



COMMONWEALTH OF AUSTRALIA

Official Committee Hansard

SENATE

FINANCE AND PUBLIC ADMINISTRATION LEGISLATION
COMMITTEE

Estimates

Public

MONDAY, 4 APRIL 2022

CANBERRA

BY AUTHORITY OF THE SENATE

FINANCE AND PUBLIC ADMINISTRATION LEGISLATION COMMITTEE

Monday, 4 April 2022

Members in attendance: Senators Ayres, Chandler, Gallagher, Lines, O'Sullivan, Paterson, Roberts, Small, Marielle Smith and Wong

PARLIAMENTARY DEPARTMENTS

In Attendance

Senator Brockman, President of the Senate

Parliamentary Budget Office

Dr Stein Helgeby, Parliamentary Budget Officer

Mr Colin Brown, First Assistant Parliamentary Budget Officer

Ms Kathryn Smith, Acting First Assistant Parliamentary Budget Officer

Dr John Clark, Assistant Parliamentary Budget Officer

Mr Gareth Tunks, Assistant Parliamentary Budget Officer

Ms Amanda Bruce, Assistant Parliamentary Budget Officer

Department of Parliamentary Services

Mr Robert Stefanic, Secretary

Ms Cate Saunders, Deputy Secretary

Ms Leanne Tunningley, Assistant Secretary, Security Branch

Parliamentary Library

Dr Dianne Heriot, Parliamentary Librarian

Mr Jonathan Curtis, Assistant Secretary, Research Branch

Information Services Division

Mr Con Sfyris, Acting Chief Information Officer

Mr Toby Amodio, Assistant Secretary, Cyber Security Branch

Ms Kate Tunks, Acting Assistant Secretary, Digital Recording Services Branch

Corporate Services Division

Ms Liz Luchetti, First Assistant Secretary, Corporate Services Division

Finance and Property Services Division

Mr Matt O'Brien, First Assistant Secretary, Finance and Property Services Division

Mr Craig Dalzell, Assistant Secretary, Finance Branch

Committee met at 09:05

CHAIR (Senator Chandler): I declare open this meeting of the Senate Finance and Public Administration Legislation Committee. Today the committee will continue its examination of the budget estimates for the 2022-23 parliamentary departments, the Prime Minister and Cabinet portfolio, the Finance portfolio and cross-portfolio Indigenous matters. The committee may also examine the annual reports of the departments and agencies appearing before it. Senators, departments and agencies have been provided with advice on the arrangements in place to ensure the budget estimates 2022-23 hearings are conducted in a COVID-safe environment. This guidance is also available from the secretariat. The committee appreciates the cooperation of all attendees in adhering to these arrangements.

The committee has before it a program listing agencies and outcomes relating to matters for which senators have given notice. The committee's proceedings today will begin with the parliamentary departments as listed on today's program.

Tomorrow, Tuesday 5 April, the committee will examine the Department of Finance and its agencies. Finally, the committee will examine the National Indigenous Australians Agency, other Indigenous agencies and the Department of Health on Friday 8 April at the hearing on cross-portfolio Indigenous matters.

Under standing order 26 the committee must take all evidence in public session, and this includes answers to question on notice. The committee would appreciate if senators could please provide any written questions on notice to the secretariat by Friday 22 April 2022, however remind all senators as well as departments and agencies that written questions on notice can be provided at any time until the tabling of the estimates report. The committee has fixed Friday 20 May 2022 as the date for the return of answers to questions taken on notice.

I remind all witnesses that in giving evidence to the committee they are protected by parliamentary privilege. It is unlawful for anyone to threaten or disadvantage a witness on account of evidence given to a committee and

such action may be treated by the Senate as a contempt. It is also a contempt to give false or misleading evidence to a committee.

The Senate by resolution in 1999 endorsed the following test of relevance of questions at estimates hearings: any questions going to the operations or financial positions of the departments and agencies which are seeking funds in the estimates are relevant questions for the purpose of estimates hearings. I remind officers that the Senate has resolved that there are no areas in connection with the expenditure of public funds where any person has a discretion to withhold details or explanations from the parliament or its committees unless the parliament has expressly provided otherwise.

I particularly draw the attention of witnesses to an order of the Senate of 13 May 2009 specifying the process by which a claim of public interest immunity should be raised.

The extract read as follows—

Public interest immunity claims

That the Senate—

(a) notes that ministers and officers have continued to refuse to provide information to Senate committees without properly raising claims of public interest immunity as required by past resolutions of the Senate;

(b) reaffirms the principles of past resolutions of the Senate by this order, to provide ministers and officers with guidance as to the proper process for raising public interest immunity claims and to consolidate those past resolutions of the Senate;

(c) orders that the following operate as an order of continuing effect:

(1) If:

(a) a Senate committee, or a senator in the course of proceedings of a committee, requests information or a document from a Commonwealth department or agency; and

(b) an officer of the department or agency to whom the request is directed believes that it may not be in the public interest to disclose the information or document to the committee, the officer shall state to the committee the ground on which the officer believes that it may not be in the public interest to disclose the information or document to the committee, and specify the harm to the public interest that could result from the disclosure of the information or document.

(2) If, after receiving the officer's statement under paragraph (1), the committee or the senator requests the officer to refer the question of the disclosure of the information or document to a responsible minister, the officer shall refer that question to the minister.

(3) If a minister, on a reference by an officer under paragraph (2), concludes that it would not be in the public interest to disclose the information or document to the committee, the minister shall provide to the committee a statement of the ground for that conclusion, specifying the harm to the public interest that could result from the disclosure of the information or document.

(4) A minister, in a statement under paragraph (3), shall indicate whether the harm to the public interest that could result from the disclosure of the information or document to the committee could result only from the publication of the information or document by the committee, or could result, equally or in part, from the disclosure of the information or document to the committee as in camera evidence.

(5) If, after considering a statement by a minister provided under paragraph (3), the committee concludes that the statement does not sufficiently justify the withholding of the information or document from the committee, the committee shall report the matter to the Senate.

(6) A decision by a committee not to report a matter to the Senate under paragraph (5) does not prevent a senator from raising the matter in the Senate in accordance with other procedures of the Senate.

(7) A statement that information or a document is not published, or is confidential, or consists of advice to, or internal deliberations of, government, in the absence of specification of the harm to the public interest that could result from the disclosure of the information or document, is not a statement that meets the requirements of paragraph (1) or (4).

(8) If a minister concludes that a statement under paragraph (3) should more appropriately be made by the head of an agency, by reason of the independence of that agency from ministerial direction or control, the minister shall inform the committee of that conclusion and the reason for that conclusion, and shall refer the matter to the head of the agency, who shall then be required to provide a statement in accordance with paragraph (3).

(d) requires the Procedure Committee to review the operation of this order and report to the Senate by 20 August 2009.

(13 May 2009 J.1941)

(Extract, Senate Standing Orders)

CHAIR: Witnesses are specifically reminded that a statement that information or a document is confidential or consists of advice to government is not a statement that meets the requirements of the 2009 order. Instead, witnesses are required to provide some specific indication of the harm to the public interest that could result from the disclosure of the information or the document.

The Senate has also resolved that an officer of a department of the Commonwealth shall not be asked to give opinions on matters of policy and shall be given reasonable opportunity to refer questions asked of the officer to superior officers or to a minister. This resolution prohibits only questions asking for opinions on matters of policy and does not preclude questions asking for explanations of policies or factual questions about when and how policies were adopted.

I remind any witnesses appearing via videoconference who are not speaking to mute their microphones. Officers are requested to keep opening statements brief or seek to incorporate longer statements in the *Hansard*.

Finally, the committee has agreed to allow media into the hearing room. In doing so the committee remind the media that they must follow the directions of the committee and the secretariat and remain within those areas clearly marked for the media. In addition, recording must not occur from behind the committee or between the committee and the witnesses, and computer screens and documents belonging to senators must not be filmed, photographed or recorded. Witnesses are reminded that they can object to being recorded at any time. The committee thanks the media in advance for maintaining a COVID-safe approach while in the hearing room.

Parliamentary Budget Office

[09:10]

CHAIR: I welcome the President of the Senate, Senator the Hon. Slade Brockman, the Parliamentary Budget Officer, Dr Stein Helgeby, and officers of the Parliamentary Budget Office. I thank the department for providing updated information on PBO activity which has been circulated to the committee. Mr President, do you wish to make an opening statement?

The President: No, thank you.

CHAIR: Dr Helgeby, do you wish to make an opening statement?

Dr Helgeby: No, thank you.

CHAIR: Senator Gallagher.

Senator GALLAGHER: Thank you for coming today. I just have a couple of questions, and tell me if I'm out of line in terms of the period of time we're in, but your annual report, I think, showed a pretty substantial increase in the number of requests coming to you and that having an impact on your ability to meet your performance target, I think. Can you talk to me about that? Is it just simply you are getting more requests and that's quite normal at this point of the election cycle and that you don't have the resources essentially to get through it quickly or on the times that you'd normally set?

Dr Helgeby: You referred to the annual report. There is more up-to-date information.

Senator GALLAGHER: Exactly. I just don't know how much you release ahead of time, that's all.

Dr Helgeby: We put out on 24 March our regular activity report, which we do before each estimates, and that showed that so far—and that was to end February—we'd had 1,400 requests come in and we had completed 1,300 requests. To put that in context, in the whole of 2020-21 there were 1,250 requests that came in. And in the whole of 2019-20, 330 requests came in. So there's a very clear ramp up. And that ramp up is a normal pattern, given the time since the previous election. We were having a hard time keeping up to those performance targets. We have done a number of things to try and address that. I think we've turned the corner in terms of the dial is starting to point in the right direction on timeliness of completion. But it hasn't gone completely back to that target level at this point.

Senator GALLAGHER: When you look at what happened in 2019—I guess it would be 2018-19, wouldn't it, that would be your business year—is it following a similar trend essentially? I can't find that new report. I'm having a look on your site.

Dr Helgeby: It should be under the 'What's new' tab.

Senator GALLAGHER: I went to Media Guide. All right.

Dr Helgeby: It's called the Activity Report.

Senator GALLAGHER: Yes, got it. Thank you.

Dr Helgeby: If you go to page 3 of that you'll see that in 2018-19 it was a very substantial figure. But if you then track that back to two previous years it would have a similar ramp up to the kind of thing we're showing here.

Senator GALLAGHER: And are you able to ramp up your staff because of the demands on your staff? It would seem to me that there's a need for some surge capacity at times.

Dr Helgeby: We do surge in an election year and we're funded half a million dollars in an election year to surge. That allows us to put on about four or five people. And we're doing that. In addition, we essentially redirect all our available resources from anything else. So our self-initiated program is essentially wound right down. All those people are working on election-related work. And we second people from a range of places. Just recently we seconded people from the ATO, from DSS, from Finance. We've got four people coming in from chamber departments. So we do have the ability to ramp up. Obviously you'd hate for the situation to occur where an election was in one financial year but you were funded in the other financial year. That would make it a bit tricky.

Senator GALLAGHER: Can you remind me when you do your post-election reports? Is there a statutory time? Yes, there is; okay.

Dr Helgeby: The statute gives two options, and it's the latter of those two options. One is 30 days post the conclusion of caretaker; the other is seven days prior to the next sitting of the parliament. So whichever is the later of those two days.

Senator GALLAGHER: Are you making any changes to the ones that were released before, or are you going to follow the same format?

Dr Helgeby: We're essentially enhancing some of the information in the format, in the tables. We will extend all our costings over a 10-year horizon, whereas in 2019 some were like that and others were not like that. On our website—it is difficult to find at the moment—there is a tab called 'General election'. On that tab you'll see three guidance notes that we've put out, starting about mid last year, that explain for Independents—because Independents can opt in; they have a different time frame—and for parties what our arrangements are going to be. As soon as we get into caretaker, that material will become, effectively, our front page.

Senator GALLAGHER: Thank you.

Senator O'SULLIVAN: Can you explain what your caretaker provisions are? Can parliamentarians still seek support?

Dr Helgeby: Yes, they can. Caretaker for us has an effect on producing this report, which we've just discussed, but also on the provisions that apply specifically to costings. So if a parliamentarian lodges a costing during the caretaker period or seeks to amend a prior costing during the caretaker period, that can no longer be a confidential costing; that becomes a public costing. That means that we disclose publicly that we've received a request and then, at the end, we disclose the request and our response to it. That applies to costings. If a member of parliament had a straight-out factual question that didn't involve a costing we are not covered by the same arrangement. But if it is a costing, or it looks like a costing, then it will be treated that way. That's to make it exactly equivalent to the arrangements that apply under the Charter of Budget Honesty to any costing done through, say, Treasury or Finance. So it mirrors those provisions.

Senator O'SULLIVAN: If you were already working on a request that hasn't concluded before the election is called, does that get revealed?

Dr Helgeby: If we've already accepted it, started it, and it has been lodged properly, and if the request was for that to be treated confidentially, that will continue to be treated confidentially.

Senator O'SULLIVAN: Thank you.

CHAIR: If there are no other questions for the PBO we might send them off and call on the Department of Parliamentary Services.

Department of Parliamentary Services

[09:17]

CHAIR: I welcome Mr Rob Stefanic, Secretary of the Department of Parliamentary Services; Dr Dianne Heriot, Parliamentary Librarian; and officers of the department. Mr Stefanic, do you wish to make an opening statement?

Mr Stefanic: No.

CHAIR: Dr Heriot, do you wish to make an opening statement?

Dr Heriot: No.

CHAIR: Senator Gallagher.

Senator GALLAGHER: I have some questions relating to the process by which corrections are made to *Hansard*. I have some questions about budget measures, as well, if you want me to start with that.

Mr Stefanic: Yes.

Senator GALLAGHER: Can I work through some questions on the enhanced security budget measure? In BP2, page 154, there is \$29.7 million for enhanced security. Is this the result of a new policy proposal put forward by DPS?

Mr Stefanic: That's correct.

Senator GALLAGHER: Can you talk to me about why and what—why you needed this almost \$30 million and what was the assessment of need?

Mr Stefanic: I'll talk in general terms. I'll try not to get into too much of the operational security detail, but I'll help you as much as I can, and Ms Saunders can perhaps supplement. That's correct; there was an NPP. There were a number of components to the proposal. One of those was the replacement of equipment such as x-ray machines and magnetometers that are end-of-life and that required replacement as well as other CCTV and infrastructure that are also end-of-life and require replacement. The parliamentary security operations room, which is the heart of the CCTV monitoring system, is a small facility and doesn't provide for enough monitors for real-time viewing. So the intention is to fit out a larger space for additional viewing but also to provide a situation facility so that our staff and the AFP can work more closely if there is an incident in progress. It also includes an expansion of CCTV into some spaces. During each year you identify areas where there is potential to get better coverage, so it incorporates an element of that.

Senator GALLAGHER: 'Better coverage' meaning areas where you currently have no coverage and where you would like to have coverage?

Mr Stefanic: That would be one scenario, yes.

Senator GALLAGHER: So there are places in the building, in the public areas or the shared areas of the building, where you don't have line of sight at the moment?

Mr Stefanic: That's correct, yes.

Senator GALLAGHER: So will this mean that you'll address all of those? So pretty much you'll have CCTV capability of everywhere people are moving around this building?

Mr Stefanic: It will certainly provide better coverage. Obviously, there areas, for example, inside offices and suites where there is no CCTV.

Senator GALLAGHER: Yes.

Mr Stefanic: But certainly it would provide better continuity of coverage through the public areas of the building, or the circulation spaces of the building.

Senator GALLAGHER: Better coverage. What will you have? You must know what sort of coverage you'll have. Do you have 90 per cent coverage?

Mr Stefanic: It is hard; I'm not trying to avoid the question, Senator. I guess I don't want to be making statements publicly that could be seen as creating vulnerability for us. What I can say is that it would give us comprehensive coverage.

Senator GALLAGHER: So is it based on a security review?

Mr Stefanic: Yes.

Senator GALLAGHER: Okay.

Mr Stefanic: We work closely with the AFP on that. Then as I mentioned, in the operational context, spaces are identified where better coverage would be required. Some of the list, you might call it, develops over a period of time. Yes, a risk assessment was conducted.

Senator GALLAGHER: I'm not trying to put you in a difficult position either, but does this new funding deal with the issues identified in the risk assessment?

Mr Stefanic: I believe so, yes.

Senator GALLAGHER: Did the Presiding Officers sign off on this new policy proposal? The President is nodding.

Mr Stefanic: Yes, as a matter of process.

Senator GALLAGHER: Can a copy of that be provided to the committee?

The President: I wouldn't have thought that was usual practice.

Mr Stefanic: The material is cabinet-in-confidence, so we are precluded from—

Senator GALLAGHER: Can you have a look at that, Mr President?

The President: I'm happy to have a look at it.

Senator GALLAGHER: Thank you.

The President: But I would be very surprised.

Senator GALLAGHER: Can you give me a breakdown of those components? Of the \$29.7 million, some of that is operating funding; presumably that's staff to operate, is it?

Mr Stefanic: No, it's only capital.

Ms Saunders: There is an administered operating component as well as an administered capital component, but it's not for staff. It will be covering expenses incurred that we pay to suppliers.

Senator GALLAGHER: Can you give me a breakdown of what the CCTV network costs, what the screening equipment costs and what the parliamentary security operations room upgrade would be?

Mr Stefanic: I'll have to take that on notice, but I will endeavour to break it down as much as I can.

Senator GALLAGHER: Is the parliamentary security operations room the largest component of that budget bid?

Mr Stefanic: No, it's not.

Senator GALLAGHER: Where is that security operations room? Have you got a new spot for it? You said it's going to be in a larger space.

Mr Stefanic: It will be in a new location from the one currently situated within the building. It's a space that will be converted for that purpose from a storage area.

Senator GALLAGHER: So an old storage room will become the new parliamentary security operations room?

Mr Stefanic: That's correct.

Senator GALLAGHER: I'm sure someone's got the answer here. Out of that \$29.7 billion, what is the largest component? If it's not the operations room, is it the CCTV network or the screening equipment? I'm sort of going around and I think that if you had the breakdown it would be helpful.

Mr Stefanic: It is the CCTV.

Senator GALLAGHER: So that's the most expensive part of it?

Mr Stefanic: Yes.

Senator GALLAGHER: Do you know how much that is?

Mr Stefanic: Off the top of my head, no. I'll have to take that on notice.

Senator GALLAGHER: Is anyone able to answer that? It is the only measure for you in this budget and it is budget estimates. I'm not trying to be difficult.

The President: We're happy to get it back to you, Senator Gallagher.

Senator GALLAGHER: You just would have thought that they would have come to budget estimates prepared to explain what the measure is.

Mr Stefanic: Ms Saunders might be able to help you out.

Ms Saunders: It is approximately \$11 million.

Senator GALLAGHER: Eleven million dollars on CCTV?

Ms Saunders: Yes.

Senator GALLAGHER: Okay. What about the screening?

Ms Saunders: That also includes cabling and other infrastructure to support the CCTV network.

Senator GALLAGHER: The 11 million?

Ms Saunders: Yes.

Senator GALLAGHER: What about the scanners—I presume that's what they are—the screening equipment? Is that the body scanners and the X-ray machines at both sides, Senate and House, or in the public entrance?

Ms Saunders: It's approximately \$5 million of capital for the body scanners and the X-ray machines.

Senator GALLAGHER: They're all going to be replaced, are they, in all of the entrances where people come in?

Ms Saunders: Yes.

Senator GALLAGHER: Is it four entrances?

Mr Stefanic: It's more than that.

Ms Saunders: At least six.

Senator GALLAGHER: Six. Who's going to manage this project? Is it going to be managed by DPS or is it going to be outsourced?

Mr Stefanic: The project is managed internally by the DPS.

Senator GALLAGHER: Do you have a time frame for this? It looks like the majority of it is going to happen—

Mr Stefanic: It will be across those forward years.

Senator GALLAGHER: Those two years, and then it basically goes into just keeping the systems going? It looks like it's going to be mainly over the next two financial years.

Ms Saunders: And into the third financial year.

Senator GALLAGHER: So it's going to take a long time.

Ms Saunders: Yes.

Senator GALLAGHER: Can you explain that a little? Is that because of the staging of it?

Ms Saunders: They are large projects.

Senator GALLAGHER: But three financial years to get the security systems that a risk assessment has indicated we need?

Ms Saunders: It is a vast building. There's a design element initially. There's the processing of working within, I guess, the constraints of sitting periods as well. Some of the work is disruptive and would otherwise inconvenience parliamentarians. Projects take longer to deliver in Parliament House and we need to do a lot of the work after hours. That all feeds into the time required to undertake the project. The majority of it will be in the first two financial years, but then it will extend into the third.

Senator GALLAGHER: You've worked with the AFP over this, have you? Have they been involved in the—

Mr Stefanic: That's correct.

Ms Saunders: Closely, Senator.

Senator GALLAGHER: What about the Usher of the Black Rod and the Serjeant-at-Arms? Were they involved?

Ms Saunders: Yes; we've consulted with them as well.

Senator GALLAGHER: Consulted and briefed them, I presume?

Ms Saunders: Yes.

Mr Stefanic: The Serjeant-at-Arms and the Usher of the Black Rod are both members of the Security Management Board for Parliament House. They are across a lot of our strategic security measures.

Senator GALLAGHER: I think some recommendations have come out of the last security upgrades run by DPS, including from the finance and public admin committee and ANAO, around improvements that could be made to DPS contract management. Have you put in place arrangements to make sure some of those mistakes are not repeated with this work?

Mr Stefanic: We have.

Senator GALLAGHER: So you feel that you've met all the recommendations—

Mr Stefanic: Yes.

Senator GALLAGHER: and remediation action? Okay. That has informed, has it, the timetable of this? I think one of the criticisms has been the delays in getting the work done. You've fed that through into the time frame for the project, have you?

Mr Stefanic: It's incorporated into the processes we adopt now with both the letting of contracts and the contract management.

Senator GALLAGHER: Are you staging it? The fact that we have sitting periods and it's a vast building is a known issue. It's the same in other places like hospitals where you have to do big works and you have to keep

running and things like that. Are you doing the most needed up-front? Is it the CCTV footage that is the one that came through the risk assessment as needing to be done first or is it the screening and scanning?

Mr Stefanic: Some of it will be led by supply issues. There's a lead time for certain equipment that will cause delays, particularly at the moment; there are supply chain issues globally.

Senator GALLAGHER: Of what?

Mr Stefanic: Of electronic equipment.

Senator GALLAGHER: So you already know that you're going to be up against that?

Mr Stefanic: Yes. Because the CCTV, for example, is a large project itself, it will naturally take two years to deliver. The last project took three years, I believe, for the CCTV installation.

Senator GALLAGHER: Is this an add-on to the existing system or are you going to do the whole system again?

Mr Stefanic: No; it's replacement of existing. When the new system was installed there were still some what we call legacy cameras that remained. They were cameras that were in good shape at the time that didn't require replacement but now require replacement. That is part of it. Part of it is also additional cameras. There is certainly an expansion of the system.

Senator GALLAGHER: So replacement and expansion?

Mr Stefanic: Correct.

Senator GALLAGHER: When you're replacing, you don't have to redo all of that; it's just replacing the camera?

Mr Stefanic: To some extent there's cabling that has to be replaced as well.

Senator GALLAGHER: What are the performance monitoring arrangements that you're putting in place to see that it's going as you are hoping?

Mr Stefanic: Things are still at an early stage. I guess we only now know that we've got the funds. The planning process has commenced around all that. No procurement activities have occurred. All the planning for the procurement is now underway.

Senator GALLAGHER: Did you only find out in the budget, when the budget was handed down, or were you advised ahead of time that you had been successful in getting this money?

Mr Stefanic: Formally you only find out at the budget, but you tend to get some indication just ahead of it. And I mean just ahead; no significant lead time about success.

Senator GALLAGHER: So you hadn't done any of that pre-procurement planning work before you got the green light that kicks in?

Mr Stefanic: To an extent there is that work done because we have to establish a baseline for our costs. Certainly, some inquiries are made into the market about what's available, what the lead times will be and who's available to deliver on the project. Certainly, some of the building blocks have already been—

Senator GALLAGHER: And that's how you know there are already these supply issues. Have they been factored into the time frame that you've got on the profiling for this?

Mr Stefanic: Partly it is that but partly the profiling is based on negotiation with the Department of Finance about what is a realistic delivery as opposed to simply what is an assessment. I guess you don't want to be getting too much money in a year and not being able to deliver on the project. So it is an assessment that the staggering of the time frame—

Senator GALLAGHER: So Finance has assessed this in terms of the profile?

Mr Stefanic: Correct.

Senator GALLAGHER: Is that what you're saying? You would have had a different profile?

Mr Stefanic: Not to my knowledge.

Ms Saunders: No.

Senator GALLAGHER: Or you didn't have a profile; Finance does that for you?

Ms Saunders: No, that's not right.

Senator GALLAGHER: It's a question I'm asking.

Ms Saunders: The answer is that we provided a phased budget submission and the Department of Finance assessed it and supported it.

Senator GALLAGHER: Thank you. Those are my questions on security.

CHAIR: Thank you very much, Senator Gallagher. Senator Paterson, a few follow-ups on that.

Senator PATERSON: Thanks, Chair. Mr Stefanic, I'd never ask you to speak in a public forum like this in any kind of inappropriate detail about the risk assessment that you've done, but can you illustrate for the committee in more general terms the trends of threats to the security of the building and its occupants in recent years?

Mr Stefanic: I guess one of the things I can talk to specifically are the scanners, so the scanning equipment for people entering the building. Weapons are not necessarily metal these days and the old technology doesn't equip you to pick up all of those things. New equipment has the ability to pick up certain substances that are also potentially a security threat as well. The updated equipment provides us with a better ability to pick up anything nefarious that potentially might be planned.

Senator PATERSON: So it's going to look a bit more like airport security clearance than it currently does?

Mr Stefanic: That's correct.

Senator PATERSON: Just more generally on the threat environment, obviously we've seen pretty significant protests around the building in recent weeks, including disruption to access to the building in terms of roads being needed to be blocked off by the AFP. Does the renewed focus and attention on the building inform the decision for this increased investment in security?

Mr Stefanic: It certainly does in terms of situational awareness. Some of the CCTV we're looking at will provide an enhanced ability to monitor that sort of activity.

Senator PATERSON: Over the last decade the building has undergone very significant physical security upgrades, which this will be more of. Are there any requirements for upskilling or increasing the personnel security we have around the building to deliver on these new capabilities?

Mr Stefanic: I might ask Ms Saunders if she can answer that for you.

Ms Saunders: Yes. In fact, that's something that we've been focused on for the last at least three years, the upskilling of our internal security staff and the expansion of that function to support the upgraded security arrangements.

The President: One of the budget measures Senator Gallagher raised was the PSOR, the operations room. Part of the rationale behind that is bringing the PSS and the AFP—those who are in the building and responsible for the security of the building—closer together so that operational matters are much more immediately able to be acted upon than in the current environment. Obviously, we have cyber security as an issue. We have the physical security of the building and people potentially trying to enter the building. There are a number of aspects to it that are covered. This is something that will be a constant area of evolution for as long as there is a parliament in this place.

Senator PATERSON: Is my understanding right, then, that the AFP and Parliament House security will be co-located in a single operations centre that they're not currently in; is that what you're suggesting?

Ms Saunders: They're partly co-located.

Senator PATERSON: Currently?

Ms Saunders: Yes, currently; so there will be an expansion of that, Senator.

Senator PATERSON: There'll be more teams who will be working together in a secure environment to share threat intelligence more rapidly; is that the rationale?

Ms Saunders: That's exactly right. Over the last three years, the partnerships with our security partners have strengthened extensively.

Senator PATERSON: What are the lessons from the last couple of months of incidents around Parliament House? Have we made any policy changes to security in response to those?

Ms Saunders: Not policy changes. Certainly, the communication between each of those agencies has proven to be very strong over that period. That's a key element of being able to manage appropriately at the time during those times.

Mr Stefanic: Concern because of the protest activity has been unprecedented. Operationally, there have certainly been some advances made in terms of how we work collaboratively with the AFP, and with ACT Policing as a separate body, also.

The President: As Mr Stefanic said earlier, some of what has happened over the last few months has informed some of the choices that will be made in terms of security upgrades that we've talked about this morning—locations of CCTV cameras and the like. There are practical learnings that come from what has happened over the last few months. I think it is important to re-emphasise what I said at the opening of last estimates: both the Parliamentary Security Service and the AFP have done an absolutely outstanding job in what have at times been very difficult circumstances, in terms of sheer numbers, potential activity, in an environment where numbers, because of COVID, weren't necessarily available in terms of what everyone would have liked. From my point of view, the PSS and the AFP have done an outstanding job.

Senator PATERSON: I have one final question on a related matter, while we're talking about security. Mr President, you'd be aware that the Parliamentary Joint Committee on Intelligence and Security has made a recommendation that there's a need for additional classified meeting spaces in the building, because information security is just as important as physical security. We recommended that the government work with the Presiding Officers and DPS to identify a suitable location and to build it as soon as possible, because, as you'd know, there's currently only one classified meeting space, which is executive space, and parliamentary committees, not just the PJCIS, who have a need to access it are sometimes limited in our ability to do so. Is there any update that you can share on how that's progressing?

The President: It's progressing. I'm not sure whether I should go beyond that. It is certainly a matter of active discussion, and everyone sees the need.

Mr Stefanic: All I can add is that we're working closely with the relevant security intelligence agencies to deliver on that.

Senator PATERSON: Great; we welcome that.

CHAIR: Thank you very much, Senator Paterson. Senator Gallagher has the call.

Senator GALLAGHER: I want to come back to the Hansard matter. Ms Tunks, is that your area?

Ms Tunks: Yes, it is; the Digital Recording Services Branch.

Senator GALLAGHER: What else falls under your area?

Ms Tunks: Hansard, Parliamentary Broadcasting and Enterprise Information Management.

Senator GALLAGHER: This relates to some corrections that have been made to the *Hansard* in the last week. I went back and had a look at the policies and the practice around making corrections to *Hansard*. I will put a couple of things to you. Firstly, *Odgers' Australian Senate Practice* provides that senators may make necessary corrections to a draft of the *Hansard* transcript, but changes altering the sense or introducing new matters are not admissible. It also notes that in 1989 the Senate resolved that the President should enforce strictly the rule that senators' corrections to *Hansard* must not have the effect of deleting from the record words actually spoken in debate so as to alter the sense of words spoken. Are those both correct? Is that the practice?

Ms Tunks: Yes, that is correct. Draft speeches may be altered within two hours by an email sent from members and senators. The changes are made in accordance with the editing and corrections policy. Those changes are then reloaded after two days and provided to senators and members for another opportunity for review. We will again then proof-check the transcript, and the official record is released 15 days after non-sitting. Only official changes can be made after that point.

Senator PATERSON: On a point of order, Chair, just for clarity, because I suspect I have a hint of where this might be going, under the principle of comity, the Senate does not inquire into House of Representatives matters. If there are any questions about changes to the House of Representatives *Hansard*, that would be out of order.

Senator GALLAGHER: They're sort of linked, because changes were made to the Senate *Hansard* as well.

CHAIR: I take your point of order, Senator Paterson. I remind Senator Gallagher that, indeed, it's not the role of this committee to inquire into the House of Representatives, so, if you can focus your questions around the Senate *Hansard*, that would be appreciated.

Senator GALLAGHER: Yes. The questions I have will be about what the department did in relation to correcting the *Hansard*, in this last example.

CHAIR: I'm listening carefully.

Senator GALLAGHER: Ms Tunks, I think you referred earlier to the editing and corrections policy, which you referred to in your previous answer, which also has a heading, 'Unacceptable corrections'. A speaker should not change the transcript to put in what they wished they had said, and Hansard will not add information to the

transcript that was not actually said by the speaker or delete information that was said by the speaker. That's covered in that policy?

Ms Tunks: That's correct. We have a number of acceptable corrections, being errors of fact, typographical errors, mishearings, incorrect identification of speakers, omitted words, misspellings, grammatical errors and clarifications.

Senator GALLAGHER: Corrections that are generally not accepted by Hansard would be rewriting or altering the transcript, adding to, deleting from or improving the transcript, changing the Hansard style, introducing inconsistency, and politically sensitive corrections?

Ms Tunks: That's correct.

Senator GALLAGHER: In terms of the second reading speech on the Treasury Laws Amendment (Cost of Living Support and Other Measures) Bill, which was delivered by Mr Sukkar in the house, and tabled by Senator Hume in the Senate last Wednesday, it was altered in the *Hansard* report to add information not in the speech and delete information that was in the speech. Can you maybe talk me through how that's happened and how it's consistent with the policy?

Senator PATERSON: Chair, on the point of order, and on this very point, Senator Gallagher, are you asking about the Senate *Hansard* or the House of Reps *Hansard*?

Senator GALLAGHER: I'm asking about *Hansard*. It is a matter for the Senate *Hansard*, but this does fall under DPS.

Senator PATERSON: I'm not aware that there were any changes to the Senate *Hansard*.

Senator GALLAGHER: Yes, there were. There was a speech tabled by Senator Hume, which was then corrected.

Senator PATERSON: I'll let Hansard answer that.

Ms Tunks: Yes, I would—

Senator GALLAGHER: She also tabled the wrong speech.

Mr Stefanic: Perhaps we could take that on notice, Senator, because we wouldn't be across the particular speech you're talking about. We'd need to explore what exactly is—

Senator GALLAGHER: Pardon?

Senator AYRES: I think they will be. Just on this point, Senator Gallagher has covered one element of this— that is, it was dealt with in Senator Hume's speech to the Senate. Also, this estimates inquiry is into the processes and budget estimates for DPS. There is no point of order in question here. It's about what these officers did in relation to that. I appreciate that at some point it may stray into those areas, but it's not the basis for knocking out this line of questioning. I don't accept that officers here aren't in a position of being able to answer these questions.

Senator PATERSON: Chair, on the contrary, it is very clear from *Senate Practice* that Senate committees, in particular estimates, do not inquire into matters relating to the House of Representatives. There is nothing more squarely within the House of Representatives than its own *Hansard* transcripts.

CHAIR: Than a speech that was given, yes.

Senator PATERSON: It would be absurd if we transgressed on that principle.

