

# Family Violence Information Sharing Scheme:

From Concept to Practice



**WOMEN'S HEALTH  
IN THE NORTH**

**24 July 2018**



# About NIFVS

Northern Integrated Family Violence Services (NIFVS) is the partnership that leads the integration of family violence and related services in Melbourne's northern metropolitan region (NMR).

## Our Mission

To maintain and continually develop the integrated family violence service system in the NMR, in order to improve the safety of women and children and to hold perpetrators accountable for their use of violence.

## Our Partners

- 25 committee members
- 173 services responding to family violence
- 1,918 professionals linked to various initiatives





# What to Expect from Today

## Participants will:

- Find out more about the Family Violence Information Sharing Scheme (FVISS)
- Hear how the FVISS intersects with other key reforms including the Child Information Sharing Scheme and the redeveloped Risk Assessment and Risk Management Framework
- Understand and reflect on implications for practice
- Explore the impact of the FVISS so far
- Hear from other agencies about how to prepare



# Agenda

**Activity One** Addressing concerns

**Presentation** Aisling McCartney, Family Safety Victoria and Tim Hamilton, DHHS

**Presentation** Dr Anita Morris, Family Violence Principal Practitioner, DHHS

[BREAK]

**Panel Discussion** WISHIN, Uniting Kildonan, The Orange Door

**Activity Two** Case study: Risk Relevance and Information Sharing



# The Scheme

The Royal Commission into Family Violence report recommended that the *Family Violence Protection Act 2008* be amended to create a family violence information sharing regime.

The resulting scheme began on 26 February 2018, and authorises a select group of prescribed information sharing entities (ISEs) to share information between themselves for family violence risk assessment and risk management purposes.

The changes no longer require that a serious threat to an individual's life, health, safety or welfare be imminent before information can be lawfully shared.



# What We've Seen So Far

- 29 agencies in the NMR were prescribed in February 2018.
- Very few requests for information under the scheme have been received or made since it commenced.
- The scheme has 'freed up' practice, such that agencies are now more likely to just share risk relevant information without being prompted.
- Victim survivors are feeling positive about perpetrator patterns being mapped.
- Timeliness of responses to requests for information is sometimes an issue.
- Ensuring information shared is 'risk relevant' needs to be front of mind especially when working from different practice frameworks.



# What We've Heard From You

## Your **questions**:

- Who can share and how much can be shared?
- How has the scheme been working so far?
- How will the scheme effect current organisational practice and process?
- What are the legislative changes on State and Federal level?
- How will different organisations and sectors work together?





# What We've Heard From You

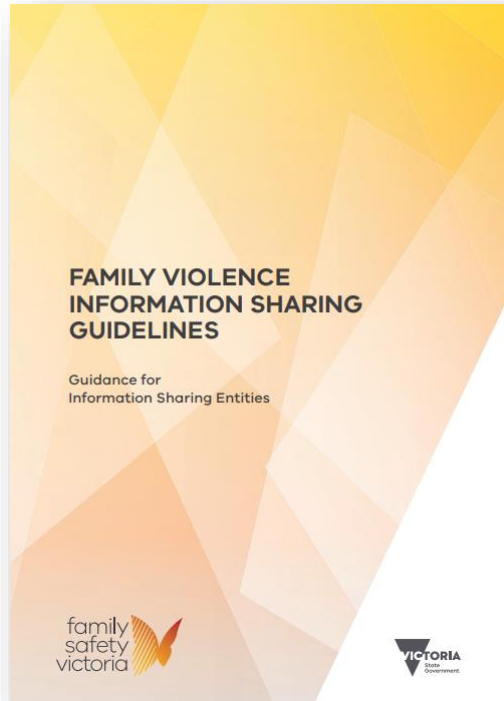
## Your **concerns**:

- Haven't attended training yet
- Risk of client disengagement
- Men's use of power and control to prohibit or limit women from sharing information
- Misunderstanding the changes may mean workers don't share
- Access to consistent tools or templates





# Activity One



At your table, introduce yourself and your role.

