



24 May 2013

Committee Secretary
Senate Legal and Constitutional Affairs Committee
PO Box 6100
Parliament House
Canberra ACT 2600

Dear Committee Secretary

Question on Notice from 24 May 2012 Public Hearing into the Inquiry into the Public Interest Disclosure Bill 2013

At today's hearing for the Senate Legal and Constitutional Affairs Committee Inquiry into the Public Interest Disclosure Bill 2013, Senator Wright asked me to come back to the committee in relation to the following section from Submission 9 – from Dr Gabrielle Appleby, Dr Judith Bannister, and Anna Olijnyk from the University of Adelaide.

Clause 13(3) of the Bill provides that administrative action that is reasonable to protect a discloser from detriment does not amount to a reprisal. In order to prevent abuse, cl 13(3) could be amended to require that the discloser request, or at least consent to, the administrative action.

The CPSU agrees that there may be ambiguity in subclause 13(3) as to what is 'reasonable'. This is another area that the CPSU believes should be the subject of guidelines and an educational campaign by the Ombudsman. This could set out examples of what is and is not reasonable administrative action and certain procedures that must be followed. This could be strengthened if the Bill required administrative action under 13(3) to be carried out in accordance with Guidelines developed by the Ombudsman.

Yours sincerely

Louise Persse
Assistant National Secretary