



Australian Government
Attorney-General's Department

Committee Secretary
Senate Legal and Constitutional Affairs Committee
PO Box 6100
Parliament House
Canberra ACT 2600

Dear Ms Dunstone

Response to requests following the 23 June 2015 public hearing of the inquiry into the handling of a letter sent by Mr Man Haron Monis to the Attorney-General

The Attorney-General's Department's responses to three requests for information from the Secretariat on behalf of the Senate Legal and Constitutional Affairs References Committee are attached.

Further to its response of 2 July 2015, the department has identified additional items of relevant correspondence. These additional items are at Attachment A and are:

Date	Time	From	To
28 May 2015	10.57am	AGO (<i>Departmental Liaison Officer</i>)	AGD (<i>Executive officer, National Security Law and Policy Division</i>)
28 May 2015	11.01am	AGO	AGO (<i>Departmental Liaison Officer</i>)
28 May 2015	11:07am	AGO	AGO (<i>Departmental Liaison Officer</i>)

Yours sincerely

Sarah Chidgey
First Assistant Secretary
27 July 2015

Senate Standing Committee on Legal and Constitutional Affairs

Handling of a letter sent by Mr Man Haron Monis to the Attorney-General

1. Further question on notice from the public hearing on 23 June 2015

On 9 July 2015 the Secretariat, on behalf of Senator Collins, drew the department's attention to the following part of the transcript of the hearing on 23 June 2015 and requested an answer to the question as to whether the department still has a copy of the note from Mr McKinnon.

Mr McKinnon: Senator, that note was from me.

Senator JACINTA COLLINS: Okay. So, Mr McKinnon, can you explain your misapprehension as to when the first contact had occurred?

Mr McKinnon: That was not the first contact. It was the time when we said we were confident we did not have the letter. I was just wrong by a couple of hours.

Senator JACINTA COLLINS: So the note itself said precisely what Mr Sheehan said on Friday?

Mr McKinnon: That is right.

Senator JACINTA COLLINS: Do we still have a copy of that note?

Mr Sheehan: We would have in the department, I think. I do not have it here, but we would still have it, I think. I will have to check.

Response:

A copy of the note from Mr McKinnon is attached (Attachment B).

As stated by Mr Sheehan at the hearing on 23 June 2015, the first advice that PM&C gave to the department about the letter in question was 12.15pm on 1 June 2015. Mr McKinnon's evidence as set out above refers.

Further, it was only on 2 June 2015 that PM&C advised the Attorney-General's Department that PM&C had four of the five documents (refer email of 12:07pm on 2 June 2015).

2. Request for further information on 10 July 2015

On 10 July 2015 the Secretariat, on behalf of the Senate Legal and Constitutional Affairs References Committee, requested the following information in relation to its inquiry into the handling of a letter from Man Haron Monis to the Attorney-General:

- i. noting that a Question Time brief contains factual information and is intended for the use of the minister in the Senate or House of Representatives and that the Department of Prime Minister and Cabinet has provided its PPQ, each version of the Question Time brief;
- ii. attachments to the emails provided;
- iii. a description of what has been redacted from the emails, and in cases where names have been redacted, the position title and minister's office or relevant agency, and the reasons for the redactions; and

- iv. the name of the officer whose file notes were received by the committee on 2 July in relation to the handling of the letter from Man Haron Monis and the Attorney-General and a transcription of the file notes (the scan is illegible).

Response:

i. Each version of the Question Time brief (QTB)

Notwithstanding the general practice of not disclosing QTBs, we have attached the following emails with attached Question Time briefs, redacted as appropriate:

- Email of 28 May 2015 at 10.53am from AGD to AGO with QTB (Attachment C)
- Email of 28 May 2015 at 11:07am from AGD to AGO with revised attachment to QTB (Attachment A)
- Email of 2 June 2015 at 1.19pm from AGD to AGO with QTB (Attachment D).

The emails and attached QTBs have been redacted to remove identifying details for non-SES officers, phone numbers and email addresses, information that AGD considers to be out of scope, and information that may prejudice the coronial inquest or other proceedings.

In addition, consistent with its continuing concern to ensure there is no prejudice to the coronial inquest or other proceedings or disclosure of personal information, the department has not provided the copies of correspondence that form Attachment B to the 28 June 2015 QTB.

ii. Attachments to the emails

In addition to the attachments to emails that were provided on 2 July 2015, and the three attachments provided in response to the question above, the following three emails had attachments:

- Email of 1 June 2015 at 1.54pm from AGD to AGO attaching a spreadsheet and copies of correspondence

Consistent with its continuing concern to ensure there is no prejudice to the coronial inquest or other proceedings or disclosure of personal information, the department has not provided the copies of correspondence attached to the email and has also redacted details of the subject of the correspondence in the spreadsheet (at Attachment E), except where details are already public.

- Email of 1 June 2015 at 1.57pm from AGD to PM&C forwarding the email of 1 June 2015 at 1.54pm with the same attachments

These attachments are identical to those attached to the email of 1 June 2015 at 1:54pm discussed above.

- Email of 4 June 2015 at 3.05pm from PM&C to AGD (Attachment F) attaching a letter.

Consistent with its continuing concern to ensure there is no prejudice to the coronial inquest or other proceedings, the department has not provided the letter attached to the email of 4 June 2015. Further details on the letter are set out below in response to the third request.

- iii. *A description of what has been redacted from the emails, and in cases where names have been redacted, the position title and minister's office or relevant agency, and the reasons for the redactions;*

Documents were redacted to remove identifying details for non-SES officers, phone numbers and email addresses, information that AGD considers to be out of scope, and information that has national security implications or may prejudice the coronial inquest or other proceedings.

Attachment G is a list of emails and notes provided to the Committee on 2 July 2015 and subsequently. The list identifies the department, agency or minister office that sent or received the emails and, where names have been redacted, the position title.

