



PARLIAMENT OF AUSTRALIA

Parliamentary Joint Committee on the National Anti-Corruption Commission

28 January 2025

Written questions on Notice

National Anti-Corruption Commission

Questions from Senator Shoebridge:

1. What is the policy in the NACC about the use of WhatsApp and Signal by staff including Deputy Commissioners and Commissioners?
2. Has access to information/messages on WhatsApp and Signal been provided in response to requests for communications and correspondence by the committee into the NACC?
3. Has access to information/messages on WhatsApp and Signal been provided in response to requests for communications and correspondence under FOI?
4. Has access to information/messages on WhatsApp and Signal been provided in response to requests for communications and correspondence by the Senate?

The response to the senator's question is as follows:

1. *What is the policy in the NACC about the use of WhatsApp and Signal by staff including Deputy Commissioners and Commissioners?*

Current practice is that the use of short message service (SMS) and encrypted messaging applications (EMA) is approved for communications in the real-time conduct of field operations. Otherwise, Commission staff, including statutory office holders, may use EMA and SMS for informal, non-official communications, but they are not approved means for official communications. Where messages on any EMA or SMS platform are Commonwealth records, the *Archives Act 1983* applies. The Commission is in the process of developing specific written policy on the use of SMS and EMA.

2. *Has access to information/messages on WhatsApp and Signal been provided in response to requests for communications and correspondence by the committee into the NACC?*

When responding to requests from the committee, the Commission requires staff to conduct searches and produce relevant records in their possession or control within scope of the request, which includes any relevant official records on SMS or EMA.

To date, no searches have returned SMS or EMA messages, which reflects the practice of the use of SMS and EMA within the Commission.

3. *Has access to information/messages on WhatsApp and Signal been provided in response to requests for communications and correspondence under FOI?*

When processing a request for information under the *Freedom of Information Act 1982 (Cth)* (FOI Act), the Commission requires staff to conduct searches and produce relevant records in their possession or control within scope of the request, which includes any relevant official records on SMS or EMA.

To date, no searches have returned SMS or EMA messages in response to requests under the FOI Act, which reflects the practice of the use of SMS and EMA within the Commission.

4. *Has access to information/messages on WhatsApp and Signal been provided in response to requests for communications and correspondence by the Senate?*

When responding to requests from the Senate, the Commission requires staff to conduct searches and produce relevant records in their possession or control within scope of the request, which includes any official records on SMS or EMA.

To date, no searches have returned SMS or EMA messages, which reflects the practice of the use of SMS and EMA within the Commission.