



# AFP

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6 February 2015

Mr Dan Tehan MP  
Chair  
Parliamentary Joint Committee on  
Intelligence and Security  
Parliament House  
CANBERRA ACT 2600

Dear Mr Tehan

**Additional Information for the inquiry into the  
*Telecommunications (Interception and Access) Amendment (Data  
Retention) Bill 2014 (the Bill)***

The Australian Federal Police (AFP) submission and evidence provided during the December 2014 and January 2015 hearings reflects the AFP's view that the proposed amendments are vital to maintain the existing capability of law enforcement.

As you know there were several issues discussed during the hearings and the Committee's recent site visit to AFP Headquarters, concerning the ways that telecommunication data can contribute to the success of law enforcement operations and the need to safeguard this data for future use.

Please find attached some additional information that may assist the Committee's further consideration of these issues.

Annexure A provides:

- further information on the number of investigations and prosecutions that resulted from Operation Drakensberg, a child exploitation referral received from the UK, which I discussed during my opening statement, and
- additional information on the established link between online access to child exploitation material and contact offending.

Annexure B provides investigative charts which illustrate the way two of the operational case studies explored within the AFP's submission, applied telecommunications data analysis to understand the operation and extent of the criminal syndicates under investigation.

If you or other Committee members have any queries regarding the attached material or the AFP's submission please contact my office.

Yours sincerely

Andrew Colvin  
Commissioner

## ANNEXURE A

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### Parliamentary Joint Committee on Intelligence and Security (PJCIS)— Child Protection Operations (Operation DRAKENSBERG)

#### Additional Information:

- On the number of investigations/prosecutions that resulted from Operation Drakensberg, a child exploitation referral received from the UK.
- Background statistics regarding links between online and contact offending.
- Information regarding the time lag and age of international referrals.

#### Outcomes from Operation Drakensberg

- 136 Information Reports were disseminated to State and Territory counterparts for intelligence purposes only, an additional six matters were referred directly for investigation.
- A further six matters were referred to AFP Child Protection Offices for investigation.
- Information to date indicates 11 search warrants have been executed in Victoria, South Australia, Queensland and Western Australia. This has resulted in 11 people being charged with child exploitation related offences.
- Of note, one of the persons charged had previously been convicted of contact sexual offences against children and subsequently listed as a high risk offender on the Australian National Child Offender Register (ANCOR).

#### Links between online offending and contact offending

- A 2013 study by the UK Child Exploitation and Online Protection Centre indicates:
  - Up to 85 per cent of online child sexual exploitation offenders have, or at some point, will contact offend against a child.
  - The more images an offender has compiled does not necessarily mean they are at are risk of contact offending. It is suggested that offenders with smaller collections, that are higher in category (seriousness) are more likely to contact offend.
- A research study by Dr Michael Bourke and Andre Hernandez in the United States—'The Butner Study' (2008)—*A Report of the Incidence of Hands-on Child Victimization by Child Pornography Offenders*, identified that online offenders were significantly more likely than not to have sexually abused a child via contact offending.
  - The results of the study indicated the offenders were likely to have offended against multiple victims and that the incidence of 'crossover' between online and contact offenders is high.
  - The study also highlights the online enticement of children has increased by more than 400 per cent since 1998. An increase in internet-based predation is consistent with the rise in other forms

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## ANNEXURE A

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of online exploitation, such as downloading, possessing and trading and distributing child exploitation material.

- Again, of note, one of the targets in Operation DRAKENSBERG was already on ANCOR as a high risk offender. He had previously been convicted for contact offending against children.

### International referrals, implications for data retention

- Within the AFP's Child Protection Operations portfolio, the Assessment Centre has responsibility for the receipt and triage of all incoming reports to Australia relating to the online sexual exploitation of children.
- The Assessment Centre receives a large number of its reports from international partners, namely the USA, through the National Centre for Missing and Exploited Children (NCMEC), the UK and via Interpol.
- Canada has introduced similar mandatory reporting legislation, which will contribute to the increasing number of reports received by the Assessment Centre.
- NCMEC is a non-government organisation that is the central collection point for mandatory reporting in the United States for child exploitation material detected online.

**Table 1—Reports received by the AFP Child Protection Operations Assessment Centre**

Year	Reports from NCMEC (USA)	Reports from other sources	Total reports
2012	3117	608	3725
2013	3068	570	3638
2014	5010	607	5617
2015	685	24	709*

\*2015 statistics current as at 9:00am on 27 January 2015

- The time taken in respect to the referral of an online child exploitation matter by an international partner to the AFP, and the investigation by the AFP, is dependent on the complexities of the matter, evidence available, technology used, volume of data and the results available from internet service providers.

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**PARLIAMENTARY JOINT COMMITTEE ON  
INTELLIGENCE AND SECURITY**

THE COMMITTEE HAS RECEIVED ANNEXURE B FROM THE  
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