

The Senate

Finance and Public
Administration Legislation
Committee

Budget Estimates 2022–23

December 2022

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ALP, WA

Deputy Chair

Senator the Hon Richard Colbeck

LP, TAS

Members

Senator Tony Sheldon

ALP, NSW

Senator Jana Stewart

ALP, VIC

Senator Barbara Pocock

AG, SA

Senator the Hon James McGrath

LNP, QLD

Senators in attendance

Senators Antic, Bilyk, Birmingham, Cadell, Colbeck, Faruqi, Hume, Liddle, McGrath, Nampijinpa Price, Paterson, Barbara Pocock, David Pocock, Pratt, Rennick, Reynolds, Roberts, Sheldon, Shoebridge, Dean Smith, Steele-John, Stewart, Thorpe, and Waters

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Abbreviations

AEC	Australian Electoral Commission
AHL	Aboriginal Hostels Limited
AIATSIS	Australian Institute of Aboriginal and Torres Strait Islander Studies
ANAO	Australian National Audit Office
ANI	Australian Naval Infrastructure Pty Ltd
APH	Australian Parliament House
APS	Australian Public Service
APSC	Australian Public Service Commission
CLC	Central Land Council
COPC committee	Cabinet Office Policy Committee Senate Finance and Public Administration Legislation Committee
DPS	Department of Parliamentary Services
Electoral Act	<i>Commonwealth Electoral Act 1918</i>
ERC	Expenditure Review Committee
FFMA	Future Fund Management Agency
FOI Act	<i>Freedom of Information Act 1991</i>
IBA	Indigenous Business Australia
ILSC	Indigenous Land and Sea Corporation
IPEA	Independent Parliamentary Expenses Authority
MoPS Act	<i>Members of Parliament (Staff) Act 1984</i>
NDIS	National Disability Insurance Scheme
NLC	Northern Land Council
NIAA	National Indigenous Australians Agency
ORIC	Office of the Registrar of Indigenous Corporations
PBO	Parliamentary Budget Office
PBS	Portfolio Budget Statements
PEMS	Parliamentary Expenses Management System
PM&C	Prime Minister and Cabinet
PMO	Prime Minister's Office
Stronger Futures Act	<i>Stronger Futures in the Northern Territory Act 2012 (Cth)</i>
WGEA	Workplace Gender Equality Agency

Chapter 1

Budget Estimates 2022–23

- 1.1 On 25 October 2022, the Senate referred the following to the Senate Finance and Public Administration Legislation Committee (the committee) for examination and report:
- particulars of proposed expenditure in respect of the year ending on 30 June 2023;
 - particulars of certain proposed expenditure in respect of the year ending on 30 June 2023;
 - particulars of proposed expenditure in relation to the parliamentary departments in respect of the year ending on 30 June 2023;
 - particulars of proposed expenditure in respect of the year ending on 30 June 2023 [Supply Bill (No. 3) 2022–23];
 - particulars of certain proposed expenditure in respect of the year ending on 30 June 2023 [Supply Bill (No. 4) 2022–23]; and
 - particulars of proposed expenditure in relation to the parliamentary departments in respect of the year ending on 30 June 2023 [Supply (Parliamentary Departments) Bill (No. 2) 2022–23].¹
- 1.2 A reporting date of 29 November 2022 was set for the committee’s report to the Senate on its consideration of budget estimates 2022–23.
- 1.3 The committee has responsibility for examining the expenditure and outcomes of the following departments and agencies:
- Parliamentary departments;²
 - Prime Minister and Cabinet (PM&C) portfolio;
 - Finance portfolio; and
 - cross-portfolio on Indigenous matters.³
- 1.4 Departments and agencies under the committee’s oversight are listed in Appendix 1 of this report.

¹ *Journals of the Senate*, No. 16, 25 October 2022, pp. 429–430.

² As a matter of comity between the Houses, neither House inquires into the operations of the other House. For this reason, neither the annual report of, nor the proposed expenditure for, the Department of the House of Representatives is referred to a Senate committee for review.

³ *Journals of the Senate*, No. 42, 13 February 2020, pp. 1368–1369.

Portfolio Budget Statements 2022-23

- 1.5 The Portfolio Budget Statements (PBS) 2022–23 for the PM&C portfolio, the Finance portfolio and the Parliamentary departments were tabled in the Senate on 25 October 2022.⁴

Public hearings

- 1.6 The committee held public hearings on the following dates as part of Budget Estimates 2022–23 during October and November:
- Friday 28 October 2022—PM&C portfolio;
 - Monday 7 November 2021—PM&C portfolio, Parliamentary departments and the Finance portfolio;
 - Tuesday 8 November 2022—Finance portfolio;
 - Friday 11 November 2022—cross-portfolio on Indigenous matters;
 - Thursday, 24 November 2022—cross-portfolio on Indigenous matters; and
 - Monday, 12 December 2022—cross-portfolio on Indigenous matters.
- 1.7 The committee took evidence from the President of the Senate, Senator the Hon Sue Lines, and the following ministers accompanied by officers of relevant departments and agencies:
- Senator the Hon Penny Wong, Minister for Foreign Affairs;
 - Senator the Hon Katy Gallagher, Minister for Women, Minister for Finance, and Minister for the Public Service;
 - Senator the Hon Tim Ayres, Assistant Minister for Trade, and Assistant Minister for Manufacturing; and
 - Senator the Hon Malarndirri McCarthy, Assistant Minister for Indigenous Australians and Assistant Minister for Indigenous Health.
- 1.8 The committee expresses its appreciation for the assistance of the President, ministers, and officers who appeared.
- 1.9 Over the course of the hearings, the committee took evidence from the following departments, agencies, and statutory offices:

PM&C portfolio

- Department of the Prime Minister and Cabinet
- Office of the Official Secretary to the Governor-General
- Workplace Gender Equality Agency
- Australian National Audit Office
- Australian Public Service Commission
- Office for Women
- Workplace Gender Equality Agency

⁴ *Journals of the Senate*, No. 16, 25 October 2022, pp. 429–430.

Parliamentary departments

- Department of the Senate
- Parliamentary Budget Office
- Department of Parliamentary Services

Finance portfolio

- Department of Finance
- Future Fund Management Agency
- ASC Pty Ltd
- Australian Naval Infrastructure Pty Ltd
- Independent Parliamentary Expenses Authority
- Australian Electoral Commission

Cross-portfolio on Indigenous Matters

- Indigenous Land and Sea Corporation
- Aboriginal Hostels Limited
- Central Land Council
- Northern Land Council
- Office of the Registrar of Indigenous Corporations
- Australian Institute of Aboriginal and Torres Strait Islander Studies
- Indigenous Business Australia
- National Indigenous Australians Agency
- Office of Township Leasing
- Department of Health and Aged Care
- Attorney-General's Department
- Department of Prime Minister and Cabinet

1.10 Documents tabled during the hearings are listed in Appendix 2

1.11 Documents received as additional information are listed in Appendix 3.

Extension to reporting date

1.12 In accordance with procedural order of continuing effect 9B, the committee agreed to continue its examination of the cross-portfolio on Indigenous matters. Dates for the additional public hearings were set for 24 November and 12 December 2022. On 24 November 2022, the Senate agreed to extend the committee's reporting date to 22 December 2022.

