



ATTORNEY-GENERAL  
THE HON ROBERT McCLELLAND MP

09/28109

Ms Julia Irwin MP  
Chair  
House of Representatives Standing Committee on Petitions  
PO Box 6021  
Parliament House  
CANBERRA ACT 2600

*Sally*  
Dear Chair

I refer to your letter dated 29 October 2009, forwarding a copy of a petition covering Messrs Morant, Handcock and Witton.

The petition seeks posthumous pardons and a review of the trials of the men, who were sentenced in British military courts martial in South Africa in 1902. However, the Australian Government has no legal jurisdiction to grant pardons or review the trials conducted by another government in a foreign country.

Therefore, I have forwarded the petition material to the British Secretary of State for Defence. The British High Commission advises that the Secretary of State for Defence was responsible for reviewing British military court martial decisions and issuing retrospective pardons for World War One officers, and would be the appropriate authority to consider the petition from Mr Unkles.

I have asked the Secretary of State for Defence to review the material in the petition and to take any further action that he considers appropriate.

The action officer for this matter in my Department is [REDACTED] who can be contacted on [REDACTED].

Yours sincerely

Robert McClelland