

## Contextual and historical information regarding Privacy Requests – 1800RESPECT / April Privacy Requests

s 22



### **Background**

The 1800RESPECT Core Team has been liaising with the Medibank Privacy Team to gather contextual and historical information regarding privacy requests (FOI) made to the service.

s 22



## Privacy Requests – April 2021

Type of Regulatory Body	Type of records	Purpose of disclosure
s 22		
Law firm/Subpoena	Call Notes & Transcript	Legal
Law firm/Subpoena	No Records Found	Criminal court proceedings
s 22		

s 22

s 22

**Number of Service User Requests for access to personal information:****1800RESPECT Privacy requests (June 2021)**

Type of Regulatory Body	Type of records	Purpose of disclosure
s 22		
Law firm/Subpoena	Call Notes/Webchat Transcript/Audio Recording	Court
s 22		
Law firm/Subpoena	Call Notes/Webchat Transcript/Audio Recording	Court
s 22		
Law firm/Subpoena	Call Notes & Audio Recording	Subpoena
s 22		
Law firm/Subpoena		Subpoena
s 22		
Law firm/Subpoena	Call Notes & Audio Recording	Court Proceedings

s 22

Law firm/Subpoena	Call Notes	
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s 22

# Number of Service User Requests for access to personal information

## 1800RESPECT Privacy requests (August 2021)

Type of Regulatory Body	Type of records	Purpose of disclosure
s 22		
Law firm/Subpoena	Call Notes/Webchat Transcript/Audio Recording	Personal Injury Matter
s 22		
Law firm/Subpoena	Call Notes & Audio Recording	Personal Injury Claims
Law firm/Subpoena	Call Notes & Audio Recording	
s 22		

s 22

s 22

**1800RESPECT Privacy requests (September 2021)**

Type of Regulatory Body	Type of records	Purpose of disclosure
s 22		

Lawfirm/Subpoena

s 22

s 22

s 22

**Number of Service User Requests for access to personal information****1800RESPECT Privacy requests (February 2022)**

Requestor Type	Number
s 22	
Lawfirm/Subpoena	1
s 22	

s 22



s 22



**Number of Service User Requests for access to personal information**

**1800RESPECT Privacy requests (March 2022)**

Requestor Type	Number
s 22	
Lawfirm/Subpoena	3
s 22	

s 22



# RFI Update

Reporting period: 16/06/2025 - 29/06/2025

Item	Number	Change (from previous 2 weeks)
[Redacted]		
Subpoena	1	↔
[Redacted]		

[Redacted]		
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# RFI Update

*(Reporting period: 30 June – 13 July 2025)*

Item	Number	Change (from previous 2 weeks)
s 22		
Subpoena	3	↑

s 22



# RFI Update

*(Reporting period: 14 July – 27 July 2025)*

Item	Number	Change (from previous 2 weeks)
s 22		
Subpoena	3	↑
s 22		

s 22



# RFI Update

(Reporting period: 28 July – 10 August 2025)

s 22



Item	Number	Change (from previous 2 weeks)
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s 22



