



1 November 2006

Mr Alistair Sands
Committee Secretary
Senate Finance and Public Administration Committee
Parliament House
Canberra ACT 2600

Dear Mr Sands

Senate Finance and Administration Committee—clarification of evidence at Estimates hearing

1 I write to clarify elements of the evidence I gave at the hearing on 30 October 2006, and to provide a corrected version of the document tabled at the hearing in relation to bollards incidents.

Adverse reaction to flu vaccinations

2 In the course of a discussion about DPS employees possibly suffering adverse reactions to the 2005 flu vaccinations organised by DPS, the following exchange took place (F&PA 34):

Senator Faulkner: ... are you able to explain to the committee how serious the medical consequences are in relation to one case that has been established?

Ms Penfold: I think that the medical consequences are reasonably serious on an ongoing basis. The thing we are talking about is Guillain-Barre syndrome. I am speaking very much as a layperson—I think it has to do with nerve functioning.

3 I have since been advised that the DPS employee whose condition has been accepted by Comcare as possibly linked with the 2005 flu vaccine has a diagnosis of transverse myelitis.

4 I have also been advised that the diagnosis of Guillain-Barre syndrome applies to the DPS employee whose illness has not been the subject of a Comcare claim. In June 2006 DPS was advised by Health Services Australia that this diagnosis is the only case possibly related to the 2005 flu vaccine that has been raised with Health Services Australia in the ACT (this was done informally by DPS rather than under any formal reporting requirement).

DPS's dealings with traffic engineers

5 In the course of a discussion about converting Parliament Drive to a one-way road, the Committee Chair asked several questions about DPS's dealings with the traffic consultants involved in the one-way road conversion (F&PA 26).

6 My evidence in response to the Chair's questions requires some minor clarifications, in relation to what was actually requested from the traffic consultants before the one-way road was implemented, and in relation to what expectations the traffic consultants might have had when they undertook their consultancy.

7 When the traffic consultants were engaged in April 2006, the decision to convert Parliament Drive to one-way had already been made, largely in reliance on the November 2005 recommendation from the Protective Security Coordination Centre.

8 The only policy advice sought from the traffic consultants during that engagement was whether there were any safety or other concerns about the related proposal to increase the Parliament Drive speed limit from 40 kph to 50 kph. In the course of developing the implementation plan, the traffic consultants volunteered the advice that the northern part of Parliament Drive between Commonwealth Avenue and Kings Avenue should remain two-way, and this advice was accepted by DPS.

9 As it turned out, the one-way road implementation assistance was obtained in two stages. It is possible that when they agreed to prepare the approval documentation for the project (the first stage of the project), the traffic consultants hoped to be engaged for the second stage of the project. This may have influenced the price they quoted for the first stage, or the standard to which they undertook the first stage. However, the first stage did not involve the traffic consultants advising whether or not the project should proceed, so there was no scope for expectations of further work to have influenced such advice.

Bollards list

10 During the hearing I tabled a document showing incidents of vehicles and bollards colliding. That document was misleading in one respect, which I pointed out to the committee during discussion, and also incorrect in another respect which only came to notice later. Attached is a corrected version of the document.

11 I apologise for any inconvenience caused by these matters.

Yours sincerely



Hilary Penfold QC

Incidents involving vehicle/bollard collisions

DATE	TIME	EVENT	BOLLARD EFFECTED	DAMAGE SUSTAINED TO BOLLARD(S) / ACTION TAKEN
3/1/2006	14:00	Vehicle hit card reader	Reps Entry	Card reader reassembled.
17/1/2006	15:00	Bobcat hit bollard	Ministerial Exit	Road loop adjusted. No damage to bollard.
16/2/2006	14:00	Vehicle hit second bollard	Ministerial entry	Vehicle pulled away - slight damage to bollard. Replaced 'O' ring and bolts to plate that holds the 'O' ring.
21/2/2006	13:13	Vehicle hit second set of bollards	Reps entry	Vehicle pulled away. Slight damage to the bollard.
4/5/2006	11:22	Vehicle tailgating impacted with bollard	Ministerial entry	Bollards cleaned. Replaced 'O' ring and bolts to plate that holds the 'O' ring.
30/05/06	15:39	Vehicle tailgating impacted with bollard	Ministerial entry	Bollards cleaned. Replaced 'O' ring and bolts to plate that holds the 'O' ring.
28/07/06	13:07	Bollards rose under vehicle	Senate exit	Tractor driver missed activating road loop and bollards rose as vehicle passed over. No damage to bollard.
16/08/06	06:15	Commonwealth Car tailgating impacted with bollard	Reps exit	Minor scratch damage to bollard.
26/09/06	11:54	Vehicle impact - trying to enter via exit sliproad	Ministerial exit	No damage to bollard.
17/10/06	23:01	Commonwealth car tailgating impacted with bollard	Reps exit	No damage to bollard.

One event occurred during bollard testing. A Landscape Services cart missed the Ministerial Exit loop and was lifted by a rising bollard.