

**Senate Finance and Public Administration Legislation Committee**

**ANSWERS TO QUESTIONS ON NOTICE**

**Prime Minister and Cabinet Portfolio**

**Department of the Prime Minister and Cabinet**

**Budget Estimates Hearing 24 May-3rd June 2010**

**Question: PM30f**

**Topic: Deputy PM's Office - communication with Slater and Gordon**

**Type of Question: Hansard, F&PA 71-72, 25 May**

**Date set by the committee for the return of answer: 9 July 2010**

**Number of pages: 2**

**Senator ABETZ-No, re-reading statements in Hansard does not answer fresh questions. Are we agreed? Can anybody at the table advise us as to whether or not it can be agreed that Ms Gillard had written communication with Slater & Gordon on this matter? Can anybody assist us on this?**

**Senator Ludwig-I have answered the question.**

**Senator ABETZ-It is unknown-is that what you are telling us?**

**Senator Ludwig-I would check my records. I cannot recall it.**

**...**

**Senator ABETZ-All right. Can you please take these questions on notice, and ask the Deputy Prime Minister to answer them: was there a written communication between Ms Gillard and Slater & Gordon in relation to this matter? If so, was that written communication by Ms Gillard signed off as Deputy Prime Minister, or on her Deputy Prime Minister letterhead? And then, of course, it follows: how, then, can it be asserted that this correspondence was not in pursuit or in the clothing of her public authority as Deputy Prime Minister and therefore clearly subject to FOI? If this correspondence was on a plain sheet of paper and deemed to be private correspondence, where she did not claim to be Deputy Prime Minister, then it might not fall into the FOI category. But I would have thought it is a huge jump to assert it is not FOI-able if the minister has signed off as or used the title of Deputy Prime Minister in any of that correspondence. As you cannot answer, please take all of that on notice.**

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**Answer:** As indicated in Ms Gillard's personal explanation to Parliament on 3 February 2010 and in response to a question asked during Question Time on the same day, an email from Slater and Gordon had been sent to the then Deputy Prime Minister's Office. The email contained a photograph but no words. No specific allegations were made and no response was provided.

I am advised that the FOI request referred to was considered to not be within the scope of the FOI Act as the documents described by the request would not be 'official documents of a Minister' within the meaning of section 4 of the FOI Act.