



Australian  
Human Rights  
Commission

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# Submission Policy

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## **Making a submission**

Any public contribution to an inquiry 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.

Submissions are usually written, but there is no set format and they need not be formal documents. Where possible, submissions in electronic format are preferred.

It is helpful if comments in the submissions address specific questions or paragraphs in a particular consultation paper. For each inquiry, once a consultation paper, discussion paper or Terms of Reference have been released, the Commission usually develops an online submission form designed to help stakeholders address the specific questions or topics, and we strongly encourage people to make use of this form.

The Commission also encourages informal submissions via its various blogs and 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 promotion and utilisation of any report.

#### **1.2 Publication of 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 where it is appropriate to do so. However, the Commission reserves the right to edit (for example, remove defamatory material or, where appropriate, de-identify personal or sensitive information), publish or not publish submissions 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.

##### **(a) Confidential Submissions**

Submissions may be made confidentially, anonymously or by using a pseudonym. Confidential submissions may include personal experiences where there is a wish to

retain privacy, or other sensitive information (such as commercial-in-confidence material).

Any request for access to or a copy of a confidential submission is determined in accordance with the federal *Freedom of Information Act 1982*, which has provisions designed to protect sensitive information given in confidence. See below regarding Freedom of Information requests.

The Commission will not treat any submission as confidential unless you have clearly indicated the submission is intended to be confidential. This can be done by clearly writing or typing 'Confidential' on it.

### **1.3 Access to Submissions**

#### *(a) Freedom Of Information*

The Commission is required to comply with 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. All requests for access to submissions will be dealt with in accordance with the FOI Act. The Act includes various exemptions for documents such as: documents provided in confidence (eg confidential submissions) and personal information. Any FOI application that relates to personal information or confidential submissions will be processed in accordance with these exemptions.

## **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 the 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 or otherwise disclosed. 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 department to use, reproduce, publish, adapt, perform or communicate to the public your submission on the the department website, including converting your submission into a different format to that submitted for the purposes of meeting relevant accessibility requirements.

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, perform or 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.