

INFORMATION SHEET

1. If I provide documents or information to the Commission, will it/they be treated as confidential?

Probably. The Commission has released *Practice Guideline 01/2015* and a *Confidentiality Protocol*, which outline how particular types of documents or information may be identified and treated as confidential. Both documents can be accessed via the Commission's website at: <https://www.barrettinquiry.qld.gov.au/practice-guidelines>.

In summary, if the documents or information are truly confidential, because for example, they refer to a patient's medical records, or a patient's identity, they will be kept confidential. That will be the case unless there is written consent.

2. If I provide documents or information to the Commission, can I ask for my identity to remain confidential?

Yes, any request to remain confidential will be treated seriously by the Commission. Of course, each case will be considered on its merits. The Commission has released a *Confidentiality Protocol*, which outlines how particular types of information, which may include a person's identity, might be treated as confidential. The *Confidentiality Protocol* can be accessed via the Commission's website at: <https://www.barrettinquiry.qld.gov.au/practice-guidelines>.

3. Can I provide documents or information to the Commission, anonymously?

Yes. However, documents or information received anonymously can, at times, be difficult to manage. This is because it may be necessary for the Commission to seek clarification or further detail from the person who has provided it. The Commission encourages any person who is concerned about providing documents or information to the Commission, to contact the Commission on (07) 3239 6040 so that their concerns can be managed.

4. If I provide information to the Commission, which adversely reflects on the conduct of another person, could I be sued by that person for defamation?

No. Section 14A(1) of the *Commissions of Inquiry Act 1950* provides that any statement or disclosure made by a person before a commission of inquiry, is not admissible in evidence in any civil or criminal proceeding.

In any event, anything said to the Commission, or submitted to the Commission, has the protection of 'absolute privilege' under s 27 of the *Defamation Act 2005*.

[NOTE: This is a guide for the information of stakeholders. It is not a substitute for your own legal advice]