

**Submission**

**No 10**

**INQUIRY INTO THE 2009 MT PENNY RETURN TO  
ORDER**

**Name:** Mr John Lee

**Position:** Former Director General, Department of Premier and Cabinet

**Date Received:** 14/06/2013

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22 May 2013

3/309 Pitt Street  
SYDNEY NSW 2000

The Director  
Privileges Committee  
Legislative Council  
Parliament House  
SYDNEY NSW 2000

Dear *Sir/Madam*

Thank you for your letter of 8 May 2013 regarding the inquiry into the 2009 Mt Penny return to order.

I appreciate the offer to make a submission to the Committee inquiry and commend you on your work.

As outlined in your report *Possible non-compliance with the 2009 Mt Penny order for papers – Report No 68 – April 2013*, the responsibility for providing material to the Legislative Council lay with individual agencies.

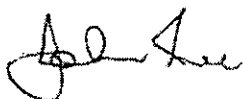
As indicated in Appendix 4 of the report, Mr Chris Eccles' (Director General of the Department of Premier and Cabinet) letter to the Legislative Council dated 18 January 2013 he wrote,

*"In respect of documents that are being provided by other agencies, DPC does not independently review the documents being produced. Instead each agency is responsible for ensuring that the documents it is producing are fully responsive to the order, and it is required to provide a separate index of those documents."*

The Deputy Director-General and General Counsel of DPC at that time was Ms Leigh Sanderson. Ms Sanderson was also the Cabinet Secretary and had responsibility for FOI and Call for papers requests. It is my understanding that Ms Sanderson met all of her obligations with respect to this matter.

Thank you for the opportunity to respond.

Kind regards,



JOHN LEE