

Privacy when participating in a senate inquiry



Senate inquiries are an important part of our democracy and give people an opportunity to provide information and share their experiences. An inquiry is held by a senate committee, made up of senators from a range of political parties, and they make recommendations to the Senate on what to do about particular issues.

Anyone can make a submission (a letter or email setting out your thoughts on the issue) to the senate committee. You may also be invited to talk to the committee about your submission. This is called providing evidence at a hearing.

This fact sheet sets out your rights to privacy when making a submission or telling your story at a hearing. It should not be relied on as legal advice and you should also read information about participating in an inquiry on the [Parliament's website](#).¹ You can also contact the relevant senate committee for more information.

I would like my submission to be public to tell my story, but not my name. Can I do that?

Yes, you can ask for your name to be withheld. You can do this by checking the 'name withheld' box if you upload your submission online or writing 'NAME WITHHELD' clearly at the top of your submission. If the committee make your submission public, they will not make your name or other identifying information public.

The committee make the final decision on whether or not to make a submission public. They take into account any requests about this from the author of the submission. They may still decide not to make your submission public. You should contact the committee directly for more information about publication.

Can I give information confidentially?

Yes, you can ask for your submission to be confidential and it will not be made public. To do this, write 'CONFIDENTIAL' clearly at the top of your submission. You should also say why you want your submission to be confidential. Make sure you include your name and contact information on a separate page of your submission.

If your submission is confidential, your story will not be included in the inquiry report.

¹ http://www.aph.gov.au/Parliamentary_Business/Committees/Senate/How_to_make_a_submission

What other things should I do to protect my identity?

You should not mention names in your submission. So instead of saying 'my son John received an automated debt from Centrelink' it is better to say 'my son' or 'my family member'.

It is also a good idea not to mention other identifying information, such your town or suburb. The committee staff will read your submission and blank out any identifying information. But it is a good idea not to have that information in there to begin with.

What do I do if I'm contacted to tell my story to the committee?

Sometimes the committee will contact people who have made a submission and invite them to answer questions about things they talked about in their submission. This is called 'giving evidence at a hearing'. Hearings are generally public.

You can ask the committee to let you tell your story (give evidence) in private. This means that only the senators and the committee staff would be present when you answer questions. There would also be no public transcript of your evidence.

For more information about giving evidence at a hearing, look at the Parliament's [information page for witnesses](#).²

How else am I protected if I tell my story at an inquiry?

There are strict rules to protect people who write a submission or tell their story at a hearing. Witnesses cannot be intimidated, threatened, bribed, penalised or harmed because of the evidence that they provided. Interference with witnesses is an offence that can be punished by a fine or imprisonment. More information may be found on the [Parliament's website](#).³

What happens to submissions once they are made public?

Once submissions are made public, they are searchable on the internet and cannot be removed after being made public. Short general statements that don't address the issues that the senate inquiry is looking at (the 'terms of reference') are usually accepted by the Committee as unpublished correspondence rather than as formal submissions. They are not made public on the committee's website or in the Senate.

² http://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Attending_a_public_hearing

³ http://www.aph.gov.au/About_Parliament/Senate/Powers_practice_n_procedures/Senate_Briefs/Brief11