



VICTORIA POLICE

APPLICATION FOR THE RELEASE OF AN AGENCY PHOTOGRAPH FROM VICTORIA POLICE TO AN AUTHORISED MEDIA ORGANISATION

If Victoria Police is not in possession of an agency photograph of the offender listed at section 2, the cheque/money order will be returned to the applicant using the address provided at section 1. If the applicant is not an 'authorised media organisation' within the definition of section 235 of the *Victoria Police Act 2013*, the application will not be processed and the prescribed fee will be returned using the address provided at Section 1. To become an authorised media organisation, the 'Application to be an Authorised Media Organisation' form must be downloaded from the Victoria Police website and lodged with the Victoria Police Media Unit, and authorisation must be given by the Chief Commissioner.

Instructions for submitting the application:

- Complete sections 1-2
- Attach a document addressing section 3 (max 300 words)
- Attach cheque or money order for the prescribed fee made payable to Victoria Police
- Sign the acknowledgement at section 4
- Mail this form and all attachments to:
Freedom of Information Division
Victoria Police Centre
P.O. Box 913
Melbourne VIC 3001

Section 1: Applicant Details

Name of authorised Media Organisation: _____

Name of person making this application on behalf of the applicant: _____

Position (if appropriate): _____

Are you an authorised media organisation as defined by s235, *Victoria Police Act 2013*:
☐ Yes Authorised media organisation reference number: _____
☐ No *if No, this application will not be accepted. Refer to 'Instructions for submitting form'.*

Postal Address: _____

Telephone (B/H): _____ Telephone (Mobile): _____

Email: _____

Section 2: Details of Agency Photograph Being Requested

Name of person photographed: _____ Date of birth of person photographed: _____

Informant's name: _____

Details of offence/s: _____

Date found guilty and/or date of sentencing: _____ Court: _____

Penalty: _____ Intended use of photograph: _____

Section 3: Under s239 of the *Victoria Police Act 2013*, applicants must set out the reasons why Victoria Police should provide the agency photograph

Attach a document which addresses the reasons why the photograph of the person at section 2 should be released to the applicant. This document should be no more than 300 words. Consideration must be given to the following (in accordance with s240 of the *Victoria Police Act 2013*):

- 1) The public interest, including but not limited to the following -
 - (a) the nature and seriousness of the offence referred to in section 238(1);
 - (b) the age of the person photographed;
 - (c) the sentence given to the person photographed;
 - (d) any suppression orders involving the person photographed or involving any other person who might be affected by the giving of the photograph to the media organisation;
 - (e) any effect that might result from the giving of the photograph on any other court proceedings;
 - (f) any deterrent effect that might result from the giving of the photograph;
 - (g) any other possible legal constraint on the giving of the photograph.



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Section 3: continued

- 2) The interests of the victim and of any witness to the offence including but not limited to the following -
 - (a) whether or not any victim of or witness to the offence referred to section 2 could be identified by the giving of the photograph; and
 - (b) the likely impact on any such victim or witness of the giving of the photograph.
- 3) the interests of the person photographed, including but not limited to the physical or mental state of that person, and any risk to the subject or their family which might occur as a result of giving the photograph.

Further matters to which the Chief Commissioner must have regard to when considering an application are contained within s240 of the *Victoria Police Act 2013*.

Section 4: Terms and Conditions of Authorisation

In making this application (whether on your own behalf or on behalf of an organisation) under s239 of the *Victoria Police Act 2013*, you acknowledge the following;

- The applicant is an 'authorised media organisation' within the meaning of s235 of the *Victoria Police Act 2013*;
- If granted, an authorisation will be given to the applicant in writing in accordance with s238 of the *Victoria Police Act 2013*, and that the authorisation is made strictly subject to any conditions as specified on the authorisation;
- That as prescribed by s242 of the *Victoria Police Act 2013*, it is a criminal offence to use an agency photograph provided by Victoria Police in any way except for the following;
 - (a) in the course of journalism carried out by the organisation;
 - (b) in accordance with the authorisation under s238 under which the photograph is given to the media organisation; and
 - (c) in accordance with any applicable privacy standard published or determined by the Australian Press Council or determined by, or registered with or notified to the Australian Communications and Media Authority.
- That should the applicant, at any time breach s242 of the *Victoria Police Act 2013*, the Chief Commissioner may revoke the authorisation of the applicant in accordance with s242 of the Act;

Signature : _____ Full Name in Block Letters: _____

Office Use Only

Date Received: _____ Office File Number: _____

Authorised Media Organisation: ☐ Yes, reference number verified
☐ No, application and money order/cheque returned to applicant

Fee Attached: ☐ Yes ☐ No Receipt Number: _____

Agency Photograph Available: ☐ No, cheque/money order must be returned to applicant
☐ Yes, assess information provided at section 2

Information responding to section 2 sufficient: ☐ No, contact applicant for further information
☐ Yes, proceed with assessment

Action Officer (name and employee number): _____