

Custodial Operations Policy and Procedures

21.12 Media

Policy summary

This document sets out the framework in which CSNSW provides information to the media about its activities and operations. For various reasons, including security and privacy, only staff authorised to do so may comment on CSNSW's operations and activities.

Staff who are not authorised to make public comment should not do so as it may result in disciplinary action or criminal prosecution.

Management of Public Correctional Centres Service Specifications

<i>Outcome</i>	Safety and Security Professionalism and Accountability
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Scope

This policy applies to all staff employed or undertaking business with CSNSW.

Related Documents

Crimes (Administration of Sentences) Act 1999

Crimes (Administration of Sentences) Regulation 2014

Criminal Records Act 1991

CSNSW Communications Policy and Procedures

Government Information (Public Access) Act 2009

Health Records & Information Privacy Act 2002

Privacy and Personal Information Protection Act 1998

Summary Offences Act 1998

CSI Policy Manual

Code of Ethics and Conduct for NSW Government Sector Employees

Department of Justice Social Media Policy

Forms and Annexures

Staff media release form

Offender media release form

Definitions

COPP	Custodial Operations Policy and Procedures
GIPA Act	Government Information (Public Access) Act

Table of Contents

1	Policy	4
1.1	Dealing with the media	4
1.2	Obligation to inform the Media & Communications Unit	4
1.3	What Corrective Services cannot tell the media	4
1.4	Escapees	5
1.5	Images of staff and offenders, including filming	5
1.6	Interviews with staff and offenders	5
1.7	Media Training	5
1.8	Public comment by staff, including speeches, conference papers, articles, letters to the editor, and social media	5
1.9	TV, films, photo shoots and books	6
1.10	Partner organisations	6
1.11	Local communities	6
1.12	Members of parliament	6
2	Document history	7

1 Policy

1.1 Dealing with the media

Communication with the media is often more complicated than it might seem. While the media plays a vital role in assisting Corrective Services communicate with the public, there are often reasons why information cannot be given out, or must be given out with certain restrictions. These reasons include privacy and security issues, potential damage to current investigations, and the need not to reveal confidential procedures and methods.

Therefore all contact with or requests from the media must be reported immediately to the Media & Communications Unit. The Unit must approve the release of any information to the media by any member of staff (unless an application has been made under the GIPA Act), and generally does this after seeking approval from a member of the executive. This includes requests for staff to be interviewed.

Speaking to the media without the permission of the Media & Communications Unit could render an employee subject to disciplinary action. It could also involve the employee in breaches of the law that could bring other penalties.

The Unit also supports Corrective Services NSW (CSNSW) staff who want other forms of advice on communications, most commonly strategies to support initiatives. The Media & Communications Unit can be contacted via email csnsw.media@justice.nsw.gov.au for further information.

1.2 Obligation to inform the Media & Communications Unit

Subject to the usual confidentiality provisions that exist in CSNSW, all managers have a responsibility to provide the Media & Communications Unit with any information it requests as quickly as possible.

Where an incident has not been covered already in an Incident Summary Report or any other regular channel, and media interest appears imminent, the senior manager responsible for dealing with the incident should proactively inform the Media & Communications Unit.

Advance notice enables the Unit to prepare an approved response for potential media queries, which usually have to be answered quickly.

1.3 What Corrective Services cannot tell the media

The general rule is that unless an offender provides consent, CSNSW cannot tell the media anything about them. There are two significant exceptions to this.

1. In responding to an application made under the GIPA Act, CSNSW might determine that some details can be released.
2. CSNSW can provide details that are legally on the public record already. An example is custodial sentences imposed by a court which indicate an offender's custodial status.

Among the details CSNSW cannot release are:

- which prison an offender is in
- details of their criminal or custodial history
- whether they are on protection

1.4 Escapees

As an exception to the previous section, CSNSW can provide the identity and other details, including an image, of escapees to the media, to assist with their recapture.

1.5 Images of staff and offenders, including filming

In general CSNSW declines requests to photograph or film staff or offenders, or to provide existing images of offenders (i.e., “mug shots”.) There are two exceptions. Police are provided with photographs of inmates after they escape, and occasionally the Media & Communications Unit will allow the media to film or photograph staff or offenders in order to publicise some aspect of CSNSW activities. In the latter case, staff and offenders must give their approval. There is no obligation for them to do so, and the approval must be obtained beforehand in writing, with those to be filmed or photographed made aware of the fact their identities will be publicised as a result.

1.6 Interviews with staff and offenders

In general CSNSW declines requests for interviews with staff or offenders. Occasionally the Media & Communications Unit will allow the media to interview staff or offenders in order to publicise some aspect of our activities. In those cases, staff and offenders must give their approval. There is no obligation for them to do so, and the approval must be obtained beforehand in writing.

They must be made aware of the fact their identities will be publicised if they are named in the media. If given the option of not being named when recorded for radio, they must be made aware of the possibility they could still be identified as a result.

1.7 Media Training

Most staff do not talk to the media often enough to justify the resources needed for formal media training. The Media & Communications Unit will consider any requests from staff who feel they would benefit from such training. The Unit also provides its own quick training on request for staff who have been approved to do an interview with the media.

1.8 Public comment by staff, including speeches, conference papers, articles, letters to the editor, and social media

Public comment in any forum about work with CSNSW, or the release of information about that work or gained during it, has the potential to be published in the media. For this reason anything an employee proposes to say or publish must be cleared by the Media & Communications Unit, once clearance has been obtained from the employee’s manager.

This includes anything related to work that is to be published on social media. More information on this can be found at the Department of Justice Social Media Policy and Procedure, available on the CSNSW intranet.

An exception this is speeches and papers delivered at conferences. Officers involved in such activities should contact the Media & Communications Unit beforehand only when they expect there will be media interest.

This policy does not apply to public comment unrelated to work, for example speaking at a public meeting or writing a letter to the editor on some unrelated matter. However, in such instances the employee should not identify themselves as such, for example by wearing their uniform to a meeting or signing a letter "Jane Doe, Correctional officer, Bathurst". This is because such identification could lead some people to assume they are making their comment as a representative of CSNSW.

1.9 TV, films, photo shoots and books

Applications from the producers of such projects seeking access to staff, offenders, facilities and confidential information should be made to the Media & Communications Unit, and will be dealt with on a case by case basis. Issues to be considered include privacy, security, and the resources available within CSNSW to supervise the project.

1.10 Partner organisations

CSNSW is in partnerships with outside organisations for many reasons. Partners include local councils that provide opportunities for offender work crews, and non-government organisations that provide programs for offenders in the community. CSNSW will provide these organisations with the information necessary for the efficient, effective and appropriate conduct of these activities.

It is important that all partnership agreements include a "no surprises" condition covering any dealings with the media. This means the partner agrees not to talk to the media about partnership activities without the prior approval of the Media & Communications Unit, which should be obtained by the CSNSW operational staff with whom the partner is dealing. The Office of the General Counsel will provide the words for such an agreement on request.

1.11 Local communities

CSNSW is a "good citizen" and this includes keeping in contact with local communities where there is a need for this. In regional areas this often takes the form of a Community Consultative Committee, consisting of the Governor and other staff and representative community members, such as the mayor and a local senior police officer.

1.12 Members of parliament

Inquiries or requests from Members of Parliament should be referred to the office of the Minister for Corrective Services (unless they are made under the GIPA Act). For assistance with this, contact the Media & Communications Unit or Corrections Executive Services & Complaints Management.

2 Document history

Version	Date	Reason for Amendment
1.0		Initial publication (<i>Replaces section 20 of the superseded Operations Procedures Manual</i>)