

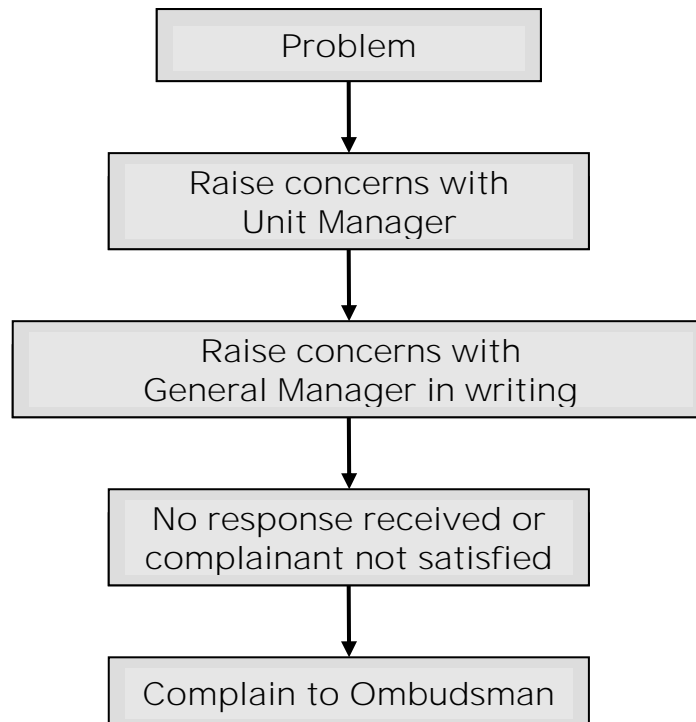
Fact Sheet 11

Prisoner complaints

The Victorian Ombudsman's (VO) jurisdiction includes public and private prisons. If you wish to complain about a prison matter, you should first go through the prison's internal complaint-handling process.

When you make a complaint to VO about an action or decision by a public or private prison, the Ombudsman can look at it, tell you what occurred, and whether it was reasonable or unreasonable. She can also make recommendations to government bodies about the conduct of the prison and any other issues that may be involved.

Here are the steps you need to follow:



Custodial issues that VO can consider include:

<ul style="list-style-type: none"> lost/damaged property visits access to medical treatment mail/phone calls buildings and facilities 	<ul style="list-style-type: none"> prisoners' funds restricted regime harassment assault by officers/prisoners drug testing unjust disciplinary decisions
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Custodial issues that VO may not consider and appropriate referrals:

Some complaints do not fall under the responsibility of the Ombudsman, but may be dealt with by another complaint-handling body. Below are some common custodial complaints of this kind, alongside the body that they should be reported to:

<p>Court issues</p> <p>→ <i>Department of Justice, Courts and Tribunals Unit</i></p> <p>Tel: 03 9032 0720 (9am-5pm Monday to Friday)</p>	<p>Crimes committed against prisoners</p> <p>→ <i>Victoria Police</i></p> <p>Tel: 03 9247 6666 (switchboard: 7am-7pm Monday to Friday) OR 000 (in an emergency)</p>	<p>Medical issues</p> <p>→ <i>Health Services Commissioner</i></p> <p>Tel: 03 8601 5200 (10am-4pm Monday to Friday)</p>
<p>Parole issues</p> <p>→ <i>Adult Parole Board</i></p> <p>Tel: 03 9094 2111 (9am -5pm Monday to Friday)</p>	<p>Police conduct</p> <p>→ <i>Police Professional Standards Command</i> Tel: 03 9247 3533 (8am-4pm Monday to Friday) OR → <i>Independent Broad-based Anti-corruption Commission (IBAC)</i> Tel: 1300 735 135 (9am-5pm Monday to Friday)</p>	

If you are uncertain of where to complain, you may call the Ombudsman's office by using a telephone in the prison. Such calls are not monitored by the prison authorities.

Complaint handling process

Before contacting the Ombudsman, you should first make a formal complaint to the General Manager of the prison about your concern. You are then welcome to contact VO if you cannot resolve the matter. When contacting the Ombudsman, you should provide a copy of the response you received from the prison, together with the reasons why you are dissatisfied with the response.

Generally, VO will not become involved in a matter until it has been pursued through the prison's complaint handling processes. However, exceptions can arise if the complainant's wellbeing is considered at risk, for example in the case of assault.

Please note: This document is intended as a guide only. For this reason the information contained herein should not be relied on as legal advice or regarded as a substitute for legal advice in individual cases. To the maximum extent permitted by the law, the Victorian Ombudsman is not liable to you for any loss or damage suffered as a result of reliance on this document. For the most up-to-date versions of cited Acts, please refer to www.legislation.vic.gov.au.

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