

QUESTION TAKEN ON NOTICE

Parliamentary Inquiry : 05 September 2018

HOME AFFAIRS PORTFOLIO

(IEMP/020) – Ministerial Interventions in the Media

Asked:

Please detail the statistics the Department has provided the Minister or his office in relation to ministerial interventions during his time as the Minister.

Please detail if this information approved for distribution to the media.

Has the Department been asked by the Minister or his office to retrieve details of cases of ministerial intervention?

Please detail if this information approved for distribution to the media.

The Minister said during a media conference on Monday 3 September 2018 - "I've got a series of cases that have been put to me by Labor, and I have kept a list, of Labor MPs who have come to me with quirky cases" and on Sunrise on 4 September 2018 the Minister said "I think it's prudent to keep a record of cases where you've been asked to intervene."

Please detail:

If the Department is aware of such record keeping by the Minister;

If it is appropriate for the Minister to keep the details of individual cases;

If such records and their details are kept secure; and

Would the keeping of these records be in line with both the Privacy Act and the Australia Border Force Act?

Answer:

Please detail the statistics the Department has provided the Minister or his office in relation to ministerial interventions during his time as the Minister.

Please detail if this information was approved for distribution to the media.

The Department regularly provides Ministerial intervention statistics to Minister Dutton's office, including in relation to sections 195A, 197AB, 351, 417 and 501J. Statistics cover the number of client requests for Ministerial intervention received and processed; finalised by the Department; the number of submissions and visa grants.

Recent examples of statistics provided to Minister Dutton's office include:

- 30 August 2018 – number of Visitor (subclass 600) visas granted under section 195A, 351 and 417 between 1 July 2017 and 24 May 2018.
- 3 September 2018 – Ministerial intervention statistics for submissions referred to and visas granted by Minister Dutton between 23 December 2014 and 31 August 2018 under sections 195A, 351 and 417, by calendar year

- 4 September 2018 – total number of submissions and visas granted by power (sections 195A, 417, 351) by Minister Dutton between 23 December 2015 and 31 August.
- 4 September 2018 – number of Visitor (subclass 600) visas granted by Minister Dutton using his Ministerial intervention powers between 23 December 2014 and 31 August 2018.

The data was cleared for provision to the Minister's office. No caveats on wider release were provided to the Minister's office.

Has the Department been asked by the Minister or his office to retrieve details of cases of ministerial intervention? Please detail if this information was approved for distribution to the media.

Yes. Use of information was subject to privacy and legal considerations.

Please detail: If the Department is aware of such record keeping by the Minister; If it is appropriate for the Minister to keep the details of individual cases; If such records and their details are kept secure; and Would the keeping of these records be in line with both the Privacy Act and the Australia Border Force Act?

When in office the Minister has the authority to retain the records of his decisions and the work he transacts in relation to his functions.

Once out of office a former Federal Minister has the ability to seek access to records relating to those same dealings undertaken while in office under *the Archives Act 1983*.