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| **Incident Reporting** | | | |
| **Section** | | 1. Security and Control | |
| **CR Number** | 1.3.1 | **Current Issue Date** | May 2021 |
| **Legislation & Policy** | | Corrections Act 1986  Coroners Act 2008  Privacy and Data Protection Act 2014  Public Health and Wellbeing Act 2008  Charter of Human Rights and Responsibilities Act 2006  Gender Equality Act 2020  Corrections Regulations 2019 | |
| **Standard** | | Safety and Security Services – Incident Reporting | |
| **Attachments** | | Incident Reporting Matrix  Examples of Notifiable Privacy Breaches | |
| **Forms** | | Victorian Prisons Fire Report | |

1. **PURPOSE**

To define the incident reporting arrangements for public and private prisons.

1. **REQUIREMENT**

All prisons are required to report and record incidents that are classified as reportable or notifiable.

* Reportable Incidents - those that require a formal report to be submitted but are less significant than Notifiable Incidents.
* Notifiable Incidents - serious incidents that must be reported in accordance with the timings below and as defined in the Incident Reporting Matrix.

|  |  |
| --- | --- |
| **Time of Incident** | **Contact** |
| Monday 0900hrs to Fridays 1700hrs | Assistant Commissioner, Custodial Operations & Deputy Commissioner, Custodial Operations |
| Friday 1700hrs to Monday 0900hrs or Public Holidays | Duty Director, Corrections Victoria |

1. **GUIDING PRINCIPLE**
   1. Staff must report incidents in an accurate and timely manner, providing detailed information of the incident that has occurred.
   2. Prisoners’ human rights are limited only to the extent that it is reasonably and demonstrably justifiable. All staff must act compatibly with human rights and consider human rights when making decisions. There are a number of rights engaged when responding and reporting incidents, such as the right to life (s 9of the Charter) and the right to privacy (s13 of the Charter). Staff will protect the right to life by reducing the risk of incidents and responding immediately, to preserve life. Any information gathered in response to incidents, must take the individual’s privacy into consideration.
2. **CONTEXT**

Corrections Victoria (CV) acknowledges the importance of accurate, timely and detailed reporting of incidents to enable effective monitoring of prisoner management and compliance with legislation, policy and procedures.

1. **INSTRUCTION**
   1. **Definitions – Notifiable Incidents**
      1. Notifiable incidents are serious incidents that must be reported to the Assistant Commissioner, Custodial Operations, Deputy Commissioner, Custodial Operations or the Duty Director within the specified timeframes as indicated below.

The following incidents are required to be reported within **30 minutes**:

