

**From:** [REDACTED]  
**To:** [Strangio, Giorgina](#)  
**Cc:** [Woolcott, Peter](#); [REDACTED] [PID: Ethics Advisory Service](#)  
**Subject:** RE: Complaint per s.41A of the Public Service Act - Mr Phil Gaetjens [SEC=OFFICIAL]  
**Date:** Wednesday, 18 August 2021 7:22:12 PM  
**Attachments:** [image003.jpg](#)  
[image004.jpg](#)  
[image005.png](#)  
[image006.jpg](#)

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Dear Ms Strangio

You've not responded to my query at all.

What you did do, remarkably quickly I might add, is wholly exonerate, on behalf of the Australian Public Service Commissioner, the Head of the APS - Mr Phil Gaetjens – from my allegations that he plainly breached his obligations under the Public Service Act 1999 by :

- refusing to respond to legitimate correspondence received from a member of the Australian public; and
- turning a blind eye to public sector corruption (noting it was the Public Service Commissioner himself who gave guidance to public servants like me to write to the Mr Gaetjens where we come across corruption of the kind engaged in by Ministers Morrison and Frydenburg).

I simply followed up your acquittal of Mr Gaetjens (on behalf of the Public Service Commissioner) by querying whether other members of the APS (and not just the Head of the APS) can refuse to respond to legitimate correspondence received from the Australian public (ministerials, for example) and turn a blind eye to public sector corruption in exactly the same way Mr Gaetjens did, without consequence.

While I appreciate answering that perfectly legitimate question may be politically inconvenient, that's not a valid reason to refuse to respond to my straight forward query. There may well be a good reason as to why, when it comes to compliance with the APS Code of Conduct, it's appropriate for the Head of the APS, or even senior executives responsible for the integrity of the APS, to employ a 'do as I say not as I do' approach. If there is, could you please explain it to me.

At this point, I think it appropriate to remind you of your obligations under the Public Service Act 1999. In particular, the obligations to be behave honestly and with integrity, to be trustworthy, to be open and accountable to the Australian community and to be impartial. A failure to comply with these obligations constitutes disclosable conduct for the purposes of the Public Interest Disclosure Act 2013.

I request that you respond to the query put to you in my email below of 16 August 2021.

Regards

[REDACTED]

[REDACTED]

----- Original Message -----

On Wednesday, August 18th, 2021 at 5:42 PM, Strangio, Giorgina wrote:

OFFICIAL

Dear [REDACTED],

Having responded to your query, I now consider this matter to be closed.

Regards,

Giorgina

**From:** [REDACTED]  
**Sent:** Monday, 16 August 2021 5:28 PM  
**To:** Strangio, Giorgina ; Woolcott, Peter ; [REDACTED]  
**Subject:** RE: Complaint per s.41A of the Public Service Act - Mr Phil Gaetjens [SEC=OFFICIAL]

Thanks for that Ms Strangio.

So taking your advice to its logical conclusion can you please confirm that:

- as Commonwealth public servants, we're under no obligation to respond to legitimate correspondence we receive from members of the Australian public (as mentioned I respond to Ministerials and other correspondence sent by members of the public and received by the Department I work for and so I'd like to know whether I can decide to stop doing this without consequence as you suggest ie. if it's ok for the actual Head of the APS then it must be the same for everyone right.....goose gander)

- if we, as Commonwealth public servants become aware/witness crime or corruption (eg. Brittany Higgins, carpark rorts, robodebt rorts, sports rorts, Leppington Triangle, Morrison/Frydenburg using taxpayer funds to attend Murdoch functions, Susan Ley using taxpayer funds to fly to Gold Coast to purchase investment property, \$80m in taxpayer money inexplicably given to Angus Taylor company Eastern Agriculture, Helloworld corruption etc etc etc) we can just turn a blind eye and that's perfectly ok?

Thanks

[REDACTED]

[REDACTED]

----- Original Message -----

On Monday, August 16th, 2021 at 5:00 PM, Strangio, Giorgina  
<[xxxxxxxx.xxxxxxxx@xxxx.xxx](mailto:xxxxxxxx.xxxxxxxx@xxxx.xxx)> wrote:

OFFICIAL

Dear [REDACTED],

Thank you for your email to the Australian Public Service Commissioner, Mr Peter Woolcott AO. The Commissioner has asked me to respond on his behalf.

As I understand your email, you are alleging that in not responding to your correspondence, Mr Gaetjens has failed to uphold several of the Australian Public Service (APS) Values, and breached a number of elements of the APS Code of Conduct.

On the information that you have provided, Mr Gaetjen's actions do not, on their face, appear contrary to his obligations under the Australian Public Service Code of Conduct.

Kind regards,

Giorgina

**Giorgina Strangio**

Assistant Commissioner | Integrity, Performance & Employment Policy Group

**Australian Public Service Commission**

three hexagons



*I acknowledge the traditional owners of the First Nations throughout Australia, and their continuing connection to land, sea and community. I pay my respects to their elders past, present and into the future.*

**From:** [REDACTED]  
**Sent:** Friday, 13 August 2021 12:26 PM  
**To:** Woolcott, Peter <xxxxx.xxxxxxxx@xxxx.xxx>  
**Cc:** Strangio, Giorgina <xxxxxxx.xxxxxxxx@xxxx.xxx>; [REDACTED]  
**Subject:** Complaint per s.41A of the Public Service Act - Mr Phil Gaetjens

Dear Commissioner

I'm writing to you to allege breaches of the APS Code of Conduct engaged in by Mr Phil Gaetjens, Secretary of the Department of the Prime Minister and Cabinet and Head of the APS.