Subpoena	2	↑
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s 22

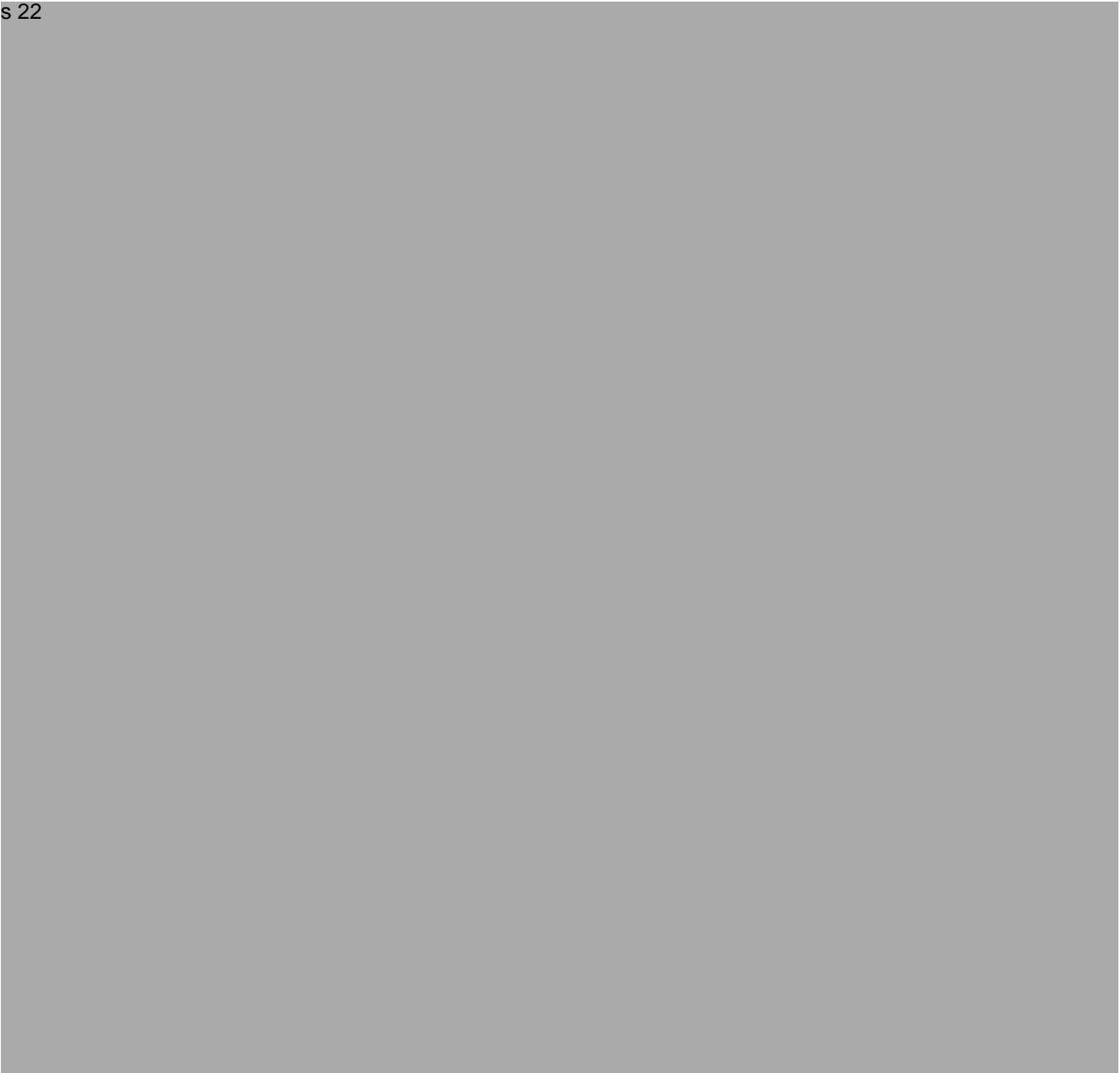


# RFI Update

*(Reporting period: 11 August – 24 August)*

Item	Number	Change (from previous 2 weeks)
s 22		
Subpoena	3	⬆️ (+1)
s 22		

s 22



**From:** DSS Media  
**To:** s 22  
**Cc:** LUTZ, Anna; HAMILTON, Kate; s 22 DSS Media; s 22  
**Subject:** RE: 1800RESPECT Media Enquiry – News.com.au -sexual assault subpoenas [SEC=OFFICIAL:Sensitive]  
**Date:** Thursday, 28 November 2024 1:05:34 PM

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Good afternoon s 22

The below response has been approved by Minister Rishworth's Office.

Please progress to Telstra Health.

**BACKGROUND ONLY (not attributable)**

- The safety and privacy of people affected by violence who contact 1800RESPECT is of the highest priority and the service has strict processes in place regarding the management of service user records and personal information.
- 1800RESPECT is unable to provide public comment on specific cases in order to protect the privacy and confidentiality of service users.
- Particularly given this matter relates to a legal issue, it would not be appropriate to comment further.
- 1800RESPECT service users' information is kept confidential and in accordance with 1800RESPECT's Privacy Policy, which reflects its obligations under the *Privacy Act 1988*.
- While many legal restrictions or compliance matters are for state and territories, Family Law generally falls under the purview of the Commonwealth.
- 1800RESPECT responded to almost 300,000 requests for support in the past financial year to Australians experiencing family, domestic and sexual violence. It is of upmost importance that those experiencing abuse know there are support services to assist.
- Individuals seeking support, including those in need of legal support, can search 1800RESPECT's Service Directory. They can contact organisations directly using the information on the Service directory or contact a 1800RESPECT counsellor who will put them in touch with a service or services that best suits their needs.
- It is important that people know that whatever their situation, there is help and support available 24 hours a day, 7 days a week.
- If you or someone you know is experiencing, or at risk of experiencing, domestic, family or sexual violence, call 1800 737 732, text 0458 737 732 or visit [www.1800RESPECT.org.au](http://www.1800RESPECT.org.au) for online chat and video call services.

*General information regarding current process of responding to subpoena requests (background only, not attributable)*

- Very infrequently, 1800RESPECT receives subpoenas requesting the service to produce personal information for use in civil or criminal court proceedings.
- By law, 1800RESPECT must comply with the request unless the court or party who issued the subpoena can be persuaded to set it aside.
- When a subpoena or search warrant is served to 1800RESPECT, the service can provide case notes, transcripts, or copies of records. This can only be requested by a lawyer or the

police.

- In limited circumstances 1800RESPECT may also object to the disclosure of personal information in line with relevant legislation.
- If information requested through a subpoena and is required to be provided, it is provided only directly to the courts.

\*\*\*

Kind regards,

s 22

**Media Manager**

**Families and Communities**

Corporate Communication and Media Relations

Department of Social Services

P: s 22 | M: s 22 | E: s 22 [@dss.gov.au](mailto:s 22@dss.gov.au)

**Note to media:** Unless otherwise agreed, the information contained in this email is for background only, and not for attribution.

The Department of Social Services acknowledges the traditional owners of country throughout Australia, and their continuing connection to land, water and community. We pay our respects to them and their cultures, and to Elders both past and present.

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**From:** s 22 [@dss.gov.au](mailto:s 22@dss.gov.au)

**Sent:** Thursday, 28 November 2024 12:41 PM

**To:** DSS Media <[Media@dss.gov.au](mailto:Media@dss.gov.au)>; s 22 [@dss.gov.au](mailto:s 22@dss.gov.au); s 22 [@dss.gov.au](mailto:s 22@dss.gov.au); s 22 [@dss.gov.au](mailto:s 22@dss.gov.au)

**Cc:** LUTZ, Anna <[Anna.LUTZ@dss.gov.au](mailto:Anna.LUTZ@dss.gov.au)>; HAMILTON, Kate <[Kate.HAMILTON@dss.gov.au](mailto:Kate.HAMILTON@dss.gov.au)>; s 22 [@dss.gov.au](mailto:s 22@dss.gov.au); s 22 [@dss.gov.au](mailto:s 22@dss.gov.au); s 22 [@dss.gov.au](mailto:s 22@dss.gov.au)

**Subject:** FW: 1800RESPECT Media Enquiry – News.com.au -sexual assault subpoenas  
[SEC=OFFICIAL:Sensitive]

Hi Team – please see cleared response to be provided to MO for journo. Telstra Health has cleared this response.

We are still progressing defensives.

Happy to discuss

s 22

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**From:** HAMILTON, Kate <[Kate.HAMILTON@dss.gov.au](mailto:Kate.HAMILTON@dss.gov.au)>



**Sent:** Thursday, 28 November 2024 12:37 PM

**To:** LUTZ, Anna <[Anna.LUTZ@dss.gov.au](mailto:Anna.LUTZ@dss.gov.au)>; s 22 <[REDACTED]@dss.gov.au>

**Cc:** s 22 <[REDACTED]@dss.gov.au>

**Subject:** 1800RESPECT Media Enquiry – News.com.au -sexual assault subpoenas  
[SEC=OFFICIAL:Sensitive]

Hi Anna,

As per my Teams message to you - Do you want to clear input re Media enquiry or cc you into response to DSS Media? Need to progress ASAP and by 1pm. Conversation with Legals but not formal legal clearance. Telstra health have cleared points to go back to journalist. Team working on Defensive's now.

If we don't hear, we will send the below at 1pm.

