



# Australian Government

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## Department of Finance

Contact: Sharon Ong

Senator Deborah O'Neill  
Chair  
Senate Select Committee on Health  
Parliament House  
CANBERRA ACT 2600

Dear Senator O'Neill

### **Clarification of evidence from 10 July 2015 public hearings**

I am writing to clarify the evidence of Department of Finance representatives presented during the Senate Select Committee on Health's public hearings on Friday, 10 July 2015.

On page 71 of the Hansard transcript, I indicated that the appointments of PricewaterhouseCoopers and Herbert Smith Freehills were made in July. I wish to clarify that the appointments were made in early August.

On page 74 of the Hansard transcript, in discussing the confidentiality of the scoping study report, I made the following comments:

"There is information which could harm the commercial interest of the Commonwealth in terms of the commercial-in-confidence. It is yet to be considered by government. At this stage, it would be report to government. It would come under cabinet-in-confidence once it is considered by government."

Senator McLucas asked "But at this point, it is not cabinet-in-confidence?"

I replied "Not as such".

The *Freedom of Information Act 1982* and the *Cabinet Handbook 8<sup>th</sup> Edition* provide that material that has been created for the purpose of preparing a submission to the cabinet, but has not yet been considered by the cabinet, such as the Australian Hearing scoping study, would be considered cabinet-in-confidence.

On this basis my evidence should have been:

“There is information which could harm the commercial interest of the Commonwealth in terms of the commercial-in-confidence. It is yet to be considered by government. At this stage it would be a report to Government.

....

At this point, as the scoping study was created for the purposes of preparing a submission to the cabinet, it would be considered cabinet-in-confidence.”

On page 80 of the Hansard transcript, Ms Ong refers to the roles provided by “both departments” in terms of ensuring quality and services are delivered. In giving this evidence, Ms Ong was pointing to the Departments of Human Services and Health who were also at the table. This could not be captured as it was a non-verbal reference. I would like to clarify that it is the roles provided by the Department of Human Services and the Department of Health in terms of ensuring quality and services are delivered.

Thank you for your assistance with this matter.

Yours sincerely

Robin Renwick  
A/g First Assistant Secretary  
Business, Procurement and Asset Management

(2 August 2015