

EDUCATION, SCIENCE AND TRAINING

SENATE LEGISLATION COMMITTEE – QUESTIONS ON NOTICE 2004-2005 BUDGET ESTIMATES HEARING

Outcome: CSIRO
Output Group: - CSIRO

DEST Question No. E237_05

Senator Carr provided in writing.

Question:

In response to question E786_04, CSIRO declined to provide copies of correspondence and discussions between CSIRO and Stora Enso relating to the possibility of collaborative research based on the genetic material provided to Dr MacRae.

- (a) Please provide details of those portions of the information which are not deemed by CSIRO to be 'client privileged' - such as dates that communications occurred between CSIRO and Stora Enso relating to this matter; who participated in those communications, both within CSIRO and Stora Enso; and what general role the imported material might play in collaboration.
- (b) Did Dr MacRae request the material in question be released by AQIS to her?
- (c) Was she acting individually, or as an officer of CSIRO?
- (d) Was the material in question considered by AQIS to be licensed to NSW Forests and not to Dr MacRae?
- (e) Was it NSW Forests who then sought clarification from Stora Enso about ownership of the material?
- (f) Who finally instructed AQIS to destroy the material in question: CSIRO, Dr MacRae as a CSIRO employee or in a private capacity or another party?

Answer:

CSIRO has provided the following response.

Forestry – Stora Enso

- (a) While employed by both State Forests of New South Wales (January 2001 to June 2002) and CSIRO (July 2002 to June 2004)* Dr Sharmane MacRae had direct communications with individual Stora Enso research managers in Sweden, up to the time when the material was destroyed in May 2003.

These communications took the form of emails and phone calls. Content of the communications covered the analysis of research data accumulated from work on the material prior to its import, to complete outstanding activities from Dr MacRae's employment with Stora Enso.

In the context of this question Dr Paul Cotterill (Chief, CSIRO Forestry and Forest Products) also had communications with Stora Enso managers in 2002 and 2003 covering advice on the best way to complete outstanding work on the imported material

given his prior position in Stora Enso and an interest in creating a collaborative relationship with that company.

The imported material, as a reference collection (see DEST Question No 779_04), could have been used to augment scientific knowledge and provide a basis for collaboration. However, a strategic decision was made by Stora Enso to wind up work on the material.

* Note : Dr Sharmane MacRae left the employment of CSIRO on 11 June 2004.

- (b) No. The material in question was held by AQIS in its Sydney quarantine facility. Under the applicable quarantine restrictions, Dr MacRae could only access the material at the quarantine facility.
- (c) In completing the outstanding work, Dr MacRae was acting individually in line with exit arrangements in place between her and Stora Enso. These arrangements applied while Dr MacRae worked for State Forests of New South Wales, and then for CSIRO.
- (d) CSIRO understands that the material was held by AQIS under an import permit granted to Stora Enso in Sweden to allow research on the material by Dr MacRae regardless of who was her employer. The material was not licensed to any organisation in either a research or commercial sense.
- (e) From CSIRO's perspective no clarification about ownership was ever required - the imported material was owned by Stora Enso. CSIRO is unable to advise if State Forests of New South Wales sought clarification about ownership of the material.
- (f) Once discussions about potential collaboration using the imported material had been concluded, Dr Paul Cotterill wrote to AQIS on behalf of Dr MacRae conveying specific instructions received from Stora Enso to destroy the imported material. Written confirmation that the material had been destroyed was requested and subsequently received.