their behaviour.

In implementing a Plan, case managers may:

- obtain background documentation from different sources, such as school or medical records, to support referral and access to different agencies
- liaise with local service providers to ensure that timely referrals are made to, and actioned by, the appropriate agency
- support the participant at different appointments where necessary
- assist the participant to access specialist services so that they can receive more detailed assessment, if required, and appropriate interventions from those services
- provide a coordination role between different service providers who are involved with the participant and respond to the changing needs of the participant during the period of case management.

While case managers are encouraged to support participants in accessing other services and programs, including court-based options such as Forum Sentencing, it is imperative that case managers do not adopt a compliance role with participants. Life on Track case managers avoid compliance monitoring of participants to promote and maintain a therapeutic alliance with the participants they case manage. This enables open communication, influence and encouragement. Therefore, for example, while a case manager may attend a Forum Sentencing forum with a participant, they should not undertake Forum Sentencing Intervention Plan supervision (see Forum Sentencing Notification and Participation Procedures at Appendix 49 for details of a case manager's role in relation to Forum Sentencing).

Where a defendant becomes a participant of Life on Track, a magistrate may, at his or her discretion, impose an increased level of judicial monitoring to promote the



defendant's participation. Additional 'mentions' establish how the participant is progressing and offer encouragement, as appropriate. On the other hand, if the participant is not progressing well, judicial monitoring could play a role in encouraging treatment completion.

Once a defendant becomes a Life on Track participant, their case manager will provide the court with a Life on Track Progress Report each time their matter is before the court. The Life on Track Progress Report (see Appendix 18) describes the participant's progress against their Life on Track Case Management Plan. A Life on Track Progress Report should explain:

- progress to date (including services and support accessed by the participant)
- rationale for ongoing participation in the service
- expectation of what will be / is yet to be achieved.

#### Monitoring participants' access to referred services

After each occasion of service or contact with a participant, Life on Track case managers should make progress notes and file notes (see Appendices 16 and 17) on the participant's file. These notes must accurately and professionally record all communications relating to work being undertaken in accordance with the Life on Track Case Management Plan. They may be subject to spot audits by DAGJ. Life on Track staff should maintain the confidentiality of progress notes in accordance with the Information Protection Principles, Life on Track and organisational policies (see Appendix 32), the service contract and their organisation's Deed of Confidentiality with DAGJ.

After a participant is referred to an external service, Life on Track staff contact the external service on a regular basis to gauge the defendant's involvement, or status, with that service and record this on the database. The Life on Track database highlights any participants who are approaching three months since the time of a referral and requires their status on the database to be updated. Life on Track staff update the database to indicate into which of the following categories the defendant falls after the three-month period:

- still on waitlist
- receiving external service
- external service completed
- external service declined by participant
- external service ceased but not completed
- participant unable to be contacted
- secondary referral made
- participant ineligible
- other.

For more information on recording information in the database read the Life on Track Database Guidelines.



#### 2.2.10 Prepare for sentencing

Magistrates exercise complete discretion in their judicial functions including determining when a participant of Life on Track is sentenced. Deferral of sentencing until the completion of a participant's Life on Track Case Management Plan may be appropriate in some cases where the duration of a Life on Track Case Management Plan is short. In other instances short adjournments are welcomed to allow magistrates to monitor the defendant's progress and encourage participation until their legal matter is finalised. Case management may continue beyond sentencing.

As sentencing approaches for a participant, their Life on Track case manager will conduct an interview with them to:

- establish their progress with external services or programs to which they were referred
- document any changes in lifestyle, behaviour and/or attitude resulting from participation in Life on Track.

Following that interview, the case manager compiles a comprehensive report for the court. Where the defendant has been a Life on Track participant for eight weeks or more, this will be a Life on Track Final Court Report (see Life on Track Final Court Report template at Appendix 22). Where the defendant has been a Life on Track participant for less than eight weeks, this will be a comprehensive Life on Track Progress Report.

The Life on Track Final Court Report outlines the participant's compliance and progress with their Life on Track Case Management Plan. The Life on Track Final Court Report describes the participant's psychosocial situation upon initial referral to Life on Track, their involvement with the service and any outcomes observed on the basis of Life on Track staff or external service providers' contact with the participant. It may be informed by the Life on Track Comprehensive Assessment, Life on Track Case Management Plan and feedback from external services used by the participant. Life on Track Coordinators must review and approve all Life on Track Final Court Reports before they are provided to the court and/or a solicitor.

In some cases, service providers may also directly provide reports to the court about a defendant's participation and progress with them. For example, the Court Chaplain provides reports to the court for participants of the Positive Lifestyle Program. In the Life on Track Final Court Report, case managers should refer to any additional reports or references they know will be provided to the court by other services.

As participation in Life on Track is voluntary, unsuccessful completion should not attract any additional penalty on sentence. Life on Track case managers will advise defendants at commencement with Life on Track that their sentence will relate only to their offending and not to participation on Life on Track.

Where appropriate, Life on Track staff will provide information to Corrective Services NSW for consideration in compiling reports for the participant. This will usually occur if the court requests a Pre-Sentence Report (PSR) or Intensive Correctional Order (ICO) assessment (see Working with Corrective Services NSW Procedure at Appendix 51).



#### 2.2.11 Exit Planning

Approximately two thirds of the way through a participant's Life on Track Case Management Plan, case managers should commence exit planning with the participant. The purpose of exit planning is to facilitate appropriate planning for participants who require continued support in the community. This may include facilitating access to a community based case management service and consideration of relapse prevention strategies.

A participant is not automatically exited from Life on Track upon being sentenced by the court. Life on Track can continue to case manage a participant until the participant completes the duration of contact established by their level of service or ceases to be eligible to participate in Life on Track (for example if they are sentenced to a custodial sentence).

Where appropriate, Life on Track staff will provide information to Corrective Services NSW for consideration in compiling service provision plans for the participant if the participant receives a sentence involving supervision by Corrective Services NSW. Such sentences include a full-time custodial sentence, periodic detention, home detention, ICO, community service order or bond with supervision. For information about Life on Track staff liaison and information sharing with Corrective Services NSW see the Working with Corrective Services Procedures at Appendix 51.

At the completion of Life on Track, the participant may continue to receive community based services or treatment from the external service providers to which they were referred. This will depend on their continuing need and subject to the eligibility criteria and capacity of the relevant external service providers.

#### 2.2.12 Withdrawal or discontinuation

Participants may exit Life on Track through either withdrawal or discontinuation.

Withdrawal from the service generally results from the participant deciding to leave the service before finishing their Life on Track Case Management Plan.

Discontinuation from the service generally results from the participant:

- being referred to a more appropriate court-based program, for example MERIT, after becoming a Life on Track participant
- re-offending and being refused bail
- not attending meetings with their case manager or services arranged through Life on Track
- being consistently hard to contact
- having poor access to necessary services, for example services not being available in their local area
- meeting minimum participation requirements, but not making a genuine effort to rehabilitate



• ceasing to comply with eligibility criteria, for example by being sentenced to a custodial order or a Corrective Services Supervision Order.

When a participant does not comply with their Life on Track Case Management Plan Agreement, their case manager will attempt to contact them to explain their risk of discontinuation. Where the participant cannot be contacted in person or by telephone, or following this personal contact, their case manager will send the participant two warning letters (see Appendix 19) at their home address, explaining that they will be discontinued from the service unless they comply with their Life on Track Case Management Plan Agreement within a specified time frame. The letters will be supplemented by support from the case manager to assist the participant improve their engagement.

If a participant remains unable or unwilling to complete the service, a Life on Track Withdrawal Report (see Appendix 21) or Life on Track Discontinuation Report (see Appendix 20) is prepared and submitted to the court by the next court date. These reports explain why the participant cannot or will not complete the service and provide information on any progress made.

For more information about court reports, see Chapter 3.



# **2.3 Life on Track Levels of Service Guidelines**

Life on Track aims to reduce re-offending by encouraging and assisting participants appearing at Local Courts to engage in education, treatment or rehabilitation programs and by assisting them to receive social welfare support.

In order to achieve the biggest impact on re-offending, Life on Track targets participants at the highest risk of re-offending with the highest service level. This is consistent with the Risk Needs Responsivity model of rehabilitating offenders that is well established in the corrections environment.

The risk principle states that, to be effective, the level of supervision and treatment provided to offenders needs to be commensurate with their level of risk of re-offending. There is evidence to show that where this is not followed, there may be a detrimental effect on offenders.

An actuarial tool known as GRAM is used by Life on Track to calculate the risk of reoffending of defendants. This tool was developed by BOCSAR and provides each defendant with a score out of 10 (the GRAM score) that indicates their likelihood of reoffending in comparison to the rest of the Local Court population.

The Life on Track Levels of Service Guidelines ('these Guidelines') acknowledge that a significant proportion of defendants have underlying issues that relate either directly or indirectly to their offending behaviour. All defendants who are eligible and suitable to participate in Life on Track receive a level of service based on these Guidelines.

A participant's level of service is determined by their risk of re-offending, their level of need and special needs and the clinical judgement of Life on Track staff. The special needs of a participant include factors such as disability and homelessness.

Brokerage funds are available to spend on Level 3 Life on Track participants. The total amount available for each Level 3 participants is outlined in these Guidelines. In specific, exceptional circumstances, brokerage funds may also be spent on Level 1 and 2 participants. These circumstances are detailed in the Life on Track Brokerage Funds Policy (see Appendix 47) along with the purpose and process of expending brokerage funds. The Life on Track Brokerage Funds Policy should be read in conjunction with these Guidelines.



