



## Annex C – DCS Case Studies for Information Sharing Guidelines

### Case Study 1: information requested by a victim regarding a previous partner is declined, although relevant authorities are informed due to safety concerns.

The partner of a recently released offender has telephoned a Community Corrections Case Manager (CM) and expressed grave concerns for the safety of her children (a boy aged 14 and a girl 8) and herself. The offender has been making threats over the phone to harm them with extreme violence. The woman is very scared and wants to know what she can do. She has requested that she be told where the offender is currently residing and be given an update of his psychiatric state as she 'found out' that he made weekly visits to a psychiatrist in prison. Her partner has a previous history of DV against her and the children. The woman has previously refused to register as a victim through fear.

#### DCS Action

The CM explains that as a 'mandated notifier' she is obliged to report the situation as it can be anticipated that the woman and her children are at risk of abuse or harm\*. She also informs the caller that she has a duty to contact SAPol and the [Family Safety Framework](#) representative within DCS.

The caller is advised that information regarding the offender's current residence cannot be divulged to her as no consent has been given by the offender. Psychiatric details also cannot be shared in accordance with *Correctional Services Act, 1982* (CSAct), section 85C.

The CM encourages the woman to register as a victim explaining to her that this will potentially enable her to access more information and support\*\*. The CM offers to assist her in the process of registering as a victim and advises her that in light of the concerns she has raised the CM will ensure action will be taken to clarify any risk and if necessary seek support from other agencies to coordinate a response.

After speaking with the caller and having knowledge of the ISG, the CM acquires consent from her supervisor to share information regarding the offender without consent. The CM then telephones SAPol to inform them of the situation and shares relevant offender details in accordance with CSAct, Section 85C (d).

The CM then calls the Family Safety Framework representative in DCS and explains the situation. Together they assess if imminent high risk exists and if so, make a referral to the FSF. The CM records all relevant details on the Justice Information System (JIS) \*\*\*.

\* Information sharing is appropriate as the risk is 'anticipated'.

\*\* Limited information can be released to registered victims regarding an offender in accordance with CSAct, section 85D.

\*\*\* The JIS is an electronic record keeping database.

In this example, the CM utilises knowledge of the [ISG Decision Making Steps and Practice Guide](#) which reinforces the necessary vigilance of the CM and this ensures the safety and

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wellbeing of the mother and her children are prioritised. This is the first step in sharing information to protect the safety and wellbeing of this family. Other disclosure may occur through the Family Safety meeting and it may be necessary to have further contact with the mother to provide her with suitable referrals and support services. The sharing of this information has highlighted a potential risk to safety and wellbeing and has enabled the beginning of a coordinated response.

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## Case Study 2: offender information is shared after a 'distress' call from a Registered Victim.

A woman who is a registered victim calls the Victim's Unit at DCS to inform the Victim Liaison Officer (VLO) she has spotted her previous partner (a parolee), who perpetrated violence against her and her daughter, close to her property, in a restricted area. The woman has information which suggests the parolee is not living at his 'approved' residence and is homeless. She is extremely concerned for the safety of her daughter and herself.

### DCS Action

After ascertaining that the caller is distressed and fearful and after consulting the [ISG Decision Making Steps and Practice Guide](#) and applying her knowledge of the Victim legislation in CSAct\*, the registered victim is advised to contact SAPol as she may be in immediate danger.

The VLO informs the registered victim of the necessary steps she will take to inform relevant professionals of the situation. The VLO immediately contacts the manager of the parolee's reporting office to exchange information with the Team Supervisor. Upon doing so it is evident that the information is consistent with information gathered during that day by workers at the Community Corrections office.

The Team Supervisor makes urgent contact with SAPol to brief them in relation to the parolee and the woman caller in adherence with the CSAct, Section 85C (d). The Parole Board is advised of the situation by the Case Manager under the same protocol.

A warrant is issued by the Parole Board for arrest of the parolee. A police patrol is then dispatched to patrol the area where the caller resides and if the parolee is located in the restricted area he will be arrested and dealt with according to any breach of his conditions.

All details are recorded by the various DCS personnel in accordance with DCS business unit practice.

Consultation of the [ISG Decision Making Steps and Practice Guide](#) and knowledge of the CSAct, in this instance, confirmed to the VLO which action to take. This ensured the appropriate authorities were informed and necessary actions were taken to proactively prevent any 'risk of harm' to the victims.

\* Specific information can be released to registered victims regarding an offender in accordance with the CSAct, section 85D.

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### **Case Study 3: information shared by Case Management Coordinator after Custodial Officer reported concerns regarding an offender's behaviour during a home visit.**

A Custodial Officer, Angelo, escorts prisoners from Adelaide Pre-Release Centre (APC) to their homes for home visits. One day, when Angelo takes Shane to his house to visit his girlfriend and their ten-year-old son, Troy, he witnesses Shane telling his son that he too will be as tough as his daddy one day and will be hanging out with his Uncles in Yatala. Shane's cousin is visiting, and he laughs and agrees.

