

Attachment 5

**Letter dated 13 July 2009 to Mr Eggington from Senator
Guy Barnett, committee chair**



*Adopted by Cllce
at private meeting
13.7.09*

STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS

13 July 2009

Mr Dennis Eggington
Chief Executive Officer
Aboriginal Legal Service of Western Australia Inc
Perth Head Office
Piccadilly Square
7 Aberdeen Street
PERTH WA 6000

Access to Justice inquiry – Submission by Rowena Puertollano


The Committee has received your letter of 10 July in which you responded to the letter sent to you by the Secretary of the Committee on 29 June concerning the warning letter issued to Ms Rowena Puertollano.

The Committee has considered your response and determined that you be advised of the following:

1. The Committee notes that you have indicated that you are prepared to withdraw the warning letter. We now seek your commitment to do so.
2. The Committee notes paragraph 3 of page 2 of your letter.
3. The Committee notes that you do not object to Ms Puertollano contributing to the Committee's inquiry in a private capacity and that you have undertaken to advise her in writing of this. The committee requires a copy of that correspondence.
4. The Committee notes your rejection that the warning letter may constitute a contempt of Parliament and a criminal offence. The Committee now advises that you are incorrect in this regard. The Parliamentary privilege resolutions expressly prohibit any influence, disadvantage or threat of disadvantage to a witness on account of their evidence or of evidence that they may give.

*Delivered by hand
to Mr Eggington
at level 39 Conference Centre
2 The Esplanade Perth
on Mon 13.7.09*

5. The Committees advises that the confidentiality agreement to which you refer cannot in any way restrict Ms Puertollano's interaction with the Committee and that any attempt to restrict such activity will also be viewed by the Committee as a contempt and dealt with accordingly.
6. As noted to you in the Secretary's letter, any further action against Ms Puertollano as a consequence of her submission or any evidence that she has given or may give to the Committee will be subject to further action by the Committee and possibly by the Senate.



Handwritten signature of Guy Barnett in black ink, consisting of a stylized 'G' followed by 'uy Barnett'.

Senator Guy Barnett

Chair

Cc Ms R Puertollano