

[REDACTED]

From: [REDACTED]
Sent: Wednesday, 3 June 2015 8:13 AM
To: [REDACTED]
Subject: Fw: Skeleton of Letter Chris wants to send to AG - Need draft by Wednesday morning please [SEC=UNCLASSIFIED]
Attachments: Letter - Secretary to Attorney on Monis correspondence.doc

UNCLASSIFIED

From: Chidgey, Sarah
Sent: Tuesday, 2 June 2015 8:25 pm
To: Sheehan, Tony; Lowe, Jamie; Anderson, Iain; [REDACTED] Pahlow, Michael
Cc: [REDACTED]
Subject: RE: Skeleton of Letter Chris wants to send to AG - Need draft by Wednesday morning please [SEC=UNCLASSIFIED]

UNCLASSIFIED

All

Attached is a first draft of a letter from the Secretary to the Attorney-General. I would be grateful for any comments. There will also be an opportunity to discuss at tomorrow's 11am meeting.

Sarah

From: Sheehan, Tony
Sent: Monday, 1 June 2015 7:25 PM
To: Chidgey, Sarah
Cc: Lowe, Jamie; Anderson, Iain
Subject: Skeleton of Letter Chris wants to send to AG - Need draft by Wednesday morning please

Sarah

As foreshadowed, Chris would like to prepare a letter to the AG which outlines in respect of our Monis search and provision of documents to the review and AFP:

The search procedure

How the error occurred

How the error came to light and associated management of it

What steps the department is taking to enhance its search and provision of document processes

What steps more generally the Department took after the raising of the alert level on 12 September 2014 to ensure appropriate awareness and vigilance in AGD

May I see a draft on Wednesday morning please. If you need any more hands to help with this let me know. It is important we do this in parallel with the work of the taskforce, so we can finalise it as soon as the other work is finished.

Iain will advise if he recalls Chris wanted anything else in it.

Regards



Australian Government
Attorney-General's Department

Secretary

3 June 2015

Senator the Hon George Brandis
Attorney-General
Parliament House
Canberra ACT 2600

Dear Attorney-General

Attorney-General's Department's handling of correspondence from Man Haron Monis

I am writing to explain the Attorney-General's Department's handling of correspondence from Man Haron Monis and provision to the Martin Place Siege Review and the measures I have taken to improve the Department's procedures.

2. In early January 2015, the department undertook searches for all documents and correspondence relevant to the terms of reference for the Martin Place Siege Review. This included searches of the department's ministerial correspondence and records management systems. The search parameters encompassed correspondence to, from or pertaining to Man Haron Monis that was in the possession of the department. Relevant divisions in the department were also asked to review records they held.

3. Documents relevant to the terms of reference for the Martin Place Siege Review were passed by the department to the Review team.

4. On 2 February 2015, the department became aware that a letter from Sheikh Haron dated 7 October 2014 and the department's reply to that letter had been inadvertently omitted from the correspondence provided to the Martin Place Siege Review. The department became aware of this omission when the Australian Federal Police notified the department it had found the letter and the reply [REDACTED]

5. The department subsequently ascertained that the omission had occurred because search results identifying the letter and reply were contained in a separate sheet within a spreadsheet and were overlooked by departmental officers coordinating the provision of information to the Review.

6. On the same day the department became aware of the omission it advised the Review team that an item of correspondence and the reply had inadvertently not been provided to the Review due to an administrative error. The Review team member advised that the text of the Review had been finalised and the department therefore did not provide the document.

7. On 27 May 2015 at the Senate Legal and Constitutional Affairs Committee Budget Estimates hearing, Katherine Jones, Deputy Secretary, National Security and Criminal Justice Group, provided evidence that the correspondence in question was provided to the review. After further

discussions with a former colleague on the Review team, Ms Jones concluded that her evidence was incorrect and that she had been thinking of another document and not the correspondence in question. Ms Jones will correct her evidence to the Senate Committee at the earliest opportunity.

8. To prevent such errors from occurring in future, I have asked officers in the department to prepare protocols to govern searches for and provision of documents.

9. The department has taken steps to ensure appropriate awareness and vigilance after the National Public Alert Level was raised to High on 12 September 2014. These measures include:

- An email to all staff on 12 September 2014 advising them of the change in the National Terrorism Public Alert level, noting ASIO's Protective Security Advice for Heightened Threat Environments and encouraging staff to be vigilant and report any suspicious activity or behaviour to the Departmental Security Unit.
- Testing and review of Robert Garran Offices lockdown procedures on 2 November 2014 and on 17 November 2014 the department's Business Continuity, Crisis Management and Heightened Security arrangements were exercised.
- From November 2014 to March 2015, the department's heightened security measures were reviewed to prepare a new Security Alert Level Procedure. A new Security Alert Level Procedure was established from 20 May 2015 to support changes to protective security measures in the event of an escalating alert levels.

10. The department carefully assesses each item of correspondence received by the department on matters relating to national security and departmental officers liaise with other government agencies, including law enforcement and security agencies, where an item of correspondence raises concerns.

Yours sincerely

Chris Moraitis PSM

[REDACTED]

From: [REDACTED]
Sent: Wednesday, 3 June 2015 8:35 AM
To: Pahlow, Michael
Subject: Marked up - Letter - Secretary to Attorney on Monis correspondence (2).doc [DLM=For-Official-Use-Only]
Attachments: Letter - Secretary to Attorney on Monis correspondence (2).doc
Importance: High

For Official Use Only



Australian Government
Attorney-General's Department

Secretary

3 June 2015

Senator the Hon George Brandis
Attorney-General
Parliament House
Canberra ACT 2600

Dear Attorney-General

Attorney-General's Department's handling of correspondence from Man Haron Monis

I am writing to explain the Attorney-General's Department's handling of correspondence from Man Haron Monis and provision to the Martin Place Siege Review and the measures I have taken to improve the Department's procedures.

2. In early January 2015, the department undertook searches for all documents and correspondence relevant to the terms of reference for the Martin Place Siege Review. This included searches of the department's ministerial correspondence and records management systems. The search parameters encompassed correspondence to, from or pertaining to Man Haron Monis that was in the possession of the department. Relevant divisions in the department were also asked to review records they held and to consider all known names used by Monis.

3. Documents relevant to the terms of reference for the Martin Place Siege Review were passed by the department to the Review team.

4. On 2 February 2015, the department became aware that a letter from Sheikh Haron dated 7 October 2014 and the department's reply to that letter had been inadvertently omitted from the correspondence provided to the Martin Place Siege Review. The department became aware of this omission when the Australian Federal Police notified the department it had found the letter and the reply [REDACTED]

5. The department subsequently ascertained that the omission had occurred because search results identifying the letter and reply were contained in a separate ~~sheet-tab~~ within a spreadsheet and that had been were overlooked by departmental officers coordinating the provision of information to the Review. This omission was not picked up in subsequent reviews of the material to be provided to the Review.

6. On the same day the department became aware of the omission it advised the Review team that ~~an item of correspondence and the reply~~ some documents had inadvertently not been provided to the Review due to an administrative error. The Review team member advised that the text of the Review had been finalised and the department therefore did not provide the document.

7. On 27 May 2015 at the Senate Legal and Constitutional Affairs Committee Budget Estimates hearing, Katherine Jones, Deputy Secretary, National Security and Criminal Justice Group, provided evidence that the correspondence in question was provided to the review. After further discussions with a former colleague on the Review team, Ms Jones concluded that her evidence was incorrect and that she had been thinking of another document and not the correspondence in question. Ms Jones will correct her evidence to the Senate Committee at the earliest opportunity. The Department has undertaken a further search of the Department's records to ensure that no further documents within scope were inadvertently omitted for consideration by the Review.

8. To prevent such errors from occurring in future, I have asked officers in the department to prepare protocols to govern searches for and provision of documents.

9. The department has taken steps to ensure appropriate awareness and vigilance after the National Public Alert Level was raised to High on 12 September 2014. These measures include:

- An email to all staff on 12 September 2014 advising them of the change in the National Terrorism Public Alert level, noting ASIO's Protective Security Advice for Heightened Threat Environments and encouraging staff to be vigilant and report any suspicious activity or behaviour to the Departmental Security Unit.
- Testing and review of Robert Garran Offices lockdown procedures on 2 November 2014 and on 17 November 2014 the department's Business Continuity, Crisis Management and Heightened Security arrangements were exercised.
- From November 2014 to March 2015, the department's heightened security measures were reviewed to prepare a new Security Alert Level Procedure. A new Security Alert Level Procedure was established from 20 May 2015 to support changes to protective security measures in the event of an escalating alert levels.

10. The department carefully assesses each item of correspondence received by the department on matters relating to national security and departmental officers liaise with other government agencies, including law enforcement and security agencies, where an item of correspondence raises concerns.

Yours sincerely

Chris Moraitis PSM

[REDACTED]

From: Pahlow, Michael
Sent: Wednesday, 3 June 2015 8:44 AM
To: Sheehan, Tony; Chidgey, Sarah; Lowe, Jamie; Anderson, Iain; [REDACTED]
Cc: [REDACTED]
Subject: RE: Skeleton of Letter Chris wants to send to AG - Need draft by Wednesday morning please [SEC=UNCLASSIFIED]
Attachments: Letter - Secretary to Attorney on Monis correspondence (2).doc

UNCLASSIFIED

Sarah,

I have suggested a couple of changes (in track changes) to the attached. These mainly relate to:

- Reference to checking the multiple aliases;
- The omission wasn't subsequently picked up before the Review reported;
- We have undertaken further work and have not been able to identify other documents that the Review Team did not ultimately have.

Regards,

Michael

Michael Pahlow
Assistant Secretary
AusCheck
Phone: [REDACTED]
Mobile: [REDACTED]

From: Sheehan, Tony
Sent: Tuesday, 2 June 2015 9:47 PM
To: Chidgey, Sarah; Lowe, Jamie; Anderson, Iain; [REDACTED] Pahlow, Michael
Cc: [REDACTED]
Subject: RE: Skeleton of Letter Chris wants to send to AG - Need draft by Wednesday morning please [SEC=UNCLASSIFIED]

Thanks Sarah, I'll give you some comments first thing in morning

Sent with Good (www.good.com)

From: Chidgey, Sarah
Sent: Tuesday, 2 June 2015 8:24:58 PM
To: Sheehan, Tony; Lowe, Jamie; Anderson, Iain; [REDACTED] Pahlow, Michael
Cc: [REDACTED]
Subject: RE: Skeleton of Letter Chris wants to send to AG - Need draft by Wednesday morning please [SEC=UNCLASSIFIED]

UNCLASSIFIED

All

Attached is a first draft of a letter from the Secretary to the Attorney-General. I would be grateful for any comments. There will also be an opportunity to discuss at tomorrow's 11am meeting.

Sarah

From: Sheehan, Tony
Sent: Monday, 1 June 2015 7:25 PM
To: Chidgey, Sarah
Cc: Lowe, Jamie; Anderson, Iain
Subject: Skeleton of Letter Chris wants to send to AG - Need draft by Wednesday morning please

Sarah

As foreshadowed, Chris would like to prepare a letter to the AG which outlines in respect of our Monis search and provision of documents to the review and AFP:

The search procedure

How the error occurred

How the error came to light and associated management of it

What steps the department is taking to enhance its search and provision of document processes

What steps more generally the Department took after the raising of the alert level on 12 September 2014 to ensure appropriate awareness and vigilance in AGD

May I see a draft on Wednesday morning please. If you need any more hands to help with this let me know. It is important we do this in parallel with the work of the taskforce, so we can finalise it as soon as the other work is finished.

Iain will advise if he recalls Chris wanted anything else in it.

Regards

Tony Sheehan

Deputy Secretary

Strategic Policy and Coordination Group

Attorney-General's Department





Australian Government
Attorney-General's Department

Secretary

3 June 2015

Senator the Hon George Brandis
Attorney-General
Parliament House
Canberra ACT 2600

Dear Attorney-General

Attorney-General's Department's handling of correspondence from Man Haron Monis

I am writing to explain the Attorney-General's Department's handling of correspondence from Man Haron Monis and provision to the Martin Place Siege Review and the measures I have taken to improve the Department's procedures.

2. In early January 2015, the department undertook searches for all documents and correspondence relevant to the terms of reference for the Martin Place Siege Review. This included searches of the department's ministerial correspondence and records management systems. The search parameters encompassed correspondence to, from or pertaining to Man Haron Monis that was in the possession of the department. Relevant divisions in the department were also asked to review records they held and to consider all known names used by Monis.

Comment [MJP1]: We don't mention anywhere that we searched on all known aliases

3. Documents relevant to the terms of reference for the Martin Place Siege Review were passed by the department to the Review team.

4. On 2 February 2015, the department became aware that a letter from Sheikh Haron dated 7 October 2014 and the department's reply to that letter had been inadvertently omitted from the correspondence provided to the Martin Place Siege Review. The department became aware of this omission when the Australian Federal Police notified the department it had found the letter and the reply [REDACTED]

5. The department subsequently ascertained that the omission had occurred because search results identifying the letter and reply were contained in a separate sheet tab within a spreadsheet and that had been were overlooked by departmental officers coordinating the provision of information to the Review. This omission was not picked up in subsequent reviews of the material to be provided to the Review.

6. On the same day the department became aware of the omission it advised the Review team that an item of correspondence and the reply some documents had inadvertently not been provided to the Review due to an administrative error. The Review team member advised that the text of the Review had been finalised and the department therefore did not provide the document.

Comment [MJP2]: From memory I wasn't sure whether the phone discussion with her related to the two letters or documentation more generally.

7. On 27 May 2015 at the Senate Legal and Constitutional Affairs Committee Budget Estimates hearing, Katherine Jones, Deputy Secretary, National Security and Criminal Justice Group, provided evidence that the correspondence in question was provided to the review. After further discussions with a former colleague on the Review team, Ms Jones concluded that her evidence was incorrect and that she had been thinking of another document and not the correspondence in question. Ms Jones will correct her evidence to the Senate Committee at the earliest opportunity. The Department has undertaken a further search of the Department's records to ensure that no further documents within scope were not considered by the Review.

8. To prevent such errors from occurring in future, I have asked officers in the department to prepare protocols to govern searches for and provision of documents.

9. The department has taken steps to ensure appropriate awareness and vigilance after the National Public Alert Level was raised to High on 12 September 2014. These measures include:

- An email to all staff on 12 September 2014 advising them of the change in the National Terrorism Public Alert level, noting ASIO's Protective Security Advice for Heightened Threat Environments and encouraging staff to be vigilant and report any suspicious activity or behaviour to the Departmental Security Unit.
- Testing and review of Robert Garran Offices lockdown procedures on 2 November 2014 and on 17 November 2014 the department's Business Continuity, Crisis Management and Heightened Security arrangements were exercised.
- From November 2014 to March 2015, the department's heightened security measures were reviewed to prepare a new Security Alert Level Procedure. A new Security Alert Level Procedure was established from 20 May 2015 to support changes to protective security measures in the event of an escalating alert levels.

10. The department carefully assesses each item of correspondence received by the department on matters relating to national security and departmental officers liaise with other government agencies, including law enforcement and security agencies, where an item of correspondence raises concerns.

Yours sincerely

Chris Moraitis PSM

[REDACTED]

From: Sheehan, Tony
Sent: Wednesday, 3 June 2015 9:21 AM
To: Chidgey, Sarah
Cc: Lowe, Jamie; [REDACTED]
Subject: TRIM: 150603 - Letter - Secretary to Attorney on Monis correspondence
Attachments: 150603 - Letter - Secretary to Attorney on Monis correspondence.doc

See track changes for consideration. Some will need checking of exact words.



Australian Government
Attorney-General's Department

Secretary

3 June 2015

Senator the Hon George Brandis
Attorney-General
Parliament House
Canberra ACT 2600

Dear Attorney-General

Attorney-General's Department's search and provision to Martin Place Siege Review of handling of correspondence from Man Haron Monis

I am writing to explain the Attorney-General's Department's ~~handling of search for~~ correspondence from Man Haron Monis and ~~its~~ provision to the Martin Place Siege Review and the measures I have taken ~~relevant to this and the raising of the terrorist alert level on 12 September to improve the~~ Department's procedures.

2. Between xx and xx January 2015~~In early January 2015, at the request of the Siege Review, (check what the request was please) the department undertook searches for all documents and correspondence relevant to the terms of reference for the Martin Place Siege Review. This included searches of the department's ministerial correspondence and its records management systems. The search parameters encompassed correspondence to, from or pertaining to Man Haron Monis that was in the possession of the department. Relevant divisions in the department were also asked to review records they held.~~

3.2. On xx January 2015, once the documents held by AGD relevant to the terms of reference for the Martin Place Siege Review had been identified and collated, they were passed by the department to the Review team at PM&C.

3. On 2 February 2015, officers in the department became aware that a letter from Sheikh Haron addressed to the Attorney-General dated 7 October 2014 seeking legal advice and the department's xx November 2015 reply to that letter on the Attorney's behalf, had been inadvertently omitted from the correspondence provided to the Martin Place Siege Review. The department officers became aware of this omission when the Australian Federal Police notified the department it had found the letter and the reply [REDACTED] and one of the officers noted they could not see the document on the index of documents passed to the review by AGD.

4. On the same day the departmental officers became aware of the omission an AGD officer contacted an officer in the Siege Review team at PM&C to advise that an item of correspondence and its response had inadvertently not been provided to the Review. The Review team member advised that the text of the Review had already been finalised and the department therefore did not provide the document.

4.

