

## Custodial Operations Policy and Procedures

# 22.2 Disclosure of information about inmates to telephone callers

### Policy summary

Sentence Administration Corporate (SAC) can provide information to an inmate's family and friends, including their Master Index Number (MIN) and current location, via the Corrective Services NSW (CSNSW) Inmate Location and Enquiries Line.

Information requests by law enforcement agencies, government and non-government agencies, service providers and charitable organisations should not be provided over the telephone.

Correctional centre staff must only provide information about inmates housed in their correctional centre. Requests about other inmates must be referred to the Inmate Location and Enquiries Line.

### Management of Public Correctional Centres Service Specifications

Service specification	Decency and respect Professionalism and accountability
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## Scope

This section applies to all correctional centres and other facilities administered by or on behalf of CSNSW.

It also applies to all CSNSW employees, and where relevant to other personnel such as, Justice Health & Forensic Mental Health Network (JH&FMHN), contractors, subcontractors, and visitors.

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# 1 Disclosure to family and friends

## 1.1 Policy

CSNSW encourages inmates to maintain contact with family and significant others while in custody.

Family and friends of an inmate who are seeking to visit or write to them in custody may obtain the details of their current location by contacting the CSNSW Location and Enquiries Line on (02) 8346 1000. This line is operated by SAC on Monday to Friday between 8:30 am to 4:30 pm (excluding public holidays).

Telephone calls may be received at correctional centres outside of the business hours for the CSNSW Location and Enquiries Line. Staff are only permitted to disclose the inmate's location if:

- they have taken reasonable steps to confirm the identity of the caller
- they are reasonably certain as to the caller's identity
- they have established a legitimate purpose for why the caller is requesting the location of the inmate (such as for the purpose of a visit or to write to the inmate)
- the caller can provide the mandatory personal identifying information of the inmate and the information requested is not prohibited by law for disclosure.

If the caller has contacted a correctional centre where the inmate is not located (but they are aware that the inmate is in CSNSW custody), they must be referred to the CSNSW Location and Enquiries Line and provided with the contact number.

## 1.2 Mandatory personal identifying information

Callers must provide mandatory personal identifying information about an inmate for a disclosure to be made regarding the inmate's location. Mandatory personal identifying information includes the inmate's:

- full name (spelt correctly)
- date of birth.

If the caller is unable to correctly spell the inmates name or provide their date of birth, other personal related information can be confirmed in OIMS, such as:

- their MIN
- their last known address (prior to coming into custody)
- details about any previous visit to the inmate in custody.

If the caller is not able to provide the mandatory personal identifying information, they must be advised that privacy laws prevent the release of inmate personal information over the telephone. No indication is to be given that a person is in custody, or if they have been released, or whether they have been in custody at any time.

### 1.3 Non-disclosure of information

Correctional centre staff responding to a phone call must not disclose information about an inmate if:

- they have any doubt about the identity of the caller or the genuineness of the caller's intention
- it is reasonably suspected that the inmate the caller is enquiring about is located in the Special Purpose Centre (SPC). No information is to be released in respect of this category of inmate
- the inmate is in transit from one correctional facility location to another
- the inmate is not in custody and is housed in a facility that is not proclaimed as a CSNSW correctional centre, such as in a community residential/diversionary facility or forensic hospital
- the caller is seeking details about an inmate for business purposes (e.g. a debt collector, financial institution, or rental goods company).

These callers must be advised to contact the CSNSW Location and Enquiries Line on the next business day.

There may be instances when staff are reasonably certain that the caller is who they say they are, however privacy legislation prevents the release of the information over the telephone. An example of this is may be a request from the Public Guardian or a person who has been appointed the inmate's legal guardian.

Staff cannot in all instances verify with certainty the identity or the honesty of persons calling CSNSW seeking the location of an inmate. Staff should take reasonable steps to confirm the identity of the caller prior to confirming or disclosing the location information about the inmate.

If the location of an inmate has been provided to a caller in good faith, but the caller has deceived a staff member in order to obtain information, staff will not be liable for the release of the information.

If a disclosure is not able to be made over the phone, the caller should be advised that they can apply for the information by making a formal access application under the *Government Information (Public Access) Act 2009* (GIPA Act) and directed to the application form which is available on the [Department of Communities and Justice Access to information website](#).

All applications must be sent to [infoandprivacy@dcj.nsw.gov.au](mailto:infoandprivacy@dcj.nsw.gov.au) (refer to **COPP section 22.3 Government Information and Public Access Act (2009)**).