Senator GALLAGHER: We can focus on the Senate. Whoever made the changes made the changes to both.

Senator PATERSON: I'm not sure that's right.

Senator GALLAGHER: The same error that was corrected in the speech was corrected—

Senator PATERSON: Public media reporting indicates there was no change to the Senate *Hansard*. There was only a change to the House of Representatives *Hansard*.

Senator GALLAGHER: Yes, and my questions are about the actions of DPS officers.

CHAIR: In relation to the Senate *Hansard*?

Senator GALLAGHER: No. It can be in relation to both. DPS are here to answer questions about their portfolio. Hansard falls under that. Ms Tunks is responsible for that area. There is no way that this is not a relevant line of questioning. I don't have to find out what Mr Sukkar and all the rest do. I want to know what Hansard did in relation to this error. I want to know what the actions of DPS officers are.

Senator PATERSON: Chair, the whole point of the principle of comity when it relates to Senate estimates and DPS is that, because DPS appears before a Senate committee, we would otherwise have opportunities to ask them about House of Representatives matters, and that would be inappropriate, just as we would not permit the House of Representatives to transgress on Senate matters. It is entirely inappropriate to ask about matters relating to the House of Reps, and particularly its chamber.

CHAIR: I do agree with you, Senator Paterson. The principles have been very clearly laid out for the committee. I think, Senator Gallagher, that there is a way for you to pursue your questions, focusing on the changes to the Senate *Hansard* rather than the House of Reps *Hansard* that should enable you to get some of the information that you require. Of course, I note that witnesses are able to take questions on notice as well, in relation to what you might be asking.

Senator GALLAGHER: Ms Tunks, does your area look after Hansard across the parliament?

Ms Tunks: Yes, it does.

Senator GALLAGHER: I actually don't see the issue of comity here at all. I would like to know what your staff did in relation to the changes to the *Hansard*. It falls under your responsibility. I can focus on Senator Hume because her speech raised exactly the same issues and the same corrections have been made. At 6.14 on Wednesday, Senator Hume moved that the bill, the Treasury Laws Amendment (Cost of Living Support and Other Measures) Bill, be read a second time, and sought leave to incorporate her speech into *Hansard*. Since that time there have been significant changes made to that second reading speech as recorded in *Hansard*. Can you tell me who requested the change to the Hansard report of Senator Hume's speech?

Ms Tunks: Senator, I will need to take that question on notice to be able to give you a purely accurate answer and give you the detail that you need.

Senator GALLAGHER: I can't see why you wouldn't be aware of it, Ms Tunks; or, to be honest, you, Mr Stefanic.

CHAIR: Witnesses are able to take questions on notice.

Senator GALLAGHER: It's a pretty big thing that happened last Wednesday. Are you saying to me that you haven't been briefed on this, Ms Tunks?

Ms Tunks: I'd like to take the question on notice, please, Senator.

Senator GALLAGHER: Have you been briefed on this matter?

Mr Stefanic: Senator, it's a matter of process, I guess. There are many hundreds of pages that get transcribed every day by Hansard when parliament is sitting. To focus on a particular speech, it's not something that the Hansard staff would discern as any different to other *Hansard* transcripts that they would be looking at.

Senator GALLAGHER: Really? Mr Stefanic, major changes were made that completely changed what was recorded in *Hansard*. So it's like every other amendment?

Mr Stefanic: Ms Tunks would need to go and speak to the relevant editors or subeditors that were involved in that transcript to be able to answer your questions with any accuracy. Until she has done that, it would be very difficult for her to answer the question, Senator.

Senator GALLAGHER: It has been reported pretty widely that there was an incorrect speech given. Mr Stefanic, are you aware of what happened? Have you been briefed about this?

Mr Stefanic: I only became aware of it when I viewed *Insiders* last night, Senator.

Senator GALLAGHER: What did you do then? Did you ask for some information?

Mr Stefanic: No, I did not.

Senator AYRES: You didn't?

Senator GALLAGHER: So you just think—

Mr Stefanic: It was in reference to Mr Sukkar.

Senator GALLAGHER: Both Mr Sukkar and Senator Hume told the parliament that the general PBS co-payment was being reduced. That's what they told the parliament. That's not now what's recorded in *Hansard*. They were told general patients would pay no more than \$32.50 in out-of-pocket costs. That's now not what *Hansard* records. They were told that 17 million scripts would cost patients less. But that's now not what *Hansard* records. And nobody here can answer any questions about how that happened?

The President: That's not fair to the officials. They've taken the question on notice to answer your precise question as to how it happened. That is completely within their rights.

Senator AYRES: But it's not credible.

CHAIR: Senator Ayres!

Senator AYRES: It's not credible.

CHAIR: Senator Ayres, the witnesses have taken the question on notice.

Senator GALLAGHER: Mr Stefanic, significant changes were made to two speeches and the record of *Hansard* was amended to reflect that. That doesn't seem to be at all in accordance with the evidence that Ms Tunks has given about the corrections to *Hansard* and *Odgers Practice*, and you have not been told about this?

Mr Stefanic: No. As I've mentioned to you, the first I became aware that there was any discussion of it was on *Insiders* when I viewed it last night. As Ms Tunks has indicated and as I have, we'll take it on notice to investigate that further. If the suggestion is as you put it, then it's something we need to look very seriously at.

Senator GALLAGHER: Do you think it's important that the *Hansard* records what actually happened in the chamber? Accurately?

Mr Stefanic: Subject to the procedures and the rules that Ms Tunks has read, then, yes, of course.

Senator GALLAGHER: Ms Tunks, were you consulted on the change?

Ms Tunks: No.

Senator GALLAGHER: Mr President, were you aware of it?

The President: No.

Senator GALLAGHER: And what's going to happen now, Mr Stefanic? You're going to have a look at what happened?

Mr Stefanic: That's correct. I need to establish what discussions occurred, what correspondence was communicated and what decisions were made and on what basis.

Senator GALLAGHER: Why didn't you follow up yesterday when you saw it mentioned on *Insiders*?

Mr Stefanic: Because it was in relation to the House of Representatives.

Senator GALLAGHER: But you have responsibility for across there, don't you?

Mr Stefanic: I do.

Senator GALLAGHER: Why would that impact on your decision-making if you're responsible for *Hansard*?

Mr Stefanic: Until now no-one has raised it as an issue.

Senator GALLAGHER: But you said that you saw it raised on *Insiders*. You're the head of the department and I'm just a bit concerned that you wouldn't see that and think, 'Oh, that is something I should have a look at.'

Mr Stefanic: There are a lot of things reported in the media every day that I don't necessarily take on board.

Senator GALLAGHER: So you didn't believe it?

Mr Stefanic: No, that's not what I said.

Senator GALLAGHER: But you just said there are a lot of things reported that you don't take action on. But this directly falls under your responsibility.

Mr Stefanic: And as I've undertaken, I'll look into that further. Now that you've raised it, I will look into it.

Senator GALLAGHER: I'll just table the original speech and the revised *Hansard*.

CHAIR: Thank you.

Senator GALLAGHER: Mr Stefanic, perhaps you can have a look at that. Is it possible to come back today? This is a pretty important issue—the accurate recording of *Hansard* and what goes on. I'm concerned that you're not in a position to give me any answers about what happened, when and how. Can you come back with something today?

Mr Stefanic: I'll endeavour to do that, if I can. But, of course, I need to make sure that the information I come back to you with is absolutely accurate.

Senator GALLAGHER: Yes, I would hope so, more accurate than the *Hansard*, as it turns out. Mr President, you know nothing about this?

The President: No.

Senator GALLAGHER: Did you know there was a problem at all?

The President: To be honest, no, I didn't. I haven't been briefed on this.

Senator GALLAGHER: So Senator Hume didn't come in and go, 'Hooley dooley, I've tabled the wrong speech, completely wrong about a measure that's not in the budget but is now in the parliament'?

The President: No. We'll go away and we'll have a look.

Senator GALLAGHER: No conversations at all with anybody?

The President: No.

Senator GALLAGHER: Mr Stefanic, if you could provide me with any information that you're able to get today I would really appreciate it.

Mr Stefanic: I'll do my best.

Senator AYRES: Earlier, Mr Stefanic, when you were answering Senator Gallagher's questions about this issue you said that you'd seen the *Insiders* report where the Treasurer dissembled this issue for about 3½ minutes of painful viewing, but then you said you didn't feel the need to inquire about it further—I'm just paraphrasing you—because it wasn't a matter that was in the Senate. Why did you say that?

Mr Stefanic: To be fair, I was focused on preparation of material for this evening. I was only half listening to what was being said. So I wasn't particularly focused on the commentary about that.

Senator GALLAGHER: There was other reporting on this area I think in news.com on Thursday last week. Had you seen that?

Mr Stefanic: No.

Senator GALLAGHER: So you are going to go and try and find out what happened. Ms Tunks, you will talk to whomever you can about what happened?

Ms Tunks: Yes.

Senator GALLAGHER: I would like to know whether these changes were made in accordance with the policy that you have and I would like to know who was contacted, when they were contacted to make corrections and who knew about it. Neither Minister Sukkar nor Minister Hume came into the chamber and said anything about what had gone on—to correct the record or to apologise or whatever. So I would like that information to be provided as soon as possible. I don't think it's unreasonable, and I don't think it's too hard. I'm not trying to apportion blame; I want to know the when, the how and the who and if it's in accordance with the policy.

Senator AYRES: I'd expect that these officers could be present later this afternoon, Chair, to deal with those issues. There's time in the schedule and we should do it. We can do it this evening, if we needed to. But I expect that these officers are present in the building in any case. There is no reason that we can't deal with this properly this afternoon, and we should have a discussion over lunch about what time that could be.

CHAIR: I will flag that. I'm averse to chop and change, letting witnesses go and then bringing them back again.

Senator GALLAGHER: That's out of our control because people have come here today without any answers.

CHAIR: The witnesses have taken the questions on notice, Senator Gallagher, which you know that they are entitled to do. And they have committed to gather accurate information for you. I'm sure that will be provided in a timely fashion, whether it is later today, but I would be of the view that we should continue with the program as it is or through the usual process for responding to questions on notice.

Senator AYRES: I might just say, in terms of this issue, this goes to the credibility of Hansard's recording of a second reading speech. It is critical that all *Hansards* are accurate, as Mr Stefanic has indicated. Second reading speeches have their own value. It is not, in my view, credible that officers are not available here now to deal with these questions. This is not something, in my view, that can simply be left to a questions-on-notice process where we get answers, often unhelpful, down the track. This needs to be dealt with this week. I appreciate the technical point that questions on notice can be used by officers in a proper sort of way. I think the public interest here outweighs that and, if the department takes its role seriously, it ought to be back here this afternoon able to answer these questions.

CHAIR: I'm sure the department will go away and endeavour to provide the responses that you need. But the issue we have is that, if it takes them longer than today to get those responses, it wouldn't be practical to be bringing them back. So we'll discuss that.

Senator PATERSON: Could I just make the point that it's a bit of an unfair reflection by Senator Ayres—perhaps he didn't intend it—to say that if the department takes it seriously they'll be back this afternoon.

CHAIR: There's a process.

Senator PATERSON: It's a matter for the committee to decide what the order of witnesses are and whether witnesses should be dismissed. And we've set down a program which we always in my time on this committee, now about five years, have adhered to.

CHAIR: Yes. I would be of the view that we shouldn't be, as I've said, recalling witnesses. Do Labor senators have further questions for DPS, because I do have a couple I'd like to ask?

Senator MARIELLE SMITH: I do. I'm happy to defer and then go to a different topic.

CHAIR: Thank you very much, Senator Smith. I appreciate that. I would just like to get an update from the department on the response to the Foster review, if I may. I've got the correct officials at the table, which is fantastic. Thank you very much. Could I ask for an update on what actions the department has taken to the relevant recommendations it has carriage of in the Foster review?

Mr Stefanic: Yes. Perhaps if I could ask Ms Tunningley to step up.

Ms Tunningley: To answer your question, the most recent update with respect to the Foster review is that we have implemented a trial of manual reporting of after-hours access. That trial commenced on Sunday, 27 March at 11 pm and is underway at the moment. For the purpose of the trial, the trial will involve the completion of paper forms at all APH entry points, which will mean when a person is entering APH after hours, between the hours of 11 pm and 5 am, the person coming in will swipe their card as normal and if identified as a person from a parliamentarian's office they'll be required to complete an after-hours access form, which is provided to the officer and then they're allowed to proceed through to do their job that they came in for. That information is reported through to the relevant parliamentarian or their delegate on the next business day.

CHAIR: Ms Tunningley, did you have something to add to that?

Ms Tunningley: Not specifically. Did you have any further questions?

Mr Stefanic: I think that covers the actual process of the trial.

CHAIR: Of the trial, yes. Sorry, how long is that trial running for, Ms Tunningley?

Ms Tunningley: The intention is that it will run for all sittings periods through until the end of the year, at this stage 3 November 2022.

CHAIR: It's probably not appropriate to ask for precise details of how many people have been coming in after hours but I assume that the trial has been going well so far, with minimal resistance to the new protocols in place.

The President: Correct me if I'm wrong, but we haven't had any complaints.

Mr Stefanic: No.

The President: In that sense it's been going well. I don't think we should probably say precise numbers but it's very low. After-hours access is very low. Obviously that's what you would expect. The reason we were keen to start during the budget week was obviously that is one week where potentially you do have higher numbers than an ordinary sitting week. In discussions on this topic, a couple of sources expressed a desire to see whether we could use the EAC system, so we're currently undertaking a look at that internally in the department. But there are questions around that, some technical; it's not a system that was designed to be used for that. Also, in the original discussions about the EAC system at the various appropriations committees, they were keen to constrain the use of the EAC system to a number of authorised users and for it not to be seen to grow in scope. It is very important also for the presiding officers to take that into account and be very careful and sensitive to matters like parliamentary privilege and privacy when deciding on an expansion of the EAC system. So, in order to implement in a timely fashion, we decided to go with the paper-based entry system to keep it front of mind in people entering the building after hours that they were entering the building for legitimate purposes. Obviously, we're scoping and having a look at the technical challenges and the appropriateness of using the EAC system into the future, but that is something we or, I would assume, future presiding officers would take to the various appropriations committees.

CHAIR: That's interesting. It is good to hear that progress has been made on that front. Senator Lines.

Senator LINES: Ms Tunningley, you said that data would be provided to all senators. That's not correct because not all senators have opted into this process.

Ms Tunningley: That is correct.

Senator LINES: Yes. Perhaps you could correct the record.

Ms Tunningley: If a parliamentarian elects to opt out, that information won't be provided through to the parliamentarian but will be retained by DPS.

CHAIR: Very good. I have a couple of questions about the survey you recently ran for building occupants. Ms Tunningley, is that your section as well? It might be Mr Stefanic's.

Mr Stefanic: Yes, that's more relevant for me.

CHAIR: DPS ran an online survey for building occupants recently, last month or the month before. Can you provide the committee with some details of why that survey was run and what the outcomes were?

Mr Stefanic: Yes. We run that survey annually to gauge the department's performance, certainly in its client-facing areas. Some of those measures are part of the department's own performance reporting. We are still compiling the results of that survey, so I don't have any results that I can report at this stage; I'm sorry.

CHAIR: That's all right. I'm just interested in knowing what the results might have been and I'm keen to know how you're tracking.

Ms Saunders: Historically, for year on year, the results are very good. We read the comments very closely, take into account the feedback we receive and do our best to implement things that are recommended.

CHAIR: Mr Stefanic, when you said 'client-facing', to whom does that refer within the context of your work?

Mr Stefanic: Typically any building occupants. As well as parliamentarians, it would include the parliamentary departments, the Press Gallery and the other tenants in the building.

Senator MARIELLE SMITH: I have some follow-ups on Senator Chandler's questions regarding the reporting system. Can you clarify this for me, Mr Stefanic? Your officer has said that, regarding this response to the Foster review, that's what the communication from DPS said as well. But in Ms Foster's recommendation 7 she said parliamentarians should be able to choose not to request the reports, not that they should be provided as a default. How does this respond to that recommendation? It doesn't seem to be consistent with that recommendation.

Ms Saunders: I believe that is what Ms Tunningley explained: that parliamentarians are able to opt out and, if that's the case, the record of entry will still be made but it won't be provided to that parliamentarian.

Senator MARIELLE SMITH: What about to their staff?

Ms Saunders: No, it won't be provided.

Senator MARIELLE SMITH: So nothing will be generated.

Ms Saunders: No. It will remain in the system but not be provided outside of the system.

Senator MARIELLE SMITH: Has there been a resolution of the privilege issues relating to this?

Ms Saunders: I don't believe there were privilege issues.

The President: Basically, we've decided to handle the information as if it were information collected under the EAC's code of practice in terms of privilege. So, in a sense, the privilege issue will constantly need to be reviewed. It's not a question of being able to dispense with privilege issues and say they've always been handled once and for all. If parliamentarians are comfortable with the process and comfortable with the level of information, it's probably going to be an exceptional circumstance that may trigger a privilege issue, but it's hard to guess what that is in advance. Obviously, if there were some sort of breach of protocol in terms of the information held, that could enliven a privilege issue. But, at the moment, we're handling the information as though it were under the EAC's code of practice in terms of privilege.

Senator MARIELLE SMITH: When were parliamentarians told that they could opt out of receiving the reports?

The President: The Friday of budget week or Thursday, perhaps. I can confirm that on notice. It was either the Thursday or the Friday.

Senator MARIELLE SMITH: How was that communicated, because it wasn't in the email on 24 March?

The President: I will take the precise detail on notice, but my memory is that it was as an email from the Usher the week before parliament. But I'll take the precise timing of that on notice.

Senator MARIELLE SMITH: Do your officers have a copy of that?

The President: I'm reasonably confident in that. It was the Thursday or the Friday before Budget week, from the Usher, but I will take it on notice to confirm that.

Senator MARIELLE SMITH: What consultation was undertaken with parliamentary staff affected by the trial?

Mr Stefanic: The consultations didn't occur directly with staff. That's a question you would have to ask Ms Foster. I understand that she and her team conducted extensive consultations in developing her recommendations.

So I would assume that the recommendations incorporated that consultation. The process, as developed, was done in consultation with the appropriations committees of both houses.

Senator MARIELLE SMITH: So there was no consultation directly with staff. What about their unions?

Mr Stefanic: Certainly not by us. I presume that Ms Foster and her team conducted those consultations at the time.

Senator MARIELLE SMITH: But those consultations wouldn't have gone to the level of detail regarding the implementation because that has been decided post that review. So, in terms of the actual specific operation of the trial, which wouldn't have been included in that report, what consultation has happened there with staff?

The President: Are you talking post the Foster recommendations being adopted?

Senator MARIELLE SMITH: Yes. You're obviously at the stage of trying to implement the recommendations with a trial?

The President: Yes.

Senator MARIELLE SMITH: So what consultation has happened with staff or their unions on the implementation of that recommendation, as it relates to this trial?

The President: Regarding the Foster review, Stephanie Foster had consultations, as I understand it, across the parliament, including with staff, with unions, and obviously with members of parliament. The recommendations were accepted. We were looking to implement them. They went through the appropriations committee and were implemented as accepted recommendations. So there were no direct consultations on the implementation.

Senator MARIELLE SMITH: What about parliamentarians being consulted?

The President: Let me think. Did this one go to the Privileges Committee? I don't believe so. It was only the appropriations committees.

Senator MARIELLE SMITH: Have staff been told what information they need to provide on the form they're required to fill out?

The President: Yes. That was in the information circulars—again, I'm 99 per cent certain. The information is very basic in terms of what is required. It's basically a declaration that you're entering the building for legitimate purposes. I'm happy to circulate a copy of the form; I suspect that someone has one.

Senator MARIELLE SMITH: On that issue of consultation, has anyone at the table asked Ms Foster whom she consulted?

Mr Stefanic: No.

The President: In terms of this specific issue, I've discussed with Stephanie Foster her report and—

Senator MARIELLE SMITH: I just asked specific questions about the level of staff consultation and the level of consultation with unions, and the answers were assumptions based on Ms Foster's consultations. I just want to know whether anyone at the table has actually spoken to Ms Foster about whom she did consult.

The President: I've discussed, with her, her consultations in the past.

Mr Stefanic: Our discussions with Ms Foster were directly in the context of DPS and our role in that, not in terms of what other consultations she was conducting.

Senator MARIELLE SMITH: I asked the question about the level of consultation with staff and their unions, and it's assumed that Ms Foster did it; but no-one has actually checked that Ms Foster did that, or the level of consultation or how that took place.

Mr Stefanic: That's correct.

Senator MARIELLE SMITH: Could we go back to the form. Does the fact that it's a manual form mean that hard copies are being retained?

Ms Tunningley: Yes. Hard copies are being retained for 90 days.

Senator MARIELLE SMITH: Are there any implications under the Archives Act for these records?

Ms Tunningley: Yes. A scanned copy of the record will be retained for three years.

Senator MARIELLE SMITH: Who has access to these forms?

Ms Tunningley: Members of the security branch; specific members.

The President: That's important. It is specific members of the security branch; it's not everybody.

Senator MARIELLE SMITH: So which members?

Ms Saunders: I would probably have to take the specific roles on notice.

Senator MARIELLE SMITH: You don't have that, Ms Tunningley?

Ms Tunningley: No, I don't have a listing of the names of those members with me.

Senator MARIELLE SMITH: Do you have something to add?

The President: I don't think you were chasing names; I think you were after positions or roles.

Senator MARIELLE SMITH: Yes.

Ms Tunningley: The information is largely limited to the personnel security team, but I would like to confirm whether anyone else has access to that information.

Senator MARIELLE SMITH: So you'll take that on notice?

Ms Tunningley: Yes.

Senator MARIELLE SMITH: Does the manual form collect information that is already available in the pass system?

The President: Yes.

Ms Tunningley: Yes, it does.

Senator MARIELLE SMITH: So why is the form required?

The President: Because, as I said earlier, the EAC system, the pass system, was not built for this kind of use, so it requires a technical exercise to extract this sort of information. Basically, we have to develop a piece of software and probably redesign parts of the software behind the EAC system in order to make this a truly electronic system in terms of reporting direct to parliamentarians. So there's a technical challenge. There's also the challenge that, in setting up the EAC system, particularly the Senate Appropriations Committee was very keen for the EAC system to be used only for certain purposes and for there not to be bracket creep in terms of the way it was used.

Senator MARIELLE SMITH: Ms Tunningley, in terms of your answer, generally speaking, access being largely limited to the security team, does anyone else outside of the security team have access to that data?

Ms Tunningley: No, I don't believe they do.

Proceedings suspended from 10:29 to 10:48

CHAIR: Mr President, you had a response to a question from Senator Smith that you wanted to clarify?

The President: Yes. Luckily we did go away and check because I got that slightly wrong. It was from the whips rather than the usher. It came out from the government whip, whom I've obviously got direct access to, on 24 March. It was sent to the whip for the Labor Party on the same day. We got confirmation that they had it and that it would be sent out and my office contacted the crossbenches directly on the same day.

Senator MARIELLE SMITH: Thank you for coming back, Mr President. We'll probably move off this line of questioning for the moment.

CHAIR: Senator Gallagher.

Senator GALLAGHER: Just going back to the issue around the *Hansard*, I want to table an article from the *Adelaide Advertiser* and an article from the *Courier Mail*, and the same article appeared on news.com on the Friday. Those articles clearly state that the *Hansard* was corrected. Again, just for the benefit of some of the questions that I have: Mr President, you have said that you knew nothing about this. You did not see those media reports then that there had been—

The President: Honestly, Senator Gallagher, I did not. I was not aware of this issue.

Senator GALLAGHER: Were you aware of the issue of Minister Hume and Minister Sukkar, as it was reported?

The President: Senators correct the *Hansard* all the time, as you know. I had not heard about this particular issue.

Senator GALLAGHER: I guess my question is: were you aware of the mistake that had been made?

The President: I wasn't aware of the issue.

Senator GALLAGHER: At all?

The President: At all.

Senator GALLAGHER: So the fact that the second reading speech outlined a budget measure that actually didn't appear in the budget: you didn't know that?

The President: No, I did not know that. As I say, senators correct the *Hansard* record all the time.

Senator GALLAGHER: Yes, I'm aware that they make corrections in line with the corrections policy. This goes a bit further than that; this is a complete rewriting.

The President: That's your statement, Senator Gallagher.

Senator GALLAGHER: No. We've tabled the document and you can see what was said and then what the *Hansard* records. It's not what I'm saying; it's actually what happened. No-one is disputing that happened. The question is how that happened—

The President: We've taken that on notice.

Senator GALLAGHER: and who knew about it.

The President: We've taken that on notice. I certainly didn't know about it.

Senator GALLAGHER: Mr Stefanic, have you found out anything since you were answering questions about this earlier?

Mr Stefanic: I have some preliminary information, but I'm concerned about a degree of confidence. As I've said, when I come back to you, I want to make sure that my information is accurate. I don't want to be misleading the committee.

Senator GALLAGHER: No, I don't want you to mislead the committee either, but I do want some answers. Someone in this building knows what happened; they were there. Is it possible to get that person to answer some questions about how this happened?

The President: Senator Gallagher, we've taken it on notice to come back to you with that information, and we will do so.

Senator GALLAGHER: We want the answers today, though. We can keep DPS here all day, if that's the way that we want to play this, or we can get agreement that you come back with the information that you have. Mr President, this actually is linked to you and the responsibilities that you have after work was done—when there were corrections to *Hansard* or the deletion of words in *Hansard* right back in 1989—that led to additional responsibilities for you in cases like this. I would expect that you would want to be across this and have confidence in the system that you are in charge of. Part of that is being able to understand exactly what went on to effect this change: who asked for it, who did it and who knew about it?

The President: We will come back to the committee with that information; we've already committed to that.

Senator GALLAGHER: You haven't agreed to when.

The President: The officials and I are in the committee's hands, as always.

Senator GALLAGHER: Are you prepared to come back after lunch to explain what you know about what happened?

CHAIR: Senator Gallagher, it's not up to you to ask officials whether or not they're going to come back after lunch. We have a program that we have agreed to as a committee. As I stated before the break, I'm of the view that, when we let DPS go from here today, it's not going to be to bring them back later this afternoon to answer questions about this. They have taken your questions on notice; and I am sure that, given the commentary that has been provided by witnesses today, they will provide a response to your question in the quickest of ways that they can manage. There is a process in place, and I do worry that it would set a bad precedent for this or any Senate committee to decide when they can bring witnesses back to see if they have a response to questions. We have the questions on notice process for this very reason.

Senator GALLAGHER: Chair, thank you, and I accept that. I am arguing—and I think it's pretty clear—that the Senate was misled last Wednesday, absolutely, without a doubt. Corrections were made. Mr President, I would have thought that, for *Hansard* to completely alter the intent of what was in that speech—we know that; that's established—it would be in your interests to voluntarily return to provide information about the accuracy of *Hansard* in recording parliamentary proceedings.

Senator PATERSON: A point of order, Chair.

Senator GALLAGHER: This is serious.

Senator PATERSON: A point of order, Chair.

Senator GALLAGHER: I don't push these issues—

CHAIR: Order!

Senator GALLAGHER: Nobody seems to know and nobody is here to answer.

CHAIR: Senator Gallagher, Senator Paterson has a point of order. Senator Paterson, your point of order?

Senator PATERSON: I hate to interrupt Senator Gallagher's TikTok video, but it's really unfair to say that officials or the President should voluntarily return, as if they are unwilling or unable to return.

CHAIR: I absolutely agree.

Senator PATERSON: The program is a matter for the committee. These officers have always taken that very seriously, in my experience, and it's a matter for the committee to discuss.

Senator AYRES: Chair, on the point of order, it's not a point of order to reflect on the fairness or otherwise of a request. That's the first thing: it's not a point of order. The second thing is that there are two propositions here. One is for the President and the officers: are you prepared to return this afternoon to answer these questions which go to the credibility of *Hansard* and the credibility of the administration of it? These are pretty important questions, because I haven't seen anything like what happened last week happen. If I were sitting in one of those roles, I'd be very anxious to maintain public confidence in the institution, because there's something actually important about *Hansard* and there's something particularly important about second reading speeches in terms of statutory interpretation; so there's a big question mark over these issues. The second question is for you as chair and the government majority on the committee, and that is: are you going to run a protection racket for what is an obvious—

CHAIR: Senator Ayres—

Senator AYRES: let me finish—distortion of the processes? We'll take those questions in order. What Senator Gallagher was trying to do was establish whether the President is prepared to return this afternoon to do that. The second question is for you. We can deal with them in that order, if you like. The alternative for us is that we can spend a lot of time with the department today, if necessary. What we're offering is to move on to other questions, give the department an opportunity to talk to the officer who's actually responsible for this, and come back to it after lunch.

Senator PATERSON: Chair, just before you rule, I might respond to Senator Ayres' comments on points of order. If he looks at the standing orders of the Senate, I think he'll find that, in fact, reflections are a matter for the standing orders and are a matter for points of order, but they shouldn't need to be. I think Senator Gallagher wouldn't intend to reflect on the professionalism of the officers or the independence of the President, and I was just making that point.

CHAIR: Yes.

The President: I will restate my point, Chair, and say to you directly, Deputy Chair, that we—the officials and I—are in the hands of the committee. That is as it should be.

CHAIR: Certainly, Mr President. I am of the view that this program was agreed by coalition senators, Labor senators and other members of this committee. We have an extensive further program to attend to today and, as I've said, I am concerned about the precedent it would set if we sent witnesses off, when they have already agreed to take a question on notice and provide a response in a timely fashion, and then recalled them at another point in time to see if they can get that response. My view is that we continue with the Department of Parliamentary Services for the remaining time, during which Labor senators may like to ask questions—noting that we are now running behind schedule—and, when we dismiss them, we do so knowing that they have agreed to take our questions on notice and they will provide those written responses in the usual fashion and in a timely manner.

Senator AYRES: That's an approach that's consistent with the government's overall approach to short-term politics before protecting the institutions—

CHAIR: Senator Ayres, that's your characterisation.

Senator AYRES: That is consistent.

Senator GALLAGHER: Chair, you're worried about the precedent from a committee point of view. I'm worried about the precedent of a committee allowing this matter, which is essentially that significant changes have been made to the recordings of parliamentary proceedings, with nobody being able or prepared to answer questions about it and with no commitment about when to come back.

CHAIR: Senator Gallagher, they've taken the questions on notice, and they are entitled to do that. That has happened many times at many committees, and I understand that you think—

Senator GALLAGHER: This is a serious issue.

CHAIR: this particular issue is important—

Senator GALLAGHER: It is.

CHAIR: but this committee has dealt with many important issues before, in the exact process that I have just outlined—by witnesses agreeing to take the responses on notice and coming back to the committee. This is not unusual, and I think it's unfair to characterise it as such.

Senator GALLAGHER: But we all know what's going to happen, don't we? They take questions on notice and then have between 30 and 90 days to answer, and some departments don't even answer after that. So it kicks it beyond what is politically difficult, I would imagine.

CHAIR: Senator Gallagher, the Senate provides opportunities at another point in time for you to debate the reasons why that might be the case, but that's not what we're here to do today.

Senator GALLAGHER: There's going to be an election; so those opportunities are not available to us for the next few months, which, again, is why I'm asking for some answers today. Can I ask: are officers with knowledge about what happened in the building today?

Mr Stefanic: I would be almost certain that would be the case.

Senator GALLAGHER: Okay; so we know that there are staff in the building who know what happened. Were they spoken to during the break, Mr Stefanic, by you or Ms Tunks?

Mr Stefanic: Not by either of us, but there is somebody who is investigating at the moment.

Senator GALLAGHER: Will the department be in a position to provide any further information today?

Mr Stefanic: I'm not in a position to tell you that yet. Given the gravity of what you're suggesting, obviously, I need to ensure that the information that I provide has integrity.

Senator GALLAGHER: Who's investigating it on your behalf, Mr Stefanic?

Mr Stefanic: One of the other branch heads in the department is currently looking at the matter.

Senator GALLAGHER: When have you asked to be provided with a briefing on it? Have you said, 'I would like to know this in the next hour?'

Mr Stefanic: I have said that I would like the information, and they understand the urgency and the gravity. Hansard, as you know, would be very well across the discussions in this hearing today. I'm sure there is quite some anxiety and stress amongst some of the staff that were involved in this process. I'm sure that they will do their best to provide the information as soon as possible.

Senator GALLAGHER: Who is the branch head?

Mr Stefanic: Ms Tunks is the acting branch head for that area. One of the other branch heads within the information services division is looking into the matter for me because Ms Tunks is here.

Senator GALLAGHER: How do you know that people are stressed, Mr Stefanic?

Mr Stefanic: Because assertions are being made about their integrity, so I think it's important for people to have an opportunity to explain themselves in an adequate fashion.

Senator GALLAGHER: Certainly, my questioning hasn't been about the integrity of Hansard officers. I'm trying to find out who asked for the correction to be made; that's what I want to know.

Mr Stefanic: That's what I'm getting to the bottom of, Senator.

Senator GALLAGHER: The fact that we haven't been able to have answers perhaps is causing stress as well. It would be useful, for example, if people were able to answer some questions clearly today so that we didn't spend all of this time trying to work without who knew what and when.

The President: Senator Gallagher, I mean—

Senator GALLAGHER: Surely, you could have said, 'The Treasurer's office asked us to make this'—

CHAIR: Senator Gallagher, the President is providing a response.

The President: It's very clear that particularly those at the table had very little, if no, knowledge of this situation prior to your raising it.

Senator GALLAGHER: Which is deeply disturbing, anyway.

The President: There are corrections to *Hansard* by most senators multiple times most sittings. There are a lot of corrections to *Hansard*. You have raised the issue and the officials have taken it on notice, which they are entirely entitled to do. We will come back in as timely a way as we can, but we will not come back with information we are not 100 per cent certain about.

Senator GALLAGHER: Mr President, will you give a commitment that, once you are briefed on this, you will provide that update?

The President: I will give a commitment to come back to the committee as quickly as possible with accurate information.

Senator GALLAGHER: I want to make it clear: I am not casting aspersions on the integrity of Hansard staff. I am concerned about the integrity of the transcript and whether the policy has been adhered to, and I'm particularly interested in who made the request and when the request was made to correct the record, and why that was not done in the chamber as well, just to be clear.

