



**ACT HUMAN RIGHTS  
COMMISSION**

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Australian Capital Territory

# Privacy Policy 2026

## DOCUMENT INFORMATION

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## 1. Introduction

Under the [Information Privacy Act 2014](#) (Territory Privacy Principle 1.3), all ACT Government agencies, including the ACT Human Rights Commission (the Commission) must have a clearly expressed and up-to-date privacy policy that outlines the management of personal information.

This policy outlines how the Commission and its staff collect, hold, use and disclose information about you.

The Commission's [Online Services Privacy Statement](#) forms part of this policy, as does the attached table (**Appendix 1**) outlining specific types of information collected, used, and shared by each area of the Commission.

The policy is supported by individual privacy statements that we include on our forms used to collect information.

The Commission also has a summary privacy policy. If you ask us to, we will also provide a copy of either policy to you in a form of your choice (provided it is reasonable to do so).

If you have any questions about this policy or how we collect or handle information about you, please [contact us](#).

## 2. Human rights and positive duty obligations

All public authorities in the ACT have obligations under the *Human Rights Act 2004* to act compatibly with human rights and to give proper consideration to human rights when making decisions. The Human Rights Commission has various functions overseeing and advocating for human rights. Importantly, the Commission is also itself a public authority under the Human Rights Act. Commissioners and employees must therefore act compatibly with human rights protected in the Human Rights Act and think about relevant human rights before acting and when making decisions.

In addition to human rights obligations under the Human Rights Act, the Commission also has positive duty obligations under the *Discrimination Act 1991*. The Commission must make reasonable adjustments to accommodate employees and the particular needs of clients arising from an attribute protected under the Discrimination Act. Protected attributes include disability, sex, race, nationality, colour, age, gender identity, accommodation status, employment status, subjection to family violence, religion, immigration status, carer, parent or kinship status and sexuality. The Commission must take reasonable and proportionate steps to eliminate all forms of discrimination in relation to these attributes, as well as in relation to sexual harassment and unlawful vilification.

### 3. Overview

The Commission only collect, hold, use and disclose information about you so we can help you and as is allowed by ACT laws. The following ACT laws are some of the laws that allow us to collect, hold, use and disclose this information. There are also some laws that mean the Public Advocate gets information from government and other agencies about actions taken or decisions made in respect of people whose condition or situation makes them potentially vulnerable to abuse, neglect, or exploitation.

- [Information Privacy Act 2014](#) (the Information Privacy Act)
  - including the Territory Privacy Principles (TPP)
- [Human Rights Commission Act 2005](#) (HRC Act)
- [Discrimination Act 1991](#)
- [Children and Young People Act 2008](#) (CYP Act)
- [Victims of Crime Act 1994](#) (VoC Act)
- [Victims of Crime \(Financial Assistance\) Act 2016](#)
- [Health Records \(Privacy and Access\) Act 1997](#) (Health Records Act)
- [Human Rights Act 2004](#) (HR Act)
- [Mental Health Act 2015](#)
- [Evidence Miscellaneous Provision Act 1991](#)

The Commission will only share your information with your consent, or where the law or a court or tribunal makes us share or allows us or where you would reasonably expect us to use that information to provide you with services. If we share that information with other ACT government agencies, those other agencies also must handle your information using the Information Privacy Act.

### 4. Who we are and what we do?

The Commission promotes the human rights and welfare of all people living in the ACT. We are an independent agency established by the HRC Act and offer a range of services, including:

- oversight of systemic issues, review of laws, and advice to government and others regarding human rights compliance
- independent complaint handling covering a range of service providers, and discrimination matters

- advocacy for children, young people and adults experiencing vulnerability
- consultation with children and young people to enable their participating in decision-making about matters that affect them
- advocacy, information, therapeutic services and support to victims of crime
- community education, training and information about human rights.

Under section 4 of the HRC Act, the main functions of the Commission are performed by:

- **Dr Penelope Matthew** – President and Human Rights Commissioner
- **Ms Jodie Griffiths-Cook** – Public Advocate and Children and Young People Commissioner
- **Ms Karen Toohey** – Discrimination, Health Services, Disability and Community Services Commissioner and ACT Information Privacy Commissioner
- **Ms Juliette Ford** – Victim Support and Victims of Crime Commissioner

Each Commissioner’s responsibilities are outlined in our [Operations Protocol 2025-28](#) (see page 5 of the protocol).

One of the Commission’s functions is to provide an independent, fair and accessible process for complaints, including complaints about:

- |  |                                   |
|--|-----------------------------------|
| • disability services                        | • sexual harassment               |
| • discrimination                             | • human rights                    |
| • services for children and young people     | • vilification                    |
| • health services and health records privacy | • the rights of victims of crimes |
|  | • services for older people       |

The Commission advocates for vulnerable individuals in the community. It also protects the rights of children and young people, and of people with disability (including those with mental health concerns).

The Commission supports, advocates for and assists victims of crime (including with financial assistance).

## 5. Collecting and receiving information about you

The Commission will only collect information about you in ways that are lawful and fair. This will be done with your informed consent or where we need it to provide you with services, or for our work. This means we will try to collect as little information about you as possible.

## **What kinds of information do we collect and why?**

Each of the Commissioners and their teams have different roles and responsibilities, therefore each area of the Commission is likely to collect different personal information about you.

The information we collect depends on what services we may provide.

For example, we may collect:

- information about your identity (e.g. date of birth, country of birth, passport details, visa details and driver's licence)
- your name, address and contact details (e.g. phone and email)
- information about your personal circumstances (e.g. age, gender, marital status and occupation)
- information about your employment at the Commission (e.g. job applications, work history, referee comments and pay)
- information about assistance we have provided to you.

For a description of the kinds of personal information each Commissioner and their teams collect and why, see our information collection table at **Appendix 1**.

## **How do we collect it?**

The Commission may collect information from you in many ways, including through complaint forms, in letters or emails to and from you, over the phone or in person.