Discuss the following:

**What questions do you have about the family violence information sharing scheme?**

*Record each question on the coloured circles on your tables.*

[10 minutes]





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# **Aisling McCartney FSV**

## **Tim Hamilton DHHS**

An overview of the ISS, Child ISS  
and the updated CRAF



# MARAM, Family Violence Information Sharing Scheme, and the Child Information Sharing Scheme

## Implementation update

24 July 2018  
NIFVS Forum  
Eltham Community and Reception Centre  
801 Main Road Eltham

# The reform landscape

The Victorian Government is delivering a range of inter-related reforms across justice, education, health and human services

Ending Family Violence:  
Victoria's Plan for Change

Roadmap for Reform

initiatives in focus today

Child Information Sharing  
Scheme

Family Violence Information  
Sharing Scheme

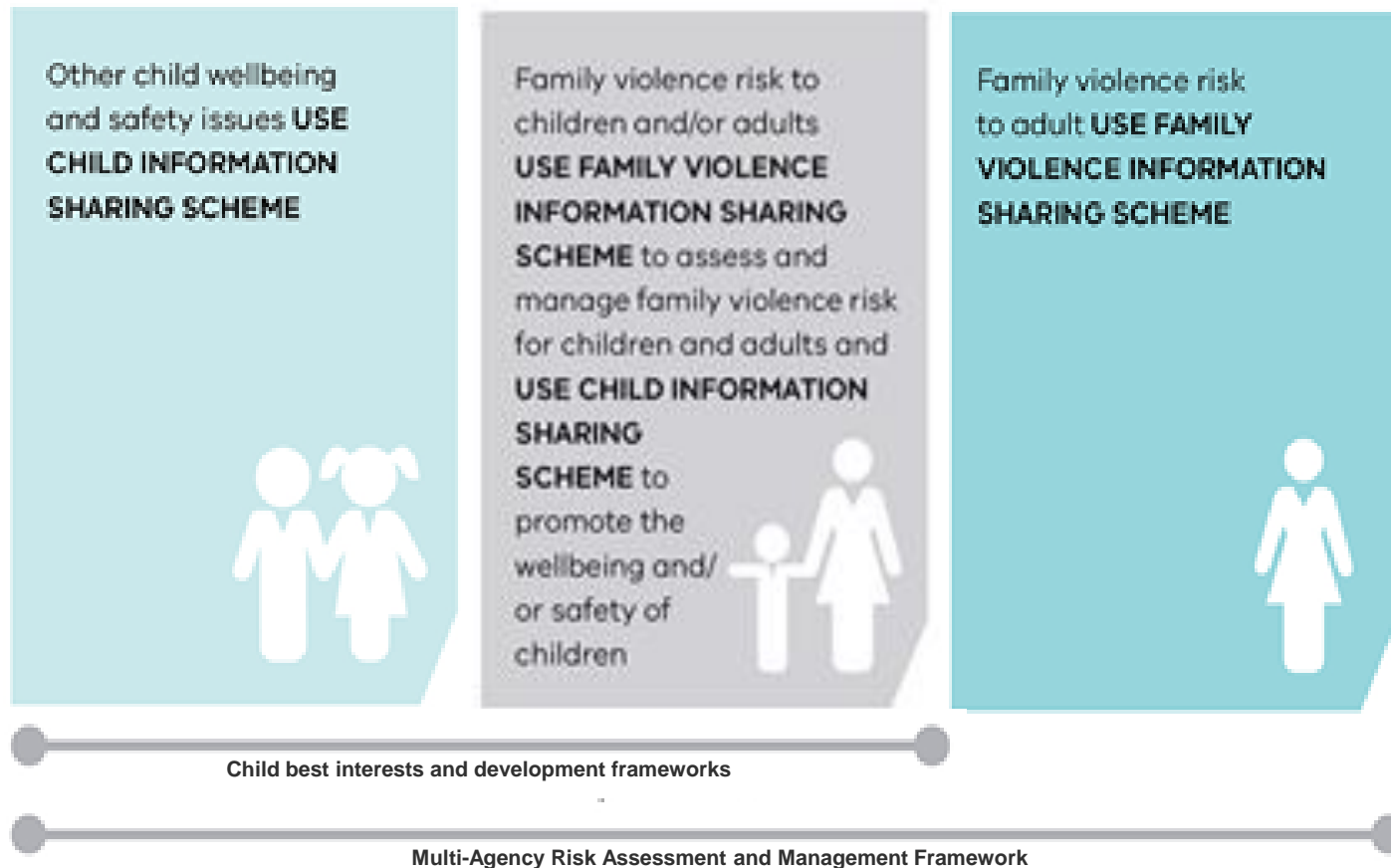
Family Violence Risk  
Management Framework

