



**DEFENCE & VETERANS
LEGAL SERVICE**

Free | Independent | Confidential

What do the Royal Commission confidentiality amendments mean for me?

What has changed?

In March 2023 the Federal government changed laws to improve legal protections for people giving confidential information to the Royal Commission into Defence and Veteran Suicide.

These changes also apply to Royal Commission submissions received before the new law were introduced.

When I make a submission, how do I make the amendments apply?

If you make a Royal Commission submission, you will be asked if you want it to be:

- made public with your name on it
- made public but without your name or any identifying details
- not made public.

If you want your submission to be confidential (not made public) we recommend you also:

- mark each page of your submission as confidential
- tell the Royal Commission in your cover letter/email that you want your submission to remain confidential.

I've already made a submission. Do I need to do anything to ensure it is covered by the new confidentiality laws?

If you previously told the Royal Commission your submission was confidential or not for publication, you do not have to do anything further because the new confidentiality protections will be applied to your submission.

What additional protections do the new laws provide?

The changes mean information will remain confidential for 99 years after the conclusion of the Royal Commission.

They also mean:

- it is an offence if someone uses, or discloses, the contents of your submission in an unauthorised manner
- information in your submission can only be included in a Royal Commission report or recommendation if the information is de-identified or if it was given as evidence at a Royal Commission public hearing
- your submission cannot be obtained through a Freedom of Information request.

Can my submission be subpoenaed (i.e. can an order be made for it to be given to a court)?

No. Submissions marked confidential or not public can no longer be accessed by a court via subpoena.

In addition, Royal Commission submissions cannot be used in court cases.

Need to know more?

Visit our website at defenceveteranslegalservice.org.au

Are there any circumstances in which the Royal Commission can pass on confidential information?

In limited circumstances, the Royal Commission can pass on information to relevant authorities if it relates to serious criminal offences or child protection.

Free assistance

Across Australia we provide confidential and independent legal advice about issues relating to confidentiality and the Royal Commission.

Our assistance is completely free and delivered in plain language that's tailored to your circumstances.

If you have questions or want to chat about your options, call us on 1800 33 1800. You can remain anonymous if you wish to.