

# Parliamentary Departments

2.1 The committee took evidence from the parliamentary departments on Monday, 26 May 2008.

## Department of the Senate

2.2 The following issues of interest in relation to the Department of the Senate are discussed below:

- appropriations allocated to the Department of the Senate;
- the participation by the Clerk of the Senate in the 2020 Summit in a private capacity;
- the relevance of answers provided by Ministers to Questions on Notice;
- the registration of Member's and Senator's interests; and
- Parliamentary Privilege.

### *Appropriations allocated to the Department of the Senate*

2.3 The President of the Senate, Senator the Hon Alan Ferguson, explained to the committee the rationale behind the reduction in various appropriations allocated to the Department of the Senate. In addition to one-off efficiency dividend saving of two per cent, the department sought to reduce its appropriation of funds by \$400 000 due to the low level of parliamentary activity caused by the 2007 Federal election.<sup>1</sup> The President also stated that the department reduced its unspent appropriations from previous years by \$11 316 000, and that an amount of \$10 200 000 in unspent appropriations remains from previous years which is available for various purposes:

An amount of \$10.2 million remains...which is available to fund ongoing technology upgrades and improvements in the senator's facilities, to provide long-term cover for the department's balance sheet and to maintain the ability to contribute to parliament-wide projects.<sup>2</sup>

### *2020 Summit*

2.4 Senator Fifield questioned the Clerk of the Senate about his participation in the 2020 Summit. The Clerk informed the committee that he participated in a private capacity.

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1 Senator the Hon Alan Ferguson, President of the Senate, *Estimates Hansard*, pp 2–3.

2 Senator the Hon Alan Ferguson, President of the Senate, *Estimates Hansard*, pp 2–3.

2.5 Senator Fifield sought information about which ideas the Clerk personally presented to the summit. The Clerk stated that he presented a total of 20 proposals, five of which were adopted by the 'governance stream'.<sup>3</sup> A list of the 20 proposals was subsequently tabled.<sup>4</sup> Additional information also provided to the committee by the Clerk reveals that six, not five, of his proposals have now been adopted in the 'absolutely final version' of the 2020 Summit report which was issued after 26 May 2008.<sup>5</sup>

### ***Answers provided by Ministers to Questions on Notice***

2.6 Opposition Senators questioned the Clerk about Parliamentary procedures, including: what options are available to Senators to pursue answers to Questions on Notice provided by the government, that they believe may not have been answered satisfactorily; the operation of the House of Representatives and Senate schemes for the registration of interests; and the application of Parliamentary Privilege and its possible effect on court proceedings.<sup>6</sup>

2.7 The Clerk informed the committee that an option is available for Senators to pursue answers to Questions on Notice that they believe are not satisfactory, whereby a committee agrees to report the matter to the Senate.

### ***Registration of Member's and Senator's interests***

2.8 On the question of the differences between the operation of the House of Representatives and Senate schemes for the registration of interests, the Clerk informed the committee that the Senate has no responsibility for the House of Representatives scheme. Mr Evan's pointed out the differences between each house's resolutions, but could not go to the detail of the House of Representative's administrative arrangements. This information was subsequently provided to the committee in an answer to a question taken on notice.<sup>7</sup>

2.9 The Clerk also informed the committee that officials from the Senate are not in a position to give advice to Senators about which particular interests should or

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3 Mr Harry Evans, Clerk of the Senate, *Estimates Hansard*, 26 May 2008, pp 3–4.

4 Mr Harry Evans, Clerk, Department of the Senate, *Parliamentary reform proposals for the 2020 Summit*, tabled 26 May 2008. See: [www.aph.gov.au/Senate/committee/fapa\\_ctte/estimates/bud\\_0809/parliament/tailed\\_documents/2020\\_Parliamentary\\_Reforms.pdf](http://www.aph.gov.au/Senate/committee/fapa_ctte/estimates/bud_0809/parliament/tailed_documents/2020_Parliamentary_Reforms.pdf) (accessed 11 June 2008).

5 Mr Harry Evans, Clerk, Department of the Senate, *Additional information relating to evidence given about the 2020 Summit*, tabled 2 June 2008. See: [www.aph.gov.au/Senate/committee/fapa\\_ctte/estimates/bud\\_0809/parliament/tailed\\_documents/Harry\\_Evans\\_020608.pdf](http://www.aph.gov.au/Senate/committee/fapa_ctte/estimates/bud_0809/parliament/tailed_documents/Harry_Evans_020608.pdf) (accessed 11 June 2008).

6 *Estimates Hansard*, 26 May 2008, pp 48–53.