Questions on notice and Hansard transcripts

1.13 The committee set the following dates for the return of answers to questions on notice:

- Friday, 16 December 2022 as the date for the return of answers to questions on notice arising from the hearings on 28 October 2022 and 7 and 8 November 2022;

- Friday, 23 December 2022 as the date for the return of answers to questions on notice arising from the hearing on 11 November 2022; and
 - Monday, 16 January 2023 for answers to questions on notice from the hearings on 24 November 2022 and 12 December 2022.
- 1.14 Answers to questions on notice are published on the committee's estimates webpage as they are received, along with the Hansard transcripts of the proceedings of the hearings.
- 1.15 The committee notes that the following answers remain outstanding for the PM&C portfolio:
- 134 answers to questions on notice outstanding from Additional Estimates 2021–22;
 - 38 answers to questions on notice outstanding from Supplementary Budget Estimates 2021–22;
 - 29 answers to questions on notice outstanding from Budget Estimates 2021–22;
 - 60 answers to questions on notice outstanding from Additional Estimates 2020–21;
 - 79 answers to questions on notice outstanding from Budget Estimates 2020–21;
 - six answers to questions on notice outstanding from Additional Estimates 2019–20; and
 - 20 answers to questions on notice outstanding from Supplementary Estimates 2019–20.
- 1.16 The committee acknowledges that the outstanding responses relate to answers not provided by the previous government. However, the committee reiterates the principle that outstanding responses be provided before the next estimates round.

Chapter 2

Public hearings

2.1 This chapter lists the key topics discussed for each department and agency examined during the committee's hearings for Budget Estimates 2022–23. Page numbers of the Proof Hansard transcript for that day's hearing are indicated in brackets as a reference.

Prime Minister and Cabinet portfolio—Friday 28 October 2022

Department of the Prime Minister and Cabinet

2.2 Ms Alison Frame, Deputy Secretary, Social Policy, Department of the Prime Minister and Cabinet (PM&C), made a brief opening statement regarding changes to the department's executive since Budget Estimates 2022–23 in April 2022.

2.3 Topics discussed for PM&C included:

- development of policy options to alleviate energy price rises in Australia (pp. 4–6, 9–10);
- potential disclosure of confidential information from Cabinet and the National Security Committee in the book *Plagued* by Simon Benson and Geoff Chambers (pp. 7–8), referral of the potential disclosure to the Attorney-Generals Department, and how PM&C became aware of the book's contents (p. 12);
- interactions between the Federal and State governments on ensuring the affordability, and adequate supply, of gas (p. 11);
- workplace planning in relation to energy transition (pp. 12–13);
- departmental use of consultants and where budget savings will be achieved over four years by reducing spending on external labour (pp. 13–14);
- jobs at risk due to high gas prices and supply shortages (p. 15);
- the review of the Australian Domestic Gas Security Mechanism (ADGSM) (p. 16);
- conduct of the Cabinet Office Policy Committee (COPC) under the previous government including members and their permanency, minutes of the COPC, and attendance and participation of non-members regarding the practices and processes as set out in the Cabinet Handbook: 14th Edition (pp. 18–21)
- Cabinet committees for the current government including membership, co-option or attendance of non-members of the executive at Cabinet committees or Cabinet, how often the committees meet, the Cabinet secretary and minute taker, and staff approved to attend Cabinet subcommittee meetings (pp. 21–25, 30–31);

- commitments deriving from the Jobs and Skills Summit including the increase in apprentice trainees, paid cadetships, and the participation of women under the Australian Skills Guarantee (p. 25);
- consultation with the Department of Treasury and the Department of Social Services on wellbeing measures (pp. 26–27);
- the purpose and structure of the Priority Delivery Unit (pp. 28–29);
- the Cabinet Handbook 15th edition (pp. 29–30, 52);
- the Net Zero Economy Taskforce and the impact of the net zero transformation of the Australian economy (pp. 32–33);
- renewable energy (pp. 33–34);
- what role PM&C took in the development of the Code of Conduct for Ministers (pp. 34–38);
- default market offers (p. 39);
- the Statement of Ministerial Standards regarding the former Treasurer the Hon Josh Frydenburg (pp. 40–41);
- use of non-disclosure agreements (p. 41);
- the ban on political fundraisers at Australian Parliament House (pp. 41–42);
- PM&C’s role in the implementation of the *Members of Parliament (Staff) Act 1984* (MoPs Act) review recommendations (p. 42);
- investment holdings of the the Attorney-General, the Hon Mark Dreyfus MP (pp. 45–46);
- comments made by the Israel Prime Minister Yair Lapid, and subsequent engagement with the Israeli government (pp. 47–50);
- the National Disability Insurance Scheme (NDIS) review taskforce (pp. 50–52);
- Cabinet submission procedures (pp. 52–53);
- release of audit working papers of the Australian National Audit Office (ANAO) (pp. 55–57); and
- Freedom of Information reference PM22010 from the Prime Minister’s Office (pp. 57–58).

Office of the Official Secretary to the Governor-General

- 2.4 Mr Paul Singer MVO, Official Secretary of the Office of the Official Secretary to the Governor-General, made an opening statement acknowledging the passing of Her Majesty the Queen in September, the continued work of the agency to support the Governor-General, and the celebration of the Order of Australia awards.
- 2.5 Topics discussed for the Office of the Official Secretary to the Governor-General included:
- circumstances preceding the establishment of the Australian Future Leaders Program, and costs associated with a round table discussion forum held on the program (pp. 59–63);

- the relationship between the Governor-General and Mr Chris Hartley (pp. 59–60, 64–65);
- the administration of the Order of Australia honours and awards (p. 66);
- increased budget expenditure for ICT upgrades (p. 69);
- refurbishment of Admiralty House (p. 70); and
- entries into the Governor-General's Program (pp. 71–72).

Australian National Audit Office

2.6 Topics discussed for the ANAO included:

- funding awarded under the Building Better Regions Fund (pp. 73–74);
- timeline of audits (pp. 75–76);
- the audit of wasteful spending (p. 77); and
- the disclosure of working papers from the *Purchase of the 'Leppington Triangle' Land for the Future Development of Western Sydney Airport* audit (pp. 78–79).

