



Victorian Institute of Forensic Mental Health  
Freedom of Information – Health Information

## FOI Fact Sheet

### REQUESTING YOUR INFORMATION

Freedom of Information (FOI) provides people with a formal process to access health information. You can also talk to staff, write to Forensicare or ring them to see if the information you are after is available, without the need for a formal FOI request. For this reason, it is a good idea to contact the Freedom of Information Officer before submitting your request.

#### Freedom of Information Requests

If you are, or have previously been, a patient at Thomas Embling Hospital or a client at the Community Forensic Mental Health Service, you have a right to access information that is held in your clinical record under the *Freedom of Information Act 1982*. This can be done by writing a letter or completing a request application form. A friend, relative or a worker can help you with writing your application if you wish.

If you are currently a patient in Thomas Embling Hospital you can send the request through the internal mail. A staff member can help you with this. If not, send your request to Forensicare, Locked Bag 10, Fairfield, Vic, 3078. Address the request to the Freedom of Information Officer. This will make sure that the letter gets to the right person and helps to make it clear that you are making a request under the *Freedom of Information Act*.

#### How much does it cost?

Forensicare does not charge for FOI requests.

#### How long does it take?

Once Forensicare has received your letter requesting access to the documents it holds, it must by law, respond to you in writing as soon as possible, but no later than 45 days, outlining its decision on your request. The final decision on the release of information is made by the Freedom of Information Officer, who releases photocopies of the documents. Documents are dispatched by Registered Post if the requesting person is not a current patient.

#### How do I appeal if I don't like the decision?

If you are refused access to the documents or parts of the documents you requested, the letter will tell you where you can apply to have the decision reviewed.

### REQUESTING INFORMATION FROM OTHER AGENCIES

#### Department of Justice records

If you have been seen by a Forensicare clinician while in custody at the Melbourne Assessment Prison, Dame Phyllis Frost Centre or one of the other prisons where Forensicare provides services, your health information is added to your prison health file. This is different to your corrections file. Prison health files are owned by the Department of Justice.

- For access to these documents, you need to apply to the Freedom of Information Officer at the Department of Justice, GPO Box 4356, Melbourne, 3001, by calling (03) 8684 0063.

#### Requesting a police record

To request a list of any offences recorded by Victoria Police you must apply directly to Victoria Police. You will need to fill out a form which is available from [www.police.vic.gov.au/policecheck](http://www.police.vic.gov.au/policecheck). You will be required to pay a fee and provide identification. If you have any questions, you can contact the Public Enquiry Service, Victoria Police by telephone on 1300 881 596.

#### Accessing information from other hospitals or health services

To access information that may be held by other hospitals or health services, you must apply for this in writing to the hospital or health service concerned.

#### Accessing information from a private company, insurance, company or bank

Accessing information from private companies, insurance companies or banks does not come under the *Freedom of Information Act 1982*. This Act only applies to government agencies. These groups are covered by the *Privacy and Data Protection Act 2014*, so please contact the relevant organisation with your queries.

