

Frequently asked questions - for the Department of Health and Human Services and funded services

Post-Sentence Multi-agency Panel

Key messages

- Commencing 27 February 2018, the Department of Health and Human Services (the department) and its funded services have new legislative obligations to improve the coordination and delivery of services to post-sentence offenders under amendments made to the *Serious Sex Offenders (Detention and Supervision) Act 2009* (SSODSA) by the *Serious Sex Offenders (Detention and Supervision) Amendment (Governance) Act 2017*.
- On 3 September 2018, the *Serious Offenders Act 2018* (the Act) replaced SSODSA, with new provisions for the management and coordination of services to serious violent offenders under the post-sentence scheme.
- Section 284 enables relevant persons to use or disclose information for purposes consistent with the Act.
- A Multi-agency Panel is established to develop coordinated services plans for offenders and to take steps to resolve systemic issues in the provision of services.
- A Serious Offenders Coordination team is established in the department to coordinate the department's and funded services' service responses for coordinated services plans.

Background

In 2015 the Harper Review was commissioned to advise on the legislative and governance models of the post-sentence scheme and recommended its reform. Commencing 27 February 2018, the *Serious Sex Offenders (Detention and Supervision) Amendment (Governance) Act 2017* makes provisions for a reformed scheme, including the establishment of the principle of shared responsibility, the Post-Sentence Authority and the Multi-agency Panel.

What is the Post-Sentence Authority (the Authority)?

The Authority provides independent oversight of the state's post-sentence scheme, which allows for the ongoing detention and supervision of serious offenders who pose an unacceptable risk to the community after being released from prison. The Authority members have a range of functions, including monitoring the progress and compliance of offenders subject to post-sentence orders and issuing instructions and directions regarding conditions. The Authority will seek updates and reports from the department.

What is the Multi-agency Panel (MAP)?

The MAP brings together executive delegates from the department, Victoria Police and the Department of Justice and Regulation, to share information, coordinate services and take steps to resolve any systemic issues relating to the provision of services for post-sentence offenders.

Who are the members of the MAP?

The members are:

- Deputy Secretary, West Division, Children, Families, Disability and Operations Division
- Chief Mental Health Nurse, Mental Health, Health and Wellbeing Division
- Director, Community Based Health Policy and Programs, Health and Wellbeing Division
- Superintendent, Offender Management Division, Intelligence and Covert Support Command, Victoria Police
- Deputy Commissioner, Offender Management Branch, Corrections Victoria
- Assistant Director, Post Sentence Branch, Corrections Victoria
- Regional Director, Grampians Region, Department of Justice and Regulation.

What is a coordinated services plan (CSP)?

A CSP is the key document that sets out the services agreed by the MAP to be provided to manage individuals' reoffending risk factors. The endorsement of a plan by the MAP commits the department, Victoria Police, and the Department of Justice and Regulation, or their funded services, to the delivery of services.

The CSP does not replace case management or other plans used by service providers to support the delivery of services to clients. However, such documents should align with service provision arrangements agreed in the CSP.

What information can be disclosed and used?

Section 284 of the Act sets out the specific purposes for which information may be used and disclosed, and by whom (relevant persons). The Act states that a relevant person may use or disclose to another relevant person any information obtained by the person in carrying out a function under the Act or a relevant Act. A relevant person includes any person employed in the department and any person who delivers services or advice on behalf of the department. For the department and its funded services, this means that information use and disclosure is permissible:

- for preparing assessment reports, progress reports, treatment and supervision plans or any other reports or documents required by the Act
- for making or responding to an application under the Act
- for preparing and reviewing coordinated services plans
- for delivering or providing for the delivery of services consistent with a coordinated services plan
- managing an offender
- if authorised by the person to whom it relates
- if the relevant person believes on reasonable grounds it is necessary to use or disclose the information to reduce the risk of an offence or threat to any person.

The sharing of information by a funded service to others fulfilling obligations under the Act assists with the effective coordination of appropriate services for post-sentence offenders.

A person who is or has been a relevant person must not use or disclose any information obtained by the person in carrying out a function under this Act unless the use or disclosure is authorised by subsection (1) or (3).

Who coordinates the service delivery responses for the CSPs?

If your client is being presented to the MAP, you are likely to be contacted by the Department of Justice and Regulation specialist case manager (SCM) requesting an update on client progress and/or service provision. This should be supported to ensure joined-up practice at the direct service level.

In addition, the Serious Offenders Coordination team in the Service Implementation and Support Branch, Children, Families, Disability and Operations Division may also make contact with you to request information, or to discuss the information you already provided to the SCM.

The Serious Offenders Coordination team coordinates the department's information flow with the MAP. The team:

- coordinates the department's service responses and updates to inform the CSPs
- supports the department's MAP members
- coordinates, responds and reports on notices from the Authority
- promotes improved service responses to serious offenders by departmental programs and funded services.

MAP meets frequently so it is important to provide a timely response to requests for service delivery updates. Where services do not provide updates, this may negatively impact on the progress and implementation of the client's CSP.

Further information:

If you require additional information email the Serious Offenders Coordination team – SOCT@dhhs.vic.gov.au