

Dr Peter Pockley Senior Correspondent

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Freedom of Information Officer CSIRO PO Box 225 Dickson, ACT 2602 18 January 2008

Copy to Mr Huw Morgan, Manager, CSIRO Media Liaison; fax (02) 6276 6821

Dear FOI Officer,

APPLICATION FOR LETTERS EXCHANGED BETWEEN DEPARTMENT AND CSIRO

As advised by Mr Huw Morgan, I apply for copies of recent letters that have been reported in the media and which Mr Morgan acknowledges are in existence, relating to a purported direction from the Department of Innovation, Industry, Science and Research to CSIRO for all proposed media statements to be first checked by the department before promulgation to the general public via the media and CSIRO's written response.

I am the correspondent with the longest experience in the nation of reporting on science and its affairs, including policy issues. My request for the letters is justified in the interests of thoroughness and accuracy in reporting on issues that are already in the public domain but without direct citation from the key documents. This is consistent with the guidelines for FOI applications provided by Mr Morgan.

The principles of open communication itself that are at stake are central to CSIRO's standing as a publicly funded agency. It was only after much criticism by the public and its own scientific staff, that CSIRO had, in mid-2006, apparently reversed its policy on staff requiring approval up to Executive level before communicating their science and informed views to the public via the media. My request is consistent, from the public media's angle, with that statement of practice and principle.

I enclose a personal cheque for \$30 as the application fee and, since the letters concerned are clearly and readily available on CSIRO's file, there need be no delay on grounds of a long search being required.

For speed of communication, you may use email for saving time in communications on this matter and you may convey copies of the letters to me by fax. (I have put several questions to Mr Morgan for answers on the record and it would obviously be in CSIRO's interests for me to have the letters in question in hand at the same time as the answers to related questions.)

Yours sincerely



Media Release

13 July 2006 Ref: 06/133

UNDER EMBARGO UNTIL 12 MIDDAY THURSDAY 13 July 2006

Scientists frontline communicators in changed policy

'Scientists are CSIRO's frontline communicators, and we trust them to discuss their science, even in potentially controversial areas,' said CSIRO Chief Executive, Dr Geoff Garrett today when launching CSIRO's new Public Comment Policy.

He said that he had sought a review of CSIRO's Public Comment Policy because of significant concerns alleging that CSIRO was gagging its scientists, and that the previous policy lacked clarity.

He said the preamble to the new policy laid out some important foundations:

CSIRO's fundamental purpose is to achieve positive impact from science on behalf of Australia - and our ability to do so ultimately depends upon our integrity and our reputation. The core of CSIRO's overall standing is its externally validated and peer-reviewed science, and the communication of that science for the benefit of Australia. Underlying CSIRO's core values is commitment to the open exchange of scientific information. This policy aims to assist CSIRO staff in their external communication activities

Dr Garrett said the review team of senior scientists, chaired by Dr Tony Haymet, consulted widely throughout the organisation, holding 10 separate consultation sessions with staff all over Australia. The review team found that the previous policy had sometimes discouraged staff from speaking about their science in public.

The review team recommended that CSIRO should reaffirm its trust in its scientists as frontline communicators and support them in this endeavour. The recommendations of the Review were strongly supported by the CSIRO Executive Team and accepted by the CSIRO Board in June.

'As a result of the Review we have totally rewritten our policy. We have taken out the word "permission". We encourage our scientists to communicate the outcomes and implications of their scientific work and, where relevant, suggest policy options and scenarios stemming from their scientific findings,' Dr Garrett said.

'We also ask them to avoid making direct comment for or against government or opposition policy, from State or Federal governments. Our job is to inform policy, not to prescribe it, and to be an authoritative and honest broker, rather than an advocate.'

Dr Garrett said CSIRO has many opportunities as a Statutory Authority to contribute to government policy. 'Science is but one – albeit very important– input to developing policy, along with economic, social and political factors.'

'We strongly encourage our scientists to use their peer reviewed or externally validated science as a foundation for any public comment,' Dr Garrett said.

