

## Response to the Family Violence Reform Implementation Monitor's call for submissions: Review of family violence information sharing and risk management – June to September 2022

### Submission #43 – Individual – Specialist family violence practitioner

#### The Family Violence Information Sharing Scheme and Central Information Point

*Please reflect on your experience in collecting, requesting, using or disclosing confidential information in the past 3 years when responding to the following questions.*

##### 1. Are the legal requirements in the Act sufficiently clear?

*In responding to this question, please consider whether you feel the Act is sufficiently clear in relation to the meanings of key terms (such as person of concern, primary person, confidential information and excluded information), the circumstances in which confidential information can be requested or disclosed, record-keeping requirements and any other matter*

No

##### If no, how do you think they could be made clearer?

Consider including "intimate and previously intimate relationship" as part of the definition - its still family violence even if you have broken up with them.

##### 2. The Act outlines principles, and requires the Minister to issue guidelines, to guide decision-making in relation to the collection, use or disclosure of confidential information.

###### a) To what extent are the principles reflected in your organisation's policies, procedures, practice guidance and tools?

Mostly

###### How could this be improved?

Clear guidance, specific to each part of the sector, on what additions/adaptations need to be made to policies, procedures, practice guidance and tools

###### b) Do the principles and guidelines support you to make decisions under the Act?

Unsure

##### 3. Does the Act provide sufficient scope and authority for you to collect, request, use or disclose all information you feel is needed to effectively establish, assess and manage risks of family violence?

Unsure

##### 4. Have you been able to obtain consolidated and up-to-date information from the Central Information Point (CIP) about perpetrators of family violence to support your organisation to assess and manage risks of family violence?

Unsure

##### 5. Have you observed an increase in the level of information sharing, including:

###### a) information being disclosed voluntarily?

Yes

###### b) information being disclosed on request?

Yes

##### 6. Have you observed an increase in the level of collaboration between organisations to support the delivery of coordinated services?

Yes

##### Please make any additional comments.

Yes, but not to the extent that is intended in the Framework. We still experience barriers due to organisations not having a full understanding of their responsibilities - ie workers requesting information that is not relevant to risk, slow responses to requests, refusals based on in misunderstanding of the schemes, refusals that have not had an Aboriginal cultural lens applied

**7. Have you experienced any legal barriers or challenges in:**

**a) collecting, requesting, using or disclosing information?**

Unsure

**b) collaborating with other organisations to deliver coordinated services?**

Unsure

**c) complying with the Act's requirements?**

Unsure

**8. Are you aware of any instances of the unauthorised use or disclosure of confidential information under the FVISS or CIP provisions?**

No

#### **Family Violence Risk Assessment and Risk Management Framework**

*Please reflect on your experience in aligning your organisation's policies, procedures, practice guidance and tools with the MARAM Framework when responding to the following questions.*

**9. Are the legal requirements under the Act sufficiently clear, including in relation to the meaning of framework organisation and section 191 agency?**

Yes

**10. Have you observed greater consistency in organisations' approaches to family violence risk identification, assessment and management?**

Yes

**Please make any additional comments.**

But we still have a long way to go, especially regarding a better Aboriginal Cultural understanding

#### **General**

**11. Have you observed any adverse effects of the provisions for particular groups, such as children and young people, adolescents who use violence in the home, or members of the Aboriginal community?**

Unsure

**12. Do the provisions sufficiently provide for the needs and characteristics of diverse communities?**

Unsure

**13. Do you have any other comments about the operation of the provisions, including any suggestions for improvement?**

Guidance on whether we have to share the FVISS responses that are contained in case notes that are subpoenaed