

## Commonwealth Ombudsman National Conference

### Keynote address

23 September 2009

The Hon. John Clarke QC

Thank you very much John [Commonwealth Ombudsman Professor John McMillan] for the very kind welcome and it's a pleasure to be here and I'm honoured to get an opportunity to have a few things to say about what seemed to become a very big event. Ladies and gentlemen I'm probably a bit nervous about speaking in front of a lot of ombudsman or quasi ombudsman or inspector generals and people like that because you conduct or they conduct their activities at a level much closer to people than judges do. We sit up on a bench and look down smiling or snarling and deal with a problem, particularly on an appeal court you have hardly any people, you just get paper and the only people there are the lawyers who waffle along all day.

And I always found as a barrister and as a judge that the most interesting part of the law, the law itself is quite interesting because it does involve a terrible problem of resolving disputes at every level where there are probably good points in favour of either side. But I've always found the most fascinating part is studying people and for instance I have a very strong view now which I didn't have when I was a young barrister but you find liars in cases about one in 10,000 cases. There are people whose recollection was faulty and people who are inaccurate but the actual liars who come there and swear are very rare and strangely enough perhaps I'm kidding myself but I thought that there was always something that gave them away.

Anyway that's not why I'm here to speak about. I have been a bit concerned as to how I should deal with the Haneef case because there are many issues and many aspects of it. I notice today, I think I've probably been told before and forgotten that there is one subject on enquiries by Mr Palmer who conducted earlier enquiries which like mine were conducted without the benefit of statutory powers or protections and I see that he's going to discuss enquiries. That's something I wish to say a little about but only a very little and I'll keep it confined.

The press have always spoken about the Haneef investigation or the Haneef affair in terms of a debacle. Well I spent something like six months in this investigation and I emphasise that is not a view I share. Most of the arrows have been aimed at the AFP and to a lesser extent the Department of Immigration and the Minister. I should say that I'm slightly affected by the Sydney dust today and if I need water I'm afraid that's the reason for it. I recognise fully that there were mistakes but those mistakes focused on two critical decisions of what might be described as a bad error of judgment. However this was a difficult investigation from a number of perspectives and my view is that all those involved worked conscientiously, some very long hours indeed and diligently.

The initial criticism resulted substantially from the actions of a few people within the investigation who leaked material to the press as the investigation went forward. This I know caused some concern to the Commissioner of the Australian Federal Police who wanted me to investigate who the leakers were but you may not be surprised to hear that without any power at all it was an activity I was not prepared to engage in. These leaks presented a very bad picture of the investigation and to be frank in a hurriedly garnered together group of some hundreds of people in one area in Brisbane trying to get organised into a working or a series of working units it's not

surprising there's some hiccups and it doesn't look good if those hiccups get out. So the investigation was in a sense tarnished before it had gone very far at all.

There was one particular officer who was singled out by the press for quite a deal of criticism. I have no difficulty rejecting the press criticism of that officer. It was ill-informed and that's no criticism to the press because it would have been very hard to be informed about the difficulties under which he had to work but he was a most impressive police officer who worked enormous hours and at the end of the day he was one of the arresting officers who conducted the interviews and who declined to charge Dr Haneef because he didn't think there was a case. Yet he was the man who was picked out for criticism. There were of course grounds for criticism in his case but they flowed from the actions of others.

Now the subject I wanted to focus on was interoperability. In the main between departments and organisations and one department and its minister. This subject must be understood in the context. Now you've all probably read the Haneef enquiry in the press ad nauseam and I don't want to bore you to tears. But perhaps what I'm going to say is a bit more on the inside and a bit more informed than what did appear in the press.

The AFP were first informed of the possible Australian connection with the London bombings at 4.50am on the 2<sup>nd</sup> of July 2007. That information led to feverish activity and bearing in mind that the AFP were relying almost entirely on information from England. It was not surprising that there was a lapse of some time before there could be forward momentum. However they did locate Dr Haneef not physically because he was I think at the hospital or in between hospital and his home but he was first seen finally at 8.10 in the evening. He was then entering or about to enter a minibus to the airport to fly back to India. He was followed and after many conversations between officers on the ground and those in Canberra including a British representative he was arrested when he was about to board the aeroplane.

