

MARAM PRACTICE GUIDES

RESPONSIBILITY 6: CONTRIBUTE TO INFORMATION SHARING WITH OTHER SERVICES (AS AUTHORISED BY LEGISLATION)

Working with adult people
using family violence

RESPONSIBILITY 6

CONTRIBUTE TO INFORMATION SHARING WITH OTHER SERVICES (AS AUTHORISED BY LEGISLATION)

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NOTE

This practice guide is for all professionals who have received training to provide a service response to a person they suspect or know is using family violence.

The learning objective for **Responsibility 6** builds on the material in the *Foundation Knowledge Guide* and in preceding **Responsibilities 1 to 5**.

The guidance in this chapter replicates some general information from the equivalent victim survivor-focused MARAM Practice Guide for **Responsibility 6** – but it includes additional, specific information relevant to working with perpetrators and sharing information under relevant legal authorisations including under the Family Violence Information Sharing Scheme about perpetrators' risk, behaviours and related needs and circumstances.

6 CONTRIBUTE TO INFORMATION SHARING WITH OTHER SERVICES (AS AUTHORISED BY LEGISLATION)

6.1 OVERVIEW

This guide is for all professionals to use when family violence is suspected, or you have identified or assessed risk to be present, and you determine that information, guidance, support or collaboration from another professional or service is required.

It includes guidance on:

- ... information sharing as part of Structured Professional Judgement
- ... legal authorisations for information sharing including the Family Violence Information Sharing Scheme (FVIS Scheme) and Child Information Sharing Scheme (CIS Scheme)
- ... understanding risk-relevant information in the context of working with people who use family violence.

If you are also authorised to share information under existing privacy laws or another law, you can continue to do so.

In situations involving children or young people experiencing family violence, authorised professionals can use:

- ... the FVIS Scheme to request and share information in order to assess and manage family violence risk
- ... the CIS Scheme for broader safety and wellbeing issues.

Consent from a person using or suspected to be using violence is not required to share risk-relevant information between prescribed professionals and organisations.

Information sharing is a key practice that enables all services to contribute to assessing and collaboratively managing family violence risk, which includes responding to presenting needs and circumstances that may impact a person's use of violence.

Key capabilities

Professionals required to have knowledge of **Responsibility 6** should be able to:

- ... proactively share information and make requests seeking relevant to the assessment and management of family violence risk, including under the FVIS Scheme, privacy law or other authorisation at law
- ... proactively share information relevant to broader safety and wellbeing issues for children using the CIS Scheme
- ... respond to requests to share information from other services.

The outcome of risk identification (**Responsibility 2**), assessment (**Responsibility 3 or 7**) or management (**Responsibility 4 or 8**), will inform the purpose and type of information relevant for you to share.

Guidance that refers to a perpetrator or person using violence in this guide is relevant to situations where an adolescent is using family violence.

REMEMBER

Authorised organisations and services can share information to inform risk assessment or management practice under a range of laws, including the FVIS Scheme, the CIS Scheme, the *Children, Youth and Families Act 2005* and relevant Australian privacy laws.

The guidance in this chapter will focus primarily on using the FVIS Scheme where family violence is suspected or known to be present, and it provides a summary of how the CIS Scheme can also be used to promote the safety and wellbeing of a child or group of children.

Organisations should assist professionals and services to understand and apply these schemes and other authorisations to share information applicable to their service.

6.2 PURPOSE OF INFORMATION SHARING

Effective information sharing is crucial to keeping adult and child victim survivors safe, support safety for people using violence and also support people using violence to take responsibility for and end their use of violence.

Information can also be shared to promote the broader wellbeing and safety of children, which may or may not relate to their experience of family violence.

The FVIS and CIS Schemes aim to create a significant cultural shift in information sharing practice. These schemes are underpinned by the MARAM Framework, as well as relevant best interests and developmental frameworks.

Professionals in prescribed organisations all have a role in information sharing to improve risk assessment and management practice.

Many organisations, especially those with ongoing service engagement with people using violence or victim survivors, hold information relevant to assessing and managing family violence risk, or to promote the safety or wellbeing of a child.

Effective information sharing between professionals supports ongoing risk assessment and management by bringing together information that would otherwise be unknown.

This information can be used by relevant professionals to remove or reduce risk (as far as possible) or prevent escalation.

Risk is dynamic and can change over time. Professionals with responsibilities for ongoing risk assessment should continue to share information to support updating risk management and safety plans for the person using violence, as well as safety planning undertaken with victim survivors.

This is particularly important for people using violence or victim survivors:

- ... who are not directly engaged with specialist family violence services in an ongoing way, but only at points of crisis or escalation
- ... are working with universal or targeted community services to address other needs or circumstances.¹

Information sharing supports a detailed understanding of the person suspected or known to be using family violence, including their pattern of behaviour, beliefs and attitudes, static and dynamic risk factors, and known protective factors or supports needed to stabilise their circumstances.

This includes barriers to personal accountability, safety and behaviour change, as well as developing an understanding of the 'person in their context' through the application of intersectional analysis.

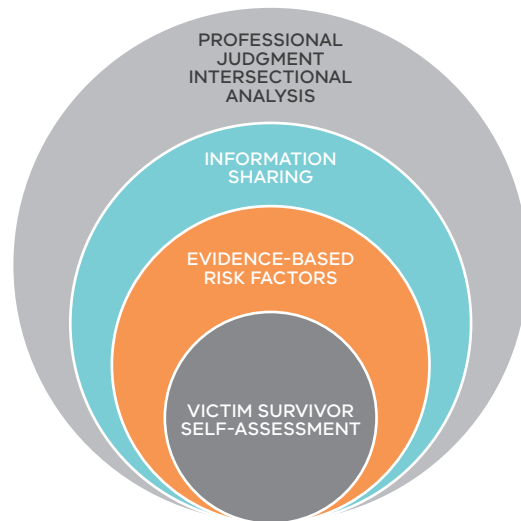
¹ For a list of service types, refer to **Section 7** of the Foundation Knowledge Guide.

