

Policy: Domestic and Family Violence Information Sharing

Policy Purpose

To provide direction to Territory Families staff on the lawful sharing of information under Chapter 5A of the [Domestic and Family Violence Act 2007](#).

Policy Statement

Information Sharing, enabled under Chapter 5A of the [Domestic and Family Violence Act 2007](#) (DFV Act) supports timely action, greater interagency collaboration, and improved service responses for people who fear, are experiencing, or who perpetrate acts of domestic and family violence.

Information Sharing provisions prescribe the government agencies responsible for child protection, youth justice, police, education, non-government school principals, housing, public health, disability services, adult correctional services, and courts and tribunals as Information Sharing Entities (ISEs). ISE's also include any other person or entity that provides a domestic violence related service and is prescribed by regulation.

Responsibility as an ISE within Territory Families

Mandatory reporting provisions in s124A of the DFV Act require all Northern Territory adults to report concerns about domestic family violence to police if they believe that serious physical harm has, or is likely to occur, or someone's life or safety is under serious or imminent threat. Not everyone in Territory Families has ISE responsibilities under the DFV Act.

ISE Information Sharing responsibilities apply to staff who provide 'a domestic and family violence related service'. This service may only offer a DFV service of providing assessment, assistance or support services to persons who fear, experience, are affected by or commit domestic violence or be within the broader duties involved in Youth Justice or Child Protection.

As an ISE these staff will:

- Comply with Chapter 5A of the DFV Act and follow the [Domestic and Family Violence Information Sharing Guidelines](#).
- Confirm before sharing domestic and family violence information, that you are sharing information with another ISE.
- Try to obtain the consent of the person who fears or is experiencing domestic and family violence to share their information unless it is not safe, possible or practical to do so.
- Only share domestic and family violence information about a person with other ISEs if it will help to assess, lessen or prevent, a serious threat to life, health, safety or welfare of a person.
- Recognise the special provisions applicable to police to:
 - Use information received from an ISE for an investigation or a proceeding for an offence, if they consider this is in the best interests of the person experiencing domestic violence, after consultation with the ISE about the proposed use; or
 - Use information received from an ISE without consultation for an investigation or for a proceeding for an offence if urgent circumstances require this.
- Refuse to share information if they believe on reasonable grounds that to do so could endanger a person's life or physical safety (including the life or safety of children in the

household), prejudice a police investigation, coronial inquest or inquiry or proceeding in a court or tribunal, contravene lawyer-client privilege, reveal a confidential police source or contravene the Criminal Records Spent Convictions Act or any other Act.

- Comply with the Procedure Information Sharing Requests and Responses

Legislative Basis and Related Documents

[Domestic Family Violence Act 2007](#)

[Procedure: Information Sharing](#) - guidance about when and how to share information under Chapter 5A of the [Domestic Family Violence Act 2007](#) and when and how to share information under Part 5.1A of the [Care and Protection of Children Act 2007](#)

Related Legislation

[Care and Protection of Children Act 2007](#)

[Criminal Code Act 1983](#)

[Criminal Records Spent Convictions Act](#)

[Information Act 2002](#) and Part5, Division 1 [Information Privacy Principles](#).

Authorised by:

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