

# Corrections Management (Media Access) Policy 2019

Notifiable instrument NI2019-269

made under the

Corrections Management Act 2007, s14 (Corrections policies and operating procedures)

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**1 Name of instrument**

This instrument is the *Corrections Management (Media Access) Policy 2019*.

**2 Commencement**

This instrument commences on the day after its notification day.

**3 Policy**

I make this policy to facilitate the effective and efficient management of correctional services.

**4 Revocation**

This instrument revokes the *Corrections Management (Media and Public Relations) Policy 2010* [NI 2010-397] and *Corrections Management (Media Enquiry) Operating Procedure 2010* [NI2010-510].



Jon Peach  
Executive Director  
ACT Corrective Services  
4 May 2019

# MEDIA ACCESS

POLICY NO. D21

ACT CORRECTIVE SERVICES



**ACT**  
Government

Justice and Community Safety

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## 1 PURPOSE

ACT Corrective Services (ACTCS) is committed to ensuring that media access to detainees in custody is managed in consideration of the public interest to ensure safety, security and good order are maintained, and to minimise distress from victims or the community.

This policy provides instructions on the management of media enquiries and considerations in deciding whether to permit or restrict a detainee's access to the media.

## 2 SCOPE

This policy applies to all ACTCS staff.

## 3 DEFINITIONS

### **Media**

Approved media representative.

### **Ministerial Support Unit**

The Ministerial Support Unit within ACTCS.

## 4 PRINCIPLES

- 4.1 Media are not permitted access to:
  - a. detainees in custody; or
  - b. a correctional centre for the purposes of visual or audio recording of any part of the internal perimeter or any person in the facility, without the prior written authorisation of the Executive Director and the approval of the Minister for Corrections and Justice Health.
- 4.2 Detainees will not be interviewed, or recorded by the media without their informed consent to the access.
- 4.3 The media are encouraged to act sensitively during a visit to a correctional centre or interview with a detainee and give consideration to the potential impacts of any future reporting.
- 4.4 The specific reasons for restricting or denying access to a detainee may not be provided where it may compromise the safety of any person, or security or good order at a correctional centre.
- 4.5 The General Manager Custodial Operations or delegate can terminate media access to a detainee or correctional centre at any time where the contact is not

consistent with the written authorisation, or to ensure the maintenance of safety, security or good order at a correctional centre.

- 4.6 Members of the media seeking to visit friends or relatives who are detainees in custody must:
- a. make this information available in their application to visit; and
  - b. not use any visit under the Visits Policy for a media purpose.

## 5 MANAGEMENT OF MEDIA ACCESS

- 5.1 Any media enquiry or request received by a staff member must be immediately forwarded to JACS Media via email to [JACSMedia@act.gov.au](mailto:JACSMedia@act.gov.au) or directed to the JACS Media direct line (02) 6207 7173, in accordance with the Justice and Community Safety Directorate Media Enquiries (Direct and Indirect) Standard Operating Procedure, and include:
- a. the name and contact details of the requesting party; and
  - b. details of the request.
- 5.2 Staff must not:
- a. disclose, without lawful authority, any confidential information gained through their employment with ACTCS, in accordance with section 9(2)(d)(i) of the Public Sector Management Act 1994 (ACT) and section 222 of the Corrections Management Act 2007 (ACT); or
  - b. make a comment that reasonably appears to be an official comment, in accordance with 9(2)(d)(ii) of the Public Sector Management Act 1994 (ACT)
- 5.3 JACS Media will liaise with the:
- a. Ministerial Support Unit regarding the media enquiry or request, and for the decision of the Executive Director;
  - b. the office of the Minister for Corrections and Justice Health; and
  - c. representatives of any other Government agency.
- 5.4 Media access will only be approved in limited circumstances after consideration of the following:
- a. the purpose and nature of the media contact;
  - b. the safety of staff, detainees and others, and security and good order of the correctional centre;

- c. the detainee's right to privacy and whether the detainee consents to the contact;
- d. potential for community distress;
- e. potential impact on any victims of crime, their families;
- f. any ongoing court matters;
- g. the detainee's physical and mental health and wellbeing;
- h. the detainee's recent behaviour;
- i. potential benefits of the media contact, including public confidence, and engagement of the community in the rehabilitative and reintegration processes undertaken in a correctional centre; and/or
- j. the public interest and the importance of the matter being open to debate.

5.5 When considering a request for media access, the Manager, Ministerial Support Unit, will liaise with JACS Media and the office of the Minister for Corrections and Justice Health regarding ministerial approval.

## **6 APPROVAL AND CONDITIONS**

6.1 Where the conditions under section 5.4 have been met and ministerial approval has been received, the Executive Director can grant media access according to any limitations or conditions the Executive Director considers appropriate.

6.2 The following conditions apply to all media contact with a detainee:

- a. detainees are not permitted to have contact with the media by mail, telephone, or email;
- b. detainees must not receive any financial benefit or compensation for participating in an interview;
- c. detainees must not be questioned about any current or prior offences, or pending legal matters, without the written authorisation of the Executive Director;
- d. media access to a detainee will be supervised at all times; and
- e. media must not interview, or record in any way, a detainee in a way that reveals their identity without the written authorisation of the Executive Director.

6.3 Where media access to a detainee has been approved, the Office of the Executive Director will:

- a. confirm the attendees, equipment and any other specific arrangements with the General Manager Custodial Operations;
- b. notify the Victim Liaison Officer; and
- c. liaise with other Directorate media units where relevant.

6.4 The Victim Liaison Officer will notify any registered victim of the media contact.

## 7 RESTRICTED EQUIPMENT

7.1 The General Manager Custodial Operations can impose restrictions or conditions on any equipment related to approved media access in accordance with the Prohibited Things, Restricted, Excess and Non-Standard Items Operating Procedure.

7.2 All members of the media and their equipment will be searched on entry in accordance with the Searching Strategy.

## 8 RELATED DOCUMENTS

- A – Prohibited Things, Restricted, Excess and Non-Standard Items Operating Procedure
- B – Searching Strategy



Jon Peach

Executive Director  
ACT Corrective Services  
4 May 2019

### Document details

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Date effective:	The day after the notification date
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Compliance with law:	This policy reflects the requirements of the <i>Corrections Management (Policy Framework) Policy 2019</i>

Criteria	Details
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Responsible officer:	Executive Director
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