7 Department of the Senate, answer to questions on notice, 26 May 2008, received 26 May 2008. See: [www.aph.gov.au/Senate/committee/fapa\\_ctte/estimates/bud\\_0809/parliament/P14.pdf](http://www.aph.gov.au/Senate/committee/fapa_ctte/estimates/bud_0809/parliament/P14.pdf) (accessed 12 June 2008).

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should not be on the register, as it would be contrary to the rules of the scheme. For this reason it is up to individual Senators to decide for themselves as to which interests they decide to register.<sup>8</sup>

### ***Parliamentary Privilege***

2.10 Opposition Senators also sought information about the relationship between Parliamentary Privilege and legal proceedings. Senator Colbeck raised with the Clerk allegations of bribery that had recently been aired in the media. The Clerk informed the committee that statements given to the Senate and evidence given to Parliamentary committees is protected by Parliamentary Privilege. This was further qualified by the Clerk:

Part of that protection means that evidence cannot be examined in any substantive way in a court or tribunal. It could be that if someone were prosecuted for a criminal offence, they could claim in their criminal trial that their inability to examine the parliamentary evidence meant that they could not claim in their criminal trial and therefore the charge should be dismissed. This is a problem that has been drawn to the attention of committees over a number of years.<sup>9</sup>

### **Department of Parliamentary Services**

2.11 The following issues of interest relating to the Department of Parliamentary Services (DPS) are discussed below:

- the appointment of a new Secretary;
- 20<sup>th</sup> anniversary celebrations of the opening of Parliament House ;
- environmental impacts and performance; and
- media access within Parliament House.

#### ***The appointment of a new Secretary***

2.12 Mr Alan Thompson appeared before the committee for the first time since his appointment to the position of Secretary. The President informed the committee of Mr Thompson's previous experience working with the New Zealand and Australian State and Territory public sectors.<sup>10</sup>

#### ***20<sup>th</sup> anniversary celebrations of the opening of Parliament House***

2.13 The twentieth anniversary of the opening of Parliament House was celebrated on 9 May 2008. The President informed the committee of the success of various events that were held to mark the anniversary. This included the annual Open Day,

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8 Mr Harry Evans, Clerk, Department of the Senate, *Estimates Hansard*, pp 48–50.

9 Mr Harry Evans, Clerk, Department of the Senate, *Estimates Hansard*, p. 52.

10 Senator the Hon Alan Ferguson, President of the Senate, *Estimates Hansard*, p. 4.

which was coordinated jointly by the three parliamentary departments, and attracted 8622 visitors to the building.<sup>11</sup>

### ***Environmental impacts and performance***

2.14 Continuing on from the committee's previous examination during Additional Estimates 2007–08, the committee examined DPS's commitment to lowering the department's impact on the environment. Of particular interest to the committee were the topics of energy and water conservation.

2.15 The committee heard evidence that there have been considerable water and energy savings since Parliament House opened over 20 years ago. The Deputy Secretary stated that:

...[W]e have reduced the electricity consumption by just under 40 per cent... gas consumption by 74 per cent and CO<sub>2</sub> equivalent emissions by 52.4 per cent, and there has been a total energy consumption reduction of 58.3 per cent...water consumption this year is down a bit over 40 per cent, compared to what it was before our current level of restrictions started.<sup>12</sup>

2.16 The committee welcomes the further improvements announced by DPS, and given the high level of attention that Parliament House receives from the Australian public, it believes that the improvements made over the last 20 years can act as an example of best practice environmental building management to others.

2.17 DPS also informed the committee that there are plans underway to make further improvements to energy and water use within Parliament House. These plans include: the completion of an energy audit; inserting environmental considerations in tender guidelines; and the completion of a review of the amount of water used in landscaping which is expected to yield increased water savings of up to 50 per cent.<sup>13</sup>

2.18 Senator Murray suggested that DPS's excellent track record on environmental initiatives be promoted to a wider audience. Although various methods including publishing information in annual reports and on DPS's website is already used, DPS agreed with Senator Murray's assessment.<sup>14</sup> Subsequently the two documents from

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11 Senator the Hon Alan Ferguson, President of the Senate, *Estimates Hansard*, p. 2.

