

Senate Select Committee on the Aboriginal Flag
Attorney-General's Department

Hearing date: 14 September 2020
Question type: Spoken
Hansard page: Proof pages 49, 53

Senator Dodson and Senator Lines asked the following question:

Senator DODSON: Mr Lewis, has the Attorney-General's Department been requested to provide advice on the government acquiring the Aboriginal flag?

...

Senator LINES: I'm simply asking if you've been asked, as the A-G's office, for that advice. It's a yes or no answer unless you think it goes to the issue of privileged advice, and you haven't claimed that.

The response to the Senator Dodson and Senator Lines questions is as follows:

Legal advisers owe a duty to their clients not to disclose the existence or content of legal advice. That position is reflected in paragraph 4.8.1 of the *Government Guidelines for Official Witnesses before Parliamentary Committees and Related Matters*. The department therefore generally does not disclose whether it has provided legal advice.