

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

Group 3

Program 1.6

Question No. 26

Senator Ludlam asked the following question at the hearing on 16 October 2012:

Mr Gaughan: We have been involved from the outset in relation to this particular issue, working with the Attorney-General's Department and other Commonwealth agencies, in relation to preparing the discussion paper that was put forward before the committee. Obviously, as a user of the telecommunications interception act, we have a strong interest in where this goes. There has been a number of different meetings convened over the period of time before this paper went forward. There is working group level, where the people are talking about exactly the content of a proposed bill, and there are also more senior discussions in relation to some of the strategic issues that are currently before that committee

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Senator LUDLAM: Can you provide for us an idea of the working group when it was active; the membership and the duration that it worked for?

Mrs Smith: It was essentially the Attorney-General's Department, the AFP, the Department of Broadband, Communications and the Digital Economy—

Senator LUDLAM: You can put this in writing if you would prefer.

Mrs Smith: Would you prefer us to take it on notice?

Mr Wilkins: We will take it on notice and make sure we get the names right.

Senator LUDLAM: Particularly on the DBCDE about what officer they were represented by or at what level they were represented. What about the Privacy Commissioner?

Mrs Smith: We have certainly consulted the Privacy Commissioner on aspects.

Senator LUDLAM: Were they on the working group?

Mrs Smith: I am not sure. We will take that matter on notice.

Senator LUDLAM: You cannot recall if they were involved?

Mrs Smith: It was some time ago because we have moved into the PJCIS phase now. I will have to take that on notice.

Senator LUDLAM: I am interested to know—and I think you have undertaken to take this on notice—the membership of the working group, where it was headquartered or where its secretariat was and for how long it worked.

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

The Working Groups established to discuss reform for the Telecommunications Interception Regime were represented by Senior Executive Service Band 2 officers - High Level Working Group and Executive Level 2 officers - reporting to the High Level Working Group, of the following Commonwealth agencies:

Attorney-General's Department (Chair and Secretariat)

Department of Prime Minister and Cabinet

The Treasury

Department of Finance and Deregulation

Department of Broadband, Communications and the Digital Economy

Department of Defence

Australian Communications and Media Authority

Australian Security Intelligence Organisation

Australian Federal Police

Australian Crime Commission

The SES Band 2 Working Group met between 10 June 2011 and 27 April 2012.

The Executive Level 2 Working Group met between 25 March 2011 and 15 March 2012.

The Office of the Privacy Commissioner was consulted separately to the Working Groups.