

3 | How do I access records held by a government organisation?

Government organisations, like schools, hospitals and police, may keep records you need to claim compensation. This fact sheet provides information about requesting records and how **TasVOCAL** can help.

Why do I need records?

This information could be important to you for many reasons including:

- making a complaint about what happened to you as a child
- applying for compensation.

Information might include:

- hospital or state ward files
- court, school or police records.

Non-government organisations, like religious and community organisations, might also hold information about you.

If you want access to these records, **TasVOCAL** can assist. We also have a fact sheet: *'How do I access records held by a non-government organisation?'*

What are my rights?

You can access information that governments hold about you.

However, sometimes governments may be able to withhold records, for example if they contain sensitive information about another person or government.

What to expect

The older the information you request, the less likely it is to be found. Some records may not exist or may have been destroyed. Even if you do find records, they may contain minimal or inaccurate information and may not answer all of your questions.

How do I request my information?

Informal requests

You can contact the government department or agency and ask if they will give you your records for free, without a formal application.

Formal requests

You can make a written application to the

government department or agency. In most cases you will not be charged for access to your personal information, but fees may apply.

You can usually find the application form on the department or agency's website under 'Right to Information' or 'Freedom of Information'. You can also call the department or agency and ask them to send you the form.

It is important that you are clear about what information you want. For example, *"all information relating to [your name]'s time in care", or "the police report I made in 19[xx] to [insert suburb] Police Station about..."*

You might need to include a copy of some photo identification so that the organisation knows that they are giving the records to the right person.

TasVOCAL can advise you about how to make a request.

Reducing fees

If fees do apply, you can ask the government department to reduce or waive them. This is not always possible, but you should ask.

Support services

Some support services, like Find & Connect (www.findandconnect.gov.au; 1800 16 11 09) may assist you to access your records.

Protecting privacy

The law says that the government cannot give you someone else's personal information unless that person gives permission. The government may black-out portions of the document to protect another person's right to privacy.

Asking for a review of a decision

If the government withholds information you can ask them to review this decision or ask an external agency to look at the decision. You may have only a short amount of time to request a review.

TasVOCAL can advise you how to request a review.

Trauma and emotion

Accessing information about your childhood can have a significant emotional impact. The information may bring up traumatic memories or uncomfortable feelings.

It is a good idea to view your information with someone you trust, like a friend or support person.

TasVOCAL can provide you with a referral to a Redress Support Service (RSS) or other therapeutic supports.

How to contact **TasVOCAL**

- Visit: www.legalaid.tas.gov.au
- Free call: **1300 366 611** ask for **TasVOCAL**
- Email: TasVOCAL@legalaid.tas.gov.au

Disclaimer

This fact sheet should not be used as substitute for legal advice. No responsibility is accepted for any loss, damage or injury, financial or otherwise, suffered by any person acting or relying on the information contained within this fact sheet, or omitted from it. You should seek legal advice about your own particular circumstances.

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Need legal help?

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Monday to Friday, 9am – 5pm



1300 366 611 Ask for **TasVOCAL**



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