

How to respond to a request to share information about Domestic and Family Violence (DFV)

These laws do not replace **mandatory reporting**, or information sharing under **Information Privacy Principles** or the **Care and Protection of Children Act**.

Your obligations to report domestic and family violence under these laws still apply.

See 'Can I share information?' poster

If you are an **Information Sharing Entity (ISE)** under the *Domestic and Family Violence Act (NT)*, and you have received a request to share information about a person's fear or experience of DFV, **follow these steps**.

Can you gain consent? You should obtain the person's consent before sharing information unless it is not safe, possible or practical to do so.

Yes

You **CAN** share

Where it is safe, possible and practical, let the person about whom the information has been shared know what has happened. Make appropriate records of the information sharing decision in line with your organisation's policies. You should still assist the person through your organisation's usual processes. Ensure that you have also fulfilled your obligations under mandatory reporting laws.

No

Do your duties involve assessing, or taking action to lessen or prevent, threats to life, health, safety or welfare because of DFV **OR** has your organisation authorised you to share?

No

Pass the request on to the authorised person in your organisation.

Yes

Is the person requesting the information authorised?

Are they an employee of an ISE and their duties involve assessing, or taking action to lessen or prevent, threats to life, health, safety or welfare because of domestic violence **OR** have they been authorised to share information?

Yes

Will the information help to assess, lessen or prevent a serious threat to a person's life, health, safety or welfare because of domestic or family violence?

Yes

No

No

You **CANNOT** share

Where it is safe, possible and practical, let the person know what has happened. Make appropriate records of the information sharing decision and reasons in line with the information sharing guidelines. If the request is refused, you must provide the refusal and the reasons for the refusal in writing. If relevant, you should still assist the person through your organisation's usual processes. Ensure that you have also fulfilled your obligations under mandatory reporting laws.

Are you allowed to share?

You must not share under Chapter 5A if you believe on reasonable grounds giving the information could:

- endanger a person's life or physical safety
- prejudice a police investigation, coronial inquest or inquiry or proceeding in a court or tribunal
- contravene lawyer-client privilege
- reveal a confidential police source
- contravene the *Criminal Records Spent Convictions Act* or any other Act.

If you are not sure you should get further advice.

No

Yes

You **MUST** share

Where it is safe, possible and practical, let the person about whom the information has been shared know what has happened. Make appropriate records of the information sharing decision and reasons in line with the information sharing guidelines. If the request is refused, you must provide the refusal and the reasons for the refusal in writing. You should still assist the person through your organisation's usual processes. Ensure that you have also fulfilled your obligations under mandatory reporting laws.