



Australian
Human Rights
Commission

Submission Policy

January 2020

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Australian Human Rights Commission
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Making a submission

Any public contribution to an inquiry¹ is called a submission. Submissions are actively sought by the Commission from a broad cross section of the community, as well as those with a special interest in particular inquiries.

For most inquiries, once an issues paper, discussion paper or Terms of Reference has been released, the Commission usually develops an online submission form designed to help interested individuals and organisations participate and provide their views, and we strongly encourage you to make use of this form.

At other times, we may seek submissions in other ways. Submissions are usually written, but there is no set format and they need not be formal documents. It is helpful if comments in submissions (whether online or in another format) address the specific questions or topics raised in a particular inquiry.

The Commission also encourages informal submissions via its social media and other online forums.

1 Use, Publication and Access to Submissions

1.1 Use of Submissions

As submissions provide the evidence base for law reform proposals and findings in relation to issues relating to discrimination and human rights it is common for the Commission to draw upon the contents of submissions and quote from them or refer to them in publications.

Submissions will be used for the purposes of conducting the inquiry to which they relate and for any subsequent reporting, and for the promotion and utilisation of any report. Submissions may also be provided by the Commission to our Minister, Parliament and other government agencies.

If we want to use submissions for any other purpose, we will let you know and only do so where you have given us your consent.

¹ This policy refers to submissions for an “inquiry”. This term is intended to cover the range of activities and functions that the Commission undertakes. These may include (and be variously referred to as) national inquiries, consultations, conversations and projects.

1.2 Publication of Submissions

(a) Public Submissions

In the interests of informed public debate, the Commission is committed to transparency in its processes and open access to information. For this reason, the Commission aims to publish submissions on its website (this means that it may be viewed by people in Australia or overseas). However, the Commission reserves the right to edit (for example, remove defamatory material or de-identify personal or sensitive information), or not to publish a submission, or any part of a submission, on its website at its own discretion.

The Commission's publication of a submission is not an indication of the Commission's endorsement of any views or comments contained in that submission.

(b) Confidential Submissions

Submissions may be made confidentially, anonymously or by using a pseudonym. You may wish for your submission to remain confidential if it—for example—includes details about personal experiences or contains other sensitive information (such as commercial-in-confidence material).

The Commission will not publish confidential submissions on its website if you have clearly indicated the submission is intended to be confidential. This can be done by clearly writing or typing 'Confidential' on it, or by selecting the relevant tick-box on the online form.

1.3 Access to Submissions – Freedom of Information

The Commission is subject to the *Freedom of Information Act 1982* (FOI Act) and any submission provided to the Commission may be the subject of a request under that Act. Whilst every effort will be made to ensure confidentiality, all requests for access to submissions will be dealt with in accordance with the FOI Act and there is a possibility that submissions marked confidential may be released, in whole or in part.

The FOI Act includes various exemptions for documents such as: documents affecting certain operations of the agency (i.e. the Commission), documents containing material obtained in confidence and documents affecting personal privacy. Any FOI application that relates to personal information or confidential submissions will be processed in accordance with these exemptions, and where possible we will consult with you before any decision on release is made.

Detailed information on freedom of information can be found on the website of the Australian Information Commissioner at <https://www.oaic.gov.au/freedom-of-information/>.

2 Privacy

The Commission is committed to protecting your privacy. The Commission has obligations under the *Privacy Act 1988* (Cth) (the Privacy Act) that govern how it collects, uses, discloses and holds personal and sensitive information, and how individuals can access and correct their personal information.

The Privacy Act establishes the Australian Privacy Principles (APPs) as the minimum legal standard federal agencies are required to meet in handling personal information. The APPs regulate the way in which the Commission must collect, store, use and disclose information about people. They include requirements that:

- personal information is managed in an open and transparent way;
- people have access to personal information about them;
- personal information only be used for the primary purpose for which it was collected; and
- personal information not be disclosed except to the person concerned.

There are exceptions to the general rules, including that further things can be done with the consent of the individual concerned.

The [Commission's Privacy Policy](#) sets out procedures for collection and use of personal information that are consistent with the APPs.

The Commission will collect any personal information and/or sensitive information that is included in your submission. By including personal information and/or sensitive information in your submission, you consent to the Commission collecting, using and disclosing that information in accordance with this notice.

Your name may be used to attribute authorship of your submission unless you indicate you wish to remain anonymous, in which case your name will not be published. Your email address may be used to enable the Commission to contact you regarding your submission if it is incomplete or inaccessible.

3 Copyright

Ownership of all submissions received by the Commission remains vested with the respective author(s) of the submission.

However, in making a submission to the Commission, you grant a permanent, irrevocable, royalty-free licence to allow the Commission to use, reproduce, publish, adapt, perform and communicate your submission on the Commission's website² and in any other related documents (for example, in a future discussion paper or report³).

To the extent that your submission contains material that is owned by a third party, you warrant that you have obtained all necessary licences and consents required for the use of those materials (including for the Commission to use, reproduce, publish, adapt, perform and communicate to the public), and have made arrangements for the payment of any royalties or other fees payable in respect of the use of such material.

² Including converting your submission into a different format for the purposes of meeting relevant accessibility requirements.

³ Commission papers and reports are generally published under a Creative Commons licence. For more information, see <https://creativecommons.org.au/learn/licences/>.