- iv. *The name of the officer whose file notes were received by the committee on 2 July in relation to the handling of the letter from Man Haron Monis and the Attorney-General and a transcription of the file notes (the scan is illegible).*

The file notes received by the committee on 2 July 2015 in relation to the handling of the letter from Man Haron Monis and the Attorney-General were written by Mr Iain Anderson, acting Deputy Secretary, National Security and Criminal Justice Group. A transcription of the file notes is attached (Attachment H).

These notes were redacted to remove identifying details for non-SES officers.

3. Further question on notice from the public hearing on 19 June 2015

On 20 July 2015 the Secretariat, on behalf of Senator Collins, drew the department's attention to the following question taken on notice at the hearing on 19 June 2015:

Ms Jones: It was part of a broader conversation that we were having about a range of matters. I mentioned that I had recalled detailed conversations about a letter from Monis seeking legal advice from the minister. During the course of that conversation it became clear that the letter we had had quite a detailed discussion about—and there were several that were provided to the review where Monis had written to ministers asking for legal advice—was not the 7 October letter to the Attorney-General. So at that point I became aware of the fact that I could not conclude conclusively that as a member of the review team I had seen the 7 October 2014 letter from Monis.

Senator JACINTA COLLINS: Can you describe the letter that was in your mind?

Ms Jones: It was one of several letters that Monis had written to different ministers at different times. In terms of a detailed description of the letter, I may have to take that on notice just because of the issue of the coronial inquest and the provision of documents there and whether there are any concerns about being specific about the details of that letter. I can take that on notice and clarify whether there are any issues about revealing the details of that letter.

Response:

The department has not provided a copy of the letter from Man Haron Monis seeking legal advice that Ms Jones' referred at the hearing on 19 June 2015 in order to ensure there is no prejudice to the coronial inquest or other proceedings. The department is able to advise that the letter, which is dated 6 November 2008, included the question 'Is it legal or illegal to contact the Muslim cleric mentioned above when Muslims have a question about their religion?'

A description of the letter of 6 November 2008 is also contained in the report of the Martin Place Siege Joint Commonwealth – New South Wales review (page 9):

‘Hizbullah Australia’ – a group registered by a close associate of Monis – sends a letter to the then Commonwealth Attorney-General (with copies to the then Prime Minister, Opposition Leader, Foreign Minister and to ASIO) stating the group is now registered in Australia and hopes to begin activity as an Islamic organisation. ASIO assesses the letter to have been written by Monis.

[REDACTED]

From: Horsfall, Karen
Sent: Thursday, 28 May 2015 11:01 AM
To: [REDACTED]
Cc: Lowe, Jamie
Subject: RE: Monis QTB Thursday 28 May [SEC=UNCLASSIFIED]

UNCLASSIFIED

Sorry – you’re referring to something being missing from Att C. I’ll update and send through. It’s just the one doc from 2014.

Kind regards
Karen Horsfall
A/g Assistant Secretary
Counter-Terrorism Law Branch
[REDACTED]



Australian Government
Attorney-General's Department

From: [REDACTED]
Sent: Thursday, 28 May 2015 10:57 AM
To: [REDACTED]
Cc: Lowe, Jamie; Horsfall, Karen
Subject: RE: Monis QTB Thursday 28 May [SEC=UNCLASSIFIED]

UNCLASSIFIED

[REDACTED]
Is there an Attachment A? With correspondence from 2010 – now?

From: [REDACTED]
Sent: Thursday, 28 May 2015 10:53 AM
To: [REDACTED]
Cc: Lowe, Jamie; Horsfall, Karen
Subject: FW: Monis QTB Thursday 28 May [SEC=UNCLASSIFIED]

UNCLASSIFIED

[REDACTED]
The requested table (and relevant QTB is attached).

It’s a bit of a rough job however it cover off all correspondence received by the Office / Department from Mr Monis, or him under any other alias, as provided to the Review. It includes dates, who he wrote to and how the department dealt with it.

A

Happy to discuss if you have any questions.,

Cheers

[Redacted]

From: Horsfall, Karen
Sent: Thursday, 28 May 2015 10:50 AM
To: QTB
Cc: Lowe, Jamie; Gifford, Cameron; [Redacted]
Subject: Monis QTB Thursday 28 May [SEC=UNCLASSIFIED]

UNCLASSIFIED

Please find attached the Monis QTB and Attachments B and C. Attachment A is part of the QTB document.

Kind regards
Karen Horsfall
A/g Assistant Secretary

[Redacted]



Australian Government
Attorney-General's Department

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[REDACTED]

From: Horsfall, Karen
Sent: Thursday, 28 May 2015 11:07 AM
To: [REDACTED] Lowe, Jamie; [REDACTED]
Subject: Monis QTB - replacement Att C [DLM=For-Official-Use-Only]
Attachments: Attachment C - Monis QTB.docx

For Official Use Only

Pls find a replacement Attachment C for the Monis QTB attached. Apologies for the inconvenience.

Attachment C – AGD correspondence provided to the Martin Place Review

Year	Item	Comment
2007	[REDACTED]	EMA lead actual reply date not shown
	[REDACTED]	NSLPS – NFA
	[REDACTED]	NSLPD – reply on 14 November 2007
	[REDACTED]	NSLPD – referred to ASIO legal
	[REDACTED]	NSLPD - actual reply date not shown
	[REDACTED]	NSLPD – NFA
	[REDACTED]	NSLPD – refer to ASIO MCU
2008	[REDACTED]	NSLPD – refer to ASIO
	[REDACTED]	NSLPD - actual reply date not shown
	[REDACTED]	NSLPD - actual reply date not shown
	[REDACTED]	NSLPD – referred to ASIO MCU
	[REDACTED]	NSLPD – NFA
	[REDACTED]	NSLPD – NFA
	[REDACTED]	NSLPD – NFA
	[REDACTED]	NSLPD – NFA
	[REDACTED]	NSLPD – NFA
	[REDACTED]	NSLPD – NFA
	[REDACTED]	NSLPD – NFA
	[REDACTED]	NSLPD – NFA
	[REDACTED]	NSLPD – NFA
[REDACTED]	HRPB – NFA	

