

**SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS
ATTORNEY-GENERAL'S PORTFOLIO**

Program: 1.1 AGD Operating Expenses - Civil Justice and Legal Services

Question No. SBE16/115

Senator Watt asked the following question at the hearing on 12 December 2016:

Senator WATT: Coming back to where we finished up previously, you have told the Senate that your first personal involvement in this matter was on 3 March this year—

Senator Brandis: That is right.

Senator WATT: but, presuming this is correct, what the tax office told the Senate last week is they made your office aware of this matter around eight months before you say you were personally involved.

Senator Brandis: That may well be so. As I say, I will check what they said and I will take the question on notice so that I can give you a thorough answer. But, as you would be aware, Senator Watt, the fact that my office may have been advised of something by an agency or a department is an entirely commonplace matter.

Senator WATT: So prior to 3 March you do not recall receiving any briefing, either from your office, your department or any other agency, about the Bell matter.

Senator Brandis: I will check.

Senator WATT: That is what you told the Senate, that you were not personally involved.

Senator Brandis: What I have said is that that was my first personal involvement with the matter.

Senator WATT: Which, is why, I suppose, I was keen to understand what you mean by that.

Senator Brandis: As I say, I do not want to parse my own language, but my first personal involvement was when Mr Porter came to see me on 3 March. I would not be at all surprised if there were communications between my office and, for example, the department, and you say the ATO. That may be the case; I will check.

The answer to the honourable senator's question is as follows:

The Attorney-General's first recollection of personal involvement in the matter was on 3 March 2016, although his office had been dealing with the matter prior to that time.

Mr Mischin has said that he raised the matter with the Attorney-General during a phone call in early February and that the Attorney-General told him he was not in a position to discuss the matter at that time. The Attorney-General does not recall that, but does not dispute what Mr Mischin said. He does not consider that saying he was not in a position to discuss a matter constitutes 'personal involvement' in that matter.