

## LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY

### WRITTEN QUESTION

Mrs Finocchiaro to the Chief Minister:

#### **Darwin Turf Club Grandstand Grant**

Submission for funding of a grandstand:

1. At 1:06pm on 13 June 2019, Shaun Drabsch, the then Chief Executive (CE) of the Department of Trade, Business and Innovation (DTBI) received an email with attachment/s from Mr Stacy of the Darwin Turf Club (DTC) that contained a submission (the "DTC Submission") from DTC for the funding of a public grandstand (collectively, "Email 1"). Email 1 is referred to at paragraph 292 of the ICAC Report "Investigation into the application for, award and expenditure of a grant to the Darwin Turf Club for a public grandstand" (The Report).
  - a. How did the information regarding the submission for the funding of a public grandstand contained (either in whole, part, extracts or reworded sections from Email 1) in Email 1 get to Cabinet?
  - b. Did any employee, agent or representative of the NTG or a Minister have any input into drafting, preparing or informing the contents of Email 1?
  - c. Did any employee, agent or representative of the NTG or a Minister see any part of Email 1 prior to it being sent to Shaun Drabsch at 1:06pm on 13 June 2019?
2. In relation to Email 1, please also outline the following processes:
  - a. Was Email 1 (either in whole, part, extracts or reworded sections from Email 1) sent to the Cabinet Office? If so:
    - i. On what date was it sent, at what time and by who?
    - ii. Was Email 1 sent in whole or in part? If in part, which part/s?

- iii. Was information contained in Email 1 extracted or reworded? If yes, what parts were extracted or reworded for inclusion to the Cabinet Office?
  - b. Was Email 1 (either in whole, part, extracts or reworded sections from Email 1) circulated by the Cabinet Office or any other employee, agent or representative of NTG to government agencies for comment prior to Cabinet commencing on 14 June 2019? If yes:
    - i. Who circulated Email 1 (specify whether in whole, part, extracts or reworded sections from Email 1)?
    - ii. Which agencies was it sent to and on what date and time and by who?
    - iii. What was the timeframe for agencies to respond by?
    - iv. Which agencies responded?
    - v. Which agencies did not respond?
    - vi. Of those who responded, which agencies were supportive?
    - vii. Of those who responded, which agencies were not supportive?
  - c. If the answer to 2(b) is that Email 1 (whether in whole, part, extracts or reworded sections) was not circulated, was any document circulated to government agencies for consideration prior to Cabinet on 14 June 2019 in respect to the DTC's submission for public funding to build a grandstand?
    - i. If yes, in what form did that document take?
    - ii. If yes, where did the information to draft the substantive content of the document come from if not from Email 1?
    - iii. Who circulated the document?
    - iv. Which agencies was it sent to and on what date and time and by who?
    - v. What was the timeframe for agencies to respond by?
    - vi. Which agencies responded?
    - vii. Which agencies did not respond?

- viii. Of those who responded, which agencies were supportive?
    - ix. Of those who responded, which agencies were not supportive?
- 3. After 1:06pm on 13 June 2019, did any employee, agent or representative of the NTG or Minister edit/attach/use or insert any information contained in Email 1 to turn it into part/s, extract/s or sections of a new or altered document?
  - a. If yes, who were the authors or editors of the new/altered document?
  - b. If yes, for what purpose was the change to the information contained in Email 1 made?
  - c. If yes, who was the new/altered document/s sent or provided to and at what time and by whom?
  - d. Were the new/altered document/s referred to in question 3 circulated by the Cabinet office, any other employee, agent or representative of NTG to government agencies for comment prior to cabinet commencing on 14 June 2019? If yes,
    - i. Who circulated the new/altered document/s?
    - ii. Which agencies was it sent to and on what date and time and by who?
    - iii. What was the timeframe for agencies to respond by?
    - iv. Which agencies responded?
    - v. Which agencies did not respond?
    - vi. Of those who responded, which agencies were supportive?
    - vii. Of those who responded, which agencies were not supportive?
  - e. If the answer to question 3(d) is that new/altered document/s referred to in question 3 (whether in whole, part, extracts or reworded sections) were not circulated, was any document circulated to government agencies for consideration prior to Cabinet on 14 June 2019 in respect to the DTC's submission for public funding to build a grandstand?