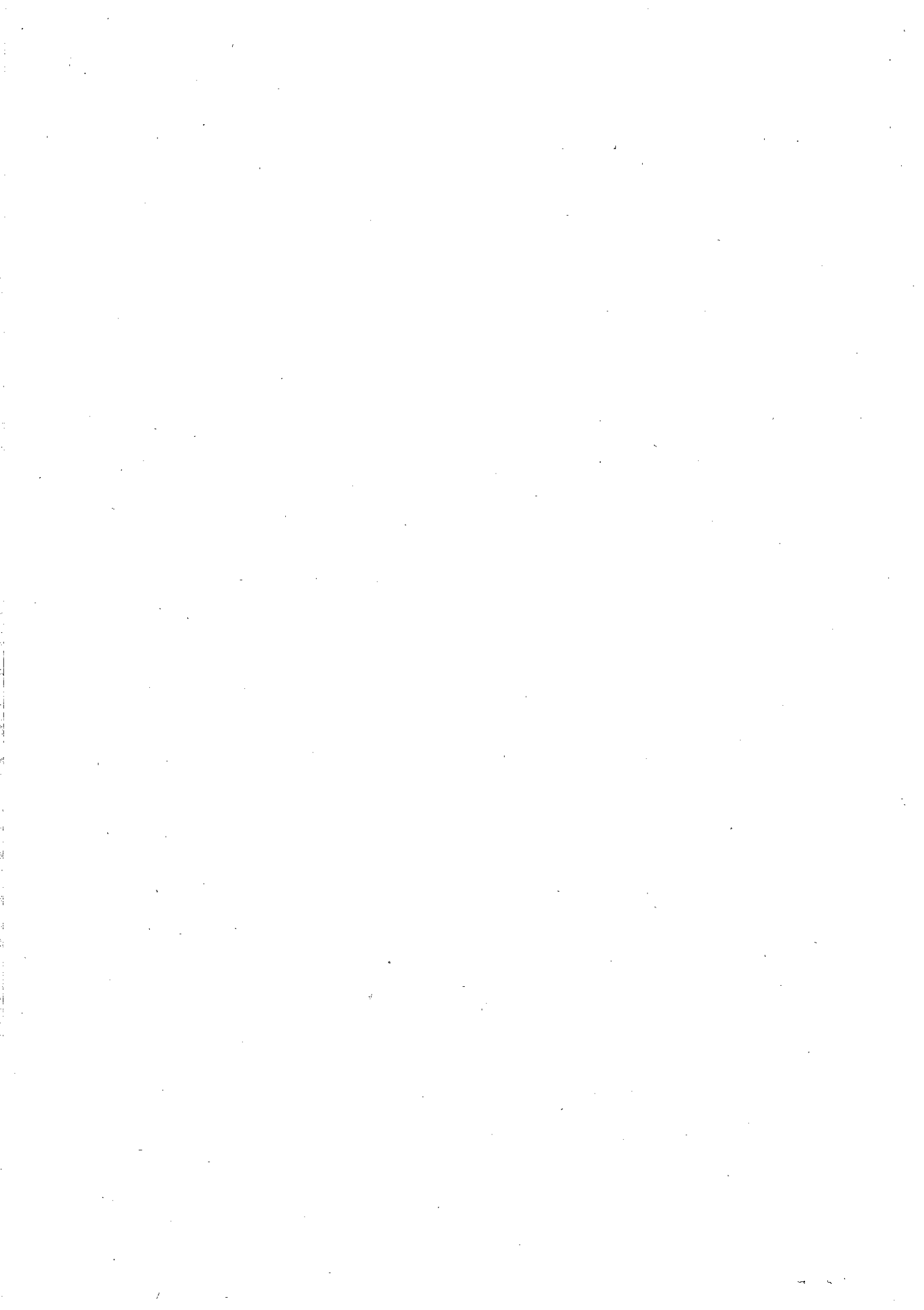
Attachment C – AGD correspondence provided to the Martin Place Review

	[REDACTED]	
	[REDACTED]	NSLPD – NFA
2009	[REDACTED]	NSLPD – NFA
	[REDACTED]	NSLPD – NFA
	[REDACTED]	NSLPD – NFA
	[REDACTED]	NSLPD – NFA
	[REDACTED]	NSLPD – NFA
	[REDACTED]	NSLPD – NFA
	[REDACTED]	EMA – NFA
	[REDACTED]	NSLPD – actual reply date not shown
	[REDACTED]	NSLPD – actual reply date not shown
	[REDACTED]	NSLPD – NFA
	[REDACTED]	NSLPD – NFA
	[REDACTED]	NSLPD – NFA
2014	MC14/20587 - Sheikh Haron - Letter to AG Brandis – Can I write to Caliph Ibrahim – 7 October 2014	NSLPD – reply on 5 November 2014

Tony

I was asked and we
responded by around
9:30 am on Monday
morning ^{1/June} - that we had
four of the jobs but
not the letter in question

Allan



C

[Redacted]

From: [Redacted]
Sent: Thursday, 28 May 2015 10:53 AM
To: [Redacted]
Cc: Lowe, Jamie; Horsfall, Karen
Subject: FW: Monis QTB Thursday 28 May [SEC=UNCLASSIFIED]
Attachments: QTB 33 - Monis - NSLPD - 28May2015.docx; Attachment B - Monis - correspondence with AG & AGD.PDF; Attachment C - Monis QTB.docx

UNCLASSIFIED

[Redacted]

The requested table (and relevant QTB is attached).

It's a bit of a rough job however it cover off all correspondence received by the Office / Department from Mr Monis, or him under any other alias, as provided to the Review. It includes dates, who he wrote to and how the department dealt with it.

Happy to discuss if you have any questions.,

Cheers

[Redacted]

From: Horsfall, Karen
Sent: Thursday, 28 May 2015 10:50 AM
To: QTB
Cc: Lowe, Jamie; Gifford, Cameron; [Redacted]
Subject: Monis QTB Thursday 28 May [SEC=UNCLASSIFIED]

UNCLASSIFIED

Please find attached the Monis QTB and Attachments B and C. Attachment A is part of the QTB document.

