

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS  
ATTORNEY-GENERAL'S DEPARTMENT

**Group 1**

**General**

**Question No. 129**

**Senator Humphries asked the following question at the hearing on 24 May 2012:**

- a) In relation to the inquiry into privacy and the need for a statutory tort, why was its administration transferred from the Department of Prime Minister and Cabinet to the AG's Department?
- b) How many staff are allocated to this task?
- c) What is the total cost to budget both in the current year and year 2012-13?
- d) Is it correct to say that the overwhelming number of submissions oppose the need for such a statutory tort?
- e) When will the report be published?
- f) When does the Government plan to introduce legislation to implement the provisions of this report?

**The answer to the honourable senator's question is as follows:**

- (a) The Government published an issues paper, *A Commonwealth Statutory Cause of Action for Serious Invasion of Privacy*, to seek the community's views and to inform the Government's consideration of the Australian Law Reform Commission's recommendation that a statutory cause of action for serious invasion of privacy be introduced. Responsibility for the issues paper was transferred from the Department of the Prime Minister and Cabinet to the Attorney-General's Department in October 2011 as part of the transfer of privacy and FOI policy generally to the Attorney-General's Department.
- (b) This matter is being dealt with within the existing resources of the staff working on privacy and FOI policy.
- (c) As this matter has been dealt with within the existing resources of the staff working on privacy and FOI policy it is not possible to separately identify the cost of the work during 2011-12.
- (d) No.
- (e) The outcome of the consultation process will be taken into consideration by Government and, consistent with common practice, the Government does not intend to provide a separate report on the outcome of its consultation process.
- (f) The Government is considering the submissions made in response to the issues paper. No decision has been made as to whether a statutory cause of action for serious invasion of privacy will be introduced.