

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

Output 2.3

Question No. 62

Senator Stott-Despoja asked the following question in writing:

Retention of data by telecommunications and internet service providers:

- a) Provide details of any review, inquiry or consideration that the Department has undertaken in relation to laws to require telecommunications or internet service providers to retain telecommunications data for national security purposes.
- b) Has the Department consulted with authorities in the United Kingdom regarding Home Office plans for a government database for the retention of telecommunications data? If so, please detail the nature, content and timing and outcome of any such consultation.
- c) Has the Department consulted with the Department of Broadband, Communications and the Digital Economy or the Australian Communications and Media Authority in relation to the retention of telecommunications data by telecommunications or internet service providers? If so, please detail the nature, content and timing and outcome of any such consultation.
- d) Does the Government intend to introduce laws relating to the retention of telecommunications data by telecommunications or internet service providers?

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

- a) There has been no review or inquiry in relation to data retention. The Attorney-General's Department is considering options to put to Government to address the challenges faced by law enforcement and national security agencies as a result of new and emerging technologies.
- b) The Attorney-General's Department is aware of developments in the United Kingdom, and other European nations, to implement the European Union Data Retention Directive. However the Department has not formally consulted with the United Kingdom Government on this issue.
- c) During the term of the current Government, the Department has not held any formal consultations with the Department of Broadband, Communications and the Digital Economy or the Australian Communications and Media Authority.
- d) The Government has not made any decisions in relation to a mandatory data retention regime.