

Suzanne Orr MLA

Minister for Aboriginal and Torres Strait Islander Affairs
Minister for Climate Change, Environment, Energy and Water
Minister for Disability, Carers and Community Services
Minister for Seniors and Veterans

Member for Yerrabi

Our ref: QON -25/35

Mr Thomas Emerson MLA
emerson@parliament.act.gov.au

Dear Mr Emerson

Thank you for your correspondence regarding Question on Notice 22 from the Standing Committee on Social Policy's (the Committee) *Inquiry into Annual and Financial Reports 2023-24*.

As outlined in the Companion to the Standing Orders "Continuing resolution 8B was established in response to a recommendation of the Select Committee on Privileges 2010 that the Legislative Assembly adopt a resolution clarifying its position with regard to claims of immunity from answering questions or providing documents made by witnesses..."

My response to the Question on Notice did not make a claim of confidentiality. Rather, it noted the information requested may include confidential information and that Freedom of Information (FOI) processes would be the appropriate mechanism for that information to be requested and assessed. Relevant FOI requests have already been processed and released, including:

- the Incoming Government Brief prepared for the Chief Minister¹; and
- incoming briefs for the Corrective Services portfolio²;
- incoming briefs for the Police, Fire and Emergency Services portfolio³;
- incoming briefs for Gaming Reform portfolio⁴; and
- incoming briefs for Prevention of Family and Domestic Violence portfolio⁵.

¹ FOI #CMTEDDOI 2024-408, https://www.cmtedd.act.gov.au/data/assets/pdf_file/0007/2817205/2024-408.pdf

² FOI #JACS2025-310, <https://www.justice.act.gov.au/about-us/freedom-of-information/disclosure-log/disclosure-logs/jacs2025-310>

³ *ibid*

⁴ *ibid*

⁵ FOI #FOI-CSD-24/14, <https://www.communityservices.act.gov.au/home/disclosure-log/disclosure-logs/foi-csd-2414>

In the context of the Committee's inquiry into agencies' annual and financial reports for 2023-24 and your request for handover briefing documents prepared during the 2024 caretaker period for the incoming Government/Minister(s), I consider that the Freedom of Information remain the appropriate mechanism for this information to be sought.

Yours sincerely

A handwritten signature in blue ink, appearing to be 'Suzanne Orr', written in a cursive style.

Suzanne Orr MLA

22/03/25



Inquiry into Annual and Financial Reports 2023–2024

Answer to question on notice

Asked by: Mr Thomas Emerson MLA

Addressed to: Suzanne Orr MLA

Reference: Handover Documents from Community Services Directorate/Community Services Directorate

Hearing: 10 February 2025

In relation to: Handover Documents from Community Services Directorate

Question received: 18 February 2025

Answer Due: 25 February 2025

1. Can you please provide a copy of all handover briefing documents your directorate/agency prepared during the 2024 caretaker period for the incoming Government/Minister(s)?

Suzanne Orr MLA: The answer to the Member's question is as follows:

1. Briefs prepared by the ACT Public Service for the incoming government contain a range of information ranging from factual to policy advice to sensitive communications. Disclosure of parts of this information may be contrary to the public interest. The appropriate mechanism to request access to this information is through a request under the *Freedom of Information Act 2016* submitted to the relevant directorate.

Approved for circulation to the Standing Committee on Social Policy

Signature:

Minister for Disability, Carers and Community Services, Suzanne Orr MLA

Date:

27/02/25



Ms Suzanne Orr MLA
Minister for Disability, Carers and Community Services
Legislative Assembly for the ACT
196 London Circuit
CANBERRA ACT 2601

Dear Minister

Question response: Inquiry into Annual and Financial Reports 2023–24

I write on behalf of the Standing Committee on Social Policy in relation to your response to Question on Notice 22 for the above inquiry, dated 27 February 2025 (Attachment A).

The Committee notes that your response includes a claim of confidentiality in relation to the production of the requested information. Parliamentary privilege overrides this claim. To manage these situations, the Assembly has passed continuing resolution 8B that uses a public interest test.

If there is no harm to the public interest, the Committee requests that you provide a copy of the requested materials via email to the Committee Secretary.

Where there is a harm to the public interest, the Committee requests that you provide a statement in accordance with continuing resolution 8B specifying the following:

- The harm to the public interest that could arise from the public disclosure of the handover briefing documents requested; and
- Whether the harm would accrue from providing the material as confidential evidence.

Please provide your statement via email to the Committee Secretary **by 5.00 pm on 21 March 2025**.

Any queries can be directed through the Committee Secretary, Ms Katie Langham, on (02) 6207 5498 or at LACommitteeSP@parliament.act.gov.au

Yours sincerely

Mr Thomas Emerson MLA
Chair

14 March 2025