

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS
AUSTRALIAN FEDERAL POLICE

Question No. 64

Senator Brandis asked the following question in writing following the hearing on 30 May 2013:

I refer to the evidence of the Commissioner and Deputy Commissioner Drennan that by 14 November 2012, the AFP had confirmed the identity of the person held in detention at Inverbrackie as the person convicted of terrorist crimes in Egypt on 18 April 1999.

When the AFP had reached that conclusion:

1. Did it advise the Department of Immigration and Citizenship of its conclusion?
 - a) If so, on what date did it provide that advice to the Department of Immigration and Citizenship?
 - b) Was the advice in writing, oral, or partly written and party oral?
 - c) What was the name of the officer or officers of the Department of Immigration and Citizenship to whom the advice was given?
 - d) If the advice was wholly or partly in writing, please provide a copy or copies?
 - e) If the advice was wholly or partly oral, what was the substance and effect of the words spoken in conveying the advice?
 - f) Did the person or persons to whom the advice was provided indicate what course of action they proposed to take to deal with the matter and, if so, what did they say?
2. Did it advise ASIO of its conclusion?
 - a) If so, on what date did it provide that advice to ASIO?
 - b) Was the advice in writing, oral, or partly written and party oral?
 - c) What was the name of the officer or officers of ASIO to whom the advice was given?
 - d) If the advice was wholly or partly in writing, please provide a copy or copies?
 - e) If the advice was wholly or partly oral, what was the substance and effect of the words spoken in conveying the advice?
 - f) Did the person or persons to whom the advice was provided indicate what course of action they proposed to take to deal with the matter and, if so, what did they say?
3. Did it advise the Attorney-General or officials from the Attorney-General's office of its conclusion?
 - a) If so, on what date did it provide that advice to the Attorney-General or officials from the Attorney-General's office of its conclusion?
4. Did it advise the Minister for Justice and Customs, or officials from the Minister's office, of its conclusion?
 - a) If so, on what date did it provide that advice to the Minister for Justice and Customs, or officials from the Minister's office?
5. Did it advise the Department of Foreign Affairs and Trade its conclusion?
 - a) If so, on what date did it provide that advice to the Department of Foreign Affairs and Trade?
 - b) Was the advice in writing, oral, or partly written and party oral?
 - c) What was the name of the officer or officers of the Department of Foreign Affairs and Trade to whom the advice was given?
 - d) If the advice was wholly or partly in writing, please provide a copy or copies?

- e) If the advice was wholly or partly oral, what was the substance and effect of the words spoken in conveying the advice?
 - f) Did the person or persons to whom the advice was provided indicate what course of action they proposed to take to deal with the matter and, if so, what did they say?
6. Did it advise the Government of Egypt, or any judicial, law enforcement or policing agency of the Government of Egypt, of its conclusion?
- a) If so, on what date did it provide that advice to the Government of Egypt, or any judicial, law enforcement or policing agency of the Government of Egypt?
 - b) Was the advice in writing, oral, or partly written and partly oral?
 - c) If the advice was wholly or partly in writing, please provide a copy or copies?

If the advice was wholly or partly oral, what was the substance and effect of the words spoken in conveying the advice?

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

The Inspector-General of Intelligence and Security is currently conducting an inquiry into this matter and will report her findings in due course. It would not be appropriate for the AFP to comment on this matter further while the inquiry is ongoing.