PM&C portfolio continued—Monday, 7 November 2022

Australian Public Service Commission

2.7 Topics discussed for the Australian Public Service Commission (APSC) included:

- the appointment of Dr Gordon de Brouwer as the Secretary of Public Sector Reform (pp. 2–3);
- use of consultants and the establishment of an in-house consultancy model (pp. 4–5);
- policies and strategies to promote a culturally and linguistically diverse APS workforce (p. 5);
- the *Diversity and Inclusion Report 2022* (p. 6);
- the APS Code of Conduct—whether the code applies when transferring between employment contract and procedures for when someone is subject to disciplinary action (p. 6);
- timeline for implementation of the recommendations from the *Independent Review of the Australian Public Service* (pp. 7–8, 10–11, 16);
- the interim wages policy (pp. 8–10);
- role and responsibilities of the Secretary of Public Sector Reform and APSC Commissioner (p. 12);
- capacity and staffing of the Public Sector Reform Unit (pp. 12–13);
- gender equality reporting obligations of Commonwealth departments and agencies (pp. 14–15);
- measures to identify and address the gender pay gap in Commonwealth departments and agencies (p. 15);
- capacity building to implement the gender responsive budgeting and policy analysis (p. 15); and

- priorities of the Partnership Priority subcommittee; (pp. 17–18).

Office for Women (PM&C)

2.8 Topics discussed for the Office for Women, an office of PM&C, included:

- gender-responsive budgeting, gender impact assessments to budget measures, and additional resourcing (pp. 19–20);
- selection process for members of the Women's Economic Equality Taskforce (pp. 21–23);
- gender representation on government boards (pp. 23–24);
- adequacy of the women's safety budget allocation (pp. 24–25);
- role and establishment of the Office of Parliamentary Staffing and Culture (pp. 25–26);
- the MoPS Act review (pp. 25–26);
- reviewal of the decision to reduce the allocation of personal staff to independent members of parliament and smaller political parties (p. 26);
- consultation with women's organisations in developing the May 2023 Budget (p. 27);
- consultation regarding the government's paid parental scheme and timing of its implementation (p. 27);
- the Parliamentary Leadership Taskforce's role in delivering the recommendations of *Set the Standard: Report on the Independent Review into Commonwealth Parliamentary Workplaces 2021* (Set the Standard report) (p. 28);
- childcare subsidy changes (p. 29); and
- targets to increase female participation in trades and apprenticeships (p. 29).

Workplace Gender Equality Agency

2.9 Topics discussed for the Workplace Gender Equality Agency (WGEA) included:

- updates on implementation of the recommendations of the *Respect@Work: Sexual Harassment National Inquiry Report 2020* undertaken by Ms Kate Jenkins, Sex Discrimination Commissioner (p. 31);
- qualitative data about the effectiveness of policies to address the gender pay (pp. 31–32); and
- the relationship between the Office for Women, WGEA and the Women's Economic Equality Taskforce (p. 32).

Parliamentary departments—Monday 7 November 2022

Department of the Senate

2.10 The Senate President, Senator the Hon Sue Lines, gave an opening statement detailing Senate activities regarding the demise of the Crown, the recent

building condition statement, and measures that have been implemented from the Set the Standard report.

2.11 Topics discussed for the Department of the Senate included:

- the \$2.2 million budget supplementation allocated to the Senate over the preceding years (pp. 34–35, 40);
- workload and capacity of Senate committees (p. 35);
- interpreting and defining the rules of the Senate (p. 36, 39);
- definition of direct relevance in relation to Senate Chamber proceedings during Question Time (pp. 36, 41–42);
- rulings and points of order made by the Senate President (pp. 37, 41–46);
- impact of parliamentary privilege on the work of the Royal Commission into Defence and Veteran Suicide, and the application of the *Parliamentary Privileges Act 1987* (pp. 37–38);
- staffing levels (pp. 39–40);
- requests for Senate legislative drafting services (p. 40); and
- details of each event that was held associated with the demise of the Crown (pp. 46–47).

Parliamentary Budget Office

2.12 Topics discussed for the Parliamentary Budget Office (PBO) included:

- additional funding sought by the PBO in the October 2022 budget (p. 47);
- characteristics of the 47th Parliament that have changed the demand for services from the PBO (p. 48);
- ICT competency, the protection of data, and the need to improve ICT infrastructure (p. 49);
- resourcing and staffing levels (p. 50);
- PBO activity during the 2022 election (pp. 50–51);
- specifics of the PBO's *Election Commitments Report* (pp. 51–54); and
- the process for confirming with the major parties whether their policies are for a specified period or are ongoing (p. 54).

Department of Parliamentary Services

2.13 Topics discussed for the Department of Parliamentary Services (DPS) included:

- advice provided to parliamentarians about the use of certain applications on DPS issued devices (pp. 55–57);
- the scope of DPS to provide a risk context on the personal information stored on DPS issued devices (p. 57);
- disposal procedures for DPS issued devices (pp. 57–58);
- process for staff visitors and building users to input into the upcoming review of DPS's Access and Inclusion Plan (pp. 58–59);
- necessity of new DPS Social Media Policy and consultation with DPS employees on the policy (pp. 59–60);

- DPS policies or processes that will be put in place for the ban on political fundraising activities within Australian Parliament House (APH) (pp. 61, 69–71);
- budget considerations including the adequacy of staffing levels and resourcing demands (pp. 61–62);
- Parliamentary Library staffing and recruitment in response to increased demand for assistance from the crossbench (p. 63, 65);
- evaluation processes undertaken to assess whether MPs and Senators are satisfied with the service that they receive from DPS (p. 63);
- the term of employment of the Parliamentary Librarian, Dr Dianne Heriot (pp. 63–64);
- employee census data (pp. 64–65);
- construction of an additional classified meeting space within APH (p. 66);
- news agencies with access to the APH Press Gallery (pp. 66–67);
- storage and procurement of new works for the Parliamentary art collection, (pp. 67–68);
- the Prime Minister's Office's telephone system (pp. 68–69, 72–76);
- net zero emissions plan (pp. 72–73, 77–78); and
- APH ICT services cybersecurity capacity (p. 78).

Finance portfolio—Monday 7 November 2022

Department of Finance (Outcomes 1 & 2)

2.14 Topics discussed for the Department of Finance (Outcomes 1 & 2) included:

- Budget Process Operational Rules including how new policy proposals are decided, the timing of decisions, offset spending proposals, and reviews by the Expenditure Review Committee (ERC) (pp. 82–86);
- green brief procedures (p. 87);
- ERC membership (pp. 87–89);
- the hunting licence process¹ (pp. 89–90);
- formal processes and thresholds for the movement of funds (pp. 91–93);
- expenditure on current government advertising campaigns, and reviews of campaigns by the Independent Communications Committee (pp. 93–94);
- offset spending proposals for the Climate portfolio (pp. 94–95)
- the department's approach to non-disclosure agreements (pp. 95–96);
- act-of-grace payments (p. 96);
- budget reductions in use of consultants and contractors, advertising, travel, and legal expenses (pp. 97–98);

¹ A hunting licence is a budget term for when an Expenditure Review Committee delegates a decision to a minister.