# Table 1 – Levels of service guidelines

Service category	Definition	Services provided	ESTIMATED frequency of contact	Length of service	Special consideration
Immediate response <b>Brokerage funds</b> : Not available	Not suitable for Life on Track but requires immediate crisis intervention	<ul> <li>Conduct brief needs screen using Life on Track Brief Needs Screening Tool</li> <li>Make phone referrals to suitable external services to address the immediate need</li> <li>Provide brochures/information of relevant external services for ongoing support as needed, defendant expected to self-refer</li> <li>Provide relevant external services with details of support already provided</li> </ul>	As required to address crisis	No longer than a week	<ul> <li>Length of service could be extended for a further week based on defendant:</li> <li>having a disability</li> <li>being mentally unwell at the time</li> <li>having no supports currently in place</li> <li>being homeless</li> </ul>
Life on Track Level 1 Brokerage funds: Generally not available. May be used to secure participation in a Men's Behaviour Change Program. May be used in exceptional cases to assist participants with transportation (see Brokerage Funds policy).	Participants with a GRAM score of 6 or below and are considered low risk for re-offending Participant requires basic case management and support	<ul> <li>Complete brief needs screen using Life on Track Brief Needs Screening Tool</li> <li>Complete assessment using Life of Track Comprehensive Assessment Tool</li> <li>Develop Life on Track Case Management Plan</li> <li>Use motivational interviewing</li> <li>Provide brochures/information/advice on relevant external services</li> <li>Make initial referrals/phone calls to external services with participant present (where possible). Participant expected to follow up on referrals made</li> </ul>	Phone contact every 1–2 weeks Face-to-face contact every 3–4 weeks	Up to 3 months	<ul> <li>Service level could be <i>increased</i> based on:</li> <li>Participant having a disability or being currently mentally unwell</li> <li>Participant being homeless</li> <li>Areas of need identified and/or issues require a higher level of support</li> <li>Or decreased based on:</li> <li>Areas of need require a lower level of support</li> <li>Participant has already commenced engaging external services</li> </ul>



Service category	Definition	Services provided	ESTIMATED frequency of contact	Length of service	Special consideration
		<ul> <li>Monitor and review participant progress</li> <li>Life on Track staff and participant ensure appointments are attended</li> <li>Address problems as circumstances change</li> </ul>			Participant works full-time and unable to attend face-to-face meetings
Life on Track Level 2 Brokerage Funds: Generally not available. May be used to secure participation in a Mens Behaviour Change Program. May be used in exceptional cases to assist participants with transportation (see Brokerage Funds policy)	Participants with a GRAM score of 7 and are considered medium risk for re- offending Participants require complex case management and support	<ul> <li>Complete brief needs screen using Life on Track Brief Needs Screening Tool</li> <li>Complete assessment using Life on Track Comprehensive Assessment Tool</li> <li>Develop Life on Track Case Management Plan</li> <li>Use motivational interviewing</li> <li>Provide brochures/information/advice on relevant external services</li> <li>Make initial referrals/phone calls to external services with defendant present (where possible)</li> <li>Call or text to remind participant of appointments with Life on Track or external service providers where appropriate</li> <li>If participant on waiting list for external service or program, follow up with external service regularly and encourage participant to follow up regularly</li> </ul>	Phone contact weekly Face-to-face contact every 2–3 weeks	Up to 6 months	<ul> <li>Service level could be increased based on:</li> <li>Participant having a disability or being currently mentally unwell</li> <li>Participant being homeless</li> <li>Areas of need identified require an intensive level of support</li> <li>Or decreased based on:</li> <li>Areas of need identified require a lower level of support</li> <li>Participant has already commenced engaging external services</li> <li>Participant works full-time and unable to attend faceto-face meetings</li> </ul>



Service category	Definition	Services provided	ESTIMATED frequency of contact	Length of service	Special consideration
		<ul> <li>Regular liaison with external services to monitor participant's progress (monthly)</li> <li>Maintain regular contact with participant to monitor progress and troubleshoot problems as circumstances change</li> </ul>			
Life on Track Level 3 Brokerage funds: \$500 per participant	Participants with a GRAM score of 8–10 and are considered high risk for re- offending Participants require intensive case management and support	<ul> <li>Complete brief needs screen using Life on Track Brief Needs Screening Tool</li> <li>Complete assessment using Life on Track Comprehensive Assessment Tool</li> <li>Develop Life on Track Case Management Plan</li> <li>Use motivational interviewing</li> <li>Provide brochures/information of relevant external services</li> <li>Make initial referrals/phone calls to external services with participant present (where possible)</li> <li>Call or text to remind participant of appointments with Life on Track or external service providers where appropriate</li> <li>Arrange transport vouchers where necessary</li> <li>Attend participant's first appointment with external service providers where necessary</li> </ul>	Phone contact weekly Face-to-face contact every 1–2 weeks	Up to 9 months	<ul> <li>Service level could be <i>increased</i> based on:</li> <li>Participant having a disability or being currently mentally unwell</li> <li>Participant being homeless</li> <li>Areas of need identified require an intensive level of support</li> <li>Or <i>decreased</i> based on:</li> <li>Areas of need identified require a lower level of support</li> <li>Participant has already commenced engaging external services</li> <li>Participant works full-time and unable to attend faceto-face meetings</li> </ul>



Service category	Definition	Services provided	ESTIMATED frequency of contact	Length of service	Special consideration
		<ul> <li>If participant on waiting list for an external service or program, follow up with external service regularly and encourage participant to follow up regularly</li> <li>Regularly liaise with external services to monitor progress</li> <li>Maintain regular contact with participant to monitor progress and troubleshoot problems as circumstances change</li> </ul>			
ALL LEVELS	Participants that are eligible but do not respond to contact or offers of support after the brief needs or comprehensive assessments have been completed	<ul> <li>Mail brochures/information of relevant external services to participant who is expected to self-refer</li> <li>Regularly call the participant and attempt to re-engage</li> <li>Send Life on Track Warning of Discontinuation letter (see Appendix 19) after three weeks without contact/cooperation</li> <li>Complete Life on Track Discontinuation Report and place in court file two weeks after last Life on Track Warning of Discontinuation letter sent.</li> </ul>	Weekly phone calls for a period of 3 weeks.	No longer than 4 weeks	<ul> <li>Length of service could be extended based on participant:</li> <li>having a disability</li> <li>being mentally unwell at the time</li> <li>having no supports currently in place</li> <li>having limited phone access (for example, does not have own phone and contact is through a third party)</li> </ul>



# 2.4 Stakeholder relationships

### 2.4.1 Management and governance

Figure 2 provides an overview of the key stakeholders involved in Life on Track and their relationship to the service. This section can be used by Life on Track staff to clearly identify lines of responsibility and communication.

A Governance Committee will meet monthly for each Life on Track site and will at least be comprised of the Life on Track Coordinator and the Senior Policy Officer (CJI, DAGJ). Where required, the NGO Relationship Manager (or their representative) may be required to attend.

Every quarter a Senior Governance Meeting will convene involving the NGO Relationship Manager(s) from all Life on Track sites (or their representative/s), the Manager Criminal Justice Interventions (DAGJ) and the Director Criminal Justice Interventions (DAGJ). The purpose of these meetings is to troubleshoot any issues arising from the service and enable a global review of the service across sites. It provides an opportunity for DAGJ and NGOs to discuss potential changes to the structure and function of Life on Track.

A formal memorandum of understanding (MoU) exists between the NSW Police Force and DAGJ in regard to sharing information to affect GRAM screenings.

### 2.4.2 Stakeholder engagement

In the course of communicating about Life on Track and building relationships with key stakeholders, Life on Track staff regularly:

- conduct information sessions with relevant external service providers (more frequently in the early stages of the service commencing at a location), court staff and magistrates
- attend relevant networking meetings with local human service and criminal justice agencies
- maintain email and phone contact with Local Working Group members.

Life on Track staff are encouraged to meet with local magistrates to keep them informed about the service and to brief new magistrates about the operation of Life on Track. However, Life on Track staff cannot negotiate local processes with local magistrates. As Life on Track is to operate across NSW, procedures will be negotiated between CJI staff and the Chief Magistrate's office, to ensure uniformity across sites. Life on Track staff are encouraged to communicate their concerns or ideas with the Senior Policy Officers, CJI to be considered in negotiations.

When speaking with magistrates, Life on Track staff should not discuss individual participants' matters or circumstances. Discussions of this nature can be prejudicial to the outcome of defendants' legal matters. Discussions with magistrates must relate only to the process and operation of Life on Track generally.



### 2.4.3 Local Working Groups

Life on Track providers are required to establish Local Working Groups in the area in which they deliver the service. Local Working Groups should include stakeholders to assist in the development and implementation of the service model. This may include representatives from Local Courts, NSW Police, magistrates, other court based programs, Community Corrections as well as community based treatment and supports. The community based services should include government and non-government organisations based locally that provide accommodation, health care, education, training, ageing and disability services, counseling and addiction treatment and services.

Life on Track providers may identify the most appropriate local services to invite to participate in Local Working Groups. DAGJ may require that Life on Track providers approach particular government agencies in their area of operation. Senior Policy Officers (CJI) will attend Local Working Group meetings. The Life on Track provider may also seek assistance from the Senior Policy Officer (CJI) to communicate with some government agencies.

Life on Track staff are required to establish the Local Working Group, chair quarterly Local Working Group meetings and provide administrative support to Local Working Group meetings including the preparation and circulation of agendas and minutes from the meetings.



# **3 Service documentation**

# **3.1 This section**

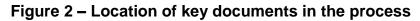
Chapter 3 provides an overview of the key documents produced as part of Life on Track service delivery and locates them in the process. It also offers guidance about writing reports for court.

