

STANDING COMMITTEE ON PROCEDURE AND PRIVILEGES — FIFTY-FIFTH REPORT —
STATE SOLICITOR'S OFFICE

882. Hon MICHAEL MISCHIN to the Leader of the House representing the Attorney General:

I refer to tabled paper 2939, correspondence between the Commissioner of the Corruption and Crime Commission and the Attorney General.

- (1) Will the Leader of the House detail the procedure followed by the State Solicitor's Office to identify and remove any documents that "may" be subject to parliamentary privilege, when it was performed, and identify by name and position the officers and staff of the State Solicitor's Office who had access to the documents and were making those decisions?
- (2) Will the Leader of the House table any correspondence between the Attorney General and the State Solicitor's Office regarding that procedure; and, if not, explain why not?

Hon SUE ELLERY replied:

I thank the honourable member for some notice of the question.

- (1)–(2) As the member is aware, it is not uncommon for governments to obtain State Solicitor's Office advice to determine whether certain matters would, for example, be the subject of cabinet confidentiality and privilege, including legal professional privilege and parliamentary privilege, in accordance with established legal principles and convention. SSO advice may also be sought in order to ascertain whether the disclosure of certain information may jeopardise the administration of law and order in this state. In that context, the information and advice that the member has requested is properly the subject of a claim of legal professional privilege, and that privilege has not been waived.