Thanks,  
Kate

**BACKGROUND ONLY (not attributable)**

- The safety and privacy of people affected by violence who contact 1800RESPECT is of the highest priority and the service has strict processes in place regarding the management of service user records and personal information.
- 1800RESPECT is unable to provide public comment on specific cases in order to protect the privacy and confidentiality of service users.
- Particularly given this matter relates to a legal issue, it would not be appropriate to comment further.
- 1800RESPECT service users' information is kept confidential and in accordance with 1800RESPECT's Privacy Policy, which reflects its obligations under the *Privacy Act 1988*.
- While many legal restrictions or compliance matters are for state and territories, Family Law generally falls under the purview of the Commonwealth.
- 1800RESPECT responded to almost 300,000 requests for support in the past financial year to Australians experiencing family, domestic and sexual violence. It is of upmost importance that those experiencing abuse know there are support services to assist.
- Individuals seeking support, including those in need of legal support, can search 1800RESPECT's Service Directory. They can contact organisations directly using the information on the Service directory or contact a 1800RESPECT counsellor who will put them in touch with a service or services that best suits their needs.
- It is important that people know that whatever their situation, there is help and support available 24 hours a day, 7 days a week.
- If you or someone you know is experiencing, or at risk of experiencing, domestic, family or sexual violence, call 1800 737 732, text 0458 737 732 or visit [www.1800RESPECT.org.au](http://www.1800RESPECT.org.au) for online chat and video call services.

*General information regarding current process of responding to subpoena requests (background only, not attributable)*

- Very infrequently, 1800RESPECT receives subpoenas requesting the service to produce personal information for use in civil or criminal court proceedings.
- By law, 1800RESPECT must comply with the request unless the court or party who issued the subpoena can be persuaded to set it aside.
- When a subpoena or search warrant is served to 1800RESPECT, the service can provide case notes, transcripts, or copies of records. This can only be requested by a lawyer or the police.
- In limited circumstances 1800RESPECT may also object to the disclosure of personal information in line with relevant legislation.
- If information requested through a subpoena and is required to be provided, it is provided only directly to the courts.

*If required - attributable to Minister Rishworth*

- Currently, the Federal Parliament is considering The Family Law Amendment Bill 2024 which, if passed, will empower the courts to protect sensitive communications, arising in the course of a person's attendance at health, or specialist sexual violence and family violence services.
- The amendments will allow the courts to direct that such evidence not be produced, in circumstances where disclosing the evidence would cause harm to the person disclosing or a child in the proceedings.
- These protections will reduce harm to families, and ensure people can safely engage with support services, knowing there are safeguards in place to protect their sensitive information in family law proceedings.
- The amendments advance the Government's efforts to combat family violence and systems abuse and will support families to safely access the family law system.

**BACKGROUND FOR THE MO ONLY (not for public release)**

- Every matter handled by 1800RESPECT is different. 1800RESPECT is a confidential service where all information collected is service-user led.
- When the service receives a subpoena, it is reviewed by both legal counsel and a clinical risk specialist to determine appropriate next steps.
- The first priority is to ensure that no action taken by 1800RESPECT causes further harm or distress to service users.

s 47G(1)(a)

- Following the legal and clinical review, records relevant to the subpoena are located if available, and provided to the court in accordance with legal requirements.
- Where the service is aware that legal privileges might apply, 1800RESPECT will inform the court for their determination.



**Australian Government**  
**Department of Social Services**

## MEDIA TALKING POINTS

<b>Subject</b>	<b>1800RESPECT – NEWS.COM.AU coverage</b>
<b>Date</b>	Thursday, 28 November 2024
<b>Requested by</b>	Minister Rishworth's Office
<b>Context</b>	<i>News.com.au</i> published <a href="#">an article</a> on Monday 18 November detailing a woman's experience with the justice system after being sexually assaulted.
<b>Media Officer</b>	S 22
<b>Brief Number</b>	N/A

### ISSUE:

- *News.com.au* has published a series of articles since Monday 18 November detailing a woman's experience with the New South Wales justice system after being sexually assaulted in 2020.
- In the original article on Monday 18 November, it was mentioned that the victim's full online transcript with a 1800RESPECT counsellor immediately after the incident was read by her perpetrator's legal team and used to discredit her following a subpoena for this information during the perpetrator's trial in early 2021.
- *News.com.au* has published a new article on Thursday 28 November which critiques 1800RESPECT's actions to comply with the subpoena and its decision to transfer over the records between the victim and the 1800RESPECT counsellor to the perpetrator's legal team.
- The article alleges that the NSW Rape Crisis Centre failed to comply with the subpoena without punishment, as per its service policy.
- The article notes that the victim was unaware that her interaction with 1800RESPECT was being recorded and could be used against her in legal proceedings.
- The article's main criticism of 1800RESPECT is that it was not legally obligated to comply with the subpoena for this case, particularly without contacting the victim to seek her views of the recording being potentially released.

### KEY MESSAGES:

- 1800RESPECT responded to almost 300,000 requests for support in the past financial year to Australians experiencing family, domestic and sexual violence. It is

of utmost importance that those experiencing abuse know there are support services to assist.

- The safety and privacy of people affected by violence who contact 1800RESPECT is of the highest priority and the service has strict processes in place regarding the management of service user records and personal information.
- 1800RESPECT is unable to provide public comment on specific cases in order to protect the privacy and confidentiality of service users.
- 1800RESPECT service users' information is kept confidential and in accordance with 1800RESPECT's Privacy Policy, which reflects its obligations under the *Privacy Act 1988*.
  - Very infrequently, 1800RESPECT receives subpoenas requesting the service to produce personal information for use in civil or criminal court proceedings.
  - By law, 1800RESPECT must comply with the request unless the court or party who issued the subpoena can be persuaded to set it aside.
  - When a subpoena or search warrant is served to 1800RESPECT, the service can provide case notes, transcripts, or copies of records. This can only be requested by a lawyer or the police.
  - When someone contacts 1800RESPECT via phone they are able to request that their call is not recorded and this can be done at any time during their session.
  - In limited circumstances 1800RESPECT may also object to the disclosure of personal information in line with relevant legislation.
  - If information requested through a subpoena and is required to be provided, it is provided only directly to the courts.
- It is important that people know that whatever their situation, there is help and support available 24 hours a day, 7 days a week.
- For anyone needing support for legal services, the 1800RESPECT Service Directory can be accessed by anyone through the 1800RESPECT website or by contacting a 1800RESPECT counsellor.
- The 1800RESPECT Service Directory has information relating to local specialised legal support services which a victim-survivor can access.
- If you or someone you know is experiencing, or at risk of experiencing, domestic, family or sexual violence, call 1800 737 732, text 0458 737 732 or visit [www.1800RESPECT.org.au](http://www.1800RESPECT.org.au) for online chat and video call services.

