

The Senate

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Committee of Privileges

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Persons referred to in the Senate

Mr Alan Cummine

139th Report

October 2009

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## Report

1. On 8 October 2009 the President of the Senate, Senator the Hon. John Hogg, received a submission from Mr Alan Cummine, seeking redress under the resolution of the Senate of 25 February 1988 relating to the protection of persons referred to in the Senate (Privilege Resolution 5).

2. The submission referred to comments made by Senator Milne in the Senate on 10 September 2009. The President, having accepted the submission as a submission for the purposes of the resolution, referred it to the Committee of Privileges on 16 October 2007.

3. The committee met in private session on 22 October 2009 and, pursuant to paragraph (3) of Privilege Resolution 5, decided to consider the submission. The committee resolved to recommend that the response be incorporated in Hansard without change. In considering the submission, the committee did not find it necessary to confer with the person making the submission or with the senator concerned.

4. The committee draws attention to paragraph (6) of the resolution which requires that, in considering a submission under this resolution and reporting to the Senate, the committee shall not consider or judge the truth of any statements made in the Senate or of the submission.

5. The committee **recommends**:

That a response by Mr Alan Cummine in the terms specified at Appendix One, be incorporated in *Hansard*.

George Brandis  
**Chair**



## Appendix One

### **Response by Mr Alan Cummine Pursuant to Resolution 5(7)(b) of the Senate of 25 February 1988**

Senator Christine Milne referred to me and other colleagues by name during a debate on a Tax Laws Amendment Bill. In doing so, Senator Milne repeated the views that Dr Judith Ajani had expressed in her submission to the Inquiry into Agribusiness Managed Investment Schemes conducted by the Parliamentary Joint Committee on Corporations and Financial Services.

For your convenience, I quote here the relevant extract from page 26 of the Senate Hansard, 10 September 2009.

I think it is time we had a very good look at who the government is listening to. We have a greenhouse mafia in Australia where people go in a revolving door from the coal industry into ministerial offices, then become lobbyists and then go into the department for a while—and round and round they go, giving one another the same advice. We have exactly the same thing here: from government to forest lobbying. Alan Cummine, for example, used to be an adviser to environment minister Ros Kelly. He went across to the forest lobbies through Australian Forest Growers, Treefarm Investment Managers Australia, and Australian Plantation Products and Paper Industry Council. Allan Hansard went from ABARE and DAFF across to the National Association of Forest Industries. Mile Prosser went from state forests of New South Wales over to NAFI, Plantations Australia and A3P. Richard Stanton from DAFF and state forests in New South Wales went over to NAFI and then A3P, the Australian Plantation Products and Paper Industry Council. Phil Townsend went from DAFF across to NAFI, to Tree Plantations Australia and then to ANU—round and round the revolving door goes. And what a surprise that they all give one another the same advice! Not only do they go round and round but they spin off occasionally into the carbon fossil sector, where you have Robin Bain, who used to work for NAFI, for Timber Communities [Australia], which used to be called the Forest Protection Society or whatever. She has gone across to be the chief lobbyist for the cement industry. It is a beautiful thing—round and round they go, giving one another the advice they want to hear.

In the context created by the first sentence about the ‘greenhouse mafia’ going through a revolving door between industry, ministerial offices and government departments, a clear implication and insinuation exists in the rest of Senator Milne’s statement that there is something inappropriate and even sinister about certain people using their knowledge and expertise to the benefit of different government and non-government organisations.

By naming me and selected parts of my recent employment (and that of my colleagues) in this context, Senator Milne is insinuating that, through the career choices I have made, my conduct has been somehow inappropriate and perhaps unprofessional, and that I may have misused my position and networks in fulfilling my duties to provide advice and representation.

I reject this insinuation and the inference that is intended to be drawn from it—both as a general principle and with respect to me personally.

The movement of people into, out of and among government, industry, academia, non-government organisations, private consultancies and diverse government appointments is a widespread and utterly unremarkable phenomenon. To single out several professionals now or recently in the forest industry as somehow having acted inappropriately by doing so is unreasonable and unwarranted.

To illustrate this phenomenon from a different perspective, I can personally name at least thirteen former environmental activists and campaigners—with whom I have had professional dealings and personal friendships going back to the mid-1970s—who have had career paths as described above, including moving into senior positions in key state and federal government agencies and then back out into environmental lobbying and consulting. I can name others who left long careers as public servants, ministerial advisers and industry leaders to take up senior positions with environmental organisations.

My own professional career is somewhat more diverse than was described by Senator Milne.

- I have tertiary qualifications in agriculture (Bachelor of Science in Agriculture, Sydney) and environment (Master of Environmental Studies, ANU).
- Relevant parts of my professional career include a span of sixteen years in Commonwealth Government departments—primary industries (northern Australia), foreign affairs (aid policy), environment and conservation (five years, including the formation of the Australian Heritage Commission), resources and energy (five years, energy conservation), finishing in 1985 as a branch head in the Department of Arts, Heritage and Environment.
- Two years with Greening Australia (1989–91) were followed by three years as a policy adviser to environment minister, Ros Kelly, before I was appointed as National Policy Director with Australian Forest Growers (AFG) in 1994.
- Since 2000, I have served in chief and senior executive positions with Treefarm Investment Managers Association (TIMA) and the Australian Plantation Products and Paper Industry Council (A3P).

Over the past 35 years, I have also been a member, sometimes quite active, of my relevant professional associations and a number of environment organisations—including Australian Conservation Foundation (still current), Tasmanian Wilderness Society and Friends of the Earth.

Throughout my career, as others will willingly attest, I have behaved with professionalism and integrity in the service of my employing organisations. I have not ever concealed the nature of my employment or my role in any organisation, and I have sought to work with government and non-government organisations that have environmental and natural resource benefits at their core. Contrary to what Senator Milne appears to be insinuating, that includes organisations representing forestry.

The manner and context in which Senator Milne described my career movements is unjustified, unfair and offensive, and I ask that you take appropriate action to correct the public record.