## Expected shared outcomes from the integrated delivery of all three initiatives

- Children, young people and families are provided with integrated, wraparound supports and targeted early interventions
- Supportive and culturally strong communities
- Improved access to universal services
- Strengthened home-based care and improved outcomes for children and young people in out-of-home care
- Victim survivors, vulnerable children and families are safe and supported to recover and thrive
- Perpetrators are held to account, engaged and connected
- Preventing and responding to family violence is systematic and enduring
- Neither family violence nor gender inequality are tolerated

# Three related reforms

Applying the child and family violence information sharing schemes in the context of a practitioner's work



# Phased implementation for prescribed organisations

## Family Violence Information Sharing Scheme Initial Tranche February 2018

- Child protection practitioners in Support and Safety Hubs and RAMPs
- ChildFIRST
- Sexual assault services
- Specialist men's and women's family violence services
- Support and Safety Hubs
- Services on RAMPs
- Victoria Police
- Magistrates' and Children's Courts
- Victim's Support Agency and Victim Assistance Programs
- Corrections Victoria, Adult Parole Board, Justice Health and associated funded services

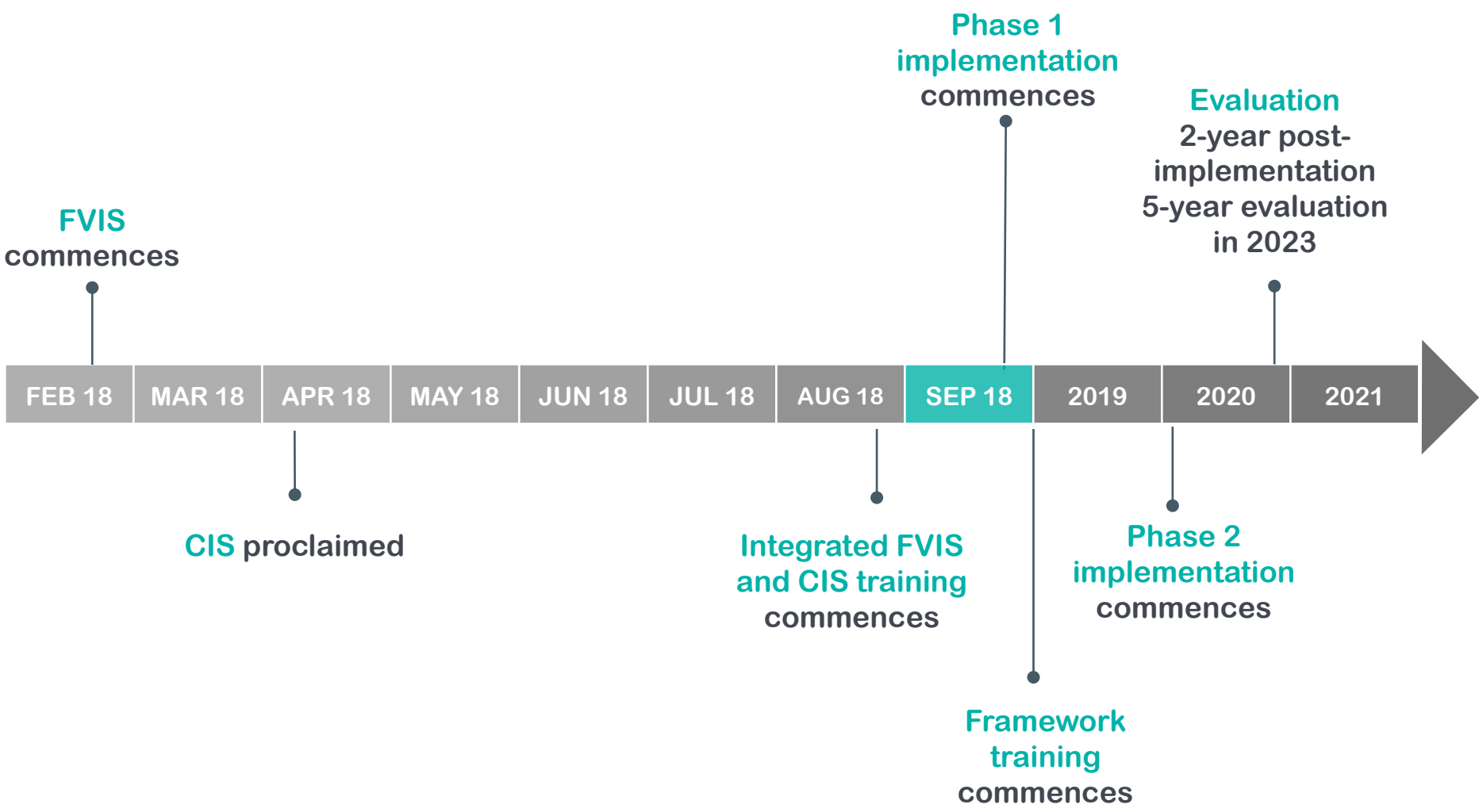
## Phase 1 (CIS and FVIS schemes; MARAM) From September 2018