Policy attached. Media Assistance:

Marilyn Chalkley, CSIRO Media Liaison

02 6276 6859 0408 866 293

www.csiro.au

If you would like to be removed from this mailing list, please contact CSIROMedia@csiro.au



Policy	Number	2006/03
classification	Title	Policy on Public Comment by CSIRO Staff
	Level	2
	Category	Science and Research
	Applies to	All staff
	Issue status	Supersedes Policy on Public Comment by CSIRO Staff Members 2004/06 - July 2004.
Policy description	Overview and purpose	CSIRO's fundamental purpose is to achieve positive impact from science on behalf of Australia - and our ability to do so ultimately depends upon our integrity and our reputation. The core of CSIRO's overall standing is its externally validated and peer-reviewed science, and the communication of that science for the benefit of Australia. Underlying CSIRO's core values is commitment to the open exchange of scientific information. This policy aims to assist CSIRO staff in their external communication activities.
	Policy review	Policy to be reviewed regularly.
Policy statements	Policy statement 1	Scientists are CSIRO's frontline communicators. They are encouraged to communicate the outcomes and implications of their scientific work and, where relevant, policy options and scenarios stemming from their scientific findings.
	Policy statement 2	Prior to contributing to public debate or to government inquiries CSIRO staff should consult widely within the Organisation, and where diversity of scientific views exists make reference to the range of scientific perspectives held within CSIRO. Staff will comply with CSIRO's formal procedures and protocols for co-ordination of submissions to government and other inquiries, and, where they exist, associated obligations for confidentiality.
	Policy statement 3	CSIRO staff should not advocate, defend or publicly canvass the merits of government or opposition policies (including policies of previous Commonwealth governments, or State or local or foreign governments).
	Policy statement 4	If a staff member is commenting in a private capacity, he or she should state clearly that it is a personal opinion rather than an official view of CSIRO.
	Policy statement 5	If a staff member intends to comment publicly on behalf of CSIRO, he or she will advise line managers and communication officers. In some circumstances (for example, requests from the media) timeliness of response is important, and in such cases this advice can be provided immediately after comment is made.
	Policy statement 6	Comments to the media about the Organisation's overall directions, operation, strategies and financial position should only be made by appropriately delegated staff.
Key roles and	Policy owner	Dr Steve Morton, Group Executive
responsibilities	[Relevant points for other staff that policy applies to]	This policy applies to all staff. Line managers, especially Chiefs, and Communication Managers have a specific responsibility to assist staff in this area.
Policy implementation	Implementation date	1 August 2006
and authority	Authority	Dr Geoff Garrett



Policy statement 1

Scientists are CSIRO's frontline communicators. They are encouraged to communicate the outcomes and implications of their scientific work and, where relevant, policy options and scenarios stemming from their scientific findings.

Supporting information – Procedures

External validation, particularly peer review, is central to assuring the quality of our science; hence, peer-reviewed science should be the foundation for any public comment. The peer-review processes to be followed will be set by line management and be consistent with the accepted external validation practices of the particular field of science and engineering.

If a staff member intends to comment publicly as a CSIRO scientist, he or she should advise the line manager and local communication officer. In some circumstances (for example, requests from the media) timeliness of response is important, and in such circumstance this advice can be provided immediately after comment is made.

Scientists should use the skills of CSIRO communicators, and seek their advice in considering how best to communicate clearly and engagingly to a wide range of audiences. Training will be made available, and it is the responsibility of line managers to ensure that staff who are expected to engage in public comment receive adequate training and support.

Supporting information – Guidelines

In a world of rapidly evolving public debate and discourse, a national research agency such as CSIRO should discharge its public role by being readily and rapidly available to provide information on the most up-to-date science and technology, and its implications for the nation.

CSIRO scientists are our primary communicators on all matters relating to science, and all scientists are encouraged to talk about their science, and to explain it to other scientists, the Australian community, overseas audiences, and potential end-users such as policy-makers and commercial entities.

The rigour of external scientific review is a key element both of our research and our reputation. Hence, CSIRO scientists are particularly encouraged to talk about completed work, especially work published or accepted for publication in peer-reviewed journals, and to take care when speaking about new ideas or research in progress (CSIRO's reputation is based on what we have done, and on the adoption by end-users of our work, rather than on what we have plans to do).

Care is also required when speaking about work with commercial potential.