Prior to the arrest the British authorities had let it be known that it was a matter entirely for Australia whether he was arrested or not, they threw the full responsibility onto the Australians who knew only what they'd been told by the British authorities. Following the arrest the AFP set up a large operation in Brisbane which involved in the main the Queensland Police, ASIO, the Defence Signals Directorate and the Customs Service. There were others but I would apologise for not mentioning them but I do so in a cause of keeping myself short. At a different level there were many daily meetings of the National Counter Terrorism Committee and the Australian Government Counter Terrorism Committee, the former involving state representatives and territory representatives as well as national government representatives.

There were many more small meetings between departments and agencies. These were all the subject of that enquiry and many of these meetings focused not only on the AFP and the arrest and what should be done about Dr Haneef but on the Department of Immigration because that department had become concerned that questions relating to his visa. The major interoperability issues involved the AFP and I'll speak about these and the Director of Public Prosecutions, the AFP and ASIO, the AFP and the Department of Immigration and the Department of Immigration and its minister.

There was also obviously interoperability between the AFP and the Queensland Police to which I'll refer when dealing with the Director of Public Prosecution's issue. I should make the point here that this episode was unique as far as I know in

Australian history. Police forces involvement with counter terrorism activities was relatively new. There were secret investigations proceeding in Australia but they were proceeding out of the glare of the public or I think in most cases the people who were duly arrested but there had never been a situation when something happened in another country which then threw the police force and the allied forces into enormous activity, really on the run and they were on the run the whole jolly time.

There had been exercises between the AFP and various state police forces to try and equip themselves for any emergency or crisis and this is understandable. The AFP had always been a supporting figure or factor in those exercises because the perspective in which they were being approached was that of a state, something happening in a state. Here we had it happening in England, why were we involved, but we were involved and the AFP took the lead, they'd never done it before and despite some mistakes, two very bad mistakes that were made, despite the mistakes on the whole I think you couldn't have expected much more from a force doing its best in very difficult conditions.

I want to talk about ASIO and the AFP. They worked together in the same general office, although they had their own separate offices in Queensland. Most information or direct information was coming to the AFP through the British Intelligence and associated intelligence forces. ASIO was no doubt receiving some but the material was being shared between them. ASIO knew everything that the AFP knew because they were told and I think it can be true so vice versa. Throughout the period leading up to the charging of Dr Haneef ASIO issued reports stating it had no information supporting any involvement by Dr Haneef in the London bombings.

Indeed on the 11<sup>th</sup> of July and that's getting to the critical time, I think it was the 14<sup>th</sup> of July he was arrested. It issued a longer statement which culminated with this expression "ASIO has not found any material to suggest that Dr Haneef had any fore knowledge or involvement in the planning or execution of the UK bombings". This report was widely circulated to the departments and agencies of the government. At a more senior level the AFP was consistently stating at meetings of the Australian government representatives and other meetings that it was unlikely that there was evidence there upon which Dr Haneef would be charged.

This statement was repeated on the afternoon of the 12<sup>th</sup> when it was said that the option of charging was least likely of all the options. I don't know if this is well understood but right up until virtually the last minute the picture that's being presented from ASIO was there's not enough and the AFP were saying "we don't think there's enough either". Because the AFP was making these statements ASIO did not take the opportunity before the arrest of having dialogue with the AFP as to what it proposed to do. Indeed I heard many times from all levels to from the Attorney General down that ASIO and the AFP had different remits. Now that is true, that's absolutely true but when you find that the leading intelligence organisation in the country and I may say an organisation with which I was very impressed makes it plain that they don't think there is anything to involve Dr Haneef you wonder how the AFP could have got it so wrong at the critical moment.

And I think because of the noises being made by the AFP the senior ASIO people, well I know they said they didn't think it was going to happen so they didn't enter into dialogue. Would a discussion between the two agencies have made a difference? That's a question I can't answer. There are reasons which might suggest it wouldn't have made a difference but that doesn't again say the fact it would have been very useful.

So knowing that on the 12<sup>th</sup> that the AFP right up to the Commissioner were saying “we don’t think there’s enough to charge” and ASIO were saying “there isn’t enough to charge” what happened between the afternoon of the 12<sup>th</sup> and the morning of the 14<sup>th</sup>. Here we turn to discussions between the AFP and a senior officer of the DPP. The first relevant discussion occurred on the late afternoon of the 12<sup>th</sup> and led to the presentation to the DPP officer of a 48 page briefing paper and a request that he return to the AFP officers the next morning and study those with a view to advising the AFP with whether there was enough to charge.

