

**SELECT COMMITTEE INTO
THE DEPARTMENT OF EDUCATION AND TRAINING**

**TRANSCRIPT OF EVIDENCE TAKEN
AT PERTH
TUESDAY, 5 DECEMBER 2006**

SESSION ONE

Members

**Hon Giz Watson (Chair)
Hon Norman Moore
Hon Graham Giffard**

Hearing commenced at 11.20 am

WHITE, MS MICHELLE
Former Media Adviser to Minister
for Education and Training, examined:

CHAIR: Thank you very much for attending this meeting. On behalf of the committee, I welcome you to the meeting. You will have signed a document entitled "Information for Witnesses". Have you read and understood that document?

Ms White: I have.

CHAIR: These proceedings are being recorded by Hansard. A transcript of your evidence will be provided to you. To assist the committee and Hansard, please quote the full title of any document you refer to during the course of this hearing for the record. Please be aware of the microphone and try to speak into it. I remind you that your transcript will become a matter for the public record. If for some reason you wish to make a confidential statement during today's proceedings, you should request that the evidence be taken in closed session. If the committee grants your request, any public and media in attendance will be excluded from the hearing. Please note that until such time as the transcript of your public evidence is finalised, it should not be made public. I advise you that premature publication or disclosure of your evidence may constitute a contempt of Parliament and may mean that the material published or disclosed is not subject to parliamentary privilege.

We have some further questions for you. The committee has received evidence that the department received a copy of the CCC's media statement of 1 June 2006 just after 5.00 pm on that day - 1 June. Did you ever see the actual media statement or just the news summaries about the media statement?

Ms White: On the first or the second, sorry?

CHAIR: On the first.

Ms White: I thought I had got it on the first - earlier in the day, but that is just my recollection. As I stated last time I was here, I am a bit sort of fuzzy on dates. It is my understanding that I received it. It was e-mailed to me and I was acting off that when I spoke to the department. I actually think the department was trying to chase the release. I can sort of remember from one of the conversations that the department had not seen the release at that point but I thought maybe I would forward it onto them.

CHAIR: Your understanding is that you received the information by e-mail?

Ms White: Yes; it was e-mailed to me.

CHAIR: Was that the actual media statement itself or was it a news summary of the statement?

Ms White: I received the actual media statement. I have a copy of the media statement here and I provided a copy to you. That is what I received. I also received news summaries. I am not sure what time I received this.

CHAIR: It is still your memory that you believe you received it on the first?

Ms White: It is, yes.

CHAIR: When did you speak Liz DiGiovanni about the CCC media statement and what did you speak about?

Ms White: I was actually thinking after I gave evidence last time - I am not even 100 per cent certain it was Liz I spoke to, but I did speak to the department. It was when I received the media statement that I thought it was Liz I had spoken to but it may also have been Andy or both of them. I contacted them straight away to find out what our position would be and what I would be able to mention to the media if I got any calls about it. It is my recollection that they told me that it was a departmental matter and that they would be handling all the media inquiries.

CHAIR: Did you indicate when you believed you had that conversation?

Ms White: It would have been when I got the media statement.

CHAIR: When you said you believed you received the media statement by e-mail -

Ms White: Yes; that is right

CHAIR: Can you tell us who sent the e-mail?

Ms White: John Arthur from the Government Media Office sent it to me. I actually have the covering sheet or the e-mail but I did not bring it with me today.

Hon NORMAN MOORE: I think we should get a copy of that.

CHAIR: Yes. Do you still believe you received it on the 1st? Is that my understanding?

Ms White: I think so, yes

CHAIR: Did you ever speak to Paul Albert about the CCC media statement of 1 June?

Ms White: I do not think I spoke to him on 1 June

CHAIR: But about that particular statement even if it was not on 1 June?

Ms White: No. It would not have been normal practice. I contact the media people there and they then speak to Paul Albert and then I would get the information back via the media team. I seldom ever spoke to Paul Albert on the phone; it was always through Liz or Andy or someone in the department. The only time I would speak to him was if he was in our office or if we were on a trip somewhere or travelling together.

Hon NORMAN MOORE: Andy is?

Ms White: Andy O'Brien in the department.

Hon GRAHAM GIFFARD: Did you speak to Mr Paul Albert about the 1 June media statement at any other time?

Ms White: I spoke to him later on. As I said last time, I am pretty sure it was on a trip. Again, I am quite vague on when things happened. I raised it with him because I wanted a little bit of information in case I got media inquiries about it. He told me in very general terms what was being investigated. It was a very informal conversation; it was not at a meeting.

