



Solicitor-General of the Commonwealth of Australia

Ms Toni Matulick
Committee Secretary
Senate Legal and Constitutional Affairs Committee
PO Box 6100
Parliament House
CANBERRA ACT 2600

Dear Ms Matulick

RE: Inquiry into the nature and scope of the consultations prior to the making of the Legal Services Amendment (Solicitor-General Opinions) Direction 2016 – Questions on Notice

I am writing in response to the email my Office received on 19 October 2016 from staff of the Senate Legal and Constitutional Affairs Committee (**the Committee**) attaching over 120 Questions on Notice from Senator Linda Reynolds in relation to the Inquiry into the nature and scope of the consultations prior to the making of the Legal Services Amendment (Solicitor-General Opinions) Direction 2016 (**the Inquiry**).

My attendance before the Committee was voluntary. These 120 supplementary questions come from a single Senator. I have been shown no evidence that the Committee or its chair has determined, in accordance with Procedure 9 of the Procedures to be observed by Senate Committees, that any or all of these 120 questions are relevant to the Inquiry and that the information sought is necessary for the purposes of the Inquiry.

That matter alone would be a sufficient reason not to extend my voluntary co-operation with the Committee into an extensive exercise of examining each of the 120 questions and preparing answers to them.

For completeness, I also note the following.

First, each of the Questions on Notice appears to assume that there is some relevant deficiency in my evidence, a premise I do not accept. I consider that my position on

relevant matters has been fully and properly explained in such a way as to enable the Committee to reach conclusions on the Terms of Reference.

Second, I have already provided extensive assistance to the Committee, including a detailed written submission and an appearance before the Committee that extended for a period of two and half hours. During my appearance, I did not ask to leave at any point and there was not a loss of quorum. The Committee as a whole, and each individual member of it, had a more than sufficient opportunity to put any relevant question to me, including any question arising out of any earlier evidence I had given.

Third, on their face, the questions appeared designed to further an attack, both on me personally and on the Office of the Solicitor General, unrelated to the subject matter of the Inquiry.

Fourth, the number of questions (in excess of 120) makes the task of seeking to answer them impractical and unreasonable in the light of my other commitments in the next two weeks.

Yours faithfully

Justin Gleeson SC
Solicitor-General of the
Commonwealth of Australia

24 October 2016