

**NATIONAL SECURITY: HANEEF CASE**

**Issue and timing**

Dr Haneef's lawyers, Maurice Blackburn, have filed the following claims for compensation, for the purpose of entering into negotiations on a without prejudice basis with the Commonwealth.

1. *Defamation.* This claim is against Kevin Andrews as former Minister for Immigration and Citizenship, for statements he made about Dr Haneef.
2. *Wrongful arrest, false imprisonment and malicious prosecution.* This claim is against the Commonwealth. Dr Haneef claims his initial arrest (and his detention that followed) was unlawful as the arresting officer suspected but did not believe, as required by law, that Dr Haneef had committed an offence. Dr Haneef also claims he was charged without any reasonable basis, thereby setting in train the prosecution process.

However, Maurice Blackburn has not formally served the claims on the Commonwealth or Mr Andrews. This means the usual court processes that follow the filing of a claim have not commenced.

[REDACTED]

Comment [b101]: s47F

The Commonwealth has instructed the Australian Government Solicitor (AGS) to act for the Commonwealth [REDACTED]

Comment [b102]: s42

**The claim against Mr Andrews**

On 15 June 2010, Mr Andrews wrote the Attorney-General seeking legal assistance under Part 3 of the Parliamentary Entitlements Regulations. [REDACTED]

[REDACTED] The grant of legal assistance to Mr Andrews was approved on 27 July 2010. A letter was sent to the shadow Attorney-General notifying him of the decision.

Comment [b103]: s47F

**Next Steps**

[REDACTED]

Comment [b104]: s42 and s47C

[REDACTED]

[REDACTED]

Comment [b105]: s42 and s47C