- statements of risk, particularly statements on the NDIS, the Marinus Link, the Brisbane 2032 Olympic games, and the Inland Rail (pp. 98–103);
- public measures in the Contingency Reserve (pp. 103–106); and
- the audit of wasteful spending taskforce including membership, mechanism of engagement with other departments, proposals for potential savings and reprioritisation of existing funding (pp. 106–107).

Future Fund Management Agency

2.15 Topics discussed for the Future Fund Management Agency (Future Fund) included:

- proxy voting in relation to Rio Tinto (p. 124);
- the Future Fund's assessment of climate risks in current portfolio holdings (pp. 125–126);
- proactive disclosure requirements on portfolio holdings (p. 126);
- appropriateness of Mr Peter Costello chairing the Future Fund (p. 127); and
- administration of the \$10 billion Housing Australia Future Fund (p. 127).

ASC Pty Ltd

2.16 ASC Pty Ltd discussed the role, capacity, and funding of the Submarine Capability Development Group (p. 129).

Australian Naval Infrastructure Pty Ltd

2.17 Topics discussed for Australian Naval Infrastructure Pty Ltd (ANI) included:

- investment in the Osborne North Development Project for the new yard for the Attack-class submarines (p. 128); and
- impacts to the ANI budget resulting from the cancellation of the Attack-class submarine contract (p. 129).

Department of Finance (Outcome 3)

2.18 Topics discussed for the Department of Finance (Outcome 3) included:

- matters relating to the Parliamentary Expenses Management System (PEMS), including its rollout timeline and issues, reporting timeframes, usage levels, average number of claims made, on-call assistance hours, data accuracy, and user issues (pp. 5–16);
- the breakdown of ministerial and parliamentary staffing allocations (pp. 16–17);
- the Caucus Support Unit and Office for Staff Support (p. 18);
- current enterprise agreements under the MoPs Act (pp. 18–19);
- monies paid to terminated or redundant ministerial and parliamentary staff after the 2022 Federal Election (pp. 19–21);
- CCTV and remote electronic locking mechanisms in Commonwealth funded electoral offices (pp. 21–22); and

- new staff induction training programs for ministerial and parliamentary staff (pp. 22–24).

Independent Parliamentary Expenses Authority

2.19 Topics discussed for the Independent Parliamentary Expenses Authority (IPEA) included:

- progress on the independent review of the *Parliamentary Business Resources Act 2017* (p. 24);
- claims made during the election period in 2022, and what could be improved upon (p. 25);
- audit and assurance operations (p. 26);
- education budget activities (pp. 26–27);
- assurance activities undertaken to ensure the correct use of Commonwealth funds (p. 27);
- expenditure reporting schedules for parliamentarians (pp. 27–28);
- contribution of IPEA to PEMS, including budget allocation, views on PEMS functionality, rollout delays, advice to parliamentarians, monitoring expenditure, record keeping, and impact on other IPEA functions (pp. 28–31); and
- capacity for relief budget for staff and travel (pp. 31–32).

Australian Electoral Commission

2.20 Topics discussed for the Australian Electoral Commission (AEC) included:

- the preparation and timeline of activities required before an election is called, including the procurement of polling locations, services and staff, and supply chain considerations (p. 33);
- referendum readiness framework document (p. 33);
- specifics of the *2022 Election Report* (pp. 33–34);
- referendum readiness and budget considerations for the potential referendum on the Voice to Parliament (pp. 34–35);
- tax deductibility procedures for donations made to political entities (p. 35);
- obligations of significant third parties as registered under the *Commonwealth Electoral Act 1918* (Electoral Act) (p. 36);
- section 326 of the Electoral Act on electoral bribery (p. 37);
- Prime Minister the Hon Anthony Albanese MP's announcement that the government was considering allowing New Zealand citizens to vote in Australian elections (pp. 37–38);
- Indigenous voter enrolments and participation (pp. 38–40);
- contacting non-voters (p. 41);
- reconciliation of votes and quality assurance process (p. 42);
- foreign interference in Australian elections and the role of the Electoral Integrity Assurance Taskforce (p. 43);
- collaboration with state electoral commissions (pp. 44–45);

- potential breaches of the Electoral Act during the 2022 election campaign (pp. 45–46);
- electoral complaints processes (p. 46); and
- electoral integrity and the role of social media platforms (p. 47).

Cross-portfolio on Indigenous Matters—Friday 11 November 2022

Indigenous Land and Sea Corporation

2.21 Topics discussed for the Indigenous Land and Sea Corporation (ILSC) included:

- closure of Redfern's National Centre of Indigenous Excellence (pp. 4–5);
- land acquisition under the Returning and Managing Country Program (pp. 5–6);
- ILSC partnering with Indigenous businesses in caring for country, land and water management practices (p. 6); and
- Indigenous employment and the Real Jobs Program (p. 7).

Aboriginal Hostels Limited

2.22 Topics discussed for the Aboriginal Hostels Limited (AHL) included:

- annual appropriations budget decrease (p. 7);
- enrolment difficulty and the closure of the Kununurra hostel (p. 8);
- statistics and breakdown of AHL and its activities, including demographics of staff, number of properties bought and sold in the last two financial years, revenue from sales, and occupancy levels (p. 8);
- the condition of Tony Mundine Hostel in Leichhardt, Sydney (p. 9);
- updates on Alice Springs hostels (p. 10); and
- engagement with the Northern Territory state government (p. 11).

Central Land Council

2.23 Topics discussed for the Central Land Council (CLC) included:

- section 19 lease applications including expressions of interest and processing, economic development purposes, application processing times, minutes of meetings with traditional owners, and meeting safety considerations (pp. 11–13);
- the CLC's council and processes for community engagement (p. 14);
- the Undoolya Station traditional lands and pastoral leases (p. 14); and
- the CLC's view on the Voice to Parliament (pp. 15–16).

Northern Land Council

2.24 Topics discussed for the Northern Land Council (NLC) included:

- process for ensuring the voices of traditional owners within the NLC's jurisdiction are heard (p. 17);
- section 19 lease applications, including expressions of interest and processing, economic development purposes, application processing times,

minutes of meetings with traditional owners, and meeting safety considerations (pp. 17–20);

- recruitment processes for the NLC’s Principal Legal Officer (p. 18);
- restructure of the Northern Land Council’s management (pp. 18–19);
- grant agreements with the Commonwealth regarding gas exploration and extraction (p. 19);
- processes for dispute resolution regarding land ownership under the *Aboriginal Land Rights Act 1983*, including the involvement of the NLC in disputes and legal resources available to traditional owners (p. 21);
- the anthropological process for determining what constitutes an interested and/or affected person regarding land rights (p. 22); and
- the NLC’s view on the Voice to Parliament (pp. 23–24).

Office of the Registrar of Indigenous Corporations

2.25 The Registrar of the Office of the Registrar of Indigenous Corporations (ORIC), Ms Tricia Shroud, gave an opening statement outlining the ORIC’s dual role of monitoring and enforcement, and support for and capacity building of Indigenous corporations.