- i. If yes, in what form did that document take?
  - ii. If yes, where did the information to draft the substantive content of the document come from, if not from edits or variations made to information contained in Email 1?
4. Was the DTC Submission included with Email 1 attached to any internal government forms or other documentation in any way prior to it being considered by Cabinet?
5. Was the DTC Submission in Email 1 turned into a formal Cabinet Submission?
6. Was an internal government communication provided to Cabinet with the DTC Submission from Email 1? If yes:
  - a. What form did that internal government communication take?
  - b. Who was the author of the internal government communication?
  - c. On what date was it sent, at what time and by who?
7. At 1:56pm on 13 June 2019, Mr Drabsch forwarded an email (“Email 2”) containing the DTC Submission to Ms Jodie Ryan Chief Executive of the Department of the Chief Minister. Email 2 is referred to at paragraph 294 of The Report.
  - a. Did any employee, agent or representative of the NTG or a Minister other than Mr Drabsch subsequently forward Email 2 or any part of its contents or attachments?
  - b. If yes, who forwarded Email 2 or any part of its contents or attachments, at what time and to who?
8. In relation to Email 2, please also outline the following processes:
  - a. Was Email 2 (either in whole, part, extracts or reworded sections from Email 1) sent to the Cabinet Office? If so:
    - i. On what date was it sent, at what time and by who?
    - ii. Was Email 2 sent in whole or in part? If in part, which part/s?
    - iii. Was information contained in Email 2 extracted or reworded? If yes, what parts were extracted or reworded for inclusion to the Cabinet Office?
  - b. Was Email 2 (either in whole, part, extracts or reworded sections from Email 2) circulated by the Cabinet Office or any other

employee, agent or representative of NTG to government agencies for comment prior to Cabinet commencing on 14 June 2019? If yes:

- i. Who circulated Email 2 (specify whether in whole, part, extracts or reworded sections from Email 2)?
    - ii. Which agencies was it sent to and on what date and time and by who?
    - iii. What was the timeframe for agencies to respond by?
    - iv. Which agencies responded?
    - v. Which agencies did not respond?
    - vi. Of those who responded, which agencies were supportive?
    - vii. Of those who responded, which agencies were not supportive?
  - c. If the answer to 8(b) is that Email 2 (whether in whole, part, extracts or reworded sections) was not circulated, was any document circulated to government agencies for consideration prior to Cabinet on 14 June 2019 in respect to the DTC's submission for public funding to build a grandstand?
    - i. If yes, in what form did that document take?
    - ii. If yes, where did the information to draft the substantive content of the document come from if not from Email 2?
9. Was information contained in Email 2 edited/authored/attached/used by any employee, agent or representative of the NTG or Minister to turn it into part/s, extract/s or sections reworded from Email 2 to a new document?
  - a. If yes, who was the author?
  - b. If yes, for what purpose was the change of format to the information contained in Email 2?
  - c. If yes, who did that document/s go to?
10. What treatment did Email 2 receive between 1:56pm and 2:00pm?

11. What time did the Cabinet meeting on 14 June 2019 (the “Cabinet meeting”) commence? At what time did it conclude?
12. Were all Cabinet members in attendance at the Cabinet meeting?
13. Did the Treasurer absent herself from the Cabinet meeting while discussion on the DTC Grandstand proposal took place or just excuse herself from discussion?
14. How long did Cabinet consider the DTC grandstand proposal during the Cabinet meeting?
15. What documents and information was considered and decided on in Cabinet on 14 June 2019 in relation to the Darwin Turf Club’s grandstand submission?
16. Which Minister sponsored the DTC Submission from Email 1 and/or the subsequent Cabinet Submission about the DTC grandstand proposal to Cabinet?
  - a. Did that Minister take it “under the arm” into Cabinet?
  - b. Did the proposal taken into Cabinet (whether it was the original DTC Submission in Email 1, a Cabinet Submission or a version of the DTC Submission in Email 1 or Email 2 sor any other format) contain detailed analysis from Treasury?
17. Did the proposal to build a grandstand at DTC comply with the Cabinet Submissions Requirements as detailed at clause 3.1.1 of the Cabinet Handbook?
18. Did the Cabinet Secretary provide a waiver of the 5 day rule as required by clause 3.6.1 of the Cabinet Handbook?
  - a. If yes, who sought the waiver and why was it sought and granted?

**Answer**

The ICAC had the ability to review all of the paperwork and all of the processes. All findings in relation to the process are in the ICAC Report. The ICAC Report made no findings against the Government or any Minister.