- All Initial Tranche (except Corrections, Adult Parole Board, Justice Health for adults and associated funded services)
- All Child Protection
- Integrated family services
- All specialist family violence services (including family violence counselling and therapeutic programs)
- Sexually abusive behaviour treatment
- Out-of-Home Care
- DHHS Housing and selected homelessness services
- Mental health services
- Alcohol and other drugs services
- Maternal and Child Health
- Youth Justice, Justice Health (for children) and funded services
- For FVIS/CIS only: Commission for Children and Young People and Disability Services Commissioner
- For FVIS/Framework only: Financial counselling, court-ordered family violence counselling, tenancy advice and advocacy program and Magistrates' Court and Children's Court

## Phase 2 (all reforms) From January 2020 *Subject to consultation*

- Disability services
- Aged care services
- Hospitals
- Ambulance Victoria
- Midwives
- Community health services
- Community housing associations
- Allied health services
- Schools
- Early childhood services
- Local councils

# Implementation timeframe





# What other organisations are prescribed from September?

## Child Information Sharing Scheme Family Violence Information Sharing Scheme Family Violence Risk Assessment and Management Framework

- Child protection practitioners
- Community-based child protection (Hubs)
- Specialist family violence services
- Department of Health and Human Services Housing Officers\*
- Maternal and Child Health Services
- Designated Mental Health Services\*
- Risk Assessment and Management Panels
- Integrated family services
- ChildFIRST providers
- Sexual assault support services
- Sexually abusive behaviour treatment services
- Out-of-Home care services\*
- Support and Safety Hubs
- Alcohol and other drugs services\*
- Homelessness services\*
- Youth justice
- Youth Parole Board (Secretariat)
- Justice Health (children and young people only)
- Victoria Police
- Victims Support Agency (Victims of Crime Helpline)
- Victims assistance program

## Child Information Sharing Scheme Family Violence Information Sharing Scheme

- Commission for Children and Young People
- Disability Services Commissioner

## Child Information Sharing Scheme only

- Multi-agency panels to prevent youth offending
- Registry of Births, Deaths and Marriages