2.26 Topics discussed for the ORIC included:

- statistics on corporations fulfilling their statutory obligations under the *Corporations (Aboriginal and Torres Strait Islander) Act 2006* (p. 25);
- compliance reporting (p. 26);
- the conduct of directors on corporation boards (p. 26);
- auditing of annual financial reporting requirements (pp. 26–27);
- ORIC’s investigative responsibilities, including investigations undertaken that have resulted in a conviction, ORIC’s obligation to whistle-blowers, and the average timeline of an investigation (p. 27);
- ORIC’s knowledge of Facebook posts from Quandamooka Yoolooburrabee Aboriginal Corporation and Dr Andrew Laming (pp. 27–28);
- increased transparency measures from amendments to the *Aboriginal Land Rights Act 1976* (p. 28); and
- monitoring matters of fraud or non-compliance (pp. 28–31);

Australian Institute of Aboriginal and Torres Strait Islander Studies

2.27 Topics discussed for the Australian Institute of Aboriginal and Torres Strait Islander Studies (AIATSIS) included:

- Ngurra, the National Aboriginal and Torres Strait Islander Cultural Precinct (pp. 31–32);
- percentage of staff at AIATSIS that are First Nations’ people, in the whole organisation and at executive level (p. 32); and
- repatriation activities (p. 33).

Indigenous Business Australia

2.28 Topics discussed for Indigenous Business Australia (IBA) included:

- current strategic focus for IBA (p. 34);
- statistics on procurements targets for First Nations' businesses (p. 34);
- IBA's involvement in housing security (p. 34);
- actions taken to address 'black cladding' (pp. 34–35); and
- the criteria for receiving funding specific for Aboriginal and Torres Strait Islanders (p. 35).

National Indigenous Australians Agency

2.29 Topics discussed for the National Indigenous Australians Agency (NIAA) included:

- data on state and territory government progress in improving outcomes of Closing the Gap targets, including incarceration of adults and youth, health, child protection, education and housing (pp. 35, 51–52);
- Commonwealth investments for Closing the Gap targets (p. 36);
- justice reinvestment initiatives (p. 36);
- data and measuring outcomes for Aboriginal and Torres Strait Islander child protection services (p. 37);
- NIAA support for the Wadeye community and other Northern Territory communities (p. 38);
- budget allocation for the Remote School Attendance Strategy (p. 38);
- Makarrata Commission funding and consultation process with Aboriginal and Torres Strait Islander people (pp. 39–40);
- consultation for the Uluru Statement from the Heart regarding self-determination and free, prior and informed consent (pp. 40–41);
- representation of Aboriginal and Torres Strait Islanders in the Australian Parliament (p. 42);
- statistics on Indigenous Advancement Strategy funding recipients (pp. 42–43);
- food security in the Northern Territory, including price gouging, inflationary pressures, and monitoring by the remote food security working group, the Australian Competition and Consumer Commission, and the Australian National Audit Office (pp. 43–44, 48–50);
- investigations of noncompliance into organisations under funding contracts (pp. 44–45);
- impact of the removal of alcohol restrictions in the Northern Territory and the Commonwealth's investment into drug and alcohol support (p. 45);
- number of applications made, and payments distributed, under the Territories Stolen Generations Redress Scheme (p. 46);
- deliverables of the National Partnership for Remote Housing NT (p. 47);

- expenditure and work being undertaken on the Voice to Parliament (pp. 50–51); and
- the impact on Northern Territory communities of the cessation of the *Stronger Futures in the Northern Territory Act 2012 (Cth)* (Stronger Futures Act) (pp. 52–53).

Cross-portfolio on Indigenous Matters – Thursday 24 November 2022

National Indigenous Australians Agency

2.30 Topics discussed for the NIAA included:

- Matters relating to the Voice to Parliament, including:
 - the Referendum Working Group: how members of the Working Group were chosen; whether people refused to join; what administrative support was provided to the Working Group; and the remuneration of members
 - Self-determination
 - Campaign funding
 - Timeline for the referendum (pp. 4–6, 8–11);
- demographics of the NIAA’s executive staff (pp. 6–7);
- changes to the Community Development Program under the current government (p. 7);
- contribution of the Indigenous Ranger Program to climate change adaption and mitigation projects (p. 8);
- defining Indigeneity (pp. 13–14)
- due diligence processes for the allocation of funds to an organisation (p. 14);
- consultation sessions with the Wreck Bay community on the Aboriginal Land Grant (Jervis Bay Territory) Amendment (Strengthening Land and Governance Provisions) Bill 2022 (pp. 15–16);
- consultation with traditional owners on the government’s response to the report of the Joint Standing Committee on Northern Australia on the destruction of the Juukan Gorge titled *A Way Forward* (pp. 16–17);
- statistics on hospital admissions, arrests, and volume of alcohol being purchased in the Northern Territory since the cessation of the Stronger Futures Act (pp. 17–19);
- funding for the National Forum for Family Violence Prevention Legal Services (pp. 19–20); and
- establishment of the Youpla Group Funeral Benefits Program (p. 21).

Cross-portfolio on Indigenous Matters—Monday 12 December 2022

Office of Township Leasing

2.31 The Executive Director of the Office of Township Leasing (OTL), Ms Pennie Talbot, gave an opening statement which outlined the township lease model and work undertaken by OTL.

2.32 Topics discussed for OTL included:

- negotiating leases and economic development opportunities with traditional owners (p. 5);
- culturally legitimate decision-making (p. 5);
- competence of the OTL to manage commercial subleases in remote Indigenous communities (p. 6);
- difference between the economic development function of the OTL and the NIAA (p. 7);
- safe housing leases (p. 8);
- the Groote Eylandt township lease transfer (p. 9); and
- the ongoing role of the OTL (p. 10).

National Indigenous Australians Agency, the Attorney-General's Department, the Department of Prime Minister and Cabinet, and the Department of Health and Aged Care

2.33 Officials from the National Indigenous Australians Agency, the Attorney-General's Department, the Department of Prime Minister and Cabinet, and the Department of Health and Aged Care appeared before the committee simultaneously.

2.34 Topics discussed included:

- availability of translation services in remote communities (p. 12);
- advice provided to the department from key stakeholders about the impact of alcohol accessibility since the cessation of the Stronger Futures Act (pp. 12–13);
- drug support and residential rehabilitation activities in the Northern Territory (pp. 13–14);
- threshold for the Northern Territory to implement alcohol prohibition (p. 15);
- review of the Queensland South Native Title Services and other native title holder representative bodies (p. 16);
- use of taxpayer funds in native title legal proceedings (p. 17);
- First Nations' health outcomes (pp. 17–18);
- funding for, and outcomes of, native title claims (p. 19);
- alternative pathways for traditional owners pursuing or disputing native title claims (p. 19);
- funding for Aboriginal Community Controlled Health Services (p. 20);

- steps taken by the Department of Health to address the limitations of throughcare programs in correctional facilities (pp. 21–22);
- the Voice to Parliament, and Constitutional recognition (p. 22);
- changes to the Broome office of the Special Envoy for Reconciliation and Implementation of the Uluru Statement from the Heart (p. 23);
- measuring data outcomes in the *Closing the Gap* report (p. 23);
- criteria for funding Northern Territory sports organisations (p. 24); and
- consultation process has been for the Voice to Parliament (pp. 25–26).