6.3 INFORMATION SHARING IN STRUCTURED PROFESSIONAL JUDGEMENT

Information sharing is a key enabler of the model of Structured Professional Judgement as it supports professionals to share information to inform risk assessment and management, including to stabilise the needs or circumstances of the person using violence.

Information sharing may be authorised under a range of laws such as the FVIS Scheme, the CIS Scheme, *Children, Youth and Families Act 2005* or other relevant Australian privacy laws.

Figure 1: Model of Structured Professional Government



Sharing information assists professionals to identify additional risk factors or provide more information about known risk factors.

This information can inform the assessment of the level or seriousness of risk, and implementation of risk management responses for each individual, as well as to promote the safety and wellbeing of children.

Consider information sharing in each risk assessment or management activity you undertake. This includes when you identify services that may have information that would assist in the assessment or management process.

When working with people who use family violence, information sharing allows you to develop a more accurate and complete understanding of risk that goes beyond what the person has disclosed to you.

As people who use violence commonly minimise or deny their use of violent, coercive and controlling behaviours, their answers to questions and reflections on their behaviour cannot be relied upon as a predictor of the level of risk they present to others.

Within the model of Structured Professional Judgement, information sharing allows professionals to gather and share risk-relevant information with other prescribed organisations.

This includes risk factors present or observed, patterns of behaviour, beliefs and attitudes, static and dynamic risks, protective factors and information that supports stabilisation of risk.

Gathering information from other services supports you to contextualise and analyse what a person using violence discloses and your observations of narratives and/or behaviours they use.

It also supports you to identify opportunities to monitor change and escalation of their risk and pattern of behaviour. This includes working collaboratively with the other services engaged with the person using violence or adult or child victim survivors or other family members.

You may identify key sources of information and other services that are responding to presenting needs or circumstances for the purpose of promoting stabilisation or enhancing protective factors. This can be assisted by using the genogram or ecomap exercises outlined in **Responsibilities 7 and 8**.

You can also **proactively share information** with other services, even if it is not your role to conduct risk assessment, when you are authorised to share under privacy or other information sharing laws.

Refer to the *Family Violence Information Sharing Guidelines* (the *Ministerial Guidelines*) for more information.

Ongoing engagement with the person using violence will support you to observe changes in dynamic risk factors, informed by the understanding of patterns of coercive and controlling behaviour of the person using violence.

Sharing this information supports collaborative practice and ensures services collectively hold risk and work together to provide the right interventions at the right time. Professionals should prioritise sharing information about dynamic risk factors that are present.

6.4 REFLECTING ON SAFE ENGAGEMENT, INCLUDING INFORMATION SHARING PRACTICE

.....

Each person using violence should be considered individually for the services or supports they may need to address the risk they present to others or themselves.

.....

This may be the first time a person has had their family violence risk identified or noticed, or their needs assessed.

You should enquire about this to identify if there are any barriers to engagement, or opportunities to reconnect to previously supportive services, for example, from previous attempts at help-seeking (**Responsibility 4**).

Safe engagement in the context of information sharing involves discussing options with a person using violence on the approach to referrals.

If the service user knows you are aware they are using family violence, you may choose to discuss co-case management in limited contexts, considering what is safe, appropriate or reasonable.

This may include discussing past or recent experiences of service barriers or discrimination that you respond to and address through your agreed information sharing to support safe engagement. Refer to **Responsibility 5** for more information.

You can use this guide together with practice guidance on responding to immediate risk, outlined in **Responsibilities 2 and 4**, to help you plan risk management responses and take action.

In considering each service engagement, you should be guided by the person's identity and experience and tailor your approach to referral, secondary consultation or information sharing accordingly.

For example, if the person using violence has let you know they are Aboriginal, identify as belonging to a diverse community, or have a cognitive impairment, consider if your service engagement would benefit from specialist advice or support.

Ask if the person using violence would like to be directly connected to a service that specialises in working with individuals from their community group, or if they are comfortable with you sharing information with or connecting to that service for secondary consultation.

In this case, consider how you can work with these services to address the person's use of violence in a safe and respectful way.

Consider also ongoing information sharing to identify change or escalation of risk, needs or deterioration of circumstances that may impact on risk.

Responsibility 1 and 5 assist with these aspects of practice.

Areas to consider include:

- ... specialist perpetrator intervention services have found that few people using violence raise concerns about information sharing when it is discussed in a respectful and transparent manner
- ... sensitive, clear and transparent engagement is important to maintain the person using violence in your service and within the broader service system
- ... if safe to do so, be clear with the person using violence about reasons for information sharing
- ... refusal or reluctance from a person using violence to agree to information sharing may indicate current or future risk and must be recorded (refer to **Responsibilities 2, 3 and 7**).

REMEMBER

Building and maintaining trust and rapport in the relationship with the person using violence is essential to safe, ongoing engagement.

It is particularly important to maintain trust and communication when connecting the person to services.

In most situations, referral does not mean you immediately cease your engagement with a person using violence.

Depending on your role, you will likely need to maintain engagement to continue to respond to their presenting needs and circumstances, as relevant to your service offering.

You can also collaborate with the referred service for ongoing risk assessment and risk management and respond to any issues that arise if they disengage. Refer to **Responsibility 1** for information on engagement.

This includes to promote the broader wellbeing and safety of children who experience family violence. Refer to the guidelines for the CIS Scheme for further information.

The CIS Scheme complements the FVIS Scheme.