* Death of a prisoner or staff member whilst on duty or a visitor to the prison;
* Escape from a prison or escorted leave;
* Breach of a Corrections Administration or Rehabilitation and Transition Permit;
* Attempted escape;
* Possession of escape implements;
* Breach or attempted breach of the prison from the outside perimeter;
* Hostage situation;
* Major fire;
* Riot;
* Drawing or discharge of a firearm within the prison or in the vicinity of the prison or during the escort of a prisoner;
* Serious drug/contraband related incident;
* Serious assault where victim is resulting in hospitalisation;
* Allegation of a physical sexual assault;
* All use of force incidents;
* Use of instrument of restraint, where such use is outside of the escort matrix or approved hand cuff regimes;
* Use of chemical agent;
* Unlawful detention;
* Release in error;
* Attempted suicide of a prisoner;
* Refusal of food by a prisoner for longer than a 48-hour period;
* Serious accidental or self-inflicted injury where the person is hospitalised or any other incident that results in admission to hospital of any person;
* Demonstration outside the prison;
* Prisoner strike or and dispute;
* Significant security or service technology system failures including perimeter security, water reticulation, duress alarms, radio communications, fire alarm systems, electronic and remote keying systems, CCTV capability and other utility lapses. A significant event in this context means one in which short term remedial action is not sufficient to rectify the problem and the event requires the deployment of staff, security measures or other contingency plans to address the matter;
* Unauthorised disclosure of data or significant privacy breaches;
* Incident on prison property involving a visitor subject to a Community Correctional Services (CCS) Order;
* Level 3 Family Violence incident involving physical violence by a prisoner on a family member;
* Unauthorised possession of a mobile phone or communication device;
* Incidents of serious misconduct by staff;
* Allegation or proven changes of assault by staff on prisoner/s;
* Loss or theft of medical records;
* Occurrence of communicable diseases such as Tuberculosis or Legionnaires Disease; or
* Any other serious matter which the General Manager considers should be reported in accordance with this instruction immediately.
  + 1. In all instances where a cell or accommodation area door is to be opened after hours, that is not routine or documented as part of a local procedure, approval is required from the Deputy Commissioner, Custodial Operations or Duty Director.
    2. Planned moves such as for court or to facilitate transport for prisoners being released from custody, are considered routine and do not require approval from the Deputy Commissioner, Custodial Operations or Duty Director.
    3. All external movements and any non-routine internal movements after hours require approval from the Assistant Commissioner, Custodial Operations, Deputy Commissioner, Custodial Operations or Duty Director.
    4. If an unauthorised mobile phone or communication device is found on prison property or in a prisoner’s possession, prison staff are to send it to the Corrections Victoria Intelligence Unit (CVIU) for digital forensic auditing. If incriminating evidence is found in the mobile phone or communication device, then prison staff will refer the matter to Victoria Police.
    5. If any notifiable incident involves a Justice Health staff member or health provider staff, this incident is considered a notifiable incident to the Executive Director, Justice Health. Staff will report notifiable incidents to the Deputy Commissioner, Custodial Operations, Assistant Commissioner, Custodial Operations or Duty Director, who will notify the Executive Director, Justice Health, at the earliest practicable time via mobile phone.
    6. Allcommunication regarding health related incidents should occur between the Deputy Commissioner, Custodial Operations, Assistant Commissioner, Custodial Operations or Duty Director, and the Executive Director, Justice Health.
    7. The details of all Notifiable Incidents must be entered onto PIMS incident module within 24 hours.
  1. **Definitions – Reportable Incidents**
     1. Reportable incidents are those that require a formal report to be submitted (within 24 hours), but are less significant than Notifiable Incidents.
     2. The details of reportable incidents must be entered onto PIMS incident module within 24 hours. They include incidents where:
* Prisoners disobey a direct order;
* Prisoners are verbally abusive/aggressive to staff;
* Any matter which may affect the security or good order of the prison;
* Significant intelligence gathered that leads to a formal separation.
* Minor fires;
* Prisoner on prisoner assault with no injuries;
* Prisoner on prisoner assault, but not hospitalised;
* Alleged assault other;
* Attempt threat assault;
* Alleged threat sexual assault;
* Smoking related incidents;
* Family Violence Incidents Level 1 & 2; or
* Any matter which may affect the security or good order of the prison.
  1. **Infectious diseases**
     1. A person may report another person who has an infectious disease and who are engaging in risk-taking behaviour that may result in that infectious disease being transferred.
     2. Reports should be made in writing to the Chief Health Officer in accordance with Part 8 of the *Public Health and Wellbeing Act* 2008. This is to be undertaken via Justice Health.
  2. **Reporting of Fires**
     1. Staff must call 000 in the event of a fire that requires immediate response and an automated link to the Fire Services is not in use.
     2. The General Manager will report all fires to the Deputy Commissioner, Custodial Operations, Assistant Commissioner, Custodial Operations or Duty Director.
     3. A Fire Report (Victorian Prisons Fire Report) must be submitted to the System Performance Branch within 24 hours of the incident via DJCS-CV-Prison Incidents.
     4. The System Performance Branch must provide the Justice Assurance and Review Office (JARO) and the Coroner with relevant documentation, if requested.