**Commented** § 22 Is that made clear to the client at start

**Commented** § 22 Yes, on a phone call, service users are informed (prior to connecting with a Counsellor) that they can ask the Counsellor not to record.

Please note that these Media Talking Points have been cleared and with the MO. These will be updated if there is a further need to do so (e.g. further media or additional information becomes available).

**Q&As:****Why did 1800RESPECT provide counselling notes to the courts during this case?**

- The safety and privacy of people affected by violence who contact 1800RESPECT is of the highest priority and the service has strict processes in place regarding the management of service user records and personal information.
- As this matter relates to a legal issue, it would not be appropriate for the service to publicly comment on legal matters.

**What personal information might 1800RESPECT release after receiving a subpoena?**

- Very infrequently, 1800RESPECT receives subpoenas requesting the service to produce personal information for use in civil or criminal court proceedings.
- By law, 1800RESPECT must comply with the request unless the court or party who issued the subpoena can be persuaded to set it aside.
- When a subpoena or search warrant is served to 1800RESPECT, the service can provide case notes, transcripts, or copies of records. This can only be requested by a lawyer or the police.
- In limited circumstances 1800RESPECT may also object to the disclosure of personal information in line with relevant legislation.
- If information requested through a subpoena and is required to be provided, it is provided only directly to the courts.

**Can 1800RESPECT disregard or choose not to comply with a request for personal information under a subpoena?**

- Under law, 1800RESPECT is required to comply with all legal and court processes, including any subpoenas.
- These requests are handled using strict procedures and considered alongside the clinical safety of service users.

**Are 1800RESPECT service users made aware that their personal information is collected and can be provided to the courts under a subpoena?**

- People seeking support from 1800RESPECT are informed that the service may collect personal information during the course of their contact with a 1800RESPECT counsellor.
- This information is made available to service users when they commence contact with 1800RESPECT using the existing service channels and additional information is available under the service's Privacy Statement on the 1800RESPECT website.
- This includes advice on how a service user's information will be treated by 1800RESPECT, including various legal requirements this information may be subject to such as subpoenas.
- In addition, the Privacy Statement includes information around choosing to opt-out of having their interaction with 1800RESPECT recorded using the phone counselling service channel.

**Commented** § 22 : This question may be more pointed hey? - like Under what circumstances can they say no.

**Commented** § 22 : As a fully funded Commonwealth service, Telstra Health must comply with legislation. Refer to point 5 in the brief for further details.

Please note that these Media Talking Points have been cleared and with the MO. These will be updated if there is a further need to do so (e.g. further media or additional information becomes available).

- On this channel, the automated welcome message informs service users that they can request that their conversation with the counsellor is not recorded or can stop recording at any time during the session.

**Does 1800RESPECT contact service users if they receive a subpoena requiring the disclosure of their personal information?**

- The priority is to ensure that no action undertaken by the 1800RESPECT service causes harm or distress to victim-survivors.
- Where safe and possible, 1800RESPECT will take reasonable steps to contact the service user once we have received a subpoena with the intent to disclose user information.

s 47G(1)(a)

- All subpoena requests received by 1800RESPECT are reviewed and assessed by both legal and clinical specialists to determine the appropriate next steps.
- Following this assessment, records relevant to the subpoena are located and, if available, are provided to the court in accordance the relevant legal requirements.

**BACKGROUND FOR MO/AMO ONLY:**

- The article mentions that her perpetrator's legal team was able to access the full transcript of a conversation she'd had with a 1800RESPECT counsellor after the incident in 2020 (via online chat), and that this was used during her perpetrator's trial in an attempt to discredit her.
- *News.com.au* published a subsequent article on Thursday 28 November detailing the experience of Ms Dianne Lucas including her imprisonment in the 1990's following her refusal to disclose confidential counselling notes of a woman to the man charged with raping her.
- Within this article, *News.com.au* critiques 1800RESPECT in the context of the article published on Monday 18 November drawing the contrast in approach between the NSW Rape Crises Centre who declined to provide information and 1800RESPECT who complied with the subpoena and provided information to the relevant courts as outlined in the article of 18 November.
- The *News.com.au* article is critical of 1800RESPECT's compliance with the subpoena in Ms Lane's case and it's use in court to question Ms Lane's credit outlining she expressed feelings of self-blame and confusion during her contact with 1800RESPECT. The article is also critical of 1800RESPECT's failure to contact Ms Lane and communicate its intention to comply with the subpoena.

**TIMING:** As required

**From:** s 22  
**To:**  
**Cc:**  
**Subject:** RE: Follow up - mgt of subpoenas and historical records [SEC=OFFICIAL]  
**Date:** Monday, 9 December 2024 5:30:33 PM  
**Attachments:** [image001.png](#)  
[1800RESPECT\\_Briefing\\_Subpoena\\_dec\\_2024.pdf](#)  
[RE Enquiry .msg](#)

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Hi s 22

Hope you are well.

Please find attached a summary of our review of the Subpoena process and the email trail from my enquiries to Medibank (Amplar Health).

Happy to discuss anything further.

Regards

s 22

Telstra Health



M s 22

E s 22 [health.telstra.com](mailto:s22@health.telstra.com)

W [www.telstrahealth.com](http://www.telstrahealth.com)

Telstra acknowledges the Traditional Custodians of country throughout Australia and recognise their continuing connection to land, waters and culture. We pay our respects to their Elders past, present and emerging.

This email may contain confidential information.

If I've sent it to you by accident, please delete it immediately

TELSTRA HEALTH INTERNAL

**From:** s 22

**Sent:** Wednesday, 27 November 2024 5:41 PM

**To:** s 22

**Cc:**

**Subject:** Follow up - mgt of subpoenas and historical records [SEC=OFFICIAL]

Hi s 22

Thank you again to you and s 22 for your support today in relation to the media enquiry.

Following on from our discussion can you please progress any further consideration regarding Telstra Health's handling of subpoena's or other requests under legal proceedings. For example policies and procedures (eg. procedures to contact service users in the event of a subpoena) and external communications (website content). Can you please indicate if there is a need to make any amendments or improvements by 13 December 2024 (or earlier if possible).

We would also like to get a better understanding on the transfer of historical records to Telstra Health relating to legal proceedings such subpoena's. Our understanding is that all 1800RESPECT data including service user records were transitioned. If this isn't the case can you please let us know what was excluded and why?