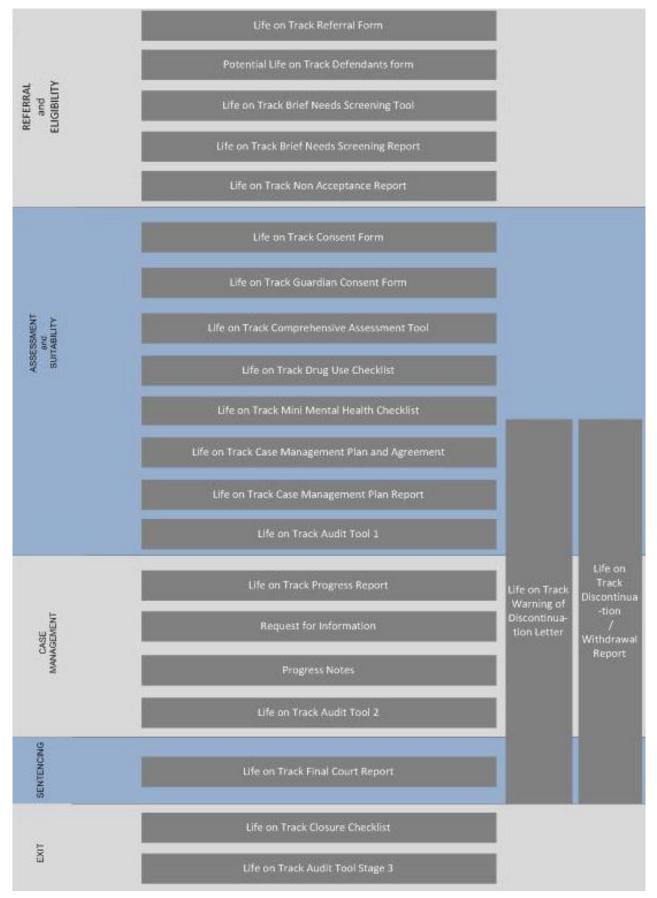
It does not cover documents relating to planning or policy; staff recruitment, development or management; database maintenance; or routine forms.

## **3.2 Location of key documents in the Life on Track process**

Figure 3 identifies various key documents in the Life on Track process and when they should be used. Life on Track staff may use it as a checklist to ensure that required documents are completed during the relevant stages of the Life on Track process.









# **3.3 Key document purpose and content**

Table 2 explains the purpose and core content of some of the key service documents.

## Table 2 – Key documents

Document	Purpose	Core content
Life on Track Referral Form	<ul> <li>For other agencies to refer defendants to Life on Track</li> <li>For Life on Track staff to record the details of verbal referrals</li> </ul>	Details of the defendant, reason for referral and referring agency
Potential Life on Track Defendants form	• Records details of defendants referred to Life on Track by the court when Life on Track staff are not present at court	Details of the defendant
Life on Track Brief Needs Screening Tool	<ul> <li>Determines eligibility of defendant for participation in Life on Track</li> <li>Identifies defendant's main areas of need</li> <li>Establishes verbal consent for further contact</li> </ul>	<ul> <li>Considers the:</li> <li>nature of the defendant's issues</li> <li>defendant's goals and top priorities</li> <li>defendant's eligibility for participation in Life on Track</li> <li>defendant's eligibility for participation in MERIT or other court based programs</li> <li>defendant's willingness to undertake a Life on Track Comprehensive Assessment</li> </ul>
Life on Track Brief Needs Screening Report	<ul> <li>Reports eligibility of defendant to court</li> <li>Informs court of time required to complete the Life on Track Comprehensive Assessment in case the court wants to adjourn the matter to be informed of the outcome of that assessment</li> <li>Identifies whether another court based service is more appropriate to address the defendant's primary areas of need</li> </ul>	Confirms defendant's eligibility to participate in Life on Track or identifies more appropriate court or community based program or service to which Life on Track has referred the defendant
Eligibility Update Report	Is an optional report to provide a further update to the court after a Brief Needs Screening Report about a defendant who is still in the assessment phase. It informs the court about the progress of eligibility and suitability assessment of the defendant	Informs the court about progress of eligibility and suitability assessment of a defendant between a Brief Needs Screening Report and Case Management Plan Report or Non Acceptance Report.



Document	Purpose	Core content
Life on Track Non Acceptance Report	Reports to court the non-acceptance of defendant into Life on Track and the reasons for non-acceptance	Informs the court of the defendant's non-acceptance into Life on Track Informs the court if the defendant has been accepted on to another, more suitable program instead of Life on Track
Life on Track Consent Form Life on Track Consent Form (Guardian)	Obtains permission from the defendant, or their legal guardian, to have relevant information shared amongst Life on Track, the court and relevant agencies involved in interventions included in the Life on Track Case Management Plan	Confirms via signature the defendant's approval for the sharing of their information and any agencies or individuals that the defendant does not want their information exchanged with
Life on Track Comprehensive Assessment Tool	<ul> <li>Identifies the defendant's areas of need or issues (criminogenic and non-criminogenic)</li> <li>Identifies the needs and issues the defendant is willing to address through participation in Life on Track</li> <li>This information directly informs the nature of the interventions included in the Life on Track Case Management Plan</li> <li>Determines defendant's overall suitability</li> <li>Identifies the defendant's needs</li> <li>Identifies any other information relevant to the defendant's capacity to complete a Life on Track Case Management Plan</li> <li>Identifies and prioritises the defendant's needs</li> <li>Identifies and prioritises the defendant's needs</li> </ul>	<ul> <li>Considers the:</li> <li>nature and extent of the defendant's problems in relation to their offending</li> <li>degree to which the identified problems can be treated or changed</li> <li>strengths of the defendant</li> <li>extent of any current efforts to intervene in these problems</li> <li>likely available external local service providers to intervene</li> <li>defendant's capacity and willingness to participate</li> </ul>



Document	Purpose	Core content
Life on Track Case Management Plan & Agreement	Provides a tailored strategy, with the defendant's agreement, to address the underlying causes of offending behaviour or major difficulties experienced by the defendant	<ul> <li>The Life on Track Case Management Plan:</li> <li>Identifies critical areas of change to be addressed under case management and the current circumstances of the defendant in each area</li> <li>Establishes expectations about the kind of education and rehabilitation in which the participant will engage</li> <li>Defines the level of intervention/participation required and anticipated for the duration of the participant's involvement in the service</li> <li>The Life on Track Case Management Plan Agreement:</li> <li>Outlines the defendant's responsibilities while accessing the service</li> <li>Confirms the defendant's agreement to follow the Life on Track Case Management Plan</li> </ul>
Life on Track Case Management Plan Report	<ul> <li>Confirms the defendant's participation in Life on Track</li> <li>Outlines to the court the critical areas to be addressed through the defendant's participation in Life on Track</li> <li>Informs the court of the expected length of support being offered (based on the agreed level of service). Magistrates may adjourn a defendant's matter/s for Life on Track Progress Reports and/or Life on Track Final Court Report</li> </ul>	<ul> <li>Critical areas of need to be addressed under Life on Track</li> <li>Expectations about the kind of education and rehabilitation in which the participant will engage</li> <li>Level of intervention/participation required and anticipated and duration of the participant's involvement with Life on Track</li> </ul>
Life on Track Audit Tools	<ul> <li>Ensures participant files meet record management standards and identifies any problems which may need rectifying before final file closure</li> <li>Assists staff to maintain integrity and consistency across service delivery and records management</li> <li>Assists Life on Track Coordinators review case managers' files and monitor case managers' performance</li> <li>Assists DAGJ in evaluation and monitoring delivery of Life on Track</li> </ul>	The Life on Track Audit Tool Stage 1, 2, and 3 is to be completed by the Coordinator at Life on Track Case Management Plan, progress and file completion stages. The Life on Track Audit Tool assists the Coordinator to identify whether all documentation, both electronic and paper, is completed and meets standards



Document	Purpose	Core content
	by NGOs	
Life on Track Progress Report and progress file notes	<ul> <li>Assists the court to monitor the participant's progress on Life on Track</li> <li>Informs the court of the expected length of support being offered (based on the agreed level of service). Magistrates may adjourn a defendant's matter/s for further Life on Track Progress Reports and/or Life on Track Final Court Report</li> <li>Ensures consistent service provision between staff and comprehensive recording of information</li> </ul>	<ul> <li>Life on Track Progress Reports explain:</li> <li>progress to date (including external services and supports accessed by the participant)</li> <li>rationale for ongoing participation in the service and continued judicial monitoring</li> <li>expectation of what will be/is yet to be achieved</li> <li>Progress notes accurately and professionally record all communications relating to work being undertaken in accordance with the Life on Track Case Management</li> <li>Plan. Progress notes need to:</li> <li>be concise</li> <li>be objective</li> <li>explain inferences / observations of Life on Track staff for example, 'the defendant seems unwilling to change their substance abuse behaviour. This judgement is based on feedback from the service provider, who has indicated the defendant does not actively participate in therapeutic activities'</li> </ul>
Life on Track Discontinuation Report/Life on Track Withdrawal Report	<ul> <li>Life on Track Discontinuation Report informs the court if the participant:</li> <li>is referred to a more appropriate court-based program after commencing Life on Track</li> <li>is no longer eligible to participate in Life on Track</li> <li>does not attend meetings and external services arranged through Life on Track</li> <li>is consistently hard to contact</li> <li>has poor access to necessary services</li> <li>participates but does not make a genuine effort to rehabilitate</li> <li>or otherwise fails to engage with Life on Track Adequately</li> <li>Life on Track Withdrawal Report informs the court if the participant decides to withdraw from Life on Track</li> </ul>	Life on Track Discontinuation and Withdrawal Reports explain why the participant cannot or will not complete Life on Track and provide an update of the progress made while engaging with the service



Document	Purpose	Core content
Life on Track Final Court Report	Informs the court of the participant's progress and compliance with the Life on Track Case Management Plan Identifies protective factors in place that may contribute to assist the defendant desist from reoffending	The Life on Track Final Court Report describes the participant's participation and any outcomes observed on the basis of Life on Track staff or external service provider contact with the participant. This may be informed by the Life on Track Comprehensive Assessment, Life on Track Case Management Plan and feedback from external services used by the participant
Life on Track File Closure Checklist	Provides staff with a checklist of tasks to be completed before a participant file can be closed. This checklist covers paper participant file, electronic participant file and database entry. It is a quality assurance exercise to provide Life on Track Coordinators with an accurate summary of the tasks completed by case managers with respect to their participants	The form covers all key actions and documentation required during case management and asks Life on Track staff to certify that they have been completed. The Life on Track File Closure Checklist steps through the relevant data fields to be completed during case work on paper, electronic and database records. Once the actions outlined in the form are complete the file is ready to be audited by the Life on Track Coordinator in accordance with the Life on Track Records Management and Audit Policy (see Appendix 35)
Life on Track Database	To manage and structure participant records	The database guidelines are a standalone document that provide a thorough description of the database

# **3.4 Writing court reports**

Life on Track court reports outline the nature of participants' involvement in Life on Track. There are templates for each type of court report and the templates must be used on all occasions (see Appendices).