5. In the week of 1 June 2015 the Department conducted a review of its January 2015 search for and provision of documents to the Review to ensure the accuracy of the search and knowledge of what had been passed to the Review. If the department subsequently ascertained that the omission of Monis letter and response had occurred, it had been inadvertently omitted from what was passed to the Review because it had been located on a second page of a spreadsheet of search results, which was overlooked by the officers collating the index of documents for the Review for provision to the Review. (PM&C has confirmed that the only four other documents on page two of the spreadsheet that should also have been passed to the Review by the Department were passed to the Review by other agencies during the Review.) search results identifying the letter and reply were contained in a separate sheet within a spreadsheet and were overlooked by departmental officers coordinating the provision of information to the Review.

6. On the same day the department became aware of the omission it advised the Review team that an item of correspondence and the reply had inadvertently not been provided to the Review due to an administrative error. The Review team member advised that the text of the Review had been finalised and the department therefore did not provide the document.

7. On 27 May 2015 at the Senate Legal and Constitutional Affairs Committee Budget Estimates hearing, Katherine Jones, Deputy Secretary, National Security and Criminal Justice Group, provided evidence that the correspondence in question was provided to the review (were these Katherine's exact words?). After further discussions with a former colleague on the Review team, Ms Jones has now concluded that her evidence was incorrect and that she had been thinking of another document and not the correspondence in question. (Ms Jones was unaware when she gave her evidence that the correspondence in question had been the subject of discussion between officers of the Department and the Review on 2 February.) Ms Jones will correct her evidence to the Senate Committee at the earliest opportunity.

8. To prevent such errors as that described in paragraph 5 above from occurring in future, I have asked officers in the department to prepare enhanced protocols/procedures to govern searches for, and provision of, documents in future.

9. Separately, it may be useful for me to outline the steps the department has taken steps to ensure appropriate awareness and vigilance after the National Public Alert Level was raised to High on 12 September 2014. These measures include:

- An email to all staff on 12 September 2014 advising them of the change in the National Terrorism Public Alert level, noting ASIO's Protective Security Advice for Heightened Threat Environments and encouraging staff to be vigilant and report any suspicious activity or behaviour to the Departmental Security Unit.
- Testing and review of Robert Garran Offices lockdown procedures on 2 November 2014.
- A desktop exercise of the and on 17 November 2014 the department's Business Continuity, Crisis Management and Heightened Security arrangements on 17 November 2014 were exercised.
- From November 2014 to March 2015, the department's (heightened security measures – these words 'heightened security measures' are cryptic – explain in plain English) were reviewed to prepare a new Security Alert Level Procedure. A new Security Alert Level Procedure was

established from 20 May 2015 to support changes to protective security measures in the event of an escalating alert levels. (in fact this whole dotpoint is unintelligible)

10.9. In respect of correspondence, The department carefully assesses each item of correspondence received by the department on matters relating to national security, and Ddepartmental officers liaise with other government agencies, including law enforcement and security agencies, where an item of correspondence raises concerns. The Department also has a Security Policy outlining how officers should respond in the event of a threat to ...

Yours sincerely

Chris Moraitis PSM

[REDACTED]

From: [REDACTED]
Sent: Wednesday, 3 June 2015 9:23 AM
To: Pahlow, Michael; [REDACTED]
Subject: FW: 150603 - Letter - Secretary to Attorney on Monis correspondence [DLM=For-Official-Use-Only]
Attachments: 150603 - Letter - Secretary to Attorney on Monis correspondence.doc

For Official Use Only

From: Sheehan, Tony
Sent: Wednesday, 3 June 2015 9:21 am
To: Chidgey, Sarah
Cc: Lowe, Jamie; [REDACTED]
Subject: 150603 - Letter - Secretary to Attorney on Monis correspondence

See track changes for consideration. Some will need checking of exact words.



Australian Government
Attorney-General's Department

Secretary

3 June 2015

Senator the Hon George Brandis
Attorney-General
Parliament House
Canberra ACT 2600

Dear Attorney-General

Attorney-General's Department's search and provision to Martin Place Siege Review of handling of correspondence from Man Haron Monis

I am writing to explain the Attorney-General's Department's ~~handling of~~ search for correspondence from Man Haron Monis and its provision to the Martin Place Siege Review and the measures I have taken relevant to this and the raising of the terrorist alert level on 12 September to improve the Department's procedures.

2. Between xx and xx January 2015 in early January 2015, at the request of the Siege Review, (check what the request was please) the department undertook searches for all documents and correspondence relevant to the terms of reference for the Martin Place Siege Review. This include d searches of the department's ministerial correspondence and its records management systems. The search parameters encompassed correspondence to, from or pertaining to Man Haron Monis that was in the possession of the department. Relevant divisions in the department were also asked to review records they held.

3.2. On xx January 2015, once the dDocuments held by AGD relevant to the terms of reference for the Martin Place Siege Review had been identified and collated, they were passed by the department to the Review team at PM&C.

3. On 2 February 2015, officers in the department became aware that a letter from Sheikh Haron addressed to the Attorney-General dated 7 October 2014 seeking legal advice and the department's xx November 2015 reply to that letter on the Attorney's behalf, had been inadvertently omitted from the correspondence provided to the Martin Place Siege Review. The department officers became aware of this omission when the Australian Federal Police notified the department it had found the letter and the reply [REDACTED] and one of the officers noted they could not see the document on the index of documents passed to the review by AGD.

4. On the same day the departmental officers became aware of the omission an AGD officer contacted an officer in the Siege Review team at PM&C to advise that an item of correspondence and its response had inadvertently not been provided to the Review. The Review team member advised that the text of the Review had already been finalised and the department therefore did not provide the document.

4.

5. In the week of 1 June 2015 the Department conducted a review of its January 2015 search for and provision of documents to the Review to ensure the accuracy of the search and knowledge of what had been passed to the Review. If the department subsequently ascertained that the omission of Monis letter and response had occurred been inadvertently omitted from what was passed to the Review because it had been located on a second page of a spreadsheet of search results, which was overlooked by the officers collating the index of documents for the Review for provision to the Review. (PM&C has confirmed that the only four other documents on page two of the spreadsheet that should also have been passed to the Review by the Department were passed to the Review by other agencies during the Review.) search results identifying the letter and reply were contained in a separate sheet within a spreadsheet and were overlooked by departmental officers coordinating the provision of information to the Review.

6. On the same day the department became aware of the omission it advised the Review team that an item of correspondence and the reply had inadvertently not been provided to the Review due to an administrative error. The Review team member advised that the text of the Review had been finalised and the department therefore did not provide the document.

7.6. On 27 May 2015 at the Senate Legal and Constitutional Affairs Committee Budget Estimates hearing, Katherine Jones, Deputy Secretary, National Security and Criminal Justice Group, provided evidence that the correspondence in question was provided to the review (were these Katherine's exact words?). After further discussions with a former colleague on the Review team, Ms Jones has now concluded that her evidence was incorrect and that she had been thinking of another document and not the correspondence in question. (Ms Jones was unaware when she gave her evidence that the correspondence in question had been the subject of discussion between officers of the Department and the Review on 2 February.) Ms Jones will correct her evidence to the Senate Committee at the earliest opportunity.

8.7. To prevent such errors as that described in paragraph 5 above from occurring in future, I have asked officers in the department to prepare enhanced protocols/procedures to govern searches for, and provision of, documents in future.

9.8. Separately, it may be useful for me to outline the steps the department has taken steps to ensure appropriate awareness and vigilance after the National Public Alert Level was raised to High on 12 September 2014. These measures include:

- An email to all staff on 12 September 2014 advising them of the change in the National Terrorism Public Alert level, noting ASIO's Protective Security Advice for Heightened Threat Environments and encouraging staff to be vigilant and report any suspicious activity or behaviour to the Departmental Security Unit.
- Testing and review of Robert Garran Offices lockdown procedures on 2 November 2014.
- A desktop exercise of the and on 17 November 2014 the department's Business Continuity, Crisis Management and Heightened Security arrangements on 17 November 2014 were exercised.
- From November 2014 to March 2015, the department's (heightened security measures – these words 'heightened security measures' are cryptic – explain in plain English) were reviewed to prepare a new Security Alert Level Procedure. A new Security Alert Level Procedure was

established from 20 May 2015 to support changes to protective security measures in the event of an escalating alert levels. (in fact this whole dotpoint is unintelligible)

~~10.9. In respect of correspondence, The department carefully assesses each item of correspondence received by the department on matters relating to national security, and Ddepartmental officers liaise with other government agencies, including law enforcement and security agencies, where an item of correspondence raises concerns. The Department also has a Security Policy outlining how officers should respond in the event of a threat to ...~~

Yours sincerely

Chris Moraitis PSM

[REDACTED]

From: Sheehan, Tony
Sent: Wednesday, 3 June 2015 9:30 AM
To: Anderson, Iain; Pahlow, Michael
Subject: FW: 150603 - Letter - Secretary to Attorney on Monis correspondence
Attachments: 150603 - Letter - Secretary to Attorney on Monis correspondence.doc

Sorry, left you off

From: Sheehan, Tony
Sent: Wednesday, 3 June 2015 9:21 AM
To: Chidgey, Sarah
Cc: Lowe, Jamie; [REDACTED]
Subject: 150603 - Letter - Secretary to Attorney on Monis correspondence

See track changes for consideration. Some will need checking of exact words.



Australian Government
Attorney-General's Department

Secretary

3 June 2015

Senator the Hon George Brandis
Attorney-General
Parliament House
Canberra ACT 2600

Dear Attorney-General

Attorney-General's Department's search and provision to Martin Place Siege Review of handling of correspondence from Man Haron Monis

I am writing to explain the Attorney-General's Department's ~~handling of search for~~ correspondence from Man Haron Monis and ~~its provision to the Martin Place Siege Review and the measures I have taken relevant to this and the raising of the terrorist alert level on 12 September to improve the~~ Department's procedures.

2. ~~Between xx and xx January 2015~~ ~~In early January 2015,~~ at the request of the Siege Review, (check what the request was please) the department undertook searches for all documents and correspondence relevant to the terms of reference for the Martin Place Siege Review. This included searches of the department's ministerial correspondence and its records management systems. The search parameters encompassed correspondence to, from or pertaining to Man Haron Monis that was in the possession of the department. Relevant divisions in the department were also asked to review records they held.

3.2. On xx January 2015, once the ~~d~~Documents held by AGD relevant to the terms of reference for the Martin Place Siege Review had been identified and collated, they were passed by the department to the Review team at PM&C.

3. On 2 February 2015, officers in the department became aware that a letter from Sheikh Haron addressed to the Attorney-General dated 7 October 2014 seeking legal advice and the department's xx November 2015 reply to that letter on the Attorney's behalf, had been inadvertently omitted from the correspondence provided to the Martin Place Siege Review. The department officers became aware of this omission when the Australian Federal Police notified the department it had found the letter and the reply [redacted] and one of the officers noted they could not see the document on the index of documents passed to the review by AGD.

4. On the same day the departmental officers became aware of the omission an AGD officer contacted an officer in the Siege Review team at PM&C to advise that an item of correspondence and its response had inadvertently not been provided to the Review. The Review team member advised that the text of the Review had already been finalised and the department therefore did not provide the document.

4.

5. In the week of 1 June 2015 the Department conducted a review of its January 2015 search for and provision of documents to the Review to ensure the accuracy of the search and knowledge of what had been passed to the Review. If the department subsequently ascertained that the omission of Monis letter and response had occurred, it had been inadvertently omitted from what was passed to the Review because it had been located on a second page of a spreadsheet of search results, which was overlooked by the officers collating the index of documents for the Review for provision to the Review. (PM&C has confirmed that the only four other documents on page two of the spreadsheet that should also have been passed to the Review by the Department were passed to the Review by other agencies during the Review.) search results identifying the letter and reply were contained in a separate sheet within a spreadsheet and were overlooked by departmental officers coordinating the provision of information to the Review.

6. On the same day the department became aware of the omission it advised the Review team that an item of correspondence and the reply had inadvertently not been provided to the Review due to an administrative error. The Review team member advised that the text of the Review had been finalised and the department therefore did not provide the document.

7. 6. On 27 May 2015 at the Senate Legal and Constitutional Affairs Committee Budget Estimates hearing, Katherine Jones, Deputy Secretary, National Security and Criminal Justice Group, provided evidence that the correspondence in question was provided to the review (were these Katherine's exact words?). After further discussions with a former colleague on the Review team, Ms Jones has now concluded that her evidence was incorrect and that she had been thinking of another document and not the correspondence in question. (Ms Jones was unaware when she gave her evidence that the correspondence in question had been the subject of discussion between officers of the Department and the Review on 2 February.) Ms Jones will correct her evidence to the Senate Committee at the earliest opportunity.

8. 7. To prevent such errors as that described in paragraph 5 above from occurring in future, I have asked officers in the department to prepare enhanced protocols/procedures to govern searches for, and provision of, documents in future.

9. 8. Separately, it may be useful for me to outline the steps the department has taken steps to ensure appropriate awareness and vigilance after the National Public Alert Level was raised to High on 12 September 2014. These measures include:

- An email to all staff on 12 September 2014 advising them of the change in the National Terrorism Public Alert level, noting ASIO's Protective Security Advice for Heightened Threat Environments and encouraging staff to be vigilant and report any suspicious activity or behaviour to the Departmental Security Unit.
- Testing and review of Robert Garran Offices lockdown procedures on 2 November 2014.
- A desktop exercise of the and on 17 November 2014 the department's Business Continuity, Crisis Management and Heightened Security arrangements on 17 November 2014 were exercised.
- From November 2014 to March 2015, the department's (heightened security measures – these words 'heightened security measures' are cryptic – explain in plain English) were reviewed to prepare a new Security Alert Level Procedure. A new Security Alert Level Procedure was

established from 20 May 2015 to support changes to protective security measures in the event of an escalating alert levels. (in fact this whole dotpoint is unintelligible)

~~10.9. In respect of correspondence, The department carefully assesses each item of correspondence received by the department on matters relating to national security, and Departmental officers liaise with other government agencies, including law enforcement and security agencies, where an item of correspondence raises concerns. The Department also has a Security Policy outlining how officers should respond in the event of a threat to ...~~

Yours sincerely

Chris Moraitis PSM

[REDACTED]

From: [REDACTED]
Sent: Wednesday, 3 June 2015 9:44 AM
To: Chidgey, Sarah
Cc: Pahlow, Michael; Anderson, Iain; [REDACTED]
Subject: Updates - Tony Sheehan s mark-ups - Letter - Secretary to Attorney on Monis correspondence.docx [DLM=For-Official-Use-Only]
Attachments: Updates - Tony Sheehan s mark-ups - Letter - Secretary to Attorney on Monis correspondence.docx
Importance: High

For Official Use Only

Hi Sarah

Please find **attached** updates to paragraph 2 and 3 as requested with the relevant dates.

I have included a comment for paragraph 2 regarding the Review request for documents.

Please let me know if you need anything further.

Thanks
[REDACTED]



Australian Government
Attorney-General's Department

Secretary

3 June 2015

Senator the Hon George Brandis
Attorney-General
Parliament House
Canberra ACT 2600

Dear Attorney-General

Attorney-General's Department's search and provision to Martin Place Siege Review of handling of correspondence from Man Haron Monis

I am writing to explain the Attorney-General's Department's ~~handling of search for~~ correspondence from Man Haron Monis and ~~its~~ provision to the Martin Place Siege Review and the measures I have taken ~~relevant to this and the raising of the terrorist alert level on 12 September to improve the Department's procedures.~~

~~2. Between xx-5 and xx-15 January 2015~~ ~~In early January 2015, at the request of the Siege Review, (check what the request was please) the department undertook searches for all documents and correspondence relevant to the terms of reference for the Martin Place Siege Review. This include d searches of the department's ministerial correspondence and its records management systems. The search parameters encompassed correspondence to, from or pertaining to Man Haron Monis that was in the possession of the department. Relevant divisions in the department were also asked to review records they held.~~

~~3.2. On xx-14 January 2015, once the d Documents held by AGD relevant to the terms of reference for the Martin Place Siege Review had been identified and collated, they were passed by the department to the Review team at PM&C.~~

~~3. On 2 February 2015, officers in the department became aware that a letter from Sheikh Haron addressed to the Attorney-General dated 7 October 2014 seeking legal advice and the department's xx November 2015 reply to that letter on the Attorney's behalf, had been inadvertently omitted from the correspondence provided to the Martin Place Siege Review. The department officers became aware of this omission when the Australian Federal Police notified the department it had found the letter and the reply [redacted] and one of the officers noted they could not see the document on the index of documents passed to the review by AGD.~~

~~4. On the same day the departmental officers became aware of the omission an AGD officer contacted an officer in the Siege Review team at PM&C to advise that an item of correspondence and its response had inadvertently not been provided to the Review. The Review team member advised that the text of the Review had already been finalised and the department therefore did not provide the document.~~

Comment [g1]:

We collated AGD documents for the Review Team following a request from Katherine Jones for 'correspondence to, from and pertaining to Monis (including his aliases) prior to and until the end of the siege'. We understand that this scope was clarified in discussions/meetings between Tony Sheehan and Katherine Jones.

Review team specifically requested completion of an agency information template that outlined the type of record holdings the Department held relevant to: 'Information held by the Commonwealth and NSW agencies about Man Haron Monis for the period prior to and following his arrival in Australia up until the end of the siege including how any information relevant to public safety was shared between and used by agencies.

4.

5. In the week of 1 June 2015 the Department conducted a review of its January 2015 search for and provision of documents to the Review to ensure the accuracy of the search and knowledge of what had been passed to the Review. It~~The department subsequently~~ ascertained that the omission of Monis's letter and response had occurred~~been~~ inadvertently omitted from what was passed to the Review because it had been located on a second page of a spreadsheet of search results, which was overlooked by the officers collating the index of documents for the Review for provision to the Review. (PM&C has confirmed that the only four other documents on page two of the spreadsheet that should also have been passed to the Review by the Department were passed to the Review by other agencies during the Review.) search results identifying the letter and reply were contained in a separate sheet within a spreadsheet and were overlooked by departmental officers coordinating the provision of information to the Review.