The officer and his assistant considered this brief the next day. The consideration was supplemented by question and answer sessions. At the end of this process there was a discussion about which there were some different recollections and I’ll come to that in a moment. The DPP officer said repeatedly both at an earlier enquiry and before me that he felt terribly put upon, he should have been there before and left to get a better feel for the case then suddenly having 48 pages thrown at him and saying in effect “we’ve got to know by the end of Friday” which was the 13<sup>th</sup>. He made that complaint. There is some justification in it because one of the things I said in the report and I think I probably said it here is that he should have been, the DPP should have been involved much earlier even though as the AFP said they were under enormous pressure and they didn’t think they could bring themselves to divert from their business to do that. It seems to me critical it should have been done and if it had I doubt that final decisions would have been made.

Finally there was the ultimate discussion between the DPP and the AFP when he was asked for his opinion. Now he was there to consider whether there was enough to charge and while there were differences of recollection I think it’s safe to say that what he said was capable of being construed as saying “you’ve got enough to charge in the sense of a reasonable prospect of a conviction”. He persisted in the view that he was never saying that but what he said could be construed that way and it certainly was construed that way not only by the AFP but by the Queensland Police and the other people who were there. So they got that advice “you have enough to charge”.

At the time that was given the two arresting officers were conducting their final interview which went all night. They interviewed Dr Haneef for about eight hours I think previously, this one went nearly 12 hours and they were not involved in the discussion with the DPP because they were carrying out this interview. And the next morning, about 6 o’clock there was a conference called with the Queensland Police, the AFP including the arresting officers with a discussion whether a charge should be laid bearing in mind the DPP had said there’s enough to charge.

This must have been an extraordinary meeting because you had a senior investigating officer, a most impressive and senior officer at the AFP there, a lot of other senior ones and you had the two junior ones who were the arresting officers and they said, and they laid it on the line, they would not charge, there wasn’t enough, you couldn’t charge him on what they had. And there was some debate and eventually, and some senior officers supported a different view but frankly without the information the others had and then the senior officer said “well I should take the responsibility”.

Now there was a difficulty about that and I’ll come to that, but he took the responsibility, he did speak to a senior officer down in Canberra and he decided at the end that the charge should be laid and so it was laid within hours of that decision. Now was laying of the charge a mistake? Yes it was, it was a horrible mistake. There was, I can see, I was looking at it analysing it months after the events, I had to sit

back coolly, totally objectively and look at it and that might colour my view but my view is simple, there was simply not nearly enough to charge, there wasn't even the first elements of a charge there. There was a little bit of evidence about the SIM card which Dr Haneef had admitted he gave his cousin who wasn't the one who was involved in the bombing, he gave his cousin nine months earlier.

That was all they had really, there was some conversations, telephone conversations on tape and other bits and pieces but it was, they called it a thin case, is to grace it with a description far beyond its reality. It was no case at all. So it was a terrible mistake and Dr Haneef should not have been charged. Now why did the DPP say there was enough when clearly there wasn't. I think the only explanation for that could be that he was put under pressure, he thought it was very important and this is me reading between the lines, he thought it was very important that the AFP be supported and he must have looked at the evidence through rose coloured glasses.

He was a decent fellow, the officer and a good man but how he could come to that view still bemuses me. And then the SIO, a most impressive Police officer still had a discretion and junior officers had exercised that discretion and he went along with the view that he could be charged. Now why did he do that? Sure he could rely on the DPP to an extent but he had to form his own independent judgment, why did he do that? Well I've got a very simple view about that. He took the position as a senior investigating officer which was different to the precedent followed in Scotland Yard and the English investigations and the English were sort of a role model for Australia because we hadn't had any of these sort of events but there the senior investigating officer stands aloof from the investigation and really conducts it without getting into the nuts and bolts.

This officer decided and generally he thought he was doing it properly and I'm sure it caused them a lot of heartache and a lot of extra work but he got down into the nuts and bolts and he got too close to it. And when people who have got to make an objective judgment get too close to something their judgment sometimes goes astray and in this case it went badly astray. So the interoperability between those two failed completely. Communication seemed to have been alright but the organisation of the communication led to this crisis series of meetings at the end and a decision which was wrong.