Chapter 3

Appearance of the Central Land Council and the Northern Land Council

- 3.1 As part of its examination of cross-portfolio Indigenous matters on 11 November 2022, the committee heard evidence from the Central Land Council and the Northern Land Council.
- 3.2 This chapter sets out the concerns the committee has about certain aspects of the Land Councils' engagement with the committee. The chapter begins by summarising the Constitutional framework underpinning the Senate estimates process. It then briefly sets out the issues that arose when the Land Councils appeared at estimates and concludes with the committee's views and a recommendation.

Constitutional framework and the role of Senate estimates

- 3.3 The Australian Constitutional framework of checks and balances under a separation of powers places the Parliament in prime position as the agent of accountability, representing the Australian people.¹
- 3.4 The powers, privileges and immunities of the Parliament were inherited under section 49 of the Constitution. And section 50 of the Constitution provides that each House of the Parliament may make rules and orders with respect to the mode in which those powers, privileges and immunities may be exercised and upheld and the order and conduct of its business and proceedings.²
- 3.5 Senate procedural order and resolution of continuing effect number 50 deals with public funds and the duties of officers. In it, the Senate reaffirms the principle stated previously in resolutions of 9 December 1971, 23 October 1974, 18 September 1980, 4 June 1984, 29 May 1997 and 25 June 1998, namely:
- i) 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.

¹ The Senate, October 2022, *Standing Orders and other orders of the Senate*, Procedural orders and resolutions of the Senate of continuing effect, No. 50(c)(ii).

² *Australian Constitution*, ss. 49 and 50.

ii) its expectation that officers, including agency heads, will appear before committees in fulfilment of their accountability obligations, whenever their presence is requested by committees.³

3.6 In other words, the Senate has set out, over several decades, a procedure in which the agencies of government are accountable to the Parliament for the expenditure of public funds and the performance of their duties.

Appearance of the Central Land Council

3.7 This section begins by setting out certain procedural matters pertinent to the appearance of the Central Land Council (CLC).

3.8 Senate estimates is a long-standing and well-established information-gathering and accountability mechanism that occurs every year. In a typical 12-month budget cycle, there are three estimates rounds: budget estimates in May, supplementary estimates in October, and additional estimates in the following February.

3.9 The cycle in 2022 differed slightly in certain respects because of the timing of the federal election, and the fact that the election resulted in a change of government. A budget and the associated budget estimates occurred under the previous government in May 2022. A second budget and associated budget estimates under the new government occurred in late October and early November 2022.

3.10 Nevertheless, the usual process was followed with the notification of the timing of the budget estimates round, and on 27 July 2022, the Senate passed a resolution that set 11 November 2022 as the date for the examination of cross-portfolio Indigenous matters by the Finance and Public Administration Legislation committee.⁴

3.11 As a result of that resolution, portfolio departments and agencies had more than three months' notice of the date(s) on which they might be expected to appear before the committee.

3.12 The committee followed the same process for inviting witnesses to appear before it at estimates as it has in all previous rounds. Noting that the date was known well in advance, invitations for particular agencies to attend were sent on 24 October 2022.

3.13 On 11 November 2022, representatives of the CLC appeared before the committee by video-link. The Chief Executive Officer (CEO) of the Central Land Council did not attend the public hearing.

³ The Senate, October 2022, *Standing Orders and other orders of the Senate*, Procedural orders and resolutions of the Senate of continuing effect, No. 50(c)(ii).

⁴ *Journals of the Senate*, No. 2, 27 July 2022, p. 74.

- 3.14 When asked why the CEO was not in attendance, officials of the CLC advised the committee of two things. First, the CEO had taken a pre-planned holiday. And second, the CLC stated they had only recently received an invitation to attend.
- 3.15 The CLC representatives in attendance were unable to provide substantive information to the committee, opting instead to take a significant number of questions on notice.⁵

Northern Land Council

- 3.16 This section begins by setting out certain procedural matters pertinent to the appearance of the Northern Land Council (NLC).
- 3.17 Legislation committees considering estimates are not able to take evidence in private. The rationale for receiving all evidence in public derives from the fact that the examination of estimates by legislation committees is effectively a substitute for consideration by the Senate in committee of the whole, which is a public process.
- 3.18 The scope of questions at estimates is intentionally broad, and the Senate has ruled that any questions going to the operations or financial positions of the departments and agencies which are seeking public funds are relevant.⁶
- 3.19 This order is repeated for the benefit of witnesses in the Chair's opening statement at the commencement of each Senate estimates hearing, which also includes a test of relevance:
- ...any questions going to the operations or financial positions of the departments and agencies which are seeking funds in estimates are relevant questions for the purposes of estimates hearings.⁷
- 3.20 On 11 November 2022, senior officials from the Northern Land Council appeared before the committee by video-link. Three issues arising from the NLC's appearance merit further consideration.
- 3.21 First, the Senate's expectation that agency officials appearing as witnesses will provide answers that assist committees in their inquiries. Second, the issue of how to manage the privacy of an individual when responding to questions in a public hearing where there is no provision for the committee to receive that information on a confidential basis. And third, the scope of questions at an estimates hearing. These issues are considered below.

⁵ Central Land Council, *Proof Committee Hansard*, 11 November 2022, pp. 11–16.

⁶ Senate Procedure Committee, *Second report of 1999*, 21 October 1999, p. 3.

⁷ Senator Louise Pratt, Chair, Senate Legislation Committee on Finance and Public Administration, *Proof Committee Hansard*, 11 November 2022, pp. 2–3.