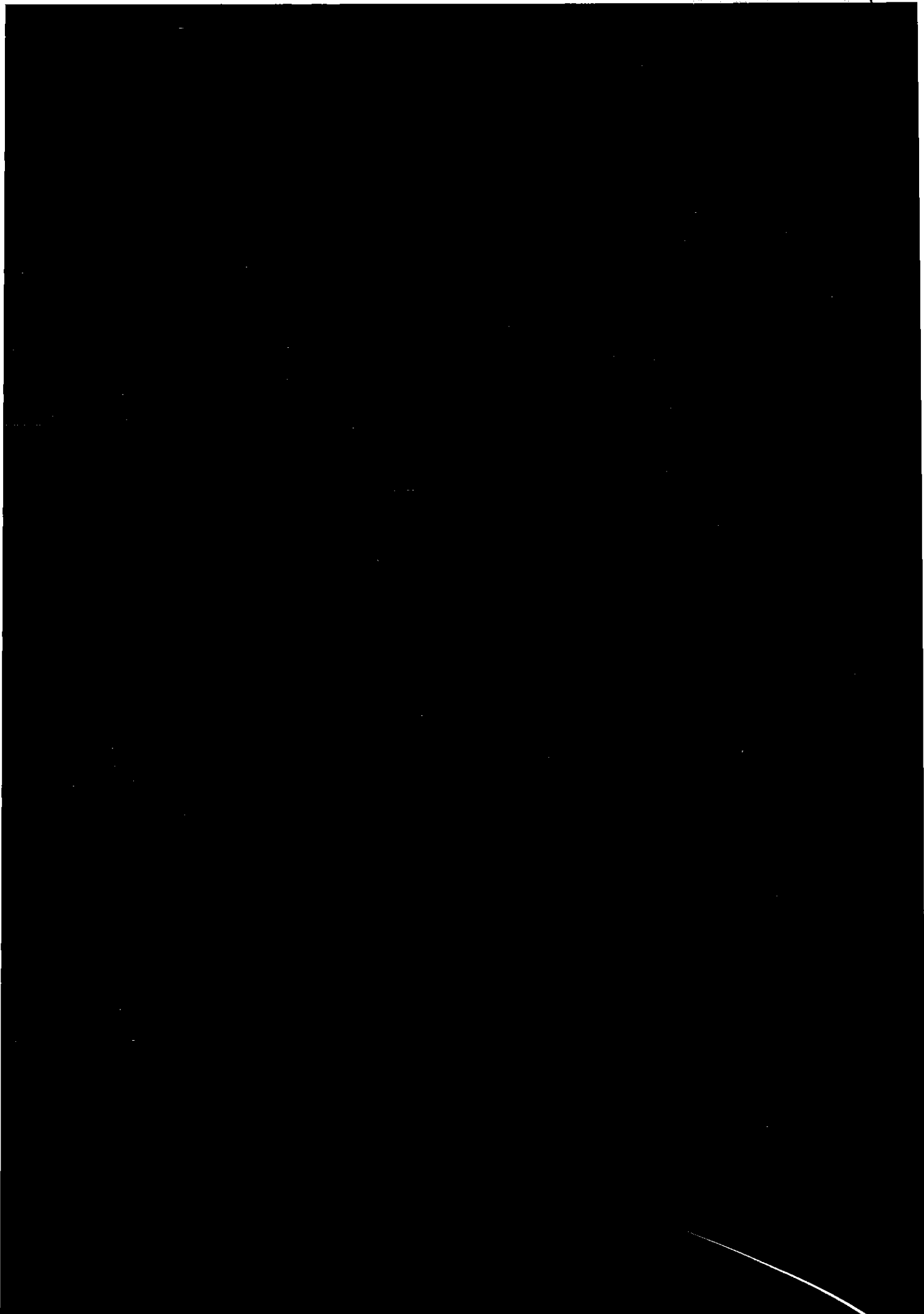
Kind regards
Karen Horsfall
A/g Assistant Secretary

