

Excluded information

Excluded information cannot be shared

When responding to a request for information, or proactively sharing information about a person who has experienced family violence, or a person who uses violence, some types of information is regarded as **'excluded information'** and cannot be shared. Below are examples of when information is considered excluded information:

To establish if information is excluded, consider when collecting, using or disclosing, to your knowledge, if:	Example
Will it endanger a person's life or result in physical injury?	If sharing the address of the victim survivor could alert a person known to pose a threat to the victim, then this information should not be shared
Will it prejudice a particular legal investigation, or the enforcement or application of the law?	If information reveals the details of a police investigation, this information should not be shared
Will it prejudice a coronial inquest or inquiry, the fair trial of a person, or the impartial adjudication of a particular case?	If the information was cited as evidence in a closed session of the court, or if the release of the information could unduly influence a witness to an inquiry, this information should not be shared
Will it disclose the contents of a document or a communication that would be privileged from production in legal proceedings on the ground of legal professional privilege or client legal privilege?	If the information was obtained under legal professional privilege, this information should not be shared
Will it disclose or enable a person to ascertain, the identity of a confidential source of information in relation to the enforcement or administration of the law?	Where certain information is known only to a particular person, and their identity as a source could be ascertained if that information was shared, this information should not be shared
Will it contravene a court order or law that prohibits or restricts, or authorises a court or tribunal to prohibit or restrict, the publication or other disclosure of information for or in connection with any proceeding?	If the information is subject to a suppression order of the court, this information should not be shared
Will it contravene a court order or law that requires or authorises a court or tribunal to close any proceeding to the public?	If the court closes proceedings under Section 30 of the <i>Open Courts Act 2013</i> or Section 68 of the <i>Family Violence Protection Act</i> on the basis that an affected family member, protected person or witness may be caused distress or embarrassment, the information about the proceedings that took place in closed court must not be shared
Will it be contrary to the public interest?	If the information could reveal covert investigation techniques, this information should not be shared