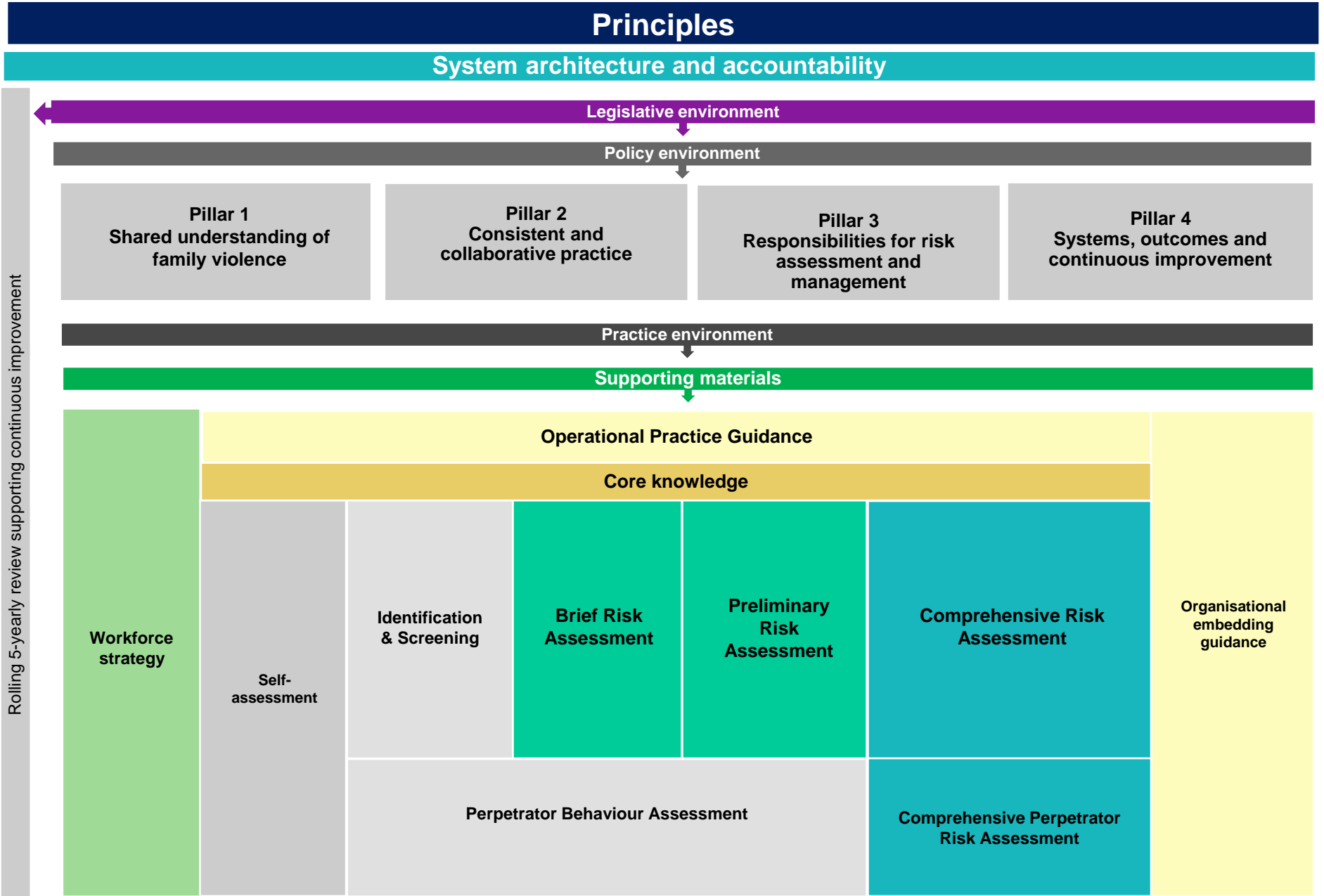
## Family Violence Information Sharing Scheme Family Violence Risk Assessment and Management Framework

- Some court-ordered family violence counsellors
- Corrections Victoria and Correctional Services (including Adult Parole Board)
- Financial counselling programs
- Tenancy Advice and Advocacy Program
- Magistrates' Court<sup>†</sup>
- Children's Court<sup>†</sup>

\* Selected workforces or professionals

† Pending legislative amendment

# MARAM Framework (on a page)



# Family Violence Information Sharing Scheme (on a page)

## WHO CAN SHARE

Information sharing entities (ISEs) are authorised to share information. These ISEs are:

Prescribed by regulations

## WHY THEY CAN SHARE

Relevant information about a person (adult or child) who is a victim survivor, perpetrator or a third party can be shared for the purpose of:

Establishing and assessing risk

Managing risk

## WHEN CAN THEY SHARE

ISEs can share information:

