



**DEPARTMENT OF IMMIGRATION AND MULTICULTURAL
AND INDIGENOUS AFFAIRS**

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

Dear Senator Ludwig

I am writing to clarify issues surrounding information that this Department has provided to the Select Committee prior to and during the Inquiry's first hearing in Canberra on 5 September, and undertakings that the Department gave in its oral evidence to supply further information that may assist the Committee.

2. On 28 August 2003, you requested through the Secretariat information with regard to the following:

- A list of Top 10 Ministerial intervention requests and representations by Parliamentarians and prominent individuals/community groups
- The number of applications for Ministerial intervention by country of origin over the last four years (since 1999)
- The number of referrals for s417 intervention from the Refugee Review Tribunal that have been successful.

3. In the letter from Mr Des Storer, First Assistant Secretary, Parliamentary and Legal Division to the Committee Secretary, Mr Alistair Sands, of 4 September 2003, and subsequently in oral evidence at the hearing on 5 September, we provided responses to these questions that were as complete as possible based on the information available to the Department at the time. As noted in the Department's written submission to the Inquiry, as well as in my opening statement at the hearing, the relevant statistical information that may assist the Committee is located in a variety of areas and databases around the Department, the identification and collation of which has required time consuming manual processes.

4. In this context, I need to draw the Committee's attention to the need to update and amend some of the information provided in the light of work in the past few days and I seek to correct the record.

5. The first of these relates to the Top 10 list of requests from Parliamentarians supplied in response to your earlier request. Due to an error in transcription, Mr Anthony Albanese MP was unfortunately omitted from that list.

6. I now attach (at Attachment A) an amended list of Parliamentarians as at 31 May 2003 (the date of the material provided to the Committee). Because the department is now working on more recent data from the relevant system (PCMS), it has been necessary to also update the list to 29 August 2003. The updated list is provided at Attachment B. In order to enable the Committee to see how the relative position of individual parliamentarians common to both lists has changed both lists have been extended to include the Top 15 Parliamentarians.

7. In addition, as requested by Senator Sherry at the hearing I also attach (at Attachment C) the complete list of requests made by 212 Parliamentarians making representations for 2,050 people as at 31 May 2003.

8. Turning to the second matter, I regret that a misunderstanding has inadvertently come about in respect of the second list forwarded to the Committee prior to the hearing and expanded upon at the hearing. In response to the Committee's request for a list of intervention requests and representations by prominent individual/community groups, the Department collated statistical information with regard to 10 legal firms, agents and individuals considered to have significant interest in intervention cases. This list was a representative sampling and not an overall Top 10, in terms of frequency, of all such correspondents. Unfortunately, this list was mistakenly tagged as 'Top 10' in conjunction with the first list.

9. To remedy this, I am now providing, at Attachments D and E, revised and updated lists of representations on intervention cases by firms, community groups/individuals, ordered according to frequency of requests. For ease of reference, we have separated the lists into two categories covering firms in one and, as requested in the Secretariat's letter referred to paragraph 2 above, community groups/individuals in the other.

10. I apologise to the Committee for this confusion and assure you that the Department is making strenuous efforts to bring together information that will most usefully assist the Inquiry.

11. In response to your request of 28 August as referred to in paragraph 2 above, and as we indicated at the hearing, we are continuing to analyse data in respect of the list of Top 10 Ministerial intervention requests and representations by Parliamentarians and prominent individuals/community groups in relation to outcomes and country of origin since 1999. Please note that all further statistical information and analysis provided by the Department will be based on data current as at 29 August 2003.

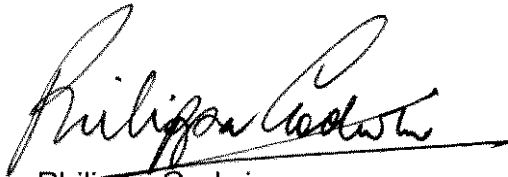
12. I have also received the letter of 8 September 2003 from the Committee Secretary, Mr Sands, attaching a list of written questions on notice from the Committee. I anticipate that the Department will be able to provide the analysis referred to in paragraph 11 and respond to a substantial number of the questions as requested by 19 September, with any remaining questions responded to by the Committee's deadline of 2 October. We will advise the Secretariat by 17 September on progress with responses to the questions, in particular should it become apparent that there may be significant delays in supplying any information. I note as well that officers of the Department are in active consultation with the Secretariat to arrive at

an agreed list of questions taken on notice at the hearing as recorded in the proof copy of Hansard.

13. Finally, I am also able to advise that the Department has obtained further information in response to your question of 28 August relating to the number of referrals for s417 intervention from the Refugee Review Tribunal that have been successful. This information, which updates the response supplied to the Committee Secretary on 4 September, is at Attachment F.

