

Senate Finance and Public Administration Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Additional Estimates 24-28 February 2014

Prime Minister and Cabinet Portfolio

Department/Agency: Department of the Prime Minister and Cabinet

Outcome/Program: 1.1 Prime Minister and Cabinet

Topic: Previous decisions in relation to release of documents

Senator: Senator the Hon John Faulkner

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Question:

Senator FAULKNER: Yes. Ms Kelly, as you looked at precedents in the preparation of the advice and talked about that, can you confirm, in relation to the Clarke/Haneef matter, that the decisions in relation to documents there were made by the Secretary of the Department of the Prime Minister and Cabinet and not the Prime Minister of the day.

Ms Kelly: I would have to take that on notice. It was a long time before my period in the department, so we can take that on notice.

Senator FAULKNER: I can assure you that that is the case. And, of course, if we are—

Senator Abetz: That would require us to reveal the decisions of a previous government.

Senator FAULKNER: The decisions were made by the then Secretary of the Department of the Prime Minister and Cabinet and not the Prime Minister, but of course in this instance they are being made by the Prime Minister and not by the now Secretary of the Department of the Prime Minister and Cabinet.

Answer:

Yes. The decision to release the cabinet material to the inquiry into the case of Dr Haneef was made by the then Secretary of the Department of the Prime Minister and Cabinet.