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COMMONWEALTH OF AUSTRALIA

SENATE

ENVIRONMENT, RECREATION, COMMUNICATIONS AND THE ARTS
LEGISLATION COMMITTEE

Reference: Matters arising from Telstra annual report 1995-96

CANBERRA

Tuesday, 24 June 1997

PROOF HANSARD REPORT

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CANBERRA

also understand it, Mrs Oldfield accepted a final offer from Telstra, but I do not know the exact detail of it.

Senator CALVERT—With due respect, I am not interested in Mrs Oldfield. I am concerned about Sandra Wolf.

Mr Pinnock—I understand that, but that is what, as I understood it, the chair asked me about.

CHAIR—I did ask.

Senator CALVERT—I am sorry.

CHAIR—I asked because I wanted to know whether—

Senator CALVERT—Mr Pinnock, now that you have made that point, didn't you express serious concerns as far as Ms Wolf was concerned about Telstra's failure to provide documents sought by Ms Wolf under Freedom of Information and a deliberate attempt made by Telstra to stonewall on that issue?

Mr Pinnock—No, I dealt with—

Senator CALVERT—Would you repeat that? You did not?

Mr Pinnock—No, my comments in relation to Telstra's provision of documents or their failure to provide documents were not made, as far as I can recall, in the context of FOI. The Telecommunications Industry Ombudsman has no jurisdiction in relation to Telstra and FOI. But, from time to time, there are issues arising within the TIO about the provision of documents to complainants. From time to time, yes, I have criticised Telstra in relation to the provision of those documents. But I do not deal with FOI applications per se, Senator; in fact, I never do. If you have a specific document that you are referring to, I would be happy to—

Senator CALVERT—So you are saying that in your position you have not expressed concerns about Telstra's failure to provide documents to Ms Wolf?

Mr Pinnock—No, I did not say I have not expressed that. I understood your question to refer specifically to FOI. I have never, in the office, as far as I recollect, made any suggestion in relation to Ms Wolf's matter of criticising Telstra in relation to FOI. I may well have done so in relation to provision of documents in relation to the TIO trying to assist Ms Wolf to resolve her matter with Telstra. If you have a specific document, Senator, that you can refer me to I would be happy to deal with it.

CHAIR—Mr Pinnock, I think the question Senator Calvert is asking is: have you

at any time thought that Telstra delayed unduly in providing information to the person to whom Senator Calvert was referring?

Mr Pinnock—I cannot recollect that specifically in relation to Ms Wolf. I have certainly been critical of Telstra in relation to other aspects of its dealing with that particular complaint.

Senator CALVERT—I have not got the correspondence with me, but I have a lot of correspondence regarding this matter, I can assure you. Would you be aware, Mr Pinnock, of certain documents entitled 'Wolf PT crime' that remained on Ms Wolf's file until July 1995? And could you explain, or perhaps Telstra could explain, why Telstra destroyed those documents over a year after Ms Wolf sought those documents from Telstra under FOI?

Mr Pinnock—I am aware that certain documents were created by Telstra which Ms Wolf complained about—not so much just the documents themselves but what she contended they were evidence of. That particular document you refer to I cannot specifically recollect. As to whether or not it was destroyed, it may well have been, but that is a matter for Telstra to explain, Senator. I do not know whether any document specifically was destroyed in relation to any complaint that Ms Wolf made which the TIO was looking at.

But she maintains that there are documents which were created—which were available to her under FOI and which I believe were provided to her under FOI—and which revealed that there was a campaign on the part of Telstra to monitor her behaviour. I use 'monitor' in the broadest sense; I do not mean strictly in relation to the Telecommunications Act. That is part, as I understand, of her particular claim against Telstra and the consequences that flow from that.

Senator SCHACHT—What does the phrase 'monitor her behaviour' mean?

Mr Pinnock—The detail of it I cannot explain right now, because I was not on notice that that matter was going to be raised.

Senator SCHACHT—Do you know what it means?

Senator CALVERT—If you let me go, I can clarify it—

CHAIR—Order! Senator Schacht, you have asked the question, 'Do you know what it means?'

Senator CALVERT—I am trying to follow a line here and I did not interrupt you—

CHAIR—Senator Calvert—Order!