Generally, we will collect information from you directly when:

- a law or a court or tribunal says that we must do so
- we are providing you with services or help
- we are handling a complaint made by you or on your behalf by another person, such as a parent or carer
- you send us an email or call us
- you subscribe to our newsletter
- you register for an event or training session provided or arranged by the Commission
- you participate in a survey run by the Commission
- you make a payment or other transaction to the Commission

- you contact us to ask for information
- you attend our office, where closed circuit television (CCTV) is used to ensure the safety of staff and clients
- you send an application for Victims of Crime Financial Assistance, by email
- you make a complaint about the way we have handled a Freedom of Information (FOI) request or ask for a review of an FOI decision
- you ask for access to information the Commission holds about you or other information about what we do.

We may collect information about you from other people, government bodies or organisations when we have your consent or laws allow us to.

For example, the HRC Act, the CYP Act or VoC Act allow us to collect information about you from other people. Some Commissioners can ask other services for information about your case or question. We can also make people give us information or documents where we reasonably believe it is relevant to a complaint or issue that we are considering.

In some circumstances, for example, where it is required by law, we may also obtain information about you that was collected by other Australian, state and territory government bodies or other organisations.

We can also collect information about you from others where it is not workable, safe or reasonable to collect information directly from you. This will be in accordance with protections and safeguards under relevant laws and the TPPs. For example, we may be unable to locate you or asking you for the information may place you in danger.

We also collect information about you that is publicly available where it is reasonably necessary for, or directly related to, our functions.

The Commission will only collect information about you from the social media services we use (e.g. Instagram or Facebook) if you choose to:

- provide it to us by messaging us or posting photos on our pages, or
- post the information as publicly visible.

These social networks may collect information about you according to their own privacy policies.

To do some of our work, we may receive information about you from another person or organisation under a specific law without having asked anyone for it. This is discussed further below.

## **How will you know if we're collecting information about you?**

When we need to collect information about you, we will give you notice before we collect it or as soon as we can afterwards unless we are allowed by law not to do so. This notice will set out:

- who we are and how you can contact us
- the circumstances in which we may or have collected information about you
- the name of the law (if any) that allows or requires us to collect the information
- why we are collecting the information
- how you may be affected if we cannot collect the information that we need and what options you have
- the details of any agencies or types of agencies with which we normally share people's information, including whether they might be located overseas and in which countries
- that we have this policy explaining how we handle your information and complaints about our information handling
- how you can access this policy.

## **How can you seek review or complain about how we handle your information?**

We will normally give this notice in privacy statements. A privacy statement might be in writing or explained to you over the phone – it depends on how we are collecting your information. We also have an [Online Services Privacy Statement](#) for information collected through our website.

## **What about when information about you is sensitive or relates to your health?**

Sensitive information includes information about your:

- racial or ethnic origin
- political opinions
- membership of a political association
- philosophical beliefs
- religious beliefs or affiliations
- sexual orientation, gender identity
- membership of a trade union
- membership of a professional or trade association
- criminal record
- physical or mental health

- experience of crime including sexual assault
- genetic and biometric information (e.g. photographs and recordings of you, fingerprints, tissue samples, eye scans)

We treat your sensitive information with greater care. Except in strictly limited situations, we will not collect your sensitive information without telling you why we need to collect it and asking for your consent. The only times we may collect sensitive information without telling you are:

- where required or allowed by an Australian law or a court or tribunal order
- where necessary to lessen or prevent a serious threat to individual life, health or safety or public health or safety
- where we think we need to assist a law enforcement body.

If you include sensitive information in an email about your complaint or application, we are not responsible for the level of encryption or protection you choose to apply to your own email. You can choose to provide the sensitive information in another way.

We have to comply with the Health Records Act when we collect and handle information about your health. This law says that we can only collect your ‘personal health information’ for a lawful purpose that is directly related to what we do. Because we handle complaints about the provision of health services there may be situations where we collect and handle your health records from you or the health service to manage your complaint.

### **What about when we did not actually ask for your information?**

We may receive information (including sensitive information) from you or about you from other people or bodies, such as your representatives or someone who has made a complaint about you.

We may also receive information about you as part of reports made to us by government bodies so that we can check on the services they provide to the community. We receive this information under relevant laws about child protection, mental health and personal violence.

For example, there are a significant number of laws in the ACT that compel the ACT Government (and government-funded agencies in some instances) to provide the Public Advocate with information about actions taken (or proposed to be taken) and decisions made (or proposed to be made) in circumstances where, if not undertaken in accordance with the law, the action/decision would potentially represent a breach or limitation of a person’s rights. These laws include the CYP Act and the *Mental Health Act 2015*, among others.

Additionally, the Victims of Crime Commissioner may receive information from government bodies, including ACT Policing, the Director of Public Prosecutions and ACT Courts and Tribunals, to support victims of crime.

Where we receive information that we have not asked for, we will decide within a reasonable time whether we could have collected the information ourselves.

If we believe we would have been allowed to collect the information (because it is related to what we do), we will treat it as if we had collected it ourselves and will only use and hold the information in accordance with this policy and relevant laws (such as the [Territory Records Act 2002](#)).

Where we receive information about you that is not related to what we do, we will take out your personal details or remove the information.

### **What if you do not want us to know your name?**

We understand that you may not want us to know your name.

Where possible, we will accommodate you not using your name or using a made-up name.

Sometimes, such as when you make a complaint, we might need your legal name, contact details and other information about you to respond to you or seek a response to your complaint or concern from another individual or organisation in a way that is efficient and fair. If you do not want to provide these details, we may not be able to handle your complaint and close it.

## **6. Using and sharing information about you**

We normally will not use or disclose information about you unless you agree, or you would reasonably expect us to do so for the particular reason for which you gave us the information. We consider that if you make a complaint to us or raise an enquiry, you expect us to use your information as necessary to seek a response to your complaint or to answer your question.

However, there are some situations discussed below where we collect information for one reason, but we may then need to use or share it with another team for a different reason or disclose it to a body outside the Commission.

### **How we use your information**

As mentioned above, we will tell you why we need information about you when we collect it. We will only use information about you for that reason or for directly related reasons.

Most often we will use information about you to try to resolve your concern or complaint, talk with you about what services you may need and communicate with you. We also use information about you to consider what financial assistance you may be able to get as a victim of crime, refer you to relevant services or assistance and investigate any system-wide issues that arise from your case.

Sometimes we will use information collected in relation to one complaint or contact made by you to assist with another complaint or enquiry that you make later. This is so we can provide a quick and convenient service to you or answer your questions as soon as we can. We try not to ask you the same questions more than once.

