

Thank you Chair.

The last month has been an extraordinarily challenging and difficult one for everyone in this building, in particular those have outlined experiences of distressing behaviours, events and incidents associated with their work here.

Some of these may be the subject of further investigation, which is a matter for the complainants and relevant authorities.

For reasons I shall outline, I am not in a position to go into detail on certain matters, but I would like to address a few issues.

First, the Jenkins Review into parliamentary workplaces.

Parliament House is the main parliamentary workplace of course, but it is not the only one. There are more than 200 electorate offices and Commonwealth Parliamentary Offices located around the nation, as well the many temporary workplaces that occur as the result of parliamentary hearings.

It is, however, important to note that as well as 227 members and senators and their staff, this building is also the workplace of approximately one and a half thousand others who have different employment arrangements.

These are mainly members of the Parliamentary Service through the Department of Parliamentary Services, the Dept of the House of Representatives, the Department of the Senate, the Parliamentary Library and Parliamentary Budget Office. There are also the casual staff employed in all the support services that operate in this

building and of course those employed externally such as the press gallery employees.

The Speaker and I encourage all people who work in this building to participate in the Jenkins Review, which I note will have the confidentiality of staff and former staff who participate absolutely guaranteed with the passage of specific legislation.

The Speaker and I will be participating and we have already had an initial meeting with Ms Jenkins.

I want to make clear that all the parliamentary service staff I outlined above already have the protections that apply in the Commonwealth public sector.

With regard to the inadequacies that have been raised regarding the MoPS Act, it is important to note these protections for the other staff of this building and that staff of parliamentarians are not employed or managed by the Department of Parliamentary Services.

As well as participating in the Jenkins review on an entirely confidential basis, we continue to encourage all parliamentary service and other staff in APH to also utilise the existing protections and processes in place to address concerns they have.

Finally, in relation to the alleged sexual assault in the Ministerial Wing.

As a criminal investigation is now in progress, it is inappropriate for me to add anything further in this forum.

Advice from Senate Clerk Harry Evans, 28 May 2002 to the Chair of the Senate Legal & Constitutional Affairs Committee, with respect to questions from Senator Crane to the Commissioner of the AFP, albeit in relation to the possibility that a senator may have been a defendant in a court case, stated:

*The problem is that questions and answers in a Senate committee hearing, because they are protected by parliamentary privilege, are unexaminable in any legal proceedings. This could cause difficulties in those proceedings, and could easily cause them to miscarry.*

And

*There is precedent in civil cases for the proceedings being stayed on the basis that material protected by parliamentary privilege could not be examined and this prevented a proper trial of the matter in issue. The courts are more likely to dismiss a criminal case because of material which may be relevant in the case but which is unexaminable because of parliamentary privilege, given the greater reluctance of courts in criminal matters to allow any unfairness to the defence.*

In later advice, dated 4 June 2002, the Senate Clerk reaffirmed this advice and outlined it may also apply to whether questions on notice should be allowed regarding these matters.

DPS has provided information and resources requested by the AFP, and additional information and resources relevant to AFP activities. It is not appropriate to provide further details of these or release them into the public domain during an active investigation.

The Presiding Officers have consulted with the AFP regarding matters that are potentially the subject of, or related to, an active police investigation. Further commentary could be prejudicial to this investigation or any legal actions that may follow.

As a consequence, we are not able to provide further comment or details that may be the subject of police investigation or any legal action that may follow.