



Know your rights

Naming a person or organisation

This factsheet explains the legal risks and protections to be aware of when naming a person or organisation to the Royal Commission into Antisemitism and Social Cohesion.

Can I name a person or organisation?

Naming a person or organisation in your submission is not prohibited under the *Royal Commissions Act 1902*. However, there can sometimes be legal risks in doing so.

You do not need to name a person or organisation to substantiate, validate or reinforce the information in your submission.

Naming a person or organisation does not mean the information in your submission is proven or accepted as true.

What are my options if I want to name someone in my submission?

- You can make an **anonymous** submission.
- You can make a submission that is not public (mark it as **confidential**).
- You can frame the submission to **limit identifying features** of the person you are talking about.

Will the Royal Commission tell the person or organisation what I have said?

If you ask for your submission to be kept confidential, the Royal Commission will not inform the person or organisation that you have named them.

If you ask for your submission to be made public, the Royal Commission may inform the person or organisation, in the interest of fairness.

It is important to remember that the Royal Commission cannot settle individual complaints or disputes.

Can I be sued for defamation?

Defamation means causing serious harm to a person's reputation by publishing material about them that changes the way people feel about them.

You can defame a person without mentioning their name. You can also defame someone without meaning to cause harm.

If you share information with the Royal Commission about a third party, or information that identifies a third party, and this information could damage their reputation, they could attempt to sue you for defamation.

There may be other legal protections or defences to a defamation claim when sharing information with a royal commission. The availability of these protections is dependent on the circumstances of the case.

Can I name individuals or organisations on social media?

You should be cautious about sharing information on social media.

If you do, you will not have any of the protections or defences that may be available to you when sharing information with the Royal Commission.

You may be committing an offence if you publish information that is prohibited by legislation.

Can I experience 'payback' if someone finds out I have named them?

You may be concerned that an individual or organisation may try to cause you harm if you name or otherwise identify them in your submission.

You may be concerned they will:

- Disadvantage you,
- Punish you, or
- Prejudice you in your employment, education or community.

There are offences and other laws that may protect you against certain behaviour or actions. Contact us to discuss how to protect yourself when you share information with the Royal Commission.

Contact the Royal Commission Legal Assistance Service for free, independent and confidential legal advice.



1800 976 198



RCASClegalhelp@nationallegalaid.org.au



For more information use the QR code or visit
nationallegalaid.org.au/national-services/rcasc-legal-help



An interpreter can be arranged upon request.

If you are hearing or speech impaired, you can contact us by calling the National Relay Service on **133 677** (TTY) or **1300 555 727**

You can find more contact options to suit your needs, on the National Relay Service website via **www.accesshub.gov.au**



**Royal Commission
Legal Assistance Service**

Disclaimer: This information is intended as a general information guide only. It should not be relied upon as legal advice. We recommend that you speak with a lawyer about your individual situation.



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