Services should consider updating general **consent forms** at the point of engagement commencement to allow risk-relevant information to be shared about any person using family violence, when necessary.

When engaging with a service user, you should discuss their privacy, including how you will protect, use and share their information, as authorised under law.

If you know or suspect a service user is using family violence, your service should have a clear **limited confidentiality statement** covering the ways their information can be shared without consent. This includes to assess or manage family violence risk under the FVIS Scheme, or otherwise able or required under law to share information without their consent where there is a risk to themselves or others.

You should have a limited confidentiality conversation with them at service commencement, if safe to do so.

Sharing risk-relevant information about a person using violence **does not require their consent**.

In your initial conversations with a person you know or suspect may be using violence, be clear that their information may be shared without their consent if required by law or if there is a risk to themselves or others.

You do not need to re-confirm this statement before, or after, making a request or sharing information under the FVIS Scheme or the CIS Scheme.

You are not required to inform them what information you shared, with whom you shared it, or when you shared it.

Consider if it may increase risk to a victim survivor by informing the person using violence about information sharing. Conversely, you may inform them if it could increase risk to a victim survivor if you do not do so.

6.5 LEGAL AUTHORISATIONS TO SHARE RELEVANT INFORMATION

The FVIS Scheme authorises organisations and services, prescribed through regulations, to share relevant information to assess and manage family violence risk.

Details of this scheme are outlined below and in the *Ministerial Guidelines*.

There are a number of ways the information of the person using violence can be shared without consent, such as to assess or manage family violence risk under the FVIS Scheme.

Organisations may also have other authorisation to share information to inform risk assessment and support coordinated and collaborative responses.

The CIS Scheme also allows organisations and services prescribed under that scheme to share information with each other to promote children's wellbeing and safety.²

² *Child Wellbeing and Safety Act 2005*, Part 6A.

For example, the person using violence may assume you received the information from the victim survivor. They may retaliate and escalate their use of violence. If the person suspects this, you can tell them you received the information from another source (such as another service they are engaged with) to attempt to mitigate any escalation of risk.

Refer to the Ministerial Guidelines for more information.

REMEMBER

Under the FVIS Scheme, you are not required to seek consent of the perpetrator or alleged perpetrator to share their risk-relevant information.

If there is a **serious threat** to the life, health, safety or welfare of a person (such as serious risk of family violence), under the FVIS Scheme and privacy laws, you can share information to lessen or prevent that threat **without consent of any person**.

Refer to Office of Victorian Information Commissioner and the FVIS Scheme Ministerial Guidelines for further information.

As outlined in **Responsibilities 3 and 7**:

... if 'serious risk' has been identified, this is considered to be an equivalent determination of 'serious threat' for the purposes of sharing information to lessen or prevent a serious threat under these Acts.

... the levels of risk 'serious risk and requires immediate protection' (of the victim survivor) or 'serious threat and requires immediate intervention' (of the perpetrator) are equivalent.

In **Responsibilities 4 and 8**, 'immediate intervention' with the person using violence is equivalent to 'immediate protection' of the victim survivor for a risk management 'Protection Purpose' under the FVIS Scheme.

6.6 THE FAMILY VIOLENCE INFORMATION SHARING SCHEME

This section outlines key elements of the Family Violence Information Sharing Scheme (FVIS Scheme).

Detailed guidance on the operation and use of the scheme is available in the *Ministerial Guidelines*.

Organisations and services that are prescribed under the FVIS Scheme are known as **Information Sharing Entities** (ISEs). ISEs are authorised to share relevant information to assess and manage family violence risk.³

There is a subset of ISEs, known as **Risk Assessment Entities** (RAEs).

RAEs have additional responsibilities to establish whether risk of family violence is present, assess the level of risk and correctly identify the parties as the perpetrator or victim survivor through a comprehensive risk assessment.

The FVIS Scheme improves professionals' and services' ability to keep victim survivors safe and hold people who use violence in view and accountable for their actions and behaviours.

While consent is not necessary for sharing information about a perpetrator or alleged perpetrator, guidelines and safety measures still apply around:

- ... determining risk-relevant information
- ... storing information appropriately
- ... informing service users of their rights before they begin engaging with the service.

Some relevant sections of the *Ministerial Guidelines* are outlined below, however, you should refer to the full guidelines for further information.

3 Part 5A of the *Family Violence Protection Act 2008* (the Act). This information sharing scheme was introduced pursuant to recommendation 5 of the Royal Commission into Family Violence, which acknowledged that organisations that work with victims and perpetrators of family violence collect a wide variety of information in order to keep victims safe and hold perpetrators to account. The Commission also identified barriers that prevent information from being shared as effectively as it could be and found that the failure to share crucial information with frontline workers can have catastrophic consequences.

6.6.1 When you can share information under the Family Violence Information Sharing Scheme

A family violence assessment establishes whether a risk of family violence is present, assesses the level of risk the alleged or known perpetrator presents to the victim survivor/s, and correctly identifies the parties as the perpetrator or victim survivor.

A family violence assessment purpose (to establish and assess risk)

A family violence assessment establishes whether a risk of family violence is present, assess the level of risk the alleged or known perpetrators presents to the victim survivor/s, and correctly identifies the parties as the perpetrator or victim survivor.

If, in your role as an ISE, you identify the presence of risk due to the information available, such as through disclosure, observation or assessment,⁴ you have formed a reasonable belief in the circumstances that the person is a perpetrator.

In this situation, you can share risk-relevant information about the perpetrator without their consent to assess and manage risk.

