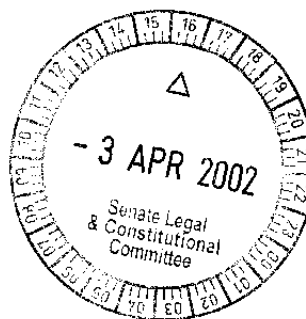


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3 April 2002



· Noel Gregory
 · Acting Secretary
 · Legal and Constitutional Legislation Committee
 · Australian Senate
 · Parliament House
 · Canberra ACT 2600
 · Fax 02 62775794

· Dear Mr Gregory

· Thank you for your recent correspondence (received in this office on 28 March 2002) inviting
 · comment on the *Provisions of the Migration Legislation Amendment (Procedural Fairness) Bill*
 · *2002 and the Migration Legislation Amendment Bill (No. 1) 2002* by 2 April 2002

· First, I must point out that such a timeframe (and over the Easter long weekend) makes it extremely
 · difficult for a member-based organisation such as ACOSS to undertake any meaningful consultation
 · on the potential impact of the proposed legislative changes let alone allow for any sensible reflection
 · on the content of what is being proposed.

· Having said that we offer the following preliminary comments:

- > In the current political climate surrounding migration and refugee issues it is imperative that any
 · proposed legislative amendments are transparent and well understood.
- > In terms of the Migration Legislation Amendment (Procedural Fairness) Bill 2002, a reading of
 · the material provided does not allow an appreciation of the merit or otherwise of the original
 · provisions to which a clearer codification framework might apply. To enable this to occur we
 · would suggest that a longer timeframe for public debate is made available. While clearer
 · codification is a desirable goal in itself in relation to procedural fairness and simplicity, a review
 · debate about the adequacy of the current codification of 'natural justice' provisions, in the light
 · of experience with their operation, would be beneficial.
- > In relation to the Migration Legislation Bill (No. 1) 2002, in the short time available we have not
 · identified any major issues from our perspective.

· In respect of both bills, we will endeavour to look more closely at the proposed amendments over the
 · next week prior to Committee hearings. I will talk with you further about whether there would be
 · value, from the Committee's point of view or ACOSS's viewpoint, in ACOSS seeking to give
 · evidence.

· Yours sincerely

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