Also happy to set up a time to discuss, if that's easier.

s 22

**Director**

1800RESPECT Policy and Governance

Department of Social Services

**P:** s 22 **M:** s 22 **E:** s 22 [@dss.gov.au](mailto:s22@dss.gov.au)

The Department of Social Services acknowledges the traditional owners of country throughout Australia, and their continuing connection to land, water and community. We pay our respects to them and their cultures, and to Elders both past and present.

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**From:** s 22  
**To:**  
**Subject:** RE: Enquiry  
**Date:** Wednesday, 4 December 2024 11:19:54 AM  
**Attachments:** [image001.jpg](#)  
[image002.png](#)  
[image003.png](#)

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Hi s 22

Apologies for the delay in getting back to you and thanks for raising these media articles to our awareness.

We don't feel it is appropriate to comment on the circumstances of s 22 case which we understand has been the subject of criminal proceedings.

We confirm that Medibank adheres to the relevant laws which govern the release and/or disclosure of records.

Kind regards

s 22

Amplar Health

Wurundjeri Land, Level 2, 695 Collins Street, Docklands VIC 3008

M s 22

Pers s 22

E s 22 [@amplarhealth.com.au](mailto:s22@amplarhealth.com.au)

[www.amplarhealth.com.au](http://www.amplarhealth.com.au)



*Amplar Health is a business of Medibank Health Solutions Pty Limited (ABN 99 078 934 791), a member of the Medibank group of companies*

Medibank acknowledges Aboriginal and Torres Strait Islander peoples as the First Peoples of this nation. We proudly recognise Elders past, present and emerging as the Traditional Owners of the lands on which we work and live.

We're committed to supporting Indigenous self-determination and envision a future where all Australians embrace Aboriginal and Torres Strait Islander histories, cultures and rights as a central part of our national identity.



TELSTRA HEALTH INTERNAL

**From:** s 22  
**Sent:** Thursday, November 28, 2024 10:31 AM  
**To:** s 22  
**Subject:** [EXTERNAL] RE: Enquiry

**CAUTION:** This email originated from outside the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hi s 22

s 22

s 22

Would be great to understand some details around the subpoena and Medibank's policy at the time.

Thanks

s 22

TELSTRA HEALTH INTERNAL

**From:** S 22 <[REDACTED]@amplarhealth.com.au>  
**Sent:** Wednesday, 27 November 2024 12:03 PM  
**To:** S 22 <[REDACTED]@health.telstra.com>  
**Subject:** RE: Enquiry

You don't often get email from S 22 <[REDACTED]@amplarhealth.com.au>. [Learn why this is important](#)

Thanks so much for that S 22. Let me revert back to the team and look into that for you.  
Cheers

S 22

Amplar Health  
Wurundjeri Land, Level 2, 695 Collins Street, Docklands VIC 3008

M S 22

Pers S 22

E S 22 <[REDACTED]@amplarhealth.com.au>

[www.amplarhealth.com.au](http://www.amplarhealth.com.au)



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TELSTRA HEALTH INTERNAL

**From:** S 22 <[REDACTED]@health.telstra.com>  
**Sent:** Wednesday, November 27, 2024 10:59 AM  
**To:** S 22 <[REDACTED]@amplarhealth.com.au>  
**Subject:** [EXTERNAL] RE: Enquiry

**CAUTION:** This email originated from outside the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hi S 22

Thanks for the prompt reply.

We have had a freelance journalist reach out with the below assertion;

S 22

s 22

We will not be commenting on the specifics of the case to the journalist but would like to understand if Medibank has a record if there was a subpoena that was actioned. And if Medibank had a policy related to Sexual Assault Counselling Privilege.

Happy to discuss.

Regards,

s 22

Telstra Health



Ms 22

Es 22 [@health.telstra.com](mailto:s22@health.telstra.com)W [www.telstrahealth.com](http://www.telstrahealth.com)

Telstra acknowledges the Traditional Custodians of country throughout Australia and recognise their continuing connection to land, waters and culture. We pay our respects to their Elders past, present and emerging.

This email may contain confidential information.

If I've sent it to you by accident, please delete it immediately

#### TELSTRA HEALTH INTERNAL

**From:** s 22 [@amplarhealth.com.au](mailto:s22@amplarhealth.com.au)>

**Sent:** Wednesday, 27 November 2024 11:52 AM

**To:** s 22 [@health.telstra.com](mailto:s22@health.telstra.com)>

**Subject:** Enquiry

You don't often get email from s 22 [@amplarhealth.com.au](mailto:s22@amplarhealth.com.au). [Learn why this is important](#)

HI s 22

s 22 is my name, I'm s 22 Amplar health and happy to assist with the below.

Are you able to provide any further details so we can locate relevant records before meeting with you?

If you would prefer a quick conversation first I am available at 1pm or 4pm Melbourne time today.

Cheers

s 22

Amplar Health

Wurundjeri Land, Level 2, 695 Collins Street, Docklands VIC 3008

Ms 22

Pers s 22

Es 22 [@amplarhealth.com.au](mailto:s22@amplarhealth.com.au)

[www.amplarhealth.com.au](http://www.amplarhealth.com.au)



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**From:** s 22 <[redacted]@health.telstra.com>

**Date:** Wednesday, 27 November 2024 at 10:51 am

**To:** s 22 <[redacted]@amplarhealth.com.au>

**Subject:** [EXTERNAL] Urgent- Media enquiry about subpoena 1800RESPECT

**CAUTION:** This email originated from outside the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Good morning s 22

Hope you are well.

1800RESPECT has a media enquiry about an incident and possibly a subpoena that occurred in 2020.

I was hoping you could help me find the right person at Medibank to discuss this with.

Regards

s 22

Acting Head of 1800RESPECT

Telstra Health



M s 22

E s 22 <[redacted]@health.telstra.com>

W <[redacted]@www.telstrahealth.com>

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**From:** s 22  
**To:**  
**Cc:**  
**Subject:** FW: Follow up - mgt of subpoenas and historical records [SEC=OFFICIAL]  
**Date:** Friday, 20 December 2024 10:33:17 AM  
**Attachments:** [image001.png](#)  
[20241213 Subpoena component web edits.docx](#)

Good morning s 22

Hope you are well.

In regards to the question of potential gaps in historical records based on the knowledge of our current team, the information and data that Telstra Health received from Medibank as part of service handover included, broadly, (1) Service User data from Medibank's CRM (2) data regarding Contacts from Medibank's Contact Centre Application, and (3) manuals, plans and guidelines used by Medibank to deliver the service. It is difficult to comment on the information held by Medibank that we did not receive, however, we are not aware of any issues experienced to date where gaps or limitations in the information received from Medibank has impacted our ability to deliver the service as the current service provider.

