

Information sharing and services coordination for children charged with offences – disclosure notice

The purpose of this form is to comply with section 297F of the *Youth Justice Act 1992* and section 44B(3)(a) of the *Youth Justice Regulation 2016*.

Section 44B of the *Youth Justice Regulation* states that the holder of confidential information must not, under an arrangement established under section 297F of the *Youth Justice Act* (an arrangement), disclose the confidential information to a recipient unless the holder gives the recipient a written notice stating—

- (a) the purpose, mentioned in section 297G(2)(a) to (f) of the Act, that the holder reasonably believes the information may help the recipient to do; and
- (b) that the recipient must not disclose the information to another entity under another arrangement unless the holder consents, in writing, to the disclosure.

This is reflected in the [Information sharing and services coordination for children charged with offences memorandum of understanding](#) (the MOU) (Schedule, Arrangement, clause 6).

Section 44B(3)(a) of the *Youth Justice Regulation* requires this notice to be provided to the recipient:

- before
- at the same time as

the confidential information is disclosed.

Refer to the MOU (clause 9) for specific requirements for notices.

Part A

Child details			
Full name			
Cultural heritage			
Date of birth		Gender/pronouns	



Attach a copy of the request notice

Part D

Decision on disclosure	
Please tick (one or multiple):	<p>Section 297G of the <i>Youth Justice Act 1992</i> requires the holder (disclosing prescribed entity/service provider) to reasonably believe that this information will help the recipient (requesting prescribed entity/service provider) to:</p> <ul style="list-style-type: none"> <input type="checkbox"/> participate in case planning for the child [s297G(2)(a)] <input type="checkbox"/> assess the child's needs [s297G(2)(b)] <input type="checkbox"/> ensure a court is able to take into account the child's needs [s297G(2)(c)] <input type="checkbox"/> provide appropriate referrals for the child [s297G(2)(d)] <input type="checkbox"/> deliver services, programs or support for the child [s297G(2)(e)] <input type="checkbox"/> address the child's health needs or disability needs so far as they are relevant to the child's previous, or possible future, offending behaviour [s297G(2)(f)] <p>In accordance with the arrangement under section 297F of the <i>Youth Justice Act 1992</i>, the holder (disclosing prescribed entity/service provider) will provide the information as requested.</p>
Rationale for decision	

Part E

Consent	
Please tick (one):	<p>Has consent been obtained from child and parent/guardian?</p> <ul style="list-style-type: none"> <input type="checkbox"/> Yes <input type="checkbox"/> No <p>If no, section 44C of the <i>Youth Justice Regulation 2016</i> and the MOU (Schedule, Arrangement, clause 9) requires the holder (disclosing prescribed entity/service provider) to make all reasonable attempts to advise the child of the disclosure and the purpose mentioned in section 297G(2)(a) to (f) of the <i>Youth Justice Act 1992</i>.</p> <p>Note: An objective test would apply. It would be a question of what a reasonable person would consider to be all reasonable attempts in all the circumstances.</p>

	<p>and</p> <p>The holder (disclosing prescribed entity/service provider) must make a record of an attempt to:</p> <p>(a) to obtain the child’s consent to the disclosure; and (b) to advise the child of the disclosure and the purpose for the disclosure.</p>
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Attach a copy of the consent form (if applicable)

Part F

On-sharing of information

Section 44B of the *Youth Justice Regulation 2016* requires that the recipient (requesting prescribed entity/service provider) must not disclose the information to another entity under another arrangement unless the holder (disclosing prescribed entity/service provider) consents, in writing, to the disclosure (this can be done in any written format).

Part G

End of notice

Pursuant section 44B(3)(b) of the *Youth Justice Regulation 2016* and the MOU (Schedule, Arrangement, clause 5) this notice stops having effect six months after the notice is given or on an earlier day stated in the notice.

If applicable, state the earlier day for notice to end: _____

Part H

Disclosing officer

Name			
Signature		Date	
Position			
Department/service			
Contact details			