     5. Major fires are events that include:
* serious injuries being sustained;
* considerable damage occurring;
* the necessity to evacuate (as opposed to being precautionary);
* the use of breathing apparatus or the use of fire fighting equipment (e.g. fire extinguisher, hose) being necessary; or
* major impact to operations has eventuated.
  + 1. Minor fires are events that include:
* no injuries being sustained;
* nil or minimal damage and nil disruption to operations; or
* the use of breathing apparatus equipment or an evacuation has occurred as a precaution.
  1. **Use of Force, Assault and Alleged Assault Incidents**
     1. Assaults on staff or prisoners are defined in Service Delivery Outcomes 2, 6 and 7 respectively.
     2. All alleged assaults must be referred to Victoria Police. It is the responsibility of Victoria Police to conduct the investigation and determine what action, if any, will be taken.
     3. If there is no complaint from the victim or the incident is determined by Victoria Police to be of a minor nature, the matter may be referred to the prison for internal action, which is usually by way of a General Manager’s Disciplinary Hearing (GMDH).
     4. Where a prisoner alleges assault by staff in transit or while at another location, the General Manager from the receiving location must report the allegation to the General Manager at the originating location.
     5. Following a use of force incident or immediately upon notification of an assault or alleged assault:
* prisoners must be referred for medical assessment;
* photographs of the prisoner must be taken, and/or
* a copy of any available CCTV, video camera or Body Worn Camera records must be created and retained in accordance with taping protocols and retention periods – Commissioner’s Requirement – Surveillance, Taping Protocols and Retention Periods.
  1. **Management of Alleged Sexual Assaults**
     1. Prison staff must treat allegations of sexual assault sensitively regardless of the perceived seriousness or the elapsed time since the alleged offence.
     2. In the event of an alleged physical sexual assault (Notifiable Incident) the General Manager must:
* report the allegation to Victoria Police (000);
* immediately refer the complainant for medical assessment;
* establish a crime scene, if appropriate;
* refer the prisoner to Forensic Intervention Services for a distress intervention, where appropriate; and
* consider the location of the complainant.
  + 1. When additional operational or security procedures are required staff must exercise discretion given the nature of the allegation e.g. if strip-searching the complainant would be a standard procedure due to a placement relocation, the potential distress caused may outweigh the benefits of conducting the search. Consideration must be given to adopting alternative approaches, such as, conducting regular observations.
    2. Threat of Sexual Assault: In the event of an alleged threat of sexual assault (Reportable Incident), the General Manager must:
* report the allegation to local police within 2 hours;
* refer the prisoner to Forensic Intervention Services for a distress intervention, where appropriate; and
* consider the location of the complainant.
  + 1. Allegations of ‘physical sexual assault’ and ‘threat sexual assault’ must be classified on PIMS as ‘alleged sexual assault’ incidents in the first instance.
    2. The System Performance Branch will review each incident to determine whether the classification should remain or be amended in consultation with the General Manager.
  1. **Notification to Victoria Police**
     1. All allegations of assault must be reported to Victoria Police.
     2. Victoria Police (000) must be immediately contacted when:
* Police attendance is required in relation to a major incident;
* Contraband is detected in the possession of a visitor; or
* a prisoner makes an allegation of a physical sexual assault.
  + 1. In most other cases, the applicable timeframe for police notification is within two (2) hours, although this is incident dependent and not all notifiable incidents require police notification.
  1. **Operation or possession of remote aircrafts or helicopters**
     1. Where a person, without authorisation under section 32A(2) or 32B of the *Corrections Act* 1986, operates or attempts to operate a remotely piloted aircraft or helicopter in or above a prison, the incident is to be treated as a notifiable incident and as such, follow the procedure outlined in Section 5.1 of this Instruction. The matter should also be referred to police via 000. A person found guilty of acting in an intentional or reckless manner can be charged with a criminal offence so for the purpose of gathering evidence to assist a Victorian Police investigation, supporting CCTV and any other evidence should be gathered and submitted with the incident pack.
     2. In instances where a person, without authorisation under section 32A(2) or 32B of the *Corrections Act* 1986, operates or attempts to operate a remotely piloted aircraft or helicopter outside, but near a prison, consideration should be given to ordering the person to move on, before considering the above reporting lines. Before the order to leave or move on is communicated, it must be authorised by the OIC of the prison and an explanation must be provided to the person/s in question. All incident packs regarding drones must be emailed to Prison Incidents.
  2. **Notification to the Post Sentence Branch**
     1. Prisons must verbally notify the Post Sentence Branch Operations immediately of all incidents that involve a detention order offender. A copy of the incident report must be forwarded to the Post Sentence Branch via email to Post Sentence Branch-Incident Reports.
     2. In the event of a death or the escape of a prisoner who is in custody for sex offences, the Post Sentence Branch is to be notified by Deputy Commissioner, Custodial Operations, the Assistant Commissioner, Custodial Operations or Duty Director.
  3. **Notification to Adult Parole Board**