When we collect information for education or training events, we will only use it to keep a record of whether you attended and to keep you informed about our activities (if you opt-in to this process).

We may use information from you for research or to improve services, but we will not publish it without your consent or without redacting your personal details.

Decisions we make are made in accordance with relevant legislation, policy or procedures by officers of the commission as decision makers or delegates. Computer programs such as client databases and case management software support us to handle your complaints quickly and efficiently but are not used in any substantial or direct way to making a decision that might significantly affect your rights or interests.

### **Will we share your information?**

We will only share or disclose your information to bodies outside the Commission with your informed consent or where we are allowed or required to by law, including when handling your complaint. Other examples include where:

- we believe it is necessary to lessen or prevent a serious threat to your or someone else's life or health or to public safety or health. For example, we may tell health services or the police if someone threatens harm to themselves or others while dealing with us, or where we consider you or your family is at risk of family or domestic violence
- we believe that sharing it with the police or another law enforcement body is necessary because a law may have been broken or needs to be investigated or detention places such as prisons need to be looked at
- we have reason to suspect unlawful activity, or serious misconduct, or failure to meet professional obligations related to what we do or what we oversight, such as the actions of guardians managing the affairs of a vulnerable person

- we have a reasonable suspicion that a child is being abused or something else is happening which means we must make a mandatory report to a child protection or other agency, like the Ombudsman or police
- we are required to provide information in response to a subpoena or other court or tribunal order.

### **Who will we share your information with?**

**Service providers** – We will share information with service providers when dealing with your complaint or when providing you a service or otherwise helping you.

We may suggest you contact other service providers, such as community services and legal services so that they can help you. However, we will only release any personal information about you to providers with your consent.

We may also share your information so that service providers can provide answers to any questions you may have more quickly.

**Courts and tribunals** – If we are ordered by a court or tribunal, we may have to share your information without your consent.

**Government agencies** – As we are an independent agency that is separate to the ACT and Australian Governments, we will not normally share your personal information with other government agencies without your consent unless we are required to do so by law or a court order.

**Online services** – We use third party providers for some web-based services, including SurveyMonkey for online surveys and EventBrite for registration at events organised or hosted by the Commission. This may mean that your information is shared in a secure way with these providers. Information about these services is available in our Online Services Privacy Statement.

**Media** – We will not provide information that would identify you to the media without your permission.

### **Sharing your information between Commissioners**

We will normally be able to help you better if we know whether you have recently contacted one of the Commissioner's teams.

We will generally use your name, address, contact details and the issues you have raised to share information between Commissioners and their teams so that we can help you better.

If a Commissioner receives information about you under an ACT law, they may share it with another Commissioner and their staff if they believe the other Commissioner needs that information to assist you.

We may also share your information with other Commissioners and their teams if there is a risk or threat to you or someone else's life, safety, health or wellbeing as allowed by law.

### **Will we send personal information overseas?**

We use third party providers for some web-based services, including [SurveyMonkey](#) for online surveys (see their [privacy policy](#) for more information on information stored in the United States and European countries), [Mailchimp](#) for newsletters (stored in the United States) and [EventBrite](#) for registration at events (stored in the United States). We also use [Google Analytics](#) for analysis of that information by service providers based in the United States of America. Web traffic information is disclosed to Google Analytics when you visit the Commission's website.

These services collect and host information about your use of their websites (e.g. your IP address) on servers located overseas in the United States of America and Europe and your ability to complain or take action under Australian law about their use or disclosure of your information is limited. Privacy policies for each are linked above.

### **Does the Commission use Artificial Intelligence (AI)**

If using AI, we do so in alignment with the ACT Public Sector AI policy<sup>1</sup> and framework ensuring that we:

- develop and use AI initiatives in alignment with strategic plans
- demonstrate community or government advantages, such as improved service delivery or enhanced decision-making capabilities
- comply with all relevant privacy, security and data protection laws
- ensure that decisions made by the AI system are subject to human review and intervention.

We do not enter personal information into AI services. We will not use AI programs to scribe or transcript calls or meetings with you.

Apart from using these services, we do not normally disclose or store your information overseas. If we need to share or store information about you with a body or person overseas, we take reasonable steps before doing so to make sure that they treat your information in a similar way to ACT law.

In some cases, the information we collect will already be protected under the law that applies overseas, and you can make a complaint about the misuse or disclosure of your information.

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<sup>1</sup> [https://www.act.gov.au/\\_\\_data/assets/pdf\\_file/0010/2931382/ACT-Government-AI-Policy.pdf](https://www.act.gov.au/__data/assets/pdf_file/0010/2931382/ACT-Government-AI-Policy.pdf)

If it is practical and reasonable to do so we will obtain your consent when your information is disclosed overseas. However, there may be situations when we are unable to obtain your consent, for example, where we are legally required to share information.

## **7. How we hold information about you**

We actively take steps to make sure your information is stored securely. We make every effort to protect your personal information.

### **How can you access information we hold about you?**

You have the right to ask for access to information that we hold about you under several laws, including the:

- *Information Privacy Act 2014* for personal information
- Health Records Act for personal health information
- [Freedom of Information Act 2016](#) for other documents or policies that may affect you (although it will generally not be in the public interest to release information about individual complaints and issues the Commission is considering)

If you contact us to ask for access to your personal information, we must reply to you in 30 days. We must give you access to your information if it is reasonable and practicable and must do so in an appropriate manner. If documents containing information about you also include personal information about other people, we may take out their information to respect their privacy.

If we do not give you access to information about you, we must tell you why in writing, e.g. that it is sensitive information under the CYP Act or information relating to complaints or the Commission's inquiries under the HRC ACT.

We will not charge you any fees for asking for your information or providing you with it unless there is a fee for the specific information (such as court records).

### **What if the information we hold is not correct or out of date?**

We must take reasonable steps to make sure information about you that we collect, hold, use or disclose is accurate, up-to-date and complete. We take the following steps to do so:

- recording the date that we collected your information and confirming your details as appropriate
- promptly updating any changes to your information in our records we have created about you (noting that by law, generally clinical health records cannot be changed)

- if you have submitted a complaint, keeping you informed about the progress of a complaint you have made at least every 6 weeks, as required by the HRC Act, which gives you a chance to tell us if there is anything wrong in the information we hold about you.