6. On the same day the department became aware of the omission it advised the Review team that an item of correspondence and the reply had inadvertently not been provided to the Review due to an administrative error. The Review team member advised that the text of the Review had been finalised and the department therefore did not provide the document.

7. On 27 May 2015 at the Senate Legal and Constitutional Affairs Committee Budget Estimates hearing, Katherine Jones, Deputy Secretary, National Security and Criminal Justice Group, provided evidence that the correspondence in question was provided to the review (were these Katherine's exact words?). After further discussions with a former colleague on the Review team, Ms Jones has now concluded that her evidence was incorrect and that she had been thinking of another document and not the correspondence in question. (Ms Jones was unaware when she gave her evidence that the correspondence in question had been the subject of discussion between officers of the Department and the Review on 2 February.) Ms Jones will correct her evidence to the Senate Committee at the earliest opportunity.

8. To prevent such errors as that described in paragraph 5 above from occurring in future, I have asked officers in the department to prepare ~~enhanced protocols~~ procedures to govern searches for, and provision of, documents in future.

9. Separately, it may be useful for me to outline the steps ~~the~~ the department has taken steps to ensure appropriate awareness and vigilance after the National Public Alert Level was raised to High on 12 September 2014. These measures include:

- An email to all staff on 12 September 2014 advising them of the change in the National Terrorism Public Alert level; noting ASIO's Protective Security Advice for Heightened Threat Environments and encouraging staff to be vigilant and report any suspicious activity or behaviour to the Departmental Security Unit.
- Testing and review of Robert Garran Offices lockdown procedures on 2 November 2014.
- A desktop exercise of the ~~and on 17 November 2014~~ the department's Business Continuity, Crisis Management and Heightened Security arrangements ~~on 17 November 2014~~ were exercised.
- From November 2014 to March 2015, the department's (heightened security measures – ~~these words 'heightened security measures' are cryptic – explain in plain English~~) were reviewed to prepare a new Security Alert Level Procedure. A new Security Alert Level Procedure was

established from 20 May 2015 to support changes to protective security measures in the event of an escalating alert levels. (in fact this whole dotpoint is unintelligible)

~~40.9. In respect of correspondence, the department carefully assesses each item of correspondence received by the department on matters relating to national security, and Departmental officers liaise with other government agencies, including law enforcement and security agencies, where an item of correspondence raises concerns. The Department also has a Security Policy outlining how officers should respond in the event of a threat to ...~~

Yours sincerely

Chris Moraitis PSM

[REDACTED]

From: [REDACTED]
Sent: Wednesday, 3 June 2015 9:47 AM
To: [REDACTED]
Cc: [REDACTED]
Subject: Pls call me urgently re Man MONIS correspondence [SEC=UNCLASSIFIED]

UNCLASSIFIED

Kind regards

[REDACTED]
Principal Legal Officer
Counter-Terrorism Law Branch
[REDACTED]



Australian Government
Attorney-General's Department

[REDACTED]

[Quick Look](#)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

WARNING

This email message and any attached files may contain information that is confidential and subject of legal privilege intended only for use by the individual or entity to whom they are addressed. If you are not the intended recipient or the person responsible for delivering the message to the intended recipient be advised that you have received this message in error and that any use, copying, circulation, forwarding, printing or publication of this message or attached files is strictly forbidden, as is the disclosure of the information contained therein. If you have received this message in error, please notify the sender immediately and delete it from your inbox.

AFP Web site: <http://www.afp.gov.au>

If you have received this transmission in error please notify us immediately by return e-mail and delete all copies. If this e-mail or any attachments have been sent to you in error, that error does not constitute waiver of any confidentiality, privilege or copyright in respect of information in the e-mail or attachments.

WARNING

This email message and any attached files may contain information that is confidential and subject of legal privilege intended only for use by the individual or entity to whom they are addressed. If you are not the intended recipient or the person responsible for delivering the message to the intended recipient be advised that you have received this message in error and that any use, copying, circulation, forwarding, printing or publication of this message or

attached files is strictly forbidden, as is the disclosure of the information contained therein. If you have received this message in error, please notify the sender immediately and delete it from your inbox.

AFP Web site: <http://www.afp.gov.au>

If you have received this transmission in error please notify us immediately by return e-mail and delete all copies. If this e-mail or any attachments have been sent to you in error, that error does not constitute waiver of any confidentiality, privilege or copyright in respect of information in the e-mail or attachments.

WARNING

This email message and any attached files may contain information that is confidential and subject of legal privilege intended only for use by the individual or entity to whom they are addressed. If you are not the intended recipient or the person responsible for delivering the message to the intended recipient be advised that you have received this message in error and that any use, copying, circulation, forwarding, printing or publication of this message or attached files is strictly forbidden, as is the disclosure of the information contained therein. If you have received this message in error, please notify the sender immediately and delete it from your inbox.

AFP Web site: <http://www.afp.gov.au>

If you have received this transmission in error please notify us immediately by return e-mail and delete all copies. If this e-mail or any attachments have been sent to you in error, that error does not constitute waiver of any confidentiality, privilege or copyright in respect of information in the e-mail or attachments.

WARNING

This email message and any attached files may contain information that is confidential and subject of legal privilege intended only for use by the individual or entity to whom they are addressed. If you are not the intended recipient or the person responsible for delivering the message to the intended recipient be advised that you

have received this message in error and that any use, copying, circulation, forwarding, printing or publication of this message or attached files is strictly forbidden, as is the disclosure of the information contained therein. If you have received this message in error, please notify the sender immediately and delete it from your inbox.

AFP Web site: <http://www.afp.gov.au>

If you have received this transmission in error please notify us immediately by return e-mail and delete all copies. If this e-mail or any attachments have been sent to you in error, that error does not constitute waiver of any confidentiality, privilege or copyright in respect of information in the e-mail or attachments.

WARNING

This email message and any attached files may contain information that is confidential and subject of legal privilege intended only for use by the individual or entity to whom they are addressed. If you are not the intended recipient or the person responsible for delivering the message to the intended recipient be advised that you have received this message in error and that any use, copying, circulation, forwarding, printing or publication of this message or attached files is strictly forbidden, as is the disclosure of the information contained therein. If you have received this message in error, please notify the sender immediately and delete it from your inbox.

AFP Web site: <http://www.afp.gov.au>

[REDACTED]

From: [REDACTED]
Sent: Wednesday, 3 June 2015 9:53 AM
To: Sheehan, Tony; Chidgey, Sarah
Cc: Lowe, Jamie; [REDACTED] Gifford, Cameron; [REDACTED]
Subject: NSLSPD input to 150603 - Letter - Secretary to Attorney on Monis correspondence [DLM=For-Official-Use-Only]
Attachments: 150603 - Letter - Secretary to Attorney on Monis correspondence (2).doc

For Official Use Only

For Official Use Only

I have amended para 3 to reflect that only the letter to Monis (not the letter from Monis) was located by the AFP. I have left phone messages and emailed my 3 AFP contacts re disclosing how the letter came into the hands of the AFP and will update the letter when someone calls me back.

For accuracy, should the letter also note that 4 other documents were inadvertently omitted from the documents provided to PM&C? My understanding is that, although PM&C obtained those 4 documents, they did not come from AGD, and if AGD has not overlooked the 2nd page of the spreadsheet, AGD would have provided them.

[REDACTED]

From: Sheehan, Tony
Sent: Wednesday, 3 June 2015 9:21 AM
To: Chidgey, Sarah
Cc: Lowe, Jamie; [REDACTED]
Subject: 150603 - Letter - Secretary to Attorney on Monis correspondence

See track changes for consideration. Some will need checking of exact words.



Australian Government
Attorney-General's Department

Secretary

3 June 2015

Senator the Hon George Brandis
Attorney-General
Parliament House
Canberra ACT 2600

Dear Attorney-General

Attorney-General's Department's search and provision to Martin Place Siege Review of handling of correspondence from Man Haron Monis

I am writing to explain the Attorney-General's Department's ~~handling of search~~ for correspondence from Man Haron Monis and its provision to the Martin Place Siege Review and the measures I have taken relevant to this and the raising of the terrorist alert level on 12 September to improve the Department's procedures.

~~2. Between xx and xx January 2015~~ In early January 2015, at the request of the Siege Review, (check what the request was please) the department undertook searches for all documents and correspondence relevant to the terms of reference for the Martin Place Siege Review. This included searches of the department's ministerial correspondence and its records management systems. The search parameters encompassed correspondence to, from or pertaining to Man Haron Monis that was in the possession of the department. Relevant divisions in the department were also asked to review records they held.

~~3.2. On xx January 2015, once the dDocuments held by AGD relevant to the terms of reference for the Martin Place Siege Review had been identified and collated, they were passed by the department to the Review team at PM&C.~~

3. On 2 February 2015, officers in the department became aware that a letter from Sheikh Haron addressed to the Attorney-General dated 7 October 2014 seeking legal advice and the department's xx5 November 2015 reply to that letter on the Attorney's behalf, had been inadvertently omitted from the correspondence provided to the Martin Place Siege Review. The department officers became aware of this omission when the Australian Federal Police notified the department it had found the letter and the reply [REDACTED] and one of the officers noted they could not see the document on the index of documents passed to the review by AGD.

On the same day the departmental officers became aware of the omission an AGD officer contacted an officer in the Seiege Review team at PM&C to advise that an item of correspondence and its response had inadvertently not been provided to the Review. The Review team member advised that the text of the Review had already been finalised and the department therefore did not provide the document.

4.

5. In the week of 1 June 2015 the Department conducted a review of its January 2015 search for and provision of documents to the Review to ensure the accuracy of the search and knowledge of what had been passed to the Review. If the department subsequently ascertained that the omission of Monis letter and response had occurred, it had been inadvertently omitted from what was passed to the Review because it had been located on a second page of a spreadsheet of search results, which was overlooked by the officers collating the index of documents for the Review for provision to the Review. (PM&C has confirmed that the only four other documents on page two of the spreadsheet that should also have been passed to the Review by the Department were passed to the Review by other agencies during the Review.) ~~search results identifying the letter and reply were contained in a separate sheet within a spreadsheet and were overlooked by departmental officers coordinating the provision of information to the Review.~~

6. ~~On the same day the department became aware of the omission it advised the Review team that an item of correspondence and the reply had inadvertently not been provided to the Review due to an administrative error. The Review team member advised that the text of the Review had been finalised and the department therefore did not provide the document.~~

7.6. On 27 May 2015 at the Senate Legal and Constitutional Affairs Committee Budget Estimates hearing, Katherine Jones, Deputy Secretary, National Security and Criminal Justice Group, provided evidence that the correspondence in question was provided to the review (were these Katherine's exact words?). After further discussions with a former colleague on the Review team, Ms Jones has now concluded that her evidence was incorrect and that she had been thinking of another document and not the correspondence in question. (Ms Jones was unaware when she gave her evidence that the correspondence in question had been the subject of discussion between officers of the Department and the Review on 2 February.) Ms Jones will correct her evidence to the Senate Committee at the earliest opportunity.

8.7. To prevent such errors as that described in paragraph 5 above from occurring in future, I have asked officers in the department to prepare enhanced protocols/procedures to govern searches for, and provision of, documents in future.

9.8. Separately, it may be useful for me to outline the steps the department has taken steps to ensure appropriate awareness and vigilance after the National Public Alert Level was raised to High on 12 September 2014. These measures include:

- An email to all staff on 12 September 2014 advising them of the change in the National Terrorism Public Alert level, noting ASIO's Protective Security Advice for Heightened Threat Environments and encouraging staff to be vigilant and report any suspicious activity or behaviour to the Departmental Security Unit.
- Testing and review of Robert Garran Offices lockdown procedures on 2 November 2014.
- A desktop exercise of the and on 17 November 2014 the department's Business Continuity, Crisis Management and Heightened Security arrangements on 17 November 2014 were exercised.
- From November 2014 to March 2015, the department's (heightened security measures – these words 'heightened security measures' are cryptic – explain in plain English) were reviewed to prepare a new Security Alert Level Procedure. A new Security Alert Level Procedure was

established from 20 May 2015 to support changes to protective security measures in the event of an escalating alert levels. (in fact this whole dotpoint is unintelligible)

10.9. In respect of correspondence, the department carefully assesses each item of correspondence received by the department on matters relating to national security, and departmental officers liaise with other government agencies, including law enforcement and security agencies, where an item of correspondence raises concerns. The Department also has a Security Policy outlining how officers should respond in the event of a threat to ...

Yours sincerely

Chris Moraitis PSM

[REDACTED]

From: [REDACTED]
Sent: Wednesday, 3 June 2015 9:55 AM
To: Chidgey, Sarah
Subject: FW: 150603 - Letter - Secretary to Attorney on Monis correspondence [DLM=For-Official-Use-Only]
Attachments: 150603 - Letter - Secretary to Attorney on Monis correspondence.doc

Hi Sarah

Happy to discuss the relevant processes etc for the final item (item 9) including what we do if mcu receives an item with threats etc

[REDACTED]

Sent with Good (www.good.com)

From: Sheehan, Tony
Sent: Wednesday, 3 June 2015 9:20:47 AM
To: Chidgey, Sarah
Cc: Lowe, Jamie; [REDACTED]
Subject: 150603 - Letter - Secretary to Attorney on Monis correspondence

See track changes for consideration. Some will need checking of exact words.



Australian Government
Attorney-General's Department

Secretary

3 June 2015

Senator the Hon George Brandis
Attorney-General
Parliament House
Canberra ACT 2600

Dear Attorney-General

Attorney-General's Department's search and provision to Martin Place Siege Review of handling of correspondence from Man Haron Monis

I am writing to explain the Attorney-General's Department's handling of search for correspondence from Man Haron Monis and its provision to the Martin Place Siege Review and the measures I have taken relevant to this and the raising of the terrorist alert level on 12 September to improve the Department's procedures.

2. Between xx and xx January 2015 ~~In early January 2015,~~ at the request of the Siege Review, (check what the request was please) the department undertook searches for all documents and correspondence relevant to the terms of reference for the Martin Place Siege Review. This include d searches of the department's ministerial correspondence and its records management systems. The search parameters encompassed correspondence to, from or pertaining to Man Haron Monis that was in the possession of the department. Relevant divisions in the department were also asked to review records they held.

3.2. On xx January 2015, once the dDocuments held by AGD relevant to the terms of reference for the Martin Place Siege Review had been identified and collated, they were passed by the department to the Review team at PM&C.

3. On 2 February 2015, officers in the department became aware that a letter from Sheikh Haron addressed to the Attorney-General dated 7 October 2014 seeking legal advice and the department's xx November 2015 reply to that letter on the Attorney's behalf, had been inadvertently omitted from the correspondence provided to the Martin Place Siege Review. The department officers became aware of this omission when the Australian Federal Police notified the department it had found the letter and the reply [REDACTED] and one of the officers noted they could not see the document on the index of documents passed to the review by AGD.

4. On the same day the departmental officers became aware of the omission an AGD officer contacted an officer in the Siege Review team at PM&C to advise that an item of correspondence and its response had inadvertently not been provided to the Review. The Review team member advised that the text of the Review had already been finalised and the department therefore did not provide the document.

4.

5. In the week of 1 June 2015 the Department conducted a review of its January 2015 search for and provision of documents to the Review to ensure the accuracy of the search and knowledge of what had been passed to the Review. If the department subsequently ascertained that the omission of Monis letter and response had occurred been inadvertently omitted from what was passed to the Review because it had been located on a second page of a spreadsheet of search results, which was overlooked by the officers collating the index of documents for the Review for provision to the Review. (PM&C has confirmed that the only four other documents on page two of the spreadsheet that should also have been passed to the Review by the Department were passed to the Review by other agencies during the Review.) search results identifying the letter and reply were contained in a separate sheet within a spreadsheet and were overlooked by departmental officers coordinating the provision of information to the Review.

6. On the same day the department became aware of the omission it advised the Review team that an item of correspondence and the reply had inadvertently not been provided to the Review due to an administrative error. The Review team member advised that the text of the Review had been finalised and the department therefore did not provide the document.

7.6. On 27 May 2015 at the Senate Legal and Constitutional Affairs Committee Budget Estimates hearing, Katherine Jones, Deputy Secretary, National Security and Criminal Justice Group, provided evidence that the correspondence in question was provided to the review (were these Katherine's exact words?). After further discussions with a former colleague on the Review team, Ms Jones has now concluded that her evidence was incorrect and that she had been thinking of another document and not the correspondence in question. (Ms Jones was unaware when she gave her evidence that the correspondence in question had been the subject of discussion between officers of the Department and the Review on 2 February.) Ms Jones will correct her evidence to the Senate Committee at the earliest opportunity.

8.7. To prevent such errors as that described in paragraph 5 above from occurring in future, I have asked officers in the department to prepare enhanced protocols/procedures to govern searches for, and provision of, documents in future.

