

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

**Group 3**

**Output 1.6**

**Question No. 192**

**Senator Brandis asked the following question at the hearing on 24 May 2012:**

The House Committee on Social Policy and Legal Affairs in February 2012 requested the Attorney-General's Department undertake an audit of investigative and coercive powers available to security and law enforcement agencies in order to identify the full scope of powers available to those agencies.

The audit was to focus on comprehending the extent to which an individual's right to privacy can be abrogated; and ascertaining whether recent or any further expansion of those powers is necessary or justified.

- a) Has the Department commenced work on the review of coercive powers as requested in February 2012 by the House Committee on Social Policy and Legal Affairs, viz:

*Recommendation 3: The Committee recommends that the Attorney-General undertake an audit of investigative and coercive powers available to security and law enforcement agencies in order to identify the full scope of powers available to those agencies, with a view to: comprehending the extent to which an individual's right to privacy can be abrogated; and ascertaining whether recent or any further expansion of those powers is necessary or justified. The audit report should be provided to the Attorney-General and to this Committee by 1 October 2012.*

- b) Which section of the Department will carry out this work?  
c) At what stage is the work, survey of agencies, evidence gathering, working committee formulating conclusions etc.?  
d) Is the Department confident that it can meet this deadline?  
e) Would the officials before the table advise the committee on some of the issues which appear to be the most pressing in relation to this matter, as raised in a unanimous report of the House

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

- a) Yes.  
b) The work is being undertaken by the Criminal Law and Law Enforcement Branch.  
c) The Attorney-General's Department is in the process of information gathering and consulting on the audit.  
d) Yes.  
e) Work that has been undertaken to date has not identified any pressing issues.