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| Serious Offenders Act – Frequently Asked Questions |
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# Key Messages

* Commencing 27 February 2018, the then Department of Health and Human Services (DHHS) and its funded services were required to comply with new legislative obligations to improve the coordination and delivery of services to post-sentence offenders under amendments made to the *Serious Sex Offenders (Detention and Supervision) Act 2009* (SSODSA) by the *Serious Sex Offenders (Detention and Supervision) Amendment (Governance) Act 2017* (SSODSA Amendment).
* On 3 September 2018, the *Serious Offenders Act 2018* (the Act) replaced SSODSA, with new provisions for the management and coordination of services to serious violent offenders as well as serious sex offenders under the post-sentence scheme.
* Section 284 enables relevant persons to use or disclose information for purposes consistent with the Act.
* A Multi-Agency Panel (MAP) has been established as required under the Act to develop coordinated services plans for offenders and to take steps to resolve systemic issues in the provision of services.
* A Serious Offenders Coordination Team (SOCT) was established in DHHS to coordinate the departmental and funded services’ service responses for coordinated services plans. In February 2021 DHHS’ functions were separated into two departments, the Department of Families, Fairness and Housing (DFFH) and the Department of Health (DH). SOCT now coordinates development of coordinated services plans for both DFFH and DH.

## Background

In 2015 the Harper Review was commissioned to advise on the legislative and governance models of the post-sentence scheme and recommendations for reform. In 2017, the SSODSA Amendmentmade provisions for a reformed scheme, including the establishment of the principle of shared responsibility, the Post-Sentence Authority and the MAP. SSODSA was repealed and replaced with the Act in September 2018.

## What is the Post-Sentence Authority (the Authority)?

The Authority provides independent oversight of the state’s post-sentence scheme, which allows for the ongoing detention and supervision of serious offenders who pose an unacceptable risk of reoffending after being released from prison. The Authority members have a range of functions, including monitoring the progress and compliance of offenders subject to post-sentence orders and issuing instructions and directions regarding conditions. The Authority may seek updates and reports from the departments.

The Authority reviews Coordinated Services Plans (CSP) for individual offenders to ensure that the MAP has identified services that target and address the needs of each offender, and that a commitment has been made by all responsible agencies on the MAP to deliver those services in a coordinated way. The delivery of services is then monitored and reviewed by the Authority over time.

## What is the Multi-Agency Panel (MAP)?

The MAP brings together executive delegates from DFFH, DH, Victoria Police, and the Department of Justice and Community Safety (DJCS), to share information, coordinate services and take steps to resolve any systemic issues relating to the provision of services for serious offenders.

## Who are the members of the MAP?

The members are:

* (Chair) Deputy Commissioner, Offender Services, Corrections Victoria, DJCS
* Director, Post Sentence Branch, Corrections Victoria, DJCS
* Executive Director, North and West Area, DJCS
* Deputy Secretary (West Division), Community Operations Leadership and Practice Division, DFFH
* Executive Director, Disability Policy and Support, Disability Communities and Emergency Management Division, DFFH
* Deputy Chief Psychiatrist, Office of the Chief Psychiatrist, Mental Health and Wellbeing Division, DH
* Executive Director, Community Based Health Services, Commissioning and System Improvement Division, DH
* Executive Director, Western Health Services, Aged Care and Community Performance, Commissioning and System Improvement Division, Department of Health.
* Superintendent, Offender Management Division, Intelligence and Covert Support Command, Victoria Police.

## What is a coordinated services plan (CSP)?

A CSP is the key document that sets out the services that will be made available to an offender subject to a Supervision Order or an Interim Supervision Order under the Act. The services specified in the CSP are those that will manage the individuals’ reoffending risk factors. The endorsement of a plan by the MAP commits the MAP members agencies and their funded services to the delivery of the specified services.

The Act requires CSP’s to be reviewed at least every six months.

The CSP does not replace case management or other plans used by service providers to support the delivery of services to clients. However, such documents should align with service provision arrangements specified in the CSP.

## What information can be disclosed and used?

Section 284 of the Act sets out the specific purposes for which information may be used and disclosed, and by whom (relevant persons). The Act states that a relevant person may use or disclose to another relevant person any information obtained by the person in carrying out a function under the Act or another relevant Act. A relevant person includes any person employed in the MAP members agencies and any person who delivers services or advice on behalf of the MAP members agencies (funded services). Information use and disclosure is permissible for the following purposes:

* preparing assessment reports, progress reports, treatment and supervision plans or any other reports or documents required by the Act
* making or responding to an application for an Order under the Act
* preparing and reviewing CSPs
* delivering or providing for the delivery of services consistent with a CSP
* managing an offender
* when a relevant person believes on reasonable grounds it is necessary to use or disclose the information to reduce the risk of an offence or threat to any person.

The sharing of information by a funded service to others fulfilling obligations under the Act assists with the effective coordination of appropriate services for serious offenders.

A person who is or has been a relevant person must not use or disclose any information obtained by the person in carrying out a function under this Act unless the use or disclosure is authorised by subsection (1) or (3).

## Who coordinates the service delivery responses for the CSPs?

Through the normal course of case management, you are likely to be communicating with the DJCS’ Specialist Case Manager (SCM) to share updates on client progress and/or service provision. This should be supported to ensure joined-up practice at the direct service level.

In addition, SOCT (located in DFFH) may also contact you ahead of a MAP meeting. The team will seek information on service delivery and progress over the previous six months and service delivery and where relevant, treatment goals, over the coming six months.

SOCT coordinates the information flow with the MAP on behalf of DFFH and DH. The team:

* coordinates DFFH and DH service responses and updates to inform the CSPs
* supports the DFFH and DH MAP members
* coordinates, responds and reports on notices from the Authority
* promotes improved service responses to serious offenders from DFFH and DH funded and delivered services.

It is important to provide a timely response to requests for service delivery updates. Service delivery updates may be requested via organisational attendance at a CSP conference, or via a written information request. Where services do not provide updates, this may negatively impact on the progress and implementation of the client’s CSP and result in a failure to meet legislated timelines for the review of CSPs.

## Further information

If you require additional information email the Serious Offenders Coordination Team – SOCT@dffh.vic.gov.au

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