

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS

BUDGET ESTIMATES 2017

Attorney General's Department

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

Question No. BE17-090

Senator Macdonald asked the following question on 25 May 2017:

CHAIR: I hear that. Okay. Senator Brandis, could I ask you, please, if you would refer this to the Minister for Foreign Affairs and see if the request for not publishing Iranian matters—which was made six years ago, I think?

Ms Leatham: We did confirm it recently. So, periodically, it is checked with the department, and as recently as only last week they confirmed that was still their position.

CHAIR: Okay. 'They' makes me assume you are talking to the department.

Ms Leatham: Correct.

CHAIR: I am asking the minister to ask the foreign minister, perhaps on notice, so he can tell the committee if that is still the direction of the foreign minister, or the government; and, if it is possible, why. I am not quite sure—

Senator Brandis: Obviously, I will take that on notice and I will make that inquiry of the foreign minister.

The response to the honourable Senator's question is as follows:

As at 14 September 2017, the Department of Foreign Affairs and Trade (DFAT) does not request the Administrative Appeals Tribunal (AAT) to withhold publication of any cases.

From January 2011 to September 2017, DFAT requested the AAT (previously the Migration Review Tribunal and Refugee Review Tribunal), not publish certain types of Iran-related decisions as publication could jeopardize bilateral and other Australian interests.