As explained in subsequent Policy Statements, CSIRO staff may discuss options for policy development based upon scientific work, and explore scenarios stemming from such options, while avoiding direct comment upon government or opposition policy.

CSIRO staff need to exercise judgement when interacting with the media. CSIRO staff should also be aware that, apart from live radio, their comments may be edited to make someone else's point rather than their own.

CSIRO staff should be aware when participating in external blogs, 'webinars', email lists and web-based discussion groups that their views will be seen as CSIRO views if they use their work-based email to do so. Personal opinions should be sent from a private email address.

As part of our commitment to explain CSIRO's science and to be accountable for our work, calls from media should be answered by an appropriate staff member within an hour, even if the information is currently unavailable or will take time to get. This will contribute to maintaining a good working relationship with the media. It is already standard practice within many government departments, and within CSIRO's Media Liaison Unit.

Relevant links

http://intranet.csiro.au/doco/policy/pc2006 03.htm

Policy statement 2	Prior to contributing to public debate or to government inquiries CSIRO staff should consult widely within the Organisation, and where diversity of scientific views exists make reference to the range of scientific perspectives held within CSIRO. Staff will comply with CSIRO's formal procedures and protocols for co-ordination of submissions to government and other inquiries, and, where they exist, associated obligations for confidentiality.
Supporting information – Procedures	CSIRO staff will consult with Divisional line managers and communicators for advice about other research activities within CSIRO that may overlap with or complement the area of proposed public comment. Government Relations should be consulted about procedures, protocols and co-ordination of submissions to government and other public inquiries, and any associated obligations for confidentiality.
Supporting information – Guidelines	Staff need to be aware of the various processes by which CSIRO responds to formal requests for input to policy development. It is important that when submissions are made all relevant areas of our science have a chance to contribute and the diversity of views is represented publicly. Government Relations and the Science into Policy Unit will provide detailed guidelines on procedures and protocols for staff, through each Divisional communicator.
Relevant links	http://intranet.csiro.au/intranet/govtrelations/Submission.htm http://intranet.csiro.au/intranet/govtrelations/Appearing.htm

Policy statement 3

CSIRO staff should not advocate, defend or publicly canvass the merits of government or opposition policies (including policies of previous Commonwealth governments, or State or local or foreign governments).

Supporting information – Procedures

Staff who have been asked or wish to contribute scientific input to policy development will seek advice from their line managers and local communicators regarding the various mechanisms available.

Supporting information – Guidelines

As representatives of CSIRO, staff should avoid making direct comment for or against government or opposition policy¹. In this respect, CSIRO policy may differ from some Australian universities; CSIRO differs in that it is a Commonwealth Government agency. This gives CSIRO the advantage that it can participate directly in the internal policy development processes of government.

As Commonwealth officials CSIRO employees are bound by the *Government Guidelines for Official Witnesses before Parliamentary Committees and Related Matters – November 1989.* These guidelines state that Commonwealth officials:

Should not advocate, defend or canvass the merits of government policies (including policies of previous Commonwealth governments, or State or foreign governments.)

Another reason for avoiding taking a public position on government or opposition policy is that to do so immediately takes CSIRO into an advocacy position. This does not mean that CSIRO should refrain from providing information *about* controversial issues – only that such information should be based on solid scientific research. Advocacy, on the other hand, removes our mantle of steadfast commitment to the facts as best they can be established and can create the perception that we are performing research to support a particular position, rather than to challenge existing knowledge in an impartial search for progress. Our reputation stems precisely from that steadfast impartiality; and our reputation for honesty and rigour would decline in proportion to the degree to which we became perceived as advocates instead of unbiased and rigorous providers of advice.

CSIRO staff may discuss options for policy development based upon scientific work, and explore scenarios stemming from such options, while avoiding direct comment upon policy.

As well as participating in policy-development processes that are open only to Government agencies, CSIRO can and does contribute to public policy debates such as those run by parliamentary or independent committees. In doing this CSIRO staff should contribute in a way that builds upon all the expertise available in the Organisation, by exploring the full range of scientific perspectives about the issues under examination.

