

## Legislation governing information sharing without consent

The following table provides a summary of the legislation governing information sharing without consent in various circumstances.

Circumstance	Information shared with	Under which framework
High imminent risk of violence to self or others.	Police, other service provider or potential victim (as decided by the treating team in consultation with the clinical director).	Information Privacy Act (2009), Schedule 3 S11. Memorandum of Understanding between Queensland Health and the Queensland Police Service, Mental Health Collaboration (2016).
Serious risk to life, health, or safety.	Any relevant party.	Hospital and Health Boards Act 2011, Section 147.
Information about service provision or to aid service provision.	Other professional services who are directly involved in the consumer's care.	Hospital Health Boards Act, 2011, Subdivision 2.
Information about mental health status.	Queensland Police Service.	"Mental Health Incident" under the MOU between Queensland Health and the Queensland Police, Mental Health Collaboration (2016).
Disclosure for legal or safety reasons or disclosure to family/support persons.	Various parties as outlined in the Mental Health Act (2016), Chapter 17.	Mental Health Act (2016), Chapter 17.
Serious domestic and family violence threat.	Prescribed entities and specialist service providers as outlined in the Domestic and Family Violence Prevention Act (2012), Part 5A.	Domestic and Family Violence Prevention Act (2012).
Child safety related information.	Child Safety Officer or other representative from the Department of Child Safety, Youth and Women.	Child Protection Act (1999).
Any information relevant to a guardianship order.	Public Guardian.	Guardianship and Administration Act (2000).
Concern about weapons, trying to obtain a firearm.	Weapons Licensing Bureau of the Queensland Police Service.	Weapons Act 1990.
Subpoena or other legal document requests for legal proceedings.	Information of this nature is likely to be required in situations which are non-imminent and non-urgent. In this circumstance, discuss with the legal department of your HHS.	Information Privacy Act (2009), Schedule 3 S11.

**Note:** When the consumer has a guardian (e.g. consumers under 18, or adults for whom another person holds enduring power of attorney), it is important to attempt to advise this guardian prior to sharing information, when it is safe to do so.

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