

Senate Standing Committee on Economics

ANSWERS TO QUESTIONS ON NOTICE

TREASURY

Australian Taxation Office

(Supplementary Budget Estimates 1-2 November 2006)

Question **SBT 98**
Topic: **INAPPROPRIATELY ACCESSING TAXPAYER**
 RECORDS

Hansard Page: **E77**

Senator Sherry asked:

On a related matter, we know there were some 27 ATO staff who admitted last year to inappropriately accessing taxpayer records. Apparently 12 of the staff resigned. Was that a consideration with respect to not prosecuting them for breaches of privacy in any or all of those 12 cases?

***Mr D'Ascenzo**—I do not know about the specific details of any of those cases other than that we reported it through the annual report and the consequences that occurred. These processes are reviewed. The fact that we have 27 in relation to an organisation like the ATO, given the extensive checks and balances we have, is not a bad outcome. We monitor our dealings with these arrangements through forums such as our audit committee, which of course includes a range of external experts. I do not know specifically what the answer to that is, but I can take that on notice.*

Answer:

Four of the 12 staff who resigned were prosecuted for unauthorised access. For the remaining eight staff, their resignation was not a consideration in deciding not to prosecute. A range of factors is considered in deciding whether to prosecute for unauthorised access, including the extent of the access and the circumstances in which the access took place.