Life on Track staff are required to provide a Life on Track Case Management Plan Report to the court for each participant that proceeds as far as the preparation of a Life on Track Case Management Plan.

Case managers are also required to provide a Life on Track Final Court Report, Life on Track Withdrawal Report or Life on Track Discontinuation Report for each participant. They may be required to submit progress reports if defendant's have multiple court mentions while participants of Life on Track.



#### 3.4.1 Purpose

These reports are designed to inform the court about:

- the participant's participation in Life on Track
- any rehabilitative efforts made by the participant
- any protective factors in place.

Reports will be written and researched by the Life on Track case manager responsible for the respective participant. A Coordinator must approve all Life on Track Final Court Reports. This is done with a view to maintaining consistency in the standard and content of information placed before the court. Information in Life on Track Final Court Reports must be verified and checked for accuracy and must follow the content and style guidelines outlined at 3.4.3 and 3.4.4.

### 3.4.2 Timing

Ideally the actions in the Life on Track Case Management Plan will already be underway by the time the Life on Track Case Management Plan Report is submitted to the court. Progress made on the plan should be noted in the report, including referrals or appointments made and actions taken.

#### 3.4.3 Content

- Write clearly and plainly, without embellishment.
- Avoid opinion, suggestion or hearsay.
- Assume the magistrate has no prior knowledge of the participant or their circumstances.
- Include any relevant information that will help inform the magistrate's decision about the participant.
- Magistrates already have information about any previous convictions. It is not necessary to include information about a participant's criminal history. Do not include opinion on why the person displays offending behaviours.
- Reports, assessments and interviews informing the Life on Track Final Court Report should be listed in the 'Sources of Information' section at the beginning of the Life on Track Final Court Report.
- The information should come from sources that can be checked and verified. All sources informing the report must be listed. These may be reports from educational institutions, psychologists, psychiatrists, Juvenile Justice, Corrective Services and other service providers. It can also include formal interviews with key workers.
- Information should be relevant and focused on areas identified in the Life on Track Case Management Plan.
- The author of a court report should not make recommendations about how the court should respond to the defendant. Life on Track is not qualified to decide what the parameters of court-imposed conditions will be. Even though the author may know the



participant well, they may not realise the implications for them in the criminal justice system.

- If an intervention is not yet finalised, use terms like 'explore' or 'investigate' for various options to avoid making a guarantee that this will occur at the completion of Life on Track.
- The information provided must be realistic and achievable because in some cases the magistrate may impose conditions that require the person to comply with the Life on Track Case Management Plan. For example, a magistrate may be considering sentencing the defendant to a bond with conditions and may therefore impose conditions based on information included in the Life on Track Final Court Report

## 3.4.4 Style

- Use plain English.
- Use short, active sentences with one issue per sentence. Avoid using 'therefore' and 'however'.
- Refer to the participant as Mr or Ms and to professionals by their role, such as 'Psychologist' or 'Doctor', rather than their name.
- Do not use acronyms.
- Write reports in plain English but use a formal style. The temptation to adopt an informal style may result from a presiding magistrate who is familiar with service providers and staff. However, even if this is the case, reports should be written in a more formal style.

### 3.4.5 Life on Track Final Court Report template and prompts

A Life on Track Final Court Report template with prompts to ensure that relevant information is provided in all sections of the report can be found at Appendix 22.

### 3.4.6 Answering for reports

The author of a report should be prepared to answer questions regarding the report from various stakeholders. Prior to hearings, solicitors may require information in preparing their submissions. In court, magistrates, solicitors and police prosecutors may seek clarification regarding actions in any report, including the Life on Track Case Management Plan Report, or any progress in implementing an action.

### 3.4.7 Oversight

Until a case manager is assessed as competent in Module 4 Writing Court Reports (Life on Track training package), all reports prepared by the case manager must be reviewed by the Life on Track Coordinator before being submitted to the court, solicitors or police prosecutors.

Once competence in Module 4 is achieved by a Life on Track case manager, coordinators must continue to review Life on Track Final Court Reports before they are submitted to the



court, solicitors or police prosecutors. Coordinators must complete the relevant field in the database records for each participant to confirm they have reviewed the Final Court Report for that participant. Coordinators do not need to review other reports to the court prior to their submission once the authoring case manager has achieved competence in Module 4.



# 4 Program staff

# 4.1 This section

Chapter 4 provides:

- an outline of the roles, responsibilities and relationships for Life on Track coordinators and case managers
- a guide to possible task allocation across Life on Track staff
- definition of full casework loads to be carried by coordinators and case managers respectively
- a checklist of requirements for induction of new staff
- an overview of supervisory responsibilities of coordinators.

# 4.2 Roles and Responsibilities

### 4.2.1 Senior Policy Officers (CJI, DAGJ)

Senior Policy Officers within CJI in the Crime Prevention and Community Programs Division support Life on Track by serving as the main contact point for NGO providers of Life on Track. They have a number of key roles in relation to Life on Track including:

- assisting in the setup of new locations or sites
- · ongoing involvement in stakeholder engagement
- undertaking performance monitoring and evaluation activities.

### 4.2.2 NGO Relationship Manager

The Relationship Manager(s) within an NGO service provider has the responsibilities established in the Services Contract. Amongst other requirements, the Relationships Manager(s) must have legal power to bind the NGO in matters pertaining to the Services Contract relating to the provision of Life on Track. The Relationships Manager(s) (or their delegates) must attend and participate in senior governance meetings with the Director CJI and Manager CJI at least once every quarter. The Relationships Manager(s) must be available during business hours and at other reasonable times to discuss with the Department any queries, concerns or issues arising in connection with Life on Track.

### 4.2.3 Life on Track Coordinator

In the Manual, individuals with supervisory and management responsibilities within Life on Track providers are referred to as the Life on Track Coordinator. It is recognised that the Life on Track Coordinator may have other responsibilities within their employer NGO beyond Life on Track however their roles in respect of Life on Track, and desirable attributes, are described below.



The Coordinator is responsible for:

- the overall day-to-day coordination of Life on Track in their NGO's service delivery area. This includes representing the service at meetings involving local and state organisations, community members, and community-based organisations.
- developing relationships with key stakeholders, including other court based programs, and conduct information sessions about the service.
- overall management of workflow to ensure that referrals into the service are appropriately responded to and allocated in a timely way.
- supervision of Life on Track staff to ensure that regular case load reviews are undertaken and defendants are allocated to appropriate levels of service.
- providing support to the Senior Policy Officer (CJI) to develop, implement and monitor the operational aspects of Life on Track at a local level. This includes supervising the Life on Track case manager/s, who support the Coordinator in their role.

#### Key accountabilities:

- Ensures appropriate networks are developed and maintained with local service providers.
- Ensures appropriate relationships are developed and maintained with Local Court staff, the legal profession and other court based programs and services.
- Creates the Local Working Group and chairs its meetings.
- Collects and maintains data in relation to Life on Track implementation and completion.
- Completes accurate reporting on the delivery of Life on Track.
- Contributes to the development of local policies and procedures.
- Delivers presentations that raise awareness of the service.
- Supports the Senior Policy Officers (CJI) with other tasks required to develop, implement and monitor the operational aspects of Life on Track.
- Reviews reports for the court regarding participants' engagement with Life on Track that will inform the court process, where appropriate.
- Supervises case managers to achieve service objectives and targets.
- Supervises operational decisions/work of Life on Track case manager(s) such as through the review of level of service allocation of Life on Track participants, case load review, reviewing and approving brokerage applications and monitoring performance levels including through audits of participant files.

#### Desirable knowledge, skills and experience:

- Tertiary qualifications in social work, psychology, health or other related disciplines or equivalent experience
- Advanced written, oral and interpersonal communication skills, including the ability to provide supervision



- Extensive experience working directly with people from one or more of the following groups and an understanding of their needs, rights and expectations: people with disabilities; people with alcohol or substance dependency issues; homeless persons; or people in situations of domestic violence or family breakdown
- Demonstrated knowledge of locally available education, treatment and rehabilitation programs, as well as other social welfare support services including for Aboriginal people and those from CALD backgrounds
- Knowledge of the criminal justice system and available court based or diversionary programs
- Advanced skills in liaising, negotiating and advocating for clients with a wide variety of stakeholders
- Experience in contributing to the development of operational policies and procedures

### Interpersonal relationships

#### Table 3 – Life on Track Coordinator interpersonal relationships

Contact	Purpose
Senior Policy Officer (CJI)	To provide support to develop, implement and monitor the operational aspects of Life on Track at a local level
Life on Track case managers	To provide supervision to achieve Life on Track objectives, targets and performance levels
Staff operating other Local Courts based programs	To ensure that Life on Track staff are making appropriate referrals to facilitate entry of defendants into the most suitable court based program
Eligible Local Court defendants and their families	To ensure Life on Track staff provide information, assessment and planning regarding issues that relate directly or indirectly to a defendant's offending behaviour
External service providers	To develop and maintain relationships to facilitate access to services, education or training for Life on Track participants
Judiciary, Local Court staff and the legal profession	To enhance their knowledge regarding Life on Track and to work cooperatively at Local Courts in implementing Life on Track

### 4.2.4 Life on Track case managers

Life on Track case managers provide referral and liaison between defendants at Local Courts and available community based or court based programs in areas including alcohol and drugs; housing; gambling; mental health; intellectual disability; domestic violence; and literacy and vocational skills.

Case managers also provide general support to the Coordinator in implementing Life on Track at a local level.



