



**Shadow Attorney-General
Shadow Minister for National Security
Member for Isaacs**

Dr Martin Parkinson
Secretary
Department of the Prime Minister and Cabinet
PO Box 6500
Canberra ACT 2600

Email:


Dear Dr Parkinson,

Senate F&PA Committee

Tabled Document

Inquiry: Additional Estimates 18/19

Date/Time: 18/2/2019 12:04pm

Witness Name Ms Stephanie Foster

Organisation: Dept of Prime Minister
& Cabinet

I am writing in response to the media reports last week that detailed the contents of a Home Affairs briefing containing security advice from ASIO.

I do not intend to comment on those circumstances given that the leak of the classified material has (properly) been referred by the Department of Home Affairs to the Australian Federal Police for investigation. However, the very fact of this referral highlights the serious concerns about the nature of the material that was put into the public domain.

This incident comes after several instances over the past few years where:

1. the public service has been asked to undertake work of a political nature; and
2. that work has then been selectively leaked or provided to the media.

These instances have occurred across a number of different portfolios –for example: the disclosure in 2017 by the Department of Social Services of the personal information of a welfare recipient who had written an opinion piece criticising government policy.

We have seen repeated examples of the use, or withholding, of information for political purposes in the Home Affairs portfolio, particularly in the attitude observed in response to appropriate scrutiny and oversight of its activities by the legislature. The Senate Legal and Constitutional Affairs References Committee, in its report on the inquiry into *Allegations concerning the inappropriate exercise of ministerial powers, with respect to the visa status of au pairs, and related matters* found that the Department:

- failed to make available certain officers who would have direct knowledge of the matters under consideration;
- appeared ill-prepared to properly answer specific questions asked by the committee; and
- answers to questions on notice also contained a number of errors or omissions.

Additionally, the Department failed to provide a number of answers to questions until after the committee had finalised its report. We would be very concerned if this behaviour reflected a growing trend within the public service of departments bowing to undue and inappropriate partisan political pressure in the conduct of their duties.

We have also seen a concerning pattern of conduct associated with the work of Treasury in recent years. Last year it was revealed that the Treasurer had asked Treasury to model the effect of Labor's negative gearing policy. The work included the production of talking points to describe the impact of Labor's policy on a police officer.

It would be concerning if, following the recent Ministry changes, this type of activity was now being adopted more broadly.

It is not suggested that departments should be unconnected from their ministers. The public service has always had an important role in advancing the priorities of the government of the day. It should advise on important issues and be at the centre of government decision making.

The instances I referred to earlier, however, mark a break from the past practice of the independent public service. It should not be allowed to become a new norm. Such examples undermine your statement to the IPAA in December last year on the democratic need for the APS to guard its independence.¹ They further appear inconsistent with the Secretary of the Department of Home Affairs' recent speech that cautions public servants 'to absent oneself from any partisan discussions and avoid exposure to raw politics'.²

Politicisation of departments is corrosive to public debate. It undermines the public's faith in the public service and the work it does. It also impairs morale, harms recruitment, and jeopardises the career prospects of individual public servants.

As Secretary of the Department of the Prime Minister and Cabinet and a longstanding public servant, I would ask for your considered and prompt response to the matters raised, noting that the Opposition will be pursuing further inquiries in the upcoming Additional Estimates in relevant departments as appropriate.

Yours sincerely

Mark Dreyfus QC MP

13/2/19

¹ <https://www.pmc.gov.au/news-centre/pmc/jpaa-aps-end-year-event-secretarys-address-2018>

² <https://vs286790.blob.core.windows.net/docs/IPAA-Michael-Pezzullo-revised-2018.pdf>

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Horog, Barb

From: Reid, John
Sent: Monday, 18 February 2019 11:56 AM
To: Senate Estimates
Subject: Fwd: Letter from Mark Dreyfus QC MP [SEC=UNOFFICIAL]

Begin forwarded message:

From: "Parkinson, Martin" < >
Date: 18 February 2019 at 11:55:00 am AEDT
To: "Reid, John"
Subject: **Fwd: Letter from Mark Dreyfus QC MP [SEC=UNOFFICIAL]**

Sent from my iPad

Begin forwarded message:

From: "Blumenthal, David (M. Dreyfus, MP)"
Date: 13 February 2019 at 11:36:59 am AEDT
To: "Parkinson, Martin"
Cc: "Foster, Stephanie" , "Woolcott, Peter"
Subject: **RE: Letter from Mark Dreyfus QC MP [SEC=UNOFFICIAL]**

Dear Martin

Thank you for your timely and substantive response.