If you access the personal information that we hold about you and discover it is wrong, you can ask us to correct it. If we have shared this information with another agency, you can ask us to tell them that they also need to correct the personal information.

We may decide not to change information about you, including when it is not personal information, or when we hold copied records provided by a third party that we have not created. We will write to you within 30 days to explain why we will not change your information and how you can complain about our decision.

### **How securely do we store information about you?**

We must take reasonable steps to make sure that information we hold about you is safe and secure.

The ACT Protective Security Framework (ACT PSF) sets the overarching framework for managing personnel, physical and information security risks, that the Commission operates within. In accordance with the ACT PSF, the Commission must maintain the confidentiality, integrity, and availability of all official information.

The Commission's policies and procedures provide guidance and additional direction in supporting our staff with complying with the ACT PSF:

- limiting access to databases containing your information to staff who need it to do their jobs (e.g. handling complaints, organising events etc.)
- computer and network firewalls
- secure logins with password protections for those able to access databases
- restricted access to the physical premises of the Commission to approved pass-holders only
- secure storage of paper-based files.

The Commission's specialised case management system contains client records including your personal information.

To ensure the maintenance of the confidentiality, integrity, and availability of this information in line with the ACT PSF, the Commission's case management security plan:

- describes the business, technology and security context of the system
- identifies threats to the system

- measures ‘inherent’ and ‘residual’ security risks before and after risk mitigation
- recommends risk treatments to bring residual risks within appropriate levels.

The Commission manages access to the system to ensure that only authorised people have access to the database. There are a range of procedures in place to safeguard the information and access including:

- active monitoring of audit trails and activity tracking
- restriction of users to those who are vetted and informed of their responsibilities upon employment with the Commission.

### **What do we do if we lose or misuse information about you?**

We take all reasonable steps not to lose or misuse information about you.

A data breach occurs when personal information is accessed or disclosed inappropriately, without authorisation, or is lost. It is worth noting that a privacy breach may occur when personal information is used for a purpose that it was not originally collected for, and the person that the data is about has not specifically given permission for this use.

In the event of a data breach, there is a process for Commission staff to follow which helps the containment, assessment and response to the data breach while minimising the potential harm to third parties:

- act immediately to contain the breach and make sure there is no further compromise of personal information
- assess the breach by getting the facts and evaluating the risks, including the risk of serious harm to individuals whose information was compromised
  - if the breach occurred due to a cyber security event or incident, the ACT government’s response plan is initiated, which may also activate business continuity arrangements
  - similarly, the Commission’s business continuity arrangements may be activated in the event of a natural disaster – including steps to protect and access information if we cannot access our records i.e. the regular backup of case management data
- once containment has occurred, the breach is reported to appropriate areas, depending on the information that has been released
- notify you, and other relevant agencies (such as the police) within 30 days if your information is affected

- this should include guidance on steps you can take to reduce your risk of harm arising from the breach
- identify the cause and implement policies, training and other measures to prevent similar breaches in future
- let you know about pathways to raise concerns or complain about the data breach, including directly to the Information Privacy Commissioner (who is a member of the Commission).

### **When will we dispose of information about you?**

The Commission is required to maintain records of its work under the [Territory Records Act 2002](#). This means that we may keep it as part of our records securely and as allowed by law.

The Commission's territory records disposal schedules<sup>2</sup> set out the minimum period records should be kept (retention periods) and specifies whether, upon expiry of the retention periods, the records may be destroyed or are required as Territory Archives.

What this means is that if we hold information about you, and we no longer need to use or disclose it, or keep it in our records, we will take reasonable steps to stop you from being identified or will destroy it.

## **8. How can you complain if we get it wrong?**

If you are unhappy with how the Commission has handled information about you, you can complain to us in writing (by letter or email). This will help us clearly respond to your complaint.

If you need help to lodge your complaint with us, you can ask and we will assist you.

You can also contact us with suggestions for how we could better handle your personal information.

### **How can you contact us?**

Our mailing address for complaints and other letters is:

ACT Human Rights Commission

GPO Box 158, Canberra, ACT, 2601.

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<sup>2</sup> Human Rights Protection and Promotion: [Territory Records \(Records Disposal Schedule – Human Rights Protection and Promotion Records\) Approval 2026 \(No 1\) | HTML view](#)

Advocacy Services: <https://www.legislation.act.gov.au/View/ni/2026-77/current/html/2026-77.html>

Victims Support & Redress: <https://www.legislation.act.gov.au/View/ni/2026-79/current/html/2026-79.html>

Our email is:

[hrcintake@act.gov.au](mailto:hrcintake@act.gov.au)

If you would like help in lodging a complaint, our phone number is:

(02) 6205 2222

**How will we handle your complaint?**

We will promptly tell you when we have received your complaint.

We will then consider your complaint to work out how we can appropriately resolve your issue and respond within a reasonable time (normally within 4 weeks).

**What if you are unsatisfied with how we handle your complaint?**

If you are not satisfied with our response, in some circumstances, you can make a formal privacy complaint to the ACT Information Privacy Commissioner who is a member of the Commission.

Any privacy complaint you make about the Commission will be investigated independently by a staff member not involved in your matter. You can also complain about our privacy complaint handling process to the ACT Ombudsman who can be reached via [www.ombudsman.act.gov.au](http://www.ombudsman.act.gov.au)

## Appendix 1: Table of information collection, use and disclosure by Commissioner

Commissioner	Functions	Information collected by the Commissioner	How the Commissioner uses that information	When the Commissioner shares that information
<b>President</b>	<b>Governance, finance, resources and corporate administration of Commission</b>	<ul style="list-style-type: none"> <li><b>Personal details</b> e.g. your name and contact details</li> </ul>	We use this information to stay in contact with you about your question or issue	We will not share your information unless you agree, or it is required by law
		<ul style="list-style-type: none"> <li><b>Employee information</b> e.g. applications for employment, work history, referee comments and pay</li> </ul>	Personnel files are kept maintaining records about all aspects of employment including recruitment, employment history, payroll, leave, equal employment opportunity data, workplace relations, security clearances, performance, workplace health and safety, rehabilitation and compensation. Records are kept for all permanent, contracted and temporary staff members/employees, including volunteers	Personal information is disclosed to ACT Government Shared Services on a 'need to know' basis for the purposes of administering payroll, and to travel providers under the whole of government travel arrangements
		<ul style="list-style-type: none"> <li><b>Financial Information</b> e.g. bank account and payment details, Tax File Numbers, information about business and financial interests</li> </ul>	We use this information to: <ul style="list-style-type: none"> <li>make payments for goods or services including staff reimbursements</li> <li>charge for goods or services</li> </ul>	We will not share your financial information unless required by law

