



STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS

8 June 2007
Mr Ian Barker QC
Frederick Jordan Chambers
53 Martin Place
Sydney NSW 2000

Dear Mr Barker

Estimates Questions from Senator Heffernan

I refer to your letter of 30 May 2007 regarding remarks made by Senator Heffernan during the Senate Legal and Constitutional Affairs Committee's Budget Estimates hearing on 23 May 2007.

The committee met on 6 June 2007 and considered your letter.

The *Sunday Telegraph* article of 6 May 2007, which Senator Heffernan referred to at page 14 of the *Committee Hansard*, does not report that you stated that child pornography was a victimless crime. Senator Heffernan has advised the committee that he was relying upon the following articles which are attached:

- Miranda Devine, 'Internet eroding child porn taboo', *Sun Herald*, 29 April 2007; and
- Tracy Ong, 'Lawyer hiding child porn evidence', *The Australian*, 25 April 2007.

As advised in my previous letter, Senator Heffernan referred to the report by Ms Miranda Devine during the course of the hearing (see *Committee Hansard*, 23 May 2007, p.44).

In light of the above confusion regarding press reports of your comments, the committee resolved to seek your advice as to whether you wish to clarify or amend your response prior to the committee determining whether to publish your response.

If you have any queries in relation to this matter please contact the committee secretary, Ms Jackie Morris, on (02) 6277 3494.

Yours sincerely

Guy Barnett
Committee Chair