

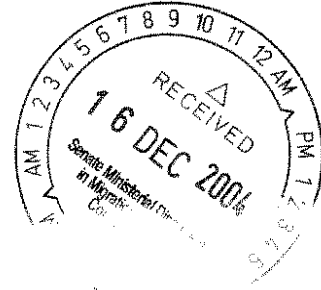


Australian Government

Department of Immigration and Multicultural and Indigenous Affairs

Deputy Secretary

Senator Joe Ludwig  
Chair  
Select Committee on Ministerial Discretion in  
Migration Matters  
Parliament House  
CANBERRA 2600



Dear Senator Ludwig

I am writing further to our meeting at Parliament House on 27 November 2003 with regard to this Department's continuing cooperation in providing information to assist the Committee's Inquiry into Ministerial Discretion in Migration Matters.

2. At that meeting you advised revised requirements in relation to a number of questions. Mr Storer and I agreed that the Department would conduct a scoping exercise in respect of the case information requested by the Committee to ascertain timeframes, resource demands, and other considerations involved in responding to the request.
3. Despite this further refinement of the Committee's requirements, there remain around 130 cases requested. In respect of each of these cases you have asked for either the complete file or for detailed case chronologies with some documents. We have assessed it would require an average of one person day of work per case to prepare the material the Committee has requested. For the current DIMIA team of five officers, on the most conservative estimate the task would take around 5 weeks to complete. Adding to this timeframe elapsed time for gathering together the files from their current locations, public holidays and staff absences on leave over the Christmas/New Year period, as well as legal and clearance processes, we estimate that it would take 8 to 10 weeks for the information to be ready for presenting to the Committee.
4. A substantial amount of work therefore would still be required to supply even this reduced amount of material. In addition, the nature of the requests for this information raises a number of concerns. I am advised that the requests are unprecedented, and have implications going well beyond this particular Inquiry. They raise, in particular, privacy concerns, given that the files and/or case chronologies the Committee has requested relate to individuals who are not themselves the subject of the Inquiry.
5. We have therefore consulted the Minister's office. In view of the considerable workload implications and unprecedented nature of the request, the Minister, Senator

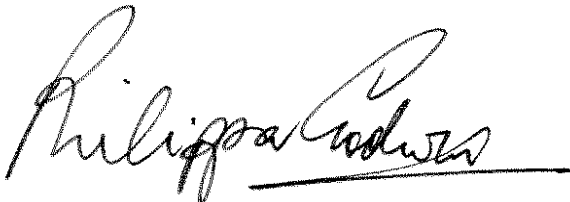
Vanstone has not authorised the Department to provide such a broad ranging and significant amount of personal material.

6. You have indicated that you are looking for information which would assist the Committee to understand the way in which a case moves through the process leading up to a decision by the Minister to intervene under s351 or s417. In order to assist the Committee, the Minister has agreed that the Department provide to the Committee 10 – 12 case studies. The case studies would be randomly selected, and would be based on the information you have sought in relation to Q.T4, but would not include any material which would identify the person whose file it is.

7. Based on the estimated timeframes outlined above, we would expect to be able to have these case studies prepared for forwarding to the Committee by Friday 19 December.

8. If it would assist the Committee, I would be pleased to discuss any of these matters with you or the Secretariat. I can be contacted on (02) 6264 2522.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Philippa Godwin', written over a horizontal line.

Philippa Godwin

12 December 2003