

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

**Program: General**

**Question No. SBE15/014**

**Senator Collins, Jacinta asked the following question at the hearing on 20 October 2015:**

Mr Fredericks: Correct—so much so that we referred that report to our own executive board on 23 September. We wanted to have some high-level consideration of that report and those recommendations. As a department we have been working our way through those recommendations to see what we can properly implement over various time frames.

The important one that you are aware of, and that the secretary was referring to, is the protocol which the department has introduced in order to provide authority of advice to ourselves, in effect, about how we should go about searching for documents in the sort of circumstances that we were presented with in the Monis case. As the secretary said, we produced the first version of that protocol—I think it was back in about late July—very soon after the events that you are describing. In many ways that was our immediate reaction to that. But the secretary took the view that one of the benefits of consolidation with AGS was that AGS would be available to provide further advice on that. Ironically, in the end, it was a recommendation of the Senate that we should do that.

For those two reasons, we had the AGS take a thorough look at our first version of the protocol. As result of that we produced what I think is a further and better version of that protocol. It was officially launched within the department on 30 September. In accordance with the advice of the recommendation of the Senate, we have used a number of means by which to bring that protocol to the attention of our staff and ingrain it in the culture of the department. As the secretary has said, he has, in an all-staff address, emphasised the importance of that protocol to staff. I, as the chief operating officer, have, both in an email and in a monthly newsletter that I put out, reiterated the importance of that protocol for the department, and we have discussed it at both our executive board and our meeting of the senior management committee, which is effectively our next level of management structure. So yes.

Senator JACINTA COLLINS: Is that available, by the way?

Mr Fredericks: It is on our intranet, and it is certainly something that we could provide.

Mr Moraitis: We could provide that.

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

Please see the attached Protocol.