In reviewing our external communications in regards to reviewing external communication focusing on:

- Why a 1800RESPECT interaction is recorded;
- A service user's right to ask for their interaction with a counsellor to not be recorded (understanding that this is only available on voice);
- Situations in which a recording made be disclosed to a third party.

Please see attached a review of Web Site and written communication undertaken by Comms team- Telstra Health would be keen to have the Department review and provide feedback.

Regarding the IVR system, service users are informed that calls are being recorded and are given the option to receive more information about privacy. It is crucial to strike a balance between providing adequate information and maintaining a positive user experience, as excessive recordings can detract from the latter. While Telstra Health believes the current privacy information is sufficient, it is timely to review the user experience. Consequently, a review of the IVR system has been scheduled for the 2025 roadmap.

Happy to discuss any of the above points in the New Year.

Regards

s 22

s 22

Acting Head of 1800RESPECT

Telstra Health



M s 22

E s 22 [@health.telstra.com](mailto:s22@health.telstra.com)

W [www.telstrahealth.com](http://www.telstrahealth.com)

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**From:** S 22**Sent:** Tuesday, 10 December 2024 5:31 PM**To:** S 22**Cc:** S 22**Subject:** FW: Follow up - mgt of subpoenas and historical records [SEC=OFFICIAL]

Hi S 22

Thank you for the information provided regarding the handling of subpoena requests within 1800RESPECT, as well as your correspondence with Amplar Health in relation to this case. We are grateful for your responsiveness on the matter.

Following Amplar Health's decision to not comment on the specifics of the case referenced in the News.com.au article, are you able to provide insight into Telstra Health's next steps in relation to gaining a greater understanding as to the types of historical records that were not passed on by Amplar Health during the transition of the service in 2022 (outside of details of subpoenas received or responded to by the service as flagged in your briefing) and the rationale on why this information was not transferred over at the time?

We view this case as an opportunity to review and uplift the external communications provided to service users (both on the IVRs and on the 1800RESPECT website) on the recordings of interactions across the service. Can I please ask you to review the current information and consider improvements the messaging provided to service users in relation to the following:

- Why a 1800RESPECT interaction is recorded;
- A service user's right to ask for their interaction with a counsellor to not be recorded (understanding that this is only available on voice);
- Situations in which a recording made be disclosed to a third party.

We are supportive of any opportunities to refine or elevate the information available to service users (in a way that is both and safe and comfortable based on their needs and circumstances) to assist perspective on the recording of interactions when service users contact 1800RESPECT. As you can appreciate, we've had significant interest from our Executives on this matter and are grateful for your response to the above by **Friday 20 December 2024**, however please reach out if you'll have significant challenges meeting this timeframe.

I'd also like to flag that S 22 will be acting in the role of Branch Manager for most of the Dec/Jan period and S 22 and I will act for S 22 over this period (I'll be acting this week, S 22 will commence from 16 Dec to 9 January then I'll be acting again from 10 Jan to 31 Jan).

As always, happy to discuss this matter further if needed.

Kind regards,

S 22

S 22

**Director (A/g)****1800RESPECT Policy and Governance**

National Programs Branch

Department of Social Services

**P:** S 22 **E:** S 22 [@dss.gov.au](mailto:S22@dss.gov.au)

S 22

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and community. We pay our respects to them and their cultures, and to elders both past and present.

---

**From:** S 22 <[REDACTED]@health.telstra.com>

**Sent:** Monday, 9 December 2024 5:30 PM

**To:** S 22 <[REDACTED]@dss.gov.au>

**Cc:** S 22 <[REDACTED]@dss.gov.au>; S 22 <[REDACTED]@dss.gov.au>;

S 22 <[REDACTED]@dss.gov.au>; S 22 <[REDACTED]@dss.gov.au>;

S 22 <[REDACTED]@health.telstra.com>; S 22 <[REDACTED]@health.telstra.com>

S 22 <[REDACTED]@health.telstra.com>

**Subject:** RE: Follow up - mgt of subpoenas and historical records [SEC=OFFICIAL]

Hi S 22

Hope you are well.

Please find attached a summary of our review of the Subpoena process and the email trail from my enquiries to Medibank (Amplar Health).

Happy to discuss anything further.

Regards

S 22

Acting Head of 1800RESPECT

Telstra Health



M S 22

E S 22 <[REDACTED]@health.telstra.com>

W <[REDACTED]rahealth.com>

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**From:** S 22 <[REDACTED]@dss.gov.au>

**Sent:** Wednesday, 27 November 2024 5:41 PM

**To:** S 22 <[REDACTED]@health.telstra.com>

**Cc:** S 22 <[REDACTED]@dss.gov.au>; S 22 <[REDACTED]@dss.gov.au>;

S 22 <[REDACTED]@dss.gov.au>; S 22 <[REDACTED]@dss.gov.au>

S 22 <[REDACTED]@dss.gov.au>

**Subject:** Follow up - mgt of subpoenas and historical records [SEC=OFFICIAL]

Hi S 22

Thank you again to you and S 22 for your support today in relation to the media enquiry.

Following on from our discussion can you please progress any further consideration regarding Telstra Health's handling of subpoena's or other requests under legal proceedings. For example policies and procedures (eg. procedures to contact service users in the event of a subpoena) and external communications (website content). Can you please indicate if there is a need to make any amendments or improvements by 13 December 2024 (or earlier if possible).

We would also like to get a better understanding on the transfer of historical records to Telstra Health relating to legal proceedings such subponeas. Our understanding is that all 1800RESPECT

data including service user records were transitioned. If this isn't the case can you please let us know what was excluded and why?

Also happy to set up a time to discuss, if that's easier.

s 22

---

s 22

**Director**

1800RESPECT Policy and Governance

Department of Social Services

P: s 22 M: s 22 E: s 22 [@dss.gov.au](mailto:s 22@dss.gov.au)

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## Subpoena – Website Content Updates:

### Webpages with suggested edits:

- FAQ: [Will my call be recorded? | 1800RESPECT](#)
- FAQ: [How do you handle subpoenas? | 1800RESPECT](#)
- FAQ: [Will you give my information to anyone else? | 1800RESPECT](#)

Please note: Information contained on the '[Calling 1800RESPECT](#)' page is mapped back to the FAQs linked above, and will be automatically updated across all instances on the 1800RESPECT website. Same for the texting and online chat pages.