The President: Yes.

Senator AYRES: Mr Stefanic, this question—if it assists, if there's anybody behind you—relates to ICT. The danger with my asking questions about information technology is that, two questions in, I will have reached the boundaries of what it is that I know and understand, so I'll put it to you in very broad terms. Those of us across the parliament who rely upon our devices for email communication with the world have not been able to do that now for two or three weeks, probably. The President, who is looking confused, would be on an entirely different platform, presumably. But, if you're running off an iPhone or an iPad, you can't email out.

CHAIR: You can't email out, or forward.

Senator AYRES: People can tell you things but you can't tell them things; that's the way that I'd put it.

The President: I run off the APH system, I think.

Senator AYRES: If you run off your desktop—

CHAIR: I think it might be only some select senators.

Senator AYRES: So it might not be all of us. Everyone I've spoken to has had the same problem. What's the story?

Mr Stefanic: I've looked at every expert in the room and no-one has any awareness of this issue.

Senator AYRES: So is it just the chair and me?

Senator GALLAGHER: There are major problems—

Senator AYRES: Everybody has done all the sort of backwards and forwards, sending in forms. This is not a problem with only one device.

Mr Stefanic: Have you contacted 2020?

Senator GALLAGHER: Yes.

Senator AYRES: We've done all of those things. It's all—

Mr Stefanic: Have they given you advice about it?

Senator GALLAGHER: No. They say that it's going to take some time to fix, which is weeks. It's when you have a private account running off your office account. I have the Senator Gallagher account and then a private account. You have to get out of your private account and go into your office account, if you want to send any emails. You can't forward any emails from your private account if you're on your phone or a laptop, and that's the problem. And it's widespread. Everyone who runs it like that has this issue; and 2020 said weeks ago that they were looking at how they would fix it, and we've heard nothing. I can give you a demo right now, if you'd like.

The President: I had this issue, but literally a restart of my phone—

CHAIR: Yes, we've all done that. It's weeks and weeks.

Senator LINES: It doesn't work.

Mr Stefanic: In my view, it's imperative that you're able to communicate uninterrupted. I'll look into it with urgency and ensure that it's rectified. I'm sorry; I was unaware of that issue.

Senator AYRES: As I indicated at the outset of my question, I exhausted the boundaries of how to explain this. Senator Gallagher did it much better than I. For me, it just doesn't work.

Mr Sfyris: Can I just confirm? You're trying to email from your private personal account and not from the APH account?

Senator GALLAGHER: Yes.

Mr Sfyris: So APH emails are flowing?

Senator AYRES: You've got the public profile and quite often people have a private profile attached to that.

Senator LINES: This is what happens: 'Something went wrong; please try again or contact support.'

Senator GALLAGHER: So you can't actually email from your account.

Mr Sfyris: Okay.

The President: We will get on to it.

Senator AYRES: We're all going to start ringing the President every time something goes wrong with this! That is what's going to happen.

Senator GALLAGHER: But this has been a problem for weeks, and 2020 know about it.

Senator AYRES: Yes. Everybody has been filling in the forms; everybody's been doing the phone calls and everyone's been doing the backwards and forwards. That is not the issue. It's not a service issue between 2020 and the MPs and senators; it is a platform issue somewhere in here that has not been resolved.

The President: What I find very strange is that it obviously only affects some and not others.

Senator AYRES: I am not going to attempt to diagnose it here. I can run a calculator pretty effectively but, with anything like this, I get my kids to do it.

Senator MARIELLE SMITH: It would be nice to think, though, that diagnostic work had already happened somewhere on the other side, given the number of complaints.

Senator AYRES: Let's not try to fix it at the table. I had one opportunity to elevate this issue, and I've just done it.

The President: You've elevated it, Senator Ayres, and we will actively work with it, if it hasn't been already.

Senator AYRES: I do have one other thing, just to confirm. I saw an article in the *Mandarin* last week that said the Greens political party has 'asked the Department of Parliamentary Services to administer a fund it has established to trial innovative models of democratic participation'. I think, Mr Stefanic, you said that you hadn't seen a series of articles about Hansard in the *Daily Telegraph*, but you might be a more regular reader of the *Mandarin* than the *Daily Telegraph*.

Mr Stefanic: I did see that article, and I was a bit confused about it.

Senator AYRES: You did see that one. Does any such fund actually exist?

Mr Stefanic: No.

Senator AYRES: So this is just a policy announcement by the Greens political party?

Mr Stefanic: That would be my interpretation.

Senator AYRES: There's been no consultation with the department about that?

Mr Stefanic: No.

Senator AYRES: They haven't raised it with you? Okay; thank you.

Mr Sfyris: Chair, would I be able to go back to the previous issue in relation to mobile phones?

CHAIR: I'm sure that Senator Ayres won't complain about that.

Mr Sfyris: There is an issue that's currently open with our vendor, with Microsoft. They are preparing a patch to be released to address some of those issues, and there is also a workaround. I might get the officers—

Senator GALLAGHER: We know the workaround. The workaround is to go into the other account to send an email.

Senator AYRES: It doesn't help you to forward things.

Senator GALLAGHER: You can't forward from your private email to your other email, so it's not really a workaround.

Senator AYRES: When is that patch going to be available?

Mr Sfyris: I don't have the time frame on that.

Senator AYRES: We're approaching a period when members of parliament and senators are going to be increasingly remote from their offices, if I can put it that way. Actually, there's a serious point underlying this, which is that we all need the capability to be able to communicate effectively. This has gone on for about three weeks. It has been an administrative challenge for people but, as that pressure becomes more and more acute, it becomes a more serious challenge than that, I think.

Mr Sfyris: I understand that some issues have been resolved for senators and members; obviously, there is a patch that will come in. We're expecting that to resolve broader issues as well.

Senator AYRES: Yes. Perhaps I could make it clear that the workaround assists some proportion of this, but it does not resolve the problem.

The President: We absolutely take it on board.

Mr Stefanic: Chair, perhaps I will clarify something that I said earlier in relation to questions about the building occupant survey.

CHAIR: Yes.

Mr Stefanic: I did refer to the media as being building occupants. The press gallery are not recipients of that survey, but that is something that we should certainly look at.

CHAIR: Thank you very much, Mr Stefanic. As there are no further questions for the Department of Parliamentary Services, we will dismiss you. Thank you very much for appearing here today. We will call on the Australian Public Service Commission.

Proceedings suspended from 11:13 to 11:17

PRIME MINISTER AND CABINET PORTFOLIO**In Attendance**

Senator Birmingham, Minister for Finance

Senator Duniam, Assistant Minister for Forestry and Fisheries, Assistant Minister for Industry Development

Governance and Australian Public Service Reform Group

Ms Stephanie Foster PSM, Deputy Secretary, Governance and Head of Australian Public Service Reform

Mr John Reid, First Assistant Secretary, Government Division

Ms Leonie McGregor, First Assistant Secretary, Cabinet Division

Ms Ali Jenkins, First Assistant Secretary, Australian Public Service Reform Office

Ms Celeste Moran, Acting First Assistant Secretary, Jenkins Response Implementation Team

Ms Petra Gartmann, Assistant Secretary, Legal Policy

Mr Peter Rush, Assistant Secretary, Parliamentary and Government

Mr Alistair Campbell, Assistant Secretary, Priorities and Deliveries Unit

Ms Angie McKenzie, Assistant Secretary, National Cabinet

Mr Paul Hupalo, Assistant Secretary, Cabinet Secretariat

Mr Hugh Cameron, Assistant Secretary, National Security and Cabinet Systems

Social Policy Group

Ms Alison Frame, Deputy Secretary Social Policy Group

Ms Genevieve Quilty, First Assistant Secretary, Social Policy Division

Ms Lee Steel, First Assistant Secretary, Intergovernmental Relations and Reform Division

Mr Shane Johnson, Acting First Assistant Secretary, Policy Innovation and Projects

Ms Gayle Milnes, National Data Commissioner Designate

Ms Rachel Lloyd, Assistant Secretary, COVID-19 Response Taskforce

Mr John Neil, Assistant Secretary, COVID-19 Health Priorities

Ms Kimberley McDonald, Assistant Secretary, Mental Health and Suicide Prevention Reform

Ms Victoria Pullen, Assistant Secretary, Social Services, Indigenous, Veterans Affairs and Disability

Economy, Industry and G20 Group

Mr Simon Duggan, Deputy Secretary, Economy, Industry and G20 Sherpa

Mr James Chisholm, First Assistant Secretary, Industry, Infrastructure and Environment Division

Mr Jason McDonald, First Assistant Secretary, Regulatory Reform

Mr James O'Toole, Acting First Assistant, Secretary Economic Division

Ms Michelle Dowdell, First Assistant Secretary, Digital Technologies Taskforce

Ms Kristin Tilley, First Assistant Secretary, Office of Supply Chain Resilience

Mr Jason Lange, Assistant Secretary, Office of Best Practice Regulation

Mr David Pullen, Acting First Assistant Secretary, Clean Energy Summit Taskforce

National Security and International Policy Group

Mr Scott Dewar, Deputy Secretary, Quad, AUKUS and Naval Shipbuilding

Mr Rod Brazier, Acting Deputy Secretary, National Security and International Policy

Mr Lachlan Colquhoun, First Assistant Secretary, National Security Division

Mr Trevor Jones, Assistant Secretary, Disaster Preparedness, Plans and Incident Management

Ms Elizabeth McGregor, Acting First Assistant Secretary, International Division

Ms Carolyn Patteson, First Assistant Secretary, Critical Technologies Policy Coordination Office

Chief Operating Officer Group

Mr Tom Gilmartin, Chief Operating Officer

Mr Gerard Martin, First Assistant Secretary, Ministerial Support Division

Ms Michelle Wicks, First Assistant Secretary, Corporate
Ms Michelle Crowther, Chief Financial Officer
Ms Sam Portelli, Chief Information Officer
Ms Alison Green, Assistant Secretary, Protocol and International Visits

Office of the Official Secretary to the Governor-General

Mr Paul Singer MVO, Official Secretary to the Governor-General
Ms Jo Tarnawsky, Deputy Official Secretary to the Governor-General

Digital Transformation Agency

Mr Chris Fechner, Chief Executive Officer, Digital Transformation Agency
Mr Wayne Poels, General Manager, Investment—Advice, Contestability and Assurance
Ms Lucy Poole, General Manager, Digital Strategy, Standards and Policy
Ms Tanja Cvijanovic, General Manager, Digital Discovery and Sourcing
Mr George-Philip (GP) de Wet, Branch Manager, Corporate
Ms Michelle Tuck, Branch Manager, Digital Sourcing
Ms Juleigh Cook, Branch Manager, Digital Identity

Office of National Intelligence

Ms Nina Davidson, Deputy Director-General Intelligence
Dr Paul Taloni, Deputy Director-General Technology and Capability
Ms Alex Oliver, Chief Operating Officer
Ms Sue Littlehales, Assistant Director-General Executive

Australian Public Service Commission

Mr Peter Woolcott AO, Australian Public Service Commissioner
Mr Patrick Hetherington, Deputy Australian Public Service Commissioner
Ms Rina Bruinsma, First Assistant Commissioner
Mr Grant Lovelock, First Assistant Commissioner, Head of Academy
Mr Marco Spaccavento, Assistant Commissioner, Workplace Relations
Ms Katrina Purcell, Assistant Commissioner, Workforce Strategy
Ms Giorgina Strangio, Assistant Commissioner, Integrity, Performance and Employment Policy
Ms Nicole Steele, Acting Assistant Commissioner, Strategic Policy and Research
Ms Vanessa Roarty, Assistant Commissioner, Digital and Professions
Ms Catherine Seaberg, Assistant Commissioner, Inclusion
Mr Gareth Appleton, Chief Finance Officer, Enabling Services

Australian National Audit Office

Mr Grant Hehir, Auditor-General for Australia
Ms Rona Mellor PSM, Deputy Auditor-General
Ms Carla Jago, Group Executive Director, Performance Audit Services Group
Dr Tom Ioannou, Group Executive Director, Performance Audit Services Group
Mr Brian Boyd, Executive Director, Performance Audit Services Group
Mr Daniel Whyte, Acting Executive Director, Performance Audit Services Group
Ms Corinne Horton, Acting Executive Director, Performance Audit Services Group
Ms Christine Chalmers, Acting Executive Director, Performance Audit Services Group
Ms Jacquie Walton, Senior Executive Director, Corporate Management Group

Australian Public Service Commission

CHAIR: We will reconvene. I welcome Senator the Hon. Jonathon Duniam, the Assistant Minister for Forestry, Fisheries and Industry Development; Mr Peter Woolcott AO, Australian Public Service Commissioner;

and other officers of the Australian Public Service Commission. Minister, do you wish to make an opening statement?

Senator Duniam: I don't.

CHAIR: Mr Woolcott, do you wish to make an opening statement?

Mr Woolcott: Yes, I do. I'd like to open with a short statement which may help the committee to gain a clear understanding of all that we are doing to implement the Thodey review and support APS capability, integrity and culture. In 2019 the independent review of the APS chaired by David Thodey was finalised, with 35 of the review's 40 recommendations agreed by government in full or in part. The Secretaries Board has taken forward implementation of these recommendations supported by the APS Reform Office within the Department of the Prime Minister and Cabinet. Of the 40 recommendations of Thodey, the Public Service Commission has had carriage of 14 initiatives. Of these, most are now in the implementation phase. Our capability initiatives have been at the absolute centre of the APS reform effort. Under the APS Workforce Strategy 2025, released 12 months ago this month, we have set in motion significant reforms. In April 2021 we released the APS Learning and Development Strategy and Action Plan, incorporating a new learning board, which is helping to drive efficiency and reduce duplication across the APS. The learning board is currently exploring this balance in the APS learning marketplace, a less resource-intensive means of APS-wide L&D procurement. It also promotes competition and innovation through ongoing evaluation and addition of new supplies.

In July we launched the APS Academy, a place for all APS employees to access training and development opportunities. It employs a new networked approach to leverage strengths across the system, with a focus on core capabilities fundamental to a high-performing APS and practitioner-led learning supported by the APS Academy faculty made up of senior respected current and recent APS leaders. From 1 July 2021 to 28 February 2022 the academy has seen 23,468 people through its doors. This means that the academy has already exceeded its original target of 20,000 for this financial year. I expect that it will achieve closer to 36,000 people instead.

The APS Centre of Excellence for Workforce Planning within the APSC is driving implementation of the strategy across the APS as a whole. More than 87 per cent of APS agencies are now represented within the centre's community of practice, representing 99 per cent of the APS workforce. Three APS professional streams have been established to provide targeted uplift to skills needed now: strategic HR, data and digital. Together, more than 9,000 employees have signed up to the data, digital and HR professions, and this is still growing. To support a pro-integrity culture, the commission is implementing recommendations from the Sedgwick report commissioned in 2020 into APS approaches to institutional integrity, including mandatory foundational integrity training. The APSC has also updated its guidance on handling misconduct, gifts and benefits and social media use and it has released new commission directions in February, with a range of provisions there to enhance integrity.

To strengthen APS partnership with ministers, we've established an expert ministerial liaison reference panel to assist to develop, design and deliver a new strengthening partnership's SES learning program and new guides on the respective roles, responsibilities and operating environments of the APS and ministerial offices. The new SES learning program is now being piloted and we are developing a complementary program for MOP(S) staff to be delivered at an appropriate time post election. We have matured our talent management system to build our senior leadership pipeline. More than 300—almost all—of our band 3s have been assessed, with insights informing appointments, development plans and career moves to broaden and deepen critical experiences.

Under the Australian government graduate program, the APSC has strengthened specialist graduate streams, expanding agency participation and delivering the one-APS marketing campaign and graduate portal. As a result, graduate applications have increased by 38 per cent, with the graduate program being recognised as a top 10 graduate employer in its second year of operation by the *Australian Financial Review* graduate connection top-100 employee awards. Moving on this success, we've expanded this approach to all entry pathways, including internships, cadetships and apprenticeships, often benefiting younger employees.

We also know that the majority of our entry level talent is not in Canberra. Over the past two years we've been piloting four APS Academy data and digital campuses in regions outside Canberra. This will assist us to tap into data and digital talent in regional areas by allowing students to take up training in entry level data and digital roles within the Australian Public Service without leaving their region.

Mobility is recognised as a mechanism to improve capability and ensure that APS resources are where we need them, when required. The APS Surge Reserve arose out of the initial COVID crisis of 2020 and in 2021 became a permanent feature of the APS. More than 4,500 people have been deployed between APS agencies and the states and territories to undertake urgent work since its inception. In April 2021 we released the APS mobility framework, helping the APS use the temporary movement of staff as a strategic workforce tool.

We continue to foster increased diversity in the APS to leverage a breadth of perspectives and expertise and best represent the community we serve. Three strategies support this aim: the Commonwealth Aboriginal and Torres Strait Islander Strategy, the Disability Employment Strategy and the APS Gender equality strategy. In 2020 I commissioned a review of the APS hierarchy and classification to understand how we can streamline management and adopt best-practice ways of working to reduce hierarchy, improve decision-making and bring APS expertise and resources when and where needed. The review was completed in December 2021. The review is not yet public but has been considered by the Secretaries Board. There's more work to do in regard to its implementation, including important cultural and capability components.

These initiatives are in an important implementation phase, and we remain focused on ensuring that they deliver the outcomes that they seek to achieve. However, there's more to do. New challenges are emerging. A national skills shortage is impacting the APS, as it is other sectors, and we're experiencing a fundamental transformation in the nature of work. To compete in an increasingly competitive labour market, it is essential that the APS remain an employer of choice, building on a strong platform of continuous reform, and to prepare for the future of work. A new future work Secretaries Board subcommittee and cross-agency task force has now been established to this end.

This work has just begun and its outcomes will need to be considered by government in due course. It aims to develop practical and evidence-based actions to ensure that we attract development and retain the capabilities and talent that we need. Our ambition does not stop at Thodey, nor does our commitment to fulfil our ultimate responsibilities to serve the community and the government of the day.

To save the committee time, I'm tabling a document which sets out the full extent of the work that the APSC has done to implement Thodey but note that major changes to culture and operating models require sustained effort and, of course, time. I welcome any questions that the committee may have. Perhaps I may table that document.

CHAIR: Yes; thank you, Mr Woolcott. Senator Gallagher.

Senator GALLAGHER: The APSC received some extra budget funding in this budget under the supporting regionalisation budget measure. It has, I think, \$36 million across the four years of the forward estimates, of which I understand \$15.2 million over seven years is to trial some APS hubs. I guess that there are two parts to this question. The first is: what is the breakdown of the \$36 million over the forward estimates? Then I have some questions about the hubs.

Mr Woolcott: I might ask my First Assistant Commissioner, Rina Bruinsma, to talk in detail to this.

Ms Bruinsma: The package itself has quite a number of components. We've got the APS hubs. That is \$26.1 million over seven years. Of that, \$15.1 million is the cost to government in payments and \$11 million of that will eventually be cost recovered from people using those hubs. A further part of the amount that you see in there is \$18.6 million over three years for the data and digital pipeline works. I think it's called supporting the regionalisation of data and digital hubs in regional areas, and that's over three years. So the \$36 million that you'll see in the estimates in the budget papers is the forward estimates but just note that APS hubs actually extends out to seven years.

Senator GALLAGHER: Yes, I saw that. Did you say that APS hubs is actually \$26.1 million?

Ms Bruinsma: Yes, \$26.1 million. The \$15.1 million appears in the payments section and then there's \$11 million that will appear in the receipts section of the budget paper.

Senator GALLAGHER: That does appear below in budget paper No 2, pages 152 to 153. The \$0.8 million, \$1.6 million, \$1.7 million and \$1.7 million are the beginning of those receipts coming in, are they?

Ms Bruinsma: Yes, that's correct.

Senator GALLAGHER: So it would be \$ 1.7 million per annum?

Ms Bruinsma: Yes, and \$0.8 million in the first year, I think.

Senator GALLAGHER: That's a half-year effect and then it goes to full year. What are they from? They're cost recovery from operating the hubs, is that right?

Ms Bruinsma: Yes. The measure itself covers the fit-out and the hub managers. Once we have APS staff actually occupying those hubs there'll be a cost per workstation that will be recovered from agencies.

Senator GALLAGHER: That's what you charge other agencies?

Ms Bruinsma: Yes.

Senator GALLAGHER: They look like they're ready to go because you've got the funding in 2022-23. Where are these hubs going to be and how many are there?

Ms Bruinsma: There will be up to four hubs. The department of infrastructure had done a lot of work on this proposal before it was handed to us, including some analysis on the data and the locations. However, the locations have not been finalised. We will be finalising the locations in consultation with the Chief Operating Officers Committee and the Secretaries Board, and the minister will make an announcement of those locations once they're finalised. But we're confident that we can have those up and running from 1 January.

Senator GALLAGHER: They're ready to go as at 1 January. The department of infrastructure is working with you on this?

Ms Bruinsma: Yes.

Senator GALLAGHER: Is it a joint thing from the commission and infrastructure to go to the Chief Operating Officers Committee on their way to the Secretaries Board?

Ms Bruinsma: Yes. The commission is leading the measure but until now the department of infrastructure has done a lot of the groundwork. So we'll work in very close partnership with infrastructure, as we will with other agencies.

Senator GALLAGHER: Is it expected that announcement will be made soon, this side of caretaker, or is it a longer piece of work?

Ms Bruinsma: That would be up to the minister.

Senator GALLAGHER: What's the timetable for getting it to the minister then? When will the minister have the advice? I'm not asking what the advice is but when they will have the advice.

Ms Bruinsma: That's all right. We have not yet taken it to the Future of Work Subcommittee.

Senator GALLAGHER: What's the Future of Work Subcommittee?

Ms Bruinsma: I'm sorry, it's the Secretaries Board committee.

Mr Woolcott: The Future of Work Subcommittee is a subcommittee set up by the Secretaries Board. At this stage it's only met once, I believe, and essentially it's looking at the whole issue of our employee value proposition: what do we need to do in the future to ensure that we attract and retain the right skills that we need?

Senator GALLAGHER: You know you've got four hubs. You don't know the exact location; but do you know where in the country they're going to go?

Ms Bruinsma: The Future of Work Subcommittee will look at the data that has already been undertaken. We've looked at a number of principles. For example, we want access to deep labour markets; we want to build on the presence of additional APS officers in those areas; we want to make optimal use of government assets; we want access to reliable Internet. So we've narrowed it down but we haven't taken that yet to the Future of Work Subcommittee.

Senator GALLAGHER: So where you have Services Australia locations, things like that, would meet the APS presence?

Ms Bruinsma: Yes, potentially.

Senator GALLAGHER: You would have buildings there, you would have reliable Internet?

Ms Bruinsma: Yes.

Senator GALLAGHER: So would you look at co-locating these hubs with existing APS infrastructure?

Ms Bruinsma: If it makes sense to do so we could, yes.

Senator GALLAGHER: I think you said 'access to deep labour markets'.

Ms Bruinsma: Yes.

Senator GALLAGHER: What does that mean?

Ms Bruinsma: We want to make sure that there is a population base there that we can draw from and whatever we know about the skills within those areas. If we go to a small area where there is insufficient labour market to sustain demand, we probably would not select those areas.

Senator GALLAGHER: So we're looking at cities?

Ms Bruinsma: No. They are under the regional package; they will be regional areas.

Senator GALLAGHER: What's the definition of a 'regional area' for that purpose?

Ms Bruinsma: There is a definition. I don't have it with me at the moment, but it does specify the size of the population in a regional area, and it will exclude the major cities.

Senator GALLAGHER: I didn't say 'major city', but a city—you're not looking at small country towns?

Ms Bruinsma: No.

Senator GALLAGHER: You're looking at larger population bases within a region.

Ms Bruinsma: Yes.

Senator GALLAGHER: So somewhere like Davenport, would that be a region?

Ms Bruinsma: Yes, potentially.

Senator GALLAGHER: A regional centre?

Ms Bruinsma: Potentially, yes.

Senator GALLAGHER: But you haven't taken any decision yet?

Ms Bruinsma: No.

Senator GALLAGHER: Minister, do you have a view where these hubs should go?

Senator Duniam: As Ms Bruinsma outlined, the process to go through there is an important one. We'll take that advice as a government when it is provided.

Senator GALLAGHER: You can confirm that they haven't been provided with a list of four areas or a list of locations suitable for the hubs?

Ms Bruinsma: No.

Senator GALLAGHER: And you haven't got a finalised list, is your evidence?

Ms Bruinsma: No.

Senator GALLAGHER: And you can't tell me what the time line is for finalising those?

Ms Bruinsma: No. We are still in the consultation phase. Once we've completed the analysis and consulted with the Secretaries Board and committee we also need to test the demand from agencies that would have staff in those hubs. So there's a bit that we still need to do before we finalise that.

Senator GALLAGHER: Normally in a piece of work you would have a work plan about when each chunk was going to get done. You are still in the consultation phase—I am trying to work out whether these are going to be announced in the election. Are you working to that timetable?

Ms Bruinsma: I couldn't answer that question. What I can say to you is that the Department of Infrastructure has done a lot of the preparatory work, so the final consultation can be done very quickly if we need to, but at this stage we're not proposing to finalise that. The next Future of Work Subcommittee is 12 April.

Senator GALLAGHER: Do you have an idea on the size? You've costed them; you must have an idea on the size and how many agencies will be involved.

Ms Bruinsma: We've costed around 25 workstations. Obviously, depending on the way people are using those workstations we could have more than 25 staff in each workstation.

Senator GALLAGHER: As you are working in and out, sure. What about the agencies you're looking at?

Ms Bruinsma: It is generally the agencies that are large enough to have a footprint in that area and would like to recruit to that area. For example, the APSC does not have offices around the country. We might have talent that we want to bring in, and this would provide us with premises to place that person. So there's broad interest from a number of agencies.

Senator GALLAGHER: Once these hubs are up and working, any agency could employ anybody, and they could work out of these hubs?

Ms Bruinsma: Yes.

Senator GALLAGHER: That's the idea?

Ms Bruinsma: Correct.

Senator GALLAGHER: Because you've got a revenue stream, what's the cost?

Ms Bruinsma: The 15.1 is the cost to government.

Senator GALLAGHER: No, no. What is it going to cost an agency to essentially lease one of these workstations?

Ms Bruinsma: I don't have that information on me because we haven't entered into lease agreements yet. We will cost-recover according to whatever costs are.

Senator GALLAGHER: What's the costing then of your \$1.7m annual?

Ms Bruinsma: That's just an estimate.

Senator GALLAGHER: Based on?

Ms Bruinsma: Based on an average lease from a regional area, an average fit-out. When we do the costing we work with the Department of Finance to come up with the closest that we can come up with to the actual figures. Once we've got the actual price we will cost-recover that amount.

Senator GALLAGHER: And you expect them to be up and running in January 2023?

Ms Bruinsma: From January 2023. The bulk of the funding comes in that first financial year, so the fitouts need to be done within that first year. Then we would probably roll them out one after another, depending on where the locations are. But we would need to get all the fitouts done in the first year.

Senator GALLAGHER: Are you looking at co-locating with any state government?

Ms Bruinsma: Haven't confirmed, but that could be a possibility, if that was appropriate.

Senator GALLAGHER: It's being run as a pilot?

Ms Bruinsma: That's correct.

Senator GALLAGHER: So there will be an evaluation at some point?

Ms Bruinsma: Yes. We're proposing at the midpoint of the hub, so in year three, and at the end of the leasing arrangements in year seven.

Senator GALLAGHER: Of the 18.6 over three, the data digital pipeline work, what's that? Is that a capital program?

Ms Bruinsma: No. That is up to four APS Academy campuses. We will establish Academy campuses alongside universities in regional areas and outside of Canberra to host our entry-level participants: so our graduates, apprentices, interns and cadets. That will mean that students will be able to start an APS career co-located with their university, so they get the support of the university, without having to move immediately to Canberra, or at all to Canberra. The measure also includes professional supervision on those campuses for those entry-level participants, and it includes training to uplift the capability of the APS more broadly so that all APS staff have a literacy and fluency in data and digital.

Mr Woolcott: It's very different from the regional hubs aspect we were talking about before. Two things are driving it. One is the realisation we've got to get in much earlier in terms of our recruitment for digital and data skills, and we've got to grow our own. That has become very apparent to us going forward. The other thing that is driving it is the fact that we did some data analysis. Something like 90 per cent of the jobs we advertise for the digital and data skills are in Canberra, but almost 90 per cent of people who would apply for those jobs are not. So we need to think about, not only growing our own and getting in much earlier in terms of our recruitment, but also where we do our work from. That's very much part of this pilot.

Senator GALLAGHER: Of the 18.6, what component of that are the Academy campuses?

Ms Bruinsma: I don't have a breakdown, but in this particular initiative there is no cost recovery. As you can see, it's only over three years. So we'll set up the four hubs over the three years. The costing includes the campuses. The professional supervisors form the majority of that costing. But I would have to get a breakdown for you of what the training component is.

Senator GALLAGHER: This 18.6 over three 'establishing a pilot program to provide unique digital and data training and employment opportunities for regional Australians' is those four campuses?

Ms Bruinsma: Yes.

Senator GALLAGHER: And an overall lift in digital literacy across the APS?

Ms Bruinsma: Across the APS, yes.

Senator GALLAGHER: So not necessarily just regional Australians?

Ms Bruinsma: No, Minister.

Senator GALLAGHER: But it has a broader component. Do you know how much that is, the breakdown?

Ms Bruinsma: No; I don't have that breakdown with me. We are introducing three new entry-level programs. At the moment we don't have data and digital internships, so we're creating those. We're also creating data cadetships, so that will be part of it. I can provide a breakdown for you on this.

Senator GALLAGHER: Is that going to be through the Academy or generally; that's across the board, the digital traineeships or cadetships?

Ms Bruinsma: They are APS-wide Australian government traineeships, so all agencies can access trainees and cadets through that program.

Senator GALLAGHER: With the academies, have you chosen the universities where those are going?

Ms Bruinsma: No. We have developed some criteria and we have given a shortlist to the minister.

Senator GALLAGHER: There might be an announcement ready soon for that. You said there is going to be professional supervision. Is that going to be done through the university, or would that be APS?

Ms Bruinsma: The costing includes those as APS staff positions and there will be two professional supervisors at each hub.

Senator GALLAGHER: How many students?

Ms Bruinsma: For this one we have 30 to 35 workstations. We imagine that potentially 80 per cent of those would be occupied for the full year as the student goes through a cadetship or a graduate program, and then you would have a rolling group of students going through as interns.

Senator GALLAGHER: So 30 to 35 across the four?

Ms Bruinsma: No, per four.

Senator GALLAGHER: We'll find out more about that shortly, I imagine. For the APS Academy—this might not be your area—the contract values that have gone outside the APS are \$1.6 million to date, including \$62,500 for brand refinement, \$152,000 for organisational structure and \$312,000 to KPMG for industrialisation of craft learning.

Mr Lovelock: Some of those contract amounts we have talked to you about previously and relate to the implementation work we did to stand up the new APS Academy model. The contract with KPMG goes to a range of work we're doing to develop a new quality framework for learning across the entire APS, and then a process of identifying across a number of APS agencies learning and development that is already available that can be scaled up and delivered through the academy to a broader APS workforce. This goes to the effective and efficient operation point made in the third-year review: how can we pick up learning and development that already exists and make it available to a larger group of APS employees, rather than redevelop and rescope learning and development time and time again?

Senator GALLAGHER: How much have we spent on the APS Academy to date?

Mr Lovelock: It is \$7.8 million.

Senator GALLAGHER: That includes the external contracts?

Mr Lovelock: Yes.

Senator GALLAGHER: Is that within budget?

Mr Lovelock: It is.

Senator GALLAGHER: So you would expect to outsource all those pieces of work?

Mr Lovelock: In setting the budget, we committed to a number of pieces of work. As we've implemented the work plan we have made decisions based on capability and capacity about how we have approached that. We always assumed, as in any learning and development operation, that there would be a level of work done in partnership with external organisations to bring in specific L&D expertise.

Senator GALLAGHER: You've had to go out to get staff as well, by the look of it.

Mr Lovelock: We have, yes.

Senator GALLAGHER: I can see what you're doing, and I support what you're doing, but it also seems to me to be a pretty stark example of a lack of capacity in the APS currently that you're having to go out on a contract to get your organisational structure done and to get staff to come across and refine your brand and things like that. What's your view on that? Can you not draw from the skills across the APS?

Mr Lovelock: Consistent with my evidence to this committee at the time we were doing the implementation work, in the lead-up to 1 July we were still running the Centre for Leadership and Learning, so the majority of our resources were dedicated to continuing to deliver learning development across the system through the CLL. We

had a small number of people, including a large number of secondees from across the APS, contributing to that work in order to meet the 1 July stand-up date of the academy. We made a decision to have some work done in partnership with some stakeholders, particularly where that was a short, sharp or particularly defined piece of work and we wouldn't necessarily have the need for that capability beyond the implementation of the project.

Senator GALLAGHER: What's your ongoing annual budget and how many people work at the APS Academy?

Mr Lovelock: The budget for this financial year was set at 14.8 million.

Senator GALLAGHER: That's essentially your operating costs?

Mr Lovelock: Yes. There's a mixture of cost recovery and what we call 'subscription arrangements' that comprise that figure. Agencies contribute to—

Senator GALLAGHER: Pay for things?

Mr Lovelock: the cost of individual training for their employees and also, in order to establish the academy, agencies contributed a subscription payment that goes to establishing a base budget for us to be able to—

Senator GALLAGHER: Is that included in the 14.8?

Mr Lovelock: It is.

Senator GALLAGHER: How much is actually subscription? Presumably you get some budget supplementation, or is it all subscription?

Mr Lovelock: No. There was 2.8 million that was provided to the commission through the budget last year that forms part of that cost and 1.9 in the APSC appropriation that was previously directed to the Centre for Leadership and Learning. The remainder is cost recovery or subscription funding.

Senator GALLAGHER: You get about a third of your money through budget supplementation and redirection of existing spending and then about 10 mil from subscriptions?

Mr Lovelock: That's correct.

Senator GALLAGHER: Is there any problem with that in terms of guarantee of funding?