## 1.2 Procedures for disclosure to callers who identify themselves as a family member or friend

	Procedure	Responsibility
1.	Ask the caller who has identified themselves as a family member or friend of an inmate: : <ul style="list-style-type: none"><li>• the inmate's full name (correct spelling), and</li><li>• the inmate's date of birth (or other personal related information such as their MIN/last known address etc.).</li></ul>	Staff member responding to phone call
2.	Check the OIMS <i>Intervention Orders</i> and <i>Alert</i> screens to confirm that there is no Apprehended Violence Orders (AVO) restricting contact.	Staff member responding to phone call
3.	Provide the inmate's current location and MIN if the identifying information is confirmed and there is no recorded enforceable AVO. <b>Note:</b> if the inmate has been recently released from CSNSW custody and all identifying details have been confirmed, the caller may be advised that they are no longer in custody, however, no other details can be provided (including the actual date of release).	Staff member responding to phone call

## 2 Disclosure to others

### 2.1 Disclosure to law enforcement, government, NGOs, service providers and charitable organisations

Law enforcement agencies, Government and Non-Government Organisations (NGOs), service providers providing a service or program to an inmate and charitable organisations can be advised to contact the CSNSW Location and Enquiries Line.

Location details of an inmate in CSNSW custody should not be provided to other agencies over the telephone.

## 2.2 Procedures for calls from staff at other government agencies (excluding law enforcement agencies)

	Procedure	Responsibility
1.	Do not provide information about an inmate to a person that has identified themselves as a staff member from a criminal justice agency.	Staff member responding to phone call
2.	Provide the caller with the number for the CSNSW Location and Enquiries Line ((02) 8346 1000) and advise them to either: <ul style="list-style-type: none"> <li>ring on the next business day, or</li> <li>email their request to [REDACTED] (including reference to the corresponding legislation that compels CSNSW to release the requested information).</li> </ul>	Staff member responding to phone call

## 2.3 Procedures for calls from a NSW or interstate law enforcement or investigative agency

	Procedure	Responsibility
1.	Do not provide information about an inmate to a person that has identified themselves as a serving NSW Police Officer or interstate law enforcement officer or staff member from an investigative agency.	Staff member responding to phone call
2.	Provide the caller with the number of the Police Corrections Intelligence Unit (PCIU) [REDACTED] and advise them to ring on the next business day.	Staff member responding to phone call

## 2.4 Procedures for calls from FaCS or an NGO staff

	Procedure	Responsibility
1.	Do not provide an inmate's information to a caller if they have identified themselves as a staff member from FaCS or an NGO.	Staff member responding to phone call
2.	Provide the caller with the number for the Child Protection Coordination and Support Unit [REDACTED] and advise them to ring on the next business day.	Staff member responding to phone call

## 2.5 Procedures for calls from foreign embassies and consulates

	Procedure	Responsibility
1.	Do not provide information about an inmate to a person that has identified themselves as a diplomat/consular representative from a Foreign Embassy or Consulate.	Staff member responding to phone call
2.	Provide the caller with the number for the CSNSW Location	Staff member



and Enquiries Line ((02) 8346 1000) and advise them to ring on the next business day.

responding to phone call

### 3 Quick links

- [Related COPP](#)
- [Forms and annexures](#)
- [Related documents](#)

### 4 Definitions

AVO	Apprehended Violence Order
COPP	Custodial Operations Policy and Procedures
CSNSW	Corrective Services NSW
Correctional centre	Includes any police state or court cell complex in which an offender is held in custody in accordance with the <i>Crimes (Administration of Sentences) Act 1999</i> or any other Act.
FaCS	Family and Community Services
GIPA Act	Government Information (Public Access) Act 2009
MIN	Master Index Number
NGO	Non-Government Organisation: a non-profit organisation that operates independently of any government e.g. SHINE for Kids, Wesley Mission, Mission Australia
OIMS	Offender Integrated Management System
Other government agencies	Anti-Discrimination Board, Registry of Births, Deaths and Marriages, Crown Solicitor's Office, Legal aid NSW, Bureau of Crime Statistics and Research
PCIU	Police Corrections Intelligence Unit
SAC	Sentence Administration Corporate
Staff member responding to the phone call	The staff member in a correctional centre who receive a phone call from a person requesting details about an inmate
SPC	Special Purpose Centre



## 5 Document information

<b>Business centre:</b>	Custodial Operations	
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