



Parliamentary Joint Committee on the Australian Commission for Law Enforcement Integrity

31 May 2023

Report on committee proceedings in the 45th Parliament

The Parliamentary Joint Committee on the Australian Commission for Law Enforcement Integrity (the committee) has become aware of concerns that a former member of the committee, Mr Stuart Robert MP, may have held a conflict of interest during the 45th Parliament that was not properly managed. These concerns have been raised in media reports and the proceedings of other committees.¹

From the committee's perspective, the central matter relates to a private briefing that the committee received from Unisys, a technology company, on 30 November 2017. The prospect has been raised that Mr Robert held a private interest in this briefing that was not disclosed. Specifically, that the decision to hold the briefing, or potential recommendations the committee might make after the briefing, could accrue a business or financial benefit to a friend of Mr Robert (who worked for consulting firm Synergy360), or possibly to Mr Robert himself.

Given the seriousness of this matter, the committee has reviewed its records from 2017 and agreed to publish this report to clarify details of committee proceedings that have been discussed publicly. The report discloses information that would not normally be published, but only to the limited extent necessary to respond to concerns raised in the public domain.

Review of records from the 45th Parliament

The membership of the current committee differs substantially from the membership during the 45th Parliament. The committee has not consulted its previous members but is empowered to access its records from previous parliaments.² After reviewing its records, the committee can confirm the following:

- The committee held a private meeting on 17 October 2017.
 - The meeting agenda included a proposal from Mr Robert to meet with Unisys in relation to the committee's then ongoing inquiry into the integrity of Australia's border arrangements. The agenda indicates this proposal followed site visits the committee had recently conducted in relation to that inquiry.

¹ For example, Nick McKenzie and David Crowe, 'Stuart Robert faces fresh questions over parliamentary committee lobbying', *The Age*, 28 March 2023; David Crowe, 'As he plans to leave politics, Stuart Robert faces more questions on conduct', *The Sydney Morning Herald*, 8 May 2023; Joint Committee of Public Accounts and Audit, Inquiry into Commonwealth Procurement, *Proof Committee Hansard*, 14 April 2023.

² Resolution on committee powers and proceedings in *House of Representatives Vote and Proceedings*, No. 1—26 July 2022, p. 12 and *Journals of the Senate*, No. 2—27 July 2022, p. 84.

- At some point during the meeting, in the absence of the Chair and Deputy Chair, Mr Robert was appointed Acting Chair. Then, on the motion of Mr Robert, the committee agreed to hold a private briefing with Unisys.
- On 20 October 2017, the secretariat emailed Unisys to arrange the private briefing. This email indicates that Mr Robert had spoken with Unisys and the secretariat about the briefing; it said in part:

I understand that you have spoken with one of the committee members, the Hon Stuart Robert MP, and agreed to provide a briefing for the committee to assist it in better understanding some issues in relation to putting border integrity policy into practice – for example, in relation to intelligence sharing.

...

Further, I understand from Mr Robert that the global CEO of Unisys may also be available during that week to be present for the briefing. Could you confirm whether this might be the case?

- The committee's written invitation to Unisys related the briefing to the committee's inquiry into the integrity of Australia's border arrangements:

The committee has requested the briefing in order to better understand the challenges of practical implementation of border protection policy. As Unisys is currently working in a strategic partnership with the US Government, as well as providing a range of services in relation to border integrity and security in Australia with a range of government agencies, the committee believes that Unisys is uniquely placed to provide the committee with insights into putting border integrity policy into practice. The committee is particularly interested to hear more in relation to the US response to the challenge of protecting its borders, in relation to the illicit movement of people and goods across its borders.

- On 30 November 2017 the committee held a private briefing with Unisys.
 - The minutes show that the Chair left during the briefing and, in the Deputy Chair's absence, the Chair appointed Mr Robert as Acting Chair.
 - On the motion of Mr Robert, the committee accepted a copy of Unisys' PowerPoint presentation as a tabled document. This document offered the Department of Home Affairs a demonstration of its LineSight Technology, including a 6-month trial at no cost.
 - No Hansard transcript was taken.
- The committee has not identified any subsequent mention of Unisys in agendas or minutes of the 45th Parliament, nor in the final report of the border integrity inquiry, including the recommendations in that report.
- Based on the committee's minutes, the committee has not identified evidence that Mr Robert declared a conflict of interest in relation to the Unisys briefing, either at the meeting on 17 October 2017, on 30 November 2017, or at another time.

Committee findings

Having reviewed its records, the committee is confident that its deliberations were not unduly influenced by the private briefing with Unisys. The invitation to Unisys shows a clear understanding of how the briefing related to the committee's inquiry into the integrity of Australia's border arrangements. Moreover, the committee's report on that inquiry does not mention Unisys, nor do any of the recommendations appear to relate to Unisys.

The committee also emphasises that the decision to hold a private briefing with Unisys was taken by the committee, not any individual member. It is common for parliamentary committees to receive private briefings from time to time; these briefings can provide useful information to committee members but are not always publicised. It is also common for these private briefings to be suggested by an individual committee member.

In relation to some of the specific matters arising from the committee's records:

- The standard practice of committees is that, in the absence of the Chair and Deputy Chair, an Acting Chair will chair proceedings. The Acting Chair is often from the same political party as the Chair.
- From time to time, committees do choose to conduct private briefings without making a Hansard transcript.
- It is common for documents presented by witnesses to be accepted by committees as tabled documents.

As to whether or not Mr Robert held a private interest that should have been declared and managed, the committee is not able to form a view because it has not received evidence in relation to this question. It also does not have an opportunity to gather such evidence, because it will cease to exist on 1 July 2023 when the National Anti-Corruption Commission commences.³

As a general principle, any committee member who has a private interest in the subject of a committee inquiry should, at a minimum, declare that interest. The committee welcomes the recommendation of the Senate Standing Committee of Privileges in its 183rd report that committee chairs include declarations of any conflicts of interest as a standard agenda item for all private meetings of committees.

In relation to Mr Robert, the committee is mindful that he has rejected any imputation or allegation of improper conduct.

Ms Susan Templeman MP
Chair

³ Schedule 1, Part 1 of the *National Anti-Corruption Commission (Consequential and Transitional Provisions) Act 2022* repeals the *Law Enforcement Integrity Commissioner Act 2006* which establishes the committee.