

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS  
ATTORNEY-GENERAL'S PORTFOLIO

**Group: 2**

**Program: 1.1**

**Question No. SBE14/050**

**Senator Collins asked the following question at the hearing on 20 November 2014:**

Senator JACINTA COLLINS: Yes. The other remaining question I have, before I am happy to move off this area, goes back to the discussion we had earlier regarding the scoping questionnaire. Mr Fredericks was with us at that stage and I think there was another officer as well. You may need to take this as a question on notice too. I have had a look at the schedule of documents and FOI request number FO114167, where there are a range of areas where access has been refused by virtue of the section 42 exemption for legal professional privilege. As you mentioned, there were some areas where information had been provided but a range of areas where access has been refused. Is it possible to provide the committee with what the consideration of the real harm has been, as per the Information Commissioner's guidelines?

Mr Fredericks: We will take that on notice.

Senator JACINTA COLLINS: Sure.

**The answer to the honourable senator's question is as follows:**

The decision-makers followed the Information Commissioner's guidelines at the original decision-making and internal review stages.

Disclosure of the relevant information would involve significant prejudice to the department's ability to provide legal advice on matters material to the Commonwealth's interests before the Trade Union Royal Commission and other Royal Commissions, and with respect to the administration of functions exercised by individual client agencies.