

**Senate Finance and Public Administration Legislation Committee**

**ANSWERS TO QUESTIONS ON NOTICE**

Budget Estimates 26 May-6 June 2014

Prime Minister and Cabinet Portfolio

**Department/Agency:** Department of the Prime Minister and Cabinet

**Outcome/Program:** 1.1 Prime Minister and Cabinet

**Topic:** Senate Order on public interest immunity claims

**Senator:** Senator the Hon Penny Wong

**Question reference number:** 227

**Type of Question:** Written

**Date set by the committee for the return of answer:** 11 July 2014

**Number of pages:** 2

**Question:**

Can details of all documented communications between the department and the Prime Minister's Office related to the Senate Order on public interest immunity claims be provided?

**Answer:**

Ahead of each Senate Estimates hearings, the Department usually sends out guidance via email to all departments on the operation of the Senate Order (the Order) to ensure officials who are expected to appear at Senate Estimates and other Parliamentary committee hearings are familiar with the requirements of the Order and the grounds for claiming public interest immunity. An extract of the email to be sent to departments was discussed with the Prime Minister's Office and is below.

The Department also prepared a draft letter for Senator the Hon Eric Abetz, in his capacity as Leader of the Government, to the Chair of the Senate Standing Committee on Procedure in respect of the Committee's Inquiry into Third Party Arbitration of Public Interest Immunity Claims. While the letter has been sent to the Procedure Committee, it would not be appropriate to disclose the submission until the Committee has resolved to publish it.

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**Extract of email:**

On 24 June 2013 the Senate Privileges Committee reported on its inquiry into the adequacy of the guidance available to officials giving evidence to the Senate and its committees. As part of that inquiry, PM&C submitted revised Official Witness Guidelines to the Committee for its consideration. The draft revised Guidelines are also attached.

While the draft revised Guidelines will not be finalised until the Government has finalised consideration of the Committee's report, officials who need to give evidence to parliamentary committees may find it useful to refer to them in the interim as they expand on and clarify certain aspects of the current Guidelines.