Voluntarily with other ISEs

In response to a request from another ISE

## WHAT CANNOT BE SHARED

Excluded information (including but not limited to) if sharing the information might endanger a person's life or result in physical injury, prejudice legal proceedings or a police investigation, contravene a court order, or is subject to legal professional privilege

ISEs cannot share information that would contravene another law that has not been specifically overridden by the scheme

## Adult Victim Survivor

An ISE reasonably believes that there is a risk that the person may be subjected to family violence

## Child Victim Survivor

An ISE reasonably believes that there is a risk that the person (under the age of 18 years) may be subjected to family violence

## Perpetrator

An ISE reasonably believes that there is a risk that the person may commit family violence

## Alleged Perpetrator

A person who is alleged to pose a risk of family violence

**Note:** information about an alleged perpetrator can only be shared in the risk assessment phase

## Third Party

A person whose information is relevant to assessing or managing a risk of family violence

## CONSENT REQUIRED

from the adult victim survivor

prior to sharing their information unless there is a serious threat or the information relates to assessing or managing a risk to a child victim survivor (no consent - see below)

## NO CONSENT REQUIRED

from any person

if their information is relevant to assessing or managing risk of family violence to a child victim survivor

## NO CONSENT REQUIRED

from the perpetrator

prior to sharing their information to assess or manage risk of committing family violence

## NO CONSENT REQUIRED

from the alleged perpetrator

prior to sharing their information to establish or assess risk of committing family violence

## CONSENT REQUIRED

from the third party

prior to sharing their information unless there is a serious threat or the information relates to assessing or managing a risk to a child victim survivor (no consent - see above).

All ISEs **must respond to information requests** unless an exemption applies

A **good faith defence** protects individuals who share information in good faith and with reasonable care

The **scheme will be reviewed** after 2 years, and then again after 5 years

**Complaints about privacy breaches** can be made to the Victorian Information Commissioner or the Health Complaints Commissioner



# Child Information Sharing Scheme overview

## Who can share information?

- Prescribed Information Sharing Entities can request and share information under the scheme.

## What is the threshold for sharing?

Information Sharing Entities can share information with other Information Sharing Entities if:

1. The Information Sharing Entity is requesting or disclosing information for the purpose of promoting the wellbeing or safety of a child or group of children.
2. The disclosing Information Sharing Entity reasonably believes that sharing the confidential information may assist the receiving Information Sharing Entity to carry out one or more of the following activities:
  - i. Making a decision, an assessment or a plan relating to a child or group of children.
  - ii. Initiating or conducting an investigation relating to a child or group of children.
  - iii. Providing a service relating to a child or group of children.
  - iv. Managing any risk to a child or group of children.
3. The information being disclosed is not excluded (and it is not restricted from sharing by other legislation).

## When can Information Sharing Entities share information?

- Information Sharing Entities may share **proactively** with other Information Sharing Entities if sharing the information meets all three parts of the threshold.
- Information Sharing Entities must **respond** to information requests and **provide** relevant information to another Information Sharing Entity if sharing the information meets all three parts of the threshold.
- Information Sharing Entities may **request information** from other Information Sharing Entities if the request meets parts one and three of the threshold (i.e. the request is for the purpose of promoting the wellbeing or safety of the child or group of children and the information is not excluded)

## What information can be shared?

- Confidential information about any person, including personal and health information as defined under the *Privacy and Data Protection Act 2014* and the *Health Records Act 2001*, can be shared if it meets the threshold for sharing.

## Legislative principles

When sharing information under the scheme, all Information Sharing Entities should:

- a. Give precedence to the wellbeing and safety of a child or group of children over the right to privacy.
- b. Only share confidential information to the extent necessary to promote the wellbeing or safety of a child or group of children, consistent with the best interests of that child or those children.
- c. Work collaboratively in a manner that respects the functions and expertise of each Information Sharing Entity.
- d. Seek and take into account the views of a child and the child's relevant family members, if it is appropriate, safe and reasonable to do so.
- e. Seek to preserve and promote positive relationships between a child and the child's family members and persons of significance to the child.
- f. Be respectful of and have regard to a child's social, individual and cultural identity, the child's strengths and abilities and any vulnerability relevant to the child's safety or wellbeing.
- g. Take all reasonable steps to plan for the safety of all family members who are believed to be at risk from family violence.
- h. Promote the cultural safety and recognise the cultural rights and familial and community connections of children who are Aboriginal and Torres Strait Islander or both.
- i. Seek to maintain constructive and respectful engagement with children and their families.