4 Chapter 3 of the FVISS *Ministerial Guidelines* provide information on forming a reasonable belief.

If you have not been able to establish a person is using family violence, that is, they are an ‘alleged perpetrator’, but it is not established following use of the Identification Tool (**Responsibility 2**) or Intermediate Assessment Tool (**Responsibility 3**), you can share information with RAEs to support them in establishing whether the alleged perpetrator is in fact a perpetrator.

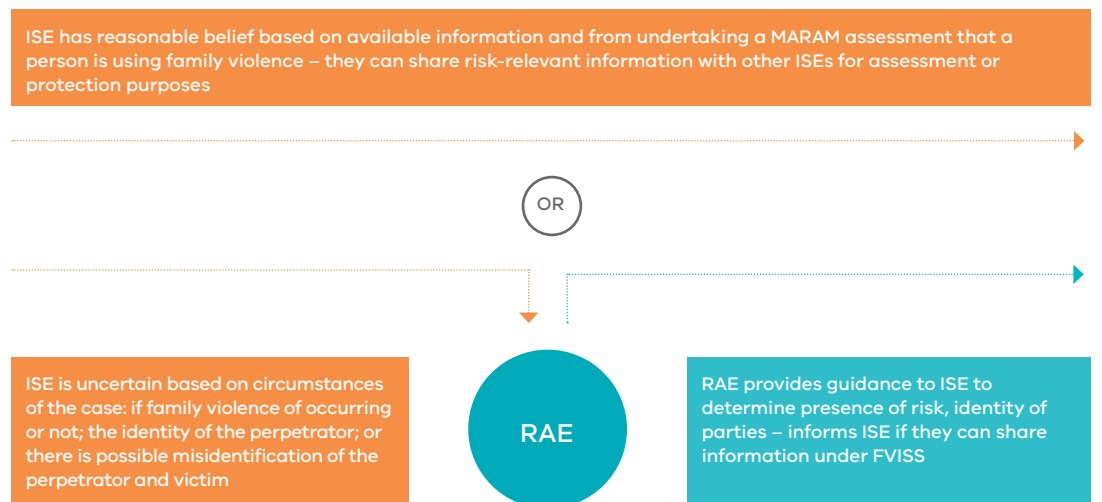
A significant feature of the FVIS Scheme is that, **if there is uncertainty or a concern about misidentification**, ISEs should consider proactively sharing information⁵ with a RAE about an alleged perpetrator and can do so without the person’s consent. The purpose of this is to seek assistance to establish whether a risk of family violence is present, assess the level of risk and correctly identify the parties as the perpetrator or victim survivor.

If the RAE can confirm the person is a predominant aggressor/perpetrator,⁶ you can share information with any ISE for the purpose of risk assessment and risk management.

5 The FVIS Scheme authorises ISEs to share with a RAE for this purpose. This is not a requirement under the legislation, it is best practice that is promoted when working with people using family violence

6 This may be a RAE working with either a victim survivor or person suspected of using family violence. They may use any level of assessment, as appropriate in the circumstances. It is the level of skill of professionals that work in RAEs that support them in applying Structured Professional Judgement and determining if risk is present and the identities of the parties.

ISE and RAE decision flow chart



If both services are RAEs, they can work collaboratively to assess risk and determine the predominant aggressor/perpetrator.

RAEs may disagree on the identity of the perpetrator or the victim survivor, such as in circumstances where each party has identified themselves as a victim survivor.

In this case, RAEs must share risk-relevant information and work collaboratively to undertake comprehensive risk assessment to correctly identify the parties as victim survivor and perpetrator.

A family violence protection purpose (to manage the risk, including through ongoing risk assessment)

The family violence protection purpose means information can be shared when there is a reasonable belief that it is necessary to manage the risk of the perpetrator committing family violence, or the risk of the victim survivor being subjected to family violence.

Managing risk involves removing, reducing or preventing the escalation of risk. As risk is dynamic and can change over time, information can be shared under this purpose for ongoing risk assessment to monitor risk and escalation.

If the perpetrator and victim survivor have been identified, an ISE can request and share information with another ISE for risk management purposes.

If you work in an ISE, you are also permitted to proactively share (sometimes referred to as 'voluntarily share') information with another ISE without a request for a family violence protection purpose, provided that the information meets the requirements of the FVIS Scheme (that is, it is risk relevant and the information is not excluded).

When working with a person using violence, proactive sharing is a way for all services who are engaged with the person and any victim survivors to have a shared understanding of risk and safety and supports services to work collaboratively.

Sharing perpetrator information with victim survivors

ISEs are able to share information about a perpetrator without their consent in order to manage their family violence risk (refer to victim survivor-focused **Responsibility 6**). This includes sharing information:

- ... with a victim survivor
- ... or, where the victim survivor is a child, and where it is safe, appropriate and reasonable to do so –
 - ... with the child or young person, considering their age or developmental stage and/or
 - ... with the non-violent parent.

If you choose to share information about a perpetrator with a victim survivor to manage risk and increase safety, you must exercise caution so as not to inadvertently increase their risk.

This includes if your service:

- ... has an existing relationship with the victim survivor – refer to your organisational policy on information sharing and consider how to do so in a safe way
- ... does not have an existing relationship with the victim survivor – consult with a specialist family violence service that works with victim survivors to seek advice on how to do so safely.

As sharing information with a victim survivor about the perpetrator could inadvertently increase risk, for example in situations where the person using violence believes they are being monitored and could feel a loss of control, this must be considered on a case-by-case basis.

Practitioners with **Responsibilities 2 or 3** should seek secondary consultation with specialist family violence services in determining a safe approach. Refer to **Responsibility 5** for more information on secondary consultations.

Excluded information may not be shared, such as information that might prejudice the investigation of a crime or sharing information would contravene another law.

Refer to the *Ministerial Guidelines* for further information on excluded information.