Angelo is concerned that Troy is surrounded by pro-criminal influences and he is not sure if Shane's behaviour is a breach of child protection and should be reported to Families SA.

#### **DCS Action**

As a mandated notifier (under section 11 of the *Children's Protection Act, 1993*) Angelo is not obliged to make a report to the Child Abuse Report Line as he does not suspect on reasonable grounds that Troy has been or is being abused or neglected.

As part of his obligations as a Custodial Officer, Angelo is required to report on the offender's observed behaviours. After returning to APC Angelo speaks with George who is Shane's Case Management Coordinator (CMC) and asks for advice.

George (Shane's CMC) advises Angelo that it would not be necessary (at this stage) to contact Families SA, as Troy is not at risk of abuse or neglect. Therefore, it does not fit with child abuse notification protocol. However, George explains that it is the offender's responsibility to promote pro-social behaviours while on home visits, an important element in the rehabilitation process. The Information Sharing Guidelines also states that there is a duty of care to ensure the safety and wellbeing of family members, so the CMC is obliged to take action to prevent Troy being encouraged to participate in offending behaviour or adopt pro criminal beliefs.

The inappropriate conversation by a father to his young son is contrary to that which George as CMC tries to instill in Shane. George explains that he will record the details in Shane's case notes regarding his developing history. George suggests to Angelo that rather than confronting Shane on this matter directly, he will focus on encouraging Shane to adopt pro social role-modeling behaviours in their weekly meetings. In this way Angelo's is not compromised and he can continue to accompany Shane on his home visits and continue to report on his observations of Shane and Troy.

After further consideration, George is still concerned about Troy and his exposure to negative influences and decides to check details of the Information Sharing Guidelines. After reading the guidelines George decides to contact Troy's school to ensure that the teachers are made aware and can monitor the situation further.

In this instance, consultation of the ISG led the CMC to go further than may have been the case previously, to inform the school of his concerns regarding Troy because under the ISG the scope of duty of care expands to cover the safety and wellbeing of other family members, children and young people.

Contact with the school will enable the teachers to monitor Troy's behavior. In addition to supporting Troy, this information will enable the school to protect the wellbeing of other students and prevent the promotion of offending behavior or prison being seen as glamorous.

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## Case Study 4: information sharing regarding domestic violence situation involving a parolee.

A Case Manager receives a brief call from Mary who is the partner of Joe Bloggs who is a parolee and currently under the supervision of Community Corrections. Mary stated that she was fearful of Joe because of a violent assault the previous evening and said that he was more agitated than usual and that she was fearful for her safety. Mary mentions that Joe has been involved in a number of incidents over recent weeks which have been escalating. Mary asks CM not to tell Joe because she is scared of the repercussions and just wants the abuse to stop and can't talk for long as Joe was about to return home.

### DCS Action

The CM has no time to conduct a formal 'Risk Assessment' and Mary has asked the CM not to call her back in case Joe has returned home, but Mary did mention that she has had contact with a worker (Sally) from a local Domestic Violence (DV) service.

The CM is conscious of the safety concerns; their experience with DV provides an understanding of the serious nature of the situation and of what may happen next. The CM can't confront the offender due to the risk of harm it may cause Mary. There is a clear safety threat to the victim and insufficient information to determine the level of risk and insufficient information to advocate. Therefore a Family Safety Framework (FSF) referral may be required.

The CM must act and decides to contact the local DV worker (Sally). The CM speaks to his Manager and it is agreed that a DV warning must also be issued on JIS (offender details).

The CM contacts Sally to discuss Mary's situation. Sally was not aware of the offender's supervision and the CM asks whether Sally had conducted a risk assessment (this assessment ascertains whether or not there is sufficient risk to warrant a referral to the Family Safety Framework).

At this point, the concern for Mary's safety remains paramount and Sally informs the CM that a risk assessment had been conducted but hadn't led to a FSF referral, Sally also informs the CM that SAPol were called out to Mary's address in the previous week. As a result of information provided by the CM, Sally agrees to re-assess the risk to Mary's safety.

By sharing this information, the CM was able to contact SAPol to enquire about the new information regarding Joe (parolee). SAPol informed the CM that in the previous week they received a call from Mary's neighbour concerned about screaming and yelling, etc. SAPol deployed a patrol but there was insufficient evidence to arrest Joe. SAPol were aware of his offending behaviour which related to drug dealing but not the DV. They ask Joe to refrain from any inappropriate behaviour and left. At the time, the situation was deemed insufficient for an intervention order.

Now that the CM and DV worker have shared information they can continue to have dialogue about their respective clients and discuss further actions to address the safety concerns they both have for Mary.

The CM can call the offender regarding the incident involving SAPol stating that SAPol had contacted DCS to advise them of the incident and that this opened the door for the CM to discuss the situation with the parolee.

