

Senate Finance and Public Administration Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

ADDITIONAL ESTIMATES 2010-2011

Prime Minister and Cabinet Portfolio

Department of the Prime Minister and Cabinet

Question: PM21

Topic: Wikileaks - Briefing the PM

Asked By: Senator Trood

Type of Question: 102

Date set by the committee for the return of answer: 15 April 2011

Number of pages: 2

Senator TROOD -I am trying to determine whether or not there was an individual in the Prime Minister's department that provided the Prime Minister with advice as to the AFP's conclusions, or any advice, with regard to the allegation of illegality in relation to Mr Assange. Did Mr Lewis, perhaps, brief the Prime Minister on this subject?

Mr Lewis -No. We could take that question on notice. I believe the answer is no, and if we did, in fact, provide a brief, it would have been to convey the AFPs determination.

Senator TROOD -I appreciate the point that you are putting to me. I am interested to know how the information was conveyed to the Prime Minister.

Mr Lewis -We will see if we can get a quick answer for you.

Dr McCarthy -We would have provided briefs to the Prime Minister that conveyed information about that issue, but I do not have the exact details.

Mr Lewis -Perhaps we could take that on notice.

Senator TROOD -You do not know what the information was?

Dr McCarthy -The AFP made a determination and, as I understand it, published on its own website the conclusions that it drew, so certainly, and I can check; as I said, we can take it on notice any briefing to the Prime Minister on the

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conclusion the AFP drew would simply have conveyed to the Prime Minister what the AFP had concluded and itself made public.

Answer: The Department of the Prime Minister and Cabinet did not provide advice to the Prime Minister on the conclusion of the Australian Federal Police's assessment of illegality under Australian law in relation to the release of US Department of State cables by WikiLeaks as this information was released on the AFP website.

With regard to the allegation of illegality in relation to Mr Assange, the Department provided advice to the Prime Minister on possible US laws that may have been breached by Mr Assange and/or WikiLeaks.