

Senate Finance and Public Administration Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Prime Minister and Cabinet Portfolio

Department of the Prime Minister and Cabinet

Additional Estimates Hearings 2004-2005, 14 February 2005

Question: PM 35

Outcome 1, Output 4.1

Topic: Leak Investigations

Direct on Notice: February 2005

Senator Evans asked:

- 1. What was PM&C involvement in any or all investigations into the alleged leak of DoFA Cabinet in Confidence briefing material on Work and Family during the election campaign?**
- 2. Did they advise on the investigation at the time, what was the nature and extent of that investigation, and what was the result?**
- 3. Any other intensive leak investigations in the past 12 months, extent and type, and what was the result of those?**
- 4. Does the Howard Government still have a 100% record of unsuccessful leak investigations?**
- 5. Has there been any thought given to changing how these investigations are conducted, and if so, to what?**
- 6. Who pays for these investigations, and has there been any consideration to introduction of user pays?**

Answer:

1. PM&C noted that the subject matter of the alleged leak was similar to that of unauthorised disclosures of cabinet and cabinet related documents on work and family issues earlier in 2004. Those unauthorised disclosures were investigated by the Australian Federal Police (AFP) at PM&C's request. On noting the similarity of subject matter, PM&C satisfied itself by telephone contact with the Department of Finance and Administration and the AFP that the work undertaken in the earlier investigation would be taken into account in any investigation of the alleged leak of the briefing material referred to in the question.
2. PM&C was not involved in the investigation beyond seeking to ensure that it took account of the earlier investigation. Questions on the nature, extent and result of the investigation are matters for the Australian Federal Police and the Department of Finance and Administration.
3. On 15 February 2004 PM&C sought an investigation by the Australian Federal Police (AFP) of the unauthorised disclosure of documents related to possible cabinet consideration of work and family issues. The AFP carried

out an investigation but did not establish by whom the documents were released.

On 3 November 2004 PM&C sought an investigation by the Australian Federal Police (AFP) of the unauthorised disclosure of a cabinet document related to indigenous affairs. As at 11 March 2005, the AFP investigation is still under way.

4. PM&C does not maintain records of leak investigations other than those it initiates itself and therefore cannot comment on the overall results of such investigations.
5. Investigations of unauthorised disclosure of information are conducted in a variety of ways by the agencies with custody of the information and/or by the Australian Federal Police. PM&C is not aware of thought having been given to changing the way these investigations are conducted.
6. In the investigations in which PM&C has been involved, any costs have been met by the departments and agencies incurring them without supplementary funding. PM&C is not aware of any consideration of user pays in this context.