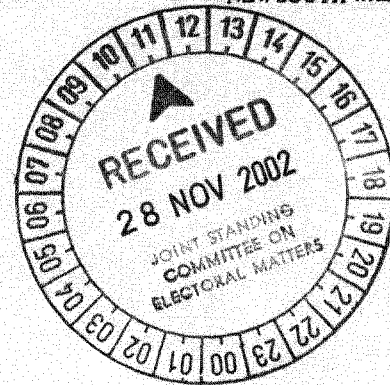


# Ministry for Police



NEW SOUTH WALES

Committee Secretary  
Joint Standing Committee on Electoral Matters  
Department of the House of Representatives  
Parliament House  
CANBERRA ACT 2600



Dear Secretary,

I write to place a matter before the Committee for its consideration.

The issue is the extent of access to the electronic form of the Commonwealth Electoral Roll by non-Commonwealth law enforcement agencies.

Currently, under the *Electoral Rolls Act 1918 (Cth)* the Australian Federal Police and the National Crime Authority have access to this Roll.

The Australian Electoral Commission correctly provides this access to AFP and NCA in recognition that sophisticated criminal groups operate nationally.

However this level of access to the Electoral Roll is not given to State and Territory law enforcement agencies.

This is a serious anomaly. State and Territory agencies conduct the bulk of criminal investigations. The increasingly mobile and sophisticated nature of crime requires State and Territory law enforcement agencies to follow investigative leads across jurisdictional boundaries.

These investigations are often outside the context of joint taskforce operations with the AFP or NCA which means that State and Territory law enforcement agencies must approach the Commonwealth Electoral Commission on a case by case basis, or refer requests for Electoral Roll searches to the relevant States.

This takes time and unreasonably delays important investigations.

The fundamental point is that there is no difference between the nature of the criminal investigations pursued by Commonwealth and non-Commonwealth law enforcement agencies which would justify the current Australian Electoral Commission policy.

This was accepted by the Australasian Police Ministers' Council which agreed at its meeting in July 2002 that it would be appropriate for State and Territory law enforcement agencies to have access to the electronic form of the Commonwealth electoral roll information, similar to the access currently provided to the AFP and the NCA.

Naturally the same safeguards as to privacy of personal information can be implemented by State law enforcement agencies as are provided by the AFP and the NCA.

In New South Wales all law enforcement agencies are bound by the *Privacy and Personal Information Protection Act*, which is equally protective of privacy as the *Commonwealth Privacy Act*.

I would appreciate the matter being brought before the Joint Committee for its consideration. If the Committee would like further information, Mr Feargus O'Connor (tel (02) 93390608, fax (02) 93395989 or email [occon1fea@police.nsw.gov.au](mailto:occon1fea@police.nsw.gov.au)) will be able to assist.

Yours sincerely,



Les Tree  
Director-General