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The CM can inform the Parole Board regarding the parolee's current situation. The Parole Board note that Joe was on a fortnightly reporting requirement and based on the new information the Parole Board increases this to weekly reporting. In addition, the Parole Board increase the regularity of breath and urinalysis testing based on the escalation of incidents and Joe's drug related offending.

The CM can engage in DV counselling with Parolee and maintain contact with the DV worker to liaise over the next few months to monitor the situation. This result means the CM has no requirement to contact Mary thus alleviating her fear of Joe finding out that she contacted DCS.

The CM records the information sharing process with all parties and from all parties in accordance with DCS business unit practice.

The information sharing process in this situation ensures both the CM and DV worker are informed of the current situation so that appropriate and targeted actions can take place if necessary. The recording of information sharing in this scenario involved DCS, SAPol, Parole Board and DV Service which highlighted the DV issue for the parolee which ensures future problems are known to the various parties involved and therefore contribute to a more timely response to any issues which may arise. More importantly, Mary will get the services and support she needs with less risk to her safety regarding contact with DCS.

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## **Case Study 5: information shared to support offender rehabilitation and protect victims of crime.**

A DCS education coordinator makes an appointment with the principal of an adult senior secondary college to discuss the enrolment of a young man who is coming up for parole and is likely to be released into home detention. It is agreed that the young man's rehabilitation is likely to be greatly supported if he can participate in part-time study once any community risks have been identified and assessed. The education coordinator explains that a check has been made to ensure that the young man's victim is not attending the college.

The principal explains that he would like the young man to consent to sharing information about the nature of his offences and his rehabilitation so that the principal can assess any potential risk his enrolment might represent for other students or staff at the college. He explains that the college enrolls a broad and diverse mix of people, some of whom are particularly vulnerable. Classes are held both day and night. The education coordinator suggests the principal ask the young man directly as part of the interview process.

The young man and the education coordinator attend an enrolment interview that has been arranged with the principal rather than the college's student services staff. The young man consents to sharing information about his offences with the principal. The principal agrees that he can enrol. It is agreed that if the young man or the education coordinator becomes aware that someone connected to his victim is enrolled at the college the principal must be informed so that a new assessment of risks associated with his enrolment can be made.

The principal explains to the young man that he will record the details of the enrolment risk assessment in a confidential file that will not be accessible to other staff at the site. He organises for the young man to have an appointment with one of the counsellors at the site so that he can access the full support available to him in returning to study. He encourages the young man to share his parole situation with the counsellor but says this is the young man's choice.

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## Case Study 6: information is shared by a volunteer after facilitating a child access visit.

Fiona is a DCS volunteer assigned to undertake a task which involves the collection and transportation of an eight year old child from her mother's house and taking her to visit her father in prison each month. When Fiona arrives at the house to collect the child, she hears raised voices indicating an argument is occurring inside the house. Fiona also observes that the garden appears to be unkempt and has rubbish strewn around.

Prior to approaching the house, Fiona assesses the situation in relation to her own safety and notices the child waiting outside. The child sees Fiona and approaches the vehicle, at that point Fiona hears the mother shouting at the child from inside the house saying "go on then you little cow, get out of my sight".

During the journey to the prison, Fiona observes the child's behaviour as quiet and withdrawn. Fiona then accompanies the child into the prison to visit her father and observes that they interact well, with the child laughing and having fun.

When the visit ends, Fiona notices the child has reverted back to being quiet and withdrawn on the journey back home. The child also mentions to Fiona that she is hungry and that often they don't have food at home unless someone brings something around for them. When Fiona arrives at the home to drop the child off there is no one home (this is not the first time this has happened).

### DCS Action

Notification of neglect under Section 11 of the Children's Protection Act, 1993 is required by law. This is a mandatory obligation.

Sections 11(1) and (2) of the [Children's Protection Act 1993](#), does apply to the situation because Fiona suspects that the child is being neglected and that this suspicion was formed on the basis that the neglect has been observed on more than one occasion when carrying out official duties as a volunteer with DCS.

Fiona relays her observations and current situation (no one home) to the Volunteer Coordinator who agrees the matter should be reported to the appropriate authority. The Volunteer Coordinator advises Fiona to wait at the house for another 30 minutes, to allow the mother (who may be late for a valid reason) to return home. If the mother returns home within this timeframe then the child can be dropped off and Fiona can return to the Volunteer Unit to record what has happened and notifying the Child Abuse Report Line (CARL), Families SA.

The Volunteer Coordinator advises Fiona that if the mother does not return Fiona should leave a note for the mother to contact the Volunteer Unit and return with the child to the Volunteer Unit. Fiona can then record what has happened and notifying the Child Abuse Report Line (CARL), Families SA.

The Volunteer Coordinator contacts the Case Management Coordinator and Social Worker at the prison where the child's father is accommodated to advise them of the situation.

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