

## **QUESTION TAKEN ON NOTICE**

**BUDGET ESTIMATES HEARING : 22 May 2017**

**IMMIGRATION AND BORDER PROTECTION PORTFOLIO**

**(BE17/063) - Manus Good Friday Incident - Leak of footage breaching the Border Force Act - Programme 1.5: IMA Offshore Management**

Senator McKim, Nick (L&CA 132) asked:

Senator McKIM: Could I ask you to take that question on notice. I guess that will involve you satisfying yourself that I am not misleading you by saying that Mr Bolt has said that he has seen the CCTV footage. I can assure you that I am not, but if you want to double-check that, that is fine. Then, if you are satisfied that that is in fact what Mr Bolt has said, could I ask you to take on notice the follow up question, which is: could it—not would it; I am not asking you to make a legal determination—constitute a breach of section 42 of the Border Force Act? Will you take those matters on notice.

Mr Pezzullo: I will check.

*Answer:*

Whether any purported disclosure could amount to a breach would be dependent on the particular facts.