6.7 SEEKING INFORMATION THROUGH THE CENTRAL INFORMATION POINT

Some services can seek consolidated information about a perpetrator or alleged perpetrator through the Central Information Point (CIP).⁷

The CIP is a service that consolidates critical risk-relevant information about a perpetrator or alleged perpetrator of family violence into a single report for frontline workers within The Orange Door. This report assists with family violence risk assessment and management.

The consolidated information available through the CIP is provided from Victoria Police, the Magistrates' Court of Victoria, Corrections Victoria, and the Department of Families, Fairness and Housing (Child Protection).

Having comprehensive and timely information about a perpetrator's circumstances, history and pattern of family violence behaviour allows practitioners to identify risk and implement service responses earlier.

Information from CIP reports also contributes to building an understanding of the coercive and controlling behaviours a perpetrator is using. Responses to risk can be tailored to support the perpetrator to take responsibility for their behaviour and enhance the safety of victim survivors and families.

At the time of publication, access to the CIP is available to The Orange Door Network and Risk Assessment and Management Panels (RAMPs).

Practitioners can share risk-relevant information contained within the CIP report on the same basis as other information they hold.

⁷ Refer to the Central Information Point website <<https://www.vic.gov.au/help-professionals-working-victims-domestic-violence>> for more information.

6.8 CONSOLIDATING RISK-RELEVANT INFORMATION ABOUT RISK, NEEDS AND CIRCUMSTANCES

Services should seek information from a range of services that can support decision making about the risk, needs and circumstances of the person using violence.

Details about risk factors, needs and circumstances are risk-relevant information and can inform your understanding of the family violence risk present at a point in time.

6.8.1 Risk-relevant information

Understanding what information is 'risk relevant' is central to family violence risk assessment and management practice.

Information that is relevant for a family violence assessment or protection purpose can be shared under the FVIS Scheme.

Risk-relevant information will:

- ... be determined on a case-by-case basis, depending on the family violence behaviours (**risk factors**) the person is using against each adult or child victim survivor, or any risk to themselves
- ... be information that supports your assessment of **past, current or future risk**, which can include past behaviour of the person using violence that informs your understanding of patterns of coercive and controlling behaviour. Information about a victim survivor's past behaviour is less likely to be relevant, unless it is induced by a person using violence (such as coercion to engage in criminal activity, alcohol or drug use etc.⁸)

⁸ This is risk-relevant information only to the extent that it demonstrates the impact of coercive controlling behaviours of the perpetrator on the victim survivor. It should not be used as risk-relevant information for the purpose of decision making that may further negatively impact the victim survivor.

- ... include the **experiences, presenting needs or circumstances** of each adult or child victim survivor or person using family violence that, when addressed as part of risk management may reduce risk or minimise likelihood of change or escalation of risk (that is, are **protective or stabilising factors**), or where unaddressed could relate to an increased likelihood of change or escalation of risk to self and risk to others
- ... depend on the **purpose** for which you are sharing the information, such as an assessment or protection purpose (refer to **Section 6.6.1** of this guide and the Ministerial Guidelines)
- ... depend on your **role** and the role of the professional/service you are seeking information from or sharing information with
- ... **depend on what action you want to take:**
 - ... why are you seeking the information—how will this inform your family violence risk assessment or management role? (for example, risk assessment, risk management and stabilisation of needs or circumstances related to risk)
 - ... what action do you want the receiving professional/service to take from you sharing the information? (for example, creating a shared understanding of risk factors present, make services aware of change/escalation of risk and enable services to update safety plans).

Risk-relevant information may be information about a perpetrator (their risk behaviour, presenting needs, circumstances or experiences) or a victim survivor (the risk they are experiencing and their circumstances) or another person.

The information should be relevant to assessing or managing family violence risk, including stabilisation and recovery.

Information is risk-relevant if it relates to any of the family violence risk factors described in detail in the *Foundation Knowledge Guide*, and within the guidance on risk assessment in **Responsibilities 3 and 7**.

Any information about a perpetrator's family violence or other behaviour, presenting needs, circumstances or experiences that supports risk management is also risk relevant.

Risk management is defined broadly to include actions to reduce or remove the risk the person using violence presents to adult or child victim survivors, to themselves, or any identified third parties, and their stabilisation and recovery (**Responsibilities 4 and 8**).

Identifying information about the behaviour of the person using violence is an important first point of reference for understanding what information is risk-relevant. This includes violence used against an adult or child, the presence, pattern and presentation of risk factors, or the presenting needs or circumstances of the person using violence.

Under the FVIS Scheme, this means risk-relevant information for a person using family violence includes information that relates to presenting needs, circumstances or experiences that **affect their capacity or capability to engage in any services**, including behaviour change interventions, and take actions that would reduce the risk they present to others and themselves.

Visual, audio and other identifying information

Some services may hold identifying information, including photos, video and other footage of the person using violence.

This information may be risk-relevant, such as where it is needed to support services identifying if a person using violence attends an organisation's premises, or information about their behaviour at a certain place and time.

For example, where an intervention order is in place preventing contact between a person using violence and a child victim survivor, a school (or other prescribed service) may request a photo from another service to support staff to be aware of what the perpetrator looks like.

6.8.2 Identifying risk-relevant information when working with a person using violence

Identifying risk-relevant family violence behaviours

Risk-relevant information includes information about family violence risk behaviour (risk factors).

You might identify information including, but not limited to:

- ... patterns of risk behaviour that have changed or escalated in frequency or severity, such as stopping verbal abuse and starting or escalating controlling behaviours
- ... the methods the person using violence uses to contact, monitor or stalk adult or child victim survivors in their home, place of work or places they frequent
- ... the methods of use of violence by proxy, including use of services, systems or third parties to undermine the victim survivor's access to services, or to contact, monitor, harass or stalk the victim survivor on behalf of the person using violence.

