

Separation Checklist

# Securing Private and Confidential Information



There is no doubt that much, if not all of your important private, confidential and sensitive data, including financial data is stored within your personal devices. Even if your separation is entirely amicable, it is important for everyone to read the recommended tips in the separation checklist we have created.

This separation checklist has been compiled because we have seen far too many people finding themselves impacted by issues that were entirely avoidable. Below, we share our recommendations to help you protect your private and sensitive information.

*Disclaimer: The content in this document provides general information however it does not substitute legal advice or opinion. Information is best used in conjunction with legal advice from an experienced member of our team.*



# 1. Change These Passwords

We know that the idea of changing passwords is one that most people resist from doing for a range of reasons. However, one of the first pieces of advice we give our clients is to change these passwords:

- Your email
- Your phone PIN
- Your tablet PIN or password
- Your laptop PIN or password

Your email is where most correspondence is sent so you must ensure your email account is no longer accessible by your former spouse or partner. Changing your email password is essential to ensure they cannot see communications between you and your family lawyer or anyone else you are communicating with. Often calendars are connected to email so it also closes off the ability for anyone to see your appointments or meetings etc. Avoid using any other password that you have previously used for other devices or logins, to truly secure your communications.

If your former partner or spouse views confidential communications between you and your family lawyer, it puts any advice given by your lawyer to you, at risk of waiving legal professional privilege. This means that your lawyer may not be able to protect the confidentiality of your communications between you.

## Checklist

- Your email
- Your phone PIN
- Your tablet PIN or password
- Your laptop PIN or password

## 2. Review Bank Account Accessibility

This one can be challenging because often people have mortgages or joint bank accounts that they need to continue to pay expenses with.

If you have joint accounts, your lawyer will advise you what they recommend you do. In some instances the advice might be to ensure that both signatures are required to withdraw funds from that account. However, this can also create issues for your own accessibility to funds, so speaking to a family lawyer early is essential to determine the best approach in your circumstances.

We have seen circumstances where large sums of money have been removed from joint accounts, where they never saw it coming. Seeking advice about what is best for you can bring peace of mind and minimise the risk of any unusual activity.

Even if you have your own personal bank accounts, change your login password to avoid any potential opportunity for anyone else to review your confidential information. This also applies to any other accounts you may have that hold funds or receive transfers such as digital wallets, cryptocurrency, Paypal, Wise etc.

### Checklist

- Change bank login and passwords
- Check if joint accounts require two signatures
- Discuss further protective measures with your family lawyer

### 3. Review Device and App Interconnectivity

If you have a family plan such as iCloud, these are the avenues that you must review to close off connectivity. This technology allows you to access each other's text messages, emails, photographs, search history and geographic location (e.g. Find my iPhone).

Other examples where information is shared, that you should look for includes:

- Gmail, Google Drive & Google Photos etc
- Dropbox
- WhatsApp
- Facebook, Instagram & Threads
- Smartwatch and Health Apps

If you do not take steps to remove this interconnectivity, you are allowing easy access for your former partner or spouse to access your confidential information. Apps and connections like these allow people to track your whereabouts, particularly a concern where family violence is involved, or safety is a concern. Attending to remove your interconnectivity and updating passwords is essential.

Also remove your former partner or spouse access to any other accounts or products, as often they collect more information than we are aware of, that may be able to be accessed.

#### Checklist

- Review all devices and apps for interconnectivity
- Remove yourself from all shared accounts or products

## 4. Communication and Social Media Usage

In addition to removing access to your communication and social channels, careful consideration of how you communicate, privately or publicly, in relation to any matters relating to your separation, is important. Before you send any emails, texts or post to social media, consider how it would be construed if it were presented in Court.

Even if your former spouse or partner no longer has access to your SMS and you are no longer connected on social media accounts, if someone were to take a screenshot of anything you have said, there is always a chance it could be shared with the Court, and negatively impact the outcome of your family law matter.

It is crucial that you consider how any communications sent or shared could be construed in Court. This is why it is wise to send a proposed communication, or response, to a lawyer to review first.

### Checklist

- Before sending communications of any kind, always consider how it could be construed if your matter ever was to go to Court.
- Unsure? Send your communication or response to your family lawyer to review it first.

## 5. Additional Data Security Considerations

Often there are other accounts that you will be connected to with your former partner or spouse. Consider these:

- Apple TV
- Netflix
- Spotify
- Stan
- Amazon Prime
- Ebay
- Uber / Uber Eats

Many of these services have location enabled that anyone with access to the account can see. Mobile devices are the same, potentially allowing location to be discoverable. Go through each of your devices and review all of the apps you have installed, one by one.

Review your phone for in-phone tracking apps or devices and ensure you reset your mobile phone regularly to update the software. Also consider using password security apps like LastPass and antivirus software.

### Checklist

- Apple TV / Netflix / Amazon Prime / Stan / Paramount etc
- Spotify
- Ebay
- Uber / Uber Eats

Check phones and other devices for:

- Spyware (tracking, recording or information-transmitting capabilities)

## Next Steps

While there are a number of items on this separation checklist, they are important. If you cannot work through each of them urgently, do a few each day to work your way through the list, in order of priority.

Where personal and sensitive data is so easily accessible, taking steps to work through the recommendations we have put together in this downloadable separation checklist, should be prioritised. Then, these risks can be removed from your mind so you can focus on the other important elements in your life.

*Continued on the following page...*





# A Message From Tony Phillips & Fiona Caulley

We encourage you to start the process of securing your confidential data, to protect your health and safety, ensure that privacy and confidentiality can be maintained and communications are not vulnerable to being accessed and/or monitored.

Separation and divorce can be very challenging. Even if your separation is amicable, we encourage you to take steps early on to ensure that your personal information is protected so there is no opportunity for it to be misused.

We hope you found the tips and checklists helpful.



Tony Phillips and Fiona Caulley  
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