9.8. Separately, it may be useful for me to outline the steps the department has taken steps to ensure appropriate awareness and vigilance after the National Public Alert Level was raised to High on 12 September 2014. These measures include:

- An email to all staff on 12 September 2014 advising them of the change in the National Terrorism Public Alert level, noting ASIO's Protective Security Advice for Heightened Threat Environments and encouraging staff to be vigilant and report any suspicious activity or behaviour to the Departmental Security Unit.
- Testing and review of Robert Garran Offices lockdown procedures on 2 November 2014.
- A desktop exercise of the and on 17 November 2014 the department's Business Continuity, Crisis Management and Heightened Security arrangements on 17 November 2014 were exercised.
- From November 2014 to March 2015, the department's (heightened security measures – these words 'heightened security measures' are cryptic – explain in plain English) were reviewed to prepare a new Security Alert Level Procedure. A new Security Alert Level Procedure was

established from 20 May 2015 to support changes to protective security measures in the event of an escalating alert levels. (in fact this whole dotpoint is unintelligible)

40.9. In respect of correspondence. The department carefully assesses each item of correspondence received by the department on matters relating to national security, and Departmental officers liaise with other government agencies, including law enforcement and security agencies, where an item of correspondence raises concerns. The Department also has a Security Policy outlining how officers should respond in the event of a threat to ...

Yours sincerely

Chris Moraitis PSM

[REDACTED]

From: [REDACTED]
Sent: Wednesday, 3 June 2015 9:56 AM
To: [REDACTED]
Subject: FW: TRIM: FW: Man MONIS correspondence [SEC=UNCLASSIFIED]

UNCLASSIFIED

From: [REDACTED]
Sent: Tuesday, 2 June 2015 4:59 pm
To: [REDACTED]
Subject: TRIM: FW: Man MONIS correspondence [SEC=UNCLASSIFIED]

UNCLASSIFIED

From: [REDACTED]
Sent: Thursday, 29 January 2015 4:51 PM
To: [REDACTED]
Subject: RE: Man MONIS correspondence [SEC=UNCLASSIFIED]

UNCLASSIFIED

Good news. Only 2 of the (relevant) docs are non-NSLPD docs. EMA is happy with those 2 going to AFP. Subject to AGO agreement, we will send everything off Monday and get your folder back to you ☺

From: [REDACTED]
Sent: Thursday, 29 January 2015 1:27 PM
To: [REDACTED]
Subject: RE: Man MONIS correspondence [SEC=UNCLASSIFIED]

UNCLASSIFIED

Hi [REDACTED] - confirmed they are seeking both AGD and AG/AGO corro.

From: [REDACTED]
Sent: Thursday, 29 January 2015 12:17 PM
To: [REDACTED]
Subject: RE: Man MONIS correspondence [SEC=UNCLASSIFIED]

UNCLASSIFIED

Hi [REDACTED]

I'll collate the docs when I get a chance this afternoon. I'll also get you a list of divisions that approved initial release, so you can confirm they are OK with this additional release. [REDACTED] in the AGO agreed to release on behalf of the AGO.

Minor point of details – is he after corro between Monis and AGD (cf AG)? I recall that this would only be a small portion of the corro we collated.

From: [REDACTED]
Sent: Thursday, 29 January 2015 9:49 AM
To: [REDACTED]
Subject: FW: Man MONIS correspondence [SEC=UNCLASSIFIED]

UNCLASSIFIED

In light of the written request, could you please provide the docs and contact details of who I might need to check with before releasing them?

Thanks

Kind regards

[REDACTED]
Principal Legal Officer
Counter-Terrorism Law Branch
[REDACTED]



Australian Government
Attorney-General's Department

From: [REDACTED]@afp.gov.au]
Sent: Wednesday, 28 January 2015 4:58 PM
To: [REDACTED]
Subject: Man MONIS correspondence [SEC=UNCLASSIFIED]

UNCLASSIFIED

Good afternoon [REDACTED],

As discussed the JCTT are conducting inquiries into Man Haron MONIS in conjunction with the NSW Police Investigations.

The JCTT are aware that MONIS used to write a number of letters to various individuals, businesses and government organisations.

[REDACTED] after the incident at the Lindt Café, a letter was obtained addressed to the Attorney General's Department written by MONIS on 7 October 2014.

The JCTT also obtained [REDACTED] the response to this letter by the Attorney General's Department dated 5 November 2014.

As part of the investigation, the AFP with the JCTT would greatly appreciate obtaining all correspondence that may be retained from the past few years between MONIS and the Attorney General's Department.

I am happy if this could be provided via email however if this isn't the best method please get in touch to discuss.

[REDACTED]
don't have a constant desk phone. If you wish to contact me on the phone please call on my mobile
[REDACTED]

Kind regards

[REDACTED]



[REDACTED]

UNCLASSIFIED

WARNING

This email message and any attached files may contain information that is confidential and subject of legal privilege intended only for use by the individual or entity to whom they are addressed. If you are not the intended recipient or the person responsible for delivering the message to the intended recipient be advised that you have received this message in error and that any use, copying, circulation, forwarding, printing or publication of this message or attached files is strictly forbidden, as is the disclosure of the information contained therein. If you have received this message in error, please notify the sender immediately and delete it from your inbox.

AFP Web site: <http://www.afp.gov.au>

Chidgey, Sarah

From: Chidgey, Sarah
Sent: Wednesday, 3 June 2015 9:56 AM
To: [REDACTED]
Subject: 150603 - Letter - Secretary to Attorney on Monis correspondence - with TS and MP changes [SEC=UNCLASSIFIED]
Attachments: 150603 - Letter - Secretary to Attorney on Monis correspondence - with TS and MP changes.doc

UNCLASSIFIED



Australian Government
Attorney-General's Department

Secretary

3 June 2015

Senator the Hon George Brandis
Attorney-General
Parliament House
Canberra ACT 2600

Dear Attorney-General

Attorney-General's Department's search and provision to Martin Place Siege Review of correspondence from Man Haron Monis

I am writing to explain the Attorney-General's Department's search for correspondence from Man Haron Monis and its provision to the Martin Place Siege Review and the measures I have taken relevant to this and the raising of the terrorist alert level on 12 September.

2. Between xx and xx January 2015 at the request of the Martin Place Siege Review (the Review) (check what the request was please) the department undertook searches for documents and correspondence relevant to the terms of reference for the Martin Place Siege Review. This includes searches of the department's ministerial correspondence and its records management systems. On xx January 2015, once the documents held by AGD relevant to the terms of reference for the Martin Place Siege Review had been identified and collated, they were passed by the department to the Review team at PM&C.

Comment [c1]:

3. On 2 February 2015, officers in the department became aware that a letter from Sheikh Haron addressed to the Attorney-General dated 7 October 2014 seeking legal advice and the department's 5 November 2015 reply to that letter on the Attorney's behalf, had been inadvertently omitted from the correspondence provided to the Review. The officers became aware of this omission when the Australian Federal Police notified the department it had found the letter and the reply [REDACTED] and one of the officers noted they could not see the document on the index of documents passed to the review by the department.

Comment [c2]: [REDACTED] - can we refer to the [REDACTED] publicly?

4. On the same day the departmental officers became aware of the omission a departmental officer contacted an officer in the Review team at the Department of the Prime Minister and Cabinet (PM&C) to advise that an item of correspondence and its response had inadvertently not been provided to the Review. The Review team member advised that the text of the Review had already been finalised and the department therefore did not provide the document.

5. In the week beginning 1 June 2015 the Department conducted a review of its January 2015 search for and provision of documents to the Review to ensure the accuracy of the search and knowledge of what had been passed to the Review. It ascertained that the Monis letter and response had been inadvertently omitted from what was passed to the Review because it had been located in a second tab in a spreadsheet of search results, which was overlooked by the officers collating the

index of documents for the Review for provision to the Review. (PM&C has confirmed that the only four other documents identified in the second tab of the spreadsheet that should also have been passed to the Review by the Department were passed to the Review by other agencies during the Review.)

6. On 27 May 2015 at the Senate Legal and Constitutional Affairs Committee Budget Estimates hearing, Katherine Jones, Deputy Secretary, National Security and Criminal Justice Group, provided evidence that the correspondence in question was provided to the review. After further discussions with a former colleague on the Review team, Ms Jones has now concluded that her evidence was incorrect and that she had been thinking of another document and not the correspondence in question. (Ms Jones was unaware when she gave her evidence that the correspondence in question had been the subject of discussion between officers of the Department and the Review on 2 February 2015.) Ms Jones will correct her evidence to the Senate Committee at the earliest opportunity.

Comment [c3]: 'was provided to the Review' were the exact words.

7. To prevent such errors as that described in paragraph 5 above from occurring in future, I have asked officers in the department to prepare enhanced procedures to govern searches for, and provision of, documents in future.

8. Separately, it may be useful for me to outline the steps the department has taken steps to ensure appropriate awareness and vigilance after the National Public Alert Level was raised to High on 12 September 2014. These measures include:

- An email to all staff on 12 September 2014 advising them of the change in the National Terrorism Public Alert level, noting ASIO's Protective Security Advice for Heightened Threat Environments and encouraging staff to be vigilant and report any suspicious activity or behaviour to the Departmental Security Unit.
- Testing and review of Robert Garran Offices lockdown procedures on 2 November 2014.
- A desktop exercise of the department's Business Continuity, Crisis Management and Heightened Security arrangements on 17 November 2014.
- From November 2014 to March 2015, the department's (heightened security measures – these words 'heightened security measures' are cryptic – explain in plain English) were reviewed to prepare a new Security Alert Level Procedure. A new Security Alert Level Procedure was established from 20 May 2015 to support changes to protective security measures in the event of an escalating alert levels. (in fact this whole dotpoint is unintelligible)

9. In respect of correspondence, the department carefully assesses each item received on matters relating to national security. Departmental officers liaise with other government agencies, including law enforcement and security agencies, where an item of correspondence raises concerns. The Department also has a Security Policy outlining how officers should respond in the event of a threat to

Yours sincerely

Chris Moraitis PSM

[REDACTED]

From: [REDACTED]
Sent: Wednesday, 3 June 2015 9:58 AM
To: Sheehan, Tony; Chidgey, Sarah
Cc: Lowe, Jamie; [REDACTED] Gifford, Cameron [REDACTED]
Subject: RE: NSLPD input to 150603 - Letter - Secretary to Attorney on Monis correspondence [DLM=For-Official-Use-Only]

For Official Use Only

Apologies – it appears the AFP did have the letter to the AG (although AFP referred to corro to AGD). So my changes to that sentence should be removed.

[REDACTED]

From: [REDACTED]
Sent: Wednesday, 3 June 2015 9:53 AM
To: Sheehan, Tony; Chidgey, Sarah
Cc: Lowe, Jamie; [REDACTED] Gifford, Cameron; [REDACTED]
Subject: NSLPD input to 150603 - Letter - Secretary to Attorney on Monis correspondence [DLM=For-Official-Use-Only]

For Official Use Only

For Official Use Only

I have amended para 3 to reflect that only the letter to Monis (not the letter from Monis) was located by the AFP. I have left phone messages and emailed my 3 AFP contacts re disclosing how the letter came into the hands of the AFP and will update the letter when someone calls me back.

For accuracy, should the letter also note that 4 other documents were inadvertently omitted from the documents provided to PM&C? My understanding is that, although PM&C obtained those 4 documents, they did not come from AGD; and if AGD has not overlooked the 2nd page of the spreadsheet, AGD would have provided them.

[REDACTED]

From: Sheehan, Tony
Sent: Wednesday, 3 June 2015 9:21 AM
To: Chidgey, Sarah
Cc: Lowe, Jamie; [REDACTED]
Subject: 150603 - Letter - Secretary to Attorney on Monis correspondence

See track changes for consideration. Some will need checking of exact words.

[REDACTED]

From: [REDACTED]
Sent: Wednesday, 3 June 2015 9:59 AM
To: [REDACTED]
Subject: FW: TRIM: RE: Coord process - Martin Place Siege Review [DLM=For-Official-Use-Only]

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Red Category

For Official Use Only

FYI

From: [REDACTED]
Sent: Tuesday, 2 June 2015 6:15 pm
To: Chidgey, Sarah
Cc: [REDACTED] Pahlow, Michael; Coles, Anthony; Anderson, Iain
Subject: TRIM: RE: Coord process - Martin Place Siege Review [DLM=For-Official-Use-Only]

For Official Use Only

Hi Sarah – apologies, two minor additions to confirm clearance of final index and document pack (highlighted in red text).

From: [REDACTED]
Sent: Tuesday, 2 June 2015 5:49 pm
To: Chidgey, Sarah
Cc: [REDACTED] Pahlow, Michael; Coles, Anthony; Anderson, Iain
Subject: Coord process - Martin Place Siege Review [DLM=For-Official-Use-Only]
Importance: High

For Official Use Only

Hi Sarah

As discussed, below is a list of steps that CrJD undertook in relation to AGD coordination process and CrJD coordination process for the Martin Place Siege Review.

I have also included the CrJD coord process and the NSLPD coord process [REDACTED] followed up with [REDACTED] [REDACTED] who is currently on leave).

All key documents from the coord process are saved in TRIM 14/16416. I have also included some specific document references for key documents.

Please let me know if you have any queries or require any further information. Apologies for the delay.

Thanks
[REDACTED]

Briefing pack 1

- 19 December 2014 – Following a request from Katherine Jones to FASs for the Martin Place Siege Review. Iain was subsequently asked to coordinate Martin Place Siege Review briefing for the Department.
- 19 December 2014 - Request for briefing material from Divisions.
- 24 December 2014 - Tony cleared hardcopy briefing pack and attachments
- 24 December 2014 - Briefing pack 1 (brief and attachments) sent to Review Team [15#377290DOC and 15#377288DOC]

FAS notification

- 5 January 2015 – Following a meeting with Katherine Jones, Tony Sheehan requested a meeting at FAS level to discuss the Martin Place Siege Review. Key action items from the meeting were for Divisions to provide:
 - additional briefing as per Katherine Jones's request (briefing pack 2)
 - correspondence to, from or pertaining to Monis and aliases (AGD correspondence)

Briefing pack 2

- 5 January 2015 - CrJD sent request to Division Heads requesting further briefing material (following Tony Sheehan's request at the FAS meeting on 5 January) [15#377492DOC].
- 8 January 2015 – Final briefing pack cleared by a/g CrJD FAS and Tony Sheehan.
- 8 January 2015 - Briefing Pack 2 sent to Review Team [15#377278DOC]

Agency information template

- 7 January 2015 – Review Team requested each agency complete an 'Agency information template' regarding their Monis related holdings.
- 9 January 2015 – Agency information template cleared by a/g CrJD FAS and Tony Sheehan.
- 9 January 2015 - AGD sent the completed agency information template to the Review Team [15#377274DOC]

AGD correspondence to, from or pertaining to Monis

- 5 January 2015 – CrJD FAS (Iain Anderson) sent request to Division Heads for correspondence relevant to the scope of the Review (including non-electronic documents) [15#377488DOC and 15#377486DOC]
 - Scope: Correspondence in possession of AGD to, from or pertaining to Monis (including his aliases)
 - Alias List 1 was attached
 - Flagged that MCU is assisting with searches of ExecCorro and TRIM for relevant correspondence, and Information Division will also be undertaking broader electronic searching.
 - Flagged that we are aware some correspondence may not be captured electronically, so requested each Division to consider whether they hold records in this category.
 - All documents to be sighted and cleared at FAS level (clarified by Tony Sheehan: 15#377487DOC)
- 6 January 2015 - ID provided TRIM search results based on alias list 1 (15#377475DOC).
- 6 January 2015 - CrJD sent Divisional coordinators (cc Division Heads) the Information Division's TRIM records list to assist with their search [15#377469DOC]
- 7 January 2015 – CrJD had a discussion with the Review Team regarding whether High Court material and related AGS advice was part of the scope of the Review [File note: 15#377280DOC]. It was confirmed that this material was out of scope on 7 January 2015 [15#377459DOC].
- 7 January - Further TRIM list was provided by ID containing an additional search parameter (15#377472DOC).
- 7 January 2015 - CrJD requested ID confirmation of ability to search older repositories including G drive, archived repositories, Lotus Notes etc
- 7 January 2015 – SDD sent CrJD results of ExecCorro search done on Alias list 1 [15#377428DOC].
- 7 January 2015 – CrJD requested ID perform ASNET search on Alias list 1.
- 7 January 2015 – in response to query about content searches – ID provided another TRIM list but caveated the reliability of this list [15#377426DOC].
- 9 January 2015 – Review Team provided two new aliases for Monis [15#377276DOC]
- 9 January 2015 – ASNET search on Alias List 1 completed.