Behaviours that are also related to risk (refer also to risk-relevant information about presenting needs) can include drug and alcohol use, problem gambling, behaviours related to mental illness, trauma or disorganised or chaotic management of other aspects of their lives.

Risk-relevant behaviours associated with these issues include, but are not limited to:

- ... the source, frequency and type of drug and alcohol use and outcomes of use (escalation in frequency or severity of violence)
- ... the known situations or contexts that are likely to increase the person's use of alcohol or drugs
- ... the source of funds for use to gamble and/or purchase alcohol or drugs and what changes or escalates in relation to their family violence behaviours if they do not have sufficient money for these behaviours
- ... the behaviours or other factors contributing to mental illness, risk of self-harm or suicide.

Identifying risk behaviours (risk factors) supports your identification and analysis of patterns of behaviour (that is, coercive control) over time.

Being aware of this pattern of coercive control can support your identification of change or escalation of risk behaviours, particularly in response to interventions for adult and child victim survivors and the person using violence. This includes changes to the way the person using violence describes their interactions with adult and child victim survivors.

This, alongside information about presenting needs and circumstances over time, can enable you to identify likely escalation and plan for risk management responses with specialist family violence services.

Refer to **Responsibilities 4 and 8** for more information on responding to patterns of coercive control.

Identifying risk-relevant presenting needs

The person using violence may have needs that may not present **direct** risk to family members, but may contribute **indirectly** to the risk.

For example, unstable or insecure housing, access to healthcare or services, and unstable employment or education can all destabilise a person using violence's life. This can make it less likely for them to maintain engagement in your service, or to be ready to recognise and address the impacts of their use of family violence, including stopping violence.

Some needs may also present a direct risk to family members. For example, if a person using violence has unstable housing, there is a risk they will return to or present at the victim survivor's house, reporting they have nowhere else to stay. This narrative may be used as a justification for seeking to return to the relationship or continue their use of violence.

It is important to remember that needs are dynamic and must be considered objectively, and on an ongoing basis.

Sharing this information with other services may be relevant to support suitable and effective interventions with the person using violence.

More information on identifying presenting needs is addressed in [Responsibilities 2 and 3](#).

Identifying risk-relevant circumstances

The circumstances and experiences of the person using violence can contribute to current and future risk to adult and child victim survivors and risk to themselves.

This includes, but is not limited to:

- ... changes to relationship status, including assumed/new relationships and recent separations of each person. Changes in the relationship status is linked to an increase in family violence risk, including times when an adult victim survivor is contemplating or deciding to leave⁹
- ... pregnancy, new birth or a new child in the family
- ... pending court matters/dates
- ... changes to or new parenting arrangements. Risk can increase at the time of commencing negotiations for parenting arrangements, as well as during and after legal proceedings
- ... birthdays, school events, significant family events, community events, school events, holiday periods or sporting celebrations likely to be related to increased risk behaviour
- ... changes to levels of employment and dis/engagement in education
- ... changes to social and economic status.

Some of these circumstances may be identified through direct risk assessment discussions with a person using violence, or you may gather the information through requesting information from other services.

⁹ Even if this has not yet been communicated to the person using violence.

Refer to the **Intermediate Safety Planning Conversation Model** in [Appendix 9](#) for further guidance on identifying situations or events where the person is likely to use or escalate use of violence.

Further guidance on identifying relevant information about a perpetrator's circumstances is outlined in using ecomaps in [Responsibilities 7 and 8](#).

Acute or dynamic risk factors can vary significantly and lead to sudden increases in the level and imminence of risk presented by a person using violence. Such risks may not come to the attention of professionals engaging with a person using violence unless it is directly related to their service. For example, a healthcare professional may not be aware that a person using violence has recently separated, or an adult child has assumed financial management of their parent's assets.

Engaging in information sharing can help you to gain insight into the person using violence's circumstances that are relevant to risk, enabling you to monitor risk and contribute to collaborative risk management.

If you are uncertain about what information is relevant to share, seek secondary consultation internally (within your organisation or service), or externally with a specialist family violence service.

Identifying risk-relevant narratives

The narratives you observe through your engagement with the person using violence may demonstrate a range of beliefs and attitudes.

This includes the person's sense of entitlement, minimisation, deflection or justification of their violence, or a lack of empathy or care about the impact of their behaviours on others.

Hearing these narratives is a prompt for you to seek secondary consultation, share information with another service, and, where appropriate, make a referral.

These actions help inform both yours and the system's understanding of the level or seriousness of risk the person presents to family members.

You can consult with a specialist perpetrator intervention service for support on what to look for as risk-relevant narratives, and refer to **Identification Tool (Appendix 2)** or **Intermediate Assessment Tool (Appendix 3)**.

People using family violence do not present in the same way across all services. A person using violence may present as overly charming but insincere, or may be considered a well-liked and respected figure in their community.

These presentations can make it harder for you to identify risk.

It is vital you have the skills to listen for risk-relevant information beyond the risk assessment tools, and build knowledge of the links between narratives and risk to feel an increased capacity to respond.

REMEMBER

When working with a person using family violence, risk-relevant information may be presented to you when the person is speaking about things other than their relationship to the victim survivor.

Through your engagement, you may elicit information about the behaviours, needs and circumstances of the person using violence, the adult and children victim survivors' circumstances, as well as information that indicates the likely impact of the violence and coercive control on victim survivors.

6.8.3 When to share risk-relevant information about people using violence

Monitoring risk occurs throughout your engagement with a person using violence.

As risk is dynamic, it is important to be aware of the range of information sharing options, including when and with whom to share information. Regular and continuous information sharing will contribute to a coordinated understanding of the assessed level of risk of the person using violence and the safety of victim survivors across the service system.