The text and online chat pages already have references to recording of calls, and links back to the Privacy Statement.

Video calling has a specific privacy policy which references that all video calls are recorded – as this process is different to others, I believe this is adequately covered.

## Suggested web content edits:

### FAQ: [Will my call be recorded?](#)

Normally, yes. We do this to help us to improve our service.

If you don't want your call to be recorded, you can tell the counsellor who answers your call. You can also choose to remain anonymous or to use a pseudonym (fake name) when you call.

All video calls are recorded so, if you do not wish for your call to be recorded, please contact us by telephone instead and request that your call is not recorded.

If you contact us online via the 'chat' option or by text (SMS), we keep a transcript or record of the chat or text interaction to help us improve our service. If you do not want a transcript to be kept, you can tell the counsellor who interacts with you. If you contact us via the text option, your phone number, which we need in order to communicate with you via text, will be retained and archived.

~~Please note that in order to~~ To protect the privacy of our service users and counsellors, ~~these~~ recordings cannot be released without a Subpoena/Search Warrant/Court Order. For more information, see our Privacy Statement.

### FAQ: [How do you handle subpoenas?](#)

Very infrequently, we receive subpoenas requesting us to produce personal information for use in civil or criminal court proceedings. By law, we must comply with the request

unless the court or party who issued the subpoena can be persuaded to set it aside. All subpoenas must be directed to General Counsel of 1800RESPECT, at **s 22** [@health.telstra.com](mailto:s22@health.telstra.com).

All subpoena requests we received are reviewed and assessed by legal and clinical specialists to determine the appropriate next steps.

Where safe and appropriate, we will take reasonable steps to contact you once we have received a subpoena and intend to disclose the information requested. Information requested through a subpoena is provided directly to the courts – not to third parties.

~~We will take reasonable steps to contact you if we receive a subpoena requiring disclosure of your personal information. If we know that you are concerned about the request, or if we believe that disclosure might cause you further harm or distress, we will use our reasonable endeavours to object to the disclosure of the documents or inspection of the documents by a/any parties to the proceedings, on whatever legal grounds may be available to us.~~We will work with the court to ensure that information is provided safely. It is up to the court to decide how the information is used.

~~(In this situation, y~~You may also wish to obtain your own independent legal advice. If you have a personal right or privilege that is affected by information relevant to the subpoena, you may be entitled to lodge a notice of objection, an application to set aside or an objection to inspection of the documents requested under the subpoena~~).~~

We generally cannot produce information provided anonymously or under a pseudonym in response to a subpoena.

#### **FAQ: Will you give my information to anyone else?**

We will not give your information to anyone else unless:

- You have given permission for us to do so
- You or someone else is in immediate danger
- We are required to do so by law – for example, to comply with mandatory reporting requirements in relation to suspected cases of child abuse and neglect, or in response to a subpoena.

You may request access to information about your contact with our service in support of criminal, civil or family court matters. More information about requesting your information is available on our website: [Request for Information | 1800RESPECT](#)

# Historical Data

**Since 1<sup>st</sup> July 2022, there have been 69 subpoenas issued to 1800RESPECT (Telstra Health)**

- 54 subpoenas were issued by the Family Court;
- 3 subpoenas were issued by Magistrate's Court, for Intervention Orders (IVO);
- 11 subpoenas were issued by the police;
- 2 were processed by Medibank as part of transition (reason for issue unknown);
- 1 issued from a request from an insurance company (context not supplied).

Great majority relate to Family Court proceedings – **SACP does not apply to Family Court proceedings**

**No known circumstances where defence was seeking to obtain service user's records (News.com Nov 2024 example)**

Given broad scope of service for 1800RESPECT, this is not unexpected – other specialist services will have more relevant data to potentially assist defence approach

Potential for numbers to increase with publicity and greater awareness

**From:** s 22  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** RE: FOR YOUR INFORMATION: Criminal Proceedings Subpoena - Potential SACP Aspects [SEC=OFFICIAL]  
**Date:** Monday, 4 August 2025 3:15:44 PM  
**Attachments:** [image001.png](#)

---

Hi s 22

Thanks for providing us an update on this matter, it is greatly appreciated.

Cheers

s 22

---

s 22  
**Assistant Director**  
**1800RESPECT Policy and Governance**  
National Programs Branch  
Department of Social Services  
**P:** s 22 **E:** s 22 [@dss.gov.au](mailto:s 22@dss.gov.au)

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**From:** s 22 <[s 22@health.telstra.com](mailto:s 22@health.telstra.com)>  
**Sent:** Monday, 4 August 2025 2:35 PM  
**To:** s 22 <[s 22@dss.gov.au](mailto:s 22@dss.gov.au)>  
**Cc:** s 22 <[s 22@dss.gov.au](mailto:s 22@dss.gov.au)>; s 22 <[s 22@dss.gov.au](mailto:s 22@dss.gov.au)>; s 22 <[s 22@dss.gov.au](mailto:s 22@dss.gov.au)>; s 22 <[s 22@dss.gov.au](mailto:s 22@dss.gov.au)>; s 22 <[s 22@health.telstra.com](mailto:s 22@health.telstra.com)>  
**Subject:** RE: FOR YOUR INFORMATION: Criminal Proceedings Subpoena - Potential SACP Aspects [SEC=OFFICIAL]

Hello s 22

Providing an update on the subpoena request in relation to criminal proceeding. We were unable to find any interactions based on the information provided and therefore, we advised the court that there was no evidence to submit.

Kind regards

s 22

Senior Risk and Quality Improvement Manager  
Telstra Health

M

s 22

E

s 22 @health.telstra.com

W

telstrahealth.com



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**From:** s 22

**Sent:** Monday, 28 July 2025 5:20 PM

**To:** s 22 @dss.gov.au>

**Cc:** s 22 @dss.gov.au>; s 22 @dss.gov.au>;

s 22 @dss.gov.au>; s 22

@dss.gov.au>

**Subject:** RE: FOR YOUR INFORMATION: Criminal Proceedings Subpoena - Potential SACP Aspects [SEC=OFFICIAL]

Hi s 22

Letting you know s 22 received the formal subpoena over the weekend. At this stage we are unable to find a record based on the information provided and are liaising with the lawyer.

I will provide an update tomorrow once more information is provided.

