

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. BE17-220

Senator Kakoschke-Moore, Skye asked the following question on 18 August 2017:

Senator WATT: Has the Governor-General had any contact with you or the Prime Minister about anything to do with the citizenship matters or referrals to the High Court?

Senator Brandis: Well, he certainly hasn't had any contact with me. I don't know whether he's had any contact with the Prime Minister, but I don't think so because I've been speaking to the Prime Minister very frequently about these matters and the Prime Minister hasn't mentioned that to me. I'm sure, had he done so, the Prime Minister would have mentioned that to me.

Senator WATT: Again, just to be crystal clear, you're not aware that the Governor-General has sought any advice from you or the Solicitor-General regarding a potential proroguing of parliament?

Senator Brandis: No.

Senator WATT: Or regarding the government's ongoing ability to maintain a majority in the House of Representatives?

Senator Brandis: The government has a majority in the House of Representatives, and the answer to your question is no.

Senator WATT: You took us through the timeline around Senator Nash in some detail. I think I'm correct in saying that you initially sought advice from the Solicitor-General on Monday night—

Senator Brandis: No, that's not what I said.

Senator WATT: or you called him.

Senator Brandis: I said that I spoke to the Solicitor-General on Monday night to tell him that we would be seeking urgent advice from him, but there were two things that had to be established.

One was the facts, and the other was the Solicitor-General wanted expert advice from a suitably qualified English lawyer about UK citizenship law. So we initiated those two lines of inquiry.

Senator WATT: In Senator Canavan's case, I think Senator Canavan advised you and the Prime Minister on 24 July that he may be an Italian citizen.

Senator Brandis: Yes.

Senator WATT: Did you seek the Solicitor-General's advice the same day?

Senator Brandis: I'll just have to check that. We announced it in the late afternoon on the 25th. Exactly when I asked the Solicitor-General for his advice, I can't quite remember. It may have been the next morning.

Senator WATT: Being the day that you made the announcement?

Senator Brandis: It may be. I will have to check that.

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

The Solicitor-General was briefed and asked to provide advice in relation to Senator Canavan on the morning of 25 July 2017.