Mr Lovelock: We are looking at how to sustainably manage that over the forward estimates with agencies. I think it is important, in order to ensure that the programs being delivered by the academy are actually useful to the service, that there is a level of investment and fee for service.

Senator GALLAGHER: Sure. But what if they all decided, 'We don't want to be part of the academy anymore; it's not giving us what we want' and you get left then with \$5 million having to do everything?

Mr Woolcott: That would be an indictment of the academy. I don't see that happening. One of the things that have been very clear to me, as part of the executive board, is just what strong support there is for something like the academy to make sure it works.

Senator GALLAGHER: But it needs certainty and security of funding in order to be able, presumably, to lock in its role. That's the question I have: how secure is that if you are only really guaranteed a third of your money? I would imagine that would impact on staff as well prepared to come across. A lot rests on your shoulders, Mr Lovelock, to make it work. Thank you for answering my questions.

CHAIR: Thank you, Senator Gallagher. Senator Roberts.

Senator ROBERTS: Thank you, Chair, and thank you all for appearing today. When we were investigating, over the last 2½ years, the abuses of casual black-coal miners in the Hunter Valley, we noted that there were thousands of casuals working for the Australian Public Service, with hundreds of millions of dollars being paid to labour hire firms. Why does the Public Service do this?

Mr Woolcott: Could you just put that question to me again, Senator? I didn't quite understand. You're talking about why we employ casual hire?

Senator ROBERTS: Casuals. We know that some people prefer to work casually; so I've got nothing against casuals. We know that casuals fulfil a basic secondary role within any workplace, with fluctuating workloads, someone going on leave, projects et cetera. Why does the Public Service use so many labour hire firms to employ these casuals?

Mr Woolcott: It's for agency heads to determine how they construct their workforce. The Public Service Act sets out that the normal method of engagement is full-time, ongoing employment as a public servant, but there are provisions in the Public Service Act for non-ongoing and other aspects. It's very much for each individual agency head to work out what is the appropriate mix of their workforce. Obviously, if it's work that fluctuates then it's

quite appropriate for them to use labour hire and casuals to manage those fluctuations. But again, as I say, it's a matter for each individual agency head. They're the accountable authority. They have responsibility for delivering for the government and the Australian community and it's for them to work out their proper mix.

Senator ROBERTS: As the Australian Public Service Commission, I imagine you'd be interested in efficiency, cost-effectiveness and employees' conditions?

Mr Woolcott: Obviously we're intimately involved in many of those aspects but, in terms of running that agency and running the duties and obligations that they are committed to undertake, it's for them to do that.

Senator ROBERTS: I get that point. How many casuals are currently employed across the Australian Public Service—hundreds, thousands, tens of thousands?

Mr Woolcott: I think it's 87 per cent that is ongoing. Ms Steele will have the data.

Ms Steele: That's correct. In terms of casuals in the last year, we have at the moment 8,696 casuals. That's an increase of 51 since December 2020.

Senator ROBERTS: Thank you. How many of those would you know are casuals in their own right employed directly by the Australian Public Service and how many are labour hire subcontractors or labour hire firms?

Ms Steele: I do not know that. I do know that those who are employed for a specific term or task are a further 10,816.

Senator ROBERTS: In addition?

Ms Steele: In addition to the casuals. There are two types of non-ongoing. One is casual, and one is you can be engaged for a specific term or task.

Senator GALLAGHER: And that can be contract, labour hire, fixed term?

Ms Steele: Correct.

Senator ROBERTS: Thank you. How many casuals have been employed in the Australian Public Service for more than six months?

Ms Steele: I would have to take that on notice.

Senator ROBERTS: Could you, and could you also provide a de-identified report—anonymous employees—by department, by labour hire company or direct employment, by cost and duration of service?

Ms Steele: We don't collect that information about labour hire firms or companies; we only collect the number of casuals by agency.

Senator ROBERTS: This one you'll probably have to take on notice too, Ms Steele: how many casuals, internal or labour hire, have converted from casual to permanent employment in the Australian Public Service in the past 12 months?

Ms Steele: I will take that on notice.

Senator ROBERTS: Thank you. Are casuals that the Australian Public Service has engaged through labour hire companies able to convert to the Public Service roles that they've been working in for more than six months?

Ms Steele: No.

Senator ROBERTS: If someone has been engaged for more than six months it would seem that they're needed, so why wouldn't they be eligible? Because the employer is not the Public Service?

Mr Spaccavento: I think it's important to draw a distinction between a casual employee and a labour hire employee. A casual employee is an employee of the Australian Public Service and is eligible to convert to permanent employment if they meet the criteria laid out in the Fair Work Act and the Public Service Act. A labour hire employee is an employee of an entirely different company and not of the Public Service. A labour hire employee would not be eligible to convert to permanent employment.

Senator ROBERTS: Do you see some inconsistency there?

Mr Spaccavento: No, because in one instance the employee is a direct employee of the Australian Public Service, directly engaged by an agency. So it's a contract of service versus a contract for service.

Senator ROBERTS: I understand that. We've seen the abuse of coal miners, for example, and we've seen hints of abuse of casual workers in other sectors as well—lost entitlements, basic safety provisions, significant pay cuts—and it seems to me that it's just a naked attempt to go around the provisions of the Fair Work Act.

Mr Spaccavento: Casual employees in the Australian Public Service are engaged under the terms and conditions of agency enterprise agreements, so they receive essentially the same terms and conditions as permanent employees. I say 'essentially' because there's some leave entitlements they don't get and there is a casual loading. Labour hire employees are obviously different because they are employees of a different organisation. There's a range of reasons why agencies would engage labour hire firms, and that would be a decision for that agency head to make.

Senator ROBERTS: In the course of our investigations in the Hunter Valley, Central Queensland and elsewhere we found, for example, that the Chandler Macleod Group was paid an estimated \$2.4 billion over four years for providing labour hire contractors or labour hire employees to the Australian government. That seems pretty substantial to me.

Mr Spaccavento: I can't comment on decisions that agencies have made.

Senator ROBERTS: Are you aware if these casuals under labour hire firms are paid the same and have the same terms and conditions as similar roles that they work beside?

Mr Spaccavento: Because it's outside of our remit, we don't have visibility of what labour hire employees are paid or the conditions they are on. It would be a matter of the employment arrangements they have made with the labour hire company and those employees. I couldn't say yes or no to that question because we don't have responsibility or visibility of it.

Senator ROBERTS: Minister, this is a request for an opinion: do you think that's reasonable?

Senator Duniam: In terms of the decisions that heads of agencies make around it?

Senator ROBERTS: The employment of people for more than six months by a labour hire firm could be a way of getting around the requirement now to offer casual conversion.

Senator Duniam: As the commissioner outlined earlier, heads of agencies make decisions with regard to how they engage their workforce based on the needs at the time. There are a range of circumstances that they obviously take into consideration. I would have every faith in those heads of agencies that they are doing the right thing to ensure that the people they work for, the taxpayers of Australia, are getting the service that's required and that their employees are being treated properly as well.

Senator ROBERTS: With respect, that's a nice motherhood statement, but I've seen people who work for firms with reputable international and Australian reputations completely abusing workers in this country. That has come as a big shock. To compound that, neither the Labor Party nor the Liberal Party nor the National Party nor state and federal governments nor the various bureaucrats have been interested in this. They've ignored requests to investigate.

Senator Duniam: If there are specific cases of abuse of employees then there are appropriate channels to deal with those things. I would encourage you, or those you ask these questions on behalf of, to take action, because that's the appropriate thing to do. I don't think there's anyone around this table, on that side or this side, that would seek to endorse any abuse of employees or withdrawal or withholding of entitlements.

Senator ROBERTS: It's remarkable—and I'm not accusing people of doing that in the Public Service—and I'm trying to find out whether or not the government and the Public Service understand there is a potential for that. We've seen that widely in other industries from so-called reputable firms. I've heard some stories about the Public Service hiring \$2.4 billion worth of labour hire people over four years. That's a staggering figure.

Senator Duniam: I appreciate you're not making an accusation. Certainly, your point is that there could be potential, or you're trying to seek an understanding of whether there is. If there is a single case of this abuse then I would expect that it would be raised and referred to the appropriate authorities and dealt with accordingly.

Senator ROBERTS: What doesn't give me confidence—I accept what you're saying—is that some people in the Hunter Valley, for example, raised this repeatedly over the course of about five years and got nowhere, neither from the state nor the federal government, with blatant breaches of the law. I'm just trying to understand, if the Public Service know that this could be going on, what they're doing to protect not only workers who work for them permanently, casually, directly, but also those who work indirectly through labour hire firms, because not all labour hire firms are ethical.

Mr Woolcott: I'm not aware of the particular issues that you are raising. Obviously, if you have concerns, please take them up with the relevant minister or with his department in relation to the way they manage their affairs.

Senator ROBERTS: I'm trying to find out whether or not you're aware of the particular—

Mr Woolcott: I'm not aware of any of the particular concerns that you're raising, Senator.

Senator ROBERTS: Or the potential for that. Are you aware that casual workers who are employed either directly or through labour hire firms have less job security and find it harder, for example, to get home loans, because one of the requirements for a home loan is a secure, permanent job?

Mr Woolcott: Am I aware of that?

Senator ROBERTS: Yes.

Mr Woolcott: Again, it's not an issue that's been brought to my attention.

Senator ROBERTS: So you're not aware; okay. These workers who are working for the Public Service for more than six months miss out on the terms and conditions of government employment. Is that reasonable?

Mr Woolcott: You're asking me for an opinion there.

Senator ROBERTS: I'll ask the minister.

Senator Duniam: With respect to the decisions made by heads of agency around how they engage their workforce, either in the way you've characterised or otherwise, as the commissioner has outlined, it's a matter for them based on the needs of the community they serve and the work that they do. Personally, I would love to ensure that everyone gets everything they're entitled to, and I have every expectation that, for those who are engaged, under whatever contractual arrangement occurs, those contracts are in alignment with the law and are done in accordance with what is legally required of the employing agency. My hope is that everyone gets what they deserve and nothing less.

Senator ROBERTS: That's my hope, too. But in the Hunter Valley, for a period of seven years now—five years until we started working on it—there were many people who were abused and exploited, and they were told to go and talk with the state department, WorkCover. They were told to take it up with the federal government, and nothing happened. We were then actively misrepresented when we tried to do something about it. Eventually, we prevailed in some areas and we're still working on others. So it could happen in the Public Service, and I'm checking to make sure that the Public Service is aware of some of these things; that's all.

Senator Duniam: You have brought this concern to the commissioner's attention. Certainly, the minister that I'm representing will be aware of your concerns. Again, if there's a specific instance or a series of them, we should deal with them in the appropriate forum.

Senator ROBERTS: One final question, Chair: what margin is paid to labour hire firms when you engage a casual through them? I'm now putting on my other hat; instead of protecting constituents, I'm protecting taxpayers, who are also constituents. What's the margin?

Mr Woolcott: We don't keep data on that, so I can't answer that question. It would be a matter for each particular agency head, in terms of the arrangements they have. We don't collect data on that issue.

Senator AYRES: Ms Steele, I didn't hear your answer to Senator Roberts' initial question. I think you gave an answer—tell me if I'm wrong—which was about the number of direct casuals and the number of non-ongoing; and, consistent with the APSC's previous answers to the committee, you don't have an answer for the number of labour hire employees engaged by the APSC?

Ms Steele: That is correct.

Senator AYRES: The justification for what I think is an impossible proposition is still the same, Mr Woolcott, is it?

Mr Woolcott: We collect data on Australian public servants, and arrangements under the APS act fall outside our terms of reference. Having said that, Senator, it's always appropriate to look at ways to improve data collection and our understanding of the public sector workforce. We will continue to do so, and use the COO committee to that end.

Senator AYRES: Does that mean that you're heading towards being able to collect that data, to be able to identify what proportion of the workforce is privatised, or are you just making a general comment?

Mr Woolcott: I'm just making a general comment at this point, Senator.

Senator AYRES: So it's still studied ignorance on labour hire. With the survey work that the commission does on a regular basis, there's been no consideration given to extending that survey work to the experience that labour hire employees have with the Public Service?

Mr Woolcott: Not at this point.

Senator ROBERTS: There's no guarantee—you can't provide a guarantee—that there's no wage theft going on in the industry, in the public sector?

Mr Woolcott: No, I can't provide that guarantee.

Senator Duniam: Again, it's important to say that, if there are examples of that, I'll walk with you to the appropriate authority; we'll make sure that they're made aware, that investigations occur and justice is done.

Mr Woolcott: The workforce ombudsman, Sandra Parker, obviously looks at this aspect very closely in terms of both the private sector and the public sector.

CHAIR: There being no further questions for the APSC, thank you very much for coming along today. We will call on the Office of National Intelligence.

Office of National Intelligence

[12:06]

CHAIR: Welcome, Ms Nina Davidson, Acting Director-General, and officers of the Office of National Intelligence. Ms Davidson, do you wish to make an opening statement?

Ms Davidson: There is no opening statement, thank you, Chair; other than to note the Director-General's apologies for not being able to attend, given he's travelling, on official business.

CHAIR: Thank you; I appreciate that. Senator Ayres has the call.

Senator AYRES: I want to start by asking a few questions about the Prime Minister's address to the Alliance Dinner a few days ago. He said that the government is establishing the Cyber and Critical Technology Intelligence Centre, to be led by ONI. Can you tell me how ONI will lead this centre?

Ms Davidson: Yes, Senator. The centre is to be an across-agency, across national intelligence community agency, centre, housed and led by us. As the Prime Minister touched on in his address, one of the elements of the centre will be to enhance our engagement, working with the research and development community outside government, to ensure that we, as an intelligence community, can stay across technological developments that may have a bearing on our intelligence capabilities. Also, the centre will allow us to enhance our support through our assessment work on cyber and critical technology issues, which are, of course, an increasingly important part of our strategic environment and areas in which there's rapid change.

Senator AYRES: Which agencies are involved at this stage?

Ms Davidson: At this stage ONI itself—capabilities within ONI itself—and the Australian Cyber Security Centre are key agencies involved. But we expect that, over time and in different ways, a number of agencies across the national intelligence community, as well as the policy community more broadly, will be involved and will engage with the centre.

Senator AYRES: In terms of staffing, ONI staff will be engaged and will presumably manage the work of the centre. No staff of other agencies at this stage have been engaged?

Ms Davidson: We're in the early stages, Senator, of standing up the centre, so we're in the process of establishing the centre. The key agencies contributing at the outset are ONI and the ACSC, but we do anticipate that other agencies will contribute over time.

Senator AYRES: Can you tell me how it will be structured? What's the chain of command? Has somebody been appointed to lead the centre at this stage?

Ms Davidson: I won't go into the detail, Senator, as you'll understand, in this forum, about the detailed structure and resourcing, in line with our general approach.

Senator AYRES: Just at a high level, yes.

Ms Davidson: There are some leadership positions that we will be filling over coming months.

Senator AYRES: How far down the track is it?

Ms Davidson: We have a process open at the moment to fill some SES band 1 positions, and there's a position that relates to our cyber and critical technology capability that we will look to fill out of that round. We have processes in place. As you know, it's always difficult to predict how long these things take, particularly to get positions filled in the intelligence community, given the considerations that sit around our recruitment.

Senator AYRES: I think there's a budget increase for ONI of about \$54 million; it's a 32 per cent increase. What proportion of that funding increase is allocated to the centre?

Ms Davidson: Again, I won't go into breakdowns of figures; we don't disclose the detail of our resourcing because of what that detail might reveal about sensitive national security issues. As you've noted, there is an increase in ONI's resourcing; that includes resourcing associated with the centre. Also, there has been an increase to ONI's resourcing, if you like, in general. That reflects that, since the time that ONI was established, out of the

2017 Independent Intelligence Review, it's been clear that both the complexity and pace of change in our strategic environment, in technological change, have exceeded what was expected at the time. Reflecting that, it means that, in terms of our ability to provide assessment support to government, to a range of policy departments, as well as across our other functions in the national intelligence community, we have had an increase in funding.

Senator AYRES: From sitting outside, you would expect that there was room for year-on-year, significant budget increases as the complexity of the task in front of the agency becomes more and more of a challenge, in anticipating developments—building the capability to be able to deal with unknown developments in technology or otherwise in the future. What I wanted to get a handle on at a very high level was whether or not the allocation within that for the new centre was large. The Prime Minister made the announcement a few days ago; it seems consistent with, in the cyber area, the increasing nature of the challenge and the requirement for a whole-of-government capability to be built to deal with cybersecurity. I'm trying to get a handle on, amongst a series of other initiatives, functions and capabilities across the Public Service, how big this really is and whether its coordination role will absorb some of that capability that's outside. Can you answer any of those questions? I certainly didn't mean to convey that I wanted the exact numbers, but can you assist me with that?

Ms Davidson: I understand. Perhaps the way to respond to that, Senator, is that, from an ONI and intelligence community perspective—and, as you say, there are other investments and resourcing activities across government—we, as a community, as an agency, play a particular role. The funding increase builds on existing resourcing and existing activities. We are confident, from an agency and a community perspective, that, along with the other activities in government, it sets us up to effectively respond in the years ahead.

Senator AYRES: I think that in 2020 the government announced the Critical Technologies Policy Coordination Office in PM&C. There appears to be an overlap between what the Prime Minister said a few days ago about this new centre and that function sitting within PM&C. What can you tell me about that? Is there an overlap? Is there something that distinguishes these two functions?

Ms Davidson: Yes, there is something that distinguishes the functions, in that our function in the intelligence community, and out of ONI, part of what this centre will do will provide support into that part of PM&C as well as other parts of government. As well as cyber of course, critical technology is an area of increasing importance to our national security interest. In various parts of government questions seeking to understand critical technology developments are an increasing part of the questions that policy agencies are dealing with. So the intention is that the centre provide, if you like, a single point of access to provide strategic intelligence assessment support to other parts of government. It is that, if you like, intelligence dimension to policy support that is different about the centre.

Senator AYRES: One final question: does the establishment of this centre also have a relationship to the AUKUS agreement? Is it designed to provide confidence and security and a sort of mechanism around the sharing of technology?

Ms Davidson: What I'd say there is that in the AUKUS context, as in general, critical technology is an important issue; so I think there's relevance there but it is a broader issue.

Senator AYRES: There's a requirement for not just capability lifting but confidence lifting?

Ms Davidson: Yes.

CHAIR: Thank you very much, Senator Ayres. That was neatly on 10 minutes. Any other questions for ONI? No. We'll send you off then. Thank you very much for coming along today.

Digital Transformation Agency

[12:17]

CHAIR: I welcome Mr Chris Fechner, Chief Executive Officer at the Digital Transformation Agency, and other officers. Mr Fechner, do you wish to make an opening statement?

Mr Fechner: No, thank you.

CHAIR: Senator Roberts has some questions for you.

Senator ROBERTS: Thank you for appearing today. The so-called 'trusted digital identity' entails finding all Commonwealth government records for every adult Australian, creating a digital identity in each person's name and then adding that data into their digital identity. In other words, this is a giant data-matching exercise, is that correct?

Mr Fechner: No, that's not correct.

Senator ROBERTS: Could you explain why and what it is?

Mr Fechner: Yes. The digital identity is a mechanism for citizens, through their own choice, to establish a trusted and secure mechanism to engage with government services. The information that's stored inside the digital identity is entirely up to the discretion of the citizen as to the use to put it, and it is not used for any other purpose than for proofing the identity of the citizen so that they can use services.

Senator ROBERTS: Correct me if I am wrong, you would have to be able to at least connect the government databases to an individual's record, if they wanted to?

Mr Fechner: If a citizen chooses to—and there are different levels of proofing within the digital identity system. Lower level of proofing requires less documentation, but significant services that have got a high risk or a high value have a high level of proofing. In those circumstances we match to existing government services but through a consent basis.

Senator ROBERTS: How many digital identities do you expect to create? Would it be one for every Australian?

Mr Fechner: Currently there are 7.9 million digital identities that have been created. It's entirely voluntary; so it does not necessitate one-to-one in that space.

Senator ROBERTS: How many do you think it will create? As I understand it, the trust of a digital identity is pretty significant in the government's policy. They have shown us legislation and it would seem to be fairly comprehensive. How many digital identities would you anticipate would be created?

Mr Fechner: That is a matter of choice for citizens. The purpose of the identity is to make safe, secure and simple services. As new services are created by the government that require identity then people can make choices as to how they do it. There are always alternatives for access to government services outside digital identity so that people who choose not to are not disadvantaged.

Senator ROBERTS: So how many digital identities do you think will be created ultimately, do you expect? You are doing planning, I take it?

Mr Fechner: We are scaled for full enrolment. I might give that specific one to Juleigh Cook.

Ms Cook: As Chris has mentioned, there's no requirement for people to create or use a digital identity. We believe that the adoption rate for digital identities to be created and used will be determined by the services that people are choosing to access.

Senator ROBERTS: You're starting a project then with no understanding of how big this is going to be or potentially be?

Ms Cook: No, we model that based on the services that are onboarding. We can take, I guess, a question on notice on the services that we've got onboarding until the end of this calendar year.

Senator ROBERTS: That will be handy. What about for the next five years?

Ms Cook: The demand is based purely on the services that are onboarding and people's desire to choose a digital identity process to help them access those services.

Mr Fechner: Importantly, digital identity is not on a per service basis. When you create a digital identity it is used for many services. That increases the simplicity by which people can access those services in a way that's trusted and secure.

Senator ROBERTS: I understand that. The Digital Transformation Agency which started in 2016 with a mission—this is quoting you—'to transfer services to be simple, clear and fast' would have as the very first step in that process, I would have thought, a stocktake of what systems are out there so that an accurate job scope could be formed.

Mr Fechner: If I'm understanding the question correctly, if you're trying to get the volume of the number of citizens that were to enrol, it will be that adult citizens within the Commonwealth can use it for access to government services. We're also very keen to make sure that it's clear that there is not one, and only one, digital identity that is available for the system. Within the identity framework that we proposed there can be multiple identities that can be provided. The government digital identity—the MyGov ID—currently has 7.9 million. It has been growing steadily since it came into effect, with a significant uptick since we introduced the higher proofing levels for some services such as tax file numbers and CRNs.

Senator ROBERTS: That makes sense. But I still can't understand how the project could be started—it's not just in this country; it's in many countries, the digital transformation platform or project—without an understanding of the scope. How can you then ask the government for a budget? How can you justify the expenditure of money? How can you justify how many billions will be devoted to this?

Mr Fechner: Again, the words that you used were 'simple, clear and fast access to government services in a federated digital identity system'. There are, across local, state and federal government and in the private sector, hundreds if not thousands of services that could be made digital if there was the appropriate identity proofing to allow access to those digital services. We are provisioning a framework and a method to give access to those services. The rate at which the services come on is a matter for some other agencies as well as state and local governments and the private sector.

Senator ROBERTS: What's the scope? How do you know how much money will be spent now; how much money will be spent in the future, in five years time, 10 years time? It seems like it's just hit and miss.

Mr Fechner: I might pass to Juleigh, just after a couple of comments. Again, we will respond to the demand in the system. We built the Trusted Digital Identity Framework and the system to scale significantly in use. As the demand increases so will the capability of the system. As more services come online it will create an environment where people are expecting and requesting more digital services to come online for the convenience of those services and the ease of access. So the idea with the Trusted Digital Identity Framework is we have got not just one identity provider that can do it but many in the system and in fact many actual other providers, both in the private sector and the public sector, that can actually make use of a highly secure, accredited environment for the people outside the system and one that actually at a certain point in the future will be covered under legislation.

Senator ROBERTS: Correct me if I am wrong, it seems like either this is an open-cheque approach or an ambush approach. 'We need this money suddenly.' I can't understand how work can start on this without some scoping or some understanding of the size of the project.

Mr Fechner: One more comment and then I will hand to Juleigh. As you noted, digital identity is being used broadly across the planet, and is very much a focus of government.

Senator ROBERTS: It is starting to come in, thanks to the World Economic Forum, yes.

Mr Fechner: Again, there are differing levels of maturing across the planet in that space. The use of digital identity provides a way of creating an assured framework for people to get access to those services. I will hand across to Juleigh now.

Ms Cook: Just to add to Chris's point, I guess the origin of the digital identity program was in response to the financial services inquiry in 2014 and the government response to that in 2015 to address some of the fragmentation of how identity verification is undertaken across the digital economy. One of the ways that government has responded to that is the building of the digital identity system run by the Commonwealth which, as Chris has mentioned, has got 7.9 million people that have created a MyGov ID at this point in time. We're also accrediting private sector entities as well who are looking at setting up their own digital identity services under the Trusted Digital Identity Framework to ensure that those systems are built to the same rules and regulations. So I guess, as Chris has mentioned, as more services come onto our system we expect that more and more people will want to create and use a digital identity.

Senator ROBERTS: Just going back a minute, I was at the Australian Banking Association conference a few weeks ago—and I may be wrong in this—and it seemed like every single speaker spoke about the need for a digital identity. And we're very much talking it up. If that's the case, why isn't there some kind of scope around this? It still seems to be, 'We'll go along until people want it.' It seems to be an awfully big commitment per head.

Mr Fechner: For a very large problem. As you noted, it's not just government services that are looking for that; it is financial services, industries, and it is to address the secure and simple access. The increase of online fraud, online crime is skyrocketing, as you would see from things like the ACSC reports, and digital identity is a very important component in the framework of delivering services that are trusted and secure. With the Trusted Digital Identity Framework we've gone further and we've put in place an accreditation and a regulation environment that ensures the privacy of the individuals is maintained, that there is a recompense if there are any failures within the systems that support the recovery of the identities that are sitting in there, to make sure that we're able to support trust and confidence in the government system. The people that go through accreditation, as Juleigh said, are held to a very high standard. The standard—which I'll just pass to Juleigh—has been acknowledged and recognised as a leading framework within the whole of the planet.

Senator ROBERTS: We unearthed a number of failures at the last Senate estimates. I agree with you: the incidence of digital fraud is skyrocketing. The biggest areas of concern seem to be government services and Silicon Valley; that doesn't give me much hope. And most of them are attributable to either human error or fraud; people are very, very skilful.

Mr Fechner: Yes. It goes to the nature of the reason why the digital identity is in place: to give people ongoing protections so that when they are engaging with people who are accredited through our framework, or within our system, there is an incredibly high standard that they need to work to.

Senator ROBERTS: Can you show me your risk assessment for the Trusted Digital Identity? Are you able to provide that?

Ms Cook: The cybersecurity risk assessments? We can confirm whether we can table those.

Senator ROBERTS: The last time the federal government tried a simpler data-matching exercise with just two databases—Centrelink and Taxation—we had a royal commission level stuff-up, robodebt. Hundreds of lives, if not thousands, were lost, while nothing came of it. With such high stakes, how could your department not have done a risk assessment comprehensively, not just in the narrow scope that you mentioned, Ms Cook, to make sure the same tragedy does not happen again.

Mr Fechner: Over the life of the digital identity system, we've done a number of privacy impact assessments. We've consulted very broadly with stakeholder groups. We've worked very closely with the privacy commissioners. We've done all of the work that's necessary to look at the protections for citizens. We have certainly been conscious of the concerns around privacy and security of information, and they've been uppermost in our minds. The Trusted Digital Identity Framework has trust principles underpinning it. It has a number of regulatory practices that we put in place for certifications that say they have to have a high standard. The intent of the digital identity is only for the proofing. It's not used for any other purposes. It is not used for one-to-many matching. It is not used to track people's movements. It is simply a mechanism to support secure, safe and convenient access to services through a proven identity.

Senator ROBERTS: This is not just Australia. On your website, you have a Digital Identity Working Group that goes around the world. It's got Australia, Canada, Finland, Israel, the Netherlands, New Zealand, I think, Britain and a country whose flag I don't recognise. The Digital Identity Working Group is exploring ways to 'enable mutual recognition and/or interoperability around the world, meaning an Australian digital identity will follow people around the world wherever they go'. So there won't be any escape from the Trusted Digital Identity globally, will there?

Ms Cook: I chair that working group. The intention is to understand what's happening internationally in the digital identity space and where there are potential opportunities to make the systems operable to support ease of transactions internationally. We've started looking at opportunities through that group. It's not a decision-making group; it's an information sharing group.

Proceedings suspended from 12:34 to 13:39

CHAIR: The committee will reconvene. Minister, do you wish to make an opening statement?

Senator Birmingham: Good afternoon. No, thank you. We are here in continuum.

CHAIR: Ms Foster, do you wish to make an opening statement?

Ms Foster: No, thank you, Chair.

CHAIR: Senator Wong, you have the call.

Senator WONG: First, I want to turn to the issue of the doctoring of the *Hansard* in relation to the speeches in the chambers by Minister Sukkar and Minister Hume, both of which were substantially altered after having been given. The first question I have is: Ms Foster, did you have any knowledge of the mistake in what was put to the parliament before it became public?

Ms Foster: No, I didn't and in fact the issues are normally dealt with by our PLOs. Mr Reid has indicated—

Senator WONG: I'm asking you first; I will ask him.

Ms Foster: No, I didn't personally.

Senator WONG: When did you become aware of this issue?

Ms Foster: About five minutes ago.

Senator WONG: And PM&C was not asked for advice about this? You?

Ms Foster: I wasn't personally, but Mr Reid has indicated to me that he might have some information that will assist.

Senator WONG: Mr Reid?

Mr Reid: What was the question, Senator?

Senator WONG: Seriously?

Mr Reid: As in: did I become aware of it; when did I become aware of it?

Senator WONG: Your deputy secretary said you have some information that could assist, and now you're asking me to ask the question. Please assist.

Mr Reid: Sorry, Senator, I can assist. I became aware of this on Sunday with the interview on *Insiders*. I spoke with my officers this morning to confirm the process that was followed in relation to that transcript. I can confirm that the standard process was followed, which is that, following the speech in question, the House Parliamentary Liaison Officer provided the Hansard office with the second reading speech that they had been provided by the Treasurer's office and that was some minutes after the speech was delivered. The department had no further engagement in the transcript with the tabling office or with any ministerial office.

Senator WONG: I would take issue with the word 'standard'. I have never seen the *Hansard* be doctored this way.

Senator Birmingham: Sorry, Senator Wong, I think what I just heard is the official saying that the standard process of 'after I tabled the second reading speech' being that the PLO provides a copy to the Table Office and that that was all that occurred in relation to the PM&C PLO.

Senator WONG: I'm going to ask some questions about this. So, Sunday, you became aware of this issue, Mr Reid; how?

Mr Reid: The *Insiders* interview on the ABC.

Senator WONG: Because you watched it, or someone called you and said, 'He's been asked about it.'

Mr Reid: I watched parts of it.

Senator WONG: Who spoke to you or to whom did you speak?

Mr Reid: I spoke with the House Parliamentary Liaison Officer this morning.

Senator WONG: When?

Mr Reid: This morning.

Senator WONG: After questions were asked in estimates?

Mr Reid: I'm not sure; I wasn't following estimates.

Senator WONG: What prompted you was the *Insiders* interview?

Mr Reid: What prompted me was the House Parliamentary Liaison Officer reaching out to me this morning to confirm what had happened.

Senator WONG: As a consequence of the *Insiders* interview, you didn't do anything?

Mr Reid: No.

Senator WONG: But the House Parliamentary Liaison Officer—correct—spoke to you?

Mr Reid: That's right.

Senator WONG: And who is that?

Mr Reid: It's Alex Philp. He is an acting SES Band 1 officer.

Senator WONG: And he's the PM&C officer?

Mr Reid: Yes, that's right.

Senator WONG: And he reached out to you to say what? So, he called you?

Mr Reid: He signalled me this morning and emailed, and we have spoken in person.

Senator WONG: What was the nature of his communication?

Mr Reid: To confirm with me the process that had been followed in relation to the transcript for that second reading speech.

Senator WONG: Which was?

Mr Reid: Which was, as I said—

Senator WONG: Say it again, please?

Mr Reid: Prior to Minister Sukkar's second reading speech, he, in the House PLO office, was provided with a copy of the speech.

Senator WONG: He?

Mr Reid: Mr Philp was provided with a copy of the speech in the standard way. Immediately, after the speech, or sometime after the speech—within an hour or so, I think, after the speech being delivered—he forwarded that soft copy of the second reading speech to the Hansard office.

Senator WONG: Was that the same as the speech that was actually given?

Mr Reid: It was the speech that was given; that's right.

Senator WONG: That is with the erroneous policy proposition?

Mr Reid: It was as it was delivered—

Senator WONG: Which is the 17 million scripts or 17 million people—what was it? I've forgotten which the metric was.

Senator Birmingham: I'm not sure that I can help you there. I wasn't listening this morning.

Senator WONG: I can read it out, or I'm happy for you to read it out if you'd like?

Senator Birmingham: I think what we've ascertained is that it was the same—

Senator WONG: 'Schedule 7 to the bill ensures that all Australians continue to have the best access to the PBS and that medicines continue to be affordable for all Australians. The amendment will reduce the Pharmaceutical Benefits Scheme general patient charge by \$10, from the amount of \$42.50 to the new amount of \$32.50, commencing on 1 May.' That was not correct.

Mr Reid: That was the version that was consistent with the version that was received by the PLO office and was then forwarded to the table office.

Senator WONG: Has Mr Philp been in this job for some time or only recently moved into the job?

Mr Reid: Only recently.

Senator WONG: So he gets a copy of the second reading speech; he forwards the soft copy to Hansard. It includes a description on the budget measure which was not correct?

Mr Reid: It was as it was read in the chamber. It wasn't changed or touched by the office.

Senator WONG: It was not correct.

Senator Birmingham: Indeed, it was not correct, but, in fairness to Mr Philp, it's not his job to proofread the content either.

Senator WONG: Oh, no; I'm not having a go at him. He is forwarding what the Treasurer's office sends him.

Senator Birmingham: That's right.

Senator WONG: Did Mr Philp tell you when he first became aware it was an error?

Mr Reid: No. I think that would have been on Sunday morning, when the issue was raised in the media.

Senator WONG: But you have had a conversation with him, Signal message and an email exchange? Did anyone raise with him, 'Oops—by the way, wrong speech'? Has he told you?

Mr Reid: No.

