



# How am I protected if I receive a notice to produce?

*This factsheet is about what it means if you get a notice to produce, and the legal protections it gives you.*

## How to protect the information you provide in a submission

There are a few different ways to share your experiences with the Royal Commission into Defence and Veteran Suicide (the Royal Commission), including by making a submission.

If you are thinking about making a submission, there might be reasons you want to protect yourself and your information.

One way to get extra legal protections is by asking the Royal Commission to issue you a notice to produce. This is a legal document requiring you to produce your submission.

You should get legal advice about asking for a notice to produce. The Defence and Veterans Legal Service can give you this advice and support you to contact the Royal Commission.

## What is a notice to produce?

A notice to produce is a legal document that requires you to give the requested information or documents to the Royal Commission. The notice to produce will say when and where you need to provide the information or documents.

It is important you get legal advice if you receive a notice to produce. If you wish, a lawyer will support you to respond. This is important because:

- it is an offence not to comply with a notice to produce once you receive it; and
- if you respond to a notice to produce correctly you will get extra protections. These protections come from the *Royal Commissions Act 1902* (Cth).

# Summary of legal protections offered by a notice to produce

Legal protections	Penalties for breaches
1. The Royal Commission can direct that your information or documents should not be published at all or can only be published in a particular way.	Fines up to \$2,000 or jail for up to 1 year.
2. Your response cannot be used as evidence against you in any civil or criminal case in any court.	There is no penalty, but courts will not allow the information or document to be used in any court case.
3. No one can cause any hurt, punishment, damage, loss or disadvantage to you for responding to a notice to produce.	Fines of up to \$1,000 or jail for 1 year.
4. No one can dismiss you from your job, or disadvantage you in your job, for responding to a notice to produce.	Fines of up to \$1,000 or jail for 1 year. * *This does not apply if you were dismissed or disadvantaged for some reason other than responding to a notice to produce.

## How do these legal protections and penalties work?

You get these legal protections when you respond to a notice to produce.

If you or someone you know has been hurt or disadvantaged for responding to a notice to produce, you can choose to report it to police for investigation. The Defence and Veterans Legal Service can discuss your options with you.

## Who can I contact if I have more questions?

**Call us on 1800 33 1800 for free legal advice.**

The Defence and Veterans Legal Service is independent and separate from the Royal Commission, the Department of Defence, and the Department of Veterans' Affairs.

Any conversation between yourself and a lawyer will be confidential and protected by legal privilege.