- 12 January 2015:
 - CrJD requested and received from ID a new TRIM content search based on the updated alias list (Alias List 2) – no further records were located.
 - CrJD requested an updated ASNET search based on Alias List 2
- 13 January 2015 – CrJD requested new ExecCorro search from SDD based on Alias List 2. SDD confirmed no further records were located.
- 13 January - CrJD completed a comparison of the bigger TRIM list (provided by ID on 7 January) with the previous TRIM list (TRIM list with additional search parameter provided on 6 January) to identify any new records – no further relevant/within scope documents were identified.
- 13 January 2015 – CrJD sent Divisional coordinators (cc Division Heads) the updated alias list (Alias List 2), noted that no further TRIM records had been located but requested Divisions confirm if they held any relevant material in relation to the new aliases [15#377346DOC]
- 13 January 2015 - Review Team members with ASNET access were provided access to the ASNET search results
- 13 January 2015 – a/g CrJD FAS and Tony Sheehan cleared the Index to send to the Review Team – subject to AGO clearance.
- 13 January 2015 – Index of documents sent to AGO [REDACTED] for approval to send to the Review Team (Tony Sheehan had also spoken to AGO [REDACTED] about this). Approval provided by AGO [15#377261DOC].
- 13 January 2015 – Index sent to Review Team (noting no further records identified so far based on two new aliases but further searches were still being conducted) [15#377263DOC]
- 14 January 2015 – Based on review of ExecCorro list (sheet 1 only) with the TRIM record list – CrJD followed up with relevant Divisions regarding additional/new records identified for Divisions to verify if these records were within scope.
- 14 January 2015 – Katherine Jones advised that some documents included in Index were post-siege and therefore not within scope of the Review [15#377259DOC]. Tony Sheehan approved removal of these items from the Index [15#377257DOC].
- 14 January 2015 – Further to CrJD request of 7 January, ID confirmed that there were no additional records to supply from G drive, archives, or Lotus Notes.
- 14 January 2015 – CrJD sent updated Index noting which document references removed because they were out of scope to:
 - AGO – also advised that hardcopy folder will be provided to Review Team [15#378810DOC]
 - Divisional coordinators (cc Division Heads) [15#377317DOC]
 - Review Team [15#377252DOC].
- 14 January 2015 - Hardcopy folder of index documents provided to Review Team.
- 15 January 2015 – ASNET search complete based on Alias List 2 (from CrJD request on 12 Jan) – no further results. CrJD confirmed the result with the Review Team.
- 28 January 2015 – NSLPD [REDACTED] copied CrJD into a response to AFP who requested AGD correspondence relating to Monis and specifically Monis letter to AGD dated 7 October 2014 and AGD response to Monis dated 5 November 2014 [15#377295DOC]
- 29 January 2015 – CrJD provided the Index of documents and hardcopy folder of documents to NSLPD to identify relevant correspondence relevant to AFP's request [15#379428DOC]
- 2 February 2015 - CrJD forwarded the ExecCorro result list of 7 January 2015. NSLPD identified that the correspondence from Monis to AGD on 7 October 2014 and the AGD response to Monis dated 5 November 2014 had not been provided to the Review. NSLPD requested that these additional documents be added to the material provided to the Review Team [15#379429DOC]
- On or around 2 February 2015 – CrJD contacted the Review Team to advise that additional correspondence had been identified. Over the phone, Review Team confirmed that no further information could be considered by the Review Team at that time.

CrJD coordination

- 6 January 2015 - CrJD sent Division coordinators (cc Division Heads) the Information Division's TRIM records list – this was also forwarded to relevant CrJD section heads.
- Relevant sections reviewed the ID TRIM List and some sections performed additional TRIM searches.

NSLPD coordination

- 6 January 2015 - CrJD sent Division coordinators (cc Division Heads) the Information Division's TRIM records list.
- NSLPD advise that they reviewed the ID TRIM list, performed separate targeted TRIM searches and also searched and provided hardcopy archived documents.

[REDACTED]

From: Chidgey, Sarah
Sent: Wednesday, 3 June 2015 10:04 AM
To: [REDACTED]
Cc: Pahlow, Michael; Anderson, Iain; [REDACTED]
Subject: RE: Updates - Tony Sheehan s mark-ups - Letter - Secretary to Attorney on Monis correspondence.docx [DLM=For-Official-Use-Only]

For Official Use Only

Many thanks [REDACTED]

From: [REDACTED]
Sent: Wednesday, 3 June 2015 9:44 AM
To: Chidgey, Sarah
Cc: Pahlow, Michael; Anderson, Iain; [REDACTED]
Subject: Updates - Tony Sheehan s mark-ups - Letter - Secretary to Attorney on Monis correspondence.docx [DLM=For-Official-Use-Only]
Importance: High

For Official Use Only

Hi Sarah

Please find **attached** updates to paragraph 2 and 3 as requested with the relevant dates.

I have included a comment for paragraph 2 regarding the Review request for documents.

Please let me know if you need anything further.

Thanks
[REDACTED]

[REDACTED]

From: Chidgey, Sarah
Sent: Wednesday, 3 June 2015 10:07 AM
To: Sheehan, Tony
Cc: Lowe, Jamie; [REDACTED] Anderson, Iain; Pahlow, Michael;
Subject: TRIM: RE: 150603 - Letter - Secretary to Attorney on Monis correspondence [SEC=UNCLASSIFIED]
Attachments: 150603 - Letter - Secretary to Attorney on Monis correspondence - with TS and MP changes.doc

UNCLASSIFIED

All

A further version of the letter incorporating Tony's and Michael's changes is attached.

PSB is reviewing the wording on the security measures.

[REDACTED] - can you advise on the query about making the [REDACTED] public?

Sarah

From: Sheehan, Tony
Sent: Wednesday, 3 June 2015 9:21 AM
To: Chidgey, Sarah
Cc: Lowe, Jamie; [REDACTED]
Subject: 150603 - Letter - Secretary to Attorney on Monis correspondence

See track changes for consideration. Some will need checking of exact words.



Australian Government
Attorney-General's Department

Secretary

3 June 2015

Senator the Hon George Brandis
Attorney-General
Parliament House
Canberra ACT 2600

Dear Attorney-General

Attorney-General's Department's search and provision to Martin Place Siege Review of correspondence from Man Haron Monis

I am writing to explain the Attorney-General's Department's search for correspondence from Man Haron Monis and its provision to the Martin Place Siege Review (the Review) and the measures I have taken relevant to this and the raising of the terrorist alert level on 12 September.

2. Between 5 and 15 January 2015 at the request of the Review the department undertook searches for documents and correspondence relevant to the terms of reference for the Martin Place Siege Review. This includes searches of the department's ministerial correspondence and its records management systems. On 14 January 2015, once the documents held by the department relevant to the terms of reference for the Martin Place Siege Review had been identified and collated, they were passed by the department to the Review team at Department of the Prime Minister and Cabinet (PM&C).

3. On 2 February 2015, officers in the department became aware that a letter from Sheikh Haron addressed to the Attorney-General dated 7 October 2014 seeking legal advice and the department's 5 November 2015 reply to that letter on the Attorney's behalf, had been inadvertently omitted from the correspondence provided to the Review. The officers became aware of this omission when the Australian Federal Police notified the department it had found the letter and the reply [REDACTED] and one of the officers noted they could not see the document on the index of documents passed to the review by the department.

4. On the same day the departmental officers became aware of the omission a departmental officer contacted an officer in the Review team at the PM&C to advise that some documents had inadvertently not been provided to the Review. The Review team member advised that the text of the Review had already been finalised and the department therefore did not provide the document.

5. In the week beginning 1 June 2015 the Department conducted a review of its January 2015 search for and provision of documents to the Review to ensure the accuracy of the search and knowledge of what had been passed to the Review. It ascertained that the Monis letter and response had been inadvertently omitted from what was passed to the Review because it had been located in a second tab in a spreadsheet of search results, which was overlooked by the officers collating the index of documents for the Review for provision to the Review. (PM&C has confirmed that the

Comment [c1]: We collated AGD documents for the Review Team following a request from Katherine Jones for 'correspondence to, from and pertaining to Monis (including his aliases) prior to and until the end of the siege'. We understand that this scope was clarified in discussions/meetings between Tony Sheehan and Katherine Jones.

Review team specifically requested completion of an agency information template that outlined the type of record holdings the Department held relevant to: 'Information held by the Commonwealth and NSW agencies about Man Haron Monis for the period prior to and following his arrival in Australia up until the end of the siege including how any information relevant to public safety was shared between and used by, agencies.'

Comment [c2]: [REDACTED] can we refer to the [REDACTED] publicly?

only four other documents identified in the second tab of the spreadsheet that should also have been passed to the Review by the Department were passed to the Review by other agencies during the Review.)

6. On 27 May 2015 at the Senate Legal and Constitutional Affairs Committee Budget Estimates hearing, Katherine Jones, Deputy Secretary, National Security and Criminal Justice Group, provided evidence that the correspondence in question was provided to the review. After further discussions with a former colleague on the Review team, Ms Jones has now concluded that her evidence was incorrect and that she had been thinking of another document and not the correspondence in question. (Ms Jones was unaware when she gave her evidence that the correspondence in question had been the subject of discussion between officers of the Department and the Review on 2 February 2015.) Ms Jones will correct her evidence to the Senate Committee at the earliest opportunity.

Comment [c3]: 'was provided to the Review' were the exact words.

7. To prevent such errors as that described in paragraph 5 above from occurring in future, I have asked officers in the department to prepare enhanced procedures to govern searches for, and provision of, documents in future.

8. Separately, it may be useful for me to outline the steps the department has taken steps to ensure appropriate awareness and vigilance after the National Public Alert Level was raised to High on 12 September 2014. These measures include:

- An email to all staff on 12 September 2014 advising them of the change in the National Terrorism Public Alert level, noting ASIO's Protective Security Advice for Heightened Threat Environments and encouraging staff to be vigilant and report any suspicious activity or behaviour to the Departmental Security Unit.
- Testing and review of Robert Garran Offices lockdown procedures on 2 November 2014.
- A desktop exercise of the department's Business Continuity, Crisis Management and Heightened Security arrangements on 17 November 2014.
- From November 2014 to March 2015, the department's heightened security measures [these words 'heightened security measures' are cryptic – explain in plain English] were reviewed to prepare a new Security Alert Level Procedure. A new Security Alert Level Procedure was established from 20 May 2015 to support changes to protective security measures in the event of an escalating alert levels.

Comment [c4]: PSB is reviewing the language to make this point clearer.

9. In respect of correspondence, the department carefully assesses each item received on matters relating to national security. Departmental officers liaise with other government agencies, including law enforcement and security agencies, where an item of correspondence raises concerns. The Department also has a security policy outlining how officers should deal with real or perceived threats from the public.

Yours sincerely

Chris Moraitis PSM

[REDACTED]

From: Sheehan, Tony
Sent: Wednesday, 3 June 2015 10:08 AM
To: Faulkner, James
Subject: FW: 150603 - Letter - Secretary to Attorney on Monis correspondence
Attachments: 150603 - Letter - Secretary to Attorney on Monis correspondence.doc

From: Sheehan, Tony
Sent: Wednesday, 3 June 2015 9:21 AM
To: Chidgey, Sarah
Cc: Lowe, Jamie; [REDACTED]
Subject: 150603 - Letter - Secretary to Attorney on Monis correspondence

See track changes for consideration. Some will need checking of exact words.



Australian Government
Attorney-General's Department

Secretary

3 June 2015

Senator the Hon George Brandis
Attorney-General
Parliament House
Canberra ACT 2600

Dear Attorney-General

Attorney-General's Department's search and provision to Martin Place Siege Review of handling of correspondence from Man Haron Monis

I am writing to explain the Attorney-General's Department's handling of search for correspondence from Man Haron Monis and its provision to the Martin Place Siege Review and the measures I have taken relevant to this and the raising of the terrorist alert level on 12 September to improve the Department's procedures.

2. Between xx and xx January 2015 In early January 2015, at the request of the Siege Review, (check what the request was please) the department undertook searches for all documents and correspondence relevant to the terms of reference for the Martin Place Siege Review. This included searches of the department's ministerial correspondence and its records management systems. The search parameters encompassed correspondence to, from or pertaining to Man Haron Monis that was in the possession of the department. Relevant divisions in the department were also asked to review records they held.

3-2. On xx January 2015, once the documents held by AGD relevant to the terms of reference for the Martin Place Siege Review had been identified and collated, they were passed by the department to the Review team at PM&C.

3. On 2 February 2015, officers in the department became aware that a letter from Sheikh Haron addressed to the Attorney-General dated 7 October 2014 seeking legal advice and the department's xx November 2015 reply to that letter on the Attorney's behalf, had been inadvertently omitted from the correspondence provided to the Martin Place Siege Review. The department officers became aware of this omission when the Australian Federal Police notified the department it had found the letter and the reply [REDACTED] and one of the officers noted they could not see the document on the index of documents passed to the review by AGD.

4. On the same day the departmental officers became aware of the omission an AGD officer contacted an officer in the Siege Review team at PM&C to advise that an item of correspondence and its response had inadvertently not been provided to the Review. The Review team member advised that the text of the Review had already been finalised and the department therefore did not provide the document.

4.

5. In the week of 1 June 2015 the Department conducted a review of its January 2015 search for and provision of documents to the Review to ensure the accuracy of the search and knowledge of what had been passed to the Review. It~~The department subsequently~~ ascertained that the omission of Monis letter and response had occurred been inadvertently omitted from what was passed to the Review because it had been located on a second page of a spreadsheet of search results, which was overlooked by the officers collating the index of documents for the Review for provision to the Review. (PM&C has confirmed that the only four other documents on page two of the spreadsheet that should also have been passed to the Review by the Department were passed to the Review by other agencies during the Review.) search results identifying the letter and reply were contained in a separate sheet within a spreadsheet and were overlooked by departmental officers coordinating the provision of information to the Review.

6. ~~On the same day the department became aware of the omission it advised the Review team that an item of correspondence and the reply had inadvertently not been provided to the Review due to an administrative error. The Review team member advised that the text of the Review had been finalised and the department therefore did not provide the document.~~

7. ~~6. On 27 May 2015 at the Senate Legal and Constitutional Affairs Committee Budget Estimates hearing, Katherine Jones, Deputy Secretary, National Security and Criminal Justice Group, provided evidence that the correspondence in question was provided to the review (were these Katherine's exact words?). After further discussions with a former colleague on the Review team, Ms Jones has now concluded that her evidence was incorrect and that she had been thinking of another document and not the correspondence in question. (Ms Jones was unaware when she gave her evidence that the correspondence in question had been the subject of discussion between officers of the Department and the Review on 2 February.) Ms Jones will correct her evidence to the Senate Committee at the earliest opportunity.~~

8. ~~7. To prevent such errors as that described in paragraph 5 above from occurring in future, I have asked officers in the department to prepare enhanced protocols/procedures to govern searches for, and provision of, documents in future.~~

9. ~~8. Separately, it may be useful for me to outline the steps the~~The department has taken steps to ensure appropriate awareness and vigilance after the National Public Alert Level was raised to High on 12 September 2014. These measures include:

- An email to all staff on 12 September 2014 advising them of the change in the National Terrorism Public Alert level, noting ASIO's Protective Security Advice for Heightened Threat Environments and encouraging staff to be vigilant and report any suspicious activity or behaviour to the Departmental Security Unit.
- Testing and review of Robert Garran Offices lockdown procedures on 2 November 2014.
- ~~A desktop exercise of the and on 17 November 2014 the department's Business Continuity, Crisis Management and Heightened Security arrangements on 17 November 2014 were exercised.~~
- From November 2014 to March 2015, the department's (heightened security measures – these words 'heightened security measures' are cryptic – explain in plain English) were reviewed to prepare a new Security Alert Level Procedure. A new Security Alert Level Procedure was

established from 20 May 2015 to support changes to protective security measures in the event of an escalating alert levels. (in fact this whole dotpoint is unintelligible)

10.9. In respect of correspondence. The department carefully assesses each item of correspondence received by the department on matters relating to national security, and Departmental officers liaise with other government agencies, including law enforcement and security agencies, where an item of correspondence raises concerns. The Department also has a Security Policy outlining how officers should respond in the event of a threat to ...

Yours sincerely

Chris Moraitis PSM

[REDACTED]

From: Chidgey, Sarah
Sent: Wednesday, 3 June 2015 10:08 AM
To: [REDACTED]
Subject: FW: 150603 - Letter - Secretary to Attorney on Monis correspondence [SEC=UNCLASSIFIED]
Attachments: 150603 - Letter - Secretary to Attorney on Monis correspondence - with TS and MP changes.doc

UNCLASSIFIED

From: Chidgey, Sarah
Sent: Wednesday, 3 June 2015 10:07 AM
To: Sheehan, Tony
Cc: Lowe, Jamie; [REDACTED] Anderson, Iain; Pahlow, Michael;
Subject: RE: 150603 - Letter - Secretary to Attorney on Monis correspondence [SEC=UNCLASSIFIED]

UNCLASSIFIED

All

A further version of the letter incorporating Tony's and Michael's changes is attached.

PSB is reviewing the wording on the security measures.

[REDACTED] - can you advise on the query about making the [REDACTED] public?

Sarah

From: Sheehan, Tony
Sent: Wednesday, 3 June 2015 9:21 AM
To: Chidgey, Sarah
Cc: Lowe, Jamie; [REDACTED]
Subject: 150603 - Letter - Secretary to Attorney on Monis correspondence

See track changes for consideration. Some will need checking of exact words.



Australian Government
Attorney-General's Department

Secretary

3 June 2015

Senator the Hon George Brandis
Attorney-General
Parliament House
Canberra ACT 2600

Dear Attorney-General

Attorney-General's Department's search and provision to Martin Place Siege Review of correspondence from Man Haron Monis

I am writing to explain the Attorney-General's Department's search for correspondence from Man Haron Monis and its provision to the Martin Place Siege Review (the Review) and the measures I have taken relevant to this and the raising of the terrorist alert level on 12 September.

2. Between 5 and 15 January 2015 at the request of the Review the department undertook searches for documents and correspondence relevant to the terms of reference for the Martin Place Siege Review. This includes searches of the department's ministerial correspondence and its records management systems. On 14 January 2015, once the documents held by the department relevant to the terms of reference for the Martin Place Siege Review had been identified and collated, they were passed by the department to the Review team at Department of the Prime Minister and Cabinet (PM&C).

3. On 2 February 2015, officers in the department became aware that a letter from Sheikh Haron addressed to the Attorney-General dated 7 October 2014 seeking legal advice and the department's 5 November 2015 reply to that letter on the Attorney's behalf, had been inadvertently omitted from the correspondence provided to the Review. The officers became aware of this omission when the Australian Federal Police notified the department it had found the letter and the reply [REDACTED] and one of the officers noted they could not see the document on the index of documents passed to the review by the department.

4. On the same day the departmental officers became aware of the omission a departmental officer contacted an officer in the Review team at the PM&C to advise that some documents had inadvertently not been provided to the Review. The Review team member advised that the text of the Review had already been finalised and the department therefore did not provide the document.

