



Australian Government
Attorney-General's Department
Deputy Secretary
Legal Services and
Families Group

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

Dear Committee Secretary

Clarification to Hansard – Supplementary Budget Estimates hearing on 26 November 2021

I am writing to provide clarification to evidence given to the Senate Standing Committee on Legal and Constitutional Affairs during the Supplementary Estimates spill-over hearing on 26 November 2021.

On page 12 of the transcript, Senator Watt asked:

Senator Watt: Just on this matter involving Minister Sukkar, can I confirm that there are legal proceedings underway against Minister Sukkar, for which the Attorney has, for want of a better term, granted legal assistance?

My colleague Ms Das and I responded:

Mr Anderson: I can certainly confirm that the Attorney has granted legal assistance. I believe that proceedings have been commenced, but I don't know whether they have taken any further active steps. I can check with my colleague Ms Das as to whether she has any further information.

Ms Das: Mr Anderson is correct. That's, as far as we're aware, the status of the matter; however, we're happy to take that question on notice, if you require.

On page 12 of the transcript, Senator Watt also asked:

Senator Watt: They are private legal matters that are being, or will potentially be, funded by the taxpayer. I presume that you are seeking to invoke the sub judice rule in not providing answers to these questions?

In response to Senator Watt's question, I said:

Mr Anderson: Certainly, to the extent that matters are before a court, it wouldn't be appropriate to comment on them. As the Attorney has said, people might jump to conclusions just because proceedings have been commenced. That does not mean in any way that the allegations that underpin the proceedings will be upheld.

I wish to clarify that the department is not aware whether legal proceedings have been commenced in court. Under the *Parliamentary Business Resources Regulations 2017* legal assistance can be sought by a Minister and approved by the Attorney-General before legal proceedings are commenced.

The action officer for this matter is Susan Whitaker who can be contacted on

Yours sincerely

Iain Anderson
6 December 2021