REMEMBER

In most cases, outside of any direct safety planning activities, **a person using violence should not be informed about risk assessment or management interventions** that are occurring related to their use of violence – unless this is the purpose of their engagement with your service.

You do not need the consent of the person using violence to share information that relates to assessing or responding to family violence risk.

However, where safe to do so, you can work with them directly to respond to their presenting needs and circumstances, in a safe, non-collusive way.

This supports them to remain engaged with your service and **in view of the service system**.

If the level of risk associated with a person using violence **changes**, consider whether immediate intervention is required for the safety of family members, the person using violence, or staff in your organisation.

As you monitor changes to risk, at a minimum you should consider:

- ... seeking secondary consultation from a relevant service (for example a specialist perpetrator intervention service, targeted community service or a mental health service) to discuss your engagement and referral options
- ... seeking secondary consultation with specialist family violence services for victim survivors on whether or what information can be shared, and by which service, with family members
- ... voluntarily sharing information to The Orange Door or specialist family violence service that works with victim survivors to support increasing their safety
- ... updating risk assessment and risk management plans, in line with your MARAM responsibilities.

If changes to the person's narratives, behaviours, needs or circumstances indicate an **escalation** of risk in terms of **frequency and/or severity**, you should consider:

- ... seeking secondary consultation, and/or requesting or sharing information relevant to the person using violence's risk level, needs and circumstances to inform your risk assessment and management plan
- ... proactively sharing information regarding revised risk assessment and management plans to other ISEs who are also engaged with the person using violence
- ... making appropriate referrals for the person using violence, including to a specialist perpetrator intervention service
- ... proactively sharing information with specialist family violence services working with both victim survivors and people using violence.

If changes to the person's narratives, behaviours, needs or circumstances indicate **serious risk** and **needing immediate intervention**, you should consider:

- ... reporting to or notifying police, Child Protection and other statutory bodies, as required
- ... collaborating with victim survivor services to assess eligibility for RAMP
- ... proactively sharing information with other ISEs who are engaged with the person using violence, and where possible with victim survivors, to enact immediate risk management strategies.

If a person using family violence disengages from your service

When working with a person using violence, you may observe that they disengage from your service through missed appointments, less frequent attendance or stopping attendance completely.

This may be for a range of reasons unrelated to their use of violence towards family members. However, the implication is that they are no longer in view of your service.

Where you have identified that the person continues to present a risk to family members, you should consider the options outlined above, according to your risk assessment and risk management responsibilities, in addition to your services requirements

The actions you take will depend on the type of service you provide and the extent to which a person using violence needs your service over time.

For example, the seriousness of missing an appointment at a primary care health service may differ from missing an appointment with a mental health professional who provides ongoing therapeutic support to a person using violence so they can maintain stability in their life.

A missed appointment in each case may have a different meaning and consequently different implications for the risk the person using violence presents.

Similarly, where a victim survivor is a person with a disability or an older person, and they rely on family members for transport and they are not attending appointments, this can indicate increasing coercive control and violent behaviours towards the victim survivor by the person using violence.

You should consider:

- ... voluntarily sharing information with other authorities and services known to be engaged with the person using violence to advise of their disengagement from your service to inform your view of any change to risk. Where relevant, this should include specialist family violence services working with victim survivors and/or the person using violence, The Orange Door or other case management functions as required. For people using violence who are higher risk, this will include notifying police or other authorities
- ... requesting information from other services that are ISEs and engaged with the person using violence to find out if their disengagement is limited to your service or has occurred with multiple/all services – and where they are a high-risk person using violence, request notification when they reappear/re-engage
- ... seeking secondary consultation to inform your engagement with them if and when they do re-engage with your service
- ... connecting with other services involved for a coordinated risk assessment and management strategy.

REMEMBER

Consider appropriate services in your local area and identify those that are relevant to seek or share information with, or services to utilise for referrals and secondary consultations.

Refer to the *Organisation Embedding Guidance and Resources* for more information on mapping services in your local area and determining how and when services can work together.

6.8.4 Sharing information relating to family violence risk for a child or young person

Children should have their risk and needs individually assessed as outlined in victim survivor-focused MARAM Practice Guide for **Responsibility 3**.

Under the FVIS Scheme, information about any person that is relevant to assessing or managing family violence risk for a child can be shared by an ISE without the consent of that person.

However, where it is safe, appropriate and reasonable, you should seek the views of the child or young person, and non-violent parent/carer on how their information is shared.

These views should be considered when deciding what information should be shared, including what services you should voluntarily share this information with, or how information might be shared when you are obliged to share.

If you have safety concerns about how, when and with whom information is shared, including where doing so may increase risk, this should be reflected in risk management and safety plans (refer to **Responsibilities 4 and 8**).

If you share information despite the views of the non-violent parent/carer, you should make it clear to them this is to assess or manage risk to a child, including for safety planning.

Information relevant to promoting a child's wellbeing or safety can also be shared under the CIS Scheme, including outside of the context of family violence.

Information can be shared under the CIS Scheme if an ISE reasonably believes that sharing the information may assist another ISE to:

- ... make a decision, an assessment or a plan relating to a child
- ... initiate or conduct an investigation relating to a child
- ... provide a service relating to a child
- ... manage any risk to a child.

Information may be sourced from:

- ... disclosure and/or risk assessment with a person using violence
- ... discussion from related third parties such as friends or family members
- ... Victoria Police family violence incident information (your service may receive L17 referrals)
- ... court records (that are not excluded)
- ... other records from professional or therapeutic service and relevant databases.

The range of sources of direct disclosure will vary depending on your professional role.

Other information can be requested through the schemes or other applicable authorisations.

