

SENATE FINANCE AND PUBLIC ADMINISTRATION LEGISLATION COMMITTEE

Attorney-General's Department

Question Nos. 1 – 9

Senator Rex Patrick asked the following questions:

1. What are the levels of security clearance are currently held by personnel in the Department and how many personnel are currently cleared to each level?
2. How many people in the Department currently without a security clearance have access to classified information?
3. Are contractors engaged by your Department required to have security clearances in order to access classified information?
4. What is the highest level of classification of information that has been provided to current Minister(s) by the Department?
5. Would the Department provide classified information to a member of a Minister's staff who was not security cleared or provide information that was more highly classified than that person's clearance level?
6. What training or briefing does the Minister receive in respect of receiving, handling and safe custody of classified material?
 - a. How long does this training or briefing take?
 - b. How often is this security training conducted?
7. Are security breaches by ministerial staff recorded and reported? To whom?
8. Are security breaches by the Minister(s) recorded and reported? To whom?
9. Is the Department aware of any conditions placed on the receipt, handling and disclosure of foreign classified material? Does a Minister's lack of a formal security clearance comply with conditions imposed by foreign states for the handling of information they have shared with Australia?

The responses to the honourable Senator's questions are as follows:

1. All departmental officers are required to at least hold a Baseline security clearance. The department has officers who hold security clearances at each of the four levels, namely, Baseline Vetting, Negative Vetting 1 (NV1), Negative Vetting 2 (NV2), and Positive Vetting (PV). The number of officers who hold security clearances at each level is sensitive information and not suitable for publication.
2. Consistent with the Protective Security Policy Framework (PSPF), departmental officers who do not hold a security clearance may be eligible for temporary access to classified information, and officers who hold a security clearance may be eligible for temporary access to classified information at a higher classification level. The number of departmental officers with temporary access is sensitive information and not suitable for publication.
3. Contractors engaged by the Attorney-General's Department are required to hold a security clearance or have been approved to have temporary access in order to access classified information.
4. Information is provided to Ministers in accordance with their need to know and while exercising the duties of their Office. Information has been provided up to TOP SECRET.

5. The department provides classified information to Ministerial staff who hold the necessary security clearance or have been approved to have temporary access, and have a need to know that information. The Special Minister of State Determination 2018/27 requires ministerial staff employed under Part III of the *Members of Parliament (Staff) Act 1984* to obtain and maintain a security clearance at the NV2 level.
6. The department provides ongoing support to the Minister and their staff with regards to the receiving, handling and safe custody of classified material as required. Details about training and briefing is sensitive and not suitable for publication.
7. The department is not aware of any security breaches. Ministerial staff are employed under the *Members of Parliament (Staff) Act 1984* and are also subject to the *Statement of Standards for Ministerial Staff*.
8. The department is not aware of any security breaches. Matters of Ministerial conduct are governed by the *Statement of Ministerial Standards*.
9. The Attorney-General's Department complies with relevant legislation and international agreements regarding the reciprocal protection and handling requirements of classified material received from foreign agencies. This includes agreements and protocols outlining the requirements for the protection and handling of classified information.