



Dissenting Report—Hon Duncan Kerr MP

I have the misfortune to dissent from the Committee's recommendation in relation to payment of compensation.

I believe the evidence received by the Committee would have justified our Committee finding that, in light of the matters put to us by and on behalf of Mr Tomson, the issue of whether an ex gratia payment should be made to him ought now receive careful and independent examination.

However, our conclusions go further and make firm judgments as to that matter.

Our terms of reference and our processes were not directed to that specific issue.

Because I have residual doubt that I possess all material facts, and whether I am well placed to draw such firm conclusions even from what I understand to be the facts, I believe I am not in a position to properly judge the final merits.

In lieu of the Committee's final conclusion I would recommend that there be an independent assessment of the case for payment of compensation to Mr Tomson to be conducted against the criteria applied generally to determine eligibility for Commonwealth ex gratia payments.

Recommendation

The dissenting Committee member recommends that there be an independent assessment of the case for payment of compensation to Mr Tomson to be conducted against the criteria applied generally to determine eligibility for Commonwealth ex gratia payments.