

Sharing Information in Situations Involving Intimate Partner Violence: Guidance for Professionals

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Information and Privacy
Commissioner of Ontario

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**Oxford County
Leadership Table -
Violence Against
Women
Coordinating
Committee**

March 6, 2025

AGENDA

#	Item
1	About the Information and Privacy Commissioner of Ontario
2	2022 Coroner's Inquest and Jury Recommendation 78
3	Key Points from our IPV Guidance
4	Sharing information under Ontario's privacy laws
5	Federal, Provincial, and Territorial Joint Resolution on IPV Disclosures
6	Privacy and Information sharing: Key Principles
7	Question and Answer Period

INFORMATION AND PRIVACY COMMISSIONER OF ONTARIO

Patricia Kosseim, Ontario's Information and Privacy Commissioner (IPC), is an officer of the Legislature who is:

- appointed by, and reports to the Legislative Assembly of Ontario
- independent of the government of the day

The IPC oversees compliance with:

- the *Freedom of Information and Protection of Privacy Act* (FIPPA)
- the *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA)
- the *Personal Health Information Protection Act* (PHIPA)
- Part X of the *Child, Youth and Family Services Act* (CYFSA)
- the *Anti-Racism Act* (ARA)



2022 CULLETON, KUZYK, & WARMERDAM INQUEST

2022 CORONER'S INQUEST AND JURY RECOMMENDATION 78

What led the IPC to develop guidance around information sharing for IPV prevention?

- In 2022, the Office of the Chief Coroner of Ontario released its verdict into the deaths of three women due to intimate partner violence (IPV) in Renfrew County, Ontario (known as the CKW Inquest).
- Jury recommendation 78 called on the IPC to develop guidance to empower professionals to make informed decisions about [privacy](#), [confidentiality](#), and [public safety](#).
- We held early consultations with subject matter experts from the CKW Inquest to better understand jury recommendation 78. We learned about misconceptions associated with permissible disclosures of personal information that may be impairing privacy-compliant multi-sectoral collaboration.
- The IPC readily [accepted the jury recommendation](#):

“Emerging approaches to intimate partner violence prevention include multi-sectoral, community-based collaboration and information sharing. These approaches engage many organizations subject to Ontario privacy legislation who should not face uncertainty about how information-sharing rules apply when an individual is at risk of serious harm. While protecting personal information and personal health information from unauthorized collection, use and disclosure is essential, privacy must not be used as an excuse to prevent the lawful sharing of information, particularly where it is necessary for the prevention of serious harm.”

CONSULTATIONS WITH EXPERTS ON IPV

Who did the IPC consult when developing this guidance?

Sector / Individuals	Organizations	Ontario Privacy Law
Justice	<p>Barrie Police Service Ontario Association of Chiefs of Police Ontario Victims Services</p> <p>Domestic Violence Death Review Committee Office for Victims of Crime Toronto Police Service</p>	FIPPA or MFIPPA
Health care	<p>Alliance for Healthier Communities College of Psychologists of Ontario Ontario College of Social Workers and Social Service Workers</p>	PHIPA
Child welfare	<p>Association of Native Child and Family Services Agencies of Ontario Ministry of Children, Community and Social Services Ontario Association of Children’s Aid Societies</p>	CYFSA
IPV service providers	<p>Bernadette McCann House Catholic Family Services Peel-Dufferin Lanark County Interval House and Community Support Ontario Association of Interval and Transition Houses WomanACT</p> <p>Building a Bigger Wave Inquest Counsel to EVA-Renfrew County Luke’s Place Victim Services of Renfrew County</p>	N/A
Survivors of IPV	<p>A diverse group of women that identify as survivors of IPV (convened with WomanACT)</p>	ALL





KEY POINTS FROM OUR IPV GUIDANCE

KEY POINTS FROM OUR IPV GUIDANCE

1

Sharing personal information must comply with legal requirements

Information can be shared with consent or where permitted or authorized by law

2

Privacy is not a barrier to protecting health or safety

Ontario's privacy laws permit sharing information if an individual is at risk of IPV

3

Protection from liability when acting in good faith

General protections for sharing when reasonable and done in good faith

4




Good governance frameworks to protect personal information

Clear and defined policies and practices to inform responsible information sharing






SHARING INFORMATION UNDER ONTARIO'S PRIVACY LAWS

ONTARIO'S PRIVACY LAWS: CONSENT-BASED PRACTICES

Ontario privacy statute	Generally, applies to:	Consent before sharing
FIPPA and MFIPPA	Institutions or parts of institutions, including, but not limited to, those in the justice sector	
The CYFSA	Service providers in the children and family services sector	
PHIPA	Health information custodians in the health care sector and those that act on their behalf	



