



PROVIDING INFORMATION TO THE ROYAL COMMISSION

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INTRODUCTION

This document is designed to help those who provide information to the Royal Commission, including those who make written submissions and/or participate in community consultations and stakeholder and roundtable discussions. A separate Practice Direction will apply in relation to the public hearings.

Terms of Reference

1. As required by our Terms of Reference, the Royal Commission will inquire into and report on how family violence can be reduced and Victoria's response to family violence can be improved.
2. The Terms of Reference are set out in the Letters Patent and are available at www.rcfv.com.au.
3. Given the Royal Commission's remit and timelines, the Royal Commission will focus on identifying and solving system-wide issues, rather than investigating individual cases or allegations of family violence.
4. To obtain a better understanding about the existing system, how it operates in practice, and to explore opportunities for improvement, the Royal Commission will gather information from individuals and organisations (including key stakeholders) through written submissions, community consultations, stakeholder and expert roundtable discussions and public hearings.

What happens to the information provided?

5. The Royal Commission will keep records of the information it receives. The type of record kept will depend on how the information is provided: for example, records may be kept in the form of summary notes, an audio recording and/or a transcript, depending on the circumstances.
6. Information provided to the Royal Commission may inform the Royal Commission's work. The Royal Commission may decide to make some information it receives public, which means some may be uploaded to the Royal Commission's website, made available for review at the Royal Commission's office and referenced or included in the Royal Commission's final report.

Can information be provided anonymously?

7. Yes, you can request anonymity. This means that while the Royal Commission might keep a record of your identity, the Royal Commission will not name or identify you as being the source of the information if it decides to make it public (including in its final report).

Can information be provided confidentially?

8. Yes, you can request to provide some or all of your information in confidence. The Royal Commission may store the confidential information in a particular way, including restricting who can access and use the information. While your information will generally inform the Royal

Commission's work, the Royal Commission will not publish or quote the confidential information (including in its final report).

Community consultations

9. During the community consultations, Royal Commission staff may make notes, but these notes will only be shared with the Commissioners and other Royal Commission staff.
10. While the community consultations will generally inform the Royal Commission's work, the Royal Commission will not disclose anyone's identity or specific circumstances (including in its final report), without permission.

Your rights and responsibilities

11. A person who gives information to the Royal Commission has the same protection and immunity as a witness in Supreme Court proceedings: section 39(4) of the *Inquiries Act 2014*.
12. Any information given to the Royal Commission cannot be admitted as evidence or used against the person in any other proceedings (subject to limited exceptions): section 40 of the *Inquiries Act 2014*.
13. It is an offence to make statements or provide information to the Royal Commission that is false or misleading: section 50 of the *Inquiries Act 2014*.
14. If you give information to the Royal Commission without breaking the law, your employer cannot threaten or take detrimental action (including dismissal) against you because you gave that information: section 51 of the *Inquiries Act 2014*.

Are there limits on the information the Royal Commission can seek, receive or require?

15. The Royal Commission can seek, and receive, all kinds of information that are relevant to the Terms of Reference and can do so in a variety of ways, including through both informal and formal requests. There are, however, limits on what the Royal Commission can require a person to produce in certain circumstances.
16. If the Royal Commission seeks information or documents from you informally (that is, without a formal Notice to Produce), you may choose not to provide the information or documents. In deciding whether to provide information or documents, you may need to consider if you are subject to any confidentiality obligations (for example, under your employment arrangements or other legislation).
17. If the Royal Commission seeks information or documents from you formally under a Notice to Produce, you may only refuse to provide the information or documents if you have a "reasonable excuse" under the *Inquiries Act 2014*, which includes if the information:
 - might incriminate the person in current proceedings;
 - is subject to public interest immunity and/or
 - is prohibited from disclosure by a court order.
18. If you think you may have a reasonable excuse for not providing certain information or documents to the Royal Commission, you should:
 - inform the Royal Commission's representative of this when you are asked to provide the information; and
 - consider seeking legal advice.