Why do I think if ASIO and AFP had had a chat it wouldn't have affected things or may not have? It's because the day after Dr Haneef was in court on the 16<sup>th</sup> officers from both agencies met, ASIO put its position and its point and they agreed to differ. So even then the AFP seemed to think there was a case. I know that the senior investigating officer thought he was guilty, thought Haneef was guilty but that in my view is because he lost his objectivity.

As always I've not followed my notes. Let me turn to the other area where there were problems, that's the Department of Immigration. Now in a sense there was the same thing happening here, the Department of Immigration heard and I'm really shortcutting it because there were a huge number of meetings involving a huge number of departments and the Immigration was there in the middle. But at all stages really so far as it was concerned the AFP was not going to charge, it had heard the message and it was investigating whether Dr Haneef should be dealt with or his visa should be dealt with under the Immigration Act if there was not enough evidence to justify a charge. And that was their whole approach and the officers went about their work in what seems to be a very good fashion.

They then decided they needed some material because they were going to base any investigation of the matter on the character part of the Immigration Act and that really the relevant aspect because ASIO had said “no, there’s nothing wrong with him that should lead to the visa being cancelled”. The relevant part was did he have an association with someone whom the minister reasonably believed was involved in criminal activity or may be involved in criminal activity. They certainly did have a different remit. And so they were concerned about the character test and they were thrown to a certain degree into a bit of turmoil, when at the last minute the AFP went in the other direction, changed 180 degrees and went the other way.

That was coincidentally the same day in which the Minister for Immigration looked at his brief for the first time. It was unfortunately a very unsatisfactory brief put together by the AFP. I don’t criticise them for that because I don’t think that’s part of their training in preparing briefs like a lawyer does but anyway they did their best and you could get a bit of a picture out of it but the minister looked at it on the 13<sup>th</sup> and he thought that on the test he was advised about he may well cancel the visa. But then on the weekend the whole thing went a different way and Dr Haneef was in gaol, this time under charge. And the minister without further discussion with his officers went to two meetings on the morning of the 14<sup>th</sup>, this was the subject of press comment also.

He went to a meeting with the Prime Minister at which I found during the enquiry the Attorney General was present and from there they went to a meeting of the National Security Commission of Cabinet, sorry National Security Committee of Cabinet and there according to the minister he said he was going to cancel the visa which he did immediately.

Now while I don’t think the Department of Immigration was as well organised as either certainly ASIO or the AFP but the officers were giving advice which was premised on a condition and they seemed to be going about their business quite effectively. The minister’s decision really was his own without taking further counsel from the officers possibly because the minister thought it was too big a matter. Now that decision of his puzzled me and still puzzles me, it’s an enigma, why does he need to step in when the man is incarcerated and you could follow the normal practice of cancelling a visa when someone finishes their gaol sentence or at a later time, when you can deliberate on the matter a bit more but he decided to go ahead.

He said because he thought there was a cause and he thought it was his duty to do so. I believe he did think that. Decision makers all need and this is a bit of general advice that I’ve learnt, all need when they’re going to make a decision about anything to step back for some moments and reflect on what they’re going to do and consider is this right. Now too many decision makers don’t do that and that’s why we get such a proliferation of mistakes. Mind you some who reflect also but I’m not suggesting that as a judge I didn’t make mistakes, I made plenty of them. But he took that view.

Now it’s hard to call it a mistake. It could be categorised as a mistake as I think the press categorised the mistake because it was later found that he had carried out the wrong exercise, he hadn’t asked the right question in forming his view. Now that wasn’t really the minister’s fault, it wasn’t really the department’s fault, it was the judgment of I think either the Federal Court, I think it might have been the Federal Court, judgment of the Federal Court which laid down the test which he applied. He applied the test and when the Haneef case came up the judge there supported later by an Appeal Court said it was the wrong test. So it’s hard to say that they did the wrong thing.

The judge who said it was the wrong test also said that if he applied the right test there was material there to satisfy it but I would describe that as a very bad error of judgment rather than a mistake. I've often wondered what the difference was but everyone always talks about there being a difference and it just seems to me that you couldn't categorise that really as a mistake but it was a bad error of judgment. Anyway that led to quite a furore.