#### Key accountabilities:

- Conduct assessments on referred Local Court defendants to identify their eligibility and suitability for Life on Track and their needs in a range of areas.
- Develop, implement and manage Life on Track Case Management Plans by identifying, referring or facilitating participant entry into available education, treatment or rehabilitation programs, other social welfare support services or more appropriate court based programs.
- Monitor the completion of specific requirements of Life on Track Case Management Plans.
- Develop and maintain relationships with local service providers.
- Develop and maintain relationships with Local Courts staff, the legal profession and other Local Courts based programs.
- Negotiate with and influence participants, their families, community agencies and service providers to maximise completion of Life on Track Case Management Plan outcomes.
- Maintain up-to-date records and progress details on the Life on Track database.
- Complete accurate service level reporting.
- Support the Coordinator with other tasks required to implement and monitor the operational aspects of the service.
- Research and prepare reports to the court regarding participant engagement in Life on Track.

### Desirable knowledge, skills and experience:

- Tertiary qualifications in social work, psychology, welfare or other related disciplines or equivalent experience
- Knowledge of the criminal justice system and issues affecting users of the criminal justice system
- Case management skills including the ability to quickly acquire knowledge of locally available education, treatment and rehabilitation programs
- A high level of written, oral and interpersonal communication skills
- Skills in liaising, negotiating and advocating for defendants with a wide variety of stakeholders
- Demonstrated ability to follow policies and procedures
- Ability to work independently in a high volume work environment as well as together as part of a team



### Interpersonal relationships

### Table 4 – Life on Track Case Manager interpersonal relationships

Contact	Purpose
Life on Track Coordinator	To work collaboratively in implementing the service at a local level and to receive guidance and supervision
Staff operating other Local Courts based programs	To facilitate entry in to Local Courts based programs in which the defendant may be eligible to participate
Eligible Local Court defendants and their families	To provide information, referral and liaison regarding issues that relate directly or indirectly to the defendant's offending behaviour
Service providers	To facilitate access to services, education or training for participants of Life on Track and monitor their engagement
Judiciary, Local Court staff and the legal profession	To enhance their knowledge regarding Life on Track and to work cooperatively at Local Courts in implementing Life on Track

## 4.3 Responsibilities

The following table sets out a possible allocation of tasks and core responsibilities of Life on Track coordinators and case managers respectively.

## Table 5 – Staff responsibilities

Tasks	Coordinator	Case Manager
Case management		
Receipt of GRAM scores	$\checkmark$	$\checkmark$
Life on Track Brief Needs Screening Tool	✓ (as needed)	$\checkmark$
Life on Track Brief Needs Screening Report	✓ (review and oversight)	$\checkmark$
Allocation of files	$\checkmark$	×
Life on Track Comprehensive Assessment	✓ (as needed)	$\checkmark$
Allocation of level of service	<ul> <li>(to approve changes due to level of need)</li> </ul>	$\checkmark$
Creation of Life on Track Case Management Plan	✓ (review and oversight)	$\checkmark$
Life on Track Case Management Plan Report to court	✓ (review and oversight)	$\checkmark$



Tasks	Coordinator	Case Manager
Participant meetings	<ul> <li>✓ (only for supervision)</li> </ul>	$\checkmark$
Participant calls	×	$\checkmark$
Attend service provider meetings in relation to clients	<ul> <li>✓ (in complex cases)</li> </ul>	$\checkmark$
Service provider calls	×	$\checkmark$
Life on Track Progress Reports to court	✓ (review and oversight)	$\checkmark$
Life on Track Discontinuation Reports to court	<ul> <li>✓ (review and oversight)</li> </ul>	$\checkmark$
Attendance at court for sentencing, where appropriate	×	$\checkmark$
Database entry	$\checkmark$	$\checkmark$
Database finalisation and close	<ul> <li>✓ (review and oversight)</li> </ul>	$\checkmark$
Life on Track Final Court Reports to court	<ul> <li>✓ (review and oversight)</li> </ul>	$\checkmark$
Audit all participant files with Life on Track Audit Tool	$\checkmark$	×
General administration		
Creation of new participant files	$\checkmark$	$\checkmark$
Ensure template documents and forms are stocked	×	$\checkmark$
Stationery orders submitted	$\checkmark$	$\checkmark$
Brokerage tracking	×	$\checkmark$
Brokerage approval	$\checkmark$	×
Stakeholder engagement		
Developing relationships with stakeholders and conducting information sessions about Life on Track	✓	×
Attendance at network and other interagency meetings	$\checkmark$	×
Contact for greeting senior management and politicians (or their staff)	✓	×



Tasks	Coordinator	Case Manager
Maintain relationships with Local Courts staff, the legal profession and other Local Courts based programs	$\checkmark$	$\checkmark$
Creating and chairing Local Working Group	$\checkmark$	×
Creating Local Working Group agenda	$\checkmark$	$\checkmark$
Recording and writing up Local Working Group minutes	$\checkmark$	<ul> <li>(overseen by Coordinator and forwarded to Senior Policy Officer, CJI)</li> </ul>
Operational policies/procedures		
Contribute to operational policies and procedures	$\checkmark$	×
Contribute to review of the Life on Track Operational Manual	$\checkmark$	×
Create/update template documents	$\checkmark$	×
Create/update database of local programs and services	×	$\checkmark$
Negotiate with stakeholders in relation to formal or informal referral and collaboration	✓	×
Supervision		
Participant tracking including next court dates and reports required	<ul> <li>✓ (review and oversight)</li> </ul>	$\checkmark$
Report issues with the service to the Senior Policy Officer, Criminal Justice Interventions	$\checkmark$	×

# 4.4 Casework loads

There is considerable variation among participants in terms of the complexity, nature and number of issues that they experience and their risk of re-offending. These factors inform the level of service that participants receive. Life on Track staff may manage numerous participants at varying levels of service and for differing durations.

Life on Track coordinators need to take these variations into consideration when allocating new participants. As a general guide, it is expected that one case manager is able to case manage approximately 20-22 participants of varying levels of complexity at one time and up to 50 annually. On occasion this may be reduced or increased depending on the complexity of the participants or other circumstances that reduce the case manager's ability to effectively manage a full load.



It is expected that Life on Track coordinators would not case manage individual participants but would assume a supervisory and advisory role in relation to case managers. This allows the coordinator to manage other aspects of their role relating to stakeholder management and reporting.

# 4.5 Induction and Training

Induction of new Life on Track staff members must include induction requirements of their employer organisation and minimum training requirements established by DAGJ. All staff members must complete the Life on Track training package prior to commencing work with Life on Track participants. Table 6 outlines the required training modules and learning outcomes to be completed by all Life on Track staff.

 Table 6 – Required training modules and learning outcomes

Module	Learning outcomes
MODULE 1 – Principles behind the Service	<ul> <li>Demonstrate an understanding of :</li> <li>therapeutic jurisprudence</li> <li>the person-centred approach</li> <li>the Risk Needs Responsivity model of offender assessment and rehabilitation</li> <li>how Life on Track adopts these principles and models.</li> </ul>
MODULE 2 – Life on Track	<ul> <li>Understand the context of the service</li> <li>Demonstrate knowledge of the case management service process</li> <li>Understand the different levels of service provided and the reasoning for the different levels</li> <li>Understand the process for service provision and referrals between court based services (MERIT, Forum Sentencing)</li> </ul>
MODULE 3 – Conducting Assessments	<ul> <li>Able to make initial call, and conduct brief screen</li> <li>Able to conduct comprehensive assessment</li> <li>Understand common barriers to participation in the service</li> <li>Demonstrate knowledge of motivational interaction techniques</li> <li>Identify areas of change and individual goals from the assessment process</li> </ul>
MODULE 4 – Writing Court Reports	<ul> <li>Understand why court reports are prepared</li> <li>Identify what should and should not be written in reports</li> <li>Prepare an accurate case management plan report</li> <li>Prepare an accurate progress report</li> <li>Prepare an accurate termination / withdrawal report</li> <li>Prepare a comprehensive and accurate final court report</li> </ul>
MODULE 5 – Data Collection / Record Keeping	<ul> <li>Understand the need to collect and record accurate data</li> <li>Enter defendant details into the database</li> <li>Set up and maintain participant files (written and electronic)</li> <li>Understand and implement audit tool</li> </ul>
MODULE 6 – Risk Assessments / Workplace Health and Safety	<ul> <li>Identify WH&amp;S considerations when working with defendants</li> <li>Complete the risk assessment</li> </ul>



Module	Learning outcomes
MODULE 7 – Policies and Procedures	<ul> <li>Demonstrate understanding of the following policies and procedures:</li> <li>Privacy, Confidentiality and Responding to Disclosures</li> <li>Conflicts of Interest</li> <li>Communications</li> <li>Managing Complaints and other Feedback</li> <li>Brokerage Funds</li> <li>Interpreters</li> <li>Forum Sentencing Notification &amp; Participation</li> <li>Procedures relating to the <i>Mental Health (Forensic Provisions) Act</i></li> <li>Working with Corrective Services NSW</li> </ul>
MODULE 8 – Role of the Coordinator (for coordinators only)	<ul> <li>Demonstrate understanding of performance monitoring and review framework</li> <li>Understand process for working within this framework</li> <li>Understand the benefits and reasoning for this framework</li> </ul>
MODULE 9 – Mental Health First Aid	<ul> <li>Identify the signs and symptoms of mental health problems</li> <li>Understand where and how to get help</li> <li>Describe what sort of help has been shown by research to be effective</li> <li>Coordinators must arrange for this training to be delivered to case managers, usually by an external agency.</li> </ul>
MODULE 10 – Motivational Interactions (MI)	<ul> <li>Understand the technical components of MI</li> <li>Demonstrate an awareness as to the application of MI</li> <li>Identify components of MI the trainee is already using or has used in current or past roles</li> <li>Demonstrate MI techniques</li> <li>This module will be run by an external agency such as Corrective Services NSW.</li> </ul>

New Life on Track staff must also be familiarised with the following topics, preferably through a one-on-one induction session with their Life on Track coordinator or a senior staff member from their employer organisation:

- Process overview
- Templates
- Life on Track Database
- Brokerage funds
- Contacts for local areas
- Introduction to the staff and courthouse
- Security pass and alarm (as required).

It is also expected that new Life on Track staff will undertake training about the criminal justice system. The Legal Aid Commission of NSW offers a Law for Community Sector Workers Criminal Justice System half day course. The Legal Aid Commission delivers community legal education in sites across NSW and Life on Track NGOs are expected to



contact Legal Aid to arrange training for their staff. The Legal Aid Commission training covers an overview of the criminal justice system in NSW for adults, basic principles of criminal law and legal representation, supporting your client at court and where to get legal help.