5. In the week beginning 1 June 2015 the Department conducted a review of its January 2015 search for and provision of documents to the Review to ensure the accuracy of the search and knowledge of what had been passed to the Review. It ascertained that the Monis letter and response had been inadvertently omitted from what was passed to the Review because it had been located in a second tab in a spreadsheet of search results, which was overlooked by the officers collating the index of documents for the Review for provision to the Review. (PM&C has confirmed that the

Comment [c1]: We collated AOD documents for the Review Team following a request from Katherine Jones for 'correspondence to, from and pertaining to Monis (including his aliases) prior to and until the end of the siege'. We understand that this scope was clarified in discussions/meetings between Tony Sheehan and Katherine Jones.

Review team specifically requested completion of an agency information template that outlined the type of record holdings the Department held relevant to: 'Information held by the Commonwealth and NSW agencies about Man Haron Monis for the period prior to and following his arrival in Australia up until the end of the siege including how any information relevant to public safety was shared between and used by agencies.'

Comment [c2]: [REDACTED] can we refer to the [REDACTED] publicly?

only four other documents identified in the second tab of the spreadsheet that should also have been passed to the Review by the Department were passed to the Review by other agencies during the Review.)

6. On 27 May 2015 at the Senate Legal and Constitutional Affairs Committee Budget Estimates hearing, Katherine Jones, Deputy Secretary, National Security and Criminal Justice Group, provided evidence that the correspondence in question was provided to the review. After further discussions with a former colleague on the Review team, Ms Jones has now concluded that her evidence was incorrect and that she had been thinking of another document and not the correspondence in question. (Ms Jones was unaware when she gave her evidence that the correspondence in question had been the subject of discussion between officers of the Department and the Review on 2 February 2015.) Ms Jones will correct her evidence to the Senate Committee at the earliest opportunity.

Comment [c3]: 'was provided to the Review' were the exact words.

7. To prevent such errors as that described in paragraph 5 above from occurring in future, I have asked officers in the department to prepare enhanced procedures to govern searches for, and provision of, documents in future.

8. Separately, it may be useful for me to outline the steps the department has taken steps to ensure appropriate awareness and vigilance after the National Public Alert Level was raised to High on 12 September 2014. These measures include:

- An email to all staff on 12 September 2014 advising them of the change in the National Terrorism Public Alert level, noting ASIO's Protective Security Advice for Heightened Threat Environments and encouraging staff to be vigilant and report any suspicious activity or behaviour to the Departmental Security Unit.
- Testing and review of Robert Garran Offices lockdown procedures on 2 November 2014.
- A desktop exercise of the department's Business Continuity, Crisis Management and Heightened Security arrangements on 17 November 2014.
- From November 2014 to March 2015, the department's heightened security measures [these words 'heightened security measures' are cryptic – explain in plain English] were reviewed to prepare a new Security Alert Level Procedure. A new Security Alert Level Procedure was established from 20 May 2015 to support changes to protective security measures in the event of an escalating alert levels.

Comment [c4]: PSB is reviewing the language to make this point clearer.

9. In respect of correspondence, the department carefully assesses each item received on matters relating to national security. Departmental officers liaise with other government agencies, including law enforcement and security agencies, where an item of correspondence raises concerns. The Department also has a security policy outlining how officers should deal with real or perceived threats from the public.

Yours sincerely

Chris Moraitis PSM

[REDACTED]

From: [REDACTED]
Sent: Wednesday, 3 June 2015 10:48 AM
To: [REDACTED]
Subject: Finished the task - TRIM filing the Sheikh Haron correspondents exhibits
[SEC=PROTECTED, DLM=Sensitive]
Attachments: AGD - Martin Place siege review - correspondence with Monis.tr5

PROTECTED Sensitive

Hi [REDACTED]

I've finished and closed the task of TRIM filing the Sheikh Haron correspondents/exhibits. Let me know if you need help with anything else. The folder is on your desk.

[REDACTED]

[REDACTED]

From: [REDACTED]
Sent: Wednesday, 3 June 2015 10:51 AM
To: [REDACTED]
Subject: FW: 150603 - Letter - Secretary to Attorney on Monis correspondence [SEC=UNCLASSIFIED]
Attachments: 150603 - Letter - Secretary to Attorney on Monis correspondence - with TS and MP changes.doc

UNCLASSIFIED

From: Chidgey, Sarah
Sent: Wednesday, 3 June 2015 10:07 am
To: Sheehan, Tony
Cc: Lowe, Jamie; [REDACTED]; Anderson, Iain; Pahlow, Michael;
[REDACTED]
Subject: RE: 150603 - Letter - Secretary to Attorney on Monis correspondence [SEC=UNCLASSIFIED]

UNCLASSIFIED

All

A further version of the letter incorporating Tony's and Michael's changes is attached.

PSB is reviewing the wording on the security measures.

[REDACTED] - can you advise on the query about making the [REDACTED] public?

Sarah

From: Sheehan, Tony
Sent: Wednesday, 3 June 2015 9:21 AM
To: Chidgey, Sarah
Cc: Lowe, Jamie; [REDACTED]
Subject: 150603 - Letter - Secretary to Attorney on Monis correspondence

See track changes for consideration. Some will need checking of exact words.



Australian Government
Attorney-General's Department

Secretary

3 June 2015

Senator the Hon George Brandis
Attorney-General
Parliament House
Canberra ACT 2600

Dear Attorney-General

Attorney-General's Department's search and provision to Martin Place Siege Review of correspondence from Man Haron Monis

I am writing to explain the Attorney-General's Department's search for correspondence from Man Haron Monis and its provision to the Martin Place Siege Review (the Review) and the measures I have taken relevant to this and the raising of the terrorist alert level on 12 September.

- Between 5 and 15 January 2015 at the request of the Review the department undertook searches for documents and correspondence relevant to the terms of reference for the Martin Place Siege Review. This includes searches of the department's ministerial correspondence and its records management systems. On 14 January 2015, once the documents held by the department relevant to the terms of reference for the Martin Place Siege Review had been identified and collated, they were passed by the department to the Review team at Department of the Prime Minister and Cabinet (PM&C).
- On 2 February 2015, officers in the department became aware that a letter from Sheikh Haron addressed to the Attorney-General dated 7 October 2014 seeking legal advice and the department's 5 November 2015 reply to that letter on the Attorney's behalf, had been inadvertently omitted from the correspondence provided to the Review. The officers became aware of this omission when the Australian Federal Police notified the department it had found the letter and the reply [redacted] and one of the officers noted they could not see the document on the index of documents passed to the review by the department.
- On the same day the departmental officers became aware of the omission a departmental officer contacted an officer in the Review team at the PM&C to advise that some documents had inadvertently not been provided to the Review. The Review team member advised that the text of the Review had already been finalised and the department therefore did not provide the document.
- In the week beginning 1 June 2015 the Department conducted a review of its January 2015 search for and provision of documents to the Review to ensure the accuracy of the search and knowledge of what had been passed to the Review. It ascertained that the Monis letter and response had been inadvertently omitted from what was passed to the Review because it had been located in a second tab in a spreadsheet of search results, which was overlooked by the officers collating the index of documents for the Review for provision to the Review. (PM&C has confirmed that the

Comment [c1]: We collated AGD documents for the Review Team following a request from Katherine Jones for 'correspondence to, from and pertaining to Monis (including his aliases) prior to and until the end of the siege'. We understand that this scope was clarified in discussions/meetings between Tony Sheehan and Katherine Jones.

Review team specifically requested completion of an agency information template that outlined the type of record holdings the Department held relevant to: 'Information held by the Commonwealth and NSW agencies about Man Haron Monis for the period prior to and following his arrival in Australia up until the end of the siege including how any information relevant to public safety was shared between and used by agencies.'

Comment [c2]: [redacted] - can we refer to the [redacted] publicly?

only four other documents identified in the second tab of the spreadsheet that should also have been passed to the Review by the Department were passed to the Review by other agencies during the Review.)

6. On 27 May 2015 at the Senate Legal and Constitutional Affairs Committee Budget Estimates hearing, Katherine Jones, Deputy Secretary, National Security and Criminal Justice Group, provided evidence that the correspondence in question was provided to the review. After further discussions with a former colleague on the Review team, Ms Jones has now concluded that her evidence was incorrect and that she had been thinking of another document and not the correspondence in question. (Ms Jones was unaware when she gave her evidence that the correspondence in question had been the subject of discussion between officers of the Department and the Review on 2 February 2015.) Ms Jones will correct her evidence to the Senate Committee at the earliest opportunity.

Comment [c3]: 'was provided to the Review' were the exact words.

7. To prevent such errors as that described in paragraph 5 above from occurring in future, I have asked officers in the department to prepare enhanced procedures to govern searches for, and provision of, documents in future.

8. Separately, it may be useful for me to outline the steps the department has taken steps to ensure appropriate awareness and vigilance after the National Public Alert Level was raised to High on 12 September 2014. These measures include:

- An email to all staff on 12 September 2014 advising them of the change in the National Terrorism Public Alert level, noting ASIO's Protective Security Advice for Heightened Threat Environments and encouraging staff to be vigilant and report any suspicious activity or behaviour to the Departmental Security Unit.
- Testing and review of Robert Garran Offices lockdown procedures on 2 November 2014.
- A desktop exercise of the department's Business Continuity, Crisis Management and Heightened Security arrangements on 17 November 2014.
- From November 2014 to March 2015, the department's heightened security measures [these words 'heightened security measures' are cryptic – explain in plain English] were reviewed to prepare a new Security Alert Level Procedure. A new Security Alert Level Procedure was established from 20 May 2015 to support changes to protective security measures in the event of an escalating alert levels.

Comment [c4]: PSB is reviewing the language to make this point clearer.

9. In respect of correspondence, the department carefully assesses each item received on matters relating to national security. Departmental officers liaise with other government agencies, including law enforcement and security agencies, where an item of correspondence raises concerns. The Department also has a security policy outlining how officers should deal with real or perceived threats from the public.

Yours sincerely

Chris Moraitis PSM

[REDACTED]

From: [REDACTED]
Sent: Wednesday, 3 June 2015 10:51 AM
To: Chidgey, Sarah; Sheehan, Tony
Cc: Lowe, Jamie; [REDACTED] Anderson, Iain; Pahlow, Michael;
Subject: RE: 150603 - Letter - Secretary to Attorney on Monis correspondence [SEC=UNCLASSIFIED]

UNCLASSIFIED

Will let you know when I hear back from AFP on whether we can refer to [REDACTED]

From: Chidgey, Sarah
Sent: Wednesday, 3 June 2015 10:07 AM
To: Sheehan, Tony
Cc: Lowe, Jamie; [REDACTED] Anderson, Iain; Pahlow, Michael;
Subject: RE: 150603 - Letter - Secretary to Attorney on Monis correspondence [SEC=UNCLASSIFIED]

UNCLASSIFIED

All

A further version of the letter incorporating Tony's and Michael's changes is attached.

PSB is reviewing the wording on the security measures.

[REDACTED] - can you advise on the query about making the [REDACTED] public?

Sarah

From: Sheehan, Tony
Sent: Wednesday, 3 June 2015 9:21 AM
To: Chidgey, Sarah
Cc: Lowe, Jamie; [REDACTED]
Subject: 150603 - Letter - Secretary to Attorney on Monis correspondence

See track changes for consideration. Some will need checking of exact words.

[REDACTED]

From: [REDACTED]
Sent: Wednesday, 3 June 2015 10:52 AM
To: [REDACTED]
Subject: FW: TRIM: RE: 150603 - Letter - Secretary to Attorney on Monis correspondence [SEC=UNCLASSIFIED]
Attachments: 150603 - Letter - Secretary to Attorney on Monis correspondence - with TS and MP changes.doc

UNCLASSIFIED

From: Chidgey, Sarah
Sent: Wednesday, 3 June 2015 10:07 am
To: Sheehan, Tony
Cc: Lowe, Jamie; [REDACTED] Anderson, Iain; Pahlow, Michael;
Subject: TRIM: RE: 150603 - Letter - Secretary to Attorney on Monis correspondence [SEC=UNCLASSIFIED]

UNCLASSIFIED

All

A further version of the letter incorporating Tony's and Michael's changes is attached.

PSB is reviewing the wording on the security measures.

[REDACTED] can you advise on the query about making the [REDACTED] public?

Sarah

From: Sheehan, Tony
Sent: Wednesday, 3 June 2015 9:21 AM
To: Chidgey, Sarah
Cc: Lowe, Jamie; [REDACTED]
Subject: 150603 - Letter - Secretary to Attorney on Monis correspondence

See track changes for consideration. Some will need checking of exact words.



Australian Government
Attorney-General's Department

Secretary

3 June 2015

Senator the Hon George Brandis
Attorney-General
Parliament House
Canberra ACT 2600

Dear Attorney-General

Attorney-General's Department's search and provision to Martin Place Siege Review of correspondence from Man Haron Monis

I am writing to explain the Attorney-General's Department's search for correspondence from Man Haron Monis and its provision to the Martin Place Siege Review (the Review) and the measures I have taken relevant to this and the raising of the terrorist alert level on 12 September.

2. Between 5 and 15 January 2015 at the request of the Review the department undertook searches for documents and correspondence relevant to the terms of reference for the Martin Place Siege Review. This includes searches of the department's ministerial correspondence and its records management systems. On 14 January 2015, once the documents held by the department relevant to the terms of reference for the Martin Place Siege Review had been identified and collated, they were passed by the department to the Review team at Department of the Prime Minister and Cabinet (PM&C).

3. On 2 February 2015, officers in the department became aware that a letter from Sheikh Haron addressed to the Attorney-General dated 7 October 2014 seeking legal advice and the department's 5 November 2015 reply to that letter on the Attorney's behalf, had been inadvertently omitted from the correspondence provided to the Review. The officers became aware of this omission when the Australian Federal Police notified the department it had found the letter and the reply [REDACTED] and one of the officers noted they could not see the document on the index of documents passed to the review by the department.

4. On the same day the departmental officers became aware of the omission a departmental officer contacted an officer in the Review team at the PM&C to advise that some documents had inadvertently not been provided to the Review. The Review team member advised that the text of the Review had already been finalised and the department therefore did not provide the document.

5. In the week beginning 1 June 2015 the Department conducted a review of its January 2015 search for and provision of documents to the Review to ensure the accuracy of the search and knowledge of what had been passed to the Review. It ascertained that the Monis letter and response had been inadvertently omitted from what was passed to the Review because it had been located in a second tab in a spreadsheet of search results, which was overlooked by the officers collating the index of documents for the Review for provision to the Review. (PM&C has confirmed that the

Comment [c1]: We collated AGD documents for the Review Team following a request from Katherine Jones for 'correspondence to, from and pertaining to Monis (including his aliases) prior to and until the end of the siege'. We understand that this scope was clarified in discussions/meetings between Tony Sheehan and Katherine Jones.

Review team specifically requested completion of an agency information template that outlined the type of record holdings the Department held relevant to: 'Information held by the Commonwealth and NSW agencies about Man Haron Monis for the period prior to and following his arrival in Australia up until the end of the siege including how any information relevant to public safety was shared between and used by agencies.'

Comment [c2]: [REDACTED] - can we refer to this [REDACTED] publicly?

only four other documents identified in the second tab of the spreadsheet that should also have been passed to the Review by the Department were passed to the Review by other agencies during the Review.)

6. On 27 May 2015 at the Senate Legal and Constitutional Affairs Committee Budget Estimates hearing, Katherine Jones, Deputy Secretary, National Security and Criminal Justice Group, provided evidence that the correspondence in question was provided to the [review]. After further discussions with a former colleague on the Review team, Ms Jones has now concluded that her evidence was incorrect and that she had been thinking of another document and not the correspondence in question. (Ms Jones was unaware when she gave her evidence that the correspondence in question had been the subject of discussion between officers of the Department and the Review on 2 February 2015.) Ms Jones will correct her evidence to the Senate Committee at the earliest opportunity.

Comment [c3]: 'was provided to the Review' were the exact words.

7. To prevent such errors as that described in paragraph 5 above from occurring in future, I have asked officers in the department to prepare enhanced procedures to govern searches for, and provision of, documents in future.

8. Separately, it may be useful for me to outline the steps the department has taken steps to ensure appropriate awareness and vigilance after the National Public Alert Level was raised to High on 12 September 2014. These measures include:

- An email to all staff on 12 September 2014 advising them of the change in the National Terrorism Public Alert level, noting ASIO's Protective Security Advice for Heightened Threat Environments and encouraging staff to be vigilant and report any suspicious activity or behaviour to the Departmental Security Unit.
- Testing and review of Robert Garran Offices lockdown procedures on 2 November 2014.
- A desktop exercise of the department's Business Continuity, Crisis Management and Heightened Security arrangements on 17 November 2014.
- From November 2014 to March 2015, the department's heightened security measures [these words 'heightened security measures' are cryptic – explain in plain English] were reviewed to prepare a new Security Alert Level Procedure. A new Security Alert Level Procedure was established from 20 May 2015 to support changes to protective security measures in the event of an escalating alert levels.

Comment [c4]: PSB is reviewing the language to make this point clearer.

9. In respect of correspondence, the department carefully assesses each item received on matters relating to national security. Departmental officers liaise with other government agencies, including law enforcement and security agencies, where an item of correspondence raises concerns. The Department also has a security policy outlining how officers should deal with real or perceived threats from the public.

Yours sincerely

Chris Moraitis PSM

Chidgey, Sarah

From: [REDACTED]
Sent: Wednesday, 3 June 2015 11:05 AM
To: Chidgey, Sarah
Subject: Updated letter to Attorney on Monis [SEC=UNCLASSIFIED]
Attachments: 150603 - Letter - Secretary to Attorney on Monis correspondence.docx

UNCLASSIFIED

Hi Sarah

I attach the copy of the version I delivered to SPCG div heads.