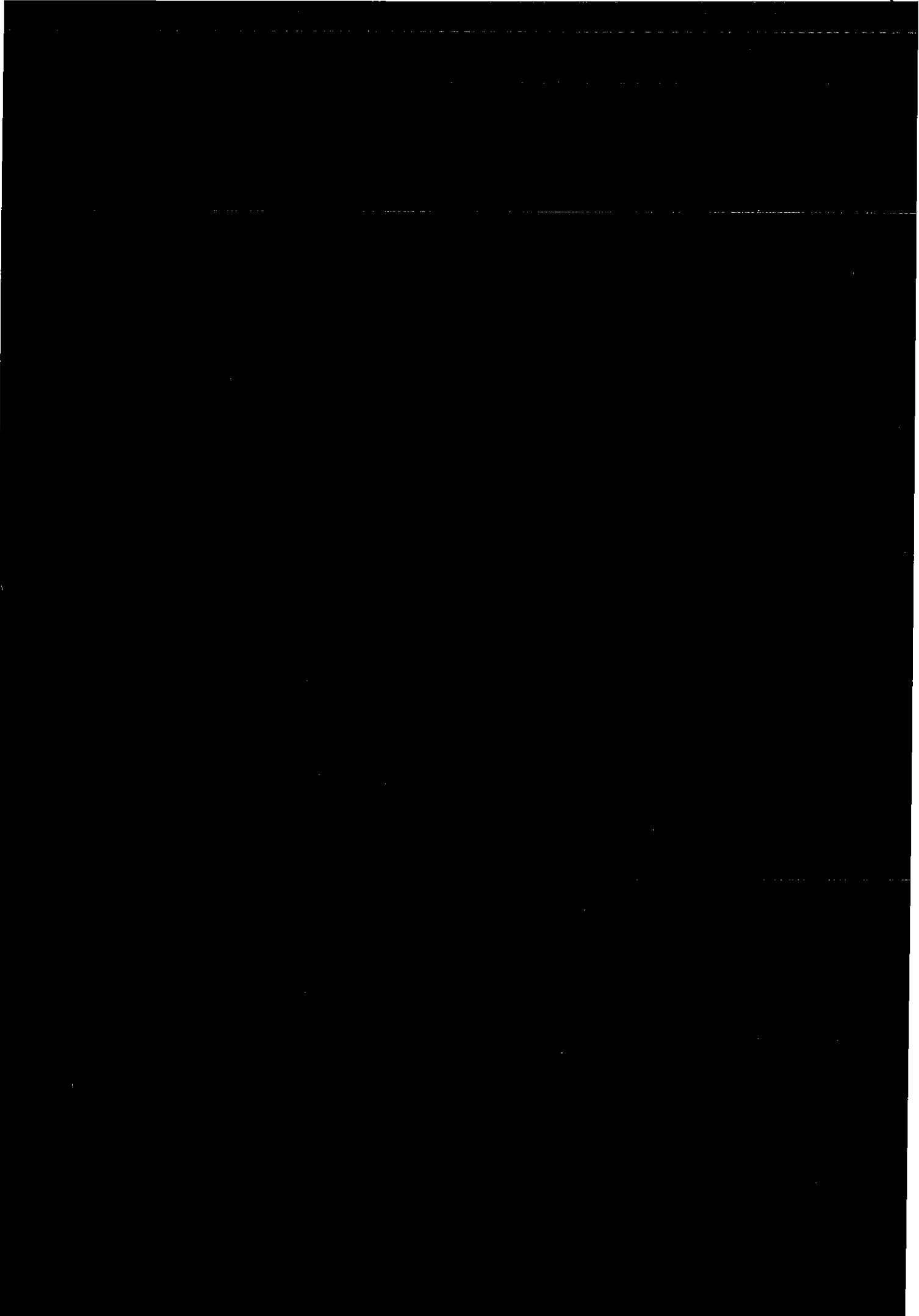
[Redacted]



[Redacted]

[Redacted]





MONIS – CORRESPONDENCE

- During the period 19 October 2007 and 7 October 2014, Man Haron Monis, also known as Sheikh Haron, wrote to numerous Ministers and Departments.
- Monis' letters were addressed to a range of Commonwealth Ministers, including current and former Prime Ministers, Attorneys-General, Premiers (Queensland), and public officials.
- Those letters were often copied to a broad range of other Commonwealth Ministers, Premiers and public officials, including the Director of the Commonwealth Director of Public Prosecutions, the Director-General of ASIO, and the Commissioner of the AFP.
- While some of those letters were provocative and even offensive, they did not cross the line into inciting violence.
- Nor did they not raise law enforcement or security concerns.
- A number of responses to those letters, including letters referred from other Ministers and Premiers, were provided by a range of individuals, including former Attorneys-General (Ruddock), myself, and officers of the Attorney- General's Department.
- Each of those letters sought to address the issues raised by Monis and provide information that would be helpful to him.

Copies of all correspondence to and from Monis at Attachments A and B.

Was the correspondence referred to intelligence, security or law enforcement?

- Each item of correspondence received by the Department is carefully assessed.
- Departmental officers liaise with other Government agencies, including law enforcement and security agencies, where an item of correspondence raises concerns.

Why wasn't correspondence referred?

- The correspondence from Monis handled by AGD did not raise law enforcement or security concerns.
- Monis was known to relevant areas within AGD as a person who wrote to Government, largely alleging discrimination against the Muslim community or alleging corruption or injustice by Government or its agencies.
- He was also well known to security and police agencies.

Clearance officer: Karen Horsfall
Division: National Security Law and Policy Division
Date Updated: 28/05/2015

Phone: [REDACTED]

[This document may have been modified within the Ministerial Office]

- The *Martin Place Siege Joint Commonwealth – New South Wales Review* (the Siege Review) noted that Monis has offered to work for ASIO on several occasions.
- The Siege Review also noted Monis frequently contacted intelligence and security agencies frequently.
- He claimed to have information on the 9/11 terrorist attacks and the 2005 London bombings.
- He also claimed to have pertaining to a ‘missing Israeli Airman’ and contacts with access to information on alQa’id, and alleged a number of Australia-based events, including the 2009 Victorian bushfires were terrorist attacks.
- On all occasions, Monis information was assessed a not being credible.

Were Agencies complacent about Monis?

- The Siege Review found no evidence that ASIO or law enforcement became complacent or dismissive of Monis.
- Rather, “each time security or law enforcement agencies received new information, it was assessed against their broader intelligence holdings and in accordance with their policies and procedures” (page 17).
- Monis was the subject of many law enforcement and security investigations and assessments over the period of his residence in Australia. However, the Siege Review noted that “none of these investigations or the continuous assessment of information related to Monis in the intervening periods provided any pointers into the Martin Place siege” (page 15).

Letters provided to Martin Place Siege Review

- In response to a request for copies of correspondence between the Attorney-General or the Department and Monis, AGD provided all correspondence to the Siege Review.
- The Siege Review’s report noted Monis “was a prolific writer of provocative and offensive letters, but did not cross the line into inciting violence” (page 17).

Letters provided to the NSW Coronial Inquest

- In response to a request from the NSW Coronial Inquest, Government correspondence to and from Monis held by AGD was also provided to the Inquest. Those documents have been tendered in evidence.
- The Government is providing ongoing cooperation with the coronial inquest.

C

Background

Documents provided to Martin Place Siege Joint Commonwealth – New South Wales Review

All correspondence to and from Monis held by AGD was provided to the *Martin Place Siege Joint Commonwealth – New South Wales Review*. [REDACTED]

Documents provided to the AFP and the Coronial Inquest

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



Australian Government
Attorney-General's Department

MC14/20587

5 November 2014

Mr/s Sheikh Haron
PO Box 3409
LIVERPOOL WESTFIELD NSW 2170

Dear Mr/s Haron

Thank you for your letter of 7 October 2014 to the Attorney-General, Senator the Hon George Brandis QC, regarding correspondence with Caliph Ibrahim, the leader of the Islamic State. The Attorney-General has asked me to respond on his behalf.