If you are uncertain about what information is relevant to share, seek secondary consultation internally (within your organisation or service), or externally with a specialist family violence service. If you are concerned or unsure whether information is relevant, you can share information with a specialist family violence service through secondary consultation in a de-identified way.

6.8.5 Sharing information relating to a person using violence who is a parent or has a parenting or caring responsibilities

If working with a person using violence who is a parent or has parenting or caring responsibilities, consider proactively sharing information with professionals working with the child or young person to enable coordinated responses to risk and needs of children.

Sharing information between local Child Protection, Child FIRST services and specialist perpetrator intervention services will support coordinated responses for case planning, and ensure perpetrator interventions are informed by the safety and wellbeing of children and young people.

If you have ongoing engagement with a person using violence who is a parent, you should proactively seek information about the adult victim survivor's and child and/or young person's views about continuing a relationship with the person using violence.

This information will contribute to your assessment as to whether it is **safe, appropriate and reasonable** to work with the parenting motivations of the person using violence. Refer to **Responsibility 4** for more guidance on determining if parenting motivation is an appropriate engagement approach to support risk management.

Remember, it is critical that this practice is informed by and supports the views and safety of adult and child victim survivors.

6.8.6 Method of information sharing

The FVIS and CIS Schemes do not dictate that information has to be shared in a specific way.

It is common for information to be shared with another professional by a range of methods, including verbally (face-to-face), email and phone.

This may depend on the policies of your organisation or the urgency of the request or sharing, and on whether there is an existing professional relationship, or this is the first time you have contacted a service or professional.

When the information sharing request is time critical, you can phone a professional or service in the first instance.

You could then choose to follow up by making the request or sharing the information in writing to enable you to document the request of sharing of information as part of your organisation's good record-keeping processes.

When sharing and storing information, organisations should follow their obligations for data security under privacy law, if applicable.

You should refer to your organisational policies on information sharing methods to guide you, including your authorisation to share under applicable information sharing laws and how to keep records of any information shared.

If you are uncertain, prior to sharing information, confirm by following your internal processes, such as consulting with a senior practitioner or team leader, or by secondary consultation, to determine if the information you are sharing is relevant to the purpose (for an assessment or protection purpose for the FVIS Scheme, or to promote the wellbeing of a child under the CIS Scheme).

This will assist in the request process if the responding ISE raises questions about the relevance of information requested.

6.8.7 Collecting, recording and correcting information

You should refer to your organisation's policies and procedures on record keeping in relation to information sharing.

The FVIS Scheme and the CIS Scheme have specific record-keeping requirements that are aligned.

Chapter 10 of the *Ministerial Guidelines* provide advice on what is required.

Chapter 5 of the *Child Information Sharing Scheme Guidelines* also include information on record keeping and information management.

As specified in the *Ministerial Guidelines*, ISEs should take reasonable steps to correct information recorded or shared about any person if an ISE becomes aware that the information is incorrect. This applies if the information is about a victim, perpetrator or third party.

Professionals should refer to their organisation's policies and procedures to assist with correcting information.

Inaccurate information should be corrected as soon as possible after you become aware the information is inaccurate and you should give prominence to any correction on the client's file.

This is particularly important if the information may put a victim survivor at risk, or a victim survivor has been or may be misidentified as the person using violence a perpetrator.

Protecting information¹⁰

If your organisation works with both the person using violence and the victim survivor/s, you must take care to ensure case records and case notes are separately documented.

Refer to the *Ministerial Guidelines*.

Where you or your organisation provide services to both victim survivors and people using violence, consider whether it is necessary to keep separate files for each client to reduce the risk of inappropriate information sharing.

Consider your service context when determining the most appropriate and safe methods for keeping records of the person's use of violence. You may be required to separate this information from their personal/client file and use a flag to indicate the presence of this information. This includes risk identification and assessments tools and safety and risk management plans.

You are not required to share any information with a person using violence, or any other person, if it could increase risk to a victim survivor to do so.¹¹

6.9 NEXT STEPS

Information sharing can continue to inform your actions for risk assessment and practice, depending on your role, under **Responsibilities 3 to 4, or 7 to 8**.

In some situations, it may be necessary to convene a coordinated response to family violence risk, or safety and wellbeing for children.

If this is the case, refer to **Responsibility 9** for further information.

Ongoing risk assessment and management is also a part of practice. You should regularly review the appropriateness of referrals and follow up with services on the success of the referral and how you can continue sharing information to inform your risk assessment or management approaches. For more information about ongoing risk management practice, refer to **Responsibility 10**.

6.9.1 Document in your organisation's record management system

In addition to **Section 6.8.7**, it is important to document the following information in your service or organisation's record management system:

- ... copy of any risk assessment, risk management or safety plan you share with other services
- ... under what permission you requested or shared information, for example, Family Violence Information Sharing Scheme, Mandatory Reporting, other privacy law
- ... the organisation or service contacted for secondary consultation and whom you spoke to
- ... method of request (email, fax, telephone)
- ... the information requested and the date of request
- ... whether and what information was shared, the date, and whom the information was shared with
- ... actions taken to correct your records where misidentification previously occurred and steps to proactively share information about the predominant aggressor with other organisations
- ... if a referral was made – to whom and the purpose
- ... whether the person using violence was made aware of the secondary consultation, information sharing or referral
- ... outcomes of secondary consultation and referral.

At all times, you must also take care to ensure that disclosure of documentation pertaining to the person using violence or victim survivor does not increase the risk to a victim survivor.

Information about freedom of information requests and information sharing under the FVIS Scheme can be found in the *Ministerial Guidelines*.

¹⁰ *Family Violence Information Sharing Guidelines*, p. 115.

¹¹ *Ibid.*, p. 112.