Senator WONG: The Treasurer's office never raised it with him?

Mr Reid: Not as far as I'm aware.

Senator WONG: Did anyone from Prime Minister and Cabinet become aware prior to the *Insiders* interview that this had happened—that there had been a speech given in the parliament which didn't reflect government policy?

Mr Reid: No.

Senator WONG: Senator Birmingham, when did you first become aware that this had happened in both the Senate and the House?

Senator Birmingham: That will expose that I may not have watched *Insiders* yesterday morning! But I became aware this morning.

Senator WONG: Really?

Senator Birmingham: Yes.

Senator WONG: It's surprising you didn't notice the newspaper articles.

Senator Birmingham: I clearly had missed them.

Senator WONG: When did you become aware that Senator Hume had also sought belatedly to dramatically change the *Hansard* record of her speech?

Senator Birmingham: I became aware of the instance across both chambers this morning.

Senator WONG: When did the Prime Minister's office become aware?

Senator Birmingham: I don't know.

Senator WONG: Have you discussed it with the PM's office?

Senator Birmingham: I have in passing since I became aware today, but it was only in passing in the context of being aware that the questions had been raised this morning.

Senator WONG: Who did you discuss it with?

Senator Birmingham: It was one of the advisers in the PMO.

Senator WONG: Was it a senior adviser or principal adviser?

Senator Birmingham: The title, I think, is senior adviser.

Senator WONG: Did that person indicate when they became aware of this?

Senator Birmingham: No, but it wasn't really the nature of the conversation either.

Senator WONG: I'm trying to understand what the Prime Minister's office knew about the doctoring of the *Hansard* or the alteration of the *Hansard*. I am trying to understand: did anybody know that Mr Sukkar and Senator Hume were going to do that?

Senator Birmingham: I will seek to find out for you as quick as I can there. Obviously, in this instance, the individuals provided and used an incorrect version of the speech. They sought to get that corrected on the record.

Senator WONG: But they didn't, did they? There's a difference. I will come to that, but I am first going to ask you. I would like to understand, as you are the Minister representing the Prime Minister, when the Prime Minister or his staff became aware of the error—first question. Secondly, when did the Prime Minister or his staff become aware of how ministers proposed to deal with the error?

Senator Birmingham: I understand the question.

Senator WONG: Thank you. The second point—and this goes to an important issue. It goes to how one corrects the record in the parliament, doesn't it?

Senator Birmingham: It does; that's right. Correcting the record is an important part of what we all have to do from time to time.

Senator WONG: Correct. I had to do it many years ago. You've had to do it. You come and you go, 'I made a mistake.' I once announced a policy that hadn't been announced. It was given to me on a piece of paper, and I announced it when it hadn't been announced. You have to correct it. But they didn't come in and correct, did they?

Senator Birmingham: In the case of the Senate, from what I can gather of what I heard of the time line of events, the Senate was no longer in session by that time.

Senator WONG: That's not true—well, you come back and tell me if that's correct. I understood—and I'm happy to be corrected—that Senator Hume in fact changed the *Hansard* on the Wednesday. We were still sitting until—what time did we end up sitting, 11 o'clock?

Senator Birmingham: No, I think it was a bit earlier than that in the end.

Senator WONG: Was it 10.30? So I don't think that's correct. If it were the case, she could obviously have come to an estimates and said, 'I've now redone this,' but neither Mr Sukkar nor Senator Hume did what convention under the Westminster system would require, which is to turn up to the chamber and say, 'I have to correct the record.' Can you tell me why that didn't happen?

Senator Birmingham: Appreciating, of course, as you will know, the slight nuance of difference between House procedure and Senate procedure as to how they're presented—in Senator Hume's case she literally tabled a document. She didn't deliver a speech.

Senator WONG: Sure.

Senator Birmingham: The language points—I am only making that point because, in her case, while I can't speak for the process at the time, because I only became aware of it myself this morning, it would appear she simply sought to have what would have been the correct document to table incorporated.

Senator WONG: It's an incorporated speech. It's not just a document where you go 'I tabled the wrong treaty', 'I tabled the wrong heads of agreement' or something. It's the incorporated speech. Isn't the decent thing to do and,

frankly, what ministers are expected to do—people make mistakes. I get that. She's a repping minister in this context, isn't she?

Senator Birmingham: Yes.

Senator WONG: So she's a repping minister. She was given the wrong speech. But isn't the appropriate thing for her to do to turn up and say: 'I'm tabling a new speech. I note that the speech that I was provided with and that has been incorporated into the parliamentary record contained an error of fact'? It is simple. Why wasn't that done?

Senator Birmingham: I think it's an unusual set of circumstances—

Senator WONG: Yes, it is.

Senator Birmingham: for both ministers involved. I acknowledge that. I think that, in both cases, clearly it was an innocent mistake on each of their parts in what information was provided to the houses. I think each sought to ensure that the record accurately reflected the bill that they were introducing and that the second reading speech was amended to reflect accurately that bill rather than the information that had been provided. I understand the points you're making about the procedures for doing so.

Senator WONG: I think an *Odgers* extract was read in the earlier hearing. *Odgers* says:

Soon after they deliver a speech, senators receive a copy of the transcript from Hansard. Senators may make necessary corrections to the transcript, but changes altering the sense or introducing new matters are not admissible ... Following an incident in 1989 in which a minister was censured by the Senate for deleting words appearing in the Daily Hansard—

So a minister was censured—

the Senate resolved that the President should "enforce strictly the rule that senators' corrections to Hansard must not have the effect of deleting from the record words actually spoken in debate so as to alter the sense of words spoken".

That's what happened here; isn't it?

Senator Birmingham: It's an unusual set of circumstances where you're dealing with the minister's second reading speech, that has a particular function in terms of describing the content and meaning of a bill before the chamber. The accuracy of that is important. I think I can understand the circumstance where, in real time handling of the matters, the ministers or officers at the time formed a view to seek to most expeditiously get the *Hansard* corrected to ensure the accurate second reading speech was there for those bills. I appreciate the point you're making that there's an alternate pathway they could have followed to do that that may have avoided the discussions we're having now, and I am sure that's something everyone will reflect upon.

Senator WONG: You've never done this.

Senator Birmingham: I don't think I've ever given the wrong speech in a second reading bill either.

Senator WONG: You've never tried to reverse something on *Hansard* that you've actually said. There is one thing if *Hansard* has got it incorrect or words wrong or something, but you haven't done this; have you?

Senator Birmingham: As I said, I think in the real time of what are a fairly unique set of circumstances—

Senator WONG: Who decided this was the way to deal with it?

Senator Birmingham: I assume that decision was made across each of the offices.

Senator WONG: But independently came to the same view, 'We'll just go along and try—

Senator Birmingham: I would be surprised if there wasn't discussion, given that there's no particular reason I would have expected Senator Hume to be aware that she had tabled the wrong speech, unless somebody else brought it to her attention.

Senator WONG: No-one raised this with you as Senate leader?

Senator Birmingham: No. Budget week is not always the best time to seize attention on such matters.

Senator WONG: Apart from anything, 'By the way, we gave the speech which had the budget measure that we didn't put in place.'

Senator Birmingham: As I said, I became aware of it this morning.

Senator WONG: Have you had a discussion with Senator Hume's office?

Senator Birmingham: No.

Senator WONG: When you had the discussion with the Prime Minister's senior advisor, were they aware? Had they had discussions with Mr Sukkar and Senator Hume about changing the *Hansard* in this way?

Senator Birmingham: Not to my knowledge. I gave an honest answer there that I had a discussion, it was a passing discussion noting what was happening in this committee this morning. It wasn't a detailed discussion about the matter.

Senator WONG: When did Mr Sukkar give this speech?

Senator Birmingham: You probably have those details closer to hand than I do, but I can ask somebody to look it up if you like.

Senator WONG: Wednesday, I think. The House sat on the Thursday. Can you explain why Mr Sukkar didn't do the decent thing and come into the House on Thursday and correct the record?

Senator Birmingham: Senator Wong, as I said before, I can only deduce that, in this case, they thought and believed that the most expeditious way to ensure the right second reading speech was accompanying the bill was to update the *Hansard* with the accurate speech.

Senator WONG: Expeditious. I understand Mr Sukkar delivered his speech at 9.33 on Wednesday morning. The House rose Thursday evening. He had a fair bit of time to correct the record, didn't he?

Senator Birmingham: He did seek to ensure that the record was corrected—

Senator WONG: No, hang on—

Senator Birmingham: The discussion is about the means that were used—

Senator WONG: Changing the *Hansard*. You and I both know—everybody knows—the principle of accountability to the people through the parliament is part of the Westminster system. It isn't a technical point; it's a principled point—that is, if you tell the parliament something that is wrong you then tell the parliament you told them something wrong. You don't scurry around and try to doctor the *Hansard*. You know that.

Senator Birmingham: I accept that principle and, as you've acknowledged, we've all had to do so from time to time—

Senator WONG: Sure.

Senator Birmingham: for various purposes. This, as I said, is a somewhat unique set of circumstances in terms of the technical and formal aspects of a second reading speech accompanying a bill. It was not a minister's second reading speech accompanying the introduction of the bill, which you would appreciate has conventions around what it contains and which can be used at different times in the future for the legal reading of that bill alongside its intent and for a range of other purposes. It is an unusual issue in terms of having to do a clarification. I think in that case—

Senator WONG: Surely, Minister, you can't possibly be suggesting that somehow, because a second reading speech is more important, that it's therefore okay to change *Hansard* to correct a mistake rather than fronting up. It's nonsensical.

Senator Birmingham: The import of ensuring that the content of the speech is aligned with the content of the bill and that it achieves those purposes is an important one, but—

Senator AYRES: But it achieves exactly the opposite, doesn't it? It creates a distinction between what's recorded and what's actually been given. It doesn't resolve the problem; it creates an apparent dishonesty between what's been delivered and what *Hansard* says and, as you indicate, the second reading speech has a special meaning in terms of statutory interpretation. Doesn't that create all sorts of vulnerabilities?

Senator Birmingham: Well, Senator Ayres—

Senator AYRES: Was it to protect Mr Sukkar from embarrassment?

Senator Birmingham: In this case, I think there are two issues. There's the accuracy of the *Hansard* as a journal of record of what is said and then there is also the role of the *Hansard* as the record for ministerial explanation around the content of a bill—

Senator WONG: Around what a law means?

Senator Birmingham: The two are meant to work in sync—

Senator WONG: But if they don't, you don't fix it up by creating some fiction that says something that was said wasn't said. You fix it up by saying, 'Actually, the second reading speech should have contained this.' You make it clear on the record there was an error in the second reading speech that was given or tabled, and that the correct paragraph should have read 'X'. You don't scurry down and try and fix up the *Hansard* without being upfront.

Senator Birmingham: I think I can only deduce that the intentions were to seek to ensure that the record was accurate, and that was what ministers and their officers sought to do. If they'd gone about it a different way it would have avoided this conversation, which would have been preferable.

Senator WONG: You'll come back and tell me when the Prime Minister's office became aware of this and what action they took?

Senator Birmingham: I will bring you further updates on that, Senator Wong. To date, all I can tell you in terms of the adviser that I was engaged with earlier is that, to their knowledge, they were not aware prior to the matters being handled in the respective chambers. At present I have no knowledge as to whether the PMO was aware at all.

Senator WONG: I'm sure that Senator Gallagher will give you the opportunity, but I'm also asking you if the Treasurer's office became aware of this and what action they took.

Senator Birmingham: I will seek to get that response as well.

Senator WONG: I want to know whose idea—

Senator Birmingham: I think it would've been a Treasurer's bill.

Senator WONG: Sure. I'm wondering who came up with the bright idea that you just change the *Hansard* as a way of dealing with a mistake. Someone came up with it, right? It's unusual.

Senator Birmingham: Yes, it's an unusual set of circumstances.

Senator WONG: It's not really.

Senator Birmingham: I have conceded that already.

Senator WONG: Second reading errors are not necessarily unusual, but dealing with it this way is unusual. The *Statement of Ministerial Standards* actually tries to articulate in part the convention we're describing:

Ministers are expected to be honest in the conduct of public office and—
relevantly—

take all reasonable steps—

all reasonable steps—

to ensure that they do not mislead the public or the Parliament. It is a Minister's personal responsibility to ensure that any error or misconception in relation to such a matter is corrected or clarified, as soon as practicable and in a manner appropriate to the issues and interests involved.

Given that, do you think that the way in which these two ministers sought to alter *Hansard* post facto, contrary to *Practice* and contrary to *Odgers*, was appropriate?

Senator Birmingham: I think the actions were taken with the intent of ensuring that misleading information was not left on the public record and was not provided and that accurate information was actually provided.

Senator WONG: You haven't really answered my question.

Senator Birmingham: You asked me what I think. I just told you what I think in terms of—

Senator WONG: Is this how you deal with it, Minister Birmingham?

Senator Birmingham: As I say, I haven't been confronted with this exact set of circumstances.

Senator WONG: I don't think it is how you deal with it. Can I ask, actually, a different question? Can you explain to us how, on a budget measures bill, the same error could've been included in the second reading speech provided to both chambers?

Senator Birmingham: How the error came to be there in the first place, I think, is a question that I'll look forward to having answered at some stage, because there are—

Senator WONG: You tell me: how did it happen?

Senator Birmingham: multiple checks that should have occurred at that point. How, once it was in the final folder, which is essentially an identical folder given to each minister for each chamber—

Senator WONG: How was the error in there? I'm assuming this was a budget measure you'd considered and then not included. So it found its way into a draft speech, and then, when you didn't include it, it should've been dropped out or you included a more constrained policy measure.

Senator Birmingham: Many things get considered in the budget context.

Senator WONG: Sure.

Senator Birmingham: You know that, and we don't need to go over all of those sorts of lines again. Yes, an erroneous speech making its way past the checkpoints of agencies and officers is clearly something that is regrettable. But how it happened in both chambers is not such a surprise, given the fact that the same documentation is—

Senator WONG: No, but it's a budget measure, isn't it?

Senator Birmingham: prepared for both offices at the same time.

Senator WONG: It's a bill that dealt with a range of budget measures. It contained your LMTO replacements, cost-of-living tax offset, small business measure et cetera I'm bemused as to how it got through. Was it a late change?

Senator Birmingham: No. There were, as always, different policies under consideration in the budget context, but there was certainly no change, as you put it, that should have caused for an erroneous draft to be provided. The circumstances of that—I mean, in the end, it will again be an innocent mistake in one or more places that came through, but it is clearly regrettable. In every budget, there's something that ends up—usually it's addendums to budget papers, or something—being reprinted because there's a mistake somewhere. It's just the nature of the scale of them.

Senator MARIELLE SMITH: Who's the minister for education?

Senator Birmingham: I think those matters were canvassed. Mr Tudge was sworn in as the minister for education. He has stood aside from that role and Mr Robert is the acting minister for education.

Senator MARIELLE SMITH: If he stood aside from the role, why is he still the minister?

Senator Birmingham: Because he's stood aside, not resigned.

Senator MARIELLE SMITH: When he issued a statement on 4 March about the Thom report, which was the second report on Mr Tudge's conduct as a minister, the Prime Minister said that Mr Tudge was not seeking to return to the frontbench. That was a misleading statement, wasn't it, Senator Birmingham?

Senator Birmingham: No. Mr Tudge, following those discussions with the Prime Minister, agreed to continue to stand aside from his ministerial duties and has made it clear that that was the case up until at least the election.

Senator MARIELLE SMITH: No, he said he was not seeking to return to the frontbench. But you can't return to something you haven't left, I suppose. So, if he hadn't left the frontbench, then that statement would be misleading.

Senator Birmingham: Senator Smith, he had stood aside on the day that the issues were raised and chose to continue to do so.

Senator MARIELLE SMITH: Why wasn't the Prime Minister upfront about that? He said that Mr Tudge 'is not seeking to return to the frontbench', but the Prime Minister knew he had never left the frontbench; he was still the minister.

Senator Birmingham: It had always been, I think, quite clear that Mr Tudge had stood aside, that he had not when the review was instigated resigned as minister.

Senator MARIELLE SMITH: Almost a month has passed since this took place, and the Prime Minister misled Australians about Mr Tudge's status as minister. Why hasn't an ongoing minister for Education been appointed?

Senator Birmingham: Mr Robert, who is sworn to part of that portfolio, had already been fulfilling, through the budget process, all of the relevant functions in that role. He's doing a very good job of doing so, and so, for continuity until the election, it was appropriate that he continue to do so.

Senator MARIELLE SMITH: Why wasn't he appointed the minister for education in an ongoing way if he was doing a good job in that role?

Senator Birmingham: We were just continuing the arrangements that had been put in place from the time Mr Tudge stood aside.

Senator MARIELLE SMITH: The description of which, I believe, is quite misleading. If there was no intention for Mr Tudge to return to the frontbench and Mr Roberts was doing a good job, why would he not be appointed in an ongoing sense as minister for education?

Senator Birmingham: The Prime Minister will make any of those decisions if the government is re-elected after the election.

Senator MARIELLE SMITH: Senator, you're here representing the Prime Minister. In the event that the Morrison government is returned, can you rule out the return to the frontbench for Mr Tudge?

Senator Birmingham: No, Senator Smith, it will be a matter for the Prime Minister to determine, whichever Prime Minister that may be after the election, who they put into different ministerial roles.

Senator MARIELLE SMITH: Sure, but you're representing the Prime Minister here, and the Prime Minister has said that Mr Tudge is not seeking to return to the frontbench. So can you rule out that Mr Tudge will not be returned to the frontbench if the Morrison government is returned?

Senator Birmingham: No, I can't and won't make judgements in advance on what the composition of the ministry would look like after the election. Unless the Prime Minister chooses to make express statements about commitments to different roles, all of us simply serve at the pleasure of the Prime Minister on the other side. I think you were here when we were canvassing that the other day in relation to Mr O'Connor in the Defence portfolio if Mr Albanese were elected Prime Minister.

Senator MARIELLE SMITH: It seems to me that this process is a bit of a sham. If you can't rule out that he's returning to the frontbench and we were told by the Prime Minister he wasn't seeking to return to the frontbench but, indeed, he never left, it doesn't seem like this is a real consequence. It doesn't seem like the Prime Minister is being upfront about what is happening with Mr Tudge and his role as minister for education.

Senator Birmingham: Mr Tudge is not performing ministerial duties. He is not being paid for ministerial duties. His office and staff are working for Mr Robert in relation to the performance of work required as minister for education.

Senator MARIELLE SMITH: But he still is the minister for education?

Senator Birmingham: He has not resigned from that role, but, for all intents and purposes, he has stood aside in relation to every aspect of the undertaking of that role.

Senator MARIELLE SMITH: On what date did payment of Mr Tudge's ministerial salary and other entitlements cease?

Senator Birmingham: I'd have to take that on notice, but I'm assuming it ceased from the date on which he announced he was standing aside.

Senator MARIELLE SMITH: Senator Reynolds said that questions about Mr Tudge's ministerial salary should be directed to this department in estimates last week. So can we have an answer to that from the department? Surely someone would be prepared for that.

Ms Foster: The department doesn't play any role in the allowances for ministerial roles. That's done by the relevant chamber department.

Senator MARIELLE SMITH: Sorry; by who?

Ms Foster: The relevant chamber department—

Senator MARIELLE SMITH: Which would be?

Ms Foster: The House of Representatives.

Senator MARIELLE SMITH: For a ministerial salary?

Ms Foster: That's correct.

Senator MARIELLE SMITH: So why did Senator Reynolds say that those questions should be directed to this agency?

Senator Birmingham: I think, in relation to timing around ministerial appointments and the like, those matters relate to the Department of the Prime Minister and Cabinet in terms of the function of when ministers resign or other such matters. But I'm happy to try to find it. As I said, I already took on notice checking the precise date, but I'm advised he has not been receiving a ministerial salary, and I assume that dates back to when he stood aside.

Senator MARIELLE SMITH: Is that something you can come back to this committee on today? It should be a pretty straightforward question to answer.

Senator Birmingham: I'll use best endeavours.

Senator MARIELLE SMITH: If you could, find out the date on which his salary and other entitlements ceased and also—I suspect you'll take this on notice too—whether all other ministerial entitlements ceased on that date as well.

Senator Birmingham: Yes, Senator.

Senator MARIELLE SMITH: I just want to clarify, before we move on—there's definitely no-one from the Department of the Prime Minister and Cabinet who can answer that for us now?

Ms Foster: That's correct.

Senator MARIELLE SMITH: Senator, why hasn't Mr Tudge resigned?

Senator Birmingham: Mr Tudge stood aside in the circumstances when the review was initiated. That's a common practice for ministers under such circumstances, that they stand aside pending the outcome of such investigations. As you're aware, Dr Thoms's investigations did conclude. I think Mr Tudge made a statement following their conclusion indicating his reasons for not wishing to return to his active frontbench duties at that time. They included wishing to focus on his electorate for now and also, I think, supporting his family.

Senator MARIELLE SMITH: He's still the minister, though. Why didn't the Prime Minister ask him to resign?

Senator Birmingham: As I said, the agreement was that he would not return to his duties at present. I think Mr Tudge stepped out for those reasons I just alluded to. As to why he didn't seek to return to them at present in terms of fulfilling the role in the education portfolio, the arrangements that had been put in place when he first stood aside have been working well. Particularly in a budget context, it made sense for continuity, especially with the proximity of an election as well.

Senator MARIELLE SMITH: Ms Foster, on 29 March, Samantha Maiden reported the Morrison government was finalising 'a six-figure pay-out to Ms Rachelle Miller'. What do you know about that?

Ms Foster: I have no information about that. Those matters are handled by the Department of Finance.

Senator MARIELLE SMITH: But the department played a role in the Thom report, did it not?

Ms Foster: Yes, but my understanding is that the payment that you're referring to is unrelated to the Thom report. The Thom report was committed to inquire into whether or not Mr Tudge had breached the ministerial standards. That's quite a specific remit. Any action that Ms Miller might take for compensation is handled through the Department of Finance.

Senator MARIELLE SMITH: Is the department playing a role in the terms of that settlement with Ms Miller?

Ms Foster: No, Senator.

Senator AYRES: I just want to clarify one thing, Ms Foster. I think Senator Smith asked you a question about when Minister Tudge's salary was terminated. I think you indicated that the Department of Finance or others might be in a position to answer that question. I want to know if there is anything in your knowledge about that that you can tell us.

Ms Foster: The answer I gave was that it's the chamber department which handles ministerial salaries. Therefore, we don't have any direct knowledge.

Senator WONG: We're not asking you—

Ms Foster: I'm coming to that, Senator. I was just clarifying if it was the Department of Finance or the chamber department.

Senator AYRES: Yes, I thought I heard something like that.

Ms Foster: It was the chamber department. My understanding is that, as Senator Birmingham said, that ministerial salary has not been paid while Mr Tudge has stood aside from the frontbench, but I don't have any direct knowledge of that. We don't handle that issue.

Senator AYRES: But he's still the minister to your knowledge.

Ms Foster: He's not resigned his commission, but he's not performing the duties of minister.

Senator AYRES: You can be stood aside but you can never leave the Morrison government.

Senator Birmingham: When whomever wins the next election, a new ministry will need to be sworn in under any of those circumstances.

Senator AYRES: I can tell you that, if the Morrison government's not returned, then Mr Tudge won't be a minister. That's for sure.

Senator WONG: I understand there was some evidence given in the Attorney-General's estimates in relation to the compensation paid to victims-survivors who were sexually harassed by former High Court Judge Dyson Heydon, and the evidence was that it was the Commonwealth which sought the non-disclosure obligation. I don't

have questions in relation to the broader issue, but I do want to know what role, if any, Prime Minister and Cabinet had in the terms of that settlement?

Ms Foster: I personally had none. I'm just checking with Mr Reid. No. It would have been Mr Reid's division, and he's telling me that they had no involvement.

Senator WONG: Was there ever a discussion with anyone from PM&C about the inclusion of a non-disclosure obligation at officer level?

Mr Reid: Not to my knowledge, but my officers are listening to this testimony, and, if I'm wrong, they'll correct the record.

Senator WONG: And you won't just change the *Hansard*? You'll come in and make sure you correct it?

Mr Reid: Yes, Senator.

Senator WONG: From one litigation to another—I want to understand exactly what support the Morrison government gave to Mr Palmer's border challenge to Western Australia. I note that Mr Palmer thanked Mr Morrison for contributing to his bid to dismantle Western Australia's hard COVID-19 border. He said that the Commonwealth had played its part despite the Prime Minister then pulling his support. To PM&C's knowledge, how much did the government spend supporting Mr Palmer's bid to challenge the Western Australian and Queensland border arrangements?

Ms Foster: I don't believe we have that information, but Mr Reid is checking to see if anyone in our area did have access to that information.

Senator WONG: Did the department have any involvement? We could get Senator Hume in to give an explanation on why she changed the *Hansard*.

Senator Birmingham: I'm sure that you'll seek that elsewhere, Senator Wong.

Senator WONG: Just call her in. You're the leader, you could just say: 'Come in, Jane.'

Senator Birmingham: I'll let Ms Foster and the team respond to your prior question. AGs would be far better placed to talk through their particular legal status before the court, but my understanding is that the Commonwealth intervened on constitutional aspects of that case. I don't think the characterisation of it, whether they were your words or Palmer's, is an entirely accurate one.

Ms Foster: We're trying to make sure that no-one other than us had information, and we can confirm that nobody in the department had information on the NDA. That was part of your previous question. On this question—

Senator WONG: On the N—

Ms Foster: On the non-disclosure agreement.

Senator WONG: Right, sorry.

Ms Foster: In relation to this, we had no involvement in the Palmer case. What we did have was some engagement with Attorney-General's in relation to the Commonwealth's challenge.

Senator WONG: Well, that's words, but okay.

Ms Foster: And that was what we would describe as a routine engagement with the Attorney-General's Department who was obviously running the case. We're just seeking from our staff if there's any detail of that, but our memory is that it was more about the Attorney-General's Department keeping us informed about progress of the Commonwealth's challenge.

Senator WONG: Just remind me—I'm sorry, I haven't gone back and looked at the detail of this again recently—we have Mr Palmer challenging the border arrangements on the basis of an implied or expressed constitutional prohibition, and the Commonwealth sought to join. Is that what happened?

Mr Reid: From memory, and I apologise I don't have it, the Commonwealth sought to intervene.

Senator WONG: We can start with that point. Was PM&C told about that decision to intervene?

Mr Reid: I'd have to take that on notice. I'm just not sure when we would have been involved in that decision-making.

Senator WONG: I've got a few detailed questions about the process and then also about the amount of money. Do you want to get those officers here? Others can ask some questions, and perhaps can I go back to it. That might be more efficient.

Ms Foster: We just don't have a brief on it with us because it wasn't a current issue. We're seeking to get that now.

Senator WONG: Sure, I'm happy to hold off. I can ask you some other questions, and Senator Ayres can ask some—

Senator Birmingham: We'll get what brief or information PM&C have, depending on—

Senator WONG: I'd like to understand the decision to intervene. Was the Prime Minister advised about that? What were the dates of that? I'd like the decision as to the conduct of the matter, PM&C's engagement, advice to the Prime Minister or his office about that, the decision to discontinue and how that was effected and what engagement PM&C has. Basically I want to understand how all of that happened. Thank you.

Ms Foster: Sure.

Senator WONG: I want to go back now to one other issue. Ms Foster, I was pretty tired, but my recollection is that one of us asked a question at Foreign Affairs, Defence and Trade of the Department of Veterans' Affairs where your name came up in relation to the new funding. I don't have the proof *Hansard* of that, because I don't think it's available yet, but you probably know what was said. So, do you want to tell me what your involvement in relation to Mr Gee's bid for additional funding and its resolution was?

Ms Foster: Certainly. It was very peripheral. Minister Birmingham's office called me on the Saturday morning before the budget.

Senator WONG: So, that's Saturday a week and a bit ago.

Ms Foster: That's correct. It was to give me a heads-up that there was a late change and that an element would be included in the budget but had not been in the printed budget. And in the course of the discussion we agreed that I would call the departmental secretary, Ms Cosson, just to close the loop with her—because this was happening out of hours only a short period before the budget—to make sure that she was aware that this change was occurring.

Senator WONG: The 'change' meaning that in addition to the \$22 million in the measure there was \$74 million in the CR? Is that what you were told to—

Ms Foster: Yes. The total allocation for this measure was going to be \$96 million, from memory.

Senator WONG: Of which only 22 was in budget paper No. 2 as printed.

Ms Foster: Yes. And, to be honest, I didn't have that level of definition at the time.

Senator WONG: What did you know?

Ms Foster: That the total measure would be \$96 million. I wasn't sure how much was in the budget and how much was in the contingency reserve.

Senator WONG: Was that the first time she was advised of that?

Ms Foster: I understand that that was her testimony. I also don't have the *Hansard*, because I don't think it's yet available. But I understand that the question to her was about when she was advised, and that's how this came up.

Senator WONG: Who from Senator Birmingham's office called you?

Ms Foster: It was one of his senior staff.

Senator WONG: Why was that communicated through PM&C and directly from Finance to the DVA?

Ms Foster: I think there were also conversations with Finance, and in essence I was just trying to be helpful, to make sure that Ms Cosson was included in the loop.

Senator WONG: And your understanding was that it was \$96 million but it was too late to be printed as that budget measure, so it would be in the contingency reserve?

Ms Foster: I don't think we even went so far as talking about the contingency reserve. I think it was simply that there was going to be an allocation that had not made the printed budget.

Senator WONG: Were you aware, in the discussion with Senator Birmingham's staffer, as to the minister's indication that he would resign if he didn't get this?

Ms Foster: That was brought to my attention. The advice to me I think was after the decision had been taken to include the full \$96 million.

Senator WONG: Can you say that again, please?

Ms Foster: I believe that by the time I was advised about the budget allocation the decision had been taken to include that.

Senator WONG: There was some reference in the discussion of Mr Gee's interviews—perhaps in the estimates hearings as well—as to the paperwork Mr Gee says he saw that confirmed that this money was available. Was that in a document PM&C prepared, or was that a Finance document?

Ms Foster: I don't believe that PM&C had anything to do with that.

Senator WONG: Can you cast any light on this, Senator Birmingham? I just noticed that Mr Gee talks about paperwork in one of his interviews—that he'd seen paperwork about this. Was this additional sum confirmed by way of writing to him?

Senator Birmingham: Not to him, to my knowledge. Of course, there's paperwork pertaining to budget decisions, even a late one of that nature, but I don't believe there was direct correspondence to him of that nature.

Senator WONG: He actually said it in the House of Reps—I apologise, I got the reference wrong. He said: It's my job to represent veterans, and I'm satisfied that the funding is there—I've seen the paperwork—and the \$96 million is going to make a difference ...

Et cetera, et cetera.

Senator Birmingham: Without knowing what is in Mr Gee's mind, I can only deduce that he's referring simply to the statement of budget decisions that are taken in terms of the exchange of either cabinet minutes or correspondence between the Prime Minister, the Treasurer and myself—those elements of paperwork.

Senator WONG: The other question I had, and I went to this on Friday—I've forgotten the name of the bill. It was the bill that Mr Gee was very keen be passed through the Senate on Wednesday. It was passed rapidly through the House after the intervention of Mr Gee and the shadow minister. Is it veterans family compensation?

Senator Birmingham: I can't remember the precise name either.

Senator WONG: I would like to understand why that wasn't one of the priority bills for the government.

Senator Birmingham: I think, purely in terms of the timing of what can get through the sausage factory of both chambers on that sort of a sitting day, it arrived in the Senate very late—

Senator WONG: That's true, it only got there because—

Senator Birmingham: and working backwards from that, it had not been earmarked as likely to arrive in time either.

Senator WONG: But you never put it on your priority list?

Senator Birmingham: No. To my knowledge, from a Senate management perspective, it didn't appear likely to make it in time amongst the various bills.

Senator O'SULLIVAN: I have some questions about the rural and regional budget outcomes. There were a number of measures in the budget specifically targeting rural and regional areas in notable locations across Australia. Can you give us a broad description of what we're doing with regard to rural and regional investment?

Mr Duggan: As part of the budget, the government will provide \$12.6 billion over 11 years from 2022-23 to drive economic growth and productivity in regional Australia. There are various elements to that. One element is that as part of the Energy Security and Regional Development Plan the government is providing \$7.1 billion for a package of measures that it describes as investing in transformative and strategic projects in four key regions judged to have the potential to generate very significant economic growth and employment opportunities. In addition to that—

Senator O'SULLIVAN: Before you move on, can you take us through some of the components of that Energy Security and Regional Development Plan?

Mr Duggan: There are four key regions that are targeted as part of that plan. The first is in North and Central Queensland. That will be an investment of \$1.65 billion in water infrastructure and supply chain projects that promote water security and open up agriculture and industry growth opportunities. That's around the Burdekin region in particular.

Around the Pilbara region and surrounds, in Western Australia, there's funding of \$1.5 billion committed to infrastructure projects that support mining, mineral processing and manufacturing. In particular, the focus there is supporting growth in hydrogen and renewable energy industries.

Finally, the fourth region is the Hunter and surrounds, in New South Wales, and that's around transport infrastructure projects and promoting the expansion of battery manufacturing, hydrogen and steel industries. That's an investment of \$750 million over the next 11 years.

There's also an additional \$580 million that's not yet allocated to a geographic region. That's around supporting an acceleration of existing programs in regional Australia to unlock economic growth opportunities.

Senator O'SULLIVAN: So it's not limited to a particular region. It could support projects that are viable in other parts of the country.

Mr Duggan: That's correct.

Senator O'SULLIVAN: Okay. Thank you. Before I cut you off, you were going to—

Mr Duggan: Yes. I was about to take you to another program, called the Regional Accelerator Program, that was announced as part of the budget. That's a \$2 billion investment over five years. Again, that's to drive economic growth and productivity in regional areas. There, the focus is on local priorities around infrastructure, manufacturing, industry development, skills training, research development and education.

That is focused essentially on boosting existing government programs in areas like skills and infrastructure but also things around critical minerals acceleration, particularly in parts of northern Australia and Western Australia, and some programs around recycling modernisation and the defence industry. As I said, it's \$2 billion over five years, available right across the nation. It's not limited to those four specific regions that I indicated earlier.

