

Legal and Constitutional Affairs References Committee

A Claim of Public Interest Immunity Raised over Documents

Additional Information

Public Hearing – Canberra - 11 February 2014

On page 3 of the transcript Senator Ludwig asks about “raw numbers.” I indicated that as of August 2013 there had been 38 occasions when privilege claims had been disputed. The actual number is 46 not 38.

Furthermore, in relation to Senator Ludwig’s follow-up question about the outcome in those matters, I can advise that in those 46 matters:

- Privilege claims were upheld in full in 3 claims
- Privilege claims were not upheld at all in 13 claims
- Privilege claims were partially upheld in 30 claims.

Of those claims where privilege was partially upheld , this has ranged from upholding the claim in relation to significant documents through to only upholding the claim in relation names and addresses of individuals referred to but otherwise not upholding the claim in respect of the bulk of a document.