

# Privacy & Information Sharing


*“Information sharing is critical to the success of collaborative, multi-sectoral risk intervention models and partnerships that aim to mitigate risk and enhance the safety and well-being of Ontario communities.”* — Ministry of Community Safety and Correctional Services (MCSCS)



Personal information is to be afforded a high level of privacy. There are exceptions to this rule, most often in the context of safety.


A 1999 Supreme Court of Canada decision found that concern for public safety outweighs the right to privacy. Three questions need to be answered when determining whether a situation fits this framework:

- Is there a clear link to an identifiable person or group?
- Is there a risk of serious bodily harm or death?
- Is the danger imminent?




**Guideline:** Where there is a significant risk of harm and sharing information would reduce that risk, the information should be shared.

It should be shared only with those people directly involved in developing strategies to enhance survivor safety, and only as much information as is needed for that purpose should be shared.



Renfrew Inquest R41:  
...develop a common framework for risk assessment in IPV cases, which includes a common understanding of IPV risk factors and lethality.

Building a common language about risk within a community is an important part of conversations about privacy and risk. Your community may want to consider becoming trained to use a standard risk assessment tool so that everyone involved in discussions about risk management and safety planning has a shared understanding of the specific risks. One such tool is B-SAFER, which is Canadian-developed, perpetrator-focused and validated. Using a validated risk assessment tool provides an evidence-base to support information sharing.



THE IPC AND MCSCS SUGGEST THAT ORGANIZATIONS USE WHAT THEY CALL THE FOUR FILTERS APPROACH WHEN ASSESSING WHETHER PERSONAL INFORMATION CAN BE SHARED, WHEN AND WITH WHOM:

1

**Filter One:**

The step takes place within the organization that has the personal information that might need to be shared. That information is screened internally to determine whether the individual is at an acutely elevated risk of harm that cannot be eliminated or reduced without information being shared with a larger group (eg. a high-risk team).

2

**Filter Two:**

If the organization concludes that the information might need to be shared after its internal screening, the first discussion with the larger group uses only de-identified information. A wide range of sectors should be involved in the discussion to determine whether the situation is both one of acutely elevated risk AND requiring a multi-agency intervention.

3

**Filter Three:**

If it has been decided that information needs to be shared with the larger group, then it should be shared only with those who need to know to plan and implement any safety plan or intervention.

4

**Filter Four:**

At this point, a full discussion, including identifying information, will take place among the organizations involved in the intervention. Other agencies may be brought in on an as-needed basis.

