



# Department of Justice and Community Safety

Corrections Victoria

Level 22  
121 Exhibition Street  
Melbourne Victoria 3000  
Telephone: (03) 8684 6600  
Facsimile: (03) 8684 6611  
[www.corrections.vic.gov.au](http://www.corrections.vic.gov.au)  
DX: 210085

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Ms Chian Pertzel  
Justice Action  
PO Box 386  
BROADWAY NSW 2007

Dear Ms Pertzel

## **Victorian prisoners' access to the services of iExpress**

Thank you for your 11 October response to my letter of 5 September 2019 regarding regulatory restrictions on Victorian prisoners' access to the internet using third parties.

There are, unfortunately, quite a number of inaccuracies and misconceptions in your submission. These include:

- the inference, in your email to me of 11 October, that I could withdraw regulation 65(1)(p) of the Corrections Regulations 2019 on the basis of the arguments set out in your analysis. These are not Corrections Victoria's internal regulations or procedures, over which I might have some influence, but rather statutory rules which form part of Victoria's legislative framework;
- you quote Corrections Minister Wade Noonan's position on the regulation from an article that appeared in *The Age* of 26 February 2015. The relevant changes were, however, not made until 28 April 2019; and
- the Corrections Regulations 2009 have been remade, and are no longer in force. The Corrections Regulations 2019 are not 'proposed', as suggested at some points, but are current and in force.

Human rights considerations have very much been taken into account in the implementation of regulation 65(1)(p) provisions, with a range of circumstances where third parties' internet access on behalf of prisoners is seen to be acceptable being approved by the Commissioner or prison General Managers in accordance with r 65(1)(p)(iii) and (2).

Finally, I note that the misleading and incorrect representations about the Victorian Government's position on iExpress (of which I previously complained) remain on your website. I again request that you amend the information on the website in accordance with my letter of 5 September.

Yours sincerely

  
Rod Wise  
**Deputy Commissioner, Custodial Operations**

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