

Appendix 3

Correspondence from invited witnesses

Mr Peter Hendy

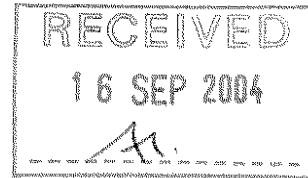
Mr Miles Jordana

Air Vice Marshal Alan Titheridge (Retired)



AUSTRALIAN CHAMBER OF COMMERCE AND INDUSTRY

15 September, 2004



Mr Alistair Sands
Secretary
Senate Select Committee on the Scafton Evidence
Parliament House
CANBERRA ACT 2600

Dear Mr Sands

I refer to your letter dated 2 September 2004 inviting me to attend a public hearing of the Senate Select Committee on the Scafton Evidence.

I must decline this invitation.

It is my understanding that the Cabinet of the Australian Government came to a decision on 11 March 2002 that, inter alia, ministerial staff and people who were ministerial staff at the relevant time, were not to attend the hearings of the Senate Select Committee on a Certain Maritime Incident. The matters that are the subject of the Senate Select Committee on the Scafton Evidence are exactly the same as the earlier Senate Select Committee. As a former ministerial staffer at the relevant time I believe that I am bound by this decision of the Australian Government.

Yours sincerely


Peter Hendy
Chief Executive

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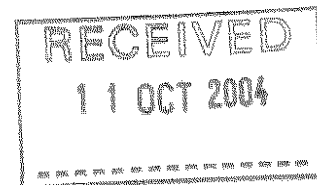




Australian Government
Attorney-General's Department

Deputy Secretary
Criminal Justice and Security

6 October 2004



Mr Alistair Sands
Secretary
Select Committee on the Scafton Evidence
Australian Senate
Parliament House
CANBERRA ACT 2600

Dear Mr Sands

Re Invitation to Give Evidence at a Public Hearing

I refer to your letter of 2 September 2004 inviting me to give evidence to the Senate Select Committee on the Scafton Evidence.

The enquiries of the Committee, as they would involve me, relate to my time as Senior Advisor (International) in the Prime Minister's Office (PMO) from February 2001 to mid-2003, a position in which I was engaged under the Members of Parliament (Staff) (MoPS) Act.

For the period I worked in the PMO, the Government's policy was that it was not appropriate for MoPS ministerial staff to appear before, or give evidence to, parliamentary committees on matters relating to their work in ministerial offices.

At the time of writing, I am not aware of any change to that policy.

In light of the foregoing, I wish to inform you that I will not be able to accept your invitation to give evidence before the Committee

Yours sincerely

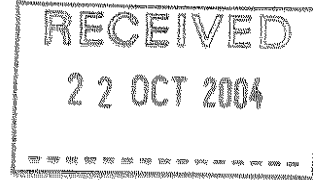

Miles Jordana

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14 October 2004

Mr Alistair Sands
Secretary
Select Committee on the Scafton Evidence
Parliament House
Canberra ACT 2600



Dear Alistair,

Thank you for the invitation to give evidence to the Committee at a public hearing at a date to be fixed. I have given this issue a significant amount of consideration to judge whether I have a contribution to make that would add to the Committee's body of knowledge. On reflection, and given my previous evidence, I do not believe I do, and my attendance would be a waste of both my, and more importantly, the Committee's, time.

I do note, however, a reference during the most recent hearing to the issue of delays in access to the video-tape. I have nothing to add to this issue. Requests received by me from Mr Scafton were passed to the chain of command for action, in this instance to HQ Australian Theatre and then, I presume, to Maritime HQ where the tape was held. You would have to seek information about those delays from those responsible for custody of the tape.

Yours sincerely

A handwritten signature in cursive script, appearing to read "A. W. Titheridge".

A. W. Titheridge