Senator O'SULLIVAN: What's the role of targeted investment in supporting regional communities' infrastructure? In particular, I'm interested in low emissions technology investment.

Mr Duggan: In a number of areas, Australia has existing infrastructure and an existing skill set from already having a world-leading mining and resources industry but also from being a leading energy exporter. The opportunity, for example, in the Pilbara, with some targeted investment, can transform some of that existing infrastructure and refocus some of the existing skill set, and grow that skill set, on new energy opportunities, particularly around hydrogen but in other areas as well. Again, that's using targeted investment, based on existing comparative advantage, to unlock future growth and productivity benefits.

Senator O'SULLIVAN: Do you see the benefit both locally and to the national economy?

Mr Duggan: Yes, very much so. The investments that are being undertaken, particularly in those four regions that I mentioned, have been chosen because they're perceived to be nationally significant investments that have the potential not only to transform the region and provide job opportunities there but to add to national income and, through that addition to national income, provide a basis for future-living-standard growth nationally. The focus there on critical mineral resources and on energy exports is intended to bring in export revenues for the nation.

Senator O'SULLIVAN: You said that one of the measures isn't restricted to a region and can go everywhere. We know that regional Australia was impacted by the COVID pandemic and the downturn. What role do you see this investment having, in particular, in helping those communities deal with coming out of the pandemic?

Mr Duggan: You're right. There were some regions that were very severely impacted. Some regions—

Senator O'SULLIVAN: The Pilbara is probably the exception with regard to the communities that you've mentioned, but—

Mr Duggan: Yes. Some communities that were reliant, in particular, on international tourism were hit very hard by the COVID pandemic. The fact that international tourists weren't able to get to some places—in particular, in Far North Queensland—had a very significant impact. The flip side to that is that we actually saw a fair bit of internal migration occur during the pandemic, with people moving from urban areas—from the cities—into regional Australia. We've actually had a pick-up in population growth in regional Australia and, along with that, a pick-up in jobs growth. So what some of this investment does, then, is provide the supporting infrastructure—in a sense, it's backing the population trend, to take advantage of that increase in people and to then provide the skills investment and infrastructure investment that are needed to translate that into good job and growth opportunities in those regions.

Senator O'SULLIVAN: What's been the importance of working in partnership with states, territories and even local governments?

Mr Duggan: The Commonwealth has some significant levers that it can use to help to drive growth in regional areas, but state governments and local governments have a number of other levers as well. One in particular, for example, is the planning approval that is necessary to unlock some of the infrastructure opportunities that exist in the regions that I mentioned. It's working with the states and territories to ensure that these are co-investment opportunities and then that there's the opportunity for the state and territory governments to put in place the enabling planning and other regulatory measures that are needed to make sure that investment outcomes are maximised.

Senator O'SULLIVAN: How does this budget build on last year's budget measures? Is there a significant increase?

Mr Duggan: Yes. This does represent a significant increase. As part of the Infrastructure Investment Program, the government in last year's budget—and I will give you a rough-order-of-magnitude figure; I don't have the precise figure—put an additional \$10 billion into infrastructure investment. A lot of that was focused on the regions. This year, as I mentioned, the government's then built further on that and invested not only in transport infrastructure and the energy infrastructure; there are also water infrastructure measures in the budget. So there's an additional \$5 billion to \$6 billion in water infrastructure to unlock, in particular, agricultural opportunities in regional Australia as well.

Senator O'SULLIVAN: Terrific.

Senator AYRES: Ms Foster, there's a budget measure, I'm told, on page 155 of Budget Paper No. 2. I didn't bring it with me, I'm afraid, but I did look at this over the weekend. It says that the Department of the Prime Minister and Cabinet will provide \$18 million over five years and \$4 million ongoing to something called the Australian Future Leaders Program. The measure says:

The program will develop mid-career leaders and create an alumni network ...

Apparently, funding has been approved. What is the Australian Future Leaders Program? Do you know?

Ms Foster: Yes, I do, but Mr Reid has a lot more detail, so I will ask him to run through the program for you.

Mr Reid: That's a program we have been working on with the Office of the Official Secretary to the Governor-General. It will be delivered in collaboration with that office.

Senator AYRES: It's \$18 million over five years? Is that right?

Mr Reid: I don't have the budget paper in front of me, but that sounds right.

Senator AYRES: And then it's \$4 million ongoing. How will this develop future leaders?

Mr Reid: This is modelled on a couple of similar leaders forums elsewhere in the Commonwealth, notably Canada and, I think, India. It will draw together young leaders from both the public and the private sector and link them with mentors and mentoring arrangements to give them access to both business and government at a high and senior level to ensure that they are being developed and given the right levels of mentoring. It's a matter that came to our attention through the office of the official secretary.

Senator AYRES: What's an alumni network? It's not a group of late-20s college boys, is it?

Mr Reid: No.

Senator AYRES: It sounds like it.

Mr Reid: That's a network of people who will go through the program and then become alumni of the program.

Ms Foster: It's seeking to extend the impact of the program by having people continue to be involved as alumni once they've completed the program.

Senator AYRES: So \$18 million—does the program exist now?

Mr Reid: No.

Senator AYRES: So it doesn't have any staff?

Mr Reid: No. I will just need to take on notice what the proposed structure is.

Senator AYRES: Will it be within PM&C? It's not going to be in the Office of the Official Secretary to the Governor-General, is it? It will be in PM&C, will it?

Mr Reid: PM&C will provide some support to the program, but the program will be managed through a grant program.

Senator AYRES: It's a grant program. Can you point me to the tender?

Mr Reid: I will have to take that on notice.

Senator AYRES: Has it gone to tender?

Mr Reid: I will just need to take it on notice, because a range of work has gone on in relation to establishing this program.

Senator AYRES: It's a big program—18 million bucks. Is there an office yet, a physical office?

Mr Reid: Not as far as I'm aware.

Senator AYRES: A website?

Mr Reid: Not as far as I'm aware.

Senator AYRES: No phone number?

Mr Reid: Not that I'm aware of.

Senator AYRES: Can you tell me what programs it's either running or proposed to run? I heard your and Ms Foster's broad, high-level account. What's it actually going to do?

Mr Reid: It will bring together regularly groups of mid-career leaders and engage them with mentors from across sectors.

Senator AYRES: But how? This was in the budget last Tuesday. It's through PM&C. You should be able to answer some of these questions. It's not paperclips; it's 18 million bucks. It's a very substantial program. How will it bring together 'mid-career-something', I think you were saying?

Mr Reid: 'Mid-career leaders' is the language I was using. We're currently working on the terms of how this leaders program will be rolled out.

Senator AYRES: Sorry to interrupt. What's a mid-career leader?

Mr Reid: Someone neither at the beginning nor at the end of their careers who are, I suspect, identified as leadership material.

Senator AYRES: How is bringing these people who are—

Senator Birmingham: Maybe that's even you, Senator Ayres.

Senator AYRES: Well, we'll see, I suppose, Senator Birmingham. How is bringing people together who are neither at the beginning of their career nor at the end of their career, for purposes I still don't properly understand, costing \$18 million? Are they being brought together physically, virtually, on a cruise ship? How is this activity being undertaken?

Mr Reid: They will certainly be brought together physically, COVID allowing, of course.

Ms Foster: Senator, I think Mr Reid has said he's seeking more details of the make-up of the program and the timing.

Senator AYRES: Yes, but, Ms Foster, it's not a small program within PM&C's budget; \$18 million is still a large allocation. Can you tell me then how the allocation was determined? If there's no clarity about what program of activities is going to be undertaken, how is the allocation determined?

Mr Reid: I will take on notice the program of activities. I know a lot of work has gone on in relation to what the program of activities looks like. I just don't have that information in front of me.

Senator Birmingham: It is a significant sum; it's over five years, of course—that is important. That is what the budget papers identify in that regard. I am trying to get a little bit more information to the table around the nature of the program. I remember seeing the documentation come through, but I would rather quote from it to be precise in terms of some of the consultation that I understand the Governor-General and his office engaged in across private and public sector in terms of the design and development of the program, the anticipated nature of it. It's not unlike, from what I read, at a state and territory level—the two colleagues to your right would be aware of this—the work of the Governor's Leadership Foundation in South Australia. I think it's envisaged to play a similar role to those sorts of entities that, at a state and territory level, have existed for some time, I know, in more than just SA. That is, providing a highly regarded national opportunity for individuals across public and private sector to have exposure to leaders across public and private sector and to mentoring or other opportunities and training opportunities to develop their skills and networks. In terms of those additional details, when somebody provides one of us with the extra information, which may have just arrived from Mr Reid, we might be able to step through some of them a little more. The Office of the Official Secretary to the Governor-General have already appeared, haven't they?

Senator AYRES: No, they will be here this evening, I think.

Senator Birmingham: They may wish to speak to elements of it as well.

Senator AYRES: But it is in PM&C, isn't it?

Senator Birmingham: The funds will be administered through PM&C, but the delivery of the program will sit independent, if my memory is correct, of PM&C.

Mr Reid: That's right, Senator.

Senator AYRES: What can you tell me?

Mr Reid: It's proposed that the program will address topics of national importance, informed by contemporary policy matters. It will offer both online and face-to-face learning events and study tours, mentoring and coaching, as well as, as you have pointed out, the alumni networking opportunities. Each cohort—the cohorts will be drawn cross-sectorally and cross-geographically—will run for two years. It will involve a mix of state cohorts convening in their home states, with all participants convening online, all participants convening in person as well as small groups of participants convening outside their home state. It will look at providing a significant legacy aspect with the alumni network aimed at improved national cohesion.

Senator AYRES: I think you said before: no staff at this stage.

Mr Reid: That's right.

Senator AYRES: There's a bloke called Chris Hartley who, as far back as September 2020, described himself as the executive officer of the Australian Future Leaders Program. Do you know anything about Mr Hartley?

Mr Reid: As I understand it, Mr Hartley is either the director or the chair of the Australian Future Leaders Foundation Ltd. They are a public company.

Senator AYRES: So they got the funding to run this, did they?

Mr Reid: We're currently negotiating an agreement with that foundation to deliver the program.

Senator AYRES: So there won't be a tendering process?

Mr Reid: I understand we will undertake a closed, non-competitive selection process.

Senator AYRES: Ms Foster, when did you first hear about this arrangement with this—I am not sure whether to call it a company or a foundation.

Senator Birmingham: I think it's a registered charity.

Senator AYRES: We'll come to that in a minute. That's pretty interesting too. Ms Foster, when did you first hear about this?

Ms Foster: I have been aware of the program's establishment, but I've not followed the details. That's been managed by Mr Reid's staff, pulling this together. I want to say to you I wasn't aware that the negotiations were happening with this company. That today was new information to me, but I'm not 100 per cent confident that I haven't known that at some stage in the past.

Senator AYRES: Was funding provided in 2021-22, in the last financial year?

Mr Reid: No.

Senator AYRES: So no program existed up until the budget, and now there's a program, called the Australian Future Leaders Program, for which \$18 million worth of funding will go to a foundation coincidentally called—what are they called?

Mr Reid: The Australian Future Leaders Foundation Limited.

Senator AYRES: The Australian Future Leaders Foundation. They're established for this purpose, are they?

Mr Reid: I'm not sure whether they were established for this purpose.

Senator AYRES: What due diligence has been done? Have they got a record of running other programs?

Mr Reid: We have done a range of due diligence on Mr Hartley and on the program he's proposing to support.

Senator AYRES: So he's got a proposal, the Office of the Official Secretary to the Governor-General and he have proposed this to PM&C, and that's what you're setting about doing—setting up this \$18 million program?

Mr Reid: That's correct.

Senator AYRES: It's not an initiative of the APSC? Has the Prime Minister been involved in any of this?

Mr Reid: I couldn't say whether the Prime Minister has been involved. We've briefed the Prime Minister's office.

Senator AYRES: So it will be run by Mr Hartley. Budget Paper 2 says 'funding for this measure has already been provided'. What does that mean?

Senator Birmingham: That customarily, Senator Ayres, means that—

Senator AYRES: Sorry, Minister. Does it mean that money has been paid to—

Senator Birmingham: No. In the budget paper context, that customarily means that a provision had already been made—in the CR, most likely. The reason you see a budget measure there that says \$18 million is being provided but, if you look at the table, it doesn't actually indicate figures in the table, is that there's not an

additional quantum of spending hitting the budget bottom line at this time; that quantum had already been provisioned in the CR. So there's a net zero across the budget, that's all.

Senator WONG: Was it in decisions taken but not yet announced, or was there a more global provision in the set-up? So the decisions taken but not yet announced very clear 'We've taken this decision and we're not announcing it yet for this amount' contingency reserve would include both that component but other provisions which might be estimates about what something might spend?

Senator Birmingham: I'd have to double-check, Senator. I remember the proposal crossing my desk at a point in time, because it's unusual to see a proposal from the Governor-General—not 'from' but 'that cites the Governor-General' would be a more accurate description—but whether it crossed my desk in the MYEFO context or in the budget context I just can't recall precisely.

Senator AYRES: When you say you saw the proposal, where did that come from?

Senator Birmingham: Through the normal policy proposal processes, I think. The only thing that I remember specifically in that regard is that it was a proposal that had involved consultation with the G-G.

Senator AYRES: I want to come to the foundation now. Mr Reid, you're responsible for the due diligence work—is that right; are you undertaking that work?

Mr Reid: It's being undertaken by my officers, yes.

Senator AYRES: One of Mr Hartley's other charities, the Gurkha Welfare Fund Australia Limited, was delisted for failing to lodge reports to the charity regulator. Did your due diligence process pick that up?

Mr Reid: I'm aware of that.

Senator AYRES: The entity was listed in MYEFO—I think you were referring to this earlier, Minister—in a small update of specifically listed deductible gift recipients, and its status was legislated just last week. Can you tell me whether the Prime Minister, his office or the department was involved in any discussions about DGR status for the foundation?

Mr Reid: PM&C was involved in discussions about the status.

Senator AYRES: And deductible gift recipient status was backdated to 1 July 2021—is that right?

Mr Reid: I'd have to take that on notice, I don't have that information in front of me.

Senator AYRES: Why would that have been the case?

Mr Reid: Senator, I'll have to take that on notice.

Senator AYRES: Can you tell me why they were given DGR status? What was the rationale for that?

Mr Reid: I understand they applied for DGR status. As to the decision—

Senator AYRES: It's not a straightforward process, is it, getting DGR status? To my recollection it's a 12- to 18-month long process, isn't it, for most?

Senator Birmingham: There are different pathways around DGR status, depending on—

Senator AYRES: If you come through PM&C it's a bit quicker, is it?

Senator Birmingham: the nature of the work of an organisation. In that sense, some are listed specifically because they have particular activities or objectives that they pursue. But those activities or objectives may not fit neatly in the other general categorisations under DGR. That's quite a wide list, I think, of both generally listed and specifically listed.

Senator AYRES: Who made the request for DGR status? Was it the department or the Governor-General's office? How was that advanced?

Mr Reid: The Department of the Treasury manages them. I'd have to take on notice the process—

Senator AYRES: Do you fill in a form? What is there? How does it—

Mr Reid: There's a process.

Senator AYRES: I'd like to know when the process began and who advanced it. Are you able to come back to us later in the day?

Mr Reid: I'll do my best, Senator.

Senator AYRES: So the foundation, due diligence notwithstanding, has no website, no staff beyond Mr Hartley, and its address is a lawyer's office at Barangaroo. That's right, isn't it?

Mr Reid: I don't have its address in front of me.

Senator AYRES: But it's just a registered address, isn't it? Do they have premises, to your knowledge?

Mr Reid: I'm not aware, Senator.

Senator AYRES: Can you tell us about any of their other charitable stuff?

Mr Reid: The Australian Future Leaders Foundation Ltd.

Senator AYRES: Is there anything else they do?

Mr Reid: I'm not aware, Senator.

Senator AYRES: This is the problem, isn't it, Mr Reid? They don't do anything else; they don't exist. And yet here they are, about to be the recipients of \$18 million worth of grant funding—and it's a bit rich calling it a grant because it's not a competitive grants process. Here they are, running a program that, notwithstanding what you said today, is still very unclear to me precisely what it's going to achieve.

Mr Reid: Senator, as I said, I'm happy to take further detail on notice. Obviously, I have some detail in front of me and I know that work is going on between the government and the foundation about the deliverables.

Senator AYRES: Well, it's going to have to be pretty substantial! There's no address, no staff and it has just got DGR status—goodness knows how. It doesn't do any other work at all, but here it is with 18 million bucks.

Ms Foster: Senator, I think that Mr Reid has indicated to a number of those questions that he's not aware if they have other staff or what other activities they may take. I don't think he's confirming those facts. He has undertaken to take those things on notice.

Senator AYRES: But he does accept that they don't do anything else—

Mr Reid: No, Senator, I'm not aware of what else they do.

Senator AYRES: No website, no phone number—

Mr Reid: Senator, I'll take those details on notice.

Senator AYRES: Okay.

Senator WONG: How are we on Mr Palmer? Are you ready for me or do you want us to do something else first?

Mr Reid: No, Senator, I've received the brief that I had asked for.

Senator WONG: Alright. What's easiest? I think I had three decision points which I flagged. We can do it in two ways. I can do an examination-in-chief, or you can just tell us what you know and then I'll ask some questions. How about that?

Mr Reid: Why don't I give you what I know about PM&C's involvement in the decision points. I can say that on 12 June 2020 the Attorney-General intervened in the proceedings under a 78A notice under the Judiciary Act. We were not involved in that process. The next decision point I think you raised was when we withdrew.

Senator WONG: Actually, the conduct. Post the 78A, who was involved in managing the conduct of the case? Obviously, it's the Attorney-General's Department, but I'm asking about PM&C or PMO involvement in that.

Mr Reid: I can say that PM&C had no involvement. It was run by AGD.

Senator WONG: So you had knowledge?

Mr Reid: We would've had regular—

Senator WONG: I hate that word.

Mr Reid: Sorry, Senator. I don't have dates of when we became aware of different things.

Senator WONG: Right. But, as a matter of practice, given it's a constitutional matter, you assume that there were reasonably regular briefings or communications between PM&C and the Attorney-General's Department. Would that be reasonable?

Mr Reid: It would be reasonable that we received updates from AGD around the time of either hearings or when submissions were due to be lodged. I don't have the litigation timetable in front of me.

Senator WONG: Perhaps on notice you can give me that. Was the Prime Minister provided with any written advice?

Mr Reid: The first written advice we provided to the Prime Minister was in July 2020, and that related to correspondence between him and Premier McGowan.

Senator WONG: Between him and—

Mr Reid: Premier McGowan.

Senator WONG: Is that public?

Mr Reid: The correspondence, Senator?

Senator WONG: Yes.

Mr Reid: I don't think so. I think it was referenced in media articles.

Senator WONG: Broadly, what was the import of the correspondence?

Mr Reid: It was around the Commonwealth's role in the proceedings.

Senator WONG: What was being asserted at the time in this letter?

Mr Reid: I don't have the letter in front of me, Senator, but I can tell you that that was the first time we briefed the Prime Minister.

Senator WONG: Is it correct to say—and I haven't got the articles in front of me; someone will probably send me something shortly—that the Prime Minister at this stage was justifying or explaining the Commonwealth's involvement in the case to Premier McGowan?

Mr Reid: As I say, I don't have the letter in front of me.

Senator WONG: You said it was referenced in media articles. What do you recall the letter being about?

Mr Reid: I think it was about the Commonwealth's continued intervention in the matter.

Senator WONG: So that was the first time he's advised. Did PM&C draft that letter?

Mr Reid: Sorry, Senator, the letter from the Prime Minister back to—

Senator WONG: Yes.

Mr Reid: Senator, I don't have a copy of the brief in front of me. It would have been ordinary for us to provide a draft response to the Prime Minister's office.

Senator WONG: Who drafted that?

Mr Reid: I don't know. Someone from within my division, Senator.

Senator WONG: Did anybody listening draft that letter?

Mr Reid: Because it was two years ago, I'm just not sure.

Ms Foster: For example, Senator, the relevant branch head has changed over that period. It may be that the staff are trying to establish who was in the team and who was involved.

Senator WONG: Was it drafted at the request of the PMO?

Mr Reid: I don't have that detail, Senator. It would have been ordinary for us to draft a response to incoming correspondence from a state premier.

Senator WONG: So the Prime Minister responds to Premier McGowan. I think Premier McGowan says please don't continue to be involved. The Prime Minister essentially says this is why we've got a continuing interest. What's the next event in which PM&C is involved?

Mr Reid: In terms of PM&C's involvement, we assisted the Prime Minister's office in further correspondence. I should say, as a headline, that PM&C's involvement around that was in relation to incoming correspondence from Premier McGowan. There was more than one piece of correspondence, but PM&C was not involved in the briefing of all of it. We did support—

Senator WONG: What does 'the briefing of all of it' mean?

Mr Reid: PM&C did not prepare a brief for the Prime Minister in relation to all the incoming correspondence, but we did in relation to some correspondence in September of that year.

Senator WONG: You started to say, 'We assisted the PMO.' What was the end of that sentence?

Mr Reid: In relation to incoming correspondence in September of that year.

Senator WONG: When was the end of—sorry, keep going.

Mr Reid: That was the end of PM&C's involvement.

Senator WONG: How many times did the Premier write to Premier McGowan in relation to this matter in 2020?

Mr Reid: Four times.

Senator WONG: Can you give me the dates of those letters?

Mr Reid: Yes—4 August 2020, 7 August 2020, 23 August 2020 and 1 October 2020.

Senator WONG: And in which of these did he communicate that the Commonwealth was going to discontinue the Commonwealth's participation in the case? Was that 1 August?

Mr Reid: It was 1 August.

Senator WONG: Was there a notice that Mr Porter and Senator Cormann were both on the record defending the Commonwealth's position of intervention the day before the Prime Minister wrote? The decision to discontinue—was that a decision of the cabinet or a decision of the Prime Minister?

Senator Birmingham: It was a decision of government. On the process around that decision, if it's not disclosing deliberations, we can take it on notice and come back to you in terms of how the decision was taken. But it wouldn't be unusual for a decision about a court case to not necessarily have been a cabinet discussion.

Mr Reid: It was a decision of the Attorney-General.

Senator WONG: It was a decision of the Attorney-General—who, the day before, had been explaining why it was important.

Senator Birmingham: I think Mr Reid has given you the answer there, Senator.

Mr Reid: All I can say is that it was a decision of the Attorney-General.

Senator WONG: How much did the government spend supporting Mr Palmer's bid?

Mr Reid: I don't have that detail. The Attorney-General's Department—

Senator WONG: It's \$1 million.

Mr Reid: The Attorney-General's Department would have that figure.

Senator WONG: Yes, they told us. It was about \$1 million. Were any Commonwealth funds provided to Mr Palmer?

Mr Reid: Not as far as I am aware.

Ms Foster: Again, the Attorney-General's Department would be best placed to be definitive on that.

Senator WONG: In terms of PM&C's involvement, are you able to tell me when Mr Porter, if it was his decision, first raised with the Prime Minister the proposition—I'll withdraw that. The decision to intervene was in June, is that right?

Mr Reid: That's correct.

Senator WONG: Is there any evidence in PM&C of any discussion between Mr Porter and the Prime Minister about that?

Mr Reid: The decision to intervene in June?

Senator WONG: Yes.

Mr Reid: No.

Senator WONG: Was the Prime Minister aware they were intervening? I assume he was. It's a big issue, isn't it?

Mr Reid: I'll take that on notice.

Senator WONG: Do you know?

Mr Reid: No.

Senator WONG: Was there any correspondence? I would have thought the Attorney-General would usually write to the PM advising him or her of the intervention. It's a High Court matter. There are not that many matters before the High Court?

Mr Reid: Not always. It wouldn't be standard, when the Attorney makes a decision on intervention under 78A, to necessarily inform either PMC or the PMO.

Senator WONG: Does anybody have any knowledge about how the decision to intervene was first made and what involvement, if any, the PM had?

Mr Reid: I can tell you that the decision to intervene under 78A was made by the Attorney-General. PM&C had no involvement in that decision and I'm not aware of what involvement the PMO had.

Senator WONG: What about you, Minister? Was the PMO aware of the decision to intervene?

Senator Birmingham: I'm not aware either.

Senator WONG: You represent the Prime Minister, so I'm asking you. Was the office aware of the decision to intervene?

Senator Birmingham: I'm happy to try to check whether the former Attorney-General, or his office, had advised the PMO?

Senator WONG: Why did the government intervene? Can you tell me?

Senator Birmingham: 'A significant matter of constitutional law' was, I think, the rationale given at the time. It is far from uncommon, where there are questions of constitutional interpretation, particularly in more untested areas of the Constitution, for the Commonwealth to intervene. As you've just heard from Mr Reid, in terms of the correspondence trail, there was ongoing discussion between the Prime Minister and Premier McGowan about the case. Ultimately, noting the high level of concern regarding public health matters in WA at the time, and notwithstanding the constitutional significance of the case, the decision was taken to withdraw the intervention given the other factors weighing at the time.

Senator WONG: When did you first hear this rationale for the intervention—that this was a significant matter of constitutional law?

Senator Birmingham: I think I remember hearing it put at the time. I think it would be a statement of fact that, of clauses within the Constitution, the one being considered in particular has been subjected to relatively limited testing compared with others.

Senator WONG: Is that something that was raised with you in the context of internal government meetings, government decision-making bodies, or was it only something that you read in the media?

Senator Birmingham: You're testing my memory a little bit, but I remember it more vividly from media commentary at the time—and there certainly were a number of—

Senator WONG: Were you aware that the government was going to intervene in this case before the intervention occurred or after?

Senator Birmingham: I would have to check. A couple of years on, the memory blurs slightly on that front.

Senator WONG: Was it discussed at the leadership group, for example? It's a big thing to do, taking on a—

Senator Birmingham: The fact that I can't recall precisely would suggest to me that, if I knew beforehand, it was an advisory rather than a discussion.

Senator WONG: That is, 'Christian's going to intervene in this case'?

Senator Birmingham: That's right. I would have thought if there were a detailed discussion—

Senator WONG: But he certainly wouldn't have done it if Mr Morrison hadn't wanted it, would he?

Senator Birmingham: As for discussions that occurred there or knowledge, as I said, I will endeavour to get a response, but, as is clear, extensive discussion ensued with WA, and that path resulted.

Senator WONG: I think Senator Ayres will have some more questions on this. Can I quickly check, while he's gathering his thoughts—

Senator AYRES: It won't take that long!

Senator WONG: I asked some questions previously, over a couple of years, about Brian Houston, and we finally got—after a lot of ducking and weaving from, I think, maybe one of the officers in this room—confirmation that the Prime Minister did seek to invite him to the White House. He put him on the list.

Senator AYRES: That's right.

Senator WONG: I'm not going to go back there other than to say that I thought it was really unfortunate that we spent so many weeks in estimates asking this question of officials, and people ducked and weaved, and it was only the Prime Minister deciding to come clean in a media interview that made that information available. I would have hoped for better accountability from Prime Minister and Cabinet than I've seen on this issue. I'd like to know whether or not, since Mr Morrison has been Prime Minister, Mr Houston has been to either Kirribilli or the Lodge.

Ms Foster: I'll ask officers to come and assist me with the question. He has not to my knowledge, and I don't know whether or not we would necessarily—

Senator WONG: Sure. Obviously, only things you know.

Ms Foster: be able to answer that definitively. I'm sure Mr Martin's on his way to the table.

Mr Martin: The department has no record of Mr Houston attending either property.

Senator WONG: Has he been the guest of the Prime Minister at any official function?

Mr Martin: Not that I'm aware of.

Senator WONG: Other than the fact that he tried to get him asked to the White House?

Mr Martin: Not that I'm aware of.

Senator WONG: Other than that? You are aware of that.

Mr Martin: I'm happy to check that for you and come back to you, but I'm not aware of any instances.

Senator WONG: Any other instances.

Mr Martin: Any other instances.

Senator WONG: If you could come back to us, that would be good. Thank you.

Senator AYRES: I was just listening to the exchange about the Commonwealth's participation in this High Court matter, and it did remind me of something. It's rather unusual. In the same month that the Prime Minister wrote to Mr McGowan, the Prime Minister said on the *Today* show when he was asked about all of this—and it requires some popular culture knowledge that I don't have. I understand there's a movie—it's a cartoon movie; I don't really watch cartoons—called *The Croods*. What he said was:

Now, it's like that movie in 'The Croods' - people wanted to stay in the cave. Some wanted to stay in the cave, and that young girl, she wanted to go out and live again and deal with the challenges of living in a different world. Well, COVID is a new, different world, and we need to get out there and live in it. We can't stay in the cave and we can get out of it safely. That's what the plan does.

As the only Western Australian in the room, I'm sure Senator O'Sullivan can't explain that. But can you, Minister, explain what it was that the Prime Minister meant when he said all of that?

Senator Birmingham: I'm sorry to disappoint you, Senator Ayres, but I haven't seen the movie either.

Senator WONG: What sort of dad are you?

Senator Birmingham: Well—

Senator WONG: We have children the same age.

Senator Birmingham: We do. I'll take it as an endorsement from you, Senator Wong, that I should. It's often a bit of a scratch to find a Friday night movie that it isn't a battle for me to stay awake during.

Senator WONG: There are other movies I'd recommend more, I'd have to say.

Senator AYRES: It was a reference to the Western Australian people, wasn't it?

Senator Birmingham: I think it was an analogy about the challenges of living with COVID. They're challenges that the whole country, now, has had to move through at slightly different times, but everybody has had to move through it and is still doing so to various degrees.

Senator AYRES: And the Prime Minister thought that people in Perth and Bunbury and Geraldton and Broome should get out of the cave? Is that what he was suggesting?

Senator Birmingham: No, I don't think that is what he was suggesting.

Senator AYRES: It's what he said.

Senator Birmingham: He was clearly using an analogy of a storyline from a movie.

Senator AYRES: That's certainly what the—

Senator Birmingham: But, beyond that, it's now a fact that, no matter where you live in Australia, you are having to live with the circumstances of COVID, and different jurisdictions have made that adjustment at different times and under different circumstances. But, as was always inevitable, it has come to all of us.

Senator AYRES: I'm really talking about then, I suppose. I take your point about now. It wasn't only Western Australian people who were insulted at the time. The *West Australian* said Scott Morrison says it's 'absurd' that WA thinks it can protect itself from the delta COVID-19 strain forever, likening Western Australians to 'cave people from *The Croods*'. It is an odd thing to say, isn't it?

Senator Birmingham: I don't think the PM intended for his remarks to be interpreted in the way you've just described them.

Senator AYRES: So, if that's the case—and I have listened to your explanation—why then, six months later when he was in Perth, did he deny he'd ever having said it? Why did he deny that he'd said it. He was asked by a journalist:

... But you have previously accused WA of hiding in a cave. Mark McGowan's just out of isolation this morning. ... do you still think WA has overreacted?

He said:

... Well, I was never referring to Western Australia on that, on that occasion.

The journalist said:

... You called them Croods.

The Prime Minister said:

... No, I didn't, actually.

Why did he deny that?

Senator Birmingham: There's a difference between drawing an analogy and then just calling somebody a name or a description. The Prime Minister drew an analogy in explaining circumstances at a point in time.

Senator AYRES: Let's go to the break.

CHAIR: We're not going to go to the full afternoon tea break, because I realise that, having come back earlier, we are going to be here for a long time with very little reprieve.

Proceedings suspended from 15:33 to 15:44

CHAIR: The committee will reconvene. I give the call to Senator Wong.

Senator WONG: Before my colleague starts asking questions: Senator Birmingham, we can have a long discussion, but I don't propose to, given the time. We take a different view to the alteration of the *Hansard* transcript to the view that was taken previously. I also have been clear with, I think, both you and the President that I think he has an obligation to ensure that the practice that *Odgers* outlines is adhered to. Rather than getting into a long, further discussion about it, you've seen a copy of the letter I CCed you in on, my letter to the President today. I propose to table that. It speaks for itself, really. That was it. Do you have to formally note that it's tabled?

CHAIR: I formally note that you have tabled the letter, Senator Wong. I don't usually do that.

Senator WONG: No, I'm asking. Some committees like to have a decision to table.

CHAIR: Sure. Consider it tabled. Senator Smith.

Senator MARIELLE SMITH: On 8 February the Prime Minister, Mr Morrison, apologised to Ms Brittany Higgins regarding her traumatic experience at Parliament House. I know this was canvassed briefly at the last estimates round, but is there anyone in the department who can provide final advice to the committee on whether legal advice was sought from the department prior to the speech?

Ms Foster: I invite officers to correct me if I'm wrong, but my understanding is that we said that the department was not involved in the drafting of the speech, nor did it seek legal advice to support any statement in the speech.

Senator MARIELLE SMITH: Can I clarify, Ms Foster: you're saying that there was no legal advice sought and no advice sought from AGS—

Ms Foster: By the department. What we would have no insight into is what happens in the Prime Minister's office in this relation.

Senator MARIELLE SMITH: Why not?

Ms Foster: For absolute clarity: we were consulted on the statement of acknowledgement but not on the Prime Minister's speech. You will remember that there was a statement and then there was a series of speeches.

Senator MARIELLE SMITH: The statement given by the Speaker and the President?

Ms Foster: Yes.

Senator MARIELLE SMITH: But you weren't consulted on the speech given by the Prime Minister?

Ms Foster: That's correct.

Senator MARIELLE SMITH: And no advice was sought from AGS?

Ms Foster: By the department. But the Prime Minister's office is also able to seek legal advice directly.

Senator MARIELLE SMITH: Did the Prime Minister's office seek that legal advice, Senator?

Senator Birmingham: I'm not aware that they did, but I'm not aware that they didn't, either. Sorry, I should have answered that in neutral terms, seeing as I don't know for sure. As Ms Foster has touched on in relation to the statement, there was a process in relation to the checking of the statement. Without precise terms of advice and information in front of me, the one other part that I will highlight to you is in relation to the admissibility of

statements made under privilege, which would be a general question. I'm not the legal expert there but, given where your question appears to point, I think that's a relevant factor for awareness in a general point.

