

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: Cabinet Secretary role

Senator: Senator the Hon John Faulkner

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Question:

Senator FAULKNER: Can I ask in relation to this: does the department have a clear understanding of precisely the role that Mr Stafford is performing? I accept that he is the Cabinet Secretary, but what functions does this entail? Could that be explained, please?

Ms Spence: Yes, the department does have a clear understanding of the role that Mr Stafford is undertaking.

Senator FAULKNER: Yes, good. Is that public?

Ms Spence: No, it is not recorded anywhere, but there is a clear understanding of his responsibilities around managing the business of the cabinet.

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Senator FAULKNER: He signs the minutes. Does the Cabinet Secretary prepare the minutes? Or is that done by notetakers one, two and three?

Ms Spence: The normal longstanding procedures around the preparation of cabinet minutes still stand, with three PM&C notetakers signing off on minutes before the cabinet secretary signs off on them.

Senator FAULKNER: That is what I would expect. So the Cabinet Secretary signs the minutes. What else does Mr Stafford do?

Ms Cross: Senator, without wanting to be difficult, I think these are questions we should probably take on notice. These are really issues for the Prime Minister's office rather than the department—to describe what one of the Prime Minister's staff does is really a question for the Prime Minister.

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Senator FAULKNER: No; what I'm talking about here is that I am clearly delineating, in this instance, the actual cabinet secretary role: it may be held by a MOPS staffer, but just because it is held by a MOPS staffer, or if it is held by a MOPS staffer, that

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does not make it the case that there is a total lack of transparency about the role and function. I don't think anyone could reasonably argue that. I don't mind, by the way, if you want to take it on notice, that is fine. I'm just trying to understand, given that we do have a situation which is not unprecedented in cabinet meetings, where a MOPS staffer holds that position—I am not suggesting it is unprecedented; I know it not to be unprecedented. I am just trying to get an understanding of roles and functions and then there might be some follow-up issues about how that interrelates to other parts of the cabinet office. Please take on notice that element of these questions and we can come back to it.

Ms Cross: I think the point I was just making is that they would be better placed to give a full, accurate description. If someone else was asked to describe my role, I suspect I would be better able to do that. I was just trying to make sure we give you an accurate—

Senator FAULKNER: But herein lies the issue, I suppose. Obviously there is a critically important interface. Anyone who cares about the quality of cabinet government cares about the interface between the Cabinet Secretary, whether that individual be a MOP(S) staffer or somebody else, and the Department of the Prime Minister and Cabinet. There is no question that that is the case. I think it is perfectly reasonable that where those functions lie and where the delineation falls be a matter of public record. Anyway, I will ask the department to consider that and I am sure, with the PMO, we will be able to get a response that clarifies that. I look forward to receiving that, reading it and, if necessary, following up with any further questions in the next estimates around.

Senator JACINTA COLLINS: Given some of the other answers that have been provided from the last round of estimates, I think I would supplement Senator Faulkner's question with this: if detail is not provided in answer to that question on notice, the rationale for why that information should not be publicly available should also be provided.

Ms Cross: Yes, Senator.

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Answer:

The Cabinet Secretary generally attends all meetings of the Cabinet and the Cabinet committees (other than the Parliamentary Business Committee of Cabinet) and is responsible for the administration of meetings, including seeking the Prime Minister's authorisation for the record of decisions. This includes responsibility for advising the Prime Minister on all questions connected with Cabinet committees, including membership, terms of reference and attendance.

The Cabinet Secretary also advises the Prime Minister on:

- a) the forward schedule of the Cabinet and the Cabinet committee meeting dates
- b) Cabinet and the Cabinet committee business lists
- c) appropriate format for Cabinet documentation
- d) finalisation of Cabinet minutes
- e) practical issues regarding the co-option of ministers not in the Cabinet and parliamentary secretaries, and attendance of officials, and
- f) matters to be considered by the Cabinet and Committees.