Hon GRAHAM GIFFARD: When you say in general terms, what do you recall he said to you?

Ms White: He basically told me about one of the cases being investigated. He gave me some sort of sketchy details about that case. We were just talking generally about how the CCC will investigate things in departments. Essentially he said for us not to worry about it until a report came out and he would let us know kind of thing when we would have to concern ourselves with it.

CHAIR: Did you ever speak to other staff in the minister's office individually or as part of a group discussion about the CCC media statement of 1 June and the subsequent CCC inquiry?

Ms White: I can remember speaking to Paul Joyce, the chief of staff, about it. Again, that would have been after I had received the e-mail. Again, as general practice I would have gone up and told him what I had received and that I had spoken to the department and basically given him the heads up and also tried to get in contact with the minister.

CHAIR: Can you tell us when and how that conversation was had with Mr Joyce?

Ms White: I am pretty sure I went around to his office and was speaking to him in his office.

Hon NORMAN MOORE: Do you know whether it was 1 or 2 June?

Ms White: I think it was the first.

Hon NORMAN MOORE: In the evening?

Ms White: Yes, I think so. I am not really sure. I think so, yes.

Hon NORMAN MOORE: The evidence provided to us is that the release was issued at 5.04 pm on 1 June. That is why we are interested to know when you received it from the GMO, but it seems that it was not issued by the CCC until around about that time, in which case it was highly unlikely that anyone would have got a copy at the end of that. That is why we are interested in knowing when you spoke to Mr Joyce about it, and whether it was that evening or the following day.

Ms White: I am pretty sure that as soon as I got it I went around and had a chat to him. I thought the minister was away. Just going from the daily itinerary in the diary I have here from the minister's office, it would have been when he got back to the office that I would have spoken to him.

CHAIR: The itinerary is for which day, the first?

Ms White: That is right - 1 and 2 June. I would have spoken about it the next day because I remember the minister going to this function quite early and it was an issue trying to get hold of her to raise media issues with her.

[11.30 am]

CHAIR: Can I be clear? You are saying that your memory is that you spoke to him quite early in the day.

Ms White: The next day, yes. I am pretty sure that I spoke to him on the Thursday as well, and that is because my general practice in the office was that when I got something like this, I would immediately raise it with Paul or Lance. Often I would speak to Lance McMahon, because he was the senior policy officer, about these issues or the minister - whomever I could get access to. I will check on the e-mail when I received it. My recollection of that time, which I keep saying is very vague because it was such a hectic time, is that it was earlier in the day that I got the heads up about this, but it may not have been. We worked quite late anyway, so maybe it would have seemed as though it was midday when it was five o'clock.

CHAIR: I can understand that.

Hon NORMAN MOORE: Could it have been the following day?

Ms White: It could possibly have been the following day, yes.

CHAIR: Did you ever speak directly to the minister about the CCC inquiry?

Ms White: I cannot remember speaking to her directly, such as briefing her about it or bringing it up. I think at the time I could not get through to her so I spoke to others. The time that I talked to Paul Albert about it, the minister was with us, but I do not think she was included in the conversation. I seem to remember that she was in the group but not actually having that conversation with us.

CHAIR: Can I expand on that? What were the circumstances of that conversation? Was there a group of people?

Ms White: Yes. We were travelling, and there was a group of us. I am thinking that it may have been Sharyn O'Neill, but I would need the diary to jog my memory about who was with me, and I do not have the diary for that date, unfortunately.

CHAIR: Which date was that?

Ms White: It would have been either when we were travelling to the MCEETYA meeting - there was one in Melbourne and there was one in Brisbane. I requested diary dates from the minister's office, and these are the ones that I have been provided with. I cannot reliably say when the others were because I would have to look at who was travelling.

Hon GRAHAM GIFFARD: When you previously appeared before us, you spoke about the occasion when you had a discussion with Mr Albert.

Ms White: Yes.

Hon GRAHAM GIFFARD: You indicated to us that you were travelling. You said, "I remember we were on a trip; we were going somewhere." I asked you whether it was on a plane and you said yes. I asked you whether you went to the MCEETYA meeting and you said yes. I then asked you whether it could have been at that meeting and you said, "Possibly, yes." Is it your evidence now that it was not on a plane?

Ms White: No, it was definitely on a trip. I am pretty sure that it was on a plane.

Hon GRAHAM GIFFARD: However, the discussion with Mr Albert was on a plane?

Ms White: Yes; I think it was on a plane.

Hon GRAHAM GIFFARD: A minute ago you said that there were a few people around. You were all seated on the plane.

Ms White: There were a few of us. We always sit together. Whenever we travel, we are always in a cluster.