Relevant links

Link to Government Guidelines for Official Witnesses before Parliamentary Committees and Related Matters – November 1989.

http://wopared.parl.net/Senate/committee/wit_sub/gov_ext.htm

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¹ "Policy" encompasses any Government or Opposition position that the parties will (or will not) take a particular course of action or act to achieve particular outcomes. The position may be made public through speeches, party platform documents, policy statements, interviews, or other means.

Policy statement 4	If a staff member is commenting in a private capacity, he or she should state clearly that it is a personal opinion rather than an official view of CSIRO.
Supporting information – Procedures	
Supporting information – Guidelines	CSIRO staff have the same right as all Australian citizens to speak as an individual rather than as a representative of their employer. All staff, especially senior scientists and managers, should be mindful of the reality of modern media, such that they are likely to be identified as being employed by CSIRO whether they wish to be or not. Staff will not use CSIRO branded stationery or email systems for external correspondence in which a private opinion is expressed.
Relevant links	

Policy statement 5

If a staff member intends to comment publicly on behalf of CSIRO, he or she will advise line managers and communication officers. In some circumstances (for example, requests from the media) timeliness of response is important, and in such cases this advice can be provided immediately after comment is made.

Supporting information – Procedures

CSIRO staff will advise their line managers and local communication officers of any request for public comment to the media or government and other public inquiries.

Communicators will maintain a record of all notified requests for public comment and notify relevant line managers of any emerging issues that might require handling from a whole-of-CSIRO perspective.

Government Relations will co-ordinate submissions to government and other public inquiries.

Training on working effectively with the media is to be made available; it is the responsibility of line managers to ensure that staff who are expected to engage in public comment receive adequate training and support. There are several areas for which training prior to public comment is particularly relevant, including:

- (a) work that is likely to attract a high level of community interest;
- (b) work that is contentious within the research community;
- (c) work that is potentially commercially useful; and
- (d) work that may directly or indirectly affect incumbent Government or Opposition policy at Commonwealth, State or Local Government levels.

Supporting information – Guidelines

CSIRO is vitally concerned with gaining impact from its research through effective communication. Published research which sits on the shelf is less useful than research which is adopted in a timely way, whether in the commercial or policy-related domains. Bringing research to relevant policy makers is a core CSIRO role; hence, CSIRO staff may discuss options for policy development based upon scientific work, and explore scenarios stemming from such options.

Equally, CSIRO staff are encouraged to think about potential unintended consequences of various possible approaches to explaining policy-related research. CSIRO's communication professionals and senior managers are an important source of advice, and should be consulted before communicating in the public arena. Scientists will form and maintain a close working relationship with their nearest communicator.

New staff, and scientists completing work in an area new to them, should discuss with their project leader and local communicator how best to achieve impact from the communication of their science. This may be as simple as submitting papers to peer-reviewed journals, or as sophisticated as a full outreach campaign once the work is accepted for publication.

In summary:

- 1. Consult with communications staff and line managers.
- 2. If the timeline is very short, because of the journalist's deadline, contact your Divisional communicator as soon as possible afterwards.
- 3. Prepare your material carefully such that your comments accurately reflect externally validated science in plain English.
- 4. If your research happens to fall in that small number of potentially contentious domains, plan your comments carefully in association with your line managers and communication professionals.
- 5. Carefully consider exploring, if your science allows it, policy options for dealing with the challenge or opportunity emerging from your research; however, avoid making prescriptive comments about Government or Opposition policy.
- 6. Again in consultation with your line managers and communication professionals, consider whether research in other parts of CSIRO might be relevant in your public comments, and establish contact with those other groups where necessary.
- 7. In anticipation of this aspect of your work, undertake media training, particularly in situations where your science lies in an area of considerable public interest.

