



DPS ref: 07/1433

18 April 2007

Ms Karen Middleton
President, Press Gallery Committee
Parliament House
CANBERRA ACT 2600



Dear Ms Middleton

Press Gallery licences and Parliament House passes

1 I refer to my letters dated 17 May 2006 and 26 October 2006 and advise that the Presiding Officers are now considering a proposal for the issue of new Press Gallery licenses and for relevant changes to the Parliament House pass policy.

New licences

2 Under the proposal, licences would be initially offered at current rates with provision for annual CPI increases, with the first one to take effect on 1 July 2007, to current licensees, but only if:

- (a) their accreditations are renewed by the Press Gallery Committee; and
- (b) they give assurances that their continuing use of the premises concerned is for the purposes laid down by the Presiding Officers for Press Gallery accommodation in Parliament House.

3 The purposes laid down by the Presiding Officers are as follows:

The Press Gallery space is provided by the Parliament to facilitate the media reporting on Parliament (including elections of members of Parliament) and on the functioning of Executive Government. The reporting of local news, reporting on activities outside Parliament and the Executive Government, and use of space for operations not directly required by day-to-day activities (eg storage of archival material) are not provided for in the building.

4 If any Press Gallery space in Parliament House becomes available as a result of the re-accreditation process or otherwise, a tender process would be conducted to offer that space to current or prospective licensees. Such licensees would also all be required to obtain Press Gallery Committee accreditation, and to give assurances about their use of the Parliament House space as mentioned above, as part of the tender process.

5 All licences issued under this new process would include a provision requiring further accreditation by the Press Gallery Committee, and further

assurances about the intended use of the accommodation, for any extension or renewal of the licence.

New pass arrangements

6 Under a draft pass policy being considered by the Presiding Officers, several changes would be made to the current arrangements for the issue of passes to members of the Press Gallery.

Criteria for issue

7 First, membership of the Parliament House Press Gallery would not be a pre-requisite for the issue of a Parliament House photographic pass. Other media representatives would also be able to obtain Parliament House passes if they satisfy the new criteria (see **Attachment A**).

Police checks etc

8 Secondly, applicants for media passes would be required to undergo a police records check as part of their application for a pass. The results of that check would need to be assessed by DPS as satisfactory before a pass could be issued (see **Attachment A** for more information about assessing the results of a police records check).

9 Please note that the draft policy proposes extending the police records check requirement broadly to cover almost all categories of holders of Parliament House photographic passes—this change is not in any respect aimed at the Press Gallery, or at media representatives more broadly.

10 I mention also that the National Visits Media Card (**NVMC**) held by many media representatives is described by the Protective Security Coordination Centre, which issues the card, as "a protocol card that identifies the holder as a person with a legitimate media interest in the visits of foreign dignitaries to Australia. The NVMC is not a security pass." Accordingly, production of a NVMC would be in no sense an alternative to a police records check.

11 As well as undergoing a police check, an applicant for a media pass would need to be certified as being suitable to be granted unaccompanied access to Parliament House. This certification would come from the applicant's employer or, for a self-employed media worker, from the Press Gallery Committee or a Senator or Member.

Charges for passes

12 Thirdly, a charge would be levied for the issue of a Parliament House pass, to cover the costs of obtaining and assessing the police check. The cost to be imposed has not yet been settled; however, AFP police records checks currently cost \$36, so the total cost is likely to be considerably less than \$100. The pass would normally be issued for three years.

Access to slip roads

13 Finally, the ability of holders of Press Gallery photographic passes to gain access to the Parliament House slip roads by swiping the photographic pass to

lower the bollards is likely to be restricted, in that photographic passes will be enabled for only one nominated slip road rather than all slip roads.

Sign-in privileges

14 At this stage no change is proposed to the ability of Press Gallery passholders to sign in visitors for unaccompanied passes.

