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Correspondence ref: OIGIS/OUT/23/51

Mr Peter Khalil MP
Chair, Parliamentary Joint Committee on Intelligence and Security
Parliament House
Canberra ACT 2600
VIA EMAIL

Dear Mr Khalil

CORRECTIONS TO EVIDENCE

Thank you for the opportunity to appear at the public hearing of the Parliamentary Joint Committee on Intelligence and Security's Review of the National Security Legislation Amendment (Comprehensive Review and Other Measures No. 2) Bill 2023. Following review of the draft Hansard of my appearance on 11 April 2023, I have become aware that part of the evidence I provided contained some errors of fact.

The errors occurred when questioned on my role in Freedom of Information (FOI) matters before the Australian Information Commissioner or the Administrative Appeals Tribunal (AAT) and instances where my assistance had been requested (at the bottom of page 9 of the draft transcript).

When you sought an example of an FOI matter where I had concluded I was not appropriately qualified to give evidence, I replied that in the time that I had been in the Office, in each instance I had been requested to provide evidence I was not able to assist the Tribunal. This is incorrect to the extent that each of the matters to which I was referring were requests from the Australian Information Commissioner (not the AAT).

Further, when you sought clarification as to whether those examples related to agencies outside of IGIS's jurisdiction, I replied that the matters were within IGIS's jurisdiction. This was incorrect. In the time that I have been in the Office, I have received 5 requests for evidence from the Australian Information Commissioner, and all 5 matters related to agencies outside IGIS's jurisdiction: the Department of Defence, the Department of Foreign Affairs and Trade, the Department of Home Affairs and the Office of the Commonwealth Ombudsman.


I apologise for any confusion this error may have caused for the Committee.

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I trust that our contribution to this Review has assisted the Committee and would be happy to provide any further information that the Committee requires.

Yours sincerely



The Hon Christopher Jessup KC
Inspector-General

14 April 2023

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