

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS  
AUSTRALIAN FEDERAL POLICE

**Question No. 21**

**Senators Ludlam and Rhiannon asked the following question at the hearing on  
14 February 2012:**

**Senator LUDLAM:** ... I have a follow-up to one of Senator Wright's questions about NOSIC and your slightly creepy consultancy with them. You talked in a bit of detail about open source reporting. Would you consider somebody setting up a fake Facebook account as open source? Do they do that kind of thing?

**Mr Negus:** I would have to take that on notice. I do not have the detail about whether that would be captured or not; I just do not know.

**Senator LUDLAM:** There is a difference between getting a subscription with Media Monitors and filtering that for you, googling, providing that kind of information or just doing press clippings, and effectively doing social engineering, which is arguably open source if you are of that mind—for example, setting up a Facebook account so that you can do social network mapping and then providing you with that data. I am interested to know whether they do that kind of work.

**Mr Negus:** I do not believe so. It is not something that has been brought to my attention. Given that we are going to break I will endeavour to get an answer to that and we can explore that when we come back.

**Senator LUDLAM:** All right.

...

**Senator RHIANNON:** ... With a number of those Facebook pages, if you become somebody's friend—if you set up an alias or you are NOSIC and join up to that person—you will get information. That was what my question was. Is NOSIC doing it as NOSIC or is NOSIC doing it as an alias?

**Mr Negus:** We are trying to get some information. I think we took a similar question about the scope of that on notice from Senator Ludlam earlier.

**Mr Colvin:** That is right. We basically took on notice a question about whether NOSIC create an account and go on and befriend to access a Facebook page. The point the commissioner is making, though, is that, depending on how settings are set on Facebook, you do not need to create an account to look at a Facebook page. If you Google 'Senator Rhiannon' and you have a Facebook page that is open, I do not need to come in to look at it through Facebook. It is publicly available.

**Senator RHIANNON:** I understand that, but I think we all know there are also various levels you can penetrate to get information. My key question is whether it is NOSIC or an alias, and that is what I would ask you to answer.

**Mr Negus:** We will take on notice whether NOSIC actually do that.

**Senator RHIANNON:** Thank you. Could you take on notice or tell me now—there are a number of you here—if the AFP use aliases themselves when they are endeavouring to collect information or endeavouring to test the veracity of NOSIC's information?

**Mr Negus:** Specific to NOSIC I think we would just take that on notice.

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

Through NOSIC, the AFP is provided with information that is widely and openly available to the public, academia and the private sector. NOSIC has advised the AFP it does not engage in any covert or clandestine activities whereby employees use fictitious names to either:

- Infiltrate meetings
- Engage with or interact with activists online
- Disrupt or influence protest activities
- Physically attend protests
- Physically conduct surveillance of protesters or protest activities

The AFP does not engage NOSIC to create any facebook page/s for the purpose of entrapment or engaging the activist community, nor does NOSIC offer or provide such a service.

The contract currently stipulates that no information is to be collected unlawfully or obtained by clandestine or covert means.