

Any individual may obtain information held by government agencies like Corrections Victoria under the Freedom of Information Act, unless the document is exempted or excluded from disclosure. There is a lot of information that they may not disclose to you under an FOI application, and the sort of reasons for information being exempt includes that the material is:

- a document containing material obtained in confidence
- an internal working document
- a law enforcement document
- a document subject to legal professional privilege, or
- a document affecting personal privacy (for example, of other prisoners)

If access to documents is refused, the agency must provide a statement of reasons.

How to apply for documents

Each agency, like Corrections, the Department of Human Services, the Victoria and Australian Federal Police, and Justice Health handle their own FOI requests. Your request needs to be in writing (see below for a sample). There is usually a fee for obtaining documents, though you should apply to have the fee waived if you can claim financial hardship. The application for documents should include a request that the fee be waived. Documents include photos, x-rays and computer records, but does not include anything produced in court or a court transcript, or anything you can purchase or view in a library. Some Government agencies (such as Victoria Police) ask that you prove financial hardship. You can usually do this by including your last canteen receipt with your letter.

Time limits for the agency

An agency must respond as quickly as possible to your request, and by law no more than 45 days after it is lodged. It often takes longer, however, and you may be asked to provide further detail about the information you are requesting. If your request is being transferred to another agency, for example from Corrections Victoria to Justice Health, the clock runs from when the second agency received the request or 14 days after the original request, whichever is earlier. Again, expect the request to take much longer than the law states.

Review of access denial

If any part of your application is refused, you can ask for an internal review of that decision by writing to the principal officer of the agency in the first instance. An appeal against an internal review decision can be made to VCAT.

Department of Justice: Freedom of Information Unit can be contacted on 8684 0063 or at 24 / 121 Exhibition Street, Melbourne VIC 3000, or DX 210077 (for Corrections or Health records)

Victoria Police: Freedom of Information Unit can be contacted on 9247 6801 or at PO Box 415 Melbourne 3005, or DX 210095

Australian Federal Police: Freedom of Information Team can be contacted on (02) 6275 7288 or at PO Box 401, Canberra City ACT 2601

Department of Human Services: Manager, Corporate Integrity Information and Resolutions Unit at GPO Box 4057, Melbourne VIC 3001

Department of Justice

Freedom of Information Unit

24/121 Exhibition Street
Melbourne VIC 3000

(or DX 210077 for delivery via DX)

(date)

Dear Sir / Madam,

RE: Freedom of Information Application for access to copies of documents

I write to apply for access to documents under the Freedom of Information Act 1982.

My name is, DOB, CRN..... and I am currently at prison.

I request full access to, and a copy of documents as follows:

1. [you need to make a list here and be as specific as possible about what information you are seeking]
2.; and,
3.

The FOI Act gives me the general right of access to documents that impact on my personal affairs. The above listed information impacts on my personal affairs because [it helps if you give reasons]. This FOI Application is made under Part III of the Act, and all other relevant provisions, however I do not object to information being provided that is additional to this enforceable right.

I ask that the fees and charges associated with this application be waived as I am a prisoner with no significant income or assets.

I look forward to your earliest possible response,

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Further information

This fact sheet contains general information only and is not a substitute for obtaining legal advice. If you would like advice regarding a specific problem please contact one of the legal services listed in [contacts](#) or contact the Law Institute of Victoria's Legal Referral Service on 9607 9311.