



Ms Ann Palmer
Committee Secretary
Senate Finance and Public Administration Legislation Committee
Parliament House
CANBERRA ACT 2600

Dear Ms Palmer

Correction to Questions on Notice regarding an investigation into an alleged breach of the CCTV Code

I wish to correct the answers to three Questions on Notice (QoN), regarding the appointment of an independent investigator to conduct an investigation into an alleged breach of the CCTV Code between 18 February 2019 and 3 March 2020.

The Department of Parliamentary Services (DPS) undertook a review of all responses provided in relation to the investigation into this matter and identified that an explanation provided misinterpreted QoN 23 asked on 18 February 2019, which was then repeated in subsequent responses.

The responses to the QoNs below stated an independent investigator was not appointed to conduct an investigation of an alleged breach of the CCTV Code. This is incorrect.

It has been established:

- The response to QoN 23 – Additional Estimates – 18 February 2019 is not accurate to the extent it states an independent investigator was not engaged (6 c and d)
- The response to QoN 200 – Supplementary Budget Estimates – Spill over hearing 14 November 2019 is not accurate to the extent it states an independent investigator was not engaged
- The response to QoN 116 from Additional Estimates 2019-20 is not accurate to the extent it states an independent investigator was not engaged (3)

I have corresponded separately with the Senate Table Office to notify them the response to parliamentary QoN 1038 dated 20 December 2019 is also not accurate to the extent it states an independent investigator was not engaged.

I have attached amended responses to QoNs 23, 200 and 116, I would be grateful if you could draw this to the Committee's attention.

Yours sincerely

Rob Stefanic
Secretary
2 February 2021

Senate Finance and Public Administration Legislation Committee — Supplementary Budget Estimates – Spill over Hearing—14 November 2019 - Answers to Questions on Notice

Parliamentary departments, Department of Parliamentary Services

Topic: CCTV Code of Practice - Investigator
Question: 200
Written: Senator KITCHING

Date set by the committee for the return of answer: 19 December 2019

- 2 With reference to Senate question on notice number 1194 and Additional Estimates 2018-19 question on notice 23, the Department indicated that there was one alleged and one investigated breach of the CCTV Code of Practice in 2018-19 year to 13 December 2018. Clause 14.2 of the Code states:

14.2 Suspected or actual breaches of the Code must be reported to the Director Policy and Governance who will then report it to the Assistant Secretary, Security Branch as soon as practicable. A register of all suspected and actual breaches will be maintained and reported to the Presiding Officers through the SMB.

The Department indicated that the alleged breach was reported to the Director Policy and Governance on 4 September 2018, and the alleged breach was reported to the Assistant Secretary Security Branch on 4 September 2018.

Clause 14.3 of the Code states:

14.3 An alleged breach of the Code must be subject to proper investigation by an independent investigator appointed by the Assistant Secretary, Security Branch. *The investigator will be responsible for providing a report including recommendations to the Assistant Secretary, Security Branch for further action. [Emphasis added]*

The Department indicated that “an independent investigator was not engaged.”

Can the Department explain why the then Assistant Secretary Security Branch failed to appoint an independent investigator, as the Code very clearly dictates?

Answer

2. The responses to the questions on notice 1194 and 23 were incorrect. An independent investigator was appointed by the then Assistant Secretary, Security Branch.