In the event that a notifiable incident occurs following submission of a report for the Adult Parole Board (APB) relating to that prisoner, the General Manager is responsible for submission of an addendum report to the APB within 24 hours.

* 1. **Notification to WorkSafe Victoria – Workplace deaths or Serious Injuries or Serious Near Misses**

The General Manager is responsible for notifying WorkSafe (132 360) in the event of:

* an incident resulting in death or serious injury; or
* an incident that could have caused a death or a serious injury (serious near miss).
* Public prisons are to also contact the Safety, Wellbeing and Compliance team for advice and assistance via phone during business hours or the on call mobile phone after hours. Staff reporting WorkSafe incidents must **ALSO** report via the Justice Incident Management System (JIMS). JIMS is to be used for reporting injuries, near misses, and hazards.
  1. **Notification to Community Correctional Services**

In the event of a notifiable incident on prison property involving a visitor subject to a CCS Order, the Deputy Commissioner, Custodial Operations or Assistant Commissioner, Custodial Operations or Duty Director will report the matter to the Director, Community Operations via Incident Reports.

* 1. **Unlawful Detention / Release in Error**

In the event of a person being unlawfully detained or released in error, the General Manager must notify the person concerned and advise that legal advice can be sought.

* 1. **Notification to Emergency Contact / Next of Kin**
     1. In the event of a prisoner death, Victoria Police is responsible for notifying the prisoner’s next of kin. Prisons will provide Victoria Police with information, such as the prisoner’s visit and telephone contact lists, to assist in identifying the next of kin, in accordance with Part 3 of the *Coroners Act* 2008.
     2. In the event that a prisoner is seriously ill or injured, the General Manager is responsible for arranging notification to the prisoner’s emergency contact and/or next of kin.
  2. **Notification to the JARO**
     1. In the event that any of the following notifiable incidents occur, the Deputy Commissioner, Custodial Operations, or, Assistant Commissioner, Custodial Operations or Duty Director must immediately advise the JARO:
* escape from secure custody;
* death in custody;
* major security incident;
* siege/hostage incident;
* major fire; or
* significant security or service technology system failures as described in the list of notifiable incidents.
  + 1. Contact the JARO Standby Officer by mobile (primary contact) or (backup contact).
  1. **Notification of Privacy Complaints / Breaches**
     1. The Secretary, Department of Justice and Community Safety has assigned the coordination of Corrections Victoria privacy complaints and breaches to the Manager, Information Privacy Unit, Information Integrity & Access.
     2. Prisons must have processes in place to ensure that privacy complaints and/or alleged privacy breaches are reported in line with requirements set out in Commissioner’s Requirement 1.3.5 Notification of Privacy Complaints and/or Alleged Privacy Incidents.
     3. Deputy Commissioner’s Instructions and Operating Instructions must include a requirement that the complaint and/or alleged incident be reported through the chain of command to the Deputy Commissioner, Custodial Operations who will then notify the Manager, Information Privacy Unit, Information Integrity & Access.
     4. Regardless of the severity of the complaint and/or incident:
     5. Public prison General Managers, must also report the incident to the Information and Privacy Unit by phone to enable the Manager, Information and Privacy to assess the matter under the Inappropriate Access to Personal Information Policy and assist with local action.
     6. Private prison operators must also report all privacy-related incidents and complaints that relate to the contract to the General Manager, Contract Performance and Oversight, Contracts and Infrastructure Branch, Corrections & Justice Services, and the Manager, Information and Privacy Unit, for monitoring purposes.
     7. Refer to Attachment 2 for Examples of Notifiable Privacy Breaches.
  2. **Death of, or Serious Injury to, specified Foreign Nationals**

In the event of the death, serious injury or incapacitation requiring hospitalisation of a prisoner who is a Chinese, Vietnamese or Indonesian national, the General Manager is required to inform without delay the respective Chinese, Vietnamese or Indonesian consular official via DFAT’s Protocol Duty Officer.