I've have passed this on to Mark, who asked me to pass on his thanks.

Kind regards

David

David Blumenthal
Chief of Staff
Office of Mark Dreyfus QC MP
Federal Member for Isaacs | Shadow Attorney-General | Shadow Minister for
National Security
Ph: (02) (Parliament House) | Mob:
| Email:

From: Parkinson, Martin [[mailto:](#)]
Sent: Wednesday, 13 February 2019 10:41 AM
To: Blumenthal, David (M. Dreyfus, MP)

Cc: Foster, Stephanie; Woolcott, Peter
Subject: RE: Letter from Mark Dreyfus QC MP [SEC=UNOFFICIAL]

Unofficial

Dear David

Thank you for the letter.

As Mr Dreyfus knows, I regard acts that have the substance, or appearance, of politicising the APS as threats to the effectiveness of Australia's democracy.

Please reassure Mr Dreyfus of my commitment to uphold the traditional values of the APS and my appreciation for passing on his concerns. I will ensure these are drawn to the attention of Secretaries.

I am also copying the letter to the APS Commissioner.

Best wishes

Martin Parkinson

From: Blumenthal, David (M. Dreyfus, MP)
Sent: Wednesday, 13 February 2019 10:29 AM
To: Parkinson, Martin
Subject: Letter from Mark Dreyfus QC MP

Dear Secretary

Please find attached a letter from Mr Dreyfus outlining concerns about politicisation of the public service.

A hard copy has been sent as well.

Kind regards

David Blumenthal

Chief of Staff

Office of Mark Dreyfus QC MP

Federal Member for Isaacs | Shadow Attorney-General | Shadow Minister for National Security

Ph: (Parliament House) | Mob:

|Email:

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Horog, Barb

From: Reid, John
Sent: Monday, 18 February 2019 11:55 AM
To: Senate Estimates
Subject: Fwd: Letter from Mark Dreyfus QC MP [SEC=UNCLASSIFIED]
Attachments: image001.png; ATT00001.htm; Letter from M Dreyfus to Secretary M Parkinson - 13 Feb 2019.pdf; ATT00002.htm

Begin forwarded message:

From: "Parkinson, Martin"
Date: 18 February 2019 at 11:51:38 am AEDT
To: "Reid, John"
Subject: Fwd: Letter from Mark Dreyfus QC MP [SEC=UNCLASSIFIED]

Sent from my iPad

Begin forwarded message:

From: "Parkinson, Martin"
Date: 18 February 2019 at 11:50:31 am AEDT
To: "Parkinson, Martin" "Foster, Stephanie"
Cc: "Stossich, Olivia"
Subject: FW: Letter from Mark Dreyfus QC MP [SEC=UNCLASSIFIED]

UNCLASSIFIED

From: Parkinson, Martin
Sent: Thursday, 14 February 2019 11:40 AM
To:

Cc: Stephanie Foster (

; Stuart-Fox, Maya

Subject: Letter from Mark Dreyfus QC MP [SEC=UNCLASSIFIED]

UNCLASSIFIED

Colleagues

I have received the attached letter from the Shadow Attorney-General, Mr Dreyfus.

The content is self-explanatory, especially in the context of the upcoming Estimates hearings.

I have indicated to Mr Dreyfus that I would share it with you.

Martin

Martin Parkinson AC PSM

Secretary

Department of the Prime Minister and Cabinet

p. | e.

One National Circuit BARTON ACT 2600 | PO Box 6500 CANBERRA ACT 2600