



15 June 2021

Committee Secretary
Senate Legal and Constitutional Affairs Committee
PO Box 6100
Parliament House
CANBERRA ACT 2600

By email: LegCon.Sen@aph.gov.au

Dear Committee Secretary

Clarification of Hansard - Budget Estimates Hearing 27 May 2021

I am writing to provide a clarification to evidence I gave to the Senate Standing Committee on Legal and Constitutional Affairs during the Budget Estimates Hearing on 27 May 2021.

On p 56 of the transcript, in response to a question from Senator Thorpe regarding what engagement government has had with the *Wiyi Yani U Thangani* report, I said:

Ms Oscar: Thank you for your question, Senator Thorpe. I have had a number of meetings with the federal government, ministers in that jurisdiction, in the states and territories and in the ACTU. I have had regular and very positive contact with Minister Ken Wyatt regarding the *Wiyi Yani U Thangani* (women's voices) report. I met with Minister Michaelia Cash by phone on 14 May. A letter was sent from my office on 16 April requesting a meeting. I have also sent correspondence to federal ministers requesting meetings to discuss the *Wiyi Yani U Thangani* report, and I have made mention of this in my meetings with the Attorney-General. I have received a letter from Minister Marise Payne, thanking me for a copy of the *Wiyi Yani U Thangani* report, and expressing that she looked forward to working with me. That was received on 2 March this year. I sent a letter the following day on 3 March, requesting a meeting and I have not yet received a response. With regard to Minister Anne Ruston, a letter was sent to her on 3 March requesting a meeting, and our executive assistants are currently in liaison about finding a suitable time to meet. I wrote a letter to the former Attorney-General Christian Porter on 3 March. I have not yet received a response. With regard to Assistant Minister Amanda Stoker, a letter was sent to her on 3 March requesting a meeting, and I have not yet received a response. To Minister Jane Hume, a letter was sent on 30 April this year, and I have not yet received a response. In terms of my communications and conversations at the federal level, that is how I've decided to answer your question, but I'm happy to take on further questions, if you wish.

I made further statements on this topic which appear on pages 59-60 of the transcript during the following exchange with Senator McAllister, Senator Cash and Senator Henderson (Chair):

Senator McALLISTER: I have some questions for Commissioner Oscar. Thank you, Commissioner, for the work you have done. It's an extraordinary contribution, to consult so widely and broadly. With the indulgence of the chair, I might just say I was present when the commissioner presented to a large group of First Nations women in the Kimberley. The pride they had in her work and their contribution to her work was palpable in the room. Ms Oscar, can I confirm that you wrote to each of ministers Stoker, Ruston, Porter and Payne, and have received no response?

Ms Oscar: Yes, I have written to the ministers identified. I did, however, receive a letter from Minister Payne thanking me for a copy of the women's voices report and expressing that she looked forward to working with me. That was received on 2 March this year. I sent a letter the following day to Minister Anne Ruston. I have been advised that our executive assistants are working together in finding a suitable time to meet. I have a meeting with the Attorney-General, Minister Michaelia Cash, and we have discussed how we would meet and discuss the report, and potentially meet with women's organisations later this year.

Senator McALLISTER: You told Senator Thorpe earlier that you had sent a letter to Assistant Minister Amanda Stoker on 3 March requesting a meeting and that you are yet to receive a response. Can I confirm that that is correct?

Ms Oscar: That is correct.

Senator McALLISTER: Have you had any contact with Assistant Minister Stoker or her office?

Ms Oscar: No.

Senator Cash: Chair, I just raise this by way of clarification—

CHAIR: Of course, Attorney.

Senator Cash: My understanding is a response has been provided and a meeting is booked for 16 June at 10 am. Perhaps, Commissioner Oscar, you could just check to see that, because that is the information that I have.

CHAIR: That's a meeting between—

Senator Cash: Senator Stoker and Commissioner Oscar.