ONTARIO'S PRIVACY LAWS: DISCLOSURES WITHOUT CONSENT

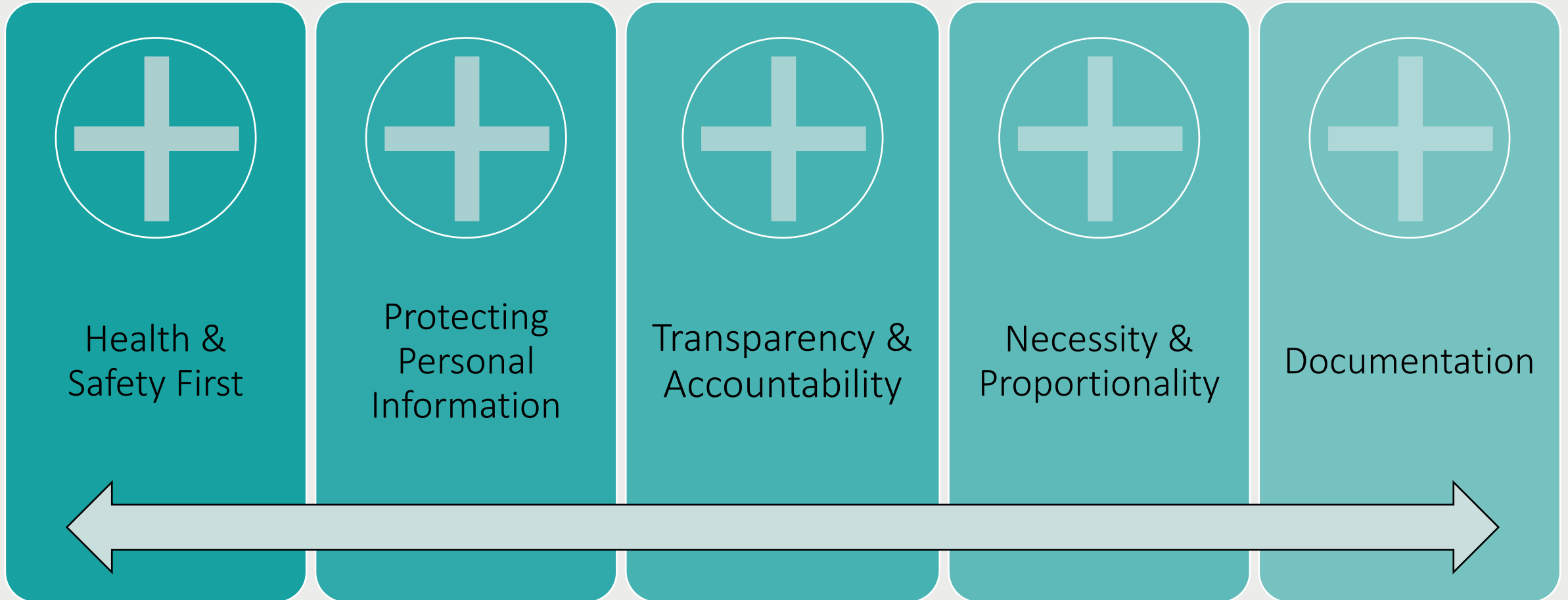
Ontario privacy statute	Disclosures without consent	Key provisions
FIPPA and MFIPPA		Risk of serious harm (compelling circumstance) Duty to report (for children & youth) Same or consistent purpose Permitted or required by law To aid police
The CYFSA		Risk of serious harm (significant) Duty to report (for children & youth) Permitted or required by law To aid police
PHIPA		Risk of serious harm Duty to report (for children & youth) Permitted or required by law To aid police

PRIVACY & INFORMATION SHARING

Key principles

PRIVACY AND INFORMATION SHARING

Key principles to consider for good governance around disclosures



Additional resource from the Ontario government: [Guidance on information sharing in multi-sectoral risk intervention models](#)

**FEDERAL, PROVINCIAL, &
TERRITORIAL JOINT RESOLUTION**
on responsible information sharing

FPT JOINT RESOLUTION ON RESPONSIBLE INFORMATION SHARING

Resolution adopted by Canada's privacy commissioners and ombuds



Office of the
Privacy Commissioner
of Canada

Commissariat
à la protection de
la vie privée du Canada



Information and Privacy
Commissioner of Ontario
Commissaire à l'information et à la
protection de la vie privée de l'Ontario



Commission
d'accès à l'information
du Québec



Office of the Information
& Privacy Commissioner
Nova Scotia



ombud
NEW BRUNSWICK • NOUVEAU-BRUNSWICK

Responsible information-sharing in situations involving intimate partner violence

Resolution of the Federal, Provincial and Territorial Privacy Commissioners and Ombuds with responsibility for privacy oversight

Toronto, Ontario, October 8-10, 2024

Context

Intimate partner violence (IPV) is a pervasive problem in our society, affecting Canadians from coast to coast to coast, in urban, rural, and remote communities. IPV refers to a form of gender-based violence that primarily harms women and gender-diverse individuals and includes multiple forms of harm caused by a current or former intimate partner. It often takes place behind closed doors, can make the victim or survivor feel isolated and afraid, and have devastating impacts on children and youth that are exposed to it.

The global pandemic exacerbated rates of IPV, as stay-at-home orders and other factors resulted in many victims or survivors being trapped in their home with their abusive partner. ¹ In 2023, there were 123,319 police reported incidents about IPV in Canada with victims or survivors aged 12 years and older. ² While alarming, this statistic very likely underrepresents the number of IPV cases across the country as many incidents are unreported due, for example, to fear, stigma, or lack of confidence in the criminal justice system. ³



QUESTIONS?

HOW TO CONTACT US

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