Now there is some irony in all of this that if the Police had not arrested, let him go and the minister had acted to cancel his visa then the criticism of the Police would have I think dissipated and the focus would all have been on the minister who then was shown to have acted wrongly but they did make the mistake, the Police, they are the ones who made the mistake and I suppose you've got to wear the consequences.

Now it's a funny way of dealing with interoperability but what I was trying to convey was the way that these people are working in concert and how working in concert they still didn't seem to get close enough to work together. There was, how's my time going, I've probably spoken over time. There was one other thing I wanted just to pass upon because people might want to ask questions and I'm very happy to endeavour to answer but you'll have to allow something for the fact that it's been sometime in my memory of the detail isn't quite what it was before, although it's still not too bad.

But one question arose which I gave recommendations was the form of the enquiry and should an enquiry like this one be conducted in that way again. Well let me say categorically the answer is no. I had no power at all. I think fairly vainly I think I got there, in other words I got the right results in all but one area and that was the political area and I'm not suggesting I got the wrong result, I tend to think even there I was right but I didn't get an opportunity to examine it as closely as I would like to because I had no power to compel the ministers and the Prime Minister to attend. One declined, one came and simply took over and said he had to go after an hour and a half and one came, the Minister for Immigration did come and he did justify in his mind what he'd done.

But there were discussions between the three of them, those two critical meetings before the cancellation and because of cabinet secrecy and my inability to ask questions or even test the propositions I could never get to the bottom of that. I tend to think that the minister would have made the same decision whatever they'd said that day but was bolstered by what was said, even though both of them or one, the Attorney General said he couldn't remember anything and the Prime Minister said in a letter nothing had been said other than he was going to consider it.

The next day the Prime Minister spoke to the press and said much more to the press than he was prepared to say to me and from that I drew the conclusion that they had discussed it and while they probably did say "I'll leave it to you, we don't think it's a bad idea". Whether that's what happened I don't know but apart from that area I think I got there but it was an incredibly difficult enquiry from the administrative point of view because without powers people almost came and went. The department heads and agency heads had all met with me very early in the peace and said they would give cooperation and this is another aspect which probably won't arise in other investigations but certainly it was likely to arise in future national security investigations.

Even though they'd given me those statements that they would make everything available to me the British Police because they had people under charge over there didn't want me to see almost anything. Well it sounds quite amusing but I think it was

August, we started in March, we really got down to business in May, I think it might have been August before we finally got the AFP documents and that wasn't their fault but we got them and once we did we could go full steam ahead. But we had trouble getting documents, people who were going to attend meetings with us gave us statements as they walked in the door, normally in an investigation you get statements so that you can then focus on questioning them on what they've said and as I said in the political sphere we had no real luck at all.

So I would say never, particularly in national security matters have an investigation by an investigator without power. It's sheer luck if he gets there and he's put under enormous pressures which he or she shouldn't be put under. It raises also the question of whether there shouldn't be particular provision for enquiries into national security. One of the huge difficulties and this involved another much longer enquiry, I think it might be the Wheat Board enquiry where objections are taken to material being released on the basis of public importance, national security and people take them along to the courts and the whole thing comes to a grinding halt while the courts work it all out. And in a real essential national security case you're likely to have that all the time if the investigation is conducted in public.

Now I recognise that lawyers, judges, everyone who was involved in considering the Haneef case thought hearings in public are the holy grail and I wanted to have a hearing in public but I only got anywhere when I went to ground and we did it privately. And I think realistically we should have proper provision for national security investigations which can be done privately but which investigator in his discretion or her discretion can say "well this does not involve anything about national security it should go on the record". I think also the writing of a report what we tried to do in volume 1 of our report which was published was to tell virtually the whole story and I think we did, not the detail of the story but the whole story without advert to any secret information. I think that can be done, perhaps not in all cases but usually if it's done properly the public can see what's happened and understand what the investigation was all about and whether bad conduct had occurred or not. I think that's all I wanted to say. Thank you very much.

#### Post-speech questions

Commonwealth Ombudsman: Thank you John. We do have some time for questions. I can pick up the scent of dinner out there so I think if the hotel staff want to serve dinner while we're having questions that's fine but we do have time for some questions. Now it's hard for us to see hands here because of the lights so it will help if anybody wanting to ask a question stands up. If I can ask a question then John just to get it started. The strong theme you had at the beginning was how people can lose their objectivity even when they know they are making an important and critical decision. I suppose there are two sides to that, do you have any comments on what were the circumstances that caused people to lose their objectivity or the flipside of that what would your cautionary advice be to people in that situation to avoid losing objectivity?

