Jodeen Carney  
Shadow Attorney-General,  
Shadow Minister for Justice, and Women's Policy

Release of public servant personnel files  
23 June 2004

The Territory Labor Government has released public servants' files without their consent to a law firm to use in legal proceedings, CLP Shadow Attorney General Jodeen Carney told Budget Estimates Hearings in Parliament today.

Ms Carney questioned Justice Minister Peter Toyne about alleged breaches of the Public Sector Employment and Management Act and the Information Act, following the release of personnel files of one former Territory public servant and a current public servant.

Ms. Carney also asked the Minister responsible for the Office of the Commissioner for Public Employment yesterday about the release of files.

“Neither Minister was able to answer my questions concerning the release of the personal files,” Ms Carney said.

“Although the Court was not required to rule on the illegality or impropriety of the files being released, the lawyers representing the public servants argued that there had been a 'reckless disregard of the law' by releasing the personal information'.

“Territory Public servants will be alarmed to know that lawyers representing the Government argued consistently that the ‘Information Act gives no right to privacy’, particularly in light of assurances given by Government when it introduced the Act.”

Ms. Carney said that she understands that both the Commissioner for Public Employment and the Information Commissioner were conducting investigations into the release of the files, requested by the lawyers acting for the public servants.

“Over and above internal enquiries, this Government has a responsibility to act to ensure that the files of public servants would not be released in the future.

“The Justice Minister needs to be held to account. He must have an inquiry into this issue, but it appears he wants to ignore in the hope that it will go away”, Ms Carney said.

“Some public servants have told me they are worried about their personal information being released. I share their concern and Government needs to act to ensure this never happens again.”

Ends