

Senate Standing Committee on Community Affairs

INQUIRY INTO CENTRELINK'S COMPLIANCE PROGRAM

PUBLIC HEARING 27 August 2021

ANSWER TO QUESTION ON NOTICE

**Social Services Portfolio
Services Australia**

Topic: Executive Minute and documents provided to the Ombudsman

Question reference number: IQ21-000093

Member: Deborah O'Neill

Type of question: Spoken. Hansard Page/s:

Date set by the committee for the return of answer: 10 September 2021

Question:

Senator O'NEILL: Could you, then, provide on notice to the committee—I want to be very clear—the responsible person who oversaw the interchange of documents with the Ombudsman, at their request, for the delivery of the 2017 report; key personnel who were engaged with that; and any emails backwards and forwards about what went on. I'm absolutely keen to get any documentation that's related to that transaction between the department and the Ombudsman. I'd like specifically to again request a copy of the executive minute from you, and I want to understand if the Ombudsman specifically requested a copy of the executive minute or if, as they indicated, it was possibly provided as part of a general request for information. I'd like to know the answer to that question. I'd also like to know what other documents were provided as part of the Ombudsman's general request to the department with regard to the executive minute and other robodebt matters. If you could provide a list of that documentation, I would very much appreciate it. You may not be able to answer this question, and, if you can't, again, you can take it on notice: at the time the executive minute was handed over to the Ombudsman, was the Ombudsman provided with any documentation or any communication that there could be any harm to the public interest that would arise from the disclosure of the executive minute that's referred to in their report?

Mr Birrer: I've already mentioned that I have no firsthand knowledge myself, and the evidence from earlier today from our colleagues in the Ombudsman's office was that they were not sure whether or not the document had been provided. I have no firsthand knowledge myself on that matter, and so I can't—

Senator O'NEILL: I accept that you cannot do that, but I'm just asking you to state that you will take these questions on notice—that you will, in accordance with standard practice, provide answers to these questions that I'm asking you now and seek the information from the relevant people who were undertaking those transactions in the lead-up to the 2017 Ombudsman's report. Are you going to take my question on notice and provide answers?

Mr Birrer: I'll take that question on notice.

Senator O'NEILL: That question on notice or the question already asked on notice!

Mr Birrer: The question asked.

Senator O'NEILL: I want to be clear: I seek answers to all the questions I have just asked you, about the executive minute, that you have been unable to answer because you are not sufficiently able to because you were not there. I just want answers to those questions, and I want you to use

the resources of your department to locate the people who have that information and to provide that information to this committee on notice—not to decide whether you will or won't but to undertake a commitment to provide that information on notice, following the request of this committee through me.

Answer:

A large amount of material was provided to the Ombudsman during the own motion investigation. It would be an unreasonable diversion of resources for Services Australia to prepare a list detailing individual documents provided to the Ombudsman and by whom.

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**Social Services Portfolio
Services Australia**

Topic: Notes from the Attorney-General

Question reference number: IQ21-000095

Member: Deborah O'Neill

Type of question: Spoken. Hansard Page/s:

Date set by the committee for the return of answer: 10 September 2021

Question:

Senator O'NEILL: And could you find out if there were any, and provide the committee with information about any, notes from the Attorney-General with regard to that matter, which we heard a little bit about earlier?

Mr Birrer: I'll take that on notice, noting that I have no firsthand experience of any of those matters. Indeed, whether there was any notice or consideration of that is really a matter for the Attorney-General.

Answer:

This is a matter for the Attorney-General.