* 1. **Transport Provider**
     1. In the event of an incident involving prisoner transport, a copy of the incident report must be emailed to the Contracts and Infrastructure Branch.
     2. In the event a prison location experiences an incident or an emergency (flood, fire, natural disaster, etc.) that will prevent the transport provider from picking up or dropping off a prisoner, it will be the responsibility of the receiving prison to notify the transport provider in a timely manner.
  2. **Protocols - Corrections Victoria Duty Directors**
     1. Incidents are reported to the Deputy Commissioner, Custodial Operations, Assistant Commissioner, Custodial Operations or the Duty Director:
* Monday to Friday 09.00 to 17.00 - Deputy Commissioner, Custodial Operations or relevant Assistant Commissioner Custodial Operations.
* Monday to Friday after hours - Duty Director performed on a rotating basis between the Deputy Commissioner, Custodial Operations and Assistant Commissioners, Custodial Operations.
* Weekends and Public Holidays – Duty Director, performed on a rotating basis by nominated prison General Manager.
  1. **Referral Protocols**
     1. The Duty Director is responsible for ensuring that after hours notifications occur in accordance with the Incident Reporting Matrix.
     2. In the event of any incident that the Duty Director believes may be of increased public interest, the Assistant Commissioner, Custodial Operations or Deputy Commissioner, Custodial Operations must also be notified.
     3. By 0800 hrs on each Monday morning the Duty Director must email the Prison Weekend Report, a briefing detailing the events that occurred during the weekend to the:
* Deputy Commissioner, Custodial Operations; and
* Assistant Commissioner, Custodial Operations; and
* approved senior personnel, including all General Managers.
  1. **Procedure to Initiate an Air Exclusion Restricted Airspace**
     1. The Civil Aviation Safety Authority (CASA) is the controlling agency for the implementation of Restricted Airspaces.
     2. In the event of a major prison incident (such as a major fire, riot, hostage situation or death of a high profile prisoner) a Restricted Airspace will exclude air traffic above and around a prison from a defined distance.
     3. A Restricted Airspace may be initiated in order to assist in incident management and to minimise any compromise to the good order, safety and security of the prison. In the event that a General Manager believes that a Restricted Airspace should be initiated, approval must first be sought from the Deputy Commissioner, Custodial Operations.
     4. Upon approval from the Deputy Commissioner, Custodial Operations, the following must occur:
* The General Manager is to contact the Victoria Police member at the incident scene and request a Restricted Airspace to be initiated.
* The Victoria Police member will contact the Air Wing and the Air Wing will contact CASA to request that a Restricted Airspace be initiated over the prison.
* At the conclusion of the incident the General Manager will request that Victoria Police contact Air Wing in order that the Restricted Airspace be stood down.
* The Air Wing will request CASA to cease the Restricted Airspace.
  1. **Police Interview**
     1. Victoria Police may make a request to interview a prisoner in custody. Victoria Police have three different methods in which to conduct a police interview.
     2. Note: Police members are not required to submit a 478 form if they are interviewing a prisoner in relation to a prison incident.
     3. **478 application 41(1) under the Corrections Act 1986:** In this circumstance, the prisoner is required to provide consent via the 478 request to Interview form prior to the interview being allowed. The prisoner is required to sign the 478 form confirming their consent. The General Manager of the prison must also approve the interview and sign the 478 form.
     4. **478 application 464(B) under the Crimes Act 1958:** In this circumstance, prisoner consent is not required for the interview to take place. The General Manager of the prison must approve and sign the 478 application form before the interview is allowed to take place.
     5. **Court Order issued by a Magistrate**: In this case, no prisoner consent or General Manager approval is required for the police to conduct an interview. The prison must liaise directly with the issuing police member to facilitate the interview request.
     6. Staff should not be present during a Police interview, unless the prisoner requests that staff attend. If Police request that staff be present during a Police interview, staff should not be within hearing range.
  2. **Footage and cell intercom**

CCTV, BodyWorn, hand-held camera and cell intercom recordings will generally be uploaded and shared via secure electronic systems such as evidence.com, or restricted secure folders such as the folder in the V drive for public prisons. If secure electronic systems are not available, recordings must be.