I note that at your most recent appearance before Senate Estimates, you gave evidence as follows: "... if there's a complaint against an agency head, that would come to me to be determined or evaluated" - which I presume is a reference to your power at section 41A of the Public Service Act 1999.

I refer to your advice set out in this article: <https://www.theguardian.com/australia-news/2020/may/26/public-servant-alleging-ministerial-corruption-told-speaking-to-media-could-be-unlawful> where you advise that where public servants (such as myself) observe corruption engaged in by Ministers, public servants should "bring [their] concerns to the department of the prime minister and cabinet".

In December last year I became aware of the misuse of public monies for personal purposes by the Prime Minister and the Treasurer:  
<https://www.theguardian.com/australia-news/2020/dec/04/pm-and-treasurer-bill-taxpayers-for-private-jet-to-lachlan-murdochs-christmas-party>

In accordance with your guidance I wrote to the Secretary of the Department of the Prime Minister and Cabinet on 16 December 2020 advising of the unlawful activity engaged in by the two Ministers at issue requesting that he acknowledge my email and that he consider the matter. A month later, when no response was received, I again wrote (on 14/1/21) to the Secretary requesting at least that he acknowledge, by reply email, my email of December 2020. A month after that, again after no response had been received, I again wrote (on 10 February 2021) requesting that he acknowledge my emails and consider the matter. A record of that correspondence is set out below. To date, no response has been received.

I allege that Mr Gaetjens' failure to respond (or organise a response noting he has over 2000 staff at his disposal) to my emails of 16/12/20, 14/1/21, and 10/2/21 constitutes a contravention of his obligations under subsections 10(1), 10(2), 10(4), 10(5), 13(1), 13(3), 13(4), 13(7), 13(10) and 13(11) of the Public Service Act 1999 and request that you conduct an inquiry with respect to my allegations.

The outcome your inquiry will offer clear and binding guidance to the whole of the APS as to whether public servants are subject to any positive obligation whatsoever:

- to respond to legitimate correspondence they receive from members of the Australian public (as a public servant that spends half my time at work responding to ministerials and other legitimate correspondence from the Australian public, the outcome of my complaint/your inquiry will determine whether I'm under any

obligation to do that work); and

- to report and otherwise address instances of crime, corruption or other unlawful conduct that they come across.

Be it the sexual assault of a member of the APS or a ministerial staffer on Commonwealth property, fraudulent activity that led to taxpayers paying 10 times the real value of assets or the plain vanilla embezzlement/misuse of public funds the subject of my correspondence to the Head of the Public Service – the outcome of this disclosure will clearly set out acceptable standards of behaviour across the entirety of the APS at a time where there is overwhelming public support for the establishment of an independent commission to deal with public sector corruption at the federal level and at a time where the vast majority of Australians do not trust the APS: <https://www.theguardian.com/australia-news/2020/aug/19/australians-trust-public-service-government-covid>

Regards

[REDACTED]

[REDACTED]

----- Original Message -----

On Wednesday, February 10th, 2021 at 2:05 PM, [REDACTED] wrote:

Dear Mr Gaetjens

I refer to my previous correspondence to you of 16 December 2020 and 14 January 2021 below, and I note that the results of an FOI application made in respect of the same matter available here:

[https://twitter.com/william\\_summers/status/1356855460024864769](https://twitter.com/william_summers/status/1356855460024864769)

seem to make it clear that Minister Frydenberg at least has used Commonwealth funds for personal purposes in breach of his legal obligations and Ministerial Standards.

This article:

<https://www.themonthly.com.au/issue/2021/february/1612098000/nick-feik/scandals-he-walks-past> also discusses the particular misuse of taxpayer funds apparently engaged in by Ministers Morrison and Frydenberg amongst a broader discussion of corruption that is apparently now at endemic levels across the Commonwealth public sector.

Again, I ask you to acknowledge receipt of my emails below and that you update me in relation to your consideration of this serious matter.

As Commonwealth public servants, the standard we walk past is the standard we accept. And as apolitical, honest and accountable public servants, we play a key role in countering public sector corruption, wherever it occurs.

Regards

██████████

----- Original Message -----

On Thursday, January 14, 2021 7:50 AM, ██████████  
██████████ wrote:

Dear Mr Gaetjens

While you may have not yet concluded your investigation into the unlawful activity to which my complaint, set out below, refers; I would appreciate if you could extend me the courtesy of acknowledging receipt of my complaint.

Regards

██████████

----- Original Message -----

On Wednesday, December 16, 2020 10:52 AM,  
██████████ wrote:

Dear Mr Gaetjens

I refer you to the following article regarding the Prime Minister's and the Treasurer's use of public funds for personal purposes:

<https://www.theguardian.com/australia-news/2020/dec/04/pm-and-treasurer-bill-taxpayers-for-private-jet-to-lachlan-murdochs-christmas-party>

I note that despite numerous requests, Ministers Morrison and Frydenberg have repeatedly failed to provide an explanation as to their use of public funds for the purpose set out in the article.

Accordingly, I wish to lodge a complaint with your office that

Ministers Morrison and Frydenberg  
have therefore contravened:

- subsection 25(3) of the  
*Parliamentary Business Resources  
Act 2017*; and

- paragraphs 1.2, 1.3, 4.1, 4.4 and  
6.1 of the Statement of Ministerial  
Standards as published and  
maintained by your office.

I request that you acknowledge this  
complaint, investigate this matter  
and advise me of the outcome of  
your investigation.

Regards



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