



Senate Economics Legislation Committee

28 November 2019

Mr Chris Jordan
Commissioner of Taxation
Australian Taxation Office

By email: parliamentaryservices@ato.gov.au

Dear Mr Jordan

Supplementary Estimates Wednesday 23 October 2019

On 23 October 2019, as part of your opening statement for supplementary estimates you made a number of comments regarding two former Australian Taxation Office (ATO) employees, Mr Ron Shamir and Mr Richard Boyle, both recent witnesses to the committee's ongoing inquiry in the Performance of the Inspector-General of Taxation and Taxation Ombudsman (IGTO).

I write to notify you that your opening statement was highly unorthodox and not constructive to the Senate Estimates process. Senate estimates play an important part in the Senate's role of scrutinising the operations and financial positions of government departments and agencies managed by the executive government.

As you are aware, the Committee held a public hearing on 18 October 2019 as part of the aforementioned inquiry into the IGTO. At this hearing, following the earlier appearances of Mr Shamir and Mr Boyle, the ATO was invited to provide evidence regarding issues covered in your opening statement—this hearing, and the forthcoming hearing on 6 December 2019, is the appropriate forum for the ATO to respond to such issues.

The Committee is of the view that the use of the estimates platform, and the parliamentary privilege that comes with it, to respond to media reporting of the Shamir and Boyle cases was not the appropriate forum to deal with the issue.

The Committee has resolved to give a right of reply to Mr Shamir and Mr Boyle as per privileges resolution 1(13). Their replies will be published with a copy of this letter, alongside your statement on the committee's estimates website.

If you wish to discuss this matter further, please contact the Senate Economics Committee Secretary, Mr Mark Fitt on (02) 6277 3541.

Yours sincerely

Senator Slade Brockman
Committee Chair

