



THE SENATE

STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS

30 May 2007

Mr Ian Barker QC  
Frederick Jordan Chambers  
53 Martin Place  
Sydney NSW 2000

Dear Mr Barker

**Estimates Hearing on 23 May 2007**

I refer to your email regarding remarks made by Senator Heffernan during the Senate Legal and Constitutional Affairs Committee's Budget Estimates hearing on 23 May 2007.

I note that Senator Heffernan's remarks were based on press reporting of the sentencing of Dr Patrick Power and that Senator Heffernan referred to these reports during the course of the hearing (see *Committee Hansard*, 23 May 2007, p.44).

You request that Senator Heffernan's comments be referred to the Committee of Privileges. The role of the Committee of Privileges is to inquire into and report to the Senate on contempts or breaches of parliamentary privilege. That committee also considers replies from persons referred to in the Senate chamber and makes recommendations to the Senate as to whether the reply should be published by the Senate and incorporated in Hansard.

There is an equivalent procedure for people who believe they have been adversely affected by evidence provided publicly to committees. Committees regularly draw this evidence to the attention of the individuals referred to and provide them with an opportunity to respond.

The Senate Legal and Constitutional Affairs Committee could agree to publish a response from you to Senator Heffernan's remarks including making this response available on the committee website. Could you advise whether you wish the committee to consider publication of your email of 29 May 2007 or if you would like to provide a more formal response for the committee's consideration.

If you have any queries in relation to this matter please contact the committee secretary, Ms Jackie Morris, on (02) 6277 3494.

Yours sincerely

**Guy Barnett**  
**Committee Chair**