



Clarke Inquiry into the case of Dr Mohamed Haneef

MJ CLARKE QC

As I indicated in my Statement of 25 July 2008, I intend from time to time to report in general terms on the progress of the Inquiry.

The Inquiry has been conducting interviews since 22 July and, to date, 16 individuals have been interviewed by the Inquiry. Over the next two to three weeks it is expected that a further 13 persons may be interviewed. There may also be a need to recall some witnesses to consider aspects of their evidence in the light of information, either oral or documentary, provided by other witnesses. As foreshadowed in Practice Note No.3 all interviews have been fully transcribed. Transcripts of interviews are not being published but will form part of the records of the Inquiry.

The Inquiry has received to date some 53 written statements from individuals who had some involvement in the events surrounding the case of Dr Haneef. It has, however, been unnecessary to interview all those from whom statements were requested and subsequently provided. Evidence given in interviews or statements will assist me in the preparation of my final report.

The Inquiry has not interviewed Dr Haneef. From the outset I indicated my willingness to see Dr Haneef either in Australia or, if that were not possible, to see him overseas. In May, Dr Haneef's representatives, on his behalf, provided me with a comprehensive submission, which has been published on the Inquiry's website. This submission has been very helpful and I consider it is sufficient for me to be able to understand Dr Haneef's experience and position. Of course, my understanding has also been informed by other evidence and comprehensive access to relevant documents. On this basis I advised Dr Haneef's representatives that I did not see a need to meet Dr Haneef and asked them to advise me of their client's view. They have subsequently told me that Dr Haneef does not request an interview.

When this Inquiry was announced in March it was contemplated that there would be opportunities for public input into the debate about the matters covered by the Inquiry's Terms of Reference either through submissions or public forums. The Inquiry invited submissions and received a number from interested groups and individuals – most of those are posted on the Inquiry's website.

I am now able to advise that the Inquiry will be convening *'Too Safe or Too Sorry? – a public forum on the effect of the relevant laws as they applied to the case of Dr Haneef'*. The forum will be held in Sydney on Monday 22 September 2008. Details of the one day program, including invited speakers will be posted on the Inquiry's website this week. Procedures for registering interest in attending and a paper covering issues for consideration at the forum will also be published on the website.

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