- 3.22 The first issue, the provision of answers and explanations that assist the committee's inquiries, arose when Senator Lidia Thorpe asked the Chief Executive Officer of the NLC, Mr Joe Martin-Jard, whether there was a public recruitment process for the role of Principal Legal Officer at the NLC. Mr Martin-Jard responded: 'It wasn't deemed necessary'.⁸
- 3.23 When asked why not, Mr Martin-Jard stated, 'I just said why. It wasn't deemed necessary'.⁹
- 3.24 When questioned about whether consideration was given to employing a First Nations' lawyer, Mr Martin-Jard again stated: 'It wasn't necessary'.¹⁰
- 3.25 Finally, after being pressed again to explain why this was not necessary, Mr Martin-Jard provided an explanation:
- I'll tell you why. I had consulted widely amongst our executive, who are all traditional owners, and with our chairman, who's a three-term chairman of the Northern Land Council. After consulting widely, their advice to me was [the officer appointed] was the most appropriate person to fill the role. It's not as if it happened overnight. There was wide consultation.¹¹
- 3.26 The committee considers this a more fulsome answer.
- 3.27 The second issue, an unreasonable invasion of privacy, arose immediately after the above exchange when Senator Thorpe asked whether the NLC had dismissed its head of policy. Mr Martin-Jard stated 'that's a confidential matter that I'm not going into here'.¹²
- 3.28 Senator Thorpe pursued the line of questioning and established that the head of policy had been a First Nations' employee. However, Mr Martin-Jard refused to discuss the matter further, stating 'I'm not going to talk about that'.¹³
- 3.29 When pressed about why he refused to discuss the matter, Mr Martin-Jard claimed he was unable to provide information about the dismissal of a senior

⁸ Mr Joe Martin-Jard, Chief Executive Officer, Northern Land Council, *Proof Committee Hansard*, 11 November 2022, p. 18.

⁹ Mr Joe Martin-Jard, Chief Executive Officer, Northern Land Council, *Proof Committee Hansard*, 11 November 2022, p. 18.

¹⁰ Mr Joe Martin-Jard, Chief Executive Officer, Northern Land Council, *Proof Committee Hansard*, 11 November 2022, p. 18.

¹¹ Mr Joe Martin-Jard, Chief Executive Officer, Northern Land Council, *Proof Committee Hansard*, 11 November 2022, p. 18.

¹² Mr Joe Martin-Jard, Chief Executive Officer, Northern Land Council, *Proof Committee Hansard*, 11 November 2022, p. 18.

¹³ Mr Joe Martin-Jard, Chief Executive Officer, Northern Land Council, *Proof Committee Hansard*, 11 November 2022, p. 18.

employee because that person was ‘entitled to some privacy’ and he did not have ‘her authority’ to discuss it publicly.¹⁴

- 3.30 The committee considers that while issues of personal privacy, depending on context and circumstance may or may not be provided for in public interest immunity in Senate procedure, the NLC may benefit from a greater understanding of their obligations to the Senate.
- 3.31 Senator McGrath suggested that the most appropriate way to deal with the matter would be for the NLC to take the matter on notice, speak with the person, and answer the question on notice.¹⁵
- 3.32 The third issue, the scope of questions at an estimates hearing, arose when Senator Thorpe continued her line of questioning (see above), and the NLC’s Principal Legal Officer, Mr Dominic Gomez, asked whether the line of questioning about the internal employees of the NLC was relevant to the public interest.¹⁶

Committee view

- 3.33 As noted earlier, the framework of checks and balances under a separation of powers places the Parliament in prime position as the agent of accountability, representing the Australian people.
- 3.34 The Senate and its committees expect that the Constitutional principles governing the accountability obligations of departments, agencies and authorities to the Senate and its committees will be adhered to.
- 3.35 When examining estimates, committees are authorised to seek explanations from departmental and agency officials. The committee reminds all agencies about, firstly, their obligation to appear at Senate estimates, and secondly, to come sufficiently prepared to assist the Senate and its committees by answering questions that go to the operations or financial positions of the departments and agencies which are seeking public funds.
- 3.36 In this regard, the committee considers that the appearance of the Central Land Council and the Northern Land Council raises four key issues related to the accountability obligations of agency officials. These are set out below.
- 3.37 First, the committee acknowledges that there may be circumstances which mean that a particular official is unable to attend an estimates hearing. That said, the committee reminds all agency officials of the Senate’s expectation that officers,

¹⁴ Mr Joe Martin-Jard, Chief Executive Officer, Northern Land Council, *Proof Committee Hansard*, 11 November 2022, p. 18.

¹⁵ Senator the Hon James McGrath, *Proof Committee Hansard*, 11 November 2022, p. 19.

¹⁶ Mr Dominic Gomez, Principal Legal Officer, Northern Land Council, *Proof Committee Hansard*, 11 November 2022, p. 19.

including agency heads, will appear before committees in fulfilment of their accountability obligations, whenever their presence is requested by committees.

- 3.38 As noted earlier, the Senate published the date for the Indigenous cross-portfolio hearing more than three months in advance. It has been the Senate's long-standing expectation that agency officials will set the date of an estimates hearing aside in case they are invited to appear before the committee.
- 3.39 Therefore, the committee considers the reasons given for the non-attendance of the CEO of the Central Land Council on 11 November 2022, namely a pre-planned holiday and that the Council had only recently received an invitation to attend, are unacceptable. Further, they demonstrate a disregard for the Senate, its processes, and the central role that the Senate and its committees play under the Constitution as a mechanism for holding government agencies to account for their operations and expenditure of public funds.
- 3.40 The committee therefore reiterates its expectation that the CEO of the Central Land Council will attend future estimates hearings. In this regard, the committee notes that the dates for all three cross-portfolio Indigenous estimates hearings (in February, May, and October) are now publicly available.¹⁷
- 3.41 Second, the committee reaffirms the principle that it is incumbent on agency officials appearing before a Senate legislation committee examining estimates to provide information and explanations sufficient to assist the committee in the conduct of its inquiries.
- 3.42 The committee acknowledges that views on the nature of answers provided by agency officials are, at times, contested and somewhat subjective. That said, the initial responses given by the CEO of the Northern Land Council to a certain line of questioning (see section on the Northern Land Council) were perfunctory. This contrasts with the explanation that the CEO subsequently gave when he described his consultation with the executive of the Northern Land Council and the three-term Chairman. The committee therefore encourages all officials to provide more fulsome explanations in the first instance to assist the committee in its inquiries.
- 3.43 Third, the issue of an unreasonable invasion of privacy, particularly in the context of an estimates hearing where all evidence must be taken in public, has arisen previously in Senate estimates hearings.
- 3.44 A committee, and ultimately the Senate, will make a decision based on the facts of the matter in each circumstance. The competing principles at stake are the Senate's right to inquire into, and receive information on, a particular matter. This is balanced against the harm that may occur if certain information is divulged in the public sphere.

¹⁷ *Journals of the Senate*, No. 26, 30 November 2022, pp. 775–776.

