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Chair  
Parliamentary Joint Committee on Intelligence and Security  
Parliament House  
CANBERRA ACT 2600

Dear Chair

At the Committee's public hearing on 12 May 2020 regarding the Telecommunications Legislation Amendment (International Production Orders) Bill 2020, I responded to several questions from the Committee about consultations between the Office of the Inspector-General of Intelligence and Security (IGIS) and the Department of Home Affairs prior to the Bill's introduction.

To ensure accuracy on the public record, I provide the following clarifications in relation to that evidence:

- In response to one question, I advised that we were first provided with the draft Bill on 31 January 2020. Further checks conducted by IGIS staff since the hearing have identified that in fact, the IGIS office was first provided with the draft Bill on the evening of 30 January 2020.
- The Department of Home Affairs also provided us with further drafts of the Bill as noted in my evidence. The dates those draft Bills were provided were: 8 February, 13 February and 24 February 2020. A number of meetings and phone discussions between IGIS and Home Affairs staff took place during this period. It should be noted, however, that the final provisions relating to IGIS oversight of the powers in the Bill were not yet drafted at the time of these consultations.

Although the timeframes given for comment on the draft Bills were short, discussions between IGIS staff and staff of the Department of Home Affairs were meaningful and productive. Not every matter raised by the IGIS office was addressed in the final Bill, but a number of matters were. This included clarifying the framework for authorisation and oversight of IPOs, and ensuring that the Bill did not confer functions or obligations on the Inspector-General that were inconsistent with the existing framework for oversight of ASIO's activities.

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As I noted at the public hearing, our written submission to the inquiry included some matters that we had previously raised in consultations with the Department of Home Affairs that were not addressed in the Bill as introduced. For the sake of completeness, I note that our submission also included certain broader matters that we have previously raised with the Committee in other contexts (such as the low threshold for access to telecommunications data and the need to update the Attorney-General's Guidelines to ASIO), and some additional matters that we identified on review of the final Bill after it had been introduced.

I would be happy to discuss any of these matters further with the Committee, should you require.

Your sincerely



Jake Blight  
Deputy Inspector-General

26 May 2010

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