

## 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 #19 – Organisation – GenWest

#### 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*

Yes

##### 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?

Being provided sufficient resources to implement into the organisation would be helpful

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

Yes

##### 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?

Yes

##### 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?

No

##### 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

###### Please make any additional comments

Increase in using FVISS to its maximum potential

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

Unsure

##### 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?

On occasion when information has been sought re risk, as a FV specialist org we have been told that the PUV needs to give consent Spent Convictions Act has posed barriers when PUV continues to perpetrator and difficult to assess pattern of risk when court will not share historical information

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

Yes

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

On occasion when information has been sought re risk, as a FV specialist org we have been told that the PUV needs to give consent Spent Convictions Act has posed barriers when PUV continues to perpetrator and difficult to assess pattern of risk when court will not share historical information Some orgs who are not FV focused can at times be resistant to the responsibility of a shared FV coordination. Possibly due to lack of resources.

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

Yes

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

On occasion when information has been sought re risk, as a FV specialist org we have been told that the PUV needs to give consent Spent Convictions Act has posed barriers when PUV continues to perpetrator and difficult to assess pattern of risk when court will not share historical information

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

No

**Please make any additional comments.**

Sometimes in good faith more information can be shared than is relevant to risk. There is no real clarification around third party requests for information and who it can be shared with eg receiving information from corrections, can we share this with a third party request? Clearer guidelines around this would be valuable

**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

**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?**

No

**If no, please indicate why.**

It doesn't appear that MARAM practice guidelines has been informed in-depth by practice consultations with diverse communities.

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

Resources. Extension on 5 year alignment phase (recognising the ongoing impacts of Covid)