

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS
ATTORNEY-GENERAL'S DEPARTMENT

Group 2

Program 1.3

Question No. 23

Senator Siewert asked the following question at the hearing on 24 February 2014:

Senator WRIGHT: Thank you, Minister. I am going to ask you now a question that I think would not translate easily to being on notice. I will have to ask some of these other ones on notice. Previously, the Minerals Council has openly lobbied against EDOs. They have accused EDO lawyers of a campaign of economic sabotage, and that was reported on the ABC. The Australian reported that the New South Wales—

CHAIR: Do you have a question, Senator?

Senator WRIGHT: It does come to a question—I think an important question that the public would be interested in knowing about.

CHAIR: Well, forget the political sideshow—

Senator WRIGHT: No, this is actually the background I have to ask about. As the peak mining industry body in New South Wales, the New South Wales Minerals Council was lobbying the federal Attorney-General to cease the EDO's funding. That was reported in the Australian in October last year. These are not unverified assertions.

CHAIR: Is the question: did they lobby the—

Senator WRIGHT: What I am asking is: what submissions, formal or informal, did the Minerals Council of Australia, the Minerals Council of New South Wales or anybody who represents the interests of the mining sector, make to the federal government to support the withdrawal of funding from EDOs after the election? It is a very important question from the public interest point of view, I would have thought.

Senator Brandis: I can answer your question directly. I do not know what approaches may have been made by those organisations to other ministers or other departments. It may be that they may have written to me but, if they did, I cannot immediately recall any correspondence from them. As you know, when there is a change of government, many, many organisations in the community, from all points of view, make approaches to the new government to, as it were, put a point of view. I do not recall seeing any such communications from any of the organisations that you have mentioned and I had no meetings with anyone from any of the organisations which you have mentioned in which I was lobbied for the purpose for which you have described. So the answer to your question, subject to the qualifications I have made, is: none.

Senator WRIGHT: All right, I understand you cannot recall. Can I—

Senator Brandis: I have no recollection. I just want to allow for the possibility that there may have been a letter, among the hundreds of letters that come into my office every day, that I did not see.

CHAIR: I understood you the first time, Minister.

Senator WRIGHT: Can I ask you, Minister, to take that question on notice?

Senator Brandis: No, I will not take on notice a question that I have just given you a direct answer to.

Senator WRIGHT: But you said you have no recollection. That does not really answer the question. It may be that you did receive such a letter and you do not have a recollection of it. So I am asking you—

CHAIR: Thank you, Senator Wright. We are not here as a debating society. We will now be moving to—

Senator WRIGHT: Chair, I would just like to know whether the minister is willing to take it on notice or not.

CHAIR: group 3, national security and criminal justice programs.

Senator Brandis: I—

Senator WRIGHT: Will you—

CHAIR: I am sorry, Minister, and I am sorry, Senator Wright, but we have finished that. We have had more than fair—

Senator WRIGHT: I do not have an answer to the—

CHAIR: You will get it on notice if you put it on notice.

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Senator Brandis: Chair, before we go on, I have just been handed a note. I do try to be helpful. The note from my adviser says, 'I think the NSW Minerals Council wrote us a letter, but I am not certain.' I will take on notice whether a letter was received from the NSW Minerals Council.

The answer to the honourable senator's question is as follows:

A letter from the NSW Minerals Council dated 11 October 2013 was received by the Attorney-General. The Attorney-General responded to the NSW Minerals Council on 14 November 2013.