



Canadian  
HIV/AIDS  
Legal  
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# HIV Disclosure and the Law

## A Resource Kit for Service Providers

**W**ith regularity, people living with HIV (PHAs) continue to be criminally prosecuted and convicted for not disclosing their HIV-positive status to sexual partners. Until the law is changed, criminalization is a reality that the community must live with and respond to. **HIV Disclosure and the Law: A Resource Kit for Service Providers** is intended to provide both PHAs and service providers with useful information and tools to make informed and empowered choices about how to respond to criminalization.

[www.aidslaw.ca/community-kit](http://www.aidslaw.ca/community-kit)

This Resource Kit contains information on the law, ethics and counselling. It also contains tools — such as checklists, models of search warrants, samples of guidelines and policies, etc. — to help staff members of AIDS service organizations (ASO) and other service providers to counsel their clients and protect client confidentiality, as well as develop organizational guidelines and policies to protect their own liability.

**WHO** will benefit from the Resource Kit:

- **ASO staff and volunteers** who counsel PHAs or their partners;
- **ASO boards and executive staff**; and
- **Other agencies and organizations** in which staff and volunteers counsel PHAs or their partners (e.g., HIV clinics, shelters, community centres, etc.).

**HOW** the Resource Kit can help:

- **Learn more about the disclosure of HIV status** and
  - criminal law, public health law and civil liability;
  - client confidentiality and record-keeping;
  - counselling standards and approaches; and
  - responding to the media.
- **Counsel and give information to clients** in the context of the criminalization of HIV non-disclosure.
- **Develop or adapt policies** for your organization regarding
  - client confidentiality and record-keeping;
  - guidelines for counselling PHAs; and
  - client information materials about HIV disclosure.

**HIV Disclosure and the Law:**  
**A Resource Kit for Service Providers** —  
on-line at [www.aidslaw.ca/community-kit](http://www.aidslaw.ca/community-kit)



**This Resource Kit is produced with the partnership of:**

- **AIDS Coalition of Nova Scotia**
- **Canadian AIDS Society (CAS)**
- **Coalition des organismes communautaires québécois de lutte contre le SIDA (COCQ-SIDA)**
- **HIV & AIDS Legal Clinic Ontario (HALCO)**
- **Positive Living B.C.**