



AAWAA Women <women@womensadvocacy.net>

Freedom of information request, Governor-General's patronage of Equality Australia

Women Women <women@womensactionall.org>
To: FOIcontactofficer . ov.au

27 February 2025 at 11:59

FOI Contact Officer
Office of the Official Secretary to the Governor-General
Government House, Canberra
Email: FOIcontactofficer@gg.gov.au

Dear FOI Contact Officer,

I am submitting a request under the *Freedom of Information Act 1982* (FOI Act) for access to documents held by the Office of the Official Secretary to the Governor-General. Specifically, I seek copies of:

1. Documents related to the decision to become patron of Equality Australia

- All internal communications, briefing notes, meeting minutes, and correspondence within the Office of the Governor-General concerning the decision for Her Excellency, the Honourable Sam Mostyn AC, to accept the role of patron for Equality Australia.
- All communications and correspondence between the Office of the Governor-General and external entities, including Equality Australia and other government agencies, regarding this patronage decision.

2. Documents pertaining to reputational risk assessment

- Any assessments, analyses, or discussions within the Office of the Governor-General regarding potential reputational risks associated with the Governor-General's acceptance of the patronage of Equality Australia.
- Any consultations or considerations undertaken regarding the policy requirement that "particular care and additional consultation" is required for patronage involving advocacy.
- Any records regarding how the Office considered the Federal Court's recent finding that Equality Australia is not a public beneficent institution but an advocacy organisation.
- Any advice or recommendations received or prepared within the Office of the Governor-General regarding the compatibility of this patronage with Equality Australia's policy advocacy.

Public interest

There is an overriding public interest in the disclosure of the requested documents. It is a long-held constitutional convention that the Governor-General does not engage in policy advocacy – a convention reflected in the Office of the Governor-General's own [policy on patronage](#), which states that consideration be given to charities that "pose no reputational risks to the Office of the Governor-General" and that "particular care – and additional consultation – is required where a patronage seeks to involve the Governor-General in activity that could be construed as fundraising, advocacy or any activity that could be considered beyond the publicly accepted role of the Governor-General."

Given that Equality Australia was recently found by the Federal Court (*Equality Australia Ltd v Commissioner of the Australian Charities and Not-for-profits Commission* [2024] FCAFC 115) to be primarily an advocacy organisation rather than a public beneficent institution, there is a strong public

interest in understanding how the Office of the Governor-General assessed the appropriateness of this patronage. Furthermore, Equality Australia engages in activities that are central to intense public debate in Australia, including advocating for policies such as the provision of puberty blockers and cross-sex hormones for young people, as well as actively intervening in legal matters concerning whether female-born lesbians can exclude male-bodied individuals from lesbian-only meetings.

By accepting this patronage, the Governor-General's Office has, whether intentionally or not, associated itself with an organisation that is actively engaged in these contentious policy areas. This raises serious questions about whether the Office adhered to its own obligation to ensure it did not involve the Governor-General in advocacy or "any activity that could be considered beyond the publicly accepted role of the Governor-General."

I submit that the overriding public interest in disclosure outweighs any consideration of the application of conditional exemptions, including section 47C (deliberative processes). I draw the attention of the decision-maker to a recent decision in the Administrative Appeals Tribunal that reaffirmed that disclosure enhances public trust and accountability in government decision-making. The Tribunal rejected arguments that disclosure would inhibit frank discussions within government, underscoring the principle that the public interest in transparency outweighs claims of deliberative confidentiality, except in exceptional circumstances.

Thank you for your assistance with this request.

Yours sincerely,

Dr Megan Poore
Founder
AAWAA

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