Commissioner	Functions	Information collected by the Commissioner	How the Commissioner uses that information	When the Commissioner shares that information
		<ul style="list-style-type: none"> <li>• <b><i>Territory records</i></b> e.g. records of all information created or collected as part of the work of the Commission</li> </ul>	We use this information to maintain a record of the Commission’s business operations	<p>The <i>Territory Records Act 2002</i> requires us to maintain and protect Territory records</p> <p>Territory records can only be disclosed as required by law</p> <p>We may disclose Territory records in response to requests under the <i>Freedom of Information Act 2016</i>, but only where it is in the public interest</p>
	<b>Reporting on systemic matters and reporting obligations</b>	<ul style="list-style-type: none"> <li>• <b><i>Case study information</i></b> e.g. information about your story or case</li> </ul>	We use this information to understand your experiences and how public authorities and organisations respect your rights	We may publish this information <b>in a form that does not reveal your personal details</b> (deidentified) to report to the Government, Legislative Assembly, community and media about specific problems or issues

Commissioner	Functions	Information collected by the Commissioner	How the Commissioner uses that information	When the Commissioner shares that information
Human Rights Commissioner	Providing advice on human rights	<ul style="list-style-type: none"> <li>• <b>Statistics</b> e.g. number of people accessing our services</li> <li>• <b>Case study information</b> e.g. information about your story or case</li> </ul>	We may use your personal information to compile data and statistics about issues for research, service improvement or training and to give advice and make recommendations on human rights	We may publish this information <b>in a form that does not reveal your personal details</b> (deidentified) to provide training or community education
	Community education and training	<ul style="list-style-type: none"> <li>• <b>Statistics</b> e.g. number of people accessing our services</li> <li>• <b>Case study information</b> e.g. information about your story or case</li> </ul>	We may use your personal information to compile data and statistics about issues for research, service improvement or training, and may also give advice and make recommendations.	We may publish this information <b>in a form that does not reveal your personal details</b> (deidentified) to provide training or community education.
	Systemic oversight and advice to Government	<ul style="list-style-type: none"> <li>• <b>Personal information</b> e.g. information about your story or case</li> </ul>	We use your personal information to consider whether agencies are meeting their human rights obligations and to give advice and make recommendations to Government.	We may publish this information <b>in a form that does not reveal your personal details</b> (deidentified) to report to the Government, Legislative Assembly, community and media on specific problems or issues.

Commissioner	Functions	Information collected by the Commissioner	How the Commissioner uses that information	When the Commissioner shares that information
	<p>Review effects of Territory laws on human rights including the monitoring of places of detention</p>	<ul style="list-style-type: none"> <li>• <b>Statistics</b> e.g. number of people accessing our services</li> </ul>	<p>We may use your personal information to compile data and statistics about issues for research, service improvement or training and to give advice and make recommendations</p>	<p>We may publish this information <b>in a form that does not reveal your personal details</b> (deidentified) to provide training or community education</p>
		<ul style="list-style-type: none"> <li>• <b>Case study information</b> e.g. information about your story or case</li> </ul>	<p>We use this information to understand your experiences and how public authorities and organisations respect your rights</p>	<p>We may publish this information <b>in a form that does not reveal your personal details</b> (deidentified) to report to the Government, Legislative Assembly, community and media on specific problems or issues</p>

Commissioner	Functions	Information collected by the Commissioner	How the Commissioner uses that information	When the Commissioner shares that information
<b>Discrimination, Health Services, Disability and Community Services Commissioner</b>	Consider complaints about unlawful discrimination, vilification and sexual harassment under the <i>Discrimination Act 1991</i>	<ul style="list-style-type: none"> <li>• <b>Personal details</b> e.g. your name, date of birth, address and contact details</li> </ul>	We use this information to stay in contact with you about your complaint and keep you updated	We are required to share this information with the individual or organisation that you are complaining about so they can provide us with background to the issues  We may share this information with a court or tribunal as required by law
		<ul style="list-style-type: none"> <li>• <b>Complaint records</b> e.g. your name, address, date of birth, occupation, circumstances of the incidents in your complaint and personal health information</li> </ul>	We use this information to keep track of your complaint and to investigate it	We are required to share this information with the individual or organisation that you are complaining about so that they can provide us with background to the issues  We may share this information with other agencies to understand the issues  If we cannot help with your complaint, we may be able to refer your issue to another agency that can help you by sharing this information with them after receiving your permission
		<ul style="list-style-type: none"> <li>• <b>Investigation records</b> e.g. sensitive personal information about your sex or gender status, status as a parent or carer, relationship status, pregnancy, race,</li> </ul>	We have the power to ask for information, documents and other things as part of a complaint investigation. You must comply with a request from us  You may be required to attend and answer questions about a	There are times when information you have provided for a complaint may be provided to another agency without your consent. This will only occur where there is a risk to your or someone else's safety, or a risk to the general public

