



5 June 2023

Committee Secretary
Senate Legal and Constitutional Affairs Committee
PO Box 6100
Parliament House
CANBERRA ACT 2600

Dear Committee Secretary

Clarification to Hansard – Budget Estimates 2023-24 hearing on 24 May 2023

I am writing to provide a clarification to evidence I gave to the Senate Standing Committee Legal and Constitutional Affairs during the Estimates hearing on 24 May 2023.

Page 114 of the transcript reads:

Senator SHOEBRIDGE: And then if an order is made, approval of the Attorney-General is required.

Ms Inverarity: A magistrate makes the final surrender determination; that's correct.

I have reviewed the ParlView recording of this portion of the Committee's proceedings. I note that there was an overlap between Senator Shoebridge's speech and mine during this portion of my evidence, which is not reflected in the transcript. As a result, the transcript does not reflect that I was agreeing with Senator Shoebridge that it is the Attorney-General who makes the final surrender determination and was not asserting that it is a magistrate who makes that determination.

To ensure the record is clear, I wish to clarify that the Attorney-General makes a final surrender determination under the *Extradition Act 1988* (Cth), not a magistrate.

Yours sincerely

Tara Inverarity
First Assistant Secretary
International Security and Cooperation Division
Attorney-General's Department