



Media information for private sessions

People who are affected by child sexual abuse in an institution can tell their story to a Commissioner in a private session. Private sessions are confidential and take place in an informal setting.

The *Royal Commissions Act 1902* (Cth) (the Act) sets out what can and cannot be reported about private sessions. Under s.60H (see breakout) it is an offence to disclose information obtained at a private session without authorisation.

This includes:

- Information about the private session, including the venue; the date or time of the private session; the names of Commissioner(s) or Royal Commission staff; the names of the person attending and any support people;
- Information about the experiences shared with the Commissioner(s) by the person attending the private session, including the names of any persons or institutions mentioned during the private session;
- Information that was given verbally, in documents, in writing or electronically to the Royal Commission: before the private session, in anticipation of the private session; during the private session; or after the private session, provided that this supplementary information was discussed at or foreshadowed during the private session;
- Information given by any of the people who are present at a private session, including the person who attends the private session to share their own experience of child sexual abuse in an institution, support people, Commissioners and Royal Commission staff.

Who can disclose information that was given at a private session to the media?

A person telling their story in a private session can tell their story to a journalist. The journalist may, with that person's consent, tell this story in a media report.

What cannot be reported about a private session?

A journalist cannot report any information given at a private session unless:

- the journalist was the person who provided the information;
- the person who provided the information consents to its disclosure; or
- the Royal Commission authorises under s 60H(c)(ii) for the making of a report.

This means that no information about the private session itself (such as venue, date and time, and the names of Royal Commissioners and Royal Commission staff present) can be reported without the consent of the Royal Commission. Further, anything said by a Royal Commissioner during a private session cannot be reported.

If you have any questions, please contact the Royal Commission Media Officer on 02 8282 3966.

s.60H Offence for unauthorised use or disclosure of information given at a private session

A person commits an offence if:

- (a) the person obtains information:
 - (i) at a private session; or
 - (ii) that was given at a private session; and
- (b) the person makes a record of, uses or discloses the information; and
- (c) none of the following applies:
 - (i) the record, use or disclosure is for the purposes of performing functions or duties or exercising powers in relation to the Child Sexual Abuse Royal Commission;
 - (ii) the person is authorised to make the record of, or use, disclose or publish, the information in accordance with section 60J (inclusion of information in reports and recommendations), 6P (Commission may communicate information) or 9 (custody and use of records of Commission);
 - (iii) the person gave the information at the private session;
 - (iv) the person makes the record of, uses or discloses the information with the consent of the person who gave the information at the private session.

Penalty: 20 penalty units or imprisonment for 12 months or both.]