Kind Regards

[REDACTED]
Executive Officer to Assistant Secretary, Rachael Jackson
People Strategy Branch
Attorney-General's Department
[REDACTED]



The 2015 APSC Census is here!
11 May – 12 June 2015

[REDACTED]

From: [REDACTED]@afp.gov.au>
Sent: Wednesday, 3 June 2015 11:51 AM
To: [REDACTED]
Subject: RE: Pls call me urgently re Man MONIS correspondence [SEC=UNCLASSIFIED]

UNCLASSIFIED

Hi [REDACTED]

I'm unable to get in contact with her on either her desk line or mobile. She emailed letting me know she is on another call.

If you would like to email her, her email is [REDACTED]@afp.gov.au.

I have let her know you will be trying to call and its urgent.

Regards,
[REDACTED]



[REDACTED]
INVESTIGATIONS JCIT SYDNEY
COUNTER TERRORISM
[REDACTED]

UNCLASSIFIED

From: [REDACTED]@ag.gov.au]
Sent: Wednesday, 3 June 2015 9:47 AM
To: [REDACTED]
Cc: [REDACTED]
Subject: Pls call me urgently re Man MONIS correspondence [SEC=UNCLASSIFIED]

UNCLASSIFIED

Kind regards

[REDACTED]
Principal Legal Officer
Counter-Terrorism Law Branch
[REDACTED]



Australian Government
Attorney-General's Department

From: [REDACTED]@afp.gov.au]
Sent: Tuesday, 10 March 2015 3:30 PM
To: [REDACTED]

[REDACTED]

Quick-Logk

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

- [REDACTED]
- [REDACTED]
- [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

WARNING

This email message and any attached files may contain information that is confidential and subject of legal privilege intended only for use by the individual or entity to whom they are addressed. If you are not the intended recipient or the person responsible for delivering the message to the intended recipient be advised that you have received this message in error and that any use, copying, circulation, forwarding, printing or publication of this message or attached files is strictly forbidden, as is the disclosure of the

information contained therein. If you have received this message in error, please notify the sender immediately and delete it from your inbox.

AFP Web site: <http://www.afp.gov.au>

If you have received this transmission in error please notify us immediately by return e-mail and delete all copies. If this e-mail or any attachments have been sent to you in error, that error does not constitute waiver of any confidentiality, privilege or copyright in respect of information in the e-mail or attachments.

WARNING

This email message and any attached files may contain information that is confidential and subject of legal privilege intended only for use by the individual or entity to whom they are addressed. If you are not the intended recipient or the person responsible for delivering the message to the intended recipient be advised that you have received this message in error and that any use, copying, circulation, forwarding, printing or publication of this message or attached files is strictly forbidden, as is the disclosure of the information contained therein. If you have received this message in error, please notify the sender immediately and delete it from your inbox.

AFP Web site: <http://www.afp.gov.au>

If you have received this transmission in error please notify us immediately by return e-mail and delete all copies. If this e-mail or any attachments have been sent to you in error, that error does not constitute waiver of any confidentiality, privilege or copyright in respect of information in the e-mail or attachments.

WARNING

This email message and any attached files may contain information that is confidential and subject of legal privilege intended only for use by the individual or entity to whom they are addressed. If you are not the intended recipient or the person responsible for delivering the message to the intended recipient be advised that you have received this message in error and that any use, copying,

circulation, forwarding, printing or publication of this message or attached files is strictly forbidden, as is the disclosure of the information contained therein. If you have received this message in error, please notify the sender immediately and delete it from your inbox.

AFP Web site: <http://www.afp.gov.au>

If you have received this transmission in error please notify us immediately by return e-mail and delete all copies. If this e-mail or any attachments have been sent to you in error, that error does not constitute waiver of any confidentiality, privilege or copyright in respect of information in the e-mail or attachments.

WARNING

This email message and any attached files may contain information that is confidential and subject of legal privilege intended only for use by the individual or entity to whom they are addressed. If you are not the intended recipient or the person responsible for delivering the message to the intended recipient be advised that you have received this message in error and that any use, copying, circulation, forwarding, printing or publication of this message or attached files is strictly forbidden, as is the disclosure of the information contained therein. If you have received this message in error, please notify the sender immediately and delete it from your inbox.

AFP Web site: <http://www.afp.gov.au>

If you have received this transmission in error please notify us immediately by return e-mail and delete all copies. If this e-mail or any attachments have been sent to you in error, that error does not constitute waiver of any confidentiality, privilege or copyright in respect of information in the e-mail or attachments.

WARNING

This email message and any attached files may contain information that is confidential and subject of legal privilege intended only for use by the individual or entity to whom they are addressed. If you are not the intended recipient or the person responsible for

delivering the message to the intended recipient be advised that you have received this message in error and that any use, copying, circulation, forwarding, printing or publication of this message or attached files is strictly forbidden, as is the disclosure of the information contained therein. If you have received this message in error, please notify the sender immediately and delete it from your inbox.

AFP Web site: <http://www.afp.gov.au>

If you have received this transmission in error please notify us immediately by return e-mail and delete all copies. If this e-mail or any attachments have been sent to you in error, that error does not constitute waiver of any confidentiality, privilege or copyright in respect of information in the e-mail or attachments.

WARNING

This email message and any attached files may contain information that is confidential and subject of legal privilege intended only for use by the individual or entity to whom they are addressed. If you are not the intended recipient or the person responsible for delivering the message to the intended recipient be advised that you have received this message in error and that any use, copying, circulation, forwarding, printing or publication of this message or attached files is strictly forbidden, as is the disclosure of the information contained therein. If you have received this message in error, please notify the sender immediately and delete it from your inbox.

AFP Web site: <http://www.afp.gov.au>

[REDACTED]

From: Chidgey, Sarah
Sent: Wednesday, 3 June 2015 12:46 PM
To: Sheehan, Tony; Lowe, Jamie; Anderson, Iain; [REDACTED] Pahlow, Michael; Faulkner, James; [REDACTED]
Cc: [REDACTED]
Subject: Revised Letter - Secretary to Attorney on Monis correspondence - request for final comments [SEC=UNCLASSIFIED]
Attachments: Letter - Secretary to Attorney on Monis correspondence - version 1245 3 June.doc
Follow Up Flag: Follow up

UNCLASSIFIED

All

Please find attached a further draft of the letter from the Secretary to the Attorney-General incorporating changes discussed at our meeting this morning.

Grateful for any final comments by 3pm this afternoon. I'll then provide a copy to Chris' office, and to Iain so he can seek Katherine's views.

Sarah

From: [REDACTED]
Sent: Wednesday, 3 June 2015 10:51 AM
To: Chidgey, Sarah; Sheehan, Tony
Cc: Lowe, Jamie; [REDACTED] Anderson, Iain; Pahlow, Michael; [REDACTED]
Subject: RE: 150603 - Letter - Secretary to Attorney on Monis correspondence [SEC=UNCLASSIFIED]

UNCLASSIFIED

Will let you know when I hear back from AFP on whether we can refer to [REDACTED]

From: Chidgey, Sarah
Sent: Wednesday, 3 June 2015 10:07 AM
To: Sheehan, Tony
Cc: Lowe, Jamie; [REDACTED] Anderson, Iain; Pahlow, Michael; [REDACTED]
Subject: RE: 150603 - Letter - Secretary to Attorney on Monis correspondence [SEC=UNCLASSIFIED]

UNCLASSIFIED

All

A further version of the letter incorporating Tony's and Michael's changes is attached.

PSB is reviewing the wording on the security measures.

[REDACTED] can you advise on the query about making the [REDACTED] public?

Sarah

From: Sheehan, Tony

Sent: Wednesday, 3 June 2015 9:21 AM

To: Chidgey, Sarah

Cc: Lowe, Jamie; [REDACTED]

Subject: 150603 - Letter - Secretary to Attorney on Monis correspondence

See track changes for consideration. Some will need checking of exact words.



Australian Government
Attorney-General's Department

Secretary

3 June 2015

Senator the Hon George Brandis QC
Attorney-General
Parliament House
Canberra ACT 2600

Dear Attorney-General

Attorney-General's Department's search and provision to the Martin Place Siege Review of correspondence from Man Haron Monis

I am writing to explain the Attorney-General's Department's search for correspondence from Man Haron Monis and provision of that correspondence to the Martin Place Siege Review (the Review) and to outline measures the department has taken in relation to the search.

2. Between 5 and 15 January 2015 at the request of the Review the department undertook searches for documents and correspondence relevant to the terms of reference for the Martin Place Siege Review. This includes searches of the department's ministerial correspondence and records management systems. On 14 and 15 January 2015, once the documents held by the department relevant to the terms of reference for the Martin Place Siege Review had been identified and collated, they were passed by the department to the Review team at the Department of the Prime Minister and Cabinet (PM&C).
3. On 2 February 2015, officers in the department became aware that a letter from Sheikh Haron addressed to the Attorney-General dated 7 October 2014 seeking legal advice and the department's 5 November 2015 reply to that letter on the Attorney's behalf, had been inadvertently omitted from the correspondence provided to the Review. The officers became aware of this omission when the Australian Federal Police notified the department on 28 January 2015 that it had come into possession of the letter and the reply while making inquiries and one of the officers noted the documents were not listed on the index of documents passed to the Review by the department.
4. On 2 February 2015 a departmental officer contacted an officer in the Review team at the PM&C to advise that some documents had inadvertently not been provided to the Review. The Review team member advised that the text of the Review had already been finalised and the department therefore did not provide the document.
5. In the week beginning 1 June 2015 the Department conducted a review of its January 2015 search for and provision of documents to the Review to ensure the accuracy of the search and to confirm what had been passed to the Review. It ascertained that the Monis letter and response had been inadvertently omitted from what was passed to the Review because it had been located in a second tab in a spreadsheet of search results, which was overlooked by the officers collating the index of documents for the Review. (PM&C has confirmed that the only four other documents

identified in the second tab of the spreadsheet that should also have been passed to the Review by the department were passed to the Review by other agencies during the Review.)

6. On 27 May 2015 at the Senate Legal and Constitutional Affairs Committee Budget Estimates hearing, Katherine Jones, Deputy Secretary, National Security and Criminal Justice Group, provided evidence that the correspondence in question was provided to the review. After further discussions with a former colleague on the Review team, Ms Jones concluded that her recollection was incorrect and that she had been thinking of another document and not the correspondence in question. (Ms Jones was unaware when she gave her evidence that the correspondence in question had been the subject of discussion between officers of the Department and the Review on 2 February 2015.) Ms Jones will correct her evidence to the Senate Committee at the earliest opportunity.

7. To prevent errors such as that described in paragraph 5 above from occurring in future, I have asked officers in the department to prepare enhanced procedures to govern searches for, and provision of, documents in future.


8. Separately, it may be useful for me to outline the steps the department has taken steps to ensure appropriate awareness and vigilance after the National Public Alert Level was raised to High on 12 September 2014. These measures include:

- staff were advised of the change in the National Terrorism Public Alert level and were encouraged to be vigilant and report any suspicious activity or behaviour
- lockdown procedures for Robert Garran Offices were tested and reviewed
- the department's Business Continuity, Crisis Management and Heightened Security arrangements were tested and reviewed
- a threat assessment was sought from ASIO in relation to departmental premises, and
- new heightened security measures were introduced and a Security Alert Level Procedure that provides for changes in protective security measures for the alert levels of Low, Medium, High and Extreme was established.

9. In respect of correspondence, the department carefully assesses each item received on matters relating to national security. Departmental officers liaise with other government agencies, including law enforcement and security agencies, where an item of correspondence raises concerns. The department also has a security policy outlining how officers should respond in the event of a threat.

Yours sincerely

Chris Moraitis PSM



From: Sheehan, Tony
Sent: Wednesday, 3 June 2015 1:02 PM
To: Chidgey, Sarah
Cc: Anderson, Iain; Faulkner, James
Subject: 160603 - Letter - Secretary to Attorney on Monis correspondence (4)
Attachments: 160603 - Letter - Secretary to Attorney on Monis correspondence (4).doc

Please show my proposed changes to others. I still think that para on heightened security doesn't work. Unless it can be explained in a standalone way, maybe go with the changes I have suggested.



Australian Government
Attorney-General's Department

Secretary

3 June 2015

Senator the Hon George Brandis QC
Attorney-General
Parliament House
Canberra ACT 2600

Dear Attorney-General

Attorney-General's Department's search and provision to the Martin Place Siege Review of correspondence from Man Haron Monis

I am writing to explain the Attorney-General's Department's search for correspondence from Man Haron Monis and provision of that correspondence to the Martin Place Siege Review (the Review) and to outline measures the department has since taken in relation to the search.

2. Between 5 and 15 January 2015 at the request of the Review the department undertook searches for documents and correspondence relevant to the terms of reference for the Martin Place Siege Review. This included searches of the department's ministerial correspondence and records management systems. On 14 and 15 January 2015, once the documents held by the department relevant to the terms of reference for the Martin Place Siege Review had been identified and collated, they were passed by the department to the Review team at the Department of the Prime Minister and Cabinet (PM&C). The department further advised the Review on 15 January 2015 that the final element of the search of one system concluded that day had yielded no further documents for provision to the Review.

3. On 2 February 2015, officers in the department became aware that a letter from Sheikh Haron addressed to the Attorney-General dated 7 October 2014 seeking legal advice and the department's 5 November 2015 reply to that letter on the Attorney's behalf, had been inadvertently omitted from the correspondence provided to the Review. The officers became aware of this omission when the Australian Federal Police notified the department on 28 January 2015 that it had come into possession of the letter and the reply while making inquiries and one of the officers noted the documents were not listed on the index of documents passed to the Review by the department.

4. On 2 February 2015 a departmental officer contacted an officer in the Review team at the PM&C to advise that some (can we say "two documents" or "a Monis letter and a departmental response to it"? - over to [REDACTED] documents had inadvertently not been provided to the Review. The Review team member advised that the text of the Review had already been finalised and the department therefore did not provide the two documents.

5. In the week beginning 1 June 2015 the Department conducted a review of its January 2015 search for and provision of documents to the Review to ensure the accuracy of the search and to confirm what had been passed to the Review. It ascertained that the Monis letter and response had

been inadvertently omitted from what was passed to the Review because it had been located in a second tab in a spreadsheet of search results, which was overlooked by the officers collating the index of documents for the Review. (PM&C has confirmed that the only four other documents identified in the second tab of the spreadsheet that should also have been passed to the Review by the department, were passed to the Review by other agencies during the Review.)

6. On 27 May 2015 at the Senate Legal and Constitutional Affairs Committee Budget Estimates hearing, Katherine Jones, Deputy Secretary, National Security and Criminal Justice Group, provided evidence that the correspondence in question was provided to the review. After further discussions with a former colleague on the Review team, Ms Jones concluded that her recollection was incorrect and that she had been thinking of another document and not the correspondence in question. (Ms Jones was unaware when she gave her evidence that the correspondence in question had been the subject of discussion between officers of the Department and the Review on 2 February 2015.) Ms Jones will correct her evidence to the Senate Committee at the earliest opportunity.

7. To prevent errors such as that described in paragraph 5 above from occurring in future, I have asked officers in the department to prepare enhanced procedures to govern searches for, and provision of, documents in future.

8. Separately, it may be useful for me to outline the steps the department has taken to ensure appropriate awareness and vigilance after the National Public Alert Level was raised to High on 12 September 2014. These measures include:

- that staff were advised of the change in the National Terrorism Public Alert level and were encouraged to be vigilant and report any suspicious activity or behaviour
- that lockdown procedures for Robert Garran Offices were tested and reviewed
- that the department's Business Continuity, Crisis Management and Heightened Security arrangements were tested and reviewed
- that a threat assessment was sought from ASIO in relation to departmental premises, and
- ~~that new heightened some additional physical (?) security measures were introduced and a Security Alert Level Procedure that provides for changes in protective security measures for the alert levels of Low, Medium, High and Extreme was established. (I still think this raises more questions than it answers)~~

Formatted: Indent: Left: 0 cm, First line: 0 cm, Numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 2 + Alignment: Left + Aligned at: 0.63 cm + Indent at: 1.27 cm

9. In respect of correspondence, the department carefully assesses each item received on matters relating to national security. Departmental officers liaise with other government agencies, including law enforcement and security agencies, where an item of correspondence raises concerns. The department also has a security policy outlining how officers should respond in the event of a threat.

Yours sincerely

Chris Moraitis PSM

[REDACTED]

From: Chidgey, Sarah
Sent: Wednesday, 3 June 2015 1:25 PM
To: Lowe, Jamie; [REDACTED] Pahlow, Michael; [REDACTED]
Cc: [REDACTED]
Subject: RE: Revised Letter - Secretary to Attorney on Monis correspondence - request for final comments [SEC=UNCLASSIFIED]
Attachments: 160603 - Letter - Secretary to Attorney on Monis correspondence (4).doc

UNCLASSIFIED

Attached is the letter with some further changes from Tony.

[REDACTED] there's a further question for you about what we said to PM&C about what had been omitted. I understand from our previous conversation that we only referred in general terms to correspondence but grateful if you could consider Tony's query.

[REDACTED] Tony is still concerned about wording on the final security measures point. I'm inclined to delete the point but let me know what you think.

Sarah

From: Chidgey, Sarah
Sent: Wednesday, 3 June 2015 12:46 PM
To: Sheehan, Tony; Lowe, Jamie; Anderson, Iain; [REDACTED] Pahlow, Michael; Faulkner, James; [REDACTED]
Subject: Revised Letter - Secretary to Attorney on Monis correspondence - request for final comments [SEC=UNCLASSIFIED]

UNCLASSIFIED

All

Please find attached a further draft of the letter from the Secretary to the Attorney-General incorporating changes discussed at our meeting this morning.

