



LEGISLATIVE ASSEMBLY

FOR THE AUSTRALIAN CAPITAL TERRITORY

SELECT COMMITTEE ON ESTIMATES 2024-2025

Ms Nicole Lawder MLA (Chair), Ms Suzanne Orr MLA (Deputy Chair),
Miss Laura Nuttall MLA

ANSWER TO QUESTION TAKEN ON NOTICE DURING PUBLIC HEARINGS

Asked by: Ms Elizabeth Lee MLA

Addressed to: Chief Minister

Reference: Uncorrected Hansard Transcript [106 – 107]

Hearing Date: 23 July 2024

QTON lodgement date: 24 July 2024

Answer Due Date: 29 July 2024

MS LEE: Perhaps you can take this on notice, given that you have no visibility about any of these, but in the last five years can you please provide to the committee the number of senior executive members who have applied for and been granted legal assistance and how much that is.

Ms Leigh: Ms Lee, I do not have that information. I do not have a way of obtaining that information. That is a matter that could be directed to the Solicitor-General who would be able to provide such information I expect.

THE CHAIR: Can I just confirm for my own understanding, that generally for public servants if they are involved in as a witness or if they are taking significant legal action themselves, is there any policy or guideline to say that they should let their manager know that this is occurring?

Ms Leigh: That would depend on the circumstances. So most of these matters are workplace matters and so of course a supervisor would be aware because, as I said, the traffic officer is called because there has been an incident and they were a witness or in some way involved, that of course they would tell their supervisor. The supervisor would want to take that into account in ensuring that they were not overloaded with duplicate responsibilities when they were preparing to appear before a court.

So of course, they would tell their supervisor, but as I said, we have a small public service with a large range of responsibilities, and they are not the type of matters that would normally be efficient to be raising to the Head of Service. Yes, of course, in the normal course people might do that but then there would also be circumstances where they might be constrained from doing that, including Integrity Commission matters.

MS LEE: Ms Leigh—sorry, can I, Chair?

THE CHAIR: Yes.

MS LEE: Yes. Ms Leigh, do not the law offices—legal services directions say that in applying for a grant of legal assistance that it be requested, obviously through the Solicitor-General, but also in consultation with the Director-General of the relevant directorate?

Ms Leigh: Well that may well be the case. And that does not mean that I would need to be consulted.

MS LEE: Okay. So that being the case then, as a Director-General of CMTEED—

Ms Leigh: Yes.

MS LEE: —can you please take on notice the question that I asked earlier in so far as it relates to your directorate?

Ms Leigh: Well I will take on notice providing you whatever information I can in relation to that question.

ANDREW BARR MLA: The answer to the Member's question is as follows:

The provision of legal assistance to public sector employees and officials is considered by the Solicitor-General and no consultation is required with the employing agency in instances where to do so would infringe applicable secrecy requirements.

I am advised that 5 senior executives of Chief Minister, Treasury and Economic Development Directorate have requested legal assistance in the last 5 years.

Approved for circulation to the Select Committee on Estimates 2024-2025

Signature: 

Date: **31. 7. 24**

By the Chief Minister, Andrew Barr MLA