

## **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 #10 – Individual – Jo Millard**

#### **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*

Unsure

##### **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?**

Our organisation doesn't provide care but is a peak body promoting the reforms. It is challenging for health professionals to adopt change where there was limited consultation early on and for those ISEs in phase 2 - were distracted by the COVID-19 vaccine rollout. Clarity about information for use in disclosure vs excluded information can be confusing

###### **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?**

Unsure

###### **Please make any additional comments.**

Health provider workforces -ISEs in phase 2 particularly are likely to have less awareness of the information sharing reforms. Many organisations may not have policies and procedures in place inf they were part of phase 2.

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

Unsure

###### **Please make any additional comments**

as for the previous comment

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

Yes

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

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

Yes

**If yes, what were the legal barriers or challenges?**

Hesitation about privacy and confidentiality vs information sharing. Need for increased awareness of the difference between mandatory reporting and information sharing reforms

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

Unsure

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

Yes

**If yes, what were the legal barriers or challenges?**

Clarity around what is required of organisations and the clear process for undertaking the reforms

**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?**

No

**If no, how could they be made clearer?**

Increased promotion and support for peak bodies in relevant area to raise awareness of the schemes

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

Unsure

**Please make any additional comments.**

In some sectors and among some ISE there is limited awareness and may not be policies and procedures to support the uptake of the reforms.

### **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?**

No

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

No

**If no, please indicate why.**

The system tends to be largely homogenised in approach. Interpreters and information are not always readily available that are culturally safe. Equity of access to Services in rural remotes areas is not always available. Aboriginal and Torres Strait Islander people remain over represented in out of home care

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

Earlier consultation with health professionals would have increased awareness, engagement, understanding, and implementation of reforms