Senator MARIELLE SMITH: There are a number of questions relating to legal assistance and representation for staff around this issue which I understand have not yet been answered. I know there is question 147 from the last estimates round in particular. Can you tell us today whether any staff sought legal representation during the course of the Gaetjens inquiry?

Senator Birmingham: These are questions that I think we should touch on with Finance. I'm trying to remember the line between Finance and Attorney-General's on these, but it's certainly not a PM&C matter. We have some established reporting metrics around staff accessing support under the legal services determination that are advised, in terms of numbers and so on, in a way that seeks to protect the privacy, confidentiality and rights of staff who may need to access that legal services direction. Finance will be best placed to assist, certainly better placed than PM&C and I would rather do it whilst I have the officials there who will have both the data and the understanding as to how we have conventionally managed disclosure there without impugning those rights of staff.

Senator MARIELLE SMITH: So that's something Finance could answer for us in detail tomorrow?

Senator Birmingham: Finance can respond and handle those questions of staff accessing their rights under the legal services determination. As I say, there's a formula that Finance have provided over time, I think, in terms of reporting on numbers of staff at points in time who have had to access that assistance. It's not been the convention to disclose individual staff and individual circumstances.

Senator MARIELLE SMITH: Those are metrics which exist at a high level in terms of staff across the board who may have sought legal advice on a range of issues. You don't expect you can provide me with information which would be able to break that down as it relates to this inquiry, the Gaetjens inquiry?

Senator Birmingham: That's right. I think AGs report on ministers receipt of legal assistance and that is reported quite directly. The convention in relation to individual staff across governments and parties has been one of not reporting on the individual cases.

Senator MARIELLE SMITH: Can you answer perhaps a different question. Is there anyone at the table who can tell me what the total cost to taxpayers would have been in relation to the Gaetjens inquiry, including legal costs? Can you give me a figure at that high level instead?

Ms Foster: We certainly can't. We don't have access to information about costs for legal proceedings.

Senator WONG: Exclude those then.

Senator MARIELLE SMITH: What about your costs as an agency?

Ms Foster: My memory, and I will have someone check for you, is that the review was conducted with resources from within the Department of the Prime Minister and Cabinet. I can't think of additional expenditure that we incurred.

Senator MARIELLE SMITH: Is your evidence that there was no cost from PM&C conducting the inquiry?

Ms Foster: The cost is the cost of Mr Gaetjens' time, my time and the officers who supported us. I am just getting someone to check for me. There was one occasion on which we sought external legal advice. You may recall the DPP was quoted as saying that it would be prejudicial to the case for any work to continue and we sought legal advice because obviously we can't take advice from the ACT DPP. We went to AGS and we sought legal advice on how Mr Gaetjens should respond to the reporting of the ACT DPP's position. That legal advice was just over \$7½ thousand and that is the only external cost we've incurred.

Senator MARIELLE SMITH: The other costs would be internal. Do you have a process internally within PM&C—

Ms Foster: No, we don't have a process for costing that. It is what percentage of time I spent on it, for example, or Mr Gaetjens. But we don't actually document and cost our time in that way.

Senator MARIELLE SMITH: You don't have any sort of reporting function or estimation when you're dealing with an issue, certain matters, certain projects or work streams which can tell you how you allocated resources, how much time was dedicated to certain matters? How do you measure and monitor the allocation of resources across your work streams?

Ms Foster: In this instance, the work was being done at a very senior level. It's certainly our practice to do the work that's required of us without deciding we'll allocate this much to this and this much to that. We do what's necessary.

Senator MARIELLE SMITH: So no-one at the table can tell me the total value of any legal advice which may or may not be sought by staff in relation to the Gaetjens report?

Ms Foster: No-one from PM&C can give you that figure. The only figure we can give you is the legal advice that we sought.

Senator MARIELLE SMITH: And you can't give me a figure on your own costs in relation to this matter, internally, or your own resourcing?

Ms Foster: No.

Senator MARIELLE SMITH: That just doesn't seem right to me. It just doesn't seem right to me that you're not able to quantify that.

Ms Foster: We don't bill our time. We will work to the extent that we can to fulfil the requirements placed on us. It's not like we're dividing up a 35- or a 40-hour week and apportioning it. We work as we need to to get the job done.

Senator MARIELLE SMITH: I'm not suggesting that you would be able to provide an estimate to the minute and costs, as you would if you were operating a law firm, but it seems to me it would be quite reasonable to be able to give an answer or some information to this committee on the level of resourcing or time spent or costs incurred by the agency on this matter. I'm getting three blank looks. Senator Birmingham?

Senator Birmingham: As Ms Foster has said, government departments aren't agencies producing billable quotients of time for charging out. They undertake the job as required. It will depend, at different times. If an ongoing piece of work is set up, then at these fora we'll often have the circumstances where how many staff are seconded to that piece of work et cetera is part of the documentation, and showing the resource commitment to it. But, in an instance like this where it may have simply involved some of the time of a number of people for a period of time, then that's not something that probably lends itself to providing the same types of estimates as 'Here is a dedicated task force that is existing for a period of time.'

Senator MARIELLE SMITH: What about the number of FTEs working on the issue? Ms Foster, is there any further breakdown you can provide me or any indication you can give the committee which could speak to resourcing within your department?

Ms Foster: The work that went into this review was largely done by Mr Gaetjens and me, with some support from one of our senior officers. I think that's the reason I'm struggling with your question. I didn't have six EL1s assigned to it. It was primarily the time that Mr Gaetjens and I dedicated to it. I'm not sure how I would calculate the percentage of that time, given that the hours that we work in any given week vary enormously.

Senator MARIELLE SMITH: Will the Gaetjens report ever be made available to us?

Senator Birmingham: We want to be careful about where we draw the line in relation to these matters, but, as I think Ms Foster has detailed previously, following that advice from the ACT DPP, the work was suspended and obviously remains suspended and will so until other legal proceedings elsewhere are concluded.

Senator MARIELLE SMITH: I'm trying to tread delicately here, Senator—

Senator Birmingham: You have, Senator. I am not suggesting you haven't.

Senator MARIELLE SMITH: Is the Commonwealth meeting any legal costs in connection with the trial of the person accused of assaulting Ms Higgins?

Senator Birmingham: Again, these will be questions either for Finance, if you're asking about staff, or AGs if you're asking about ministers.

Senator WONG: What about your knowledge, Minister?

Senator Birmingham: I'm conscious of a couple of things. The staff principle or precedent we went through just before, in terms of ensuring that if I'm going to give details or information I have the right officials present with that detailed information. These are not the estimates where that is the case. Tomorrow are the estimates where that's the case. So I think these questions are best addressed there.

Senator MARIELLE SMITH: I think my next question will probably receive a similar answer from you, which I accept. We will bring these questions to Finance officials tomorrow.

Senator AYRES: Ms Foster, I have some questions about a contract notice, I think it's CN3795234, relating to a contract with a company called Painted Dog for national opinion surveys. An answer to my colleague in the House, Mr Conroy, says that services under this \$400,000 contract are 12 national surveys over 12 months, measuring public trust, satisfaction and experience with Australian public services. It's a large survey. Each

survey consists of 1,000 Australians of voting age and is representative by age, gender and state and territory. Can you tell me when PM&C started commissioning polling?

Ms Foster: In respect of the contract with Painted Dog Research, the original contract commenced on 13 October 2020 and concluded on 30 June 2021. That included what we call three waves of our citizen experience survey. I just want to be clear about the point of the survey. It is to ask how public services provided by the APS are being perceived. It doesn't go to any questions of policy and it doesn't go to the government's performance. It's very firmly centred in the performance of the Australian Public Service, of the officials.

Senator AYRES: So the answer to Mr Conroy's question, that it was about measuring public trust, satisfaction and experience with Australian public services, is consistent with what you're saying?

Ms Foster: That's correct. For example, the sort of things we're able to establish through these questions are things like, if we look at different cohorts of the population, are we getting a differential between the way different age groups or people of different backgrounds respond to the services being provided.

Senator AYRES: I appreciate it's a line that you are keen to draw, that there is a distinction between the way citizens perceive the performance of the government and the performance of the public service, but it's polling research nevertheless, isn't it?

Ms Foster: I'm just trying to be very clear about what we asked people. We spent some considerable time in designing the survey to make sure that the respondents understood exactly what we were asking them when they were responding. One of the other real challenges we have is people's ability to distinguish what level of government is giving them a service. So there is quite a bit of contextual information in the survey that tries to make that clear.

Senator AYRES: Something the Prime Minister's often quite keen to do is distinguish between what levels of government should be held responsible for whatever the current policy catastrophe at the time is. It was 13 October 2020 to 13 June 2021—so the research has not been conducted since June 2021?

Ms Foster: That was the original contract. That funded three waves of the survey. It was extended to conclude on 30 November 2021, crossing two financial years. So in total we've had four variations to the contract.

Senator AYRES: In effect it's really run for just over a year up until almost the end of last year?

Ms Foster: The latest variation concluded in January this year.

Senator AYRES: So into the election year.

Ms Foster: I can see Ms Jenkins, the responsible officer for this, was trying to interject to make sure that I'm giving correct information.

Ms Jenkins: I was just coming online, so I didn't quite catch the Austender number, but I want to clarify that we do have a contract with Painted Dog to conduct the citizen experience survey that concludes on 30 June 2022.

Senator AYRES: It's the department, not the PMO, that runs this contract?

Ms Jenkins: That's correct.

Senator AYRES: So is it possible to table the questions that were asked in the last survey?

Ms Jenkins: Yes, I can absolutely see—

Ms Foster: We can take it on notice. I'm not sure what the—I would need to look at the questions and—

Senator WONG: Hang on. She just said yes, and you intervened.

Ms Foster: I was just saying that I want to look at the questions before we say categorically yes.

Senator AYRES: This is a \$400,000 research program. It's pretty extensive research about citizens' attitudes towards the government. Who receives the results of these surveys?

Ms Foster: One of the purposes of the survey work, particularly now we have more data available to us, is to see where we might need to adapt our approaches. We will work with other departments on the results. Ms Jenkins can tell us who the reports are regularly provided to.

Ms Jenkins: The reports are regularly provided to a range of different APS entities. They are provided regularly to the secretaries board. They are also provided to the COO committee—the chief operating officers' committee—

Ms Foster: That is a grouping of each of the chief operating officers.

Senator WONG: We're interested in hearing her finishing her sentence.

Senator AYRES: Ms Jenkins?

Ms Jenkins: Then distributed through our networks of public servants across APS agencies.

Senator AYRES: The secretary of the department, does he receive—

Ms Jenkins: Yes, that is correct.

Senator AYRES: To your knowledge, does the Prime Minister's Office receive the results of the survey?

Ms Jenkins: We don't regularly provide it to the Prime Minister's Office.

Senator AYRES: It's a data series. Presumably the same questions are asked every time?

Ms Jenkins: There's a baseline—

Senator AYRES: So you can construct people's changing attitudes to—what is it—'government trust satisfaction and experience with the government'?

Ms Jenkins: It's 'trust and satisfaction with Australian public services'. There is a baseline of questions that have been asked since we started conducting the survey. But we adjust it from time to time.

Senator AYRES: When you say you're not sure the basis upon which it's shared with the PMO—not regularly provided to the PMO or not at all?

Ms Jenkins: My office does not provide it to the Prime Minister's office.

Senator AYRES: To your knowledge does the secretary provide it to the PMO?

Ms Jenkins: I have no awareness of it being provided to the PMO.

Ms Foster: Senator, if it were to be provided to the PMO, I would expect that to be done through the reform office, who does it. We can certainly check that. But I have no indication that that is being passed to the PMO by anyone other than the reform office, who has just said they don't do that [inaudible]

Senator AYRES: It is a baseline and then longitudinal survey, with a sample of a thousand every month essentially, by the sounds of it. It has enormous utility for political research purposes, and you're satisfied that Mr Gaetjens hasn't passed it on to the PMO?

Ms Foster: I said I'd take that on notice and check it. But I have no indication that that is happening.

Senator WONG: Can I ask two things. Firstly, Ms Foster, if it's a non-political survey, why were you so anxious to jump in when your officer said she could provide the questions to us? Surely there'd be no problem providing the questions?

Ms Foster: Because there is a whole range of things I would consider before tabling documents, including whether or not there were commercial-in-confidence issues associated with the questions which are developed in collaboration with the company—

Senator WONG: I remind you, you do understand this is the expenditure of public money?

Ms Foster: Yes, I do.

Senator WONG: And the Senate's resolutions about the provision of information—the fact that this might be a bit politically disconcerting is not one of the bases on which you can refuse to respond.

Ms Foster: And that was not the basis of my—

Senator WONG: Your intervention. It was quite notable that the officer said she would provide it and you jumped in. It was quite notable.

Senator Birmingham: Senator Wong, I can remember seeking research documents previously and receiving some of them but not all of them, and often when I didn't receive them it was the IP of the contractor that came into play as to why previous governments had withheld parts of the information from public disclosure.

Senator WONG: Sure. Does this report or this data or any report out of this research go to the service delivery subcommittee?

Ms Foster: The service delivery subcommittee of cabinet?

Senator WONG: Yes.

Ms Foster: Not to my knowledge.

Senator WONG: Ms Jenkins, do you have any knowledge of that?

Ms Jenkins: Also not to my knowledge.

Senator WONG: From Senator Ayres's questions, I wasn't quite clear whether this information is just disseminated as is to secretaries board, CFO board, I think you said. Is that all?

Ms Jenkins: The chief operating officers committee?

Senator WONG: Yes.

Ms Jenkins: And throughout a network of different public [inaudible]

Senator WONG: Okay. I'm trying to understand: is that the data or is that a more—what's the word—sophisticated analysis of the data? If so, who does that?

Ms Jenkins: Yes, we do supply analysis of the data throughout these networks. Some of that analysis is done by Painted Dog, the research company that undertakes the surveys, and some of that analysis is conducted within my team, within the APS Reform Office.

Senator WONG: Have you ever had a conversation with anyone from the PMO, or has anyone from your office engaged with the PMO, about this research?

Ms Foster: I certainly have.

Senator WONG: You have?

Ms Foster: In the early days when we were establishing it, we were very keen to establish the basis on which we were doing it—that is, it was a survey that was about public service provision. But, obviously, where the department goes out and surveys the public, there can be questions for the relevant minister's office. So we certainly had a number of discussions about the fact that we wanted to do this, how we would establish it et cetera. I should also say that Mr Gaetjens has just confirmed that he has not provided the reports to the PMO.

Senator WONG: He was much quicker on that than on any of his inquiries.

Senator Birmingham: Is there a question, Senator Wong?

Senator WONG: It's an observation. So just to—

Ms Foster: Senator, I'm just thinking of one other interaction I had with the Prime Minister's office which was to indicate our intention to publish the data.

Senator WONG: To publish it?

Ms Foster: Which we have done. Ms Jenkins?

Ms Jenkins: Annually, I think for the last two years.

Senator WONG: That was an emphatic no in terms of—

Ms Foster: That's correct.

Senator WONG: It was an emphatic no in relation to any aspect arising out of this research being provided to the SDCC, cabinet's service delivery subcommittee?

Ms Foster: Both Ms Jenkins and I have said that we have no knowledge of the material being provided to that committee. I wouldn't know where else that might come from. If officers who are listening have any other information, I'd invite them to bring that forward to me. But, as far as I know and as far as Ms Jenkins knows, that is a no.

Senator AYRES: Just another one of these research, marketing sort of contracts—the Department of the Prime Minister and Cabinet has paid \$47,718 to access something called 'the age of the customer leadership board'. It sounds like that might be something that—while we've got Ms Jenkins here—do either of you know anything about that?

Ms Foster: Sorry, I missed the context slightly.

Senator AYRES: It was a contract for \$47,718 to access something called 'the age of the customer leadership board', a marketing research tool.

Ms Jenkins: That is not a contract that my team has entered into.

Ms Foster: And I have no knowledge of it.

Senator AYRES: It's tender CN3694049. It's a limited tender procurement. Can you tell me which officer authorised that procurement?

Senator WONG: Is this a different one?

Senator AYRES: Yes.

Senator WONG: I thought this was the same one.

Senator AYRES: No. There's more.

Senator WONG: More?

Senator AYRES: It never stops.

Senator WONG: Who's Painted Dog?

Ms Foster: It's not one that the officers have with them on a list. It doesn't appear to be within the last year. Would that be correct?

Senator AYRES: Yes. It's from 2020 to June 2021.

Ms Foster: Let me see if I can get some details quickly of that and come back to you.

Senator AYRES: Thank you. Ms Foster, can you tell me whose idea—there was a pre-election letter—between the budget and the election, I think—from Mr Gaetjens and Mr Woolcott to the APS. Was that an all-points bulletin to everybody in the APS, was it?

Ms Foster: Yes, it is. It's what we describe as an 'open letter'. We do them on a semi-regular basis.

Senator AYRES: So it has happened before, has it?

Ms Foster: Absolutely. Yes.

Senator AYRES: Who drafted the letter?

Ms Foster: That's done within Ms Jenkins's team.

Senator AYRES: Right—you're on the spot for all of these, Ms Jenkins! Has a letter like this been written in a pre-election context before?

Ms Jenkins: My understanding would be no. I'm pretty sure that the letters have been sent out only in the last maybe two to 2½ years.

Senator AYRES: So, there hasn't been a letter like that before. Did the PMO have a role in drafting the letter?

Ms Jenkins: No.

Senator AYRES: Was it informed that the letter was being sent?

Ms Foster: No.

Senator AYRES: Can you tell me what this means? It says: 'As we move towards the federal election please familiarise yourself with the caretaker conventions. Consistent with the conventions, you should continue to serve the government with the highest standards of professionalism, integrity and dedication.' Why would public servants not do that?

Ms Foster: Understandably, many public servants aren't as closely involved in the lead-up to an election and the caretaker conventions as, say, the PM&C team is, and there are many staff who've never been through an election who've joined since then. And there's quite a lot of misperception about what the role of public is during a caretaker period. And I think the point that Mr Gaetjens and the commissioner were trying to make was to make it clear to all staff that it's our obligation to continue to serve the government of the day while they are the government of the day. And the caretaker provisions, as you know, have some very specific conditions.

Senator AYRES: Did anyone give any thought to whether it was a good idea to have two former Liberal staffers write to public servants like this on the eve of an election?

Ms Foster: As I said, Mr Gaetjens and Commissioner Woolcott have been sending out these open letters for some time now. They are the head of the APS and essentially the head of the strategic people function of the APS—the strategic HR capability—and it is their role to communicate with staff.

Senator AYRES: There are just a couple of things I want to do before we wrap up. I think around about this time three years ago there was an exchange where it became apparent that at that time the Prime Minister's chief of staff had conducted a meeting with the electoral commissioner in the lead-up to the 2019 election. And I think, from reading it, according to evidence from the commissioner, Dr Kunkel and a number of other PMO staff had asked a series of questions about when the election could be held. Has Dr Kunkel had a meeting with the commissioner about this year's election?

Ms Foster: Not to my knowledge, and I'll invite any officers who are listening to me to correct me if they have a different understanding.

Mr Reid: I have nothing to add to Ms Foster's answer.

Senator AYRES: Ms Foster, can you tell the committee anything about Operation Paratus? I understand that it's an exercise to test our biosecurity response capacity and that PM&C is involved. Is that correct?

Ms Foster: It may be. It's not something I've been involved with, and I'll see whether the officers who deal with that—

Senator Birmingham: You could have let the mystery run for just a few seconds more there, Senator Ayres!

Senator AYRES: It's late in the afternoon. I'm not into mystery. If somebody is in a position to answer that question, in the interim you might answer this. I understand the department bought \$20,000 worth of carbon credits. Can you tell me what that is about?

Ms Foster: I will see if there anyone here who can help us with that question.

Senator WONG: CN3803290.

Ms Foster: While we're looking for the number, Mr Gilmartin, is our chief operating officer and he is not aware of any carbon credits being purchased. We've asked another officer if they have any information.

Senator AYRES: While we have this moving feast, Mr Jones, you're here in relation to which of the questions I was asking?

Mr Jones: I believe I'm here in relation to your question about Exercise Paratus.

Senator AYRES: Yes. What is a paratus?

Senator Birmingham: Whilst waiting, I think it is a Latin word.

Senator AYRES: Thank you. Does it mean 'dodgy Prime Minister' or is it—

Senator Birmingham: Omnia paratus means to be prepared in all things or ready for anything, apparently. I wanted to answer that question myself.

Senator AYRES: Thank you.

Mr Jones: I attended a meeting at the Department of Agriculture, Water and the Environment last week, and that was largely to give both state and territory representatives at that DAWE forum an understanding of the Australian government crisis management framework. Also, in attendance was the director-general of Emergency Management Australia. The discussion was facilitated by the former director-general of Emergency Management, Mr Rob Cameron. That was one of the lead-off activities for what I understand to be an event over the next several years led by DAWE that will build upon their preparation for the various standing plans that the Department of Agriculture, Water and the Environment contribute to the Australian government crisis management framework. I think it's a due diligence preparedness activity that they're undertaking to bring their response plans up to speed given that DAWE does oversee more than seven standing Commonwealth plans around various biosecurity—

Senator AYRES: So it's a series of exercises in biosecurity that will work through each of those seven areas; is that correct?

Mr Jones: That's correct. That's my understanding. We can gather further information and provide it on notice.

Senator AYRES: Has it begun yet?

Mr Jones: No, the event last week was the lead-off engagement to build awareness across both states and territories on the DAWE initiative, but they're about to launch into that activity over the next two years.

Senator AYRES: Thank you. Ms Foster, Can you tell me how many questions asked at the last estimates round did the department fail to answer by 25 March, the date set by the committee for the return to answers?

Ms Foster: I will ask Mr Martin to come to the table. He has all the data on that.

Mr Martin: I'm sorry, you were asking about questions on notice?

Senator AYRES: Yes. How many did the department fail to answer?

Mr Martin: Senator, 135 were taken on notice. I think we've answered 12 to this point.

Senator AYRES: 12?

Mr Martin: That's right.

Senator AYRES: That's like an eight per cent success rate. Honestly! There are some people who would make the argument that 100 per cent of questions on notice ought to be answered by the return date. I think that's a fair enough response. I'm probably a bit more flexible, but somebody tell me if my maths is wrong; is it eight per cent or nine per cent?

Mr Martin: I can't say I could add that up accurately in my head, but that's in the ballpark.

Senator AYRES: This is why, Ms Foster, when officers here say that they'll take something on notice, we just know that it's treating the committee with complete contempt.

Senator WONG: It's worse than under Mr Gaetjens.

Senator AYRES: We will never get an answer to 90 per cent of the questions that are taken on notice in this committee. It just makes a mockery of the process, doesn't it?

Ms Foster: I was just checking to see if Mr Martin had any data from previous estimates, but he only has the current estimates with him.

Senator AYRES: I do have some questions from previous estimates—

Senator WONG: Perhaps instead of trying to work out if somebody has done the bad thing before, or hasn't done the right thing, do you think it's acceptable?

Ms Foster: We make every effort to provide answers to those questions—

Senator WONG: Less than one in 10.

Mr Martin: I can say—

Senator WONG: Do you think it's acceptable, Ms Foster? I'm asking you a question. You're the senior person at the table, in the absence of Mr Gaetjens. Do you think that the premier department in the Commonwealth should be satisfied with that level of noncompliance with a Senate committee?

Senator Birmingham: This department spends a lot of time responding to questions at these hearings, at COVID committee hearings and at other hearings; and seeking to provide responses. I appreciate the issues you're raising, but there's been a very truncated time frame between the last estimates and these estimates.

Senator AYRES: The time frame is the time frame, isn't it? There's a return date for questions on notice.

Senator WONG: I still don't have an answer to my question. I don't need empathy. I'd actually like to know, as a matter of setting standards and being leaders in the APS, if the senior PM&C officer at the table believes that PM&C's record, which we've just gone through, is appropriate?

Senator Birmingham: Senator, I think that's—

Senator WONG: You don't want her to answer.

Senator Birmingham: It's asking for opinions from—

Senator WONG: It's actually about the standard for Prime Minister and Cabinet. You're supposed to be the lead agency in the Commonwealth. Is this the standard you set?

Senator Birmingham: They're also an agency that faces questions on a very wide range—the widest range—of issues, sometimes more sensitive than others. There are a range of different factors this agency faces.

Senator AYRES: Is 10 per cent acceptable, Minister?

Senator Birmingham: Whilst I've lived through debates around the numbers of questions answered, or the proportions of questions answered, from both sides of the table in these places for a long period of time, I also note that the debates end up chewing up time when we could be discussing policy issues.

Senator WONG: Come on, seriously! Oh dear.

Senator AYRES: As much as I'd really like to entertain a policy discussion, what's the point of that if 90 per cent of questions on notice aren't answered?

Senator Birmingham: We're here doing our best to try—

Senator AYRES: Are there any of those questions, Mr Martin, where the PM's office has instructed the department not to answer?

Mr Martin: No.

Senator WONG: You know we have the order that I got through the Senate? I hate calling it the Wong order, because it reminds me of the racist jokes people used to make about my name—you know, wrong, right—but do we have that?

Ms Foster: We do.

Senator WONG: Sorry, I don't have it in front of me. Can you remind me what the numbers were? This goes to when they were received.

Ms Foster: Mr Martin can take you through that.

Mr Martin: It's standing order 21.

Senator WONG: I'm sorry?

Ms Foster: Standing order 21.

Senator WONG: There you go!

Mr Martin: The response that was given, standing order 21, confirmed that there were 135 questions taken on notice. At that stage none had been responded to. I can confirm that a significant number of questions were provided to the Prime Minister's office in the lead-up to the hearings and are still in the process.

Senator WONG: How many?

Mr Martin: There were 81 provided to the Prime Minister's office for consultation.

Senator WONG: That still leaves 54 that weren't. What is the delay on the others?

Mr Martin: The others are with the Prime Minister's office for drafting?

Senator WONG: So everything that hasn't been provided is either with the Prime Minister's office for drafting or for consultation?

Mr Martin: There are five that are still with the department for drafting.

Senator WONG: I was too hard on you, Ms Foster. It is all in the PMO.

Ms Foster: That was why I was saying that we make every effort possible to respond to questions.

Senator WONG: Sure. But basically what you have just told me is that, of 135, you have provided—

Mr Martin: 81.

Senator WONG: No. Twelve had been provided by the appropriate time. You've got five still on your plate—naughty you; five out of 135—but all of the remainder are with the PMO. They're not going to provide any, are they? Why are they drafting?

Ms Foster: Where the questions relate to matters that the department is responsible for or has information about, we do the drafting. Where they go to what the PMO knew about, they're provided to the PMO to respond to.

Senator WONG: Have you followed them up?

Ms Foster: We do that regularly.

Senator WONG: I don't think they're responding.

Senator AYRES: A graveyard of accountability in the Prime Minister's office.

CHAIR: Is that a question, Senator Ayres?

Senator WONG: No; he is just good with the pithy summaries.

CHAIR: Observations.

Senator WONG: He is very good at that. It is one of his strengths—pithy observations.

CHAIR: Estimates is for questions, not observations.

Senator WONG: How about a question as to why the Prime Minister, Senator Birmingham and his office think it is okay to so disrespect the Senate and to so hide from answering questions?

Senator Birmingham: There are many pressures constantly on a Prime Minister's office and, in terms of responding to these matters, the Prime Minister is routinely available for questioning himself. But, in terms of those particularities on the questions from the last set, I'm happy to—

Senator WONG: It's all an allocation of resources, isn't it? There are always a lot of people happy to talk to journalists about a lot of things but obviously not many people allocated to actually responding to questions from the Senate?

Senator AYRES: Let me ask a few of these questions from March. In question on notice No. 230, I asked the department to answer a question that had originally been asked in October 2019—probably my first estimates—which was about the execution of a search warrant on a journalist's home. The department was asked what knowledge the Prime Minister, his office and his department had about the execution of a warrant on the home of journalist Anika Smethurst. The department has had 2½ years to provide an answer. What is the answer? You're not going to take it on notice, surely!

Ms Foster: I am just getting someone to check for me. But, by the nature of the question you have just read out to me, that sounds like one of the questions we would have referred to the Prime Minister's office for drafting because it goes to their knowledge, not ours. I am having someone check to see if we have the answer, but I am not sure we will have.

Senator AYRES: The question was: when and how was (a) the Prime Minister, (b) the Prime Minister's office and (c) the Department of the Prime Minister and Cabinet informed of the execution of a search warrant at the home of the journalist?

Senator WONG: You should at least answer (c)?

Ms Foster: I will just have someone check that now.

Senator AYRES: I have a few more, but I might just wait until that person becomes available. I suspect it will become too confusing if I move to the next question, which is also two and a half years old.

Ms Foster: I was just explaining to the minister that we're having a little bit of trouble because of the age of the question—going back and finding the drafts—but we're doing our best.

Senator AYRES: My question to you is about a question on notice which was, indeed, a question on notice about a question on notice. The current question is just a few weeks old.

Ms Foster: So it's current question on notice No. 230.

Senator AYRES: Yes. While you're going to this issue, can I refer you to question 232, which was from March. I asked the department to answer a question asked in October 2019 about an AFP briefing of the secretary in relation to Mr Christensen. The original question sought information about who initiated the briefing, who was present, whether a file note was created, and details of other briefings to the department of the Prime Minister. Again, it's two and a half years old. Do we have an answer to that question? It's just another one of these accountability things that the Prime Minister wants to wash away.

Ms Foster: As you know, question 230 from this year was asking us why we hadn't answered the question that you outlined in detail, and the answer to the question is that we have detailed our response in response to Senate order 21, which will be to advise that—

Mr Martin: That was tabled on 23 March 2020, which would have advised when the department provided its drafts to the Prime Minister's office for consultation.

Senator WONG: That doesn't explain (c).

Ms Foster: I'm having someone go back to find the answer and see what we can provide quickly.

Senator WONG: Can you give me the date of that again—not the tabling in compliance with the order but the date of the correspondence being provided to the PMO?

Mr Martin: That will be in the response to Senate order 21 from March 2020.

Senator WONG: I'm asking you now.

Mr Martin: I can certainly check that and come back to you.

Senator WONG: Thank you. So your answer to the question from Senator Ayres in relation to Ms Smethurst and the execution of the search warrant is that you provided a draft to the PMO on a date that you will give us, but as yet it hasn't been tabled?

Mr Martin: That is correct, Senator.

Senator AYRES: And in relation to Mr Christensen, question 232?

Mr Martin: Same answer.

Senator AYRES: A graveyard of accountability isn't too over the top, is it, really? Once something enters the blackhole of prime ministerial accountability, it never comes back out again, does it?

Senator Birmingham: Senator Ayres, you can make your own commentary.

Senator AYRES: Well, it was a question. You could choose to answer it.

Senator Birmingham: As I said, the Prime Minister puts himself out there for scrutiny and questions on a very extensive basis.

Senator AYRES: What about something that is within the department's purview. In question No. 228, from March, I asked the department to answer questions asked in the hearing in October 2019 about the appointment of Mr Gaetjens as secretary of the department. Ms Foster, do you think that a failure to answer questions about the appointment of the secretary of the department to the Senate committee, which is charged with oversight of Prime Minister and Cabinet, says something about the department's approach to accountability? Or is this another question that's gone into the sort of vortex of accountability in the Prime Minister's office?

Ms Foster: I'm just checking what the status of that answer is. Yes, the draft has been provided to the Prime Minister's office.

Senator AYRES: So once something touches the Prime Minister's office, it's gone? Is that right? Is that how accountability now works?

Senator WONG: Was this method or this system or this approach something that was a discussion between PM&C and the PMO? Because it is pretty extraordinary that even aspects of a question, which clearly go the department, are sitting in the PMO because they're politically sensitive. But was there a discussion in which it was indicated to PM&C, 'Look, change your practices; anything that deals with us, we'll do'?

Ms Foster: Not to my knowledge. I think our practice has always been—and Mr Martin can correct me if I'm wrong—that we will draft responses for those questions where we have the information, and we will refer the drafting for those where it's the PMO's information to them. And, as I said earlier, Mr Martin does regularly follow up to seek lodgement.

Senator WONG: How often to you follow up to tell them that they haven't answered?

Mr Martin: We probably talk on a weekly basis with the office.

Senator WONG: So every week for two and a half years they've been told that they've not answered these questions?

Mr Martin: We don't specifically cover every question on every occasion, but certainly we do follow up regularly.

Senator AYRES: Can I try with another one? Lucky last. In March I asked some questions on notice about Mr Morton's new office in Sydney—question No. 222. The answer provided said that the office was established 22 January. I asked the department what support it provided in establishing and maintaining the office, including costs, but there's just a link to the finance policy.

Mr Martin: On that question, I can confirm that the office was established on 24 January 2022, following agreement through the Department of Finance that it be established as the minister's office in December 2021.

Senator AYRES: Can you tell me whose idea was an office in Sydney for Mr Morton? Was it Mr Morton's office or the Prime Minister's office?

Mr Martin: I can't confirm exactly, but we would have been notified by Minister Morton's office.

Senator AYRES: Would have been or were?

Mr Martin: I'll check for you. That's the usual process.

Senator Birmingham: The process for an additional office would customarily be that the minister or office holder would make the request through finance.

Senator AYRES: We might have some questions for finance. Why does Mr Morton need an office in Sydney, Minister?

Senator Birmingham: When you asked or raised these issues a couple of months ago, as I said, it's not unusual for ministers or office holders or shadow ministers to have staff based in alternate locations. In this case, in the case of Mr Morton, I assume that that has led to him having a presence in the CPO.

Senator AYRES: The answer to question 223 says that Mr Morton's primary ministerial office is in his electorate. He's a junior minister, but he's got three ministerial offices: one in Canberra, one in Perth and one in Sydney. How many ministerial offices have you got, Senator Birmingham?

Senator Birmingham: I have my suburban office in Adelaide, access to a CPO office in Adelaide and one here.

Senator AYRES: So a ministerial office here—

Senator Birmingham: Three is not uncommon in—

Senator AYRES: Sorry, you've got a ministerial office here, access to the CPO—which is not what Mr Morton has been provided with; he's been provided with a ministerial office in the CPO—and your electorate office. That's not the same as Mr Morton, who's far more junior than you. He has an office in Perth, an office in Sydney and an office in Canberra.

