



To: Director of Social Care and Children, HSC Board  
Directors of Children's Services/  
Executive Directors of Social Work HSC Trusts

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Dear Colleague

**REVISION OF HSS CC 3/96 (REVISED) SHARING TO SAFEGUARD – INFORMATION SHARING ABOUT INDIVIDUALS WHO MAY POSE A RISK TO CHILDREN**

1. The purpose of my letter dated 16 May 2013 was to draw your attention to the Judicial review (JR) challenge brought by an unadjudicated individual against the Northern HSC Trust's decision to share information about him under the Department's Circular HSS CC 3/96 (revised).
2. I am now issuing an addendum to my letter of 16 May 2013 to ask you to draw to the attention of staff relevant Judicial Review judgements which should be considered when making a decision on whether to share information about individuals who pose a risk to children. They are:

- **APPLICATION BY JAMES MARTIN FOR JUDICIAL REVIEW**  
[https://www.courtsni.gov.uk/en-GB/Judicial%20Decisions/PublishedByYear/Documents/2002/2002%20NIQB%2067/j\\_j\\_weac3815.htm](https://www.courtsni.gov.uk/en-GB/Judicial%20Decisions/PublishedByYear/Documents/2002/2002%20NIQB%2067/j_j_weac3815.htm)
- **R (ON THE APPLICATION OF L) (FC) (APPELLANT) V COMMISSIONER OF POLICE OF THE METROPOLIS**  
<http://www.bailii.org/uk/cases/UKSC/2009/3.html>
- **H AND L V A CITY COUNCIL**  
<http://www.bailii.org/ew/cases/EWCA/Civ/2011/403.html>
- **APPLICATION BY JR57 FOR JUDICIAL REVIEW**  
[http://www.courtsni.gov.uk/en-GB/Judicial%20Decisions/PublishedByYear/Documents/2013/\[2013\]%20NIQB%2033/j\\_j\\_HOR8751Final.htm](http://www.courtsni.gov.uk/en-GB/Judicial%20Decisions/PublishedByYear/Documents/2013/[2013]%20NIQB%2033/j_j_HOR8751Final.htm)
- **APPLICATION BY JR59 FOR JUDICIAL REVIEW**  
[http://www.courtsni.gov.uk/en-GB/Judicial%20Decisions/PublishedByYear/Documents/2012/\[2012\]%20NIQB%2066/j\\_j\\_TRE8602Final-PUBLISH.htm](http://www.courtsni.gov.uk/en-GB/Judicial%20Decisions/PublishedByYear/Documents/2012/[2012]%20NIQB%2066/j_j_TRE8602Final-PUBLISH.htm)

- **APPLICATION OF (1) AB(2) CD AND THE LONDON BOROUGH OF HARINGEY**  
<http://www.bailii.org/ew/cases/EWHC/Admin/2013/416.html>
- **IN THE MATTER OF J (CHILDREN) UKSC 9**  
<http://www.bailii.org/uk/cases/UKSC/2013/9.pdf>

3. This is also an opportune time to remind you that Court Judgements are published on the Northern Ireland Court Service website and many are accessible through the North South Child Protection Hub (NSCPH) which was developed under the auspices of the North South Ministerial Council (NSMC).

4. I am also asking each of you to encourage staff to access the NSCPH for future judgements to assist in your decision making process when considering sharing confidential information:

<http://members.nscph.com/content/about-north-south-child-protection-hub-nscph?content=page&sector=NSCPH%20Statutory%20NI>

5. The British and Irish Legal Information Institute website <http://www.bailii.org> also provides a very useful reference point for practitioners, managers and those contributing to training within Trusts to keep themselves informed of case law developments. Again, this should be drawn to the attention of relevant staff.

6. Finally, I wish to stress that Circular HSS CC 3/96 (revised) **remains extant** while the review of the existing guidance is ongoing. I am aware that HSCB and HSCT staff have participated in a number of workshops as part of the review exercise and I would like to thank you for their contributions to date.

Yours Sincerely



**SEAN HOLLAND**

Chief Social Services Officer/Deputy Secretary