12 Mr David Kenny, Deputy Secretary, Department of Parliamentary Services, *Estimates Hansard*, p. 15.

13 Mr David Kenny, Deputy Secretary, Department of Parliamentary Services, *Estimates Hansard*, pp 15–16.

14 Mr David Kenny, Deputy Secretary, Department of Parliamentary Services, *Estimates Hansard*, pp 16–17.

which DPS based its evidence were tabled. These documents are available from the committee's website.<sup>15</sup>

### ***Media access within Parliament House***

2.19 With recent press reports relating to allegations that staff from a Minister's office, and the Prime Minister's office, denied media access within Parliament House, Senators questioned officials about what restrictions are placed on journalists who wish to photograph or film within the building.<sup>16</sup> The President and DPS officials informed the committee that it is the Presiding Officers who ultimately determine the policy relating to photography and filming within the public and private areas of Parliament House.<sup>17</sup> The committee was told that the policy is set out in a document titled *Guidelines for Filming and Photography in Parliament House* (October 2005). This document was subsequently tabled before the committee.<sup>18</sup>

2.20 With the suggestion that there had been some confusion about how the Presiding Officer's policy for photography and filming should be applied, the Secretary spoke of the need to communicate the intention of the guidelines more clearly to others:

...These guidelines...are written very much to provide guidance to the media reps about what their rights and obligations are. Two things come out of that for me. One is that it would be useful for us to circulate them through the ministers' offices so that the staff in those offices understand the guidelines. It also may be useful...for us to simply clarify the rights and obligations of the media...<sup>19</sup>

2.21 Other matters of interest raised during the examination of DPS included:

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- 15 *Estimates Hansard*, 26 May 2008, p. 17. Department of Parliamentary Services, *Environmental Performance Initiatives*, tabled 26 May 2008. See: [www.aph.gov.au/Senate/committee/fapa\\_ctte/estimates/bud\\_0809/parliament/taled\\_documents/Enviro\\_performance\\_initiatives\\_26-5-08.pdf](http://www.aph.gov.au/Senate/committee/fapa_ctte/estimates/bud_0809/parliament/taled_documents/Enviro_performance_initiatives_26-5-08.pdf) (accessed 12 June 2008); and Department of Parliamentary Services, *Parliament House Energy and Water Consumption*, tabled 26 May 2008. See: [www.aph.gov.au/Senate/committee/fapa\\_ctte/estimates/bud\\_0809/parliament/taled\\_documents/Parliament\\_House\\_Energy\\_and\\_Water\\_consumption\\_26-5-08.pdf](http://www.aph.gov.au/Senate/committee/fapa_ctte/estimates/bud_0809/parliament/taled_documents/Parliament_House_Energy_and_Water_consumption_26-5-08.pdf) (accessed 12 June 2008).
- 16 *Estimates Hansard*, 26 May 2008, pp 21–27.
- 17 Mr David Kenny, Deputy Secretary, Department of the Parliamentary Services, *Estimates Hansard*, p. 21.
- 18 Parliament of Australia, *Guidelines for Filming and Photography in Parliament House*, tabled 26 May 2008. See: [www.aph.gov.au/Senate/committee/fapa\\_ctte/estimates/bud\\_0809/parliament/taled\\_documents/Filming\\_Photography\\_guidelines\\_26-5-08.pdf](http://www.aph.gov.au/Senate/committee/fapa_ctte/estimates/bud_0809/parliament/taled_documents/Filming_Photography_guidelines_26-5-08.pdf) (accessed 12 June 2008).
- 19 Mr Alan Thompson, Secretary, Department of Parliamentary Services, *Estimates Hansard*, 26 May 2008, p. 26,

- the functioning of the bollards;<sup>20</sup>
- the allocation of available office space for DPS staff within Parliament House;<sup>21</sup>
- allegations of damage to office suites for which contrary evidence was adduced;<sup>22</sup>
- Parliamentary Library staff turnover;<sup>23</sup>
- the freeze of wages to Senators and Members;<sup>24</sup>
- the participation of Parliament House in Earth Hour;<sup>25</sup>
- the booking of Parliament House facilities for functions during Budget week;<sup>26</sup>
- the participation of DPS staff in the 2020 Summit and costs incurred to DPS;<sup>27</sup> and
- the application of an internet filter on Member's and Senator's computers.<sup>28</sup>

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20 *Estimates Hansard*, 26 May 2008, pp 5–7.

21 *Estimates Hansard*, 26 May 2008, pp 8–12.

22 *Estimates Hansard*, 26 May 2008, pp 12 and 19–22.

23 *Estimates Hansard*, 26 May 2008, p. 18.

24 *Estimates Hansard*, 26 May 2008, pp 12–13.

25 *Estimates Hansard*, 26 May 2008, pp 27–28.

26 *Estimates Hansard*, 26 May 2008, pp 31–34 and pp 40–42.

27 *Estimates Hansard*, 26 May 2008, pp 29 and 44–46.

28 *Estimates Hansard*, 26 May 2008, pp 35–39.