

OMBUDSMAN'S REPORT — LEGAL SERVICES COMPLAINTS COMMITTEE

1243. Hon NICK GOIRAN to the parliamentary secretary representing the Attorney General:

I refer to the answer to my question without notice 1090 regarding the Attorney General's request that the Ombudsman consider the handling of complaints by the then Legal Profession Complaints Committee.

- (1) Why did the Attorney General falsely tell the house on 27 October 2022 that "there is no such document", when in fact he wrote to the Ombudsman on 27 August 2019?
- (2) Does the Attorney General still maintain that it is reasonable and appropriate to not provide that document to Parliament because of section 23(1a) of the Parliamentary Commissioner Act 1971?
- (3) Is the Attorney General aware that the Office of the Auditor General is not aware of any instance in which that office has had to consider a non-disclosure decision made for that reason?
- (4) Will the Attorney General comply with section 82 of the Financial Management Act 2006 so that his decision can be tested, particularly given his press release on 23 November 2022 about granting the Auditor General unprecedented access to sensitive information?
- (5) If yes to (4), when will he do this?

Hon MATTHEW SWINBOURN replied:

I thank the member for some notice of the question. The following answer has been provided to me by the Attorney General.

- (1) The Attorney General's request for the Ombudsman to conduct an inquiry into the then Legal Profession Complaints Committee's handling of complaints was made verbally on 28 August 2019. On 15 November 2022, the member sought access to the first document created by the Attorney General or his office related to the request after it had been made verbally, including a letter. This search by the Attorney General's office produced a letter dated 29 August 2019, which confirmed in writing the verbal request made the previous day. The answer was clarified in good faith at the first available opportunity on 15 November 2022.
- (2) The Ombudsman advised the Attorney General today that in accordance with, and having regard to, section 23(1b) of the Parliamentary Commissioner Act 1971, he is of the opinion that it is in the public interest for the letter to be publicly disclosed, with a redaction to remove the name of a particular legal practitioner. I table the document.

[See paper [1888](#).]

(3)–(5) Not applicable.