Kind regards

s 22

Senior Risk and Quality Improvement Manager  
Telstra Health

M s 22  
E s 22 @health.telstra.com  
W telstrahealth.com



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**From:** s 22 @dss.gov.au>  
**Sent:** Friday, 25 July 2025 2:52 PM  
**To:** s 22 @health.telstra.com>  
**Cc:** s 22 @dss.gov.au>; s 22 @dss.gov.au>;  
s 22 @dss.gov.au>; s 22 @dss.gov.au>  
**Subject:** RE: FOR YOUR INFORMATION: Criminal Proceedings Subpoena - Potential SACP Aspects [SEC=OFFICIAL]

Hi s 22

Thanks for sending through the below information yesterday.

I just wanted to check in as to whether you have an update on this matter after the application hearing?

Cheers

s 22

---

s 22  
Assistant Director  
1800RESPECT Policy and Governance  
National Programs Branch  
Department of Social Services

P: s 22 E: s 22 @dss.gov.au

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**From:** s 22 @health.telstra.com>  
**Sent:** Thursday, 24 July 2025 9:10 AM  
**To:** s 22 @dss.gov.au>; s 22 @dss.gov.au>  
**Cc:** s 22 @dss.gov.au>; s 22 @dss.gov.au>  
**Subject:** RE: FOR YOUR INFORMATION: Criminal Proceedings Subpoena - Potential SACP Aspects [SEC=OFFICIAL]

Hi s 22

It is common to get the subpoena 14-28 days prior to the court hearing.

We will let you know if we hear anything after today's application hearing.

Kind regards

s 22  
Senior Risk and Quality Improvement Manager  
Telstra Health

M s 22  
E s 22 @health.telstra.com  
W telstrahealth.com



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**From:** s 22 @dss.gov.au>



**Sent:** Wednesday, 23 July 2025 4:16 PM

**To:** s 22 <[REDACTED]@health.telstra.com>; s 22 <[REDACTED]@dss.gov.au>

**Cc:** s 22 <[REDACTED]@dss.gov.au>; s 22 <[REDACTED]@dss.gov.au>

**Subject:** RE: FOR YOUR INFORMATION: Criminal Proceedings Subpoena - Potential SACP Aspects [SEC=OFFICIAL]

Hi s 22

I just wanted to reach out and ask a question in relation to this potential subpoena request. Noting that the application hearing is on tomorrow (24 July), what is the general amount of time provided by the courts to supply information identified in a subpoena?

Happy to chat if that's easier.

Cheers

s 22

---

s 22

**Assistant Director**

**1800RESPECT Policy and Governance**

National Programs Branch

Department of Social Services

**P:** s 22 <[REDACTED]> **E:** s 22 <[REDACTED]@dss.gov.au>

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**From:** s 22 <[REDACTED]@health.telstra.com>

**Sent:** Monday, 21 July 2025 2:48 PM

**To:** s 22 <[REDACTED]@dss.gov.au>

**Cc:** s 22 <[REDACTED]@dss.gov.au>; s 22 <[REDACTED]@dss.gov.au>;

s 22 <[REDACTED]@dss.gov.au>

**Subject:** RE: FOR YOUR INFORMATION: Criminal Proceedings Subpoena - Potential SACP Aspects [SEC=OFFICIAL]

Hello s 22

I had a great weekend. Hope you did too!

Yes, will include s 22 on any future communications if this one progresses.

Kind regards

s 22

Senior Risk and Quality Improvement Manager  
Telstra Health

M s 22  
E s 22 @health.telstra.com  
W telstrahealth.com



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**From:** s 22 @dss.gov.au>  
**Sent:** Monday, 21 July 2025 9:40 AM  
**To:** s 22 @health.telstra.com>  
**Cc:** s 22 @dss.gov.au>; s 22 @dss.gov.au>;  
s 22 @dss.gov.au>  
**Subject:** RE: FOR YOUR INFORMATION: Criminal Proceedings Subpoena - Potential SACP Aspects [SEC=OFFICIAL]

Hey s 22

I hope you had a fantastic weekend?

I just wanted to circle back briefly and ask that you keep s 22 looped into this one as it progresses?

Kind regards

s 22

---

s 22

Assistant Director  
1800RESPECT Policy and Governance  
National Programs Branch

De [redacted] Soc [redacted]  
P: s 22 [redacted] E: s 22 [redacted] [@dss.gov.au](mailto:s22@dss.gov.au)

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---

**From:** s 22 [redacted]  
**Sent:** Friday, 18 July 2025 12:55 PM  
**To:** s 22 [redacted] [health.telstra.com](mailto:s22@health.telstra.com)>  
**Cc:** s 22 [redacted] [@dss.gov.au](mailto:s22@dss.gov.au)>; s 22 [redacted] [dss.gov.au](mailto:s22@dss.gov.au)>  
**Subject:** RE: FOR YOUR INFORMATION: Criminal Proceedings Subpoena - Potential SACP Aspects [SEC=OFFICIAL]

Noted, thanks s 22 [redacted]

Kind regards  
s 22 [redacted]

---

s 22 [redacted]  
tor  
1800RESPECT Policy and Governance  
National Programs Branch  
De [redacted] Soc [redacted]  
P: s 22 [redacted] E: s 22 [redacted] [@dss.gov.au](mailto:s22@dss.gov.au)

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**From:** s 22 [redacted] [health.telstra.com](mailto:s22@health.telstra.com)>  
**Sent:** Friday, 18 July 2025 12:52 PM  
**To:** s 22 [redacted] [@dss.gov.au](mailto:s22@dss.gov.au)>  
**Cc:** s 22 [redacted] [@dss.gov.au](mailto:s22@dss.gov.au)>; s 22 [redacted] [@dss.gov.au](mailto:s22@dss.gov.au)>; s 22 [redacted] [@health.telstra.com](mailto:s22@health.telstra.com)>  
**Subject:** FOR YOUR INFORMATION: Criminal Proceedings Subpoena - Potential SACP Aspects

Hi s 22 [redacted]

For your information, we may receive a subpoena issued on behalf of a defendant to a criminal trial. No action is required yet as we have not received a formal subpoena. We have been provided with some preliminary information and advised there's an application hearing scheduled for 24 July. Based on the preliminary information provided we have not found any interaction records.

We will advise if we receive a formal subpoena.

Kind regards

s 22

Senior Risk and Quality Improvement Manager  
Telstra Health

M

s 22

E

s 22

[@health.telstra.com](mailto:s 22@health.telstra.com)

W

telstrahealth.com



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