The Islamic State is listed as a terrorist organisation under Part 5.3 of the *Criminal Code Act 1995*. Under the Criminal Code, it is an offence to direct the activities of, be a member of, recruit for, provide training to, receive training from, provide funds to or receive funds from or provide support to, a terrorist organisation. It is also an offence to associate with a member of a listed terrorist organisation in certain circumstances where such association intentionally provides support to that organization. The penalties for these offenses are severe, and could be up to 25 years imprisonment.

The Attorney-General's Department does not provide legal advice to the members of the public and cannot address your specific question about the legality of corresponding with Caliph Ibrahim. Should you have further concerns about the legality of your proposed actions, you might like to consider obtaining professional legal advice.

Yours sincerely

Karen Horsfall
Acting Assistant Secretary
National Security Law and Policy Division

Clearance officer: Karen Horsfall
Division: National Security Law and Policy Division
Date Updated: 28/05/2015

Phone: [REDACTED]

Attachment C – AGD correspondence provided to the Martin Place Review

	[REDACTED]	
	[REDACTED]	NSLPD – NFA
2009	[REDACTED]	NSLPD – NFA
	[REDACTED]	NSLPD – NFA
	[REDACTED]	NSLPD – NFA
	[REDACTED]	NSLPD – NFA
	[REDACTED]	NSLPD – NFA
	[REDACTED]	NSLPD – NFA
	[REDACTED]	EMA – NFA
	[REDACTED]	NSLPD – actual reply date not shown
	[REDACTED]	NSLPD – actual reply date not shown
	[REDACTED]	NSLPD – NFA
	[REDACTED]	NSLPD – NFA
	[REDACTED]	NSLPD – NFA

[REDACTED]

From: [REDACTED]
Sent: Tuesday, 2 June 2015 1:19 PM
To: [REDACTED]
Cc: Lowe, Jamie; Gifford, Cameron; Anderson, Iain; Sheehan, Tony; Chidgey, Sarah; Pahlow, Michael; [REDACTED]
Subject: AGD Revisions to 31 - AGO AMENDED - Monis Correspondence - 1 June 2015 (2) [DLM=Sensitive]
Attachments: 31 - AGO AMENDED - Monis Correspondence - 1 June 2015 (2).docx

Sensitive

[REDACTED] – Please see revised Monis QTB attached. The document has been amended to reflect – but not highlight – that not ALL documents held by AGD were provided to the Siege Review. Happy to discuss.

[REDACTED]

QTB15/31

MONIS – CORRESPONDENCE

- During the period 19 October 2007 and 7 October 2014, Man Haron Monis, also known as Sheikh Haron, wrote to numerous Ministers and Departments.
- Monis’ letters were addressed to a range of Commonwealth Ministers, including current and former Prime Ministers, Attorneys-General, Premiers (Queensland), and public officials.
- Those letters were often copied to a broad range of other Commonwealth Ministers, Premiers and public officials, including the Director of the Commonwealth Director of Public Prosecutions, the Director-General of ASIO, the Commissioner of the AFP and the Queen.
- While some of those letters were provocative and even offensive, they did not cross the line into inciting violence.
- Nor did they not raise law enforcement or security concerns.
- A number of responses to those letters, including letters referred from other Ministers and Premiers, were provided by a range of individuals, including former Attorney-General (Ruddock) and officers of the Attorney-General’s Department.
- Each of those letters sought to address the issues raised by Monis and provide information that would be helpful to him.

Was the correspondence referred to intelligence, security or law enforcement?

- Each item of correspondence received by the Department is carefully assessed.
- Departmental officers liaise with other Government agencies, including law enforcement and security agencies, where an item of correspondence raises concerns.

Why wasn’t correspondence referred?

- ~~The correspondence from Monis was handled appropriately by AGD did not raise law enforcement or security concerns.~~
- Each item of correspondence from Monis received by AGD was carefully assessed and appropriate action taken.
- As with all correspondence received by AGD, where an item of correspondence raised issues relevant to other Agencies or raised concerns, those items were referred to the appropriate area, including law enforcement and security agencies.

Comment [h1]: This is not accurate. Some items were marked as refer to ASIO, Defence etc.

QTB15/31

- Monis was known to relevant areas within AGD as a person who wrote to Government, largely alleging discrimination against the Muslim community or alleging corruption or injustice by Government or its agencies.
- He was also well known to security and police agencies.
- The *Martin Place Siege Joint Commonwealth – New South Wales Review* (the Siege Review) noted that Monis has offered to work for ASIO on several occasions.
- The Siege Review also noted Monis frequently contacted intelligence and security agencies.
- He claimed to have information on the 9/11 terrorist attacks and the 2005 London bombings.
- He also claimed to have information pertaining to a 'missing Israeli Airman' and contacts with access to information on alQa'ida, and alleged a number of Australia-based events, including the 2009 Victorian bushfires were terrorist attacks.
- On all occasions, Monis' information was assessed as not being credible.

Were Agencies complacent about Monis?

- The Siege Review found no evidence that ASIO or law enforcement became complacent or dismissive of Monis.
- Rather, "each time security or law enforcement agencies received new information, it was assessed against their broader intelligence holdings and in accordance with their policies and procedures" (page 17).
- Monis was the subject of many law enforcement and security investigations and assessments over the period of his residence in Australia. However, the Siege Review noted that "none of these investigations or the continuous assessment of information related to Monis in the intervening periods provided any pointers into the Martin Place siege" (page 15).

What did the Government do to respond to the increased terrorism Public Alert level?

