

Senate Finance and Public Administration Legislation Committee —Budget Estimates Hearing—May 2010

Answers to Questions on Notice

Parliamentary Portfolio, Department of Parliamentary Services

Topic: **Parliamentary Library requests to agencies for information**

Question: **P 3**

Hansard reference: **F&PA 26, 24 May 2010**

Date set by the committee for the return of answer: 9 July 2010

Senator RONALDSON—Ms Missingham, I think probably everyone is acutely aware now of what has happened and the deplorable position that the Parliamentary Library has been placed in. You indicated prior to morning tea that—these were your words, I think—you were aware that similar things had happened or behaviour had occurred with other agencies. Could you expand on that for me?

Ms Missingham—I would have to get some more information. The last time that it was raised at estimates where we had an issue of communication would have been about nine to 10 years ago. I can get you some further information on that. I do not have it on hand.

... **Senator FORSHAW**—I would be very happy if you would provide it, thank you.

Answer

1 The statement of the Speaker of 17 August 2000 is attached.

SPEECH

<p>Date Thursday, 17 August 2000 Page 19289 Questioner Speaker SPEAKER, Mr</p>	<p>Source House Proof No Responder Question No.</p>
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Mr SPEAKER (3.33 pm)—On 27 June and again on Monday, the honourable member for Grayndler asked me a question relating to a requirement imposed by the Minister for Community Services that requests for information from the Parliamentary Library to Centrelink be made through the minister's office rather than directly to Centrelink as had previously been the case. Subsequent to the member for Grayndler's 27 June question, both the member and the minister have given me their perspectives on the issue and the member for Grayndler has also issued a media release.

Two issues arise from the member for Grayndler's questions. The first is the method by which the Parliamentary Library is able to obtain information from government departments and agencies. The second is the confidentiality of the identity of the questioner on whose behalf the Parliamentary Library is seeking the information.

In regard to the first issue, the Parliamentary Library has no statutory or other right to be provided on demand with information from government departments and agencies. The practice accepted across the Public Service—and endorsed by successive governments—is that factual information which either is publicly available or can readily be made publicly available is to be provided at officer level to the Parliamentary Library without reference to ministers or ministers' offices. The key criterion is always that the information is publicly available or can readily be made publicly available if asked for. The Parliamentary Library deals only in publicly available information and data. It does not, nor should it, seek access to confidential information; nor does it seek to be a conduit for unauthorised information.

The Parliamentary Library then, as members would be aware, analyses and interprets that publicly available information if requested by members, but the raw material is, as I said earlier, always publicly available. This mode of access has been the practice for many decades. The Minister for Community Services has advised me that in April Centrelink contacted his office to advise of the considerable workload created by the Parliamentary Library's requests. The minister believed that the requests were detracting from the portfolio's ability to respond promptly to requests made by members and senators through other parliamentary processes, principally on questions on notice. The

minister's office subsequently asked that the library's requests be submitted through that office.

While the minister's decision to direct requests through his office adds an additional step to the process of obtaining information, ministers are responsible to the parliament for the administration of their departments and agencies and it is open to the minister to give the direction he has. I would, however, ask the minister to ensure that this additional step in the process does not delay the provision to members of information nor inhibit the ability of all members to seek factual material on such an important policy area, one which generates many constituents' inquiries to electorate offices of all members.

In regard to the second issue—the allegation by the member for Grayndler that the Parliamentary Library has been asked by the minister's office to identify the member for whom the information is being sought—both the minister's office and the Parliamentary Library advise me that this is not the case. The minister has assured me in writing that 'at no time is the Parliamentary Library asked to identify the names of members or senators who request information'. The Parliamentary Library has advised me that in response to a specific question on 27 June from the honourable member for Grayndler's office—namely, 'When you go through the minister's office, are you asked the name of the member requesting the information?'—the answer was and remains no.

As all honourable members would be aware, the confidentiality of all requests made by members and senators to the library is paramount. The library would never agree to the provision of the identity of a member or senator being a condition of gaining information. Members must be free to ask for information, analysis, commentary and research with absolute privacy, and the Parliamentary Library holds that confidentiality as one of the basic underpinnings of its operations. I would like to assure all members that the privacy of their requests has always been respected and will continue to be respected.

CHAMBER