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COMMISSIONER

21 November 2002

Senator M Payne
Chair
Legal and Constitutional Affairs Committee
Parliament House
CANBERRA ACT 2600

Dear Senator Payne

I refer to my appearance before the Legal and Constitutional Affairs Committee on 20 November 2002, and in particular the questions asked by Senator Faulkner concerning the practice of placing tracking devices on suspected illegal entry vessels. I was unable to answer those questions during the hearing and took them on notice.

I have given careful consideration to the Senator's questions.

The questions call for an answer which may disclose lawful methods for detecting, investigating or dealing with matters arising out of breaches of the law, the disclosure of which would, or would be reasonably likely to, prejudice the effectiveness of those methods.

Therefore, I wish to advise the committee I propose recommending to the Minister that he make a claim of public interest immunity in relation to information sought by these questions.

Yours sincerely

M J Keilty

cc: Senator The Hon Chris Ellison
The Minister for Justice and Customs
Parliament House
Canberra