

Protecting Victoria's Vulnerable Children Inquiry

Guidelines for Making Verbal Submissions

The Inquiry welcomes Submissions from individuals and organisations. Submissions will be a central part of the material the Inquiry Panel will have reference to in its considerations and in its Report.

These guidelines have been provided to help you prepare for your verbal Submission, explain the procedure on the day and remind you of the legal issues in relation to making Submissions.

Preparing for Your Verbal Submission

In preparing to make your verbal Submission, please note that your verbal Submission will be made in a public setting before an audience and possibly members of the media. All proceedings will also be recorded and transcripts of each Public Sitting will be made available on the Inquiry website. Please note that the Public Sitting is not a forum for making Submissions you wish to be kept private.

You should also make a note of the following:

- The Inquiry is not about reviewing individual cases or organisations
- It is forward-looking, rather than looking back to allocate liability or blame
- It is about reviewing the service system as a whole and focused on seeking solutions for future.

Procedure on the day

- After you have registered your intent to make a verbal Submission, you will be allocated a time for your Submission. When you arrive, please come to the registration desk to make your presence known to staff before taking your seat.
- You will be called by the Panel to come forward and make your Submission. Please bring with you four hard copies of your Submission and any other related documentation: one for each of the three Panel members, and one for the Secretariat who will accept and register your documents.
- You should aim to limit your verbal Submission to 15 minutes. The Panel may wish to ask questions after you have completed your Submission.
- As there will be several organisations and individuals making Submissions at the Public Sitting, please be considerate of others and keep your presentation within the allocated time.
- If you have already forwarded a written Submission to the Inquiry you may also choose to make a verbal Submission. You can use the opportunity to raise further points, but you are asked not to repeat the content of their Submission. The Panel may ask you questions about your Submission or to elaborate on points made.
- There will be no provisions or technical equipment provided for electronic presentations such as Powerpoint. We advise that you use only hard copies in making your verbal Submission.

Protecting Victoria's Vulnerable Children Inquiry

Content of Verbal Submissions

If you wish to make a verbal Submission to the Inquiry you should be aware that this is not a court of law, nor is it a Royal Commission or an investigative authority. As a result, the Inquiry cannot afford any legal protection for comments made by individuals at its Public Sitings. The information you provide is not legally privileged and is subject to ordinary rules of self-incrimination and of defamation as well as the *Information Privacy Act 2000*.

Therefore, when making verbal Submissions to the Inquiry it is recommended you avoid comments that:

- Could potentially be defamatory – such as statements that are critical of the actions, character or reputation of a person; or
- Could be self-incriminating; or
- Make gross generalisations or incite racial or religious vilification or other types of discrimination.

This means that when speaking or addressing the Panel, it is recommended you take particular care not to:

- Name or include other personal identifier references in relation to children who are potentially the subject of a child protection order or currently involved in a proceeding in the Children's Court contrary to the *Children Youth and Families Act 2005*;
- Name individuals potentially the subject of an investigation under other legislation (such as the *Ombudsman Act 1973* or the *Whistleblowers Protection Act 2001*);
- Name individuals contrary to a court suppression order;
- Provide personal information (such as date of birth, address, telephone, email, social networking account details) about individuals; or
- Make defamatory comments (comments which have the effect of lowering the reputation of a person regardless of whether the comments are intentional or not) about individuals, not-for-profit organisations, and corporations (defined under the *Defamation Act 2005* (Vic) as having fewer than 10 employees).

If your intended verbal Submission involves a concern that you have about the current or future safety or wellbeing about a particular child or children, the Inquiry recommends that you report your concern to Child Protection Services or Victoria Police as these two agencies are the only agencies empowered to receive reports of a child in need of protection under the *Children, Youth and Families Act 2005*. The Inquiry cannot act on your report.

You should also consider any obligations you may have to third parties, including an employer or client. This could include the privacy of others or confidentiality obligations.

If you are uncertain about making a verbal Submission or providing information to the Inquiry due to the information provided immediately above, you are entitled to seek independent legal advice.

Protecting Victoria's Vulnerable Children Inquiry

Transcripts of Verbal Submissions

Consistent with a commitment to openness, the Inquiry prefers to publish Submissions, including transcripts of verbal Submissions made at Public Sitings. Submissions will be posted on the Inquiry website by 1 July 2011.

As with written Submissions, verbal Submissions will be assessed for legal suitability for publication. If, upon reviewing the transcripts, a verbal Submission is found to be in violation of any of the above legal restrictions, the Submission will not be published.

For other questions or for assistance, contact the Inquiry Secretariat at childprotectioninquiry@cpi.vic.gov.au or 03 9914 3629.