

1 May 2026

Our ref: [BC:LP]

Dr James Popple
Chief Executive Officer
Law Council of Australia
Level 1, MODE 3
24 Lonsdale Street
Braddon ACT 2612

By email: [REDACTED]

Dear Dr Popple

LCA Memorandum: Secrecy Provisions Amendment (Repealing Offences) Bill 2026 (Cth)

Thank you for the opportunity to provide feedback in response to the LCA Memorandum – Secrecy Provisions Amendment (Repealing Offences) Bill 2026 (Cth).

Our feedback is confined to two very narrow points raised in the memorandum, namely inclusion of a harm element in the construction of the new secrecy offence and implications of the new provision in the context of volunteer expert engagement with the Law Council.

The Society supports the inclusion of an express harm threshold in the construction of the new targeted secrecy offence. An express harm element is important to ensure that secrecy offences remain tightly confined and resistant to overreach.

We also acknowledge concerns that the proposed construction of the new secrecy offence may inadvertently alter the dynamic in which volunteer experts engage with the Law Council to support Commonwealth-led law reform. Although trite to say, this confidential collaborative context is fundamentally distinct from the conduct that prompted these amendments.

We will continue to monitor the progress of the Bill with interest so that we can ultimately inform members of the scope and operation of the new offence.

If you have any queries regarding the contents of this letter, please do not hesitate to contact our Legal Policy team via policy@qls.com.au or by phone on [REDACTED] [REDACTED]

Yours faithfully



Peter Jolly
President