Commissioner	Functions	Information collected by the Commissioner	How the Commissioner uses that information	When the Commissioner shares that information
		<p>religious or political conviction, impairment, accommodation status, employer or employee organisation membership, age, employment records, criminal convictions, personal financial information, personal health information and medical opinion</p>	<p>discrimination complaint investigation</p> <p>We use this information to help determine whether discrimination has occurred and to prepare for and hold a conciliation meeting about a possible resolution</p> <p>If we compel information from you, this information cannot be used against you in other criminal or civil matters</p>	<p>The Commission is required to keep these records confidential in accordance with the <i>Human Rights Commission Act 2005</i></p> <p>If a discrimination complaint is closed, is withdrawn, or not successfully resolved, the Commission must offer you the option to take your complaint to the ACT Civil and Administrative Tribunal (ACAT). A complaint can only be referred to ACAT if you agree. We may need to provide information to ACAT about your complaint</p>
		<ul style="list-style-type: none"> <li>• <b>Conciliation information</b> e.g. notes from conciliations, draft conciliation agreements, records of compliance with conciliation agreements</li> </ul>	<p>The Commission can only use information in a conciliation agreement with the consent of the parties</p>	<p>The Commission is required to keep conciliation records and details confidential in accordance with the <i>Human Rights Commission Act 2005</i></p> <p>Conciliation information is not admissible as evidence</p> <p>The general terms of a written conciliation agreement will be registered with ACAT, which can then be enforced as if it were an ACAT order</p>
	<p>Consider complaints about ACT health services; complaints about breaches of the <i>Health Records</i></p>	<ul style="list-style-type: none"> <li>• <b>Personal details</b> e.g. your name, date of birth, address and contact details</li> </ul>	<p>We use this information to stay in contact with you about your complaint and keep you updated</p>	<p>We are required to share this information with the individual or organisation that you are complaining about so that they can provide us with background to the issues</p>

Commissioner	Functions	Information collected by the Commissioner	How the Commissioner uses that information	When the Commissioner shares that information
	<p><i>(Privacy and Access) Act 1997.</i></p>			<p>We may share this information with a court or tribunal as required by law</p>
<ul style="list-style-type: none"> <li>• <b>Complaint records</b> e.g. name, address, date of birth, occupation, circumstances of the incidents in your complaint</li> </ul>		<p>We use this information to keep track of your complaint and to investigate it.</p>	<p>We are required to share this information with the individual or organisation that you are complaining about so that they can provide us with background to the issues</p> <p>We may share this information with other agencies to support us to gather information and understand the issues</p> <p>If we cannot help with your complaint, we may be able to refer your issue to another agency that can help you by sharing this information with them after receiving your permission</p>	
<ul style="list-style-type: none"> <li>• <b>Health records</b> e.g. GP visit notes, information about any conditions, mental health assessment, hospital treatment information, information about addictions</li> </ul>		<p>We will use this information to help us decide if you have received appropriate care and treatment that is consistent with the rules applying to the health service provider</p>	<p>Medical records can only be shared in accordance with the <i>Health Records (Privacy and Access) Act 1997</i> where sharing them is required or allowed by law</p>	
<ul style="list-style-type: none"> <li>• <b>Investigation records</b> e.g. sensitive personal information about your sex, sex or gender status,</li> </ul>		<p>We have the power to ask for information, documents and other things as part of a complaint investigation. You must comply with a request from us</p>	<p>If the Health Services Commissioner receives a complaint about a health practitioner, the Commissioner must tell the national board for the practitioner's health profession about the complaint. The</p>	

Commissioner	Functions	Information collected by the Commissioner	How the Commissioner uses that information	When the Commissioner shares that information
		<p>relationship status, status as a parent or carer, pregnancy, race, religious or political conviction, impairment, accommodation status, employer or employee organisation membership, age, employment records, criminal convictions, personal financial information, personal health information and medical opinion</p>	<p>You may be required to attend and answer questions about a complaint investigation</p> <p>We use this information to help determine whether the health service provider has given appropriate care or provided care in accordance with the applicable standards</p>	<p>national board and Commissioner must try to reach agreement about how the complaint is to be dealt with</p> <p>Medical records can only be shared in accordance with the <i>Health Records (Privacy and Access) Act 1997</i> where they are required or allowed by law</p> <p>There are times when information you have provided for a complaint may be provided to another agency without your consent. This will only occur where there is a risk to your or someone else's safety, or a risk to the general public</p> <p>The Commission is required to keep these records confidential in accordance with the <i>Human Rights Commission Act 2005</i></p>
		<ul style="list-style-type: none"> <li>• <b>Conciliation information</b> e.g. notes from conciliations, draft conciliation agreements, records of compliance with conciliation agreements</li> </ul>	<p>The Commission can only use information in a conciliation agreement with the consent of the parties</p>	<p>The Commission is required to keep conciliation records and details confidential in accordance with the <i>Human Rights Commission Act 2005</i></p> <p>Conciliation information is not admissible as evidence</p>

Commissioner	Functions	Information collected by the Commissioner	How the Commissioner uses that information	When the Commissioner shares that information
	Consider complaints about services for older people and people with disability and services for children and young people	<ul style="list-style-type: none"> <li>• <b>Personal details</b> e.g. your name, date of birth, address and contact details</li> </ul>	We use this information to stay in contact with you about your complaint and keep you updated	<p>We are required to share this information with the individual or organisation that you are complaining about so that they can provide us with background to the issues</p> <p>We may share this information with a court or tribunal as required by law</p>
		<ul style="list-style-type: none"> <li>• <b>Complaint records</b> e.g. name, address, date of birth, occupation, circumstances of the incidents in your complaint and personal health information</li> </ul>	We use this information to keep track of your complaint and to investigate it	<p>We may share this information with other agencies to understand the issues</p> <p>If we cannot help with your complaint, we may be able to refer your issue to another agency that can help you by sharing this information with them after receiving your permission</p>
		<ul style="list-style-type: none"> <li>• <b>Investigation records</b> e.g. sensitive personal information about your sex, sex or gender status, relationship status, status as a parent or carer, pregnancy, race, religious or political conviction, impairment, accommodation</li> </ul>	<p>We have the power to ask for information, documents and other things as part of a complaint investigation. You must comply with a request from us</p> <p>You may be required to attend and answer questions about a complaint investigation</p> <p>We use this information to help determine whether there has been a</p>	<p>There are times when information you have provided for a complaint may be provided to another agency without your consent. This will only occur where there is a risk to your or someone else's safety, or a risk to the general public</p> <p>The Commission is required to keep these records confidential in accordance with the <i>Human Rights Commission Act 2005</i></p>

Commissioner	Functions	Information collected by the Commissioner	How the Commissioner uses that information	When the Commissioner shares that information
		<p>status, employer or employee organisation membership, age, employment records, criminal convictions, personal financial information, personal health information and medical opinion</p>	<p>failure of the service provider to provide appropriate services or to provide services in accordance with the applicable standards</p>	
		<ul style="list-style-type: none"> <li>• <b>Conciliation information</b> e.g. notes from conciliations, draft conciliation agreements, records of compliance with conciliation agreements</li> </ul>	<p>The Commission can only use information in a conciliation agreement with the consent of the parties</p>	<p>The Commission is required to keep conciliation records and details confidential in accordance with the <i>Human Rights Commission Act 2005</i></p> <p>Conciliation information is not admissible as evidence</p>