Senator Birmingham: Most ministers would have their electorate office, with varying staff. In my case, all of my Adelaide based staff work predominantly out of my electorate office, unless there's a need for us to be in the CPO. That's just the way I've structured my arrangements. But most would potentially have some in their electorate office, and a CPO office that is activated as well, and of course all have a Canberra office.

Senator AYRES: Is the department in a position to tell me—or, Minister, will Finance be in a position to tell me tomorrow—how much it's cost to set this new office up?

Senator Birmingham: Finance can answer questions there, I suspect.

Senator AYRES: Does the department know?

Senator Birmingham: Given that it's an existing CPO office in Sydney, which has probably already been cabled for Finance and everything else, I don't imagine that there is an additional cost there.

Senator O'SULLIVAN: Does Mr Morton have an office in the Perth CPO? Does he only use his electorate office as his ministerial office in Western Australia?

Senator Birmingham: I believe that's the case. I've just been pointing out that there are still three: an electorate office, which would also have ministerial staff, a CPO office, which in this case is in Sydney, and a Canberra office.

Mr Martin: I can confirm that Mr Morton does not have an office in the Perth CPO.

Senator AYRES: I don't have any further questions—

Senator WONG: They're coming back on the paragraph (c).

Ms Foster: There are two things that I can come back on. I think they're still searching for the paragraph (c), sorry.

Senator WONG: You're still searching for it—

Ms Foster: You asked a question about the age of the customer leadership board. That is actually an in-house advisory service on ICT services. It's a service that would help us, for example, determine which was the most advanced software to buy et cetera. So it's an internal corporate issue. I think the answer to that question was tabled in November 2020, and that spells out the ICT nature of the contract.

Senator AYRES: I think there was an answer in the House which said that there was some marketing aspect to this.

Ms Foster: The answer that was tabled in 2020 also talks about research content, but I think that research relates to, for example, software packages et cetera. It's not market research in the context that we were speaking about. Mr Duggan is able to give you some information on the carbon credits.

Senator AYRES: Thank you.

Mr Duggan: You asked a question about a contract that we had with Corporate Carbon Advisory Pty Ltd for \$20,130. The purpose of that contract was the purchase of Australian carbon credit units at the request of the UK government to offset the cost of the Prime Minister's travel to the G7 in Cornwall.

Senator AYRES: I faintly suspected that that might be the case, but then I laughed it off and said, 'Surely that wouldn't be the case.' But it turns out that—

Ms Foster: We also have an answer now to the first question—

Senator WONG: So you basically missed that the British government asked the Australian government to purchase carbon credits to offset their trip to Glasgow and that PM&C bought the carbon credits. Haven't some of the government been criticising—

Mr Duggan: The UK government set the objective of running a carbon-neutral G7, and they asked all participants, including G7 countries—

Senator AYRES: It's like the memo to Senator Rennick—

Senator WONG: Oh, my goodness me. To whom was the request made? Was it made at leader level?

Mr Duggan: That's my recollection. I'd need to check that, but that's my recollection.

Senator WONG: Prime Minister Johnson asked Prime Minister Morrison directly, 'Please offset your travel?'

Mr Duggan: My recollection is that the letter of invitation made it clear that he would like to run a net-zero-carbon G7 and asked leaders that were invited to purchase offsets, if necessary, in order to offset the carbon impact of their travel.

Senator AYRES: That's like the worst of gesture politics, really.

Senator WONG: The Prime Minister told us—

Senator Birmingham: It sounds like the same request was made of all other attendees—certainly all other G7 attendees—and possibly others.

Mr Duggan: And guests—that's correct.

Senator AYRES: Yes, but other governments turned up with a serious set of propositions. We turned up with \$20,000 worth of carbon credits. Honestly! It's just—

Senator Birmingham: I don't accept that, but I won't have a debate with you here.

Senator WONG: Ms Foster—

Senator AYRES: You were about to say something, Ms Foster. Please divert us away from this.

Ms Foster: We have an answer to paragraph (c) of the question about Ms Smethurst.

Senator WONG: Excellent.

Mr Reid: This was either question 230 or 232. I'm not sure which one it was—232—but it refers back to question on notice 887. Question 1, paragraph (c), was: when and how was the Department of the Prime Minister and Cabinet informed of the execution of the search warrant at ABC headquarters in Sydney on 5 June 2019? The answer is that the first notice of that execution came through media reports.

Senator WONG: As and when the raid was first—

Mr Reid: That's right.

Senator AYRES: Thanks, Chair.

CHAIR: Thank you very much to the Department of the Prime Minister and Cabinet for making yourself available again today for estimates, and we will dismiss you now with our thanks.

Office of the Official Secretary to the Governor-General

[17:01]

CHAIR: Welcome. Mr Singer, did you wish to make an opening statement?

Mr Singer: Just a very brief statement, if I may, Chair. Thank you. Since my last appearance before the committee in February a primary focus for my office has been to support the Governor-General and Mrs Hurley's visits to many of the flood affected communities in South-East Queensland and New South Wales. In recent weeks their excellencies have visited Brisbane, Gympie, Noosaville and Peregian Beach in Queensland; and Lismore, Ballina, Empire Vale, Woodburn, Coraki, Mullumbimby, Wilsons Creek, Windsor, Richmond and Wilberforce in New South Wales.

As the Governor-General said in a video message last week, the scale of the damage in these communities is striking and so is the grief and heartbreak in the community. He says it mirrors what he saw in Normanton and Kalbarri after cyclone Seroja and in the many communities that their excellencies visited following the devastation of the 2019-20 bushfires in Queensland, New South Wales, Victoria and South Australia.

In each of these terrible events, amidst the destruction, tragedy and grief, the Governor-General and Mrs Hurley have observed some common characteristics in how communities respond. They've listened to stories of loss and despair yet have also witnessed and helped to shine a light on the countless examples of generosity, determination, compassion and kindness—incredible stories from those involved in the response who have worked tirelessly to help neighbours and strangers alike. They are inspiring stories and they speak to who we are.

As the focus in these communities changes from the response to the recovery and the rebuild, their excellencies will continue to visit and remain connected with these communities in the coming days and weeks for the rest of their term, just as they continue to do for those regions impacted by the 2019-20 bushfires. For example, in the coming days their excellencies will visit Cabbage Tree Island and return to the flood affected regions around Lismore and Coraki.

An ongoing priority for the Governor-General and my office is to increase representation in the Australian honours and awards system by all parts of our community, including lifting the percentage of awards to women, Australians from a culturally diverse background and Indigenous Australians. Pleasingly, this year's Australia Day honours list included the highest ever percentage in the general division of the Order of Australia for awards to women—47 per cent. This reflects the priority the Governor-General has placed on increasing awareness of and engagement with the Order of Australia, particularly in parts of our community that've been historically underrepresented in nominations and, therefore, awards.

My office has commenced a program of comprehensive and ongoing outreach to encourage nominations for the Order of Australia. Incorporating such engagement into the administration of the order is a step change. It will allow my office to encourage high-quality nominations for outstanding Australians from all parts of the community. We expect this work to continue the positive trend of more awards for women and to increase nominations, for example, for individuals from multicultural and Indigenous backgrounds. Our honour system will reflect the great diversity and strength of Australia.

Finally, I wish to provide advice to the committee with regard to the Senate order for the production of documents to unanswered questions on notice. There were no questions taken on notice by the office during the additional budget estimates, and 14 written questions on notice were received after the last hearing. Responses to all questions were sent to the Senate committee by the nominated due date.

CHAIR: Thank you very much, Mr Singer. Senator Ayres.

Senator AYRES: Is the Governor-General in Canberra this week?

CHAIR: That is a sneaky question, Senator Ayres. Mr Singer, you can respond.

Mr Singer: The Governor-General is available to fulfil any requirements that he might need to fulfil.

Senator AYRES: Can you tell us whether the Prime Minister's office has indicated to you when the Governor-General will make himself available this week?

Mr Singer: Every day I come to work, ready, as is my office and that of the Governor-General—to respond to any such needs. Every night when I go home, I say: 'It wasn't today. Maybe it will be tomorrow.'

Senator AYRES: Maybe it will be tomorrow. I don't know if you were watching or whether a report was provided to you, but I asked a series of questions of Prime Minister and Cabinet about an \$18 million allocation in the budget, from memory, on page 155 of Budget Paper No. 2, for something called the Australian Future Leaders Program. In that discussion with the department they indicated that you and the office had been engaged in the formation of this. What can you tell us about it?

Mr Singer: Thank you for the question. It gives me an opportunity to talk to why my office and, indeed, the Governor-General are so pleased and excited to be part of such a bold initiative to build the future leadership capability in Australia. This is a new program. It's a new and exciting initiative which will essentially build a cohort of Australian leaders from sectors who are better connected, more collaborative and better equipped to make an impact in the national interest. As yet there is nothing like this program that currently exists in Australia. One of the tremendously unique features of it is that it will be truly cross-sectoral, so it's attracted support from unions, religious leaders, cultural leaders, those in the bush, the private sector, the philanthropic, the public sector, the not-for-profit sector. In so doing the Australian Future Leaders Foundation has undertaken considerable research in consultation with over 100 stakeholders and analysed over 126 Australian and 20 overseas leadership programs to position this as a truly unique Australian leadership and nation-building program.

Senator AYRES: What will the public get for this \$18 million? Are there programs designed?

Mr Singer: What might be helpful for the committee is to make it very clear where the responsibility of my office lies, where those of the foundation lie and where those of Prime Minister and Cabinet and the government lie. My office, and through the Governor-General and the Governor-General's own personal patronage, are excited to be involved with this program because of what it represents.

Senator AYRES: But you're not administering it? Is that what you're trying to say? I think I took from the discussion in Prime Minister and Cabinet that there is at least one other similar program in Canada that looks like what is envisaged here—is that right?

Mr Singer: I can paraphrase; not wishing to speak for colleagues, I can draw comparisons with similar programs in Canada, such as the Governor-General's program and the Commonwealth Study Conference, which is open to participants from all the different Commonwealth countries. I think Minister Birmingham may have made reference to leadership programs delivered at the state level, sometimes under the patronage of the state governor. But what this is is something that's truly nation building in terms of its ability to build a very diverse and impressive cohort of future leaders.

Senator AYRES: Okay. So it is 'nation-building' with a 'diverse cohort'. How many staff has it got?

Mr Singer: As yet, it's got one staff member, and that's Mr Hartley.

Senator AYRES: Where has he come from?

Mr Singer: Mr Hartley has had experience in running these types of programs internationally in the past.

Senator AYRES: Can you point me to some that he has run?

Mr Singer: He's been involved with the Commonwealth Study Conference, which is a program that, as I say, encompasses all Commonwealth countries and is open to participants from across the Commonwealth. He's been involved in similar leadership programs in Malaysia, and he's been an active contributor to a program that has been run here in Australia in the past, which has had similar characteristics to this program but not the depth and the breadth of the program that's being suggested in this format.

Senator AYRES: As to this foundation—the Australian Future Leaders Foundation, I think it's called—which got DGR status last week, was it set up by Mr Hartley for the purposes of this program?

Mr Singer: I'd just like to go back to the point: I don't want to be drawn in an area that my office is not responsible for. I can't speak for the entity. The entity is, as you point out, the Australian Future Leaders Foundation.

Senator AYRES: But—sorry to interrupt—it will be running the work? The \$18 million will go from the Commonwealth to Mr Hartley's organisation to essentially administer the program?

Mr Singer: That's correct. If I can just draw a comparison to how this has been applied very successfully to similar programs in the past, I will draw parallels to the Sir John Monash scholarships, where there is a foundation that is its own entity and is separate from government but from time to time attracts government funding support in order to pursue its interests when they're in the national interest.

Senator AYRES: How did Mr Hartley become known to you and to the Governor-General? Is he someone that either you or the Governor-General knows?

Mr Singer: I think the Governor-General may have had a tangential, peripheral relationship with him through other means in the past—for example, through a centennial rowing regatta for the King's Cup in the UK.

Senator AYRES: Is this the one where there was famously some report in the *New York Times* or something about 16 bottles of cognac at some event?

Mr Singer: I can't speak to that. I have no knowledge of that.

Senator AYRES: 'Peripherally known to him'—was that the phrase that you used?

Mr Singer: Yes. I have an understanding—and I would be happy to provide confirmation if I were to take it on notice and discuss with the Governor-General—that the Governor-General had a knowledge of Chris Hartley before this proposal for this program was made approximately two years ago.

Senator AYRES: So there is one staff member at this stage?

Mr Singer: Yes.

Senator AYRES: Is there a physical office, to your knowledge?

Mr Singer: Not to my knowledge, but again these are questions for the foundation.

Senator AYRES: Sure. I just want to know what's within your knowledge. Has it got a website?

Mr Singer: I think another point that might be of assistance here is the timing for the launch of this program. As you'll appreciate, the Governor-General, through his patronage-like relationship with this entity—essentially, with the program—has been very seized of wanting to make sure that in no way was the program politicised and that it in fact had attracted bipartisan support. So, in terms of the recent funding that's been confirmed by the government, it's been a considered view that it would be better to launch the program outside of the margins of the election so as to ensure that it has some clear air and avoids being politicised.

Senator AYRES: Are you trying to say that all of this work—only one staff member, no office, no website and no phone number, I think—is all on hold pending getting to the other side of this election period?

Mr Singer: It would have been unviable for the entity to have established or secured any additional resources without a confirmed line of funding, whether that be through government or private means. Now, as I understand, the foundation is in the process of establishing what will be a very impressive board. It has the support of—

Senator AYRES: When you say 'impressive', who's on the board?

Mr Singer: In fairness, it would be premature for me to announce it in this forum.

Senator AYRES: Do you know who's on the board?

Mr Singer: I'm aware of who's been approached. I'm not aware of any final decisions being made.

Senator AYRES: You know that's not a basis for refusing to answer a question at Senate estimates, don't you?

Mr Singer: I appreciate that, and I want to be as helpful as I can. But nor do I wish to stray into territory and speak for a foundation which is at arm's length from my office.

Senator AYRES: You said it has bipartisan support. Has the Prime Minister's office been consulted?

Mr Singer: Indeed. In fact, it would be unnatural for the Governor-General not to discuss these things with the Prime Minister, as he has—

Senator AYRES: When you said bipartisan support, has the opposition been consulted?

Mr Singer: done with the Leader of the Opposition.

Senator AYRES: He's consulted the Leader of the Opposition?

Mr Singer: Yes, he has.

Senator AYRES: It's pretty significant expenditure, \$18 million.

Mr Singer: It's \$18 million over five years and, again, the funding arrangements have not been a matter for my office. They've been—

Senator AYRES: This is what I'm interested in. I appreciate that there's an objective somewhere in the middle distance, and it hasn't really been explained either by you or by the department how this is going to further this public policy objective. I think I understand what the objective is, but how do you come up with \$18 million? Perhaps it's unfair for me to ask you this question: to your knowledge, where has the \$18 million figure come from and the \$4 million worth of ongoing funding? Where are those from?

Mr Singer: Again, I want to be as helpful as I can. I've not been involved in those funding arrangements. It's been a matter for the foundation and the Department of the Prime Minister and Cabinet. I can comfortably and very happily speak to the objectives and the value of the program, as we understand it, and why it is that the Governor-General wishes to be involved and lend his support. What I'm not in a position to do, because I've not been engaged in this process, is speak about the mechanics of how the funding arrangement has been finalised.

Senator AYRES: Prime Minister and cabinet indicated that it was the office that raised it initially with PM&C. That is right, isn't it? It's an initiative from the office.

Mr Singer: It would be fair to say, we made the introduction, yes.

Senator AYRES: Is Mr Hartley known to the Prime Minister?

Mr Singer: Again—

Senator AYRES: Was he a stranger to him when the discussion was had?

Mr Singer: I'm not aware of any connection at all between Mr Hartley and the Prime Minister.

Senator AYRES: What's the budget allocation for your office in 2021-22 and 2022-23. Can you tell me?

Mr Singer: For 2022-23 we've got appropriations totalling \$30 million.

Senator AYRES: And for 2021-22?

Mr Singer: For 2021-22 we have \$36 million. You might recall that that additional funding of approximately \$6 million related to a departmental capital budget which was associated with an IT moderation project and the honours digital mapping process.

Senator AYRES: Is IT modernisation also for capital works at the Governor-General's residence in Sydney?

Mr Singer: You recall, I've mentioned and provided a number of updates.

Senator AYRES: That's in the \$6 million, is it?

Mr Singer: It's actually not. We've funded that through our administered capital budget.

Senator AYRES: I asked you some questions in February about the settlement that's been reached with the disgraced former High Court judge Dyson Heydon in the context of the fact he holds the AC. I think it's our highest order, isn't it?

Mr Singer: Yes.

Senator AYRES: I think you said at the time that you were unaware of the settlement with Mr Heydon's victims. You said:

And, of course, I would like to ensure that the council has the opportunity to fully consider this in the context of its terminations and cancellations and I expect when it next meets that will be on the agenda of items to consider.

You went on to say:

The fact that there's been an announcement of the settlement today is, I think, important in terms of the milestones around these processes.

Following the hearing, I asked a question on notice about this matter but you refused to answer, directing me instead to the ordinance and a statement made by Mr Stone in 2020. Can you tell me why?

Mr Singer: Can I clarify that you indicated that I wasn't aware of the settlement when we last spoke.

Senator AYRES: That's what my notes say.

Mr Singer: You might recall we did actually speak about the settlement. I indicated that I was aware that the settlement had been reached that day. I wasn't aware as to the terms of the settlement, nor would I expect to be. I did indicate at the time that that would be an important consideration when the council next met in terms of its full consideration of this matter. In my response to your question on notice, I'm not trying to avoid the question but I am trying to protect the principle of confidentiality which underpins the Australian honours and awards

system. I wouldn't wish in any way to compromise a process that is currently playing out by engaging in a conversation which might either jeopardise or prejudice that outcome.

Senator AYRES: Has the council met since the hearing in February?

Mr Singer: The council traditionally meets in February, and these items were on the agenda for consideration.

Senator AYRES: So the answer is yes, and yes: it has met and the items were on the agenda.

Mr Singer: Yes.

Senator AYRES: I'm trying to work within the boundaries that you're trying to set for this discussion. Does that mean the council is considering the matter? How would you characterise where it is up to?

Mr Singer: It has always been the policy of the council, and the official secretary who traditionally sits as a secretary for the council, not to speculate on individual matters. Again, I've tried to be helpful to the extent that it is appropriate to answer your question without prejudicing an outcome that may or may not be under consideration. What I will say, in trying to assist as clearly as possible, is that these matters are under constant consideration of the council, and it considers them very, very carefully. Of course, I'm speaking in general terms about such matters, rather than specific terms.

Senator AYRES: We've canvassed a number of other matters. Have any of those been determined?

Mr Singer: Again, without speaking to the specifics of individual cases, there are a number that are under active consideration by the council.

Senator AYRES: Has the council made any decisions about any of the matters that we have traversed, which largely relate to allegations that have been dealt with and that have been the subject of findings in the child abuse royal commission? I think that's the best way to characterise it.

Mr Singer: There have been decisions taken around terminations and cancellations—not necessarily around the specific examples you raise. The other complication here in relation to the consideration of these matters by the council is the ability for the council to physically come together throughout the COVID period. Given the weightiness and the significance of these types of matters, I think you would appreciate and understand that the council would wish to have the opportunity to discuss them fully and fulsomely, rather than run the risk of not having all the information available before making such a decision.

Senator AYRES: It does look like there is a real inertia here, though. Put aside the fact that Mr Heydon is utterly disgraced. There's that matter, and you say that it was on the agenda in February but there was no decision. At the very least, while I've been here since October 2019, these other issues have been sitting there all the way through.

Mr Singer: I think one of the questions that—

Senator AYRES: I appreciate that these aren't decisions that you'd make on the papers, but, for victims of child sexual assault, and in all these other matters, these people in the public scene still holding our highest orders—that's not a sustainable position, is it? What explains the inertia?

Mr Singer: I think there are a number of elements to that question, and, if I could, I will just address them one by one. I don't accept that there has been no action. I accept that it may be slower than some may wish, but, for example, in the last five years there have been six terminations or cancellations for different reasons, and, when a decision is reached, that is gazetted in the Commonwealth Gazette. In relation to one of the matters that you and I have traversed on successive occasions, the Constitution for the Order of Australia actually prevents the council from being able to do anything because the member ceases to be a member of the order upon their death. Whether that is acceptable, right or wrong, that's what the constitution currently allows for.

Senator AYRES: But we've gone around in circles about this for years now. The constitution is an artifice that is capable of amendment. That's not something that couldn't be resolved, is it?

Mr Singer: No, but, again, I think these things take time—

Senator AYRES: It just hasn't been resolved.

Mr Singer: and I just wish to, again, make it clear that neither the council nor my office are responsible for or able to make those changes; it does require a recommendation from the government via the Governor-General to the Queen to make those changes to the constitution.

Senator AYRES: Okay. I don't have any further questions, Chair.

Mr Singer: Senator, sorry—may I just—

Senator AYRES: Yes, of course; sorry.

Mr Singer: I just want to circle back and make it very, very clear. I am not sure if my answer really was ambiguous about the relationship between the Governor-General, or the Prime Minister for that matter, with Mr Hartley. There is no existing relationship—

Senator AYRES: Thank you.

CHAIR: Thank you very much, Senator Ayres, and thank you very much, Mr Singer, for coming in this afternoon at a slightly different time from what we originally anticipated. We will now bring in the ANAO, and, given that we have a few officials and ministers to swap around, the committee might briefly suspend while we rearrange.

Australian National Audit Office

[17:29]

CHAIR: I welcome back Senator the Hon. Jonathon Duniam, Assistant Minister for Forestry and Fisheries and Assistant Minister for Industry Development; Mr Grant Hehir, Auditor-General for Australia; and other officers of the Australian National Audit Office. Minister, do you wish to make an opening statement?

Senator Duniam: No, I don't, thank you, Chair.

CHAIR: Auditor-General, do you wish to make an opening statement?

Mr Hehir: No, thank you.

CHAIR: Senator Ayres, you have the call.

Senator AYRES: I note that you've listed the Urban Congestion Fund on your draft audit program for the coming year, Mr Hehir. Is that right?

Mr Hehir: Yes.

Senator AYRES: What is the basis for listing the Urban Congestion Fund in the audit program? I know I might have suggested that you should at some point, but I would be interested in knowing what the rationale for that was.

Mr Hehir: Largely it's because it's a large grant program. It's quite significant in the level of expenditure. Therefore, we thought it was material to undertake an audit of it.

Senator AYRES: It's the same fund for which the Audit Office made adverse findings about the car parks.

Mr Hehir: Car parks was part of the fund. I think that's right, yes.

Senator AYRES: Has early work begun?

Mr Hehir: No. It's on our draft audit work program. We wouldn't normally consider starting it until we'd finalised the program for next year. Our work program usually has more audits on it than we end up doing. So it depends on where it sits in our priorities during the year as to whether it gets done.

Senator AYRES: I think my friends in the House of Representatives call it the 'pork and ride scheme' or the 'car park rorts' more popularly. Is it generally your experience that failings in one part of a program generally infect the rest of the program?

Mr Hehir: We wouldn't go into an audit with a particular view about how the rest of the program operated.

Senator AYRES: When's the audit program going to be finalised?

Mr Hehir: We usually finalise the program in the first week of July. We're in the consultation phase at the moment, and then we'll finalise it for the next financial year.

Senator AYRES: It might be a source of some disappointment to the chair and her colleagues, but I don't have any further questions for the Audit Office.

CHAIR: Goodness me!

Senator Duniam: Chair, let's not look a gift horse in the mouth!

CHAIR: Indeed!

Senator ROBERTS: My first question is this. The government's response, both state and federal, to COVID-19—but I am focusing on the federal government's response to COVID-19—has caused harm to so many Australians, economically and socially, and to their physical and mental health. Adverse reactions, vaccine mandates and the fear of death from provisionally approved injections that haven't been fully tested and are still experimental have affected our freedoms and way of life. What have you done to audit and report on the management or mismanagement of Australia's COVID response?

Mr Hehir: We initiated a series of audits for COVID, starting last year. I can run through them. Basically we started a program of audits which we broke up into three stages—one to look at the initial preparation and rollout of a number of COVID initiatives; the second to look at more the implementation phase; and the third, which we haven't commenced yet, to look back and do an overview of the response. The first phase of our audits looked at issues around the planning side of things. We did an audit of the Services Australia COVID measures and enterprise risk framework—so how Services Australia established its COVID response. We did one on how the tax office set itself up to implement government programs, particularly focusing on how it did a risk assessment on that. And we did an audit on the broader Public Service response—so how the Public Service reorganised itself and moved resources around as a whole to meet demand in areas like Services Australia, where there was significant demand on service delivery as a result of COVID.

We've undertaken two audits on the procurement and deployment of the National Medical Stockpile. We've undertaken an audit on the international travel restrictions and the effectiveness of the design and implementation of travel restrictions. We've undertaken an audit of the human biosecurity practices at international airports and the effectiveness of those policies. Today we tabled an audit on the administration of the JobKeeper scheme, and we have audits on overseas crisis management response—so how the government organised to bring people back to Australia and those factors. That was scheduled for tabling later this month or next month. Then there is another audit on the government's support for the aviation sector, which is underway, and an audit of the vaccine rollout program, which is underway. So we've had quite a comprehensive audit program with respect to the government's policies on COVID-19. That includes audits which we've finished and those that are underway. We've also got some audits on our program relating to issues like debt management and how COVID-19's affected debt management; on the COVIDSafe app; and on the COVID-19 Consumer Travel Support Program. That's sort of the extent of our work to date in those areas.

Senator ROBERTS: That's a fairly comprehensive response. Thank you very much. It seems to me—and I'm looking at this remotely—that they're about the way programs were implemented and designed, rather than the actual basis of the programs—that is, the data underpinning the programs, the evaluation of the injections and the fact that we spent \$8 billion-plus on them.

Mr Hehir: We look at the design of programs and their administration. Our role isn't to go to the policy decision as such, so the merits of the policy decision tend to sit outside of the work that we undertake.

Senator ROBERTS: Thank you. It's a pleasure dealing with Mr Hehir, because he just tells it as it is. It's refreshing. The purchase of the COVID treatment molnupiravir for \$300 million to treat just 100,000 Australians seems to have been overly hasty, as we now hear that it may be harmful to humans. Will you investigate the high cost, the processes and the accountabilities in relation to treatment approvals?

Mr Hehir: It's not currently on our program, but, as I normally respond, if you think there's an audit topic there that we should look at, I'm happy to consider it.

Senator ROBERTS: We think there's a huge topic there. We'll draft something.

Mr Hehir: If you draft something and send it to me, we'll have a look at it. As I said to Senator Ayres, we're in the middle of finalising our audit program for next year, and we treat all requests seriously.

Senator ROBERTS: Thank you. Are you able to find out whether the Morrison-Joyce government gave AstraZeneca vaccines away to other countries for use on their people because of the adverse effects they had on Australians?

Mr Hehir: That's quite a difficult question. It's unlikely that we'd scope an audit—because your question went to motives for a decision—that would go to motives for a decision. I would have thought that would probably be outside the scope of an audit. We go to the evidence underpinning decisions. Our audits tend to look at the robustness of the advice given by departments to ministers to make decisions, but we'd normally see questioning of the motives of decision-makers, government, as being outside of our legislative remit.

Senator ROBERTS: Other treatments such as Ivermectin could have had enormous promise in the treatment of COVID-19, and they have shown enormous impact overseas. They've stopped the virus in its tracks. Yet Ivermectin was stopped dead due to bureaucracy and lack of an approval by the TGA. Can you audit their processes and their responses? It includes billions of dollars that could have been avoided had Ivermectin been approved here in this country.

Mr Hehir: We could certainly audit their processes. The challenge for us in technical areas like that is we rarely go to question the merit of their decision. You've got an expert panel who are assessing expert evidence. We would rarely get to a place under our auditing standards where we could say we would have made a different decision than them. All we can say is that this is the information that was in front of them and the decision that

they took. It's a challenging thing for us to audit because it's not part of what we would usually do. The decision would have to be so much at odds with the evidence base for us to make any comment in such a space.

Senator ROBERTS: Could you make comment on whether or not a process for approval is appropriate? My understanding is that someone who wants to get a drug approved has to make application—fair enough. But it seems that if there's merit in a proven, safe, effective, affordable, accessible treatment and it's been investigated by doctors in this country and they've come to the conclusion that they need to use this, they're not allowed to. In fact they were stopped from using it. Are you able to consider those kinds of things? Should the TGA or someone in the health department have got out and said 'We need to get this approved; we can't wait for someone to submit an application for approval'?

Mr Hehir: What we tend to audit, if we're in that type of space, is whether the organisation followed its policy and procedures for making those decisions. We would have an expectation that an organisation like the TGA would have a pathway in its normal procedures and for urgent procedures for how it made decisions.

Senator ROBERTS: As it does.

Mr Hehir: In that type of circumstance, if we were doing an audit in the area we would normally look to see whether the procedures were followed, and if they weren't followed whether there was clear evidence for why they took another path. It would be very much a process type of audit. That would be the normal type of thing we would do in that type of case.

Senator ROBERTS: Let me test my understanding then. If there's a policy and a process, you will test adherence to that?

Mr Hehir: Yes.

Senator ROBERTS: If the policy is flawed, we will test adherence to that?

Mr Hehir: Yes, that's right.

Senator ROBERTS: Thank you, that's very clear. COVID management flip-flopped and caused unnecessary concern. Is there any way you can improve, as the ANAO, future planning, responses and management?

Mr Hehir: We've made a number of recommendations in our audits about how government can respond to COVID. In summary, our audits have generally found that the response by government agencies to the implementation of policies in the crisis has been quite good. What we've tended to find is that the readiness wasn't what you might have expected. Most of the recommendations that have come out of the audits that I mentioned previously—not most—there are recommendations and findings coming out of the audits that I mentioned earlier which go to how departments could improve their readiness for emergency response so that they are better prepared. Our audits overwhelmingly are quite positive with, once the crisis happened, how well the public sector responded in that environment. I think it's almost all been pretty positive from that perspective.

Senator ROBERTS: I think I know the answer to this question, but I'm just checking. Whether or not JobKeeper was implemented, that's not your purview. How it was implemented is your purview?

Mr Hehir: That's broadly correct. In putting it forward and designing the proposal the agencies put to government, if that was inconsistent with the evidence base that they had in front of them then we'd comment about the policy advice process to government but not about the decision. Then we'd go and look at the implementation. Our focus is on the actions of the department. The policy decision that comes out of that is a matter for government and ministers, and we tend not to go there. There is a hierarchy there. I'm talking about high-level policy administrative policy decisions about how you do things, and we tend to go to the effectiveness of those.

Senator ROBERTS: And if it involves a technical issue with experts on a panel, you're not equipped to handle that because it's outside your area. So, you might look at the various submissions and then arrive at whether or not the decision was sound but, generally, if it's technical it's outside your scope?

Mr Hehir: Unless the evidence is clear that the body didn't take account of the technical advice and the evidence that they were confronted with was different from their conclusions and they behaved differently in that circumstance, we'd comment on that. However, we wouldn't try and remake decisions for people or say that they should've made a different decision. We'd be pointing out the evidence base around it.

Senator ROBERTS: Thank you. Can you audit commercial-in-confidence contracts and report back?

Mr Hehir: Yes.

Senator ROBERTS: You can?

Mr Hehir: Yes. Most contracts are required to have a clause that says that we can access their information, and even if they don't we can access them.

Senator ROBERTS: How would we go about doing that—make a request to you?

Mr Hehir: Yes, make a request. What sorts of things did you have in mind?

Senator ROBERTS: The contracts that taxpayers have been entered into on their behalf by the government with regard to purchasing \$8 billion plus worth of vaccines.

Mr Hehir: We're doing the rollout of the vaccines, not the purchase procurement at the moment.

Senator ROBERTS: We have asked for copies of the contract, as have other countries, and we've been told that they're commercial in confidence; we can't see them. But \$8 billion is a massive transfer of wealth from the taxpayers of this country to pharmaceutical companies.

Mr Hehir: For us to do audits in that space, we come to an issue that we confront occasionally with the Senate. We might do the audit and find conclusions but, to the extent that we don't publish the contract material, we tend not to make it available. If the government's claiming commercial in confidence or some public interest immunity, we tend not to override that except in extreme circumstances. But that doesn't stop us from doing the audit, because an audit of a procurement is a value-for-money audit.

Senator ROBERTS: That's what we're getting at.

Mr Hehir: It's about the level of disclosure that you have.

Senator ROBERTS: I accept that. If the government says it's commercial in confidence, I don't think that's right. But let's say that that is correct then you will not divulge any of the contract details, but you will assess whether or not it's value and whether or not it was done properly?

Mr Hehir: Generally, when we're doing procurement audits—and we tend to use the Senate definition of commercial in confidence to make judgements about the extent to which something is commercial in confidence, and my recollection goes to the profit margin and things like that as being the core things around commercial in confidence.

Senator ROBERTS: Thank you. Last question. This is a question for the minister, because it involves an opinion. If the audits that I've discussed are outside the purview of the Australian National Audit Office, should they go to a royal commission because Senator Hanson has been calling for a royal commission and many Australians are resonating with that?

Senator Duniam: In terms of the issues you raise, obviously, we have Senate estimates to inquire on these matters and various Senate committee processes. We've just talked about the capacity and scope of the Auditor-General. I'm not convinced that the threshold for a royal commission has been met. It's a response to so many things these days, many of them worthy, but there are huge imposts on the taxpayer. If there are specific proposals I'm sure you'd be welcome to put them up ahead of the election, but it's not the intention of the government to do that.

Senator ROBERTS: Thank you. Thank you again, Mr Hehir. It really is a nice refreshing change to get direct answers.

CHAIR: Thank you, Senator Roberts. If no other senators have questions for the ANAO, that will conclude our committee's examination of both your agency and all of the agencies for today. The committee will resume tomorrow, Tuesday 5 April, to examine the Department of Finance. I would like to thank the ministers and officers who have given evidence to the committee today, and thank Hansard and Broadcasting for their assistance. I now declare this meeting of the Senate Finance and Public Administration Legislation Committee adjourned.

Committee adjourned at 17:51