- In response to the increased alert level, the Government led various communication activities to ensure the public were aware of increased threat level.
- Government agencies, including the Attorney-General's Department took a range of steps to revise protective security arrangements and update administrative processes. These included:

Clearance officer: [REDACTED]
 Division: National Security Law and Policy Division
 Date Updated: 04/2/06/2015

Phone: [REDACTED]

[This document may have been modified within the Ministerial Office]

QTB15/31

- Advice from ASIO to Government agencies on individual protective security measures;
 - A test and review of the Department's lock-down procedures;
 - The Department's business continuity, crisis management and heightened security arrangements were exercised;
 - The Department's heightened security measures were reviewed to prepare a new security alert level procedure (departmental changes included modifying the guard desk, placing additional controls on visitor passes and activating additional access controls).
- The Office and Departmental protocol for handling ministerial correspondence was not changed.
 - Each item of correspondence is carefully assessed.
 - Departmental officers liaise with other Government agencies, including law enforcement and security agencies, where an item of correspondence raises concerns.
 - The correspondence from Monis was not ignored or dismissed.
 - It was appropriately referred to and handled by the Department, consistent with the many previous letters from this individual.

Letters provided to Martin Place Siege Review

- In response to a request for copies of correspondence between the Attorney-General or the Department and Monis, AGD provided a large volume of correspondence to the Siege Review.
- The Siege Review's report noted Monis "was a prolific writer of provocative and offensive letters, but did not cross the line into inciting violence" (page 17).

Letters provided to the NSW Coronial Inquest

- In response to a request from the NSW Coronial Inquest, Government correspondence to and from Monis held by AGD was also provided to the Inquest. ~~Those documents have been tendered in evidence.~~
- The Government is providing ongoing cooperation with the coronial inquest.

Comment [h2]: The corro was not provided to the inquiry in response to a request. It was provided by AFP/NSWPol. AGD was then consulted and agreed it could be tendered in evidence.

D

QTB15/31

Background

Documents provided to Martin Place Siege Joint Commonwealth – New South Wales Review

A large volume of correspondence to and from Monis held by AGD was provided to the *Martin Place Siege Joint Commonwealth – New South Wales Review*. [REDACTED]

[REDACTED]. Due to an administrative oversight, a small number of items of correspondence were not provided to the Siege Review. The talking points will be updated once AGD has completed a thorough investigation of this matter.

Documents provided to the AFP and the Coronial Inquest

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Clearance officer: [REDACTED] Phone: [REDACTED]
Division: National Security Law and Policy Division
Date Updated: 04/2/06/2015
[This document may have been modified within the Ministerial Office]

D

QTB15/31

Attachment A



Australian Government
Attorney-General's Department

MC14/20587

5 November 2014

Mr/s Sheikh Haron
PO Box 3409
LIVERPOOL WESTFIELD NSW 2170

Dear Mr/s Haron

Thank you for your letter of 7 October 2014 to the Attorney-General, Senator the Hon George Brandis QC, regarding correspondence with Caliph Ibrahim, the leader of the Islamic State. The Attorney-General has asked me to respond on his behalf.

The Islamic State is listed as a terrorist organisation under Part 5.3 of the *Criminal Code Act 1995*. Under the *Criminal Code*, it is an offence to direct the activities of, be a member of, recruit for, provide training to, receive training from, provide funds to or receive funds from or provide support to, a terrorist organisation. It is also an offence to associate with a member of a listed terrorist organisation in certain circumstances where such association intentionally provides support to that organization. The penalties for these offenses are severe, and could be up to 25 years imprisonment.

The Attorney-General's Department does not provide legal advice to the members of the public and cannot address your specific question about the legality of corresponding with Caliph Ibrahim. Should you have further concerns about the legality of your proposed actions, you might like to consider obtaining professional legal advice.

Yours sincerely

Karen Horsfall
Acting Assistant Secretary
National Security Law and Policy Division

Clearance officer: [Redacted]
Division: National Security Law and Policy Division
Date Updated: 04/2/06/2015

Phone: [Redacted]

[This document may have been modified within the Ministerial Office]

From: Chidgey, Sarah
 Sent: Monday, 1 June 2015 1:54 PM
 To: [Redacted]
 Cc: [Redacted]; Lowe, Jamie; [Redacted]; Sheehan, Tony; Anderson, Iain; Moraitis, Chris; Jones, Katherine
 Subject: MinCorro - Martin Place Siege [DLM=For-Official-Use-Only]
 Attachments: List of Man Haron Monis correspondence for AGO.xlsx; All MinCorro Items.pdf

For Official Use Only

Below are points outlining the department's handling of Monis correspondence in the context of the Review and Estimates. I have also attached a spreadsheet listing all correspondence received by the department and indicating those items that were not provided to the review and why not. I have also attached, in a single PDF, copies of all correspondence that we have been able to locate in our electronic systems (this does not include older hard copy correspondence that has been archived).

Sarah

AGD handling of Monis correspondence

1. In early January 2015, AGD conducted a comprehensive search of all documents and correspondence related to Man Haron Monis and passed relevant documents to PM&C.
2. The correspondence in question (letter from Sheikh Haron dated 7 October 2014) was discovered during this search.
3. On 2 February 2015, AGD became aware that this correspondence had been omitted from the correspondence provided to the Martin Place Siege Review due to an administrative error related to a spreadsheet .
4. On the same day, AGD advised the Review team by telephone that an additional item of correspondence and response had inadvertently not been provided to the Review due to an administrative error. The Review team member responded that the text of the Review had been finalised and AGD therefore did not provide the document.
5. On 27 May 2015 at the Senate Legal and Constitutional Affairs Committee Budget Estimates hearing, Katherine Jones, Deputy Secretary, National Security and Criminal Justice Group, AGD, who was also a senior member of the Review, provided evidence that the correspondence "was provided to the review".
6. After further discussions with another colleague on the Review, Ms Jones concluded that her evidence at the Estimates hearing on 27 May 2015 was incorrect and that she was recalling a discussion of a separate document and not the correspondence in question.
7. Ms Jones will correct her evidence to the Senate Committee at the earliest opportunity.