John Clarke: Well this case was a good example. The person making the decision got too close to the action and got suspicions which frankly weren't justifiable suspicions if he'd been standing back and developed this pattern or belief that something had gone on but he couldn't yet nail it down completely and once he had that view he thought you should never let this man go, he was guilty and when the DPP said you've got enough to charge with that lack of objectivity he then had which came from him getting right down into the action and not standing back and that's why the British do it. The person who's making the decision stands back there and

the investigation is conducted, he supervises it but he doesn't get into the nitty gritty of it and he doesn't form for instance a particular liking of someone who's the subject of an investigation. That can happen. Or you could form a fierce dislike or he could promote some trivial incident and this is did, some trivial incident into a major one that supported guilt.

I think the need of someone who's going to make decisions to stay aloof as far as one can from the nitty gritty and let people come to you with their various reports and you make your decision, ask questions about them but you make your decision on the material you're furnished and not your personal judgment of the people concerned or impressions you might get from things that other people say and I think that was a factor in this case also. I think someone was talking to the senior investigating officer who had an influence on his but it unfortunately was the wrong influence.

Commonwealth Ombudsman: I'll see if there are any other questions. Yes.

Audience member: Just a very quick one ??? I just wondered if you feel any confidence that such an occurrence will not occur again.

John Clarke: To be frank I was concerned that these joint exercises had not been sufficient preparation for the actual event when it occurred and that something more needed to be done to equip forces, both state and commonwealth forces to deal with these sort of emergencies but this wasn't only my view the AFP recognised deficiencies that existed in the way they'd carried out their operation. There's one critical room, I just forget the name of it which is very important and the Queensland Police thought the AFP was using that room the wrong way, the AFP thought they were using it the right way. In the end they did change to the Queensland model but I'm still not convinced that necessarily they got it right then and the AFP have put forward before me a number of recommendations which with some modification I accepted and I think there are a need for a lot more exercises because frankly no-one ever thought this would happen, really.

I mean you might have thought theoretically it might but I don't think anyone had really put their mind to it. Sure the Police had been preparing for it but if the same thing happened again in another country and we were involved I think no matter how well primed you are there are always problems but the lack of information, lack of access, immediate access to information, that ability to investigate the circumstances in the other country is a very, very big disadvantage. I can't criticise the AFP for investigating with the force they did, I think they had Australia's interest at heart and they were most concerned that they wanted to make sure that he wasn't involved before they released him and I understand that because if he was a terrorist he was a dangerous person. But I do say it's very difficult if you're going to undertake the task of dealing with someone who's in your country but about something that happened elsewhere it's a very heavy difficult job.

Commonwealth Ombudsman: Can take one more question if there is one. Yes, there's one question in the far right corner and we have a microphone heading in that direction.

Audience member: John, thank you for the talk you've given. Given the recommendations you've made what do you think has changed with the issue of interoperability for the better?

John Clarke: Well I'm too far from the action to tell you. The strange thing about these enquiries you do them and it happened even more so in the veterans' enquiry, you do these enquiries, you put recommendations in and if you get any feedback at all you're very lucky. I am sure that there would be exercises between the Police forces, I would be very surprised if there weren't because not only as I say that I recommend but they themselves were keen for that to happen, they could see they needed it and I'm sure they could also see that. So I would suspect something has happened but I can't give you the detail. I do know that the question about enquiries and we've already heard that is very much under investigation by the Law Reform Commission and I'm sure we're going to get some result from that. But I am concerned that anyone else be as foolhardy as I was to undertake a national security investigation without any power.

Commonwealth Ombudsman: I think if I recall the brief biographical sketch of Mr Clarke in the conference material you will receive tomorrow says that he made 10 recommendations in the Haneef enquiry that were all accepted by government and made 100 recommendations in the veterans' enquiry that were not accepted by government. That suggests there were other forces at work rather than the quality of the report. But John if I can thank you for the address, it's one thing to read a report, it's another to hear a presentation by the author of the report particularly when the presentation is given so frankly and thoughtfully. I think we've been privileged that John Clarke has spoken about the Haneef report and I'm sure for each of us this will be a memorable address. So please join me in thanking John for the address.