Commissioner	Functions	Information collected by the Commissioner	How the Commissioner uses that information	When the Commissioner shares that information
Public Advocate	Advocating for the rights of people with a disability including those receiving services under the Mental Health Act, and dealing with those service providers	<ul style="list-style-type: none"> <li><b>Personal details</b> e.g. your name, date of birth, address and contact details</li> </ul>	We will use this information to support you by linking you to services that can provide services for people with a disability	If we cannot help with your issues, we may be able to refer one or more of them to another agency that can help you by sharing this information with them after receiving your permission or where authorised or required by law
		<ul style="list-style-type: none"> <li><b>Statistics</b> e.g. number of people accessing our services</li> </ul>	We may use your personal information to compile data and statistics about issues for research, service improvement or training	We may publish this information <b>in a form that does not reveal your personal details</b> (deidentified) to provide training or community education
		<ul style="list-style-type: none"> <li><b>Case study information</b> e.g. information about your story or case</li> </ul>	We use this information to understand your experiences and how public authorities and organisations respect your rights	We may publish this information <b>in a form that does not reveal your personal details</b> (deidentified) to provide training or community education
	Advocate for the rights of children and young people and deal with services	<ul style="list-style-type: none"> <li><b>Personal details</b> e.g. your name, date of birth, address and contact details</li> </ul>	We will use this information to help to support you by linking you to services that can provide services for children and young people	If we cannot help with your issues, we may be able to refer your issue to another agency that can help you by sharing this information with them <b>after</b> receiving your permission or where authorised or required by law

Commissioner	Functions	Information collected by the Commissioner	How the Commissioner uses that information	When the Commissioner shares that information
		<ul style="list-style-type: none"> <li>• <b>Statistics</b> e.g. number of people accessing our services</li> </ul>	We may use your personal information to compile data and statistics about issues for research, service improvement or training	We may publish this information in a form that does not reveal your personal details (deidentified) to provide training or community education
		<ul style="list-style-type: none"> <li>• <b>Case study information</b> e.g. information about your story or case</li> </ul>	We use this information to understand your experiences and how public authorities and organisations respect your rights	We may publish this information in a form that does not reveal your personal details (deidentified) to provide training or community education
	<b>Represent forensic patients in ACAT</b>	<ul style="list-style-type: none"> <li>• <b>Personal details</b> e.g. your name, date of birth, address and contact details</li> </ul>	We will use this information to contact service providers to collect information relevant to assisting you	If we cannot help with your issues, we may be able to refer your issue to another agency that can help you by sharing this information with them after receiving your permission or where authorised or required by law
		<ul style="list-style-type: none"> <li>• <b>Medical and mental health records</b> e.g. records of capacity assessments, advance consent directions, orders made by ACAT</li> </ul>	We use this information to understand your situation and your will and preferences and to advocate for your rights in ACAT	We will be required to share this information with ACAT to help them decide how you can receive assessment and treatment, care or support in a way that is least restrictive or intrusive to you

Commissioner	Functions	Information collected by the Commissioner	How the Commissioner uses that information	When the Commissioner shares that information
	Listen to and investigate concerns	<ul style="list-style-type: none"> <li>• <i>Personal details</i> e.g. your name, date of birth, address and contact details</li> </ul>	We will use this information to contact service providers to collect information relevant to assisting you	If we cannot help with your issues, we may be able to refer your issue to another agency that can help you by sharing this information with them after receiving your permission or where authorised or required by law
		<ul style="list-style-type: none"> <li>• <i>Concern records</i> e.g. name, address, date of birth, occupation, circumstances of the incidents in your complaint and personal health information</li> </ul>	We use this information to investigate your concerns	<p>We may share this information with other agencies to understand the issues</p> <p>If we cannot help with your concern, we may be able to refer your issue to another agency that can help you by sharing this information with them after receiving your permission or where authorised or required by law</p>
		<ul style="list-style-type: none"> <li>• <i>Operations records</i> e.g. organisational policies, procedures, incident registers, contracts for goods and services</li> </ul>	We collect this information to understand the way organisations and service providers operate and provide services as well as their corporate and administrative processes	<p>The Commission is required to keep these records confidential in accordance with the <i>Human Rights Commission Act 2005</i></p> <p>We may be authorised or required to share this information under law</p>

Commissioner	Functions	Information collected by the Commissioner	How the Commissioner uses that information	When the Commissioner shares that information
		<ul style="list-style-type: none"> <li>• <i>Investigation records</i> e.g. sensitive personal information about your sex, sex or gender status, relationship status, status as a parent or carer, pregnancy, race, religious or political conviction, impairment, accommodation status, employer or employee organisation membership, age, employment records, criminal convictions, personal financial information, personal health information and medical opinion</li> </ul>	<p>We use this information to help determine whether a service provider or government agency has failed to protect the interests of vulnerable people</p>	<p>There are times when information provided by you may be provided to another agency without your consent. This will only occur where there is a risk to your or someone else's safety or someone else, or a risk to the general public</p> <p>The Commission is required to keep these records confidential in accordance with the <i>Human Rights Commission Act 2005</i></p>

Commissioner	Functions	Information collected by the Commissioner	How the Commissioner uses that information	When the Commissioner shares that information
	<p><b>Monitoring services for the protection of children and young people</b></p>	<ul style="list-style-type: none"> <li>• <i>Personal details</i> e.g. your name, date of birth, address, criminal history, details about your case, how you might have been treated, and contact details that are provided by service providers and operators of closed environments.</li> </ul>	<p>We use this information to ensure service for children and young people are operating lawfully and effectively, including through reviewing registers of how certain powers are used (e.g. use of force or strip searching), reports of critical incidents and querying the basis for a decision about a child or young person</p>	<p>The Commission is required to keep these records confidential in accordance with the <i>Human Rights Commission Act 2005</i> and <i>Children and Young Person Act 2008</i></p> <p>We may be authorised or required to share this information by law</p>

