

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS
ATTORNEY-GENERAL'S PORTFOLIO

Program: Australian Federal Police

Question No. AE17/127

Senator Rhiannon asked the following question at the hearing on 28 February 2017:

1. Over the past five years for each year how many MPs have been investigated by the AFP?
2. Over the past five years for each year how many staff of MPs have been investigated by the AFP?
3. Have these investigations involved interception of phone conversations, email communication, social media posts and/or metadata surveillance?
4. Considering when you have been asked similar questions in the past you have cited operational reasons for the lack of information released, could you detail what type of information you can release that is not "operational"?

The answer to the honourable senator's question is as follows:

1. Australian Federal Police systems do not record referrals, investigations or persons by an individual's job classification. As such, based on the information provided in the question, we are unable to answer this question. To attempt to do so would be an extremely resource intensive process, requiring a manual search of AFP systems over the required period.
2. Please refer to the answer provided in response to question one.
3. We are unable to answer this question as we cannot provide the data requested in questions 1 and 2. Additionally, it should be noted that for operational security reasons the AFP can neither confirm or deny the existence of telecommunications interceptions for any investigation. However, the AFP does provide statistical information on the use of telecommunications interceptions for all investigations in the 2016-17 *Telecommunications (Interception and Access) Act 1979* Annual Report. The Attorney-General is required to table the Annual Report in Parliament each year.
4. The release of AFP information is assessed on a case by case basis. Information that is considered "operational" may include, but is not limited to, information that may disclose police methodologies, identify the existence of an investigation or the subject/s of an investigation.