



Secretary

Department of Families, Fairness and Housing

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COR 2020 003368

Janet Lee
Coroners Registrar
Coroners Support Service
Coroners Court of Victoria

By email: cpuresponses@coronerscourt.vic.gov.au

Dear Ms Lee

I refer to your correspondence dated 5 July 2024 attaching a Form 38 issued to Family Safety Victoria (FSV) requiring a written response to the recommendation made in Coroner Giles' Finding into Death Without Inquest (Finding) [REDACTED]

I would like to extend my deepest condolences to [REDACTED] family and loved ones.

The Coroner's recommendation

In relation to FSV, Coroner Giles made the following recommendation in her Finding:

'With the aim of promoting public health and safety and preventing like deaths, I recommend that Family Safety Victoria review and update the guidelines for entities sharing information under the Family Violence Information Sharing Scheme to require that any risk information significantly altered within three days of being shared is proactively shared with the requesting entity.'

Response to recommendation

The Coroner's recommendation will be partly implemented as FSV is currently undertaking a review to amend the Family Violence Information Sharing Scheme Guidelines (Ministerial Guidelines), including amendments to improve timely and proactive information-sharing. FSV is expecting to complete this work by 2026. The amendments, however, are not expected to stipulate any timeframes for organisations to adhere to.

The Family Violence Information Sharing Scheme (FVISS), Central Information Point (CIP) and the Family Violence Multi-Agency Risk Assessment and Management Framework (MARAM) were key recommendations of the 2016 Royal Commission into Family Violence. These reforms are embedded in the *Family Violence Protection Act 2008* (Vic) (the Act) and commenced in 2018. A review of the relevant part of the Act (Legislative Review) was required within five years of commencement of the reforms under sections 144SA and 195 of the Act.



Legislative Review outcomes

The Family Violence Reform Implementation Monitor (FVRIM) completed and published the Legislative Review in 2023. The Legislative Review found that the reforms were effective and did not identify any adverse impacts arising from the legislation.

The FVRIM recommended amending the Ministerial Guidelines and the Act to strengthen the clarity and accountability of the reforms. This included recommendations aimed at improving the timeliness of information sharing. The Victorian Government supported all recommendations in full or in principle and committed to improvements, stakeholder engagement and considering the recommendations in the context of other related work happening across government.

The FVRIM made 3 recommendations in the Legislative Review that are relevant to Coroner Giles' Finding. These recommendations, along with the Government's responses are as follows:

Recommendation	Government response
Recommendation 2 That the Ministerial Guidelines be reviewed and amended to increase utility and improve understanding.	The Victorian Government accepts the FVRIM's views that the Ministerial Guidelines for the FVISS should be improved to support increased understanding and use by stakeholders.
Recommendation 3 That the Ministerial Guidelines be amended to highlight the ability of Information Sharing Entities (ISEs) to proactively share relevant information with other services and provide guidance on when and how to appropriately and responsibly share information proactively.	As part of its review of the Ministerial Guidelines for the FVISS, the Victorian Government will consider how to strengthen content on proactive information sharing. Other mechanisms will also be considered to provide more guidance to promote proactive information sharing.
Recommendation 4 That the Ministerial Guidelines be amended to emphasise the importance of sharing information in a timely manner. A case study should illustrate how ISEs can share information verbally in urgent cases, and record information after the fact.	As part of its review of the Ministerial Guidelines for the FVISS, the Victorian Government will make amendments to strengthen the emphasis on timely information sharing. The Victorian Government will also consider further mechanisms to reinforce the importance of timely information sharing to Information Sharing Entities, including through a case study example.

Current guidance and requirements on updating incorrect or new risk information

We note the Coroner’s recommendation on proactively sharing risk information that has been significantly altered within 3 days to the requesting entity. Currently, the Ministerial Guidelines outline that, when an organisation becomes aware that incorrect information is recorded about any person, the organisation:

- must take reasonable steps to correct the information. This applies whether information is recorded about a victim, perpetrator or third party.
- should correct inaccurate information as soon as possible after they become aware of the inaccuracy and to give prominence to any correction on the client’s file.

The Ministerial Guidelines also specify that an Information Sharing Entity (ISE) should correct and update already disclosed information in a timely manner in cases where a person has been incorrectly misidentified as a perpetrator.

In addition, all professionals prescribed under the MARAM Framework are supported to undertake proactive and timely information sharing, as authorised, including when a prescribed organisation receives new or updated information that indicates an escalation of risk for a victim-survivor. Responsibilities 6, 9 and 10 provide specific guidance to support professionals to do so, as below:

Risk assessment and management responsibilities	Expectations of framework organisations and section 191 agencies
Responsibility 6: Contribute to information sharing with other services (as authorised by legislation)	Ensure staff proactively share information relevant to the assessment and management of family violence risk and respond to requests to share information from other information sharing entities under the Family Violence Information Sharing Scheme, privacy law or other legislative authorisation.
Responsibility 9: Contribute to coordinated risk management	Ensure staff contribute to coordinated risk management, as part of integrated, multidisciplinary and multiagency approaches, including information sharing, referrals, action planning, coordination of responses and collaborative action acquittal. This includes staff in prescribed organisations:

	<ul style="list-style-type: none"> • Ensuring other organisations update and share information when they consider that the level of risk has changed. • Communicating that it is a shared responsibility to notify other services if risk or circumstances have changed for a victim survivor or person using violence. • Notifying if these changes affect the risk management response or actions of other professionals or services, or the shared understanding of the level of risk.
Responsibility 10: Collaborate for ongoing risk assessment and risk management	Ensure staff are equipped to play an ongoing role in collaboratively monitoring, assessing and managing risk over time to identify changes in assessed level of risk and ensure risk management and safety plans are responsive to changed circumstances, including escalation. Ensure safety plans are enacted.

FSV has prepared a range of resources and training materials on information sharing for workforces in prescribed organisations, with a focus on proactive information sharing. We will continue exploring ways to provide targeted training to organisations sharing information under FVISS for them to better understand the Ministerial Guidelines and their responsibilities under the MARAM Framework.

Reviewing and amending the Ministerial Guidelines

In line with FVRIM's recommendations, and with Coroner Giles' recommendation, we are in the process of reviewing and amending the Ministerial Guidelines to emphasise the importance of:

- correcting inaccurate information and proactively sharing that corrected information in a timely manner, and
- proactively sharing new and/or updated information that indicates an escalation of risk for a victim-survivor as soon as an ISE receives that information.

However, a time limit of 3 days for updating information in legally binding Ministerial Guidelines could have the effect of imposing additional mandatory obligations on prescribed

services and would be unduly restrictive on them. The FVRIM also recommended any timeliness requirements to be framed as a 'reasonable period' rather than strict timeframes.

If you require further information or to discuss the material provided, please contact Melanie Heenan, Deputy Secretary, Family Safety Victoria at

[REDACTED]

Yours sincerely



Simon Newport
Acting Secretary

26 / 09 / 2024