### Expected knowledge

It is expected that Life on Track NGOs will engage appropriately trained and skilled staff through their recruitment processes. Life on Track staff should demonstrate skills and knowledge in the fundamental concepts of providing case management services to local court defendants in addition to demonstrated experience and knowledge in two or more of the key areas/issues affecting users of the criminal justice system.

### Further training

It is unlikely that one case manager will have expertise in all areas. The required training modules will need to be complimented by ongoing training and professional development is particularly encouraged around developing skills in the eight domains identified in the Life on Track Comprehensive Assessment Tool. They are gambling, housing, disability, education/training, health, mental health, legal and family conflict.

# 4.6 Staff supervision and development

### **Supervision meetings**

To ensure consistent, quality service delivery, Life on Track coordinators and case managers should meet regularly to:

- allocate new participants
- address general operational issues
- enable coordinators to communicate news about Life on Track around NSW to case managers
- provide support to case managers, including discussing opportunities for professional development
- discuss participant issues.

Life on Track coordinators and case managers should discuss every participant for the first three to four months. This is to ensure that appropriate options for responding to the participant's issues are identified and canvassed by the case manager. It also allows coordinators to confirm that defendants are allocated to the appropriate level of service. After the first three to four months, coordinators and case managers can meet and discuss participants as needed.



# **5** Continuous improvement

# **5.1 This section**

Chapter 5 provides:

- an overview of the performance monitoring and evaluation framework
- planning and reporting or review requirements of each Life on Track staff member, including frequency and type of input required
- an overview of monitoring of service activity, including frequency and nature of reporting.

Life on Track is supported by a performance monitoring and evaluation framework. An outline of the key components and responsibilities of NGOs and DAGJ in relation to monitoring review, reporting and evaluation is provided below.

## 5.2 Performance Monitoring

Performance monitoring is achieved through a combination of regular governance meetings, reporting and auditing of Life on Track.

During the implementation phase of Life on Track, NGOs must complete an implementation checklist and regularly provide it to the Senior Policy Officer (CJI).

Organisations delivering Life on Track are required to complete quarterly reporting using template forms provided by DAGJ. Quarterly reports require qualitative and quantitative data to be provided. NGOs can access the required statistical data through the Life on Track database. Quarterly reporting also includes information regarding staff training, local working group meetings, complaints and compliments and achievements and challenges during the reporting period. The quarterly reporting template is included at Appendix 55.

Governance meetings will be convened monthly at a local level and quarterly at a state level. CJI will conduct at least two random audits each year of Life on Track service delivery.

Table 7 sets out the reporting and review requirements of Life on Track staff.



Frequency	Case managers	Life on TRACK coordinators	NGO relationship managers	DAGJ
Monthly	Contribute feedback to coordinators to inform input to governance meetings	Contribute to and report on local issues such as Work Health and Safety issues, implementation issues, privacy related issues etc., at governance meetings Conduct audit of participant files Complete implementation checklist (during implementation phase)	Contribute to governance meetings as needed	Senior Policy Officers contribute to governance meetings Senior Policy Officers review completed implementation checklists
Quarterly	Participate in Local Working Group meetings Contribute feedback to coordinators for inclusion in quarterly reporting	Create agenda, convene and chair Local Working Group meetings providing an update of service throughput and local service issues Complete and submit quarterly reporting requirements to Senior Policy Officer (CJI)	Contribute to quarterly Senior Governance meetings with DAGJ	Senior Policy Officers attend and contribute to Local Working Group meetings for at least the first year of operation Senior Policy Officers review quarterly reports provided by Life on Track providers Manager CJI and Director CJI attend and contribute to quarterly Senior Governance meetings with NGOs
Annually				Senior Policy Officers complete Department's annual report in relation to Life on Track, utilising information from quarterly reporting Senior Policy Officers complete two random audits each year of service delivery including participant electronic and paper files.



# **5.3 Process Evaluation of Life on Track**

DAGJ will conduct a process evaluation of Life on Track. The evaluation aims to assess the implementation of the service. In considering the implementation of the service, DAGJ will particularly evaluate whether any improvements can be made to maximise potential to achieve the key intended outcomes of Life on Track.

The process evaluation will incorporate both quantitative and qualitative components. Data will be obtained from the Life on Track database, which is specifically designed for the service and is maintained by Life on Track staff. Other data sources including direct feedback from stakeholders and information from quarterly reporting will also be considered.

Questionnaires may be provided to participants and key stakeholders. The questionnaires will identify participants' and stakeholders' satisfaction with Life on Track and its implementation. Recommendations for improvements from participants and stakeholders will also be noted.

The effectiveness of Life on Track's process will be evaluated over a twelve (12) month period to allow a sufficient number of participants to enter and complete the service. Based on Life on Track commencing August 2013, the evaluation period will include participants who enter the service between August 2013 and August 2014. All defendants who become Life on Track participants will be eligible for the evaluation cohort.

The evaluation will guide decision making about the expansion of the service. It is envisaged that the service will be expanded across NSW following the process evaluation.



# 6 Lessons from court based programs

# 6.1 This section

Chapter 6 provides:

- an overview of perceived strengths and challenges of court based programs similar to Life on Track
- background on experiences setting up a court based program in a new location
- information on how to establish Life on Track
- a description of key promotional materials available for use by Life on Track staff.

# 6.2 Experience of court based programs in pilot locations

### 6.2.1 Program strengths

The CREDIT program was a predecessor of Life on Track upon which Life on Track has been built. CREDIT stakeholders interviewed as part of the process of developing the CREDIT Manual indicated strong support for the CREDIT program. This was commonly due to the perceived:

- validity of the program philosophy; recognition that incarceration is often not a constructive solution
- capacity to operate as a funnel and/or umbrella to connect people with a full range of services
- lack of duplication; agreement that CREDIT fills a clear gap in the system: a need for casework support, rehabilitation and efforts to reduce recidivism
- capacity and commitment of program staff, particularly the coordinators
- strength of program staff relationships with associated service providers and courtbased stakeholders
- absence of administrative impact on court registries
- quality and practicality of program policies and procedures, which have been fine-tuned over the life of the program.

Given the similarities between CREDIT and Life on Track, it is recommended that Life on Track highlight these aspects of the service in engaging stakeholders during initial set up.

### 6.2.2 Program challenges

Program challenges in start-up locations for other court based programs falls fairly neatly into two categories: difficulties faced during the initial set-up phase in the first six months and challenges following establishment.



#### Challenges in the first six months of court based services and programs:

- Many service providers and court-based stakeholders (for example, solicitors and some registry staff) were initially wary of new programs and services.
- Service providers did not initially see that working with new programs or services would be mutually beneficial.
- Magistrates and other key justice system stakeholders needed to be convinced of new programs' and services' merits.
- There was uncertainty in matching staffing capacity to demand for new programs and services.
- Staff of new programs and services who had no prior experience working in courts had to learn the ropes quickly.
- The role, membership and function of Local Working Groups to inform the development of new programs and services lacked clarity and specificity and needed to be further defined.

#### Challenges once court based services and programs were established:

- In some programs / services, staff were regularly operating at or near full capacity (case load).
- Service shortages posed difficulties for participant access (for example, in rural areas participants can wait for up to three weeks to see a General Practitioner) to external services to which they were referred.
- There was a need for clarification on a few procedural issues relating to the new program or service (for example, risk assessment and client safety).
- Unrepresented defendants were often unaware that they can (or would) benefit from self-referral to new programs and services available at court.

#### Regional challenges

• Some participants have to travel significant distances to access specialist services. The lack of public transport posed ongoing concerns about participant capacity to participate in programs and services.

#### Urban challenges

 There is an ongoing need to introduce/sell a new program or service and negotiate relationships with stakeholders (service providers and court based stakeholders). This is often due to the high turnover among stakeholders in key roles; the program / service operating in a larger/more populous catchment; and numerous magistrates rotating through the courts where the program/service is offered.



# 6.3 Criteria for rollout of court based programs and services

As a starting point, key stakeholders involved in the CREDIT pilot program considered the following to be essential pre-conditions for success:

- Supportive stakeholders it is important to develop relationships with key stakeholders at least three months, or as soon as reasonably possible, prior to the commencement of the program/service in a particular location.
- Appropriately skilled staff, particularly staff with strong interpersonal, negotiation and influencing skills; capacity to adapt to changing circumstances; experience working in the justice system; and expertise or experience in working in one or more of the prominent areas in which participants seek assistance (for example, social housing, mental health, disability, etc.).
- The existence of a range of local and accessible services to which clients can be referred. This is not to discourage establishment in regional areas, but access arrangements need to be carefully considered at the outset.

The CREDIT staff involved at the inception of that program also note that there are significant advantages to:

- locating service or program staff within the courthouse
- employing, where possible, at least two staff from the inception of the service / program
- recruiting staff that reflect the local demography (particularly CALD groups, and based on gender and Aboriginality).

## 6.4 Process to establish Life on Track in a new location

In establishing Life on Track in a new area, DAGJ will complete several tasks to ensure the suitability and preparedness of the site for the service. Table 8 outlines some DAGJ considerations and tasks relevant to establishing Life on Track in a new site.



### Table 8 – Tasks to establish Life on Track

Task	Completed
Scope the services available in the area	
Communicate with the Office of the Chief Magistrate and local magistrates to confirm their support for Life on Track in the area	
Communicate with local registrars to confirm their support for Life on Track in the area and the availability of space in the court that can be utilised by Life on Track staff	
Communicate with Department of Health about cooperation between MERIT staff in the area and Life on Track	
Communicate with NSW Police to establish GRAM Screenings of persons charged with offences by LACs that feed into the relevant court/s	
Conduct procurement process to identify and contract an appropriate NGO to deliver Life on Track in the area	
Provide NGO delivering Life on Track with the operational manual and other documentation	
Deliver training to the NGO staff and provide template promotional material to NGO	

NGOs must also complete a range of tasks to establish the service in a new area. The setup checklist (Appendix 54) outlines some key responsibilities of NGOs.