Hon NORMAN MOORE: With regard to your previous evidence, you were asked whether you subsequently discussed it with the minister. That was after you had advised us that you talked to Mr Joyce. You said, "Not that I can remember - directly with her. I can remember we were talking about it but I cannot remember specifically bringing it up with her one on one."

Ms White: I cannot, no.

Hon NORMAN MOORE: Is that the conversation that you have just referred to?

Ms White: Yes. Even the time when I discussed it with Paul Albert and we were talking about it, it was not something that was mentioned afterwards. I have no memory of having a conversation with the minister specifically about the CCC investigation.

Hon NORMAN MOORE: Was the minister in the group that was discussing it?

Ms White: She was in the group, yes.

Hon GRAHAM GIFFARD: Was there any other occasion when you discussed the CCC report into sexual abuse allegations with any person in the department or with the minister's staff at which the minister was present?

Ms White: The only one I can confidently remember is the one on the trip, and I remember that because I got sketchy details about cases being investigated.

Hon NORMAN MOORE: Do you recall whether the minister would have overheard the conversation?

Ms White: She may have, yes. We were sitting closely together. However, again, normally she would sit and read files when we were travelling and occasionally sort of join the conversation, but most of the time she had her head down in a file. I can remember this being me asking Paul Albert, "What can you tell me about it?" and getting a bit of information. It was a really informal conversation. It was not even like a briefing; he was just bringing me up to speed with what was

being investigated and one of the cases. He talked about one of the cases, which was on a plane actually, and that is why it came up in that conversation.

Hon NORMAN MOORE: Was this is commercial flight or was it a chartered aircraft?

Ms White: I do not know. I just sound terribly vague, but those eight months in that office are just a blur.

Hon NORMAN MOORE: That would be important to know because sitting on a commercial aircraft you all face the front.

Ms White: But we always get seated together.

Hon NORMAN MOORE: On a chartered aircraft, you could face each other.

Ms White: Yes. We would always sit two and two. I can remember speaking to him; I just cannot remember where. I am sorry that I cannot give you any more information than that. It was an incredibly mental time. I can remember certain things, but it all seems like one long horrific day.

CHAIR: The whole eight months?

Ms White: Yes.

CHAIR: In your previous evidence you indicated that you spoke on the phone to Daron Smith about the CCC inquiry. Did you phone him or did he phone you?

Ms White: We were tag-teaming. My recollection is that I was constantly trying to get through to him and leaving messages on his phone and the minister's phone. In the afternoon I do remember that, after the announcement had been made, he rang me and told me that an announcement had been made. We talked about that and what we were going to do and what it would mean for me as the media person. I thought that I had mentioned what had been happening in the office to bring him up to date with what had happened while I had not been able to speak to them. I think I did mention it to him, but I saw in the paper that he mentioned that he could not remember me saying that. It is quite possible that it got lost in the conversation about Wiluna, which was the focus that day.

CHAIR: It is your recollection that the conversation you had with Mr Smith was at some time while he was in Wiluna.

Ms White: Yes, I did speak to him in Wiluna before they got on the plane.

CHAIR: Can you remember roughly what time you spoke to him?

Ms White: It would have been in the afternoon. I think that I spoke to them before they left Wiluna and I think that I spoke to them when they touched down as well, because I would have left messages while they were in transit, and then I would have spoken to him when they got back. I am trying to remember whether he went home. I definitely spoke to him in Wiluna and when they got back and got off the plane.

CHAIR: I believe that in your previous evidence you indicated that in the conversation you had with him in Wiluna, you spoke about quite a few matters. Do you have any recollection of how long you spoke with Mr Smith?

Ms White: About five minutes.

Hon NORMAN MOORE: While we are on this matter, we are having some difficulty because the release did not go out until five o'clock in the afternoon. According to this daily itinerary, the minister was in fact back in Perth at 3.15 pm, which was before the release went out.

Ms White: I thought they got back later than that.

Hon NORMAN MOORE: It does not seem possible that you could have spoken to Mr Smith about the issue on Thursday the first, because it would not have been put out when you talked to him. It is impossible that you talked to him on the following day?

[11.40 am]

whit: Yes, it is possible. I thought they got back from Perth later, but, according to the itinerary, they got back mid-afternoon - I thought it was late afternoon. I am referring to the itinerary on Thursday, 1 June. It might have been when they came back to the office at about 5.00 or 5.40-ish. It may not have been Daron Smith who was in that conversation when they got back to the office. I definitely spoke to him in Wiluna. I thought I had mentioned CCC stuff because general practice would have been to have brought him up to speed with everything that was happening, but it could quite possibly have been the next day.

