

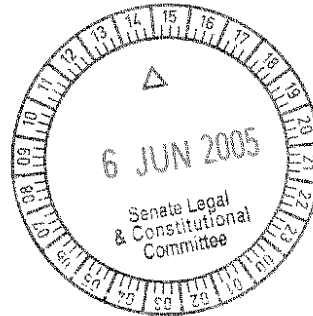


**Australian Government**

**Department of Immigration and Multicultural and Indigenous Affairs**

**Deputy Secretary**

Mr Owen Walsh  
Committee Secretary  
Senate Legal and Constitutional Committee  
Parliament House  
CANBERRA ACT



Dear Mr Walsh

I am writing to add to the evidence I gave to the Committee during hearings on Wednesday 25 May 2005.

Senator Ludwig asked about an allegation that in 2003 the Department of Foreign Affairs and Trade (DFAT) had reports that Ms Alvarez was an Australian citizen who had been deported and that she was in the Philippines.

I answered that I did not think that we could shed any light on that matter and that there was nothing in our records to indicate that the allegation had substance. I said that we had examined departmental files and did not yet have all other potential material that may be in other departments.

Subsequent to this we have learned of an exchange between the Queensland Police missing persons unit and DFAT in September 2003. At this time, Queensland Police were seeking DFAT assistance in trying to locate Ms Grace Olajay, the person who it had been confirmed had met Ms Alvarez on her return to Manila. The escort who had accompanied Ms Alvarez had indicated that Ms Olajay worked for the Australian Embassy, which, as we advised the Committee, was not in fact the case. DFAT Manila confirmed that Ms Olajay was not from the Embassy but was an employee of the Overseas Workers Welfare Administration. The papers we have received from DFAT relating to this exchange show that Queensland Police, in providing DFAT with the context of their request, indicated that Ms Alvarez was actually an Australian citizen and that DIMIA had not been aware of this at the time of her removal from Australia.

For the sake of completeness, I would also like to advise the Committee of two pieces of correspondence in July 2001 on our departmental files relating to information provided to DFAT or provided within DFAT on the Alvarez matter. Significantly, neither record makes a link between Ms Alvarez the person being removed and Ms Alvarez the Australian citizen as this was not known at the time.

The first of these is an internal DIMIA memo dated 19 July 2001 in which a DIMIA officer from our Brisbane office notes that DFAT has been kept up to date with background and events relating to the removal of Ms Alvarez. The second is an

internal DFAT memo dated 20 July 2001, unsigned, which outlines some of the circumstances surrounding Ms Alvarez's removal.

I would also note that Ms Godwin advised the Committee of a record on DIMIA files relating to an inquiry made by DIMIA of DFAT in September 2004 about Ms Vivian Solon Young's passport. It was clarified at the hearings that this request was made to the DFAT office in Brisbane and that DIMIA appears not to have followed up that request. The DIMIA request did not make a link between Ms Young Australian passport holder and Ms Alvarez who was removed in 2001.

DFAT is aware that I am providing the Committee with this further information.

I understand that all relevant documents have been passed by DFAT to the Palmer Inquiry.

Yours sincerely

A handwritten signature in black ink, appearing to read 'E. V. Killesteyn', with a long horizontal flourish extending to the right.

E V Killesteyn  
31 May 2005