

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

Program SPCG

Question No. 106

Senator Fielding asked the following question at the hearing on 18 October 2010:

- a. Did the Department prepare a post-election brief for a returned Labor Government (the so-called 'Red Book')?
- b. Can the Department provide the Committee with a copy of this brief?
- c. If not, can the Department outline its reasons for refusing to provide a copy of this brief?
- d. If the Department will not provide a copy of this brief because it contains confidential or sensitive information, can the Department provide a redacted copy of this brief as was done by the Treasury Department?
- e. Has the Minister given any instructions to the Department regarding the release of this brief and if so, what were these instructions?
- f. Did the Department prepare a post-election brief for a newly elected Coalition Government (the 'Blue Book')?
- g. Can the Department provide the Committee with a copy of this brief?
- h. If not, can the Department outline its reasons for refusing to provide a copy of this brief?
- i. If the Department will not provide a copy of this brief because it contains confidential or sensitive information, can the Department provide a redacted copy of this brief as was done by the Treasury Department?
- j. Has the Minister given any instructions to the Department regarding the release of this brief and if so, what were these instructions?

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

- a. Yes.
- b. No.
- c. The brief contains certain confidential and sensitive information, prepared for the advice of the Government to assist its internal deliberations. It would not be in the public interest for information of this nature to be released.
- d. A redacted version of the Brief is at Attachment A.
- e. No.
- f. The Department prepared a draft Coalition Brief. However, this was not finalised.

g. No.

h. The draft material contains confidential and sensitive information. This information was prepared for a possible scenario of Government that did not eventuate. It would not be in the public interest for briefing of this nature to be released. This is consistent with the long-standing policy that departments should protect the confidentiality of advice prepared for a government that is not formed.

i. A redacted version of the Brief is at Attachment B.

j. No.