



AUSTRALIAN SENATE
CANBERRA ACT

COMMITTEE OF PRIVILEGES

PARLIAMENT HOUSE
CANBERRA ACT 2600
PHONE: (02) 6277 3360
FAX: (02) 6277 3199
EMAIL: Priv.sen@aph.gov.au

rj/pr/6173

PRIVATE AND CONFIDENTIAL

20 September 2007

Senator Guy Barnett
Chair
Standing Committee on Legal and
Constitutional Affairs
The Senate
Parliament House
CANBERRA ACT 2600

Dear Senator Barnett

As you may know, the Committee of Privileges has received the following reference from the Senate:

Whether false or misleading evidence was given to the Legal and Constitutional Affairs Committee or any other Senate committee concerning the Government's knowledge of the rendition of Mr Mamdouh Habib to Egypt, and whether any contempt was committed in that regard.

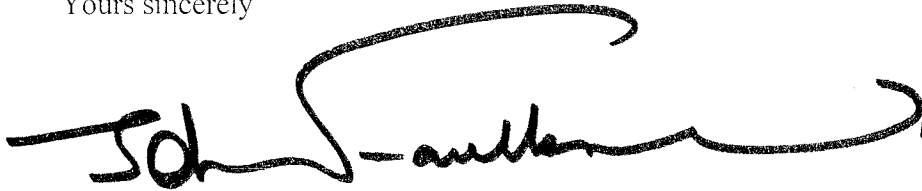
The reference originated in a matter of privilege raised by Senator Nettle relating to evidence given by the Commissioner of the Australian Federal Police, Mr Michael Keelty APM, and the Secretary of the Attorney-General's Department, Mr Robert Cornall AO, to the former Legal and Constitutional Affairs Legislation Committee. The committee is aware that your committee wrote to both officers following allegations raised in a *Four Corners* program in June this year.

The Committee of Privileges would appreciate receiving from your committee an account of its consideration of this matter and of its deliberations on the responses the committee received from Commissioner Keelty and Mr Cornall as to whether they had given false or misleading evidence.

It would be helpful if the committee's response could be forwarded to the secretary of this committee. The committee would appreciate receiving a response as soon as reasonably practicable.

As you know, while submissions are confidential until the committee authorises their release, the committee normally assumes that they will be made public at an appropriate stage of an inquiry.

Yours sincerely

A handwritten signature in black ink, appearing to read "John Faulkner". The signature is stylized with a large, sweeping flourish that starts above the first name and extends across the second name.

John Faulkner
Chair



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PRIVATE AND CONFIDENTIAL

20 September 2007

Mr Robert Cornall AO
Secretary
Attorney-General's Department
Robert Garran Offices
National Circuit
BARTON ACT 2600

Dear Mr Cornall

As you may know, the following matter was referred to the Committee of Privileges on 18 September 2007:

Whether false or misleading evidence was given to the Legal and Constitutional Affairs Committee or any other Senate committee concerning the Government's knowledge of the rendition of Mr Mamdouh Habib to Egypt, and whether any contempt was committed in that regard.

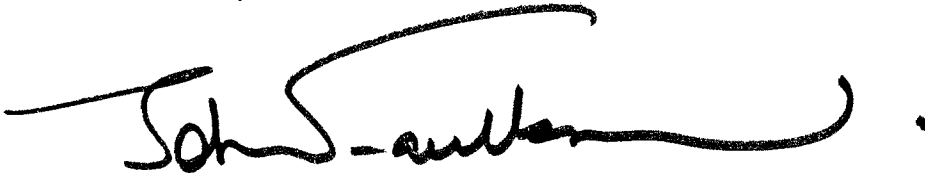
A statement by the President of the Senate, Senator the Hon. Alan Ferguson, on 17 September 2007 is enclosed for your information, together with copies of documents tabled by the President when he made the statement. These documents include correspondence from Senator Nettle to the President, raising the matter of privilege.

As a first step, the Committee of Privileges will be examining the documents tabled by the President and relevant transcripts but, in the meantime, the committee invites any written comments you may wish to make on the terms of reference and, in particular, on the matters canvassed in Senator Nettle's letter to the President. To help you in the preparation of any such comments, I enclose a copy of the Committee's 125th Report, which describes its operations and includes as appendices the *Parliamentary Privileges Act 1987* and Senate Privilege Resolutions of 25 February 1988. I also draw your attention to paragraphs 4.30 to 4.47 of that report which contain summaries of observations the committee has made in relation to previous cases of false or misleading evidence.

The committee would appreciate receiving any comments from you as soon as practicable but, in any event, by the end of October 2007. It would be of help to the

committee if you were to forward the comments to Dr Rosemary Laing, Committee Secretary, Parliament House, Canberra, ACT 2600. While submissions are confidential until the committee authorises their release, the committee normally assumes that they will be made public at an appropriate stage of an inquiry. If you need any further information on the matter, you may care to get in touch with the secretary on the above telephone or fax numbers.

Yours sincerely

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Senator John Faulkner
Chair



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PRIVATE AND CONFIDENTIAL

20 September 2007

Commissioner Michael Keelty AO
Australian Federal Police
PO Box 401
CANBERRA CITY ACT 2601

Dear Commissioner Keelty

As you may know, the following matter was referred to the Committee of Privileges on 18 September 2007:

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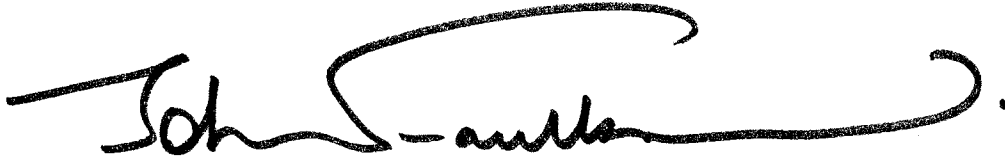
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Yours sincerely

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Senator John Faulkner
Chair