Policy Comments to the media about the Organisation's overall directions, operation, strategies and statement 6 financial position should only be made by appropriately delegated staff. Supporting Appropriately delegated staff who would normally respond to requests for public comment information about such matters are members of the Executive Team, the Executive Management Council, and Corporate General Managers. Requests for comment on the Organisation's Procedures overall directions, operation, strategies and financial position should therefore be referred through your line manager to these appropriately delegated people. Staff are able to contribute to scientific and organisational planning at Stream. Theme and Divisional or Flagship level. If a staff member wishes to discuss such issues further, this should take place through your Chief, Director or General Manager, or through local consultative arrangements. If for some reason a staff member has a genuine concern that a breach of the Code of Conduct is being inadequately addressed and feels unable to discuss it with his or her line manager, then CSIRO considers the Whistleblower Scheme to be an appropriate approach to take. Whistleblowing refers to the reporting, in the public interest, of information which alleges a breach of the CSIRO Code of Conduct by a CSIRO staff member. The aim of the Whistleblower Scheme is to create an environment where people feel comfortable raising concerns about compliance within the Organisation, and to provide an appropriate and effective mechanism for reporting and responding to such concerns. Supporting information -

Guidelines Relevant links

Canberra Legal Office

Limestone Avenue Canberra ACT PO Box 225 Dickson ACT 2602 Telephone: (02) 62766123 Fax: (02) 62766437 Email: rosemary.caldwell@csiro.au



15 February 2008

Dr P Pockley 25 Avenue Road Glebe Sydney NSW 2037

Dear Dr Pockley

Your Freedom of Information Request

I refer to your letter dated 18 January 2008 which was received by CSIRO on 22 January 2008, seeking access under the *Freedom of Information Act 1982 (FOI Act)* to a copy of letters that have been reported in the media relating to a purported direction from the Department of Innovation, Industry, Science and Research to CSIRO for all proposed media statements to be first checked by the department before promulgation to the general public via the media and CSIRO's written response.

This letter sets out my decision on your request for access. I am an authorised decision-maker under section 23 of the FOI Act.

Search and identification of relevant documents

I wish to advise you a search of CSIRO's records has been undertaken and I have identified three documents relevant to your request.

Decision

I have today decided to release to you a full copy of those documents, are described in the attached schedule, copies of which are attached.

Charges

I have considered your request to waive all charges for processing your request, other than the required application fee and have decided not to impose any charge for processing your request. Please find enclosed a receipt being for your \$30 application fee.

Contacts

If you require clarification or wish to discuss any of these matters please contact me on the above number.

Yours sincerely

Rosemary Caldwell

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CSIRO FOI Officer

Document Schedule – FOI request Dr Pockley

Doc	Date	No of Pages	Description	Decision
-	19 December 2007	~	Letter: Addressee: Department of Innovation, Industry, Science and Research Author: CSIRO.	Access granted in full.
2.	17 December 2007	~	Email: <i>Addressee:</i> CSIRO <i>Author:</i> Department of Innovation, Industry, Science and Research.	Access granted in full.
က်		~	Document titled 'Clearance of Media Releases' Author: Department of Innovation, Industry, Science and Research.	Access granted in full.



CSIRO Accounts Receivable PO Box 883 Kenmore Qld 4069

Tax Invoice / Receipt

ABN: 41687119230

CSIRO Corporate Finance

Peter Pockley Science Communication

221132 Receipt:

Issued:

14 February 2008

Customer Ref: Customer Code: 10126591

500001

Customer ABN: **Customer Fax:**

Description	Invoice No.	GST (Australia	Amount n Dollars)
FOI - Application Fee		2.73	30.00

Γotal	received	(AUD
		(, , , ,

30.00

Includes GST

Signed on behalf of CSIRO	
	/

This receipt will act as a tax invoice where no other tax invoice has been issued relating to this supply.



Telephone: (02) 6276 6406 • Facsimile: (02) 6276 6821 • Mobile: 0417 834 547 • ABN 41 687 119 230

Halya Hladenki
Internal Communications
Media and Public Relations
Corporate Services
Department of Innovation, Industry, Science and Research
Level 13, 10 Binara Street, Canberra City ACT 2600
GPO Box 9839, Canberra ACT 2601

19 December 2007

Dear Halya

Thank you for the advice on Clearance of Media Releases.

The majority of the around 300 media releases CSIRO produces each year report on our research and fall into the category of 'agency press releases of a technical nature' or 'releases of a more routine nature'.