* 1. **Post Incident Briefing and Formal Debrief**
     1. A post incident briefing should be conducted on the day of a serious notifiable incident unless there are extenuating circumstances.
     2. General Managers must also consider conducting a formal debrief, however prior approval from Victoria Police must be obtained in the event of a suspected homicide.
     3. Prisoners who are affected by or exposed to a serious incident should be offered support and counselling by an appropriately qualified professional.

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| Larissa Strong  **Acting Commissioner** |

**Information below this point is administrative supporting detail**

**only and not subject to Commissioner’s review or approval.**

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| **Acronyms** | |
| APB | Adult Parole Board |
| CASA | Civil Aviation Safety Authority |
| CCS | Community Correctional Services |
| CCTV | Closed Circuit Television |
| GMDH | General Manager’s Disciplinary Hearing |
| JARO | Justice Assurance and Review Office |
| SDO | Service Delivery Outcomes |
| VWA | Victorian Worksafe Authority |

| **Definitions** | |
| --- | --- |
|  | Nil |

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| **Associated Commissioner’s Requirements** |
| 1.2.1 - External Prisoner Escort Arrangements – **OFFICIAL: Sensitive**  1.3.2 - Fire Incident Reporting and Monitoring  1.3.3 - Reporting and Review of Prisoner Deaths  1.3.5 - Notification of Privacy Complaints and/or Alleged Privacy Incidents  1.4.2 - Surveillance, Taping Protocols and Retention Periods  1.4.8 - Conduct and Ethics |

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| V1 | Dec-03 | First Issue |

**Attachment 1 - Incident Reporting Matrix**

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| --- | --- | --- | --- | --- | --- | --- | --- |
| **Time of Incident** | **First Contact** |  | **ROUTINE INCIDENT & RESPONSE** | **SMD INVOLVEMENT REQUIRED** | **SIGNIFICANT INCIDENT** | **MAJOR INCIDENT**  (e.g. Notifiable Incidents) | **POTENTIAL MEDIA INTEREST** |
| Mondays to Friday  0900 -1700 | **Deputy Commissioner, Custodial Operations**  🕿  **Assistant Commissioner,**  **Custodial**  **Operations** | Commissioner |  |  |  | Immediate advice | Early advice |
| Deputy Commissioner, Custodial Operations |  |  |  | Immediate advice |  |
| Assistant Commissioner, Sentence Management Division |  | Referral | Prompt advice | Immediate advice | Early advice |
| Sentence Management Division | Advice next a.m. | Alternative referral |  |  |  |
| Justice Assurance and Review Office |  |  |  | Immediate advice |  |
| After hours,  Weekends  and  Public Holidays | **Corrections Victoria Duty Director**  🕿 | Commissioner |  |  |  | Immediate advice | Early advice |
| Deputy Commissioner, Custodial Operations |  |  |  | Immediate advice | Immediate advice |
| Assistant Commissioner, Custodial Operations |  |  |  | Immediate advice | Immediate advice |
| Assistant Commissioner, Sentence Management Division |  | Referral | Prompt advice | Immediate advice | Early advice |
| Sentence Management Division |  | Alternative referral |  |  |  |
| Justice Assurance and Review Office |  |  |  | Immediate advice |  |
| (All of the above) | Advice Monday a.m. |  |  |  |  |

## NB: Corrections Victoria Duty Director must not instruct or direct a private prison operator in relation to any management action. It is the Duty Director's responsibility to ensure all of the persons listed on this matrix are notified. Contact should be made with the Assistant Commissioner, Sentence Management Division for further advice in relation to matters where concerns are evident regarding a prisoner placement or separation.

**Attachment 2**

**Examples of notifiable privacy breaches**

The *Corrections Act* 1986, *Corrections Regulations* 2019*, Privacy and Data Protection Act* 2014, Commissioner’s Requirements and, Deputy Commissioner’s Instructions provide the legal framework for Corrections Victoria information collection and management practices. Common categories of information privacy breaches include:

1. **Information collection**

Personal information should only be collected where it is authorised by law and there is a legitimate business purpose. Any collection should be consistent with current DJCS policies and procedures.