## 6.5 **Promotional materials**

DAGJ developed the following promotional materials to increase the profile and understanding of Life on Track amongst defendants, their families, service providers, stakeholders and the community. These communication materials are available to all Life on Track staff. They should be used to promote and explain Life on Track to its key stakeholders.

The NGO delivering Life on Track will be provided with an electronic PDF file for the Life on Track brochure and the Life on Track poster. The design and content of the files will be fixed apart from the variable content fields. The variable content fields are:

- contact person name
- NGO name and logo
- site
- address
- phone details.

Life on Track promotional material will remain consistent across sites apart from details of the NGO delivering Life on Track in the area.

It is the responsibility of each NGO contracted to deliver Life on Track to print promotional materials and distribute them appropriately.



It is the responsibility of the Life on Track providers to ensure that sufficient promotional material is available at the courts and in the possession of court staff and other relevant stakeholders for provision to potential Life on Track participants. Please refer to the Communications policy (see 7.6 and Appendix 38) for more information about Life on Track promotional materials.

#### Figure 3 – A3 Life on Track poster

Want some help getting your life on track?

- ➔ Are you a defendant at the local court?
- Do you want some help dealing with issues in your life?

You may be eligible to join *Life on Track*.

Life on Track is a voluntary case management service that works to understand your needs and build a plan with you to meet those needs.

The aim is to support you to complete your plan and get your life on track.

#### www.lifeontrack.lawlink.nsw.gov.au

For more information contact:

<Insert NGO name> <Insert NGO name>

#### <Insert NGO phone number>

Life on Track service provider for <Insert area>: <Insert NGO address> <Insert NGO address> <Insert NGO address>



<Insert black&white NGO logo>

Life on Track Operational Manual



### Figure 4 – Life on Track brochure (front and back)

#### How do I access Life on Track?

A Life on Track case manager may contact you before or at your first court date to check if you are eligible, suitable and interested in being a participant.

You may contact a *Life on Track* case manager at any time between being charged by police and being sentenced. Local *Life on Track* service provider contact details are on this brochure.

You can also be referred to the service by:

- → Police
   → Family or friends
- → Your solicitor
- → Court staff
- → A support worker
- → Staff from other programs
- → A Magistrate

if he/she thinks it may help you.



#### What is Life on Track?

Life on Track is a new NSW Government initiative to reduce reoffending and create safer communities through assisting you make positive changes in your life. It is currently available at Lismore, Kyogle, Ballina and Casino Local Courts and Bankstown, Sutherland and Kogarah Local Courts.

Life on Track is a case management service for adults and aims to support you to identify and access a wide range of treatment, services or programs that may help you.

Life on Track is a voluntary service. You can access it at any time after you are charged by police. In some cases, you may continue receiving Life on Track case management even after you are finished at court.

# Where can I get more information?

# Speak to the *Life on Track* team for more information:

<Insert contact name if have one> <Insert NGO name>

Life on Track service provider for <insert area> <Insert NGO address> <Insert NGO address> <Insert NGO phone number>

#### Or go to:

#### www.lifeontrack.lawlink.nsw.gov.au

If you are unsure about what to do speak to your legal representative or a support worker. You can also contact LawAccess on 1300 888 529 for legal information, referrals or advice.

<insert month> 2013

#### How does Life on Track work?

A Life on Track case manager will contact you to identify areas in your life that you might want assistance with. This is likely to be a short conversation on the phone or in person to work out the help you need and who might best provide it. The Life on Track case manager will then support you to access the best service or program to help you.

If the best suited service is *Life on Track*, you will be booked in to have a longer, more detailed, face-toface discussion with a *Life on Track* case manager. This discussion will be used to develop a case management plan with you.

Life on Track will help you to access assistance in areas such as:

- → accommodation
   → financial counselling
- → mental health support
- → suicide counselling
- → domestic violence or sexual assault support
- drug/alcohol assessment or treatment
- → education, training or employment
- disability services

When you go to court, the *Life on Track* case manager will prepare a report for the Magistrate saying what you're doing to improve your circumstances.

The Life on Track case manager will also provide a final court report before you are sentenced that tells the court exactly what you are doing and what you've achieved through the case management.

# **Life on Track**

#### Helping adult defendants make positive change



Attorney General & Justice <Insert black&white NGO logo>

#### How long will it take?

The length of time will be different for different people, but is usually 3-9 months. For some people it could be a shorter period and for others it could be longer.

The length of service will depend on the type and number of issues you want to address and how long it takes to access the services you need or address other things going on in your life.

The Magistrate will decide if you need to come back to court to provide an update on your progress or if they are happy to receive reports from *Life on Track* without you appearing at court.

#### Am I eligible?

#### You could be eligible for Life on Track if:

- ➔ You are over 18 and have been charged with a Local Court offence.
- ➔ You have issues that you want to address.
- BUT not if you:
- have been refused bail for current charge(s) and are in custody, or
- are charged with a sexual offence or have been convicted of a sexual offence in the last
- 5 years, or
   → are currently being supervised by Corrective Services NSW.



# 7 Policies, procedures and protocols

# 7.1 This section

Chapter 7 provides an overview of the supporting policies, procedures and protocols for Life on Track related to:

- Privacy, Confidentiality and Responding to Disclosures Policy
- Child Protection Policy
- Records Management and Audit Policy
- Conflicts of Interest Policy
- Communications Policy
- Participant Risk Management Policy
- Interpreters Policy
- Managing Complaints Policy
- Brokerage Funds Policy
- Forum Sentencing Notification and Participation Procedures
- Working with Corrective Services NSW Procedures
- Procedures relating to Mental Health (Forensic Provisions) Act
- Life on Track Database Guidelines

The policies and procedures are included in the Appendices in their entirety.

## 7.2 Privacy, Confidentiality and Responding to Disclosures

This policy is aimed at providing a clear framework for the use and disclosure of information that promotes confidentiality and remains consistent with legal and policy requirements. It can be found at Appendix 32.

Life on Track staff must be able to exchange information with a range of government and non-government agencies about defendants in order to facilitate defendant access to external support services. This can only be done with the signed consent of the defendant. Any information that does not fall within the scope of the consent provided by the defendant is treated in the strictest of confidence.

Given the contract between Life on Track providers and DAGJ, Life on Track providers are required to comply with the *Privacy and Personal Information Protection Act 1998* (NSW) (PPIP Act) and *Health Records and Information Privacy Act 2002* (NSW) (HRIP Act). Some of the obligations arising from these Acts are included in the Privacy, Confidentiality and Responding to Disclosures Policy such as details about appropriate collection, storage and use of participant information. In addition to the policy, Life on Track staff are required to read and familiarise themselves with their obligations under the PPIP Act and HRIP Act.



There are limits to confidentiality and privacy laws. Life on Track staff have statutory and policy based obligations to report certain information that they receive. The Privacy, Confidentiality and Responding to Disclosures Policy outlines the types of information that require Life on Track staff to respond outside of the usual confidentiality and privacy framework. These circumstances are where the defendant discloses information in relation to:

- existing court orders, or
- the commission or proposed commission of a crime.

The Privacy, Confidentiality and Responding to Disclosures Policy also provides the procedures that Life on Track staff must follow in responding to these disclosures and to subpoenas requiring disclosure.

# 7.3 Child Protection Policy

This policy applies to all Life on Track staff and aims to provide Life on Track staff with a clear framework for their requirements and obligations in relation to child protection and wellbeing. The policy is consistent with legal requirements and the policy requirements of DAGJ. It can be found at Appendix 33.

This policy details the requirements and obligations of Life on Track staff in relation to child protection and child wellbeing. The policy applies to all Life on Track staff but is of most relevance to case managers. Details contained within the policy include:

- who is a mandatory reporter
- what is 'risk of significant harm'
- how to make a report to Community Services
- other actions which may be required in relation to child wellbeing concerns.

All staff should be familiar with this policy, and consult their managers if they have questions relating to child protection and wellbeing that are not addressed within the policy.

## 7.4 Records Management and Audit Policy

Life on Track staff should use a consistent and defined approach in supporting individual participants to access external services. This approach requires accurate records to be maintained in participant files, both paper and electronic.

The Records Management and Audit Policy ensures consistency across sites in relation to when files are created, how records are maintained and the appropriate storage and destruction of participant files. This Policy can be found at Appendix 35.

The aim of the Records Management & Audit Policy is to develop and maintain a system in which both quantitative and qualitative aspects of information are routinely recorded and examined in order to ensure the best possible outcomes for Life on Track participants.

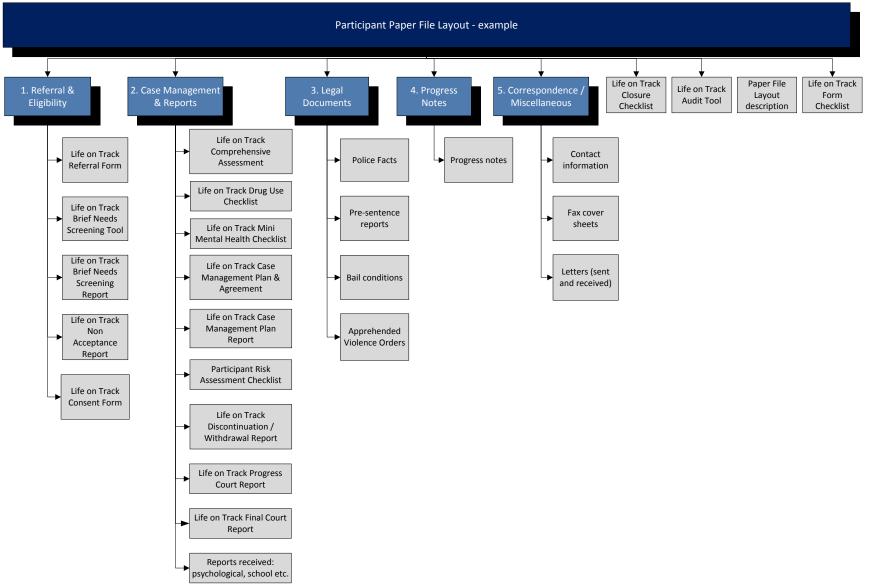


Quantitative audits consider whether the file is up to date, contains all the relevant documentation and that the documentation has been properly completed. Qualitative auditing considers the quality of the recording on file. The record may be up to date and contain all the relevant documentation, but the quality of the recording may be poor. Alternatively, the records may be of a high standard, but out of date.

