

This brochure explains your rights to health privacy as a remandee or prisoner

Why is information about my health collected?

During your time in prison, the health staff you see and talk to will collect, use and store information about your health. This includes information about your physical and mental health and other personal information used to provide health services to you.

This information is collected so that health staff can provide you with the treatment and advice that is best for you.

Justice Health is responsible for managing most health records created in the Victorian prison system. Justice Health is a part of the Department of Justice that is separate to Corrections Victoria.

Your health care is provided at the prison by non-government health service providers contracted by Justice Health.

How is information about my health collected?

When possible, information is collected directly from you by the health service provider. However, there may be times when the health staff collect your medical history from other health services. The health staff you see while in prison will also access the health information collected while you were in police custody.

The health service staff may also collect your Medicare number, or ask Medicare for it, so you can receive certain medications.

Knowing your medical history helps the health staff to plan the best treatment for you. It also reduces the likelihood of you having to undergo health-related tests or assessments you have already completed. To assist health staff, it is important that you provide accurate, complete and up-to-date information.

Who is given access to information about my health?

Your health record contains your personal and health information. Steps are taken to protect it so that only the health staff involved in your treatment and care have access to your health record. This means that health staff across the prison system will share your health information with each other as necessary to provide you with treatment and advice.

Justice Health may access your health information to monitor the care provided to you by the health staff.

Generally, Justice Health and its contracted health service providers will seek your consent to share information about you with other individuals or organisations.

In certain situations, the law allows the sharing of your health information without your consent. For example:

- in situations where there is a serious and immediate threat to your health or safety or the health and safety of other people within the prison
- when a court order (subpoena) or a warrant for access to your health information is provided.

Will my health information be shared with prison officers?

Your health record will not be released to Corrections Victoria staff. Health staff will provide relevant health information to Corrections Victoria staff in situations where there is a serious and immediate threat to your health or safety or the health and safety of other people within the prison.

Prison officers will be given very limited information to help you to access your health appointments, to make sure you are placed in the right unit and to manage your needs.

Justice Health takes steps to store your health information securely and to protect it from unauthorised access or use or from loss.

How can I access my health information?

If you would like to request access to or correction of the health information held by a prison health service, you should talk to your health service provider in the first instance.

You have the right to make a written application for access to your health record under the *Freedom of Information Act 1982*.

Write to:

Freedom of Information Unit
Department of Justice
GPO Box 4356
Melbourne VIC 3001

In some instances, access to information may be declined under the *Freedom of Information Act*.

If there is information in your health record that you believe is incorrect, you can request a correction.

Where can I find more information or make a health privacy complaint?

If you would like more information about how health information is managed in Victorian prisons, or if you do not understand an aspect of your health care, you should talk to the staff from your prison health service.

If you are not satisfied with the way that either the prison health service or Justice Health has handled your health information, you may lodge a complaint with:

Health Services Commissioner (Vic)
26/570 Bourke St
Melbourne, VIC 3000

Or call the Health Services Commissioner's office on the prison phone system by entering your prisoner ID and PIN number *#06

Justice Health GPO Box 123 MELBOURNE VIC 3001

The information contained in this brochure was accurate as of April 2014.