

From: [Legal Services Group](#)
To: jackson.sally@abc.net.au; milligan.louise@abc.net.au; stevens.justin@abc.net.au
Subject: Potential unauthorised use or disclosure of National Redress Scheme Information [SEC=OFFICIAL:Sensitive, ACCESS=Legal-Privilege]
Date: Friday, 31 January 2025 8:59:28 PM
Attachments: [Potential unauthorised use or disclosure of National Redress Scheme Information.pdf](#)

Good evening

Please refer to attached letter from the Department of Social Services in relation to your media article published Friday, 31 January 2025.

The Department of Social Services acknowledges Aboriginal and Torres Strait Islander peoples throughout Australia and their continuing connection to land, water, culture and community. We pay our respects to the Elders both past and present.



Australian Government
Department of Social Services

The Proper Officer
Australian Broadcasting Corporation (ABC)
GPO Box 9994
Sydney NSW 2001
By email: jackson.sally@abc.net.au; milligan.louise@abc.net.au;
stevens.justin@abc.net.au

Dear Sir / Madam,

Potential unauthorised use or disclosure of National Redress Scheme Information

The Department of Social Services (the department) is responsible for the administration of the National Redress Scheme (the Scheme).

The department has become aware that on 31 January 2025 the ABC published an article titled *Cardinal George Pell abused two boys in Ballarat, compensation scheme decides*. It also published a video titled *Compensation scheme accepts two boys were abused by Cardinal George Pell*.

Information contained in this article is clearly extracted from two decisions of the Operator under the Scheme. This type of information is 'protected information' under the *National Redress Scheme for Institutional Child Sexual Abuse 2018 (Cth)* (the Act). Section 99 of the Act makes it an offence to disclose 'protected information'. The department requests that the ABC considers removing this article and video from its website, and not using this information in the future.

Obligations relating to Redress information

Protected information is defined by section 92 of the Act. It covers any information about a person or institution provided to, or obtained by, an officer of the Scheme for the purpose of the Scheme – this includes information about the type and circumstances of the alleged abuse. The article contains this type of information.

Section 99 of the Act makes it a criminal offence for anyone to, obtain, make a record of, use or disclosure of protected information except where authorised in very limited circumstances. There is no journalism exemption in relation to dealings with protected information.

Given the article makes reference to the two decisions under the Scheme, we can only assume that the ABC has been provided with copies of these two decisions, and it is clear there has been an unauthorised disclosure of protected information to the ABC.

The discloser of this information was not authorised to use or disclose the protected information publicly, including to the ABC for use in the article mentioned above. As I stated earlier, the unauthorised disclosure or use of protected information is a criminal offence contrary to section 99 which is subject to serious criminal penalties (including

imprisonment). The ABC is now in notice that it has published information that was disclosed to it in circumstances that constitute a criminal offence.

Additionally, there are strict privacy requirements in relation to any personal information obtained by the department as part of the Scheme. Personal information about individuals cannot be used for a different purpose other than the one it was provided, which here is assessment under the Scheme.

The department takes the protection of information provided or obtained for the purposes of the Scheme very seriously and will take whatever steps it considers necessary to achieve this. Given the ABC have received this information in circumstances that constitute a criminal offence, the department requests the ABC considers removing the article and video from publication, including its website. We also request that the ABC considers not using this protected information in the future.

Yours sincerely

Bronwyn Worswick
Chief Counsel
Department of Social Services
31 January 2025