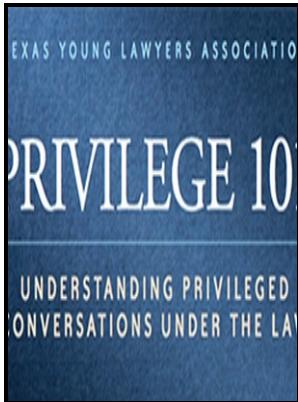


# In confidence - confidential communications and the end of privilege

**Yale University Press - Q&A: What's the Difference Between and Communication?**



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In confidence - confidential communications and the end of privilege

-In confidence - confidential communications and the end of privilege

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## Confidential Communication

The intimate nature of sexual assault heightens the privacy concerns of the victim and may increase, if automatic disclosure is the rule, the difficulty of obtaining redress for the wrong. Until recently, SACP was argued by the person or service who received the subpoena. The CDPP states that claims for legal professional privilege are currently abused in criminal investigations in Australia and the extension of a confidential relationship privilege to other professional relationships would be potentially open to the same abuse.

## Legal professional privilege and communications

In judicial proceedings, the law allows people to refuse to disclose the contents of certain privileged conversations and writings. But the fact six other people have seen it does not prevent him claiming privilege as against the rest of the world. Enactment of the privilege as it currently stands in New South Wales would achieve this effect.

## The long read: legal professional privilege

Any such disclosure should ordinarily include no more than the identity of the persons and entities involved in a matter, a brief summary of the general issues involved, and information about whether the matter has terminated.

## Avoiding Inadvertent Privilege Waivers In E

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## Avoiding Inadvertent Privilege Waivers In E

The law recognizes certain parties whose communications will be considered confidential and protected, including spouses, doctor and patient,

attorney and client, and priest and confessor.

#### **Rule 1.6 Confidentiality of Information**

Where possible, legal and general commercial advice should be included in separate documents.

#### **Q&A: What's the Difference Between and Communication?**

For example, if an attorney and his client are discussing a matter in the presence of an unnecessary third party -- for example, in an elevator with other people present -- the discussion will not be considered confidential and may be admitted at trial.

#### **Confidentiality and Limitations of Attorney**

In the ACT, Western Australia and South Australia, the court can only consider an application for disclosure once it has been satisfied by the applicant that there is a legitimate forensic purpose for the application.

## Related Books

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