While CSIRO releases may relate to research in areas such as climate change, they are consistent with our public comment policy (revised in 2006 following media suggestions that CSIRO or the government were in some way gagging scientists). The public comment policy (attached) encourages scientists to discuss their science but, consistent with the *Government Guidelines for Official Witnesses before Parliamentary Committees and Related Matters* does not permit any comment, positive or negative, on the policies of any government.

In most cases CSIRO's media releases announce either a new publication that is reporting significant research results or an important event. Under the Uhrig reform 'Statement of Expectations' provided to CSIRO by the then minister in June 2007, CSIRO informs the minister in advance prior to 'releasing reports or papers relating to Australian Government policies or programmes'. Similarly, when CSIRO is arranging a significant event that is likely to become the subject of a media release, we would be inviting the minister or one of his colleagues to the event.

It may be useful for you to know that in addition to its own media releases, CSIRO issues around 50 further releases a year jointly with its partners. Moreover, our partners and other organisations (including clients) may issues releases that refer to CSIRO and its research.

On occasion we may be operating to very tight deadlines to issue a release. This is especially the case when research findings are to appear in a prestigious journal such as *Nature* or *Science* and we receive very short notice of its imminent publication.

I hope this provides the information that you need.

Regards,

Huw Morgan.

Huw Morgan Manager, CSIRO Media Liaison Ph: 02 6276 6406 Mb: 0417 834 547 E: huw.morgan@csiro.au From:

Hladenki, Halya [Halya.Hladenki@industry.gov.au]

Sent:

Monday, 17 December 2007 4:50 PM

To:

Morgan, Huw (Comms, Canberra); w.ellery@aims.gov.au; sharon.kelly@ansto.gov.au; dana.busic@ipaustralia.gov.au; Michelle Canning; fiona.skivington@arc.gov.au;

Anderson, Michelle; McCaugherty, Anthony; George, Bill

Cc:

Charles, Susan; Veldre, Ray

Subject:

Media Release Guide [SEC=UNCLASSIFIED]

Attachments: Clearance of Media Releases Guidance - 17.12.07.doc

Good Afternoon

Following on from earlier telephone advice, please find attached guidance for the clearance of media releases effective immediately. This guidance has been cleared by the Ministers office in order to comply with the instruction from the Prime Minister's Office (PMO) that all "strategic" media releases are cleared through the PMO to ensure consistency.

Please forward all relevant media releases to susan.charles@industry.gov.au or media@industry.gov.au and DIISR Media and Communications Section will facilitate the clearance through the respective Ministers office.

If you have any questions please contact me on 6213 6883.

Regards

Halya Hladenki Internal Communications Media and Public Relations Corporate Services

Department of Innovation, Industry, Science and Research

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Clearance of Media Releases

The Prime Minister's Office (PMO) has provided instruction that all 'strategic' media releases which relate to the Government's 'key messages' are coordinated through the PMO to ensure consistency.

Releases of a more 'pedestrian' or routine nature do not need to go through the PMO and should be dealt with according to existing processes.

'Strategic' / 'Key Message' Releases

There is no strict definition of what constitutes a 'strategic' or 'key message'. The identification of such a release will be a matter of judgement. Examples of 'strategic' and 'key message' releases would include those which may impact on issues such as:

- Climate change
- IR policy
- Education and science reform
- Taxation policy
- National Security
- Health

To give effect to the PMO's directive, the following process is to be followed:

- All releases that could be considered as 'strategic' and dealing with 'key messages' must be forwarded to DIISR Media and Communications Section (Contact point is Susan Charles 6213 7872 and e-mail: media@industry.gov.au).
- DIISR Media and Communications will then forward the release to the respective Minister's Office.
- The Minister's Office will assess the release, and if it considers necessary, will forward it to the PMO and liaise with PMO regarding possible changes and clearance.
- The Minister's Office will relay the outcome of the PMO review to DIISR Media and Communications who will consult with you regarding required changes.

Other Releases

Releases of a more routine nature which do not touch on 'key messages' - such as the activity undertaken in relation to administrative function of the policy or agency press releases of a technical nature - **do not** need to be cleared via the PMO.

These releases should be developed, cleared and released according to existing processes. Of course it should be noted that all Ministerial releases are required to be cleared by the Minister's Office and that as a general rule, any Departmental or agency release is offered to the Minister in the first instance.