14. I sincerely regret the inadvertent errors on the part of the Department. I look forward to further assisting the Committee with regard to these and any further matters that arise in the course of the Inquiry.

Yours sincerely

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

Philippa Godwin
Deputy Secretary
15 September 2003

**Intervention Correspondence from Parliamentarians
@ 31 May 2003**

1.	Laurie Ferguson	86
2.	Roger Price	63
3.	Frank Mossfield	56
4.	John Murphy	52
5.	Andrew Bartlett	49
6.	Tony Abbot	48
7.	Leo McLeay	42
8.	Anthony Byrne	41
9.	Anthony Albanese	38
10.	Alan Cadman	38
11.	Simon Crean	37
12.	Con Sciacca	35
13.	John Faulkner	34
14.	Ross Cameron	31
15.	Lindsay Tanner	31

Note: *The figures above are based on manual interrogation of available data from PCMS.*

**Intervention Correspondence form Parliamentarians
@ 29/08/2003**

1	Ferguson, Laurie	100
2	Price, Roger	70
3	Mossfield, Frank	58
4	Bartlett, Andrew	56
5	Murphy, John	56
6	Abbott, Tony	53
7	McLeay, Leo	52
8	Sciacca, Con	47
9	Albanese, Anthony	46
10	Byrne, Anthony	44
11	Cadman, Alan	40
12	Tanner, Lindsay	40
13	Cameron, Ross	39
14	Crean, Simon	39
15	Faulkner, John	38

Note: The figures above are based on manual interrogation of available data from PCMS.

**Correspondence from Parliamentarians Identified in
PCMS as Intervention Related*
1 January 2000 – 31 May 2003**

Parliamentarian	Number of Items	Parliamentarian	Number of Items
Abbot, Tony	48	Corcoran, Ann	7
Adams, Dick	1	Costello, Peter	12
Albanese, Anthony	38	Cox, David	3
Allison, Lyn	3	Crean, Simon	37
Alston, Richard	1	Crosio, Janice	21
Anderson, John	7	Crowley, Rosemary	1
Andren, Peter	9		
Andrew, Neil	2	Danby, Michael	14
Andrews, Kevin	15	Downer, Alexander	4
Anthony, Larry	9	Draper, Trish	6
		Edwards, Graham	5
Bailey, Fran	4	Eggleston, Alan	4
Baird, Bruce	20	Ellis, Annette	3
Barresi, Phillip	10	Ellison, Christopher	7
Bartlett, Andrew	49	Elson, Kay	9
Bartlett, Kerry	16	Emerson, Craig	4
Beazley, Kim	3	Entsch, Warren	7
Bevis, Arch	3	Evans, Christopher	6
Billson, Bruce	6	Farmer, Pat	11
Bishop, Bronwyn	5	Faulkner, John	34
Bishop, Julie	12	Ferguson, Alan	1
Bishop, Mark	4	Ferguson, Laurie	86
Bolkus, Nick	10	Ferguson, Martin	9
Boswell, Ronald	2	Ferris, Jeannie	1
Bourne, Vicki	9	Fischer, Tim	1
Brandis, George	1	Fitzgibbon, Joel	1
Brereton, Laurie	15	Forrest, John	3
Brough, Malcolm	2	Forshaw, Michael	1
Brown, Bob	1		
Brown, Dean	2	Gallus, Chris	4
Buckland, Geoff	2	Gambaro, Teresa	7
Burke, Anna	19	Gash, Joanna	5
Byrne, Anthony	41	Georgiou, Petro	8
		Gibbons, Steve	5
Cadman, Alan	38	Gibbs, Brenda	2
Cameron, Ross	31	Gibson, Brian	1
Campbell, George	2	Gillard, Julia	16
Carr, Kim	3	Greig, Brian	1
Causley, Ian	6	Grierson, Sharon	2
Chapman, Grant	1	Griffin, Alan	14
Charles, Bob	10		
Ciobo, Steve	3	Haase, Barry	4
Cobb, John	2	Hall, Jill	3
Collins, Jacinta	1	Hardgrave, Gary	16
Cook, Peter	2	Harradine, Brian	12
Coonan, Helen	2	Hartsuyker, Luke	4
Cooney, Barney	4	Hatton, Michael	