# Next steps

## ➤ Guidance and support

- Ministerial Guidelines (Child Information Sharing scheme)
- MARAM Framework
- Practice guidance (including templates, scenarios, information sheets)
- Risk Assessment and Management Tools
- Embedding materials
- Whole of Victorian Government hotline and website

## ➤ Training (organisational leadership and practitioner)

- 1-2 day face to face training
- e-learning introductory module
- Customised workforce modules
- Metro and regional locations

More information and resources:

*Family Violence Information Sharing and MARAM*

<https://www.vic.gov.au/familyviolence/family-safety-victoria/information-sharing-and-risk-management.html>

*Child Information Sharing Website*

<https://www.vic.gov.au/childinfosharing>

Contact us:

*Family Safety Victoria*

[InfoSharing@dhhs.vic.gov.au](mailto:InfoSharing@dhhs.vic.gov.au)

*Department of Health and Human Services*

[ChildInfoSharing@dhhs.vic.gov.au](mailto:ChildInfoSharing@dhhs.vic.gov.au)

*Department of Education and Training*

[ChildInfoSharing@edumail.vic.gov.au](mailto:ChildInfoSharing@edumail.vic.gov.au)







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# Dr Anita Morris DHHS

Information Sharing: From  
Concept to Practice across the  
Sector



# Family Violence Information Sharing Scheme: From Concept to Practice

NIFVS Forum

Dr Anita Morris

DHHS Family Violence Principal Practitioner

July 2018

# Overview

- Introduction & Background
- Family Violence Principal Practitioner Roles
- Victorian FVRC & other key reforms
- Practice implications



# Background

Family violence is considered...

***‘the most pervasive form of violence perpetrated against women  
(and children) in Victoria’***



# Victorian Royal Commission into Family Violence

## February 2015 – March 2016

### **Terms of Reference**

- Prevention
- Early intervention
- Support to victims
- Perpetrator accountability
- Systemic, integrated, coordinated approaches
- Evaluation and measurement recommendations

# Family Violence Principal Practitioners

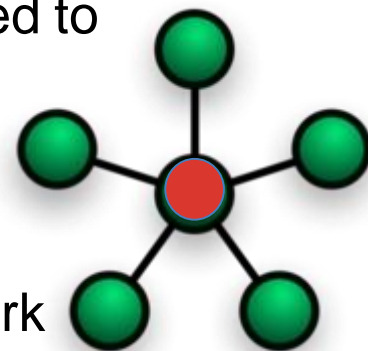
## **Recommendation 213 of the RCFV**

- Appointment of 3 Family Violence Principal Practitioners:
  - Anita Morris DHHS, Connie Kellett DJR, Malia Dewse DET
- Practice influence and leadership within and across govt. and sectors
- Some areas of focus:
  - Employer policy & practice for staff experiencing FV (all)
  - Courts (DHHS & DJR)
  - Workforce capacity and capability (all)
  - Responses to children and young people (all)

# Implementation of Family Violence Reform

## Key Recommendations

- **Information Sharing Legislation:** Changes to legislation to enable information about victims, children, perpetrators to be shared between prescribed agencies for the purposes of FV risk assessment and risk management
- **Support & Safety Hubs:** Multi-disciplinary teams co-located to provide first line response to FV victims, perpetrators, and individuals and families seeking/requiring support
- **MARAM:** Multiagency Risk Assessment & Management– redevelopment of the Common Risk Assessment Framework
- **Workforce Capacity Building:** Improve access and support to victims and perpetrators through increased staff knowledge, skill and confidence – tailored training programs





## Other Reform Agendas

- Child Safe Standards & Reportable Conduct Scheme
- Child Safety and Wellbeing Legislation
- Roadmap to Reform
  - Strengthening communities to better prevent neglect and abuse
  - Delivering early support to children and families at risk
  - Keeping more families together through crisis
  - Securing a better future for children who cannot live at home
- National Disability Insurance Scheme

# Information Sharing - Concept

The **purpose** of information sharing is to assess and manage family violence risk.