Further information

15 Attachment A sets out:

- (a) the proposed criteria for the issue of a media pass;
- (b) an extract from the draft policy about the assessment of police check results.

Comments please

16 I would be pleased to receive your comments on either or both of the proposals outlined in this letter. Please let me have those comments, in writing or by email to hilary.penfold@aph.gov.au, by COB Friday 11 May, 2007.

Yours sincerely

Hilary Penfold QC
Secretary

Attachment A—Parliament House passes for media representatives— Extracts from draft pass policy

1. Eligibility for Parliament House pass

The qualification for the issue of a Parliament House photographic pass in the Media category is as follows:

Employment in organisations occupying Press Gallery accommodation in Parliament House, or another media organisation; or self employed media worker.

2. Police records checks

Vetting procedures—outcomes from police records checks

1 A police records check (**PRC**) conducted by an employer or a sponsoring agency requires the subject to give to the employer or agency information about pending criminal charges, and convictions (other than those covered by a spent convictions scheme), and to consent to a check of police records by the AFP. The AFP then conducts the check, and advises the employer or agency either:

- (a) that there are no "Disclosable Court Outcomes" recorded against the name of the subject; or
- (b) that specified information about pending criminal matters, convictions etc may relate to the subject.

2 A comparison between the information provided by the subject and the information provided by the AFP gives a general indication of the subject's honesty. Of course, a discrepancy between those sets of information might reflect only forgetfulness by the subject or inaccuracy in the records used or provided by the AFP, and the subject would always be given an opportunity to explain a discrepancy before it is relied on in determining whether to issue a pass.

3 Where the information provided by the subject, or the police check, indicates that the subject has been charged with, or convicted of, one or more offences, it is necessary then to consider the significance of those offences to the subject's suitability to be given unlimited access to the private circulation areas of Parliament House.

4 This will always be a matter of judgement, and in difficult cases a decision may need to be taken at a high level within the organisation concerned. However, the following general principles can be stated:

- (a) the fact that an applicant for a pass has a police record will not automatically disqualify him or her from obtaining a Parliament House pass;
- (b) in assessing an applicant's suitability to be granted unlimited access to Parliament House, more regard will be had to the nature of particular offences rather than the overall seriousness of the offences; for instance:

- (i) offences involving behaviour that might make an applicant liable to blackmail or susceptible to offers of bribery, or behaviour that might affect an applicant's judgement or reliability; or
- (ii) offences indicating that the applicant might be a threat to national security;

are likely to be regarded as more significant than other offences that are in general just as serious (as indicated, for instance, by similar penalty levels).

5 Decisions relating to the outcome of police records checks for the purposes of this policy are made as follows:

- (a) by DPS, for:
 - (i) staff or prospective staff of DPS;
 - (ii) volunteers working in Senators' or Members' offices;
 - (iii) staff or prospective staff of agencies and businesses operating in Parliament House under contracts or licences managed by DPS;
 - (iv) media representatives; and
 - (v) relevant representational passes (categories 12 and 13);
- (b) by the Department of Finance and Administration, for staff or prospective staff of Senators and Members;
- (c) by the Department of the Senate, for:
 - (i) staff or prospective staff of that Department; and
 - (ii) staff or prospective staff of agencies and businesses operating in Parliament House under contracts or licences managed by that Department;
- (d) by the Department of the House of Representatives, for:
 - (i) staff or prospective staff of that Department; and
 - (ii) staff or prospective staff of agencies and businesses operating in Parliament House under contracts or licences managed by that Department.

6 A person refused a Parliament House photographic pass by a DPS decision-maker on the basis of a police records check would be able to appeal the refusal, first to the Secretary of DPS and then to the Presiding Officers. The opportunity to appeal would be notified to any affected applicant.

7 An appeal from a decision not to sponsor a person for a Parliament House photographic pass, being a decision that is made on the basis of a police records check assessed by a department other than DPS, may be available in accordance with the policies of the department concerned.