Grateful for any final comments by **3pm this afternoon**. I'll then provide a copy to Chris' office, and to Iain so he can seek Katherine's views.

Sarah

From: [REDACTED]
Sent: Wednesday, 3 June 2015 10:51 AM
To: Chidgey, Sarah; Sheehan, Tony
Cc: Lowe, Jamie; [REDACTED] Anderson, Iain; Pahlow, Michael; [REDACTED]
Subject: RE: 150603 - Letter - Secretary to Attorney on Monis correspondence [SEC=UNCLASSIFIED]

UNCLASSIFIED

Will let you know when I hear back from AFP on whether we can refer to [REDACTED].

From: Chidgey, Sarah
Sent: Wednesday, 3 June 2015 10:07 AM
To: Sheehan, Tony
Cc: Lowe, Jamie; [REDACTED] Anderson, Iain; Pahlow, Michael;
[REDACTED]
Subject: RE: 150603 - Letter - Secretary to Attorney on Monis correspondence [SEC=UNCLASSIFIED]

UNCLASSIFIED

All

A further version of the letter incorporating Tony's and Michael's changes is attached.

PSB is reviewing the wording on the security measures.

[REDACTED] can you advise on the query about making the [REDACTED] public?

Sarah

From: Sheehan, Tony
Sent: Wednesday, 3 June 2015 9:21 AM
To: Chidgey, Sarah
Cc: Lowe, Jamie; [REDACTED]
Subject: 150603 - Letter - Secretary to Attorney on Monis correspondence

See track changes for consideration. Some will need checking of exact words.



Australian Government
Attorney-General's Department

Secretary

3 June 2015

Senator the Hon George Brandis QC
Attorney-General
Parliament House
Canberra ACT 2600

Dear Attorney-General

Attorney-General's Department's search and provision to the Martin Place Siege Review of correspondence from Man Haron Monis

I am writing to explain the Attorney-General's Department's search for correspondence from Man Haron Monis and provision of that correspondence to the Martin Place Siege Review (the Review) and to outline measures the department has since taken in relation to the search.

2. Between 5 and 15 January 2015 at the request of the Review the department undertook searches for documents and correspondence relevant to the terms of reference for the Martin Place Siege Review. This included searches of the department's ministerial correspondence and records management systems. On 14 and 15 January 2015, once the documents held by the department relevant to the terms of reference for the Martin Place Siege Review had been identified and collated, they were passed by the department to the Review team at the Department of the Prime Minister and Cabinet (PM&C). The department further advised the Review on 15 January 2015 that the final element of the search of one system concluded that day had yielded no further documents for provision to the Review.

3. On 2 February 2015, officers in the department became aware that a letter from Sheikh Haron addressed to the Attorney-General dated 7 October 2014 seeking legal advice and the department's 5 November 2015 reply to that letter on the Attorney's behalf, had been inadvertently omitted from the correspondence provided to the Review. The officers became aware of this omission when the Australian Federal Police notified the department on 28 January 2015 that it had come into possession of the letter and the reply while making inquiries and one of the officers noted the documents were not listed on the index of documents passed to the Review by the department.

4. On 2 February 2015 a departmental officer contacted an officer in the Review team at the PM&C to advise that some (can we say "two documents" or "a Monis letter and a departmental response to it"?) – over to [REDACTED] documents had inadvertently not been provided to the Review. The Review team member advised that the text of the Review had already been finalised and the department therefore did not provide the two documents.

5. In the week beginning 1 June 2015 the Department conducted a review of its January 2015 search for and provision of documents to the Review to ensure the accuracy of the search and to confirm what had been passed to the Review. It ascertained that the Monis letter and response had

been inadvertently omitted from what was passed to the Review because it had been located in a second tab in a spreadsheet of search results, which was overlooked by the officers collating the index of documents for the Review. (PM&C has confirmed that the only four other documents identified in the second tab of the spreadsheet that should also have been passed to the Review by the department, were passed to the Review by other agencies during the Review.)

6. On 27 May 2015 at the Senate Legal and Constitutional Affairs Committee Budget Estimates hearing, Katherine Jones, Deputy Secretary, National Security and Criminal Justice Group, provided evidence that the correspondence in question was provided to the review. After further discussions with a former colleague on the Review team, Ms Jones concluded that her recollection was incorrect and that she had been thinking of another document and not the correspondence in question. (Ms Jones was unaware when she gave her evidence that the correspondence in question had been the subject of discussion between officers of the Department and the Review on 2 February 2015.) Ms Jones will correct her evidence to the Senate Committee at the earliest opportunity.

7. To prevent errors such as that described in paragraph 5 above from occurring in future, I have asked officers in the department to prepare enhanced procedures to govern searches for, and provision of, documents in future.

8. Separately, it may be useful for me to outline the steps the department has taken steps to ensure appropriate awareness and vigilance after the National Public Alert Level was raised to High on 12 September 2014. These measures include:

- that staff were advised of the change in the National Terrorism Public Alert level and were encouraged to be vigilant and report any suspicious activity or behaviour
- that lockdown procedures for Robert Garran Offices were tested and reviewed
- that the department's Business Continuity, Crisis Management and Heightened Security arrangements were tested and reviewed
- that a threat assessment was sought from ASIO in relation to departmental premises, and
- ~~that new heightened some additional physical (?) security measures were introduced and a Security Alert Level Procedure that provides for changes in protective security measures for the alert levels of Low, Medium, High and Extreme was established. (I still think this raises more questions than it answers)~~

Formatted: Indent: Left: 0 cm, First line: 0 cm, Numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 2 + Alignment: Left + Aligned at: 0.63 cm + Indent at: 1.27 cm

9. In respect of correspondence, the department carefully assesses each item received on matters relating to national security. Departmental officers liaise with other government agencies, including law enforcement and security agencies, where an item of correspondence raises concerns. The department also has a security policy outlining how officers should respond in the event of a threat.

Yours sincerely

Chris Moraitis PSM

Chidgey, Sarah

From: [REDACTED]
Sent: Wednesday, 3 June 2015 1:30 PM
To: Chidgey, Sarah
Subject: RE: Revised Letter - Secretary to Attorney on Monis correspondence - request for final comments [SEC=UNCLASSIFIED]

UNCLASSIFIED

Hi Sarah

No worries; let's just remove the final point.

Kind Regards

[REDACTED]
Executive Officer to Assistant Secretary, Rachael Jackson
People Strategy Branch
Attorney-General's Department
[REDACTED]



The 2015 APSC Census is here!
11 May – 12 June 2015

From: Chidgey, Sarah
Sent: Wednesday, 3 June 2015 1:25 PM
To: Lowe, Jamie; [REDACTED]

Subject: RE: Revised Letter - Secretary to Attorney on Monis correspondence - request for final comments [SEC=UNCLASSIFIED]

UNCLASSIFIED

Attached is the letter with some further changes from Tony.

[REDACTED] – there's a further question for you about what we said to PM&C about what had been omitted. I understand from our previous conversation that we only referred in general terms to correspondence but grateful if you could consider Tony's query.

[REDACTED] – Tony is still concerned about wording on the final security measures point. I'm inclined to delete the point but let me know what you think.

Sarah

From: Chidgey, Sarah
Sent: Wednesday, 3 June 2015 12:46 PM
To: Sheehan, Tony; Lowe, Jamie; Anderson, Iain; [REDACTED]; Pahlow, Michael; Faulkner, James;
[REDACTED]
Subject: Revised Letter - Secretary to Attorney on Monis correspondence - request for final comments
[SEC=UNCLASSIFIED]

UNCLASSIFIED

All

Please find attached a further draft of the letter from the Secretary to the Attorney-General incorporating changes discussed at our meeting this morning.

Grateful for any final comments by 3pm this afternoon. I'll then provide a copy to Chris' office, and to Iain so he can seek Katherine's views.

Sarah

From: Horsfall, Karen
Sent: Wednesday, 3 June 2015 10:51 AM
To: Chidgey, Sarah; Sheehan, Tony
Cc: Lowe, Jamie; [REDACTED] Anderson, Iain; Pahlow, Michael; [REDACTED]
Subject: RE: 150603 - Letter - Secretary to Attorney on Monis correspondence [SEC=UNCLASSIFIED]

UNCLASSIFIED

Will let you know when I hear back from AFP on whether we can refer to the search.

From: Chidgey, Sarah
Sent: Wednesday, 3 June 2015 10:07 AM
To: Sheehan, Tony
Cc: Lowe, Jamie; [REDACTED] Anderson, Iain; Pahlow, Michael;
[REDACTED]
Subject: RE: 150603 - Letter - Secretary to Attorney on Monis correspondence [SEC=UNCLASSIFIED]

UNCLASSIFIED

All

A further version of the letter incorporating Tony's and Michael's changes is attached.

PSB is reviewing the wording on the security measures.

[REDACTED] can you advise on the query about making the [REDACTED] public?

Sarah

From: Sheehan, Tony
Sent: Wednesday, 3 June 2015 9:21 AM

To: Chidgey, Sarah

Cc: Lowe, Jamie; [REDACTED]

Subject: 150603 - Letter - Secretary to Attorney on Monis correspondence

See track changes for consideration. Some will need checking of exact words.

2 1 11

[REDACTED]

From: [REDACTED]
Sent: Wednesday, 3 June 2015 1:41 PM
To: Chidgey, Sarah
Cc: Sheehan, Tony; Anderson, Iain; Gifford, Cameron; Lowe, Jamie
Subject: Monis letter [DLM=Sensitive:Legal]

Importance: High

Sensitive: Legal

Sarah – In response to my query about whether we can refer to the search that resulted in the Monis/[REDACTED] corro coming into the AFP's possession, AFP Legal has asked to review and clear the draft letter to the AG. I indicated (by phone) that, if the AFP is not prepared to mention the letter [REDACTED] in the letter to the AG – if/when the letter becomes public, questions may be asked as to how the AFP came to possess the Monis/[REDACTED] corro.

Are you happy for AFP Legal to come over here this afternoon and review the draft letter or would you prefer to leave the high level statement about 'came into AFP possession' in the letter?

[REDACTED]

From: [REDACTED]@afp.gov.au]
Sent: Wednesday, 3 June 2015 1:20 PM
To: [REDACTED]
Cc: [REDACTED]
Subject: Request for Consultation [DLM=Sensitive:Legal]
Importance: High

Sensitive:Legal

Dear [REDACTED]

Thank you for seeking AFP consultation on a letter from the Secretary of AGD to the Attorney General today.

We are happy to consider the contents of the letter and any relevant attachments. However, we cannot provide official clearance or comments without first seeing the relevant correspondence.

We are happy to facilitate this request on an urgent basis. If it is convenient, we can attend your offices this afternoon to read the draft correspondence or you could attend our offices. Alternatively you could email the letter through for us to comment on which is the usual practice.

We will of course attend to a response as a matter of priority once we have obtained a copy of the correspondence.

Regards



[REDACTED]
SENIOR LEGAL COUNSEL - EMPLOYMENT & LITIGATION
LEGAL
[REDACTED]

Sensitive:Legal

WARNING

This email message and any attached files may contain information that is confidential and subject of legal privilege intended only for use by the individual or entity to whom they are addressed. If you are not the intended recipient or the person responsible for delivering the message to the intended recipient be advised that you have received this message in error and that any use, copying, circulation, forwarding, printing or publication of this message or attached files is strictly forbidden, as is the disclosure of the information contained therein. If you have received this message in error, please notify the sender immediately and delete it from your inbox.

AFP Web site: <http://www.afp.gov.au>

From: Anderson, Iain
Sent: Wednesday, 3 June 2015 1:49 PM
To: Chidgey, Sarah
Cc: Faulkner, James; Sheehan, Tony
Subject: Letter - Secretary to Attorney on Monis correspondence - version 1245 3 June (2)
[SEC=UNCLASSIFIED]
Attachments: Letter - Secretary to Attorney on Monis correspondence - version 1245 3 June (2).doc
Importance: High

UNCLASSIFIED

Sarah,
Some suggested edits.

I think the bit around 28 Jan is unnecessarily complicated.

I also think the words about the tab need to be clarified to avoid implying that the actual letters themselves were physically in the search results – the search just identified their existence.

Iain



Australian Government

Attorney-General's Department

Secretary

3 June 2015

Senator the Hon George Brandis QC
Attorney-General
Parliament House
Canberra ACT 2600

Dear Attorney-General

Attorney-General's Department's search and provision to the Martin Place Siege Review of correspondence from Man Haron Monis

I am writing to explain the Attorney-General's Department's search for correspondence from Man Haron Monis and provision of that correspondence to the Martin Place Siege Review (the Review) and to outline measures the department has taken in relation to the search.

2. Between 5 and 15 January 2015 at the request of the Review the department undertook searches for documents and correspondence relevant to the terms of reference for the Martin Place Siege Review. This includes searches of the department's ministerial correspondence and records management systems. On 14 and 15 January 2015, once the documents held by the department relevant to the terms of reference for the Martin Place Siege Review had been identified and collated, they were passed by the department to the Review team at the Department of the Prime Minister and Cabinet (PM&C).
3. On 2 February 2015, officers in the department became aware that a letter from Sheikh Haron addressed to the Attorney-General dated 7 October 2014 seeking legal advice and the department's 5 November 2015 reply to that letter on the Attorney's behalf, had been inadvertently omitted from the correspondence provided to the Review. The officers became aware of this omission when following the Australian Federal Police notified-notifying the department on 28 January 2015 that it had come into possession of the letter and the reply while making inquiries, and one of the officers noted the documents were not listed on the index of documents passed to the Review by the department.
4. On 2 February 2015 a departmental officer contacted an officer in the Review team at the PM&C to advise that some documents had inadvertently not been provided to the Review. The Review team member advised that the text of the Review had already been finalised and the department therefore did not provide the document.
5. In the week beginning 1 June 2015 the Department conducted a review of its January 2015 search for and provision of documents to the Review to ensure the accuracy of the search and to confirm what had been passed to the Review. It ascertained that the Monis letter and response had been inadvertently omitted from what was passed to the Review because it had been located they were referred to in a second tab in a spreadsheet of search results, which was overlooked by the

officers collating the index of documents for the Review. (PM&C has confirmed that the only four other documents identified in the second tab of the spreadsheet that should also have been passed to the Review by the department were passed to the Review by other agencies during the Review.)

6. On 27 May 2015 at the Senate Legal and Constitutional Affairs Committee Budget Estimates hearing, Katherine Jones, Deputy Secretary, National Security and Criminal Justice Group, provided evidence that the correspondence in question was provided to the review. After further discussions with a former colleague on the Review team, Ms Jones concluded that her recollection was incorrect and that she had been thinking of another document and not the correspondence in question. (Ms Jones was unaware when she gave her evidence that the correspondence in question had been the subject of discussion between officers of the Department and the Review on 2 February 2015.) Ms Jones will correct her evidence to the Senate Committee at the earliest opportunity.

7. To prevent errors such as that described in paragraph 5 above from occurring in future, I have asked officers in the department to prepare enhanced procedures to govern searches for, and provision of, documents in future.

8. Separately, it may be useful for me to outline the steps the department has taken steps to ensure appropriate awareness and vigilance after the National Public Alert Level was raised to High on 12 September 2014. These measures include:

- staff were advised of the change in the National Terrorism Public Alert level and were encouraged to be vigilant and report any suspicious activity or behaviour
- lockdown procedures for Robert Garran Offices were tested and reviewed
- the department's Business Continuity, Crisis Management and Heightened Security arrangements were tested and reviewed
- a threat assessment was sought from ASIO in relation to departmental premises, and
- new heightened security measures were introduced and a Security Alert Level Procedure that provides for changes in protective security measures for the alert levels of Low, Medium, High and Extreme was established.

9. In respect of correspondence, the department carefully assesses each item received on matters relating to national security. Departmental officers liaise with other government agencies, including law enforcement and security agencies, where an item of correspondence raises concerns. The department also has a security policy outlining how officers should respond in the event of a threat.

Yours sincerely

Chris Moraitis PSM

[REDACTED]

From: Pahlow, Michael
Sent: Wednesday, 3 June 2015 1:51 PM
To: Chidgey, Sarah; Lowe, Jamie; [REDACTED]
Cc: [REDACTED]
Subject: RE: Revised Letter - Secretary to Attorney on Monis correspondence - request for final comments [SEC=UNCLASSIFIED]
Attachments: Letter - Secretary to Attorney on Monis correspondence - version 1245 3 June (MJP).doc

UNCLASSIFIED

Sarah,

Attached is the letter with some changes, mainly to para 3. I am concerned that para three as it was written indicated that officers of the department became aware of the omission on both 28 January and 2 February. Hopefully my rewording removes this confusion but happy for someone else to change it.

I have also included Tony's queries and edits in the version as well.

[REDACTED] has suggested that we use the phrase 'some correspondence' in para 4 because, while he recalls using correspondence dates, he is uncertain whether he was as specific as stating 'two documents'.

[REDACTED] and [REDACTED] are comfortable with the wording changes to para 3 & 4.

Regards,

Michael

Michael Pahlow
Assistant Secretary
AusCheck

From: Chidgey, Sarah
Sent: Wednesday, 3 June 2015 1:25 PM
To: Lowe, Jamie; [REDACTED] Pahlow, Michael; [REDACTED]
Subject: RE: Revised Letter - Secretary to Attorney on Monis correspondence - request for final comments [SEC=UNCLASSIFIED]

UNCLASSIFIED

Attached is the letter with