The **practice** of information sharing involves the collection, use and disclosure of information.

Information has not previously been routinely or systematically shared within the family violence system.

When obligations to share are not well understood, there is a reluctance to share.



**Barriers** to information sharing include: complex policy and legislation, culture and leadership that does not promote sharing of family violence risk information, IT systems that do not support sharing of information.

# Information Sharing – Practice Challenges

- Cultural change takes time – knowledge, consultation, training
- Translating complexity and understanding what is relevant - simplify
- Timeliness of information exchanges – levers in the system
- Workforce capacity and capability –  
tip sheets, phone support, training
- Roles within / across organisations –  
catch-up will occur
- Staggered implementation – may also  
be an opportunity to implement at a  
preferred pace.



# Information Sharing – Practice Opportunities

-  Safety for adult and child victim survivors
-  Visibility of perpetrator behaviour
- Prevents re-telling of story / re-traumatisation
- Real-time access to information about escalation of risk
- Access to historical information about perpetrator risk e.g. violence perpetrated against former partners and children
- Mutual respect for professional insights /expertise
- Obligations to discuss consent and confidentiality with clients
- Obligations to record information shared, with whom and whether the views of the child were sought

# Thank you!

To receive this publication in an accessible format email [anita.morris@dhhs.vic.gov.au](mailto:anita.morris@dhhs.vic.gov.au)

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# Take a Break

[See you in 20 minutes]





# Panel Discussion

**Jade Blakkarly** CEO, WISHIN

**Susie Nesbitt** Integrated Practice Leader, The Orange Door

**Jo Malcolm-Black** Senior Manager, Child Youth and Family, Uniting Kildonan

[40 minutes]

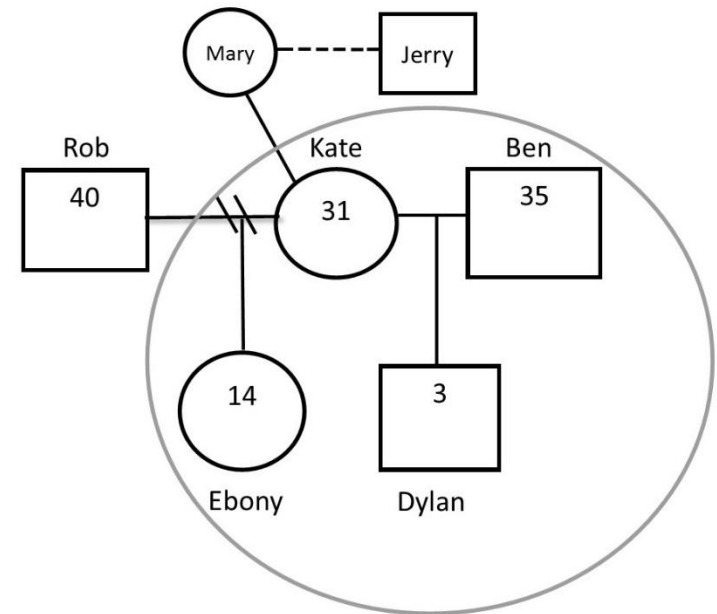






# Case Study

**Group Activity:** Read through the case study and work together to answer the questions on the worksheet.



*Do you have additional questions? Record them on the coloured circles on your tables*

[50 minutes]



# Stay Involved

There are a number of ways to stay connected with the work of family violence integration:

- **Attend** Regional Family Violence Induction (12 September)
- **Participate** in *Identifying Family Violence: Responding to Women* training (22 August)
- **Participate** in *Working with Male Perpetrators of family Violence: Reflections on Collusion* training (30 October)
- **Participant** in the Week Without Violence (15 – 21 October)
- **Join** a Local Family Violence Network
- **Order** Family Violence Posters
- We will **subscribe** you to monthly NIFVS eNews

[www.nifvs.org.au](http://www.nifvs.org.au)



# Northern Integrated Family Violence Services

**[www.nifvs.org.au](http://www.nifvs.org.au)**

## Women's Health In the North

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