Commissioner	Functions	Information collected by the Commissioner	How the Commissioner uses that information	When the Commissioner shares that information
<b>Children and Young People Commissioner</b>	<b>Consult with and listen to children and young people</b>	<ul style="list-style-type: none"> <li>• <b>Consultation records</b> e.g. minutes of discussions, attendee lists</li> </ul>	We use this information to inform government about the views of children and young people	We may publish this information <b>in a form that does not reveal your personal details</b> (deidentified) to provide advice to government and service providers
		<ul style="list-style-type: none"> <li>• <b>Statistics</b> e.g. number of people accessing our services</li> </ul>	We may use data from your personal information to compile statistics about issues for research, service improvement or training	We may publish this information <b>in a form that does not reveal your personal details</b> (deidentified) to provide training or community education
		<ul style="list-style-type: none"> <li>• <b>Case study information</b> e.g. information about your story or case</li> </ul>	We use this information to understand your experiences and how public authorities and organisations respect your rights	We may publish this information <b>in a form that does not reveal your personal details</b> (deidentified) to provide training or community education

Commissioner	Functions	Information collected by the Commissioner	How the Commissioner uses that information	When the Commissioner shares that information
<b>Victims of Crime Commissioner</b>	Manage victims' services scheme and financial assistance scheme	<ul style="list-style-type: none"> <li>• <b>Personal details</b> e.g. your name, date of birth, address and contact details</li> </ul>	We will use this information to contact you and service providers to collect information relevant to assisting you	If we cannot help with your issues, we may be able to refer your issue to another agency that can help you by sharing this information with them generally with your permission
		<ul style="list-style-type: none"> <li>• <b>Information about crimes</b></li> <li>• e.g. details about offence, offender, victim impact statements, records, sentence information</li> </ul>	We will collect this information to determine your eligibility, to assist you in relation to interactions with the criminal justice system and/or to assess your application for financial assistance	Secrecy provisions apply to this information under the <i>Victims of Crime Act 1994</i> or the <i>Victims of Crime (Financial Assistance) Act 2016</i>  We will not share this information with anyone except as required by law. For example, we are required to make a mandatory child safety concern
		<ul style="list-style-type: none"> <li>• <b>Financial Information</b></li> <li>• e.g. payment details, bank account details</li> </ul>	We collect financial details to allow us to make payments to you	We will not share this information with anyone except as required by law
		<ul style="list-style-type: none"> <li>• <b>Personal details</b> e.g. your name, date of birth, address and contact details</li> </ul>	We will use this information to contact you	If we cannot help with your issues, we may be able to refer your issue to another agency that can help you by sharing this information with them generally after we receive your permission
	<b>Advocate for the interests of victims in the criminal justice system and of a forensic patient under the <i>Mental Health Act 2015</i></b>	<ul style="list-style-type: none"> <li>• <b>Medical and mental health records</b></li> <li>• e.g. orders made by ACAT</li> </ul>	We collect health records to determine if an injury has resulted from a crime  We use this information to identify what information can be provided to a victim about the forensic patient	The Victims Support scheme is declared to be a health service provider for the <i>Health Records (Privacy and Access) Act 1997</i> so all personal information about clients is treated as a health record

				We will use this information to provide information to the affected person on behalf of the Affected Persons register – in accordance with the <i>Mental Health Act 2015</i>
		<ul style="list-style-type: none"> <li>• <b>Case study information</b></li> <li>• e.g. information about your story or case</li> </ul>	We use this information to understand your experiences and how public authorities and organisations respect your rights	We may publish this information <b>in a form that does not reveal your personal details</b> (deidentified) to provide training or community education
		<ul style="list-style-type: none"> <li>• <b>Personal details</b> e.g. your name, date of birth, address and contact details</li> </ul>	We use this information to contact service providers to collect information relevant to assisting you	If we cannot help with your issues, we may be able to refer your issue to another agency that can help you by sharing this information with them generally after we receive your permission
	<b>Monitor and promote compliance with the governing principles</b>	<ul style="list-style-type: none"> <li>• <b>Information about crimes</b></li> <li>• e.g. details about offence, offender, victim impact statements, court records, sentence information</li> </ul>	We will collect this information to assess whether justice agencies like the police, prosecution service, courts and corrective services are complying with their obligations to you as a victim	Secrecy provisions apply to this information under the <i>Victims of Crime Act 1994</i> . We will not share this information with anyone except as required by law
		<ul style="list-style-type: none"> <li>• <b>Personal and complaint details</b></li> <li>• e.g. your name, date of birth, address and contact details</li> </ul>	We will use this information to contact service providers to collect information relevant to assisting you	If we cannot help with your issues, we may be able to refer your issue to another agency that can help you by sharing this information with them generally after we receive your permission
	<b>Ensure concerns and formal complaints about compliance with the governing principles are dealt with</b>	<ul style="list-style-type: none"> <li>• <b>Information about crimes</b></li> <li>• e.g. details about offence, offender, victim impact statements, court</li> </ul>	We will collect this information to assess whether justice agencies like the police, prosecution service, courts and corrective services are complying with their obligations to you as a victim	Secrecy provisions apply to this information under the <i>Victims of Crime Act 1994</i>

		records, sentence information		
		<ul style="list-style-type: none"> <li>• <b>Personal and complaint details</b> e.g. your name, date of birth, address and contact details</li> </ul>	We will use this information to contact service providers to collect information relevant to assisting you	If we cannot help with your issues we may be able to refer your issue to another agency that can help you by sharing this information with them
	<b>Encourage and facilitate cooperation of justice agencies</b>	<ul style="list-style-type: none"> <li>• <b>Information about crimes</b></li> <li>• e.g. details about offence, offender, victim impact statements, court records, sentence information</li> </ul>	We will collect this information to assess what needs you have and who is best placed to assist you to navigate the justice system	<p>We will share this information with justice system agencies so that we can cooperate in good faith to provide the assistance and support that you require</p> <p>Secrecy provisions apply to this information under the <i>Victims of Crime Act 1994</i></p>

## Amendment history

Version	Issue Date	Amendment Details	Author (Position)
0.1	March 2026	Consultation draft	Senior Director, Governance and Corporate Support
0.2	June 2026	Final	Senior Director, Governance and Corporate Support