Hon NORMAN MOORE: With respect to the next day, I gather from this that the minister was visiting the Swan Valley. Is it likely you might have talked to Lance or someone that day on the phone while the minister was in the Swan Valley?

Ms White: It would have been whoever she was with. Essentially, if I could not get through to the minister's phone, I would then harass the person who was travelling with her. On the next day, in the morning, it was Lance McMahon. The previous day it was Daron Smith. Later in the day it was Daron Smith. You can look at the Friday, 2 June itinerary. I think when I get home, I will dig out the cover sheet for the e-mail.

CHAIR: That would be very useful.

Ms White: Then I will know without relying on memory when I received the e-mail from the GMO.

CHAIR: That would be very useful if you could provide us with that as soon as you have an opportunity.

Ms White: Yes.

CHAIR: Can you please go through the occasions on which you recall Paul Albert speaking to the minister about the CCC inquiry?

Ms White: When I can recall him speaking to her?

CHAIR: Yes.

Ms White: I cannot ever recall him speaking to her about it - or not when I was there. And I sat in on quite a few of the departmental briefings, even though I am often not always listed on the list of attendees. The minister would often call me in to sit in on them anyway. At none of the departmental briefings I ever sat in on was the CCC investigation ever mentioned.

CHAIR: There was another occasion on 2 August when there was a meeting in the minister's meeting room in the office, and you mentioned overhearing a conversation in the corridor. I believe it was at the end.

Ms White: After a meeting, yes.

CHAIR: Can you recall what the minister said to Mr Albert in the corridor?

Ms White: I cannot, no.

Hon NORMAN MOORE: What do you recall of the conversation?

Ms White: Just what I said last time; it was more eavesdropping than anything. It was a matter of that a call had come through and I can remember Paul Albert saying "Apparently this report looks bad" or something to that effect, and people in the office going something like "That's all we need." It was just general conversation about this phone call that had come through. I can just remember him getting this call and he had been given the information and he was just sharing it with the

people outside the meeting. I can remember the minister had walked out, but I thought she had gone straight into her office. She may have loitered for a bit before going into her office.

Hon NORMAN MOORE: I am trying to work out how the telephone call might have occurred. There are two occasions on which you might have overheard a conversation - one was the MCEETYA meeting and the other was the 2 August meeting. There is no evidence that Mr Albert took a phone message on 2 August but there is that he did at MCEETYA.

Ms White: At MCEETYA, yes.

Hon NORMAN MOORE: Can you clarify which occasion you are referring to?

Ms White: I can actually remember MCEETYA now that you said that, but I thought he got a call in the office as well. That is my memory.

Hon GRAHAM GIFFARD: What can you recall about MCEETYA?

Ms White: Now that you have put it in that context, I can remember the “bad report” call being at MCEETYA.

Hon GRAHAM GIFFARD: Let me get this straight. You recall the MCEETYA meeting - the trigger for having the discussion with Paul Albert was the phone call?

Ms White: No; I do not think so.

Hon GRAHAM GIFFARD: But you recall a phone call at MCEETYA, is that what you are saying?

Ms White: Now that Mr Moore said that, that does ring a bell. But I also remember a phone call in our office. I have not looked at anyone else’s evidence or sought any information other than diary entries, so my memory of all this is quite sketchy. I have not collaborated with anyone else. I do not know how reliable my memory is with respect to all this stuff.

Hon NORMAN MOORE: Do you know whether anyone else has been collaborating on this?

Ms White: The only time I speak to people is when I see them out here. I am living a quiet life these days - or trying to.

Hon NORMAN MOORE: The answer is no. Hansard only takes down verbal responses. Shaking your head is not recorded.

Ms White: No.

Hon NORMAN MOORE: Did you leave the minister’s office on good terms?

Ms White: Yes, I did - for personal reasons.

Hon NORMAN MOORE: There is a lot of confusing evidence going around the place at the moment.

Ms White: It was a really confusing time.

Hon NORMAN MOORE: I suspect most of it is because people do not remember things as detailed as we would like them to remember them, which is understandable obviously. The committee has been advised by Ms DiGiovanni in the department that she received the CCC media statement on 1 June at 5.00 pm or thereabouts. There is some debate about whether it was 5.00 pm, 5.04 or 5.12 or whatever, but at that particular time. She then said that she spoke to you three or four times that night to discuss the media statement. She also spoke to you again on 2 June 2006?

Ms White: That sounds normal, yes.