Parliamentarian **Number of items**

Hawker, David	1
Heffernan, Bill	13
Herron, John	5
Hill, Robert	3
Hoare, Kelly	1
Hockey, Joe	14
Hogg, John	2
Howard, John	30
Hull, Kay	5
Hunt, Greg	6
Hutchins, Stephen	6
Irwin, Julia	24
Jackson, Sharryn	4
Jenkins, Harry	12
Johnson, Michael	4
Johnston, David	2
Jull, David	17
Katter, Robert	11
Kelly, De-Anne	3
Kelly, Jackie	13
Kemp, David	13
Kemp, Rod	8
Kerr, Duncan	5
King, Catherine	1
King, Peter	20
Kirk, Linda	1
Latham, Mark	12
Lawrence, Carmen	10
Lee, Michael	12
Lees, Meg	1
Ley, Sussan	2
Lightfoot, Ross	7
Lindsay, Peter	9
Livermore, Kirsten	2
Lloyd, Jim	3
Lundy, Kate	2
Lutukiwai, Tevita	1
Lynch, Paul	16
Macdonald, Ian	3
Macdonald, Peter	1
Macfarlane, Ian	6
Macklin, Jenny	1
Marshall, Gavin	4

Parliamentarians **Number of items**

Marshall, Gavin	4
Martin, Stephen	2
Mason, Brett	7
May, Margaret	1
McArthur, Stewart	1
McClelland, Robert	20
McFarlane, Jann	2
McGauran, Julian	1
McGauran, Peter	9
McKiernan, Jim	4
McLeay, Leo	42
McLucas, Jan	2
McMullan, Bob	6
Melham, Daryl	9
Minchin, Nick	3
Mossfield, Frank	56
Moylan, Judi	6
Murphy, John	52
Nairn, Gary	8
Nelson, Brendan	26
Neville, Paul	2
Newman, Jocelyn	1
Nugent, Peter	7
O'Brien, Kerry	2
O'Byrne, Michelle	4
O'Connor, Brendan	4
O'Connor, Gavan	11
Patterson, Kay	10
Payne, Marise	11
Pearce, Chris	6
Plibersek, Tanya	19
Price, Roger	63
Prosser, Geoff	1
Pyne, Christopher	5
Quirke, John	3
Randall, Don	3
Reid, Margaret	5
Reith, Peter	5
Ridgeway, Aden	12
Ripoll, Bernie	11
Roxon, Nicola	3
Rudd, Kevin	23
Santoro, Santo	1

Parliamentarian	Number of items	Parliamentarian	Number of items
Sawford, Rodney	4	Ticehurst, Ken	3
Schacht, Chris	1	Troeth, Judith	1
Schultz, Alby	7	Truss, Warren	2
Sciacca, Con	35		
Scott, Bruce	2	Vaile, Mark	5
Thompson, Cameron	5	Vale, Danna	15
Scullion, Nigel	12	Vamvakinou, Maria	3
Secker, Patrick	1		
Sercombe, Bob	8	Wakelin, Barry	2
Slipper, Peter	4	Washer, Mal	7
Smith, Stephen	11	Watson, John	2
Smith, Tony	1	Webber, Ruth	2
Snowdon, Warren	5	West, Sue	3
Somlyay, Alex	5	Williams, Daryl	14
Southcott, Andrew	2	Windsor, Tony	2
Stephens, Ursula	1	Woodley, John	3
Stone, Sharman	5	Wooldridge, Michael	4
Swan, Wayne	4	Worth, Trish	11
Tambling, Grant	2	Zahra, Christian	8
Tanner, Lindsay	31		
Tchen, Tsebin	23		
Theophanous, Andrew	2		

Total Number of Parliamentarians: 212

Number of representations: 2050

Note: The figures above are based on manual interrogation of available data from PCMS.

**Intervention Correspondence from Major Firms
@ 29/08/03**

1	Erskine Rodan & Associates	647
2	Adrian Joel & Co	632
3	Christopher Levingston & Associates	300
4	Parish Patience	291
5	Refugee & Immigration Legal Centre	258
6	Victoria Legal Aid	246
7	Aust Migration Program & Investments	245
8	Richard Barba & Co	244
9	Eric Tjahja Migration Agent	216
10	Ozi-land Immigration & Education Consultants	196

Note: *The figures above are based on manual interrogation of available data from PCMS.*

**Intervention Correspondence from Individuals/Community Groups
@ 29/08/2003**

1	Amnesty International	162
2	Le, Marion	75
3	Fijian-Australian Community Council	63
4	Hogarth, Libby	56
5	Kisrwan, Karim	56
6	Flynn, Maryellen	37
7	Sisters of Mercy	37
8	Sisters of Charity Advocacy Network	36
9	Alamdar/Thompson, Gail	34
10	Hotham Mission	30
11	Victorian Foundation for Survivors of Torture Inc	27
12	Murphy, Fr John	26

Note: The figures above are based on manual interrogation of available data from PCMS.

RRT Ministerial Intervention Referrals 1999-2003*

	YEAR				
	1999-00	2000-01	2001-02	2002-03	Total
Total RRT Referrals	137	100	129	564	930
Referrals Intervened	29	21	21	95	166

*Please note that there are still some 300 cases in progress

Note: The figures above are based on manual interrogation of available data from PCMS.