Additional Background

1. On 1 June 2015, the Department became aware that another four items of correspondence had not been provided to the Review. This was due to the same administrative error that occurred in January. These items are:
 - MC11/01714 The assassination of Mr Faruque Ahmed (Attorney-General)
 - MC13/29312 Police Harrassment - Please ask Australian Politicians to leave me alone (Attorney-General)
 - MC13/29810 REFERRAL - An invitation for a live debate (Minister for Justice)
 - MC13/29818 An invitation for a live debate (Attorney-General)
2. The other four items of correspondence have not been provided to the coronial inquiry but the department will do so for any items that are relevant.
3. The department will formally advise PM&C of the documents that were not provided.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

We acknowledge the traditional custodians of this land and
celebrate their ongoing culture and contribution to society.





F

[REDACTED]

From: [REDACTED]
Sent: Thursday, 4 June 2015 3:05 PM
To: [REDACTED]
Cc: [REDACTED]
Subject: MPSR [REDACTED] [DLM=For-Official-Use-Only]
Attachments: C08-58407 - Rudd - Gen Rep Corro - [REDACTED]

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[REDACTED]

I was able to track down the attached copy of the letter to former AG McClelland (copying the PM) informing him of the [REDACTED].

Let me know if you need anything further,

[REDACTED]

[REDACTED]

IMPORTANT: This message, and any attachments to it, contains information that is confidential and may also be the subject of legal professional or other privilege. If you are not the intended recipient of this message, you must not review, copy, disseminate or disclose its contents to any other party or take action in reliance of any material contained within it. If you have received this message in error, please notify the sender immediately by return email informing them of the mistake and delete all copies of the message from your computer system.

G

Correspondence sent or received by the Attorney-General's Department between 28 May and 4 June 2015 with any focus on the letter from Mr Monis to the Attorney-General dated 7 October 2014

#	Date	Time	From	To
1.	28 May	10.25am	AGD <i>(Senior legal officer, Counter Terrorism Law Branch, National Security Law and Policy Division)</i>	ASIO
2.	28 May	10.53am	AGD <i>(Executive officer, National Security Law and Policy Division)</i>	AGO <i>(Departmental Liaison Officer)</i>
3.	28 May 2015	10.57am	AGO <i>(Departmental Liaison Officer)</i>	AGD <i>(Executive officer, National Security Law and Policy Division)</i>
	28 May 2015	11.01am	AGD	AGO <i>(Departmental Liaison Officer)</i>
4.	28 May 2015	11:07am	AGD	AGO <i>(Departmental Liaison Officer)</i>
5.	1 June	12:15pm	PM&C	AGD
6.	1 June	12:15pm	PM&C	AGD
7.	1 June	1.22pm	AGD <i>(Principal Legal Officer, Counter Terrorism Law Branch, National Security Law and Policy Division)</i>	AGO <i>(Departmental Liaison Officer)</i>
8.	1 June	1:54pm	AGD	AGO <i>(adviser)</i>
9.	1 June	1:57pm	AGD	PM&C
10.	1 June	5:30pm	PM&C	AGD
11.	1 June	6.14pm	PM&C	AGD
12.	1 June	7.37pm	AGD	PM&C
	1 June	9.39pm	PM&C	AGD
	1 June	10.36pm	AGD	PM&C
13.	2 June	12:07pm	PM&C	AGD
14.	2 June	1.19pm	AGD <i>(Principal Legal Officer, Counter Terrorism Law Branch, National Security Law and Policy Division)</i>	AGO <i>(Departmental Liaison Officer)</i>

15.	3 June	1.20pm	AFP <i>(Senior Legal Counsel - Employment & Litigation, Legal)</i>	AGD <i>(Principal Legal Officer, Counter Terrorism Law Branch, National Security Law and Policy Division)</i>
	3 June	2.49pm	AGD <i>(Principal Legal Officer, Counter Terrorism Law Branch, National Security Law and Policy Division)</i>	AFP <i>(Senior Legal Counsel - Employment & Litigation, Legal)</i>
	3 June	2.55pm	AFP <i>(Senior Legal Counsel - Employment & Litigation, Legal)</i>	AGD <i>(Principal Legal Officer, Counter Terrorism Law Branch, National Security Law and Policy Division)</i>
	3 June	2.58pm	AGD <i>(Principal Legal Officer, Counter Terrorism Law Branch, National Security Law and Policy Division)</i>	AFP <i>(Senior Legal Counsel - Employment & Litigation, Legal)</i>
16.	4 June	1:08pm	AGD	PM&C
17.	4 June	1:09pm	AGD	AGO <i>(adviser)</i>
18.	4 June	1:22pm	PM&C	AGD
19.	4 June	2:43pm	AGD	AGO <i>(adviser)</i>
20.	4 June	2.55pm	AGD	Legcon
21.	4 June	2:57pm	AGD	AGO <i>(adviser)</i>
22.	4 June	3:05pm	PM&C <i>(Adviser, Counter-Terrorism Policy, Domestic Security Branch, National Security Division)</i>	AGD <i>(A/g Senior Legal Officer, AusCheck, Criminal Justice Division)</i>
23.	4 June	5.45 pm	PM&C	AGD
	4 June	6.19pm	AGD	PM&C

Note: Where an email sent or received by the Attorney-General's Department appears in the same email chain, this is listed in the above table with the same item number (e.g. row 3 and row 15).

Notes of meetings/ telephone calls

#	Date	Time	Description
24.	1 June	2.30pm	Telephone call
25.	1 June	4.45pm	Meeting
26.	2 June	12.45pm	Telephone call

Transcription of file notes

[File note 1]

- 2.30PM: CM (w/ TS, IA) – T/O [REDACTED] - ASK AMcK IF WOULD HAVE CHANGED ANYTHING IN REVIEW

[File note 2]

- AG, [REDACTED], CM, TS, IA – 4.45PM 1/6/15
 - LIKELY KJ NEED TO CORRECT RECORD
 - CM HAVING REVIEW DONE – WILL RPT TO AG

[File note 3]

- TS, IA – T/O [REDACTED] - 12.45 PM, 2/6/15
 - NOTED 4/5 PIECES OF CORRO ALREADY IN POSSESSION OF REVIEW