Ms Oscar: Thank you, Attorney. I contacted my executive assistant who provided advice to me as to whether or not I had received any correspondence from Assistant Minister Stoker after I had sent a letter to her on 3 March this year requesting a meeting. I have not yet, to this date, received a response.

CHAIR: Just by way of clarification—

Senator Cash: I'm happy to have it clarified. The information I have is Senator Stoker does have a scheduled meeting with Commissioner Oscar on 16 June at 10 am, but I'm happy to have that confirmed. Clearly Ms Oscar doesn't have that in her diary, so I'll have that confirmed for you.

CHAIR: Can we just ask you directly, Ms Oscar: there's no meeting between yourself and Senator Stoker that's been arranged.

Ms Oscar: I am not aware of any meeting or correspondence.

Senator Cash: It may have been with her office.

Ms Oscar: That has not been reported, but I can check today.

CHAIR: Fantastic.

Senator McALLISTER: On that same question, just to assist the committee, Senator Stoker, on 14 April, told the same committee that she'd arranged a meeting on that date.

Senator Cash: On 16 June?

Senator McALLISTER: I have copies of the Hansard with that evidence on that date. It was here in this committee on 14 April, and I have a copy of the transcript. Senator Stoker told this committee that a meeting had been arranged, and I am checking with Commissioner Oscar that that is, in fact, correct information. I appreciate, Commissioner, that you've taken that on notice. Thank you. That is all I have on that set of questions.

That matter was raised once more by Senator Cash. This appears on pages 60-61 of the transcript as follows:

Senator Cash: Senator McAllister, for the record, I have further information on that meeting that we were discussing. This is just for the benefit also of Commissioner Oscar so that she can follow up with, I understand, Alison Campbell. There is an email from Senator Stoker's office dated 11 March, which responds to the request for a meeting stating, 'Thank you for your meeting request. Senator Stoker will be available to meet with you on 16 June from 10-10.30 am Parliament House Canberra et cetera. Could you kindly confirm your availability, et cetera. My understanding is this was followed up with a phone call by Senator Stoker's office. I want that on the record and then obviously Commissioner Oscar can follow that up at her end.

I wish to clarify that:

- At the time that the above exchanges took place on 27 May 2021, the advice I had received from my office was that no response to my letter of 3 March 2021 had yet been received from Senator Stoker or her office. This advice was inaccurate.
- Subsequently, it has been discovered that an email was received from Senator Stoker's executive assistant on 11 March 2021 proposing the date of 16 June 2021 for a meeting. This correspondence was accidentally misfiled soon after being received and was left out of my government engagement log and weekly diary scheduling agenda.
- My office has no record of a phone call or any other correspondence through which a meeting date of 16 June was confirmed.
- My office has a record of an outgoing phone call to Senator Stoker's office on 23 April 2021, the purpose of which was to follow-up on my original request for a meeting. The notes taken from this call state that it was answered by a staff member named Gordon. The recollection of my executive assistant who made this

record is that no specific dates were discussed during this call and that no meeting confirmation took place.

- In the period of time between the 23 April phone call and my appearance at Budget Estimates on 27 May, my executive assistant had been expecting a return call from Senator Stoker's office to communicate her willingness to meet and arrange a suitable time.

The Australian Human Rights Commission will also note this clarification in its response to a question on notice concerning this exchange (Question Number LCC-BE21-96 - Meeting between Assistant Minister and AHRC).

On 1 June 2021 I sent a letter of apology to Senator Stoker acknowledging the inaccuracy of my statements at Budget Estimates on 27 May and requesting that her office contact my executive assistant to schedule a meeting. A reply was received on 11 June 2021 and a meeting has now been booked for 5 August 2021.

The action officer for this matter is Nick Devereaux, Director, Social Justice who can be contacted on _____ or at _____

Yours sincerely

June Oscar AO

Aboriginal and Torres Strait Islander Social Justice Commissioner