



THE HON ANGUS TAYLOR MP
MINISTER FOR INDUSTRY, ENERGY AND EMISSIONS REDUCTION

Senator the Hon Slade Brockman
President of the Senate
Parliament House
CANBERRA ACT 2600

25 OCT 2021

Dear Mr ~~President~~

Slade

I write with regard to the Senate Order for Production of Documents No. 1251 (the Order) moved by Senator Patrick and agreed by the Senate on 20 October 2021, on the matter of modelling related to the Government's emission reduction strategy.

As Minister for Industry, Energy and Emissions Reduction, I claim public interest immunity over the documents and information referred to in the Order on the basis that the documents inform and were the subject of Cabinet deliberations, and would or could reasonably be expected to disclose the deliberations of the Cabinet.

Along with national security, this is the most longstanding and fundamental ground of public interest immunity. As is well recognised in the Westminster system, it is in the public interest to preserve the confidentiality of Cabinet deliberations to ensure the best possible decisions are made following thorough consideration and discussion of relevant proposals within the Cabinet.

Specifically, disclosure of these documents and information would cause the following harms:

- The confidence of Ministers now and into the future in the confidentiality of the Cabinet process would be diminished if the details of Cabinet deliberations were to be disclosed prior to the open access period provided for in the *Archives Act 1983*.
- Disclosure of cabinet information prior to the open access period risks harm through a weakening of adherence by current and future Ministers to the formal process for confidentiality of policy proposals for consideration by Cabinet, draft and final Cabinet documents, briefing and record keeping of Cabinet.
- Unless government can be assured of the confidentiality of Cabinet meetings, Cabinet members may not speak freely or honestly between themselves and may be more likely to suppress their views on present policies that may be unpopular or politically challenging. Any of these outcomes would ultimately impact negatively on Australia's national interest.

- Compromise of the confidentiality of Cabinet would cause current and future Ministers, as well as officials tasked to brief them about matters to be discussed, to apprehend that what was written for the purpose of Cabinet and what was discussed in meetings may not remain confidential, and therefore temper what they wrote or said in the course of Cabinet. This would undermine the process of decision-making and policy deployment in Australia, and could have a particularly chilling effect on the ability of Cabinet meetings to provide a forum in which comprehensive and candid discussion by Ministers could take place.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Angus Taylor', with a stylized flourish at the end.

ANGUS TAYLOR