- 3.45 The first thing to be noted is that officials should provide as much information as they can at the time of asking. If there is a limit to what officials perceive they can provide in the circumstances, the committee's preferred approach is for officials to provide as much information as they can during the hearing and take the rest on notice with an undertaking to come back to the committee with further information. Ultimately, if officials deem that certain information is unable to be provided, there should be a clear statement based on grounds previously accepted by the Senate about why that information cannot be provided and the harm to the public interest that would ensue if it was provided.¹⁸
- 3.46 However, the committee emphasises that making a claim for public interest immunity should be a last resort because, in the interests of transparency and accountability, the aim should always be to provide a committee with as much information as possible.
- 3.47 Fourth, the issue of the scope of questions at an estimates hearing arose when the Northern Land Council's Principal Legal Officer asked whether questions about employees of the Northern Land Council were relevant. The committee reminds all agency officials that any questions going to the operations or financial positions of the departments and agencies which are seeking public funds are relevant. Further, the committee reminds all agency officials 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.
- 3.48 The committee notes that some agencies, especially smaller ones, not based in Canberra, with reporting obligations to the Senate are not called before hearings as often as others. The committee is mindful that the Senate has obligations to these organisations to ensure they adequately understand their obligations and are able to prepare accordingly.
- 3.49 Considering the above, the committee is of the view that neither the Central Land Council nor the Northern Land Council demonstrated a satisfactory understanding of their obligations to the Senate and its committees. The committee therefore considers that officials of the Central Land Council and Northern Land Council should undertake training to assist their senior staff and Board members to enable them to better meet their responsibilities to the Senate and its committees through understanding Senate procedures.
- 3.50 The committee notes that the Senate Procedure Office organises training (also delivered online) specifically designed to assist agency officials in these matters

¹⁸ The grounds for making a claim for Public Interest Immunity are set out in the *Standing Orders and other orders of the Senate*, Procedural orders and resolutions of the Senate of continuing effect No.10(c)(1)(b).

and recommends that senior officials of both the Central Land Council and Northern Land Council undertake this training at the earliest opportunity.

Recommendation 1

3.51 The committee recommends that the Central Land Council and the Northern Land Council provide regular training and support to senior staff and Board members to enable them to better meet their responsibilities to the Senate and its committees through understanding Senate procedures, and that senior officials of both the Central Land Council and Northern Land Council undertake training organised by the Senate Procedure Office at the earliest opportunity.

Senator Louise Pratt

Chair

Appendix 1

Departments and agencies under the committee's oversight

Parliamentary departments

- Department of Parliamentary Services;
- Department of the Senate; and
- Parliamentary Budget Office.

Prime Minister and Cabinet portfolio

- Australian National Audit Office;
- Australian Public Service Commission;
- Department of the Prime Minister and Cabinet;
- National Australia Day Council Limited;
- Office of National Intelligence;
- Office of the Official Secretary to the Governor-General;
- Office for Women; and
- Workplace Gender Equality Agency.

Indigenous agencies

- Aboriginal Hostels Limited;
- Anindilyakwa Land Council;
- Australian Institute of Aboriginal and Torres Strait Islander Studies;
- Central Land Council;
- National Indigenous Australians Agency;
- Indigenous Business Australia;
- Indigenous Land and Sea Corporation;
- Northern Land Council;
- Office of the Registrar of Indigenous Corporations;
- Office of Township Leasing;
- Outback Stores Ltd;
- Tiwi Land Council;
- Torres Strait Regional Authority; and
- Wreck Bay Aboriginal Community Council.

Finance portfolio

- Australian Electoral Commission;
- ASC Pty Ltd;
- Australian Naval Infrastructure Pty Ltd;
- Commonwealth Superannuation Corporation;
- Digital Transformation Agency;

- Department of Finance;
- Future Fund Management Agency; and
- Independent Parliamentary Expenses Authority.

Appendix 2

Tabled documents

Prime Minister and Cabinet portfolio

Friday, 28 October 2022

- Organisational chart, tabled by Ms Alison Frame, Deputy Secretary, Social Policy.

Monday, 7 November 2022

- Organisational chart, tabled by Mr Peter Woolcott AO, Australian Public Service Commissioner.

Parliamentary departments – Monday, 7 November 2022

- 2022 presiding Officers' statement regarding the condition of the Australian Parliament House, tabled by Senator the Hon Sue Lines, President of the Senate;
- Statement by previous President of the Senate, the Hon Stephen Parry, regarding operation of the Senate Chamber during Question Time, tabled by Senator the Hon Sue Lines, President of the Senate; and
- News Article from AP News, 'In Xi's China, even internal reports fall prey to censorship', by Dake Kang, dated 1 November 2022, tabled by Senator James Paterson.

Finance portfolio

Monday, 7 November 2022

- Freedom of Information 22–57, Document 32, Judges Pensions' Scheme brief, tabled by Senator the Hon Jane Hume;
- Opening statement, tabled by Dr Raphael Arndt, Chief Executive Officer of the Future Fund Management Agency; and
- Answers to written Questions on Notice from Senator Barbara Pocock, tabled by Dr Raphael Arndt, Chief Executive Officer of the Future Fund Management Agency.

Tuesday, 8 November 2022

- *Members of Parliament (Staff) Act 1984* government staffing table, tabled by Ms Jenny Wilkinson PSM, Secretary of the Department of Finance.

Cross-portfolio on Indigenous matters

Friday, 11 November 2022

- Opening statement, tabled by Central Land Council;

- Opening statement, tabled by Northern Land Council;
- Facebook posts by Dr Andrew Laming, and the Quandamooka Yoolooburrabee Aboriginal Corporation, tabled by Senator the Hon James McGrath;
- Opening statement, tabled by Indigenous Business Australia;
- Opening statement, tabled by Ms Jody Broun, Chief Executive Officer of the National Indigenous Australians Agency;
- Organisational chart, tabled by Ms Jody Broun, Chief Executive Officer of the National Indigenous Australians Agency; and

Monday, 12 December 2022

- Opening statement, tabled by Ms Pennie Talbot, Executive Director of Township Leasing.

Appendix 3

Additional information

- National Indigenous Australians Agency – grants information from 1 January to 30 June 2022 (received on 17 October 2022);
- Indigenous land and Sea Corporations – significant transactions approved since the instatement of the new Board (received on 8 November 2022);
- National Indigenous Australians Agency – design of the new jobs program (received on 10 November 2022);
- National Indigenous Australians Agency – IAS funding to government entities (received on 24 November 2022);
- Parliamentary Budget Office – report providing an update on the activities of the PBO since 24 March 2022 (received on 24 October 2022);
- Department of the Senate – Statistics about the operation of committees supported by the Senate Committee Office (received on 1 November 2022);
- Clerk of the Senate, Mr Richard Pye – correction to evidence provided at a public hearing on 7 November 2022 (received on 8 November 2022);
- Senator the Hon Katy Gallagher, Minister for Finance, Minister for Women, and Minister for the Public Service – Correction to evidence provided at a public hearing on 7 November 2022 (received on 14 November 2022);
- Mr Tom Rogers, Australian Electoral Commissioner – Correction to evidence provided at a public hearing on 8 November 2022 (received on 25 November 2022);
- Mr Stuart Whiley, Managing Director and Chief Executive Officer of the ASC Pty Ltd – Clarification of evidence at a public hearing on 7 November 2022 (received on 29 November 2022); and
- National Indigenous Australians Agency – correction to evidence provided at a public hearing on 11 November 2022 (received on 16 December 2022).