

Minister for Education  
Minister for Children and Youth  
Minister for Disability Services  
Minister for Women and the Prevention of Family  
and Sexual Violence



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Ms Jenny Mannering  
Inquiry Secretary  
Joint Sessional Committee  
Recommendations of Final Report of the Commission of Inquiry  
By email: [Jenny.mannering@parliament.tas.gov.au](mailto:Jenny.mannering@parliament.tas.gov.au)

Dear Ms Mannering

I refer to the correspondence from Hon Meg Webb MLC dated 29 April 2026 seeking further information regarding the possible use of Non-Disclosure Agreements (NDA) or any other legal or quasi-legal mechanisms to ensure confidentiality in any circumstances, including during investigations.

As I indicated in my previous correspondence, there may be instances where parties could request an NDA or confidentiality clause in accordance with appropriate legislation and/or administrative instruments.

I have again sought advice from the Department for Education, Children and Young People and understand that it does not initiate the use of NDAs, or any legal or quasi-legal mechanisms, to impose or enforce confidentiality in its standard workplace processes or as part of investigations.

I am advised that confidentiality expectations may be communicated by the department to support the integrity of processes, including investigations. I understand these expectations are administrative in nature and do not constitute enforceable restrictions on disclosure. Individuals remain able to access appropriate supports, including a nominated support person, union representation, counselling services, and trusted personal contacts.

For example, where an investigation is undertaken in accordance with Employment Direction No.5 '*Procedures for the investigation and determination of whether an employee has breached the Code of Conduct*', an employee is reminded not to discuss the matter with other departmental employees or students, except for a nominated support person. This reflects standard practice to support a fair and impartial process.

It should be noted that in matters arising under the *Child and Youth Safe Organisations Act 2023* (CYSO Act), which establishes standards for the safety and wellbeing of children and young people and includes the reportable conduct scheme, the sharing of information with respondent workers and children, young people and their guardians is specifically provided

for. These provisions operate notwithstanding the *Personal Information Protection Act 2004*, to the extent that information is obtained for the purposes of the CYSO Act.

I understand that in these matters information may be communicated to relevant parties, in accordance with legislative requirements. Participation of individuals, including victim survivors and/or witnesses, is generally voluntary and facilitated through appropriate processes, including via an independent investigator where applicable.

Where appropriate, I am advised outcomes of investigations may be communicated to a child, young person or their guardian, and such correspondence may include a request that the information be treated confidentially. Any such request is again administrative in nature and does not constitute a legal or contractual restriction on disclosure.

The Department's handling of information across these processes is guided by applicable legislative frameworks, including the *Personal Information Protection Act 2004*, which regulates the use and disclosure of personal information.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Jo Palmer', with a stylized flourish at the end.

Hon Jo Palmer MLC  
**Minister for Education**  
**Minister for Children and Youth**