LEGISLATION	USEFUL AGENCIES
<ul style="list-style-type: none"> <li>• <a href="#">Freedom of Information Act 1982</a></li> <li>• <a href="#">Privacy and Data Protection Act 2014</a></li> </ul> <p>This Act covers private medical practitioners (or any other private professionals, such as dentists, solicitors and accountants), and allows access to records in various ways. Please contact your doctor or other professional for more details.</p> <p><b>Where can I get a copy of the Freedom of Information Act?</b> The Act can be accessed online from <a href="http://www.foi.vic.gov.au">www.foi.vic.gov.au</a>. Alternatively, the Act can be purchased in hardcopy from SAI Global Bookshop, 3/18 Salmon Street, Port Melbourne. Large libraries, such as the State Library or university libraries, may have reference copies available for you to access.</p> <p><b>Requesting an amendment of personal records</b> If there is incorrect information on your file, you can ask Forensicare to correct it. As with a FOI application, a request to amend personal records must be made in writing and should be addressed to the Freedom of Information Officer at Forensicare. The letter should explain why the information is wrong and provide proof of this if you have it.</p>	<p><b>Mental Health Complaints Commissioner</b> Level 26, 570 Bourke Street Melbourne, Victoria, 3000 Tel: 1800 246 054 Email: <a href="mailto:help@mhcc.vic.gov.au">help@mhcc.vic.gov.au</a></p> <p><b>Victoria Legal Aid</b> 350 Queen Street Melbourne, Victoria, 3000 Tel: 1300 792 387 <a href="http://www.legalaid.vic.gov.au">www.legalaid.vic.gov.au</a></p> <p><b>Office of the Public Advocate/Community Visitors Program</b> Level 1, 204 Lygon Street Carlton, Victoria, 3053 Tel: 1300 309 337 <a href="http://www.publicadvocate.vic.gov.au">www.publicadvocate.vic.gov.au</a></p> <p><b>Victorian Aboriginal Health Service (VAHS)</b> 186 Nicholson Street, Fitzroy 3065 Tel: (03) 9419 3000 Email: <a href="mailto:info@vahs.org.au">info@vahs.org.au</a> <a href="http://www.vahs.org.au">www.vahs.org.au</a></p> <p><b>For further information:</b> Thomas Embling Hospital Telephone: (03) 9495 9100 Email: <a href="mailto:info@forensicare.vic.gov.au">info@forensicare.vic.gov.au</a> <a href="http://www.forensicare.vic.gov.au">www.forensicare.vic.gov.au</a></p>



Victorian Institute of Forensic Mental Health

## Freedom of Information Application – Health Information

### FREEDOM OF INFORMATION REQUEST – Health Information

*If you are a patient of Thomas Embling Hospital or a client at the Community Forensic Mental Health Service, you have a right to access information that is held in your clinical record under the Freedom of Information Act 1982. Forensicare does not charge for processing FOI requests.*

*This form must be accompanied by:*

- ☐ *Form of Identification (e.g. photocopy of driver's license, birth certificate, Health Care card)*

All FOI Applications must be sent to the FOI Officer at the relevant address below:

#### Freedom of Information Officer

##### Thomas Embling Hospital

Locked Bag 10  
Yarra Bend Road  
Fairfield  
VIC 3078

#### Freedom of Information Officer

##### Community Forensic Mental Health Service (CFMHS)

505 Hoddle Street  
Clifton Hill  
VIC 3078

### APPLICANT DETAILS (Details of the person seeking the information)

Mr/Mrs/Ms/Miss  
(Please circle)

Given Name(s): \_\_\_\_\_ Surname: \_\_\_\_\_  
(Please include any aliases/other names)

Date of Birth:

Address:

Suburb:

Postcode:

Telephone (Home):

Mobile:

Business:

Name of organisation/business: (If you are making a request on behalf of an organisation)

### SUBJECT DETAILS (Complete this section if you are seeking information that relates to another person)

Mr/Mrs/Ms/Miss  
(Please circle)

Given Name(s): \_\_\_\_\_ Surname: \_\_\_\_\_  
(Please include any aliases/other names)

Date of Birth:

Address:

Suburb:

Postcode:

Telephone (Home):

Mobile:

Business:

FREEDOM OF INFORMATION APPLICATION

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<b>INFORMATION DETAILS</b> (Details of the type of document requested)		FREEDOM OF INFORMATION APPLICATION
<p>Please provide a detailed description of the information being sought. If applicable, please note the date ranges of information or the documents/reports that you specifically require and tick below the information required.</p> <p><input type="checkbox"/> Progress notes (clinical notes)</p> <p><input type="checkbox"/> Report(s)</p> <p><input type="checkbox"/> Assessment(s)</p> <p><input type="checkbox"/> Pathology Results</p> <p><input type="checkbox"/> Other (please specify)</p>		
<p>The Freedom of Information Officer releases photocopies of the documents which are dispatched by Registered Post if the requesting person is not an inpatient.</p> <p><b>*If you require assistance please contact the Freedom of Information Officer on (03) 94959130.</b></p>		
Applicants signature:	Date:	
<b>Comments</b>		
<div style="height: 200px;"></div>		MR81
<b>Office use Only</b>		
<p>Date Received:</p> <p>Decision Letter Due:</p> <p>FOI Due Date:</p>		