Lawful collection practices include:

* where the collection is authorised by law
* where the individual gives informed consent
* for law enforcement purposes
* to ensure appropriate placement of a prisoner currently in custody
* for purposes such as program participation during the course of prisoner incarceration and addressing offending behavior
* to administer a current court order and to ensure appropriate offender supervision in the community
* for purposes such as program participation and addressing offending behavior during the course of an offender’s order
* for the purpose of any court process, including the preparation of a pre-sentence report or an assessment of an offender’s suitability for supervision in the community
* for management purposes relating to employment.

The collection practice becomes inappropriate where the information collected does not have a work related purpose.

1. **Inappropriate/unauthorised access**

Unauthorised access of personal information occurs where there is no legitimate, work related reason to access the information. Forms of access include viewing a copy, both hard (paper) and electronic (computer screen).

The most common avenues for unauthorised access are found in abuse of user rights by users of E\*Justice and PIMS. These include:

* browsing offender or prisoner files outside of your legitimate caseload
* interrogating prisoner or offender information of ’High Profile’ people who have come within the corrections system
* prurient interest or ‘stickybeaking’

Corrections staff can minimise the opportunities for unauthorised access by maintaining password and login security and appropriate physical security over files, printouts and materials in transit.

1. **Inappropriate disclosure of personal information**

Personal information may be lawfully disclosed where:

* it is authorised under the *Corrections Act* 1986 (S30 & S91)
* it is reasonably necessary for law enforcement
* it is allowed under the Information *Privacy and Data Protection Act* 2014, or
* it is required or authorised under any other law.
* Commissioner’s Requirement 1.3.5 - Notification of Privacy Complaints and/or Alleged Privacy Incidents provides guidance on determining whether a disclosure is lawful.

Information disclosures are inappropriate when they do not fall within any of the above parameters. For instance:

* ‘water cooler’ discussions with work colleagues that are gossip related rather than work related
* discussing prisoner/offender personal information with your family and friends outside of the workplace
* where there is no legitimate work related purpose
* where personal and/or sensitive information is inappropriately published on notice boards or J-Info or equivalent bulletin boards
* when information is sent/disclosed to an incorrect address by:
  + - entering the incorrect fax number and/or email address, or
    - accidentally mailing material to the incorrect person.

1. **Information security failures**

Information security failures invariably have privacy impacts and should be reported in the same way. Information security failures include:

* loss of files
* loss of information through the loss of notebook computers, non-encrypted USB memory sticks and other portable data storage devices
* inappropriate disclosure by misdirected email or facsimile
* detecting inappropriate access to a secure database
* technical or network anomalies resulting in incorrect delivery of information.
* loss of information on local databases through inadequate backup procedures
* secure, restricted or ’private’ information being held in databases with inadequate security measures
* personal information/files maintained on general access drives instead of restricted drives.

**VICTORIAN PRISONS FIRE REPORT**

**This report must be sent to the System Performance Branch via email: to public prisons or private prisons, along with other incident paperwork, as soon as possible and within 24 hours of the incident.**

**Please note that for major fires – a verbal notification is also required to the Deputy Commissioner, Custodial Operations within 30 minutes of the incident occurring.**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Name of Operator |  | | | |
| Name of Prison |  | | | |
| Name of person reporting fire and contact details (phone number) |  | | | |
| Date and time of fire incident | ………/……/…… | | ……………….am/pm | |
| Brief description of incident including initial response |  | | | |
| Name/s and CRN of prisoner/s involved |  | | | |
| Location of fire – cell, building etc |  | | | |
| Injuries to staff/prisoners, include numbers of staff, extent of injuries, and status of condition |  | | | |
| Death of any person |  | | | |
| Description of damage to buildings, property etc.  E.g. Severe – Moderate – Slight |  | | | |
| What fire fighting equipment (if any) was used e.g. breathing apparatus, hose reel, extinguishers, etc, and who extinguished the fire |  | | | |
| How fire was detected (alarm, staff member, prisoner, other) |  | | | |
| Fire Brigade | Time notified by Prison | Attended at Prison  YES / NO | | Time Attended |