

12 October 2005

Mr Peter Dwyer
Principal Lawyer
Crown Law
GPO Box 149
BRISBANE Qld 4001

By Facsimile : 3224 7431

Dear Peter,

Re: Dr Kees Nydam

In reviewing the evidence of Dr Nydam, it occurs to me that there is one issue that was not raised either in Dr Nydam's Statement, or in the course of the examination by the various parties. I would be grateful if Dr Nydam could provide a short statement on the matter.

Exhibit 44 comprises the Form 55 *Sponsorship for Temporary Residence in Australia*. You will see that the document has been executed by Dr Nydam, and that, in answer to question 17, Dr Nydam writes that "the position has been advertised a number of times over the past 6 months. There have been no Australian applicants. The doctor is considered to be suitable with his overseas qualifications. "

The form, of course, refers to the position of Senior Medical Officer. The evidence before the Commission discloses, as you will be aware, that the position of Director of Surgery had been advertised a number of times in the course of 2002. I am not aware, however, that the position of Senior Medical Officer - Surgery had been advertised, and, in any case, as you know, the advertisements going to the Director of Surgery position had attracted a number of applicants.

In short, I would be grateful if you would obtain from Dr Nydam a short statement going to the factual basis for his answer to question 17.

Please call me if you have any questions.

Yours faithfully

Damien Atkinson
Counsel Assisting the Inquiry

Commissioner
Hon Geoffrey Davies AO
Counsel Assisting
David Andrews SC
Richard Douglas SC
Errol Morzone
Damien Atkinson
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