

PRACTICE NOTE
Guide to Report makers on handling request
for keeping information confidential

1. Often in complicated conflict cases, an informant requests for keeping confidential of some information (“Confidential Information”), whether actually provided by him/her or not, from other persons involved in the case.
2. In such a situation, the Board Secretariat used to adopt an advisory role to guide report makers in handling their report preparation. However, the Board gradually encounters difficulties as most report makers have either not sought the Secretariat’s prior advice or not well heeded to the advice given. In the circumstances, the Board believes it is prudent to provide a written guideline to clarify this particular procedural issue once and for all.
3. Report makers should **STRICTLY** observe the following steps set out hereunder:-
 - a. First, clearly inform the informant that all hearings at the Board are quasi-judicial proceedings and hence it is paramount that openness and transparency must be adhered to. It is therefore that the rule of fairness and natural justice must be preserved. Hence, such requests would unlikely be entertained by the Board.
 - b. Should the informant then choose not to heed to your advice, he/she must provide a clearly written statement in his/her own hands (“the written request”), stating: -
 - (1) the alleged Confidential Information seeking to be concealed,
 - (2) the person(s) from whom such information is intended to be kept confidential, and
 - (3) the reasons in support of such a request.
 - c. In addition to the main report (i.e. the Social Enquiry Report/Progress Social Enquiry Report), an Additional Report must be prepared simultaneously to set out the full details of the alleged Confidential Information and enclosing the written request.

- d. The main report should **not** contain any such alleged Confidential Information.
4. A failure to follow strictly the above guidelines by a report maker will result in striking out or an expunge of reports, re-drawing up of all relating reports and substantial delays in concluding the case involved.

Guardianship Board Secretariat
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