The purpose of auditing participant files is to: ensure standards are being met, ensure files are structured according to Life on Track policy, identify record management problems and reach resolutions to address incomplete files. The Records Management and Audit Policy outlines the audits of Life on Track files and records conducted by Life on Track Coordinators and CJI.









# 7.5 Conflicts of Interest Policy

In order to achieve the aims of Life on Track, staff need to manage real and perceived conflicts of interest. It is imperative that Life on Track work is not only impartial but is also seen to be impartial. This is important to maintain confidence in Life on Track amongst defendants and other community members. There must be no opportunity for a Life on Track staff member's personal interests, associations and activities to conflict with the proper exercise of their duties.

The Conflicts of Interest Policy identifies different types of conflicts of interest and outlines how they should be managed by Life on Track staff. It can be found at Appendix 37.

## 7.6 Communications Policy

The Communications Policy aims to ensure consistent messaging across all Life on Track sites. It establishes responsibilities for the personalisation, printing and distribution of promotional materials and processes for responding to and preparing for media enquiries.

The aim of the Communications Policy is to develop and maintain a system in which Life on Track is well promoted to ensure uptake and is responsive to local needs and public interest to improve community confidence in the criminal justice system.

The policy recognises the challenges associated with different organisations delivering the service at different sites and aims to manage these challenges through centralised responsibility for the development of promotional material and media engagement. It includes details about promotional materials, stakeholder information packs, template documents and the media policy for Life on Track. The Communications Policy can be found at Appendix 38.

# 7.7 Participant Risk Management Policy

The Participant Risk Management Policy is designed to assist identify, evaluate and mitigate risks involved in the day-to-day work of Life on Track staff. It can be found at Appendix 39. Three areas are identified: participant interviews in the court house; participant interviews or meetings outside the court house; and travelling with participants.

Regular meetings are held with defendants. The preferred option is that meetings are held in the interview rooms of the Local Court house or a meeting room in the NGO contractor's offices. Where this is not possible, meetings should occur in a public place such as a coffee shop or another service provider's premises.

Life on Track staff should not meet participants inside their homes unless there is no other more appropriate venue. Life on Track staff should not drive participants in private vehicles to any destination.



# 7.8 Interpreters Policy

DAGJ is committed to fair and equitable access to all its program and service areas. An important aspect of this commitment is equal access for those in the community whose first language is not English or who are unable to effectively communicate through speech.

It is NSW Government policy that interpreter assistance is provided to clients who require assistance to ensure equality of access to all government services. Life on Track staff undertake a brief needs screen and a comprehensive assessment with defendants to assess their eligibility and suitability for Life on Track and identify areas in which defendants are seeking assistance. Life on Track staff may need to use interpreters to ensure that these assessments and other communications are fully understood. Life on Track staff must obtain informed consent from defendants to share information, as required for participation in Life on Track. Life on Track staff may need to use interpreters to obtain this informed consent.

The aim of the Interpreter Policy is to explain the need for an interpreter and outline the process of finding, booking and utilising an interpreter. The Interpreter Policy aims to ensure that interpreters are used in accordance with best practice and that both clients and staff have the resources needed to facilitate quality service and equitable access to the justice system. The Interpreter Policy can be found at Appendix 44.

# 7.9 Managing Complaints Policy

Feedback from clients and stakeholders is encouraged to inform the development and delivery of Life on Track. Feedback can be in the form of a complaint, compliment or suggestion. A complaint is any expression of dissatisfaction, however made. It may be about the standard of service, policies, procedures, staff or another issue.

This policy, which can be found at Appendix 46, is based on 10 key principles for handling complaints that aim to ensure the process adopted is accessible, fair, transparent, responsive, efficient, and helps to improve Life on Track.

The principles require Life on Track NGOs to:

- provide information to clients,
- ensure accessibility,
- empower staff to resolve complaints,
- keep records of complaints, and
- count, report on and analyse complaints.

Internal complaint handling procedures within Life on Track NGOs should be consistent with the ten key principles. Each NGO is responsible for implementing its own procedures for complaint handling.

The Managing Complaints Policy establishes a tiered approach to complaint handling that will operate in Life on Track. Complaints should be resolved by Life on Track case



managers wherever possible, in consultation with Life on Track Coordinators if required. If a complainant remains dissatisfied, the Life on Track NGO should conduct an internal review in accordance with their complaint handling policies and procedures. If the complaint is unable to be resolved to the satisfaction of the complainant, the Life on Track NGO should escalate the complaint for review by CJI in DAGJ.

A complainant has the right to escalate his or her complaint at any time to an agency external to the Life on Track NGO or DAGJ.

# 7.10 Brokerage Funds Policy

The Brokerage Funds Policy provides a clear framework for the expenditure of brokerage funds to assist Life on Track participants to access required services and programs without which they may not be able to comply with their Life on Track Case Management Plan. The Brokerage Funds Policy can be found at Appendix 47.

A specified amount of brokerage funds is available to assist participants who are classified at Level 3 (in accordance with the Life on Track *Levels of Service Guidelines* at Part 2.3 of the Manual) to comply with their Life on Track Case Management Plans. In specific, exceptional circumstances that are outlined in this policy, brokerage funds may be used for Level 1 and 2 participants. Brokerage funds can only be spent on Level 1 and 2 participants for one-off transportation costs to appointments when no other transportation can be sourced or to enable a participant to engage with a men's behaviour change program.

Brokerage funds are provided to NGOs in accordance with their Life on Track Services Contract. The total brokerage budget for a Life on Track provider is determined based on the projected number of Level 3 participants at their Life on Track site. Brokerage funds expended on Level 1 or 2 participants are sourced from the same total brokerage budget and therefore detract from brokerage funds available to Level 3 participants.

The maximum brokerage amount that may be expended on a Level 3 participant is stated in the Life on Track *Levels of Service Guidelines* which should be read in conjunction with the Brokerage Funds Policy.

The Brokerage Funds Policy establishes procedures for approving, expending and recording brokerage funds. This includes ensuring that the staff member approving the expenditure of brokerage funds is different to the staff member requesting the expenditure.

# 7.11 Forum Sentencing Notification and Participation Procedures

Life on Track seeks to identify appropriate service providers to assist address defendants' needs and facilitate access to these providers. In this way, Life on Track works collaboratively with human service providers. This includes working with Forum Sentencing by identifying potentially eligible defendants and providing support to those Life on Track participants who also engage in Forum Sentencing.



The Forum Sentencing Notification and Participation Procedures outlines the Forum Sentencing program and provides Life on Track staff with a clear process to: notify the court of a defendant's potential eligibility and suitability for Forum Sentencing; and assist Life on Track participants who participate in Forum Sentencing. The Procedures can be found at Appendix 49.

## 7.12 Working with Corrective Services NSW Procedures

In order to achieve the aims of Life on Track, Life on Track staff need to work collaboratively with human service providers including Correctives Services NSW.

Defendants transitioning from court based support to community based supervision or to custody can present a range of challenges to the provision of consistent and continuous support to address individual needs. The Working with Corrective Services NSW procedures outlines how Life on Track can assist to provide an integrated and streamlined pathway to ensure an appropriate process for handover of clients between Life on Track and Corrective Services NSW. The Working with Corrective Services NSW Procedures also emphasises the importance of Life on Track sharing information about participants' needs with Corrective Services NSW and the requirement for consent from participants prior to information sharing. The Procedures can be found at Appendix 51.

# 7.13 Procedures relating to the Mental Health (Forensic Provisions) Act 1990

The procedures relating to the *Mental Health (Forensic Provisions) Act 1990* provide Life on Track staff with a clear process for supporting Life on Track participants who may be eligible to have their matters dealt with by way of section 32 or section 33 of the *Mental Health (Forensic Provisions) Act 1990* (NSW) (MHFPA). They can be found at Appendix 52.

The MHFPA provides an alternative avenue for magistrates to deal with certain persons otherwise than in accordance with traditional criminal justice processes. The persons to whom the MHFPA applies are defendants who are developmentally disabled or experiencing a mental illness or a mental condition for which treatment is available at a mental health facility.

The Procedures relating to the Mental Health (Forensic Provisions) Act 1990 provide:

- an overview of section 32 and section 33 orders and applications
- the process by which a solicitor makes a section 32 application on behalf of a defendant
- details about the eligibility criteria for a section 32 order
- guidance about the potential role of Life on Track case managers in gathering and presenting evidence to support a section 32 application



 provide guidance to Life on Track staff in supporting a defendant when a section 33 order is made.

# 7.14 Life on Track Database Guidelines

The Life on Track database is a purpose-built web-based database that is used for the storage of data from the service, standard reporting and searching of participant details.

The Database Guidelines provide instruction for use of the Life on Track database. These guidelines describe how to complete database entries for each participant. They set out the key content and associated comments corresponding with each field or button in a tab.

The Database Guidelines are a standalone document. They are not included in the appendices to this Operational Manual.



# 8 Acronyms

BOCSAR	Bureau of Crime Statistics And Research
CJI	Criminal Justice Interventions
COPS	Computerised Operational Police System
CPCPD	Crime Prevention and Community Programs Division
CREDIT	Court Referral of Eligible Defendants Into Treatment (program)
DAGJ	Department of Attorney General and Justice
DoCS	Department of Community Services
GRAM	Group Risk Assessment Model
ICO	Intensive Correctional Order (Corrective Services NSW)
LAC	Local Area Command in NSW Police Force
MERIT	Magistrates Early Referral Into Treatment (program)
NGO	Non-government organisation
PSR	Pre-Sentence Report (Corrective Services NSW)
SCCLS	Statewide Community and Court Liaison Service