

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

Group 3

Program 1.6

Question No. 67

Senator Madigan asked the following questions at the hearing on 23 May 2012:

On 16th June 2008 the Assistant Secretary of the Criminal Law Branch of the Attorney-General's Department, Karl Alderson, sent a letter to the Senate Standing Committee on Legal and Constitutional Affairs correcting the answer he gave on 27th May 2008. In this letter he stated:

"Twice in my answers I referred to the Department having ensured that all relevant documents and information (i.e. from the coronial inquest) were 'in the hands' of the Australian Federal Police (27 May 2008: L&C transcript p58 lines 2 and 19). In fact what the Department did, in a process that was complete in January 2008, was to provide the Australian Federal Police with relevant documents in the Department's possession (essentially, those sent by the Deputy Coroner) and ensure that the Australian Federal Police knew where and how other relevant material from the coronial inquest could be accessed."

Questions:

- a) Did the Department provide the Australian Federal Police with all the relevant documents in its possession?
- b) Did the Department supply the AFP with a complete list of all documentation related to this investigation it continued to hold after the handover in January 2008?
- c) Has the Department received any further requests for information relating to this investigation from the AFP since January 2008?
- d) Has the Department withheld any documents related to this investigation that have been requested by the AFP?
- e) Does the Department receive regular updates of the progress of the investigation from the AFP?
- f) If so, what was the status of the investigation according to the most recent update?

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

- a) Did the Department provide the Australian Federal Police with all the relevant documents in its possession?

Yes. The Department provided the Australian Federal Police (AFP) with the letter of referral from the NSW Deputy Coroner and its attachments. The Department also advised the AFP on where and how it could access other relevant information that was not in the Department's possession.

b) Did the Department supply the AFP with a complete list of all documentation related to this investigation it continued to hold after the handover in January 2008?

Following the referral of the matter to the AFP, the only documents the Department continued to hold were copies of those documents it had provided to the AFP or documents it received from the AFP.

c) Has the Department received any further requests for information relating to this investigation from the AFP since January 2008?

Yes. The Department continues to assist the AFP with its inquiries, including via the mutual assistance process.

d) Has the Department withheld any documents related to this investigation that have been requested by the AFP?

No.

e) Does the Department receive regular updates of the progress of the investigation from the AFP?

Yes.

f) If so, what was the status of the investigation according to the most recent update?

On 14 June 2012, the AFP informed the Department that the investigation is still ongoing.