Hon NORMAN MOORE: And she has checked her phone records and confirmed these phone calls to you. She says she did not provide you with a copy of the CCC media statement, but you have testified that you got it from the GMO and you can get us a cover sheet for that. The CCC also did not send it to anyone either. Ms DiGiovanni also then says that she did not provide you

with copy because you were at home and not in the office and so she could not fax you a copy. Does that ring any bells? This is on the evening of 1 June.

[11.50 am]

Ms White: Yes, she would not have been able to fax it to me. I was at the office late that night. I do remember that because I was having a birthday dinner and I was late for my birthday dinner because I was dealing with stuff in the office. If she spoke to me, she would have spoken to me on my mobile, which would have been either in the office or in the car heading home, because I did not get home until late that night.

Hon NORMAN MOORE: Was that your birthday?

Ms White: It was, yes.

Hon NORMAN MOORE: It sounds like a good day!

Ms White: Yes, and then I had media calls all night as well. I remember that as well.

Hon NORMAN MOORE: About this issue?

Ms White: No, OBE and lots of other usual education portfolio issues.

Hon NORMAN MOORE: She also advised that she had prepared the department's response to the media on the night of 1 June and read it over the phone to the ABC. She said that she had also read it to you and that she always ran department responses past the minister's media adviser. That is your understanding.

Ms White: Yes, she did.

Hon NORMAN MOORE: Do you remember whether Liz DiGiovanni gave you a copy of the department's response?

Ms White: I can remember us going through it.

Hon NORMAN MOORE: Who would you have discussed it with in the office?

Ms White: Everyone.

Hon NORMAN MOORE: Who is everyone?

Ms White: Sorry; Paul Joyce and whoever would have been in the office the next morning I would have discussed it with, so that everyone knew that the department was handling it and the department was putting out a response and if anyone else got a call, they would know where to direct people for information or for the response.

Hon NORMAN MOORE: With regard to the press release itself and the way in which you responded to it, there are two aspects to the press release: one is the details of the Australian Federal Police charging a 40-year-old teacher, which in itself is a story; and the second part of the press release refers to the CCC conducting an inquiry into a number of issues surrounding allegations of sexual misconduct towards students by staff and that it was to report to Parliament. Do you recall whether the conversations in the office centred around the first or second bit or both?

Ms White: Both.

Hon NORMAN MOORE: What was considered to be the most serious aspect of it - the first bit or the second bit? From your recollection, was the fact that the CCC was conducting this inquiry and was going to report to Parliament discussed as a serious issue?

Ms White: It is my recollection that we knew that it was investigating anyway, so that was not the new issue for that day. The issue was that the teacher had been charged as a result of the CCC investigation, because we already knew that there was an investigation in the department on a general level.

Hon NORMAN MOORE: You are of the view that people in the minister's office knew about it before this.

Ms White: Yes.

Hon NORMAN MOORE: Were they aware that it was going to be tabled in Parliament?

Ms White: I can only presume so; I do not know.

Hon NORMAN MOORE: It is included in the press release. It stated that the commission planned to table a report in Parliament on this important issue later this year. Do you recall whether that was discussed?

Ms White: I do not recall, no.

Hon GRAHAM GIFFARD: Are you saying that people already knew. That would be prior to 1 June?

Ms White: I think so, yes.

Hon GRAHAM GIFFARD: What do you think they already knew?

Ms White: That these investigations were routine and that they happened in the department. My understanding was that -

Hon GRAHAM GIFFARD: - the CCC was already in the department?

Ms White: Yes.

Hon GRAHAM GIFFARD: Did you have any reason to think that people already knew that the CCC was working on a report to be tabled in the Parliament? Is there anything you can point to?

Ms White: I cannot remember anything about the report. I cannot remember us talking about a report. I can just remember it generally being a routine investigation in the department. The way I was told to deal with it at the time through the department was that it would let me know when I had to worry about it.

Hon NORMAN MOORE: When you got the CCC press release, which came from the GMO, do you recall giving it or a copy of it to anybody else in the office? I understand that we are asking you to remember things that are very difficult to remember.

Ms White: I cannot remember specifically in relation to this, but normally I would forward it to people I needed to discuss it with. For instance, if it was an area that involved Paul Joyce and Lance McMahon, I would forward it in an e-mail to them, but I cannot remember specifically in this case.

Hon NORMAN MOORE: Would there be an e-mail record of that if you sent it to one of those other people?

Ms White: There should be, yes, if I did do it. Given that they were out of the office that day, maybe I did not; maybe it was all done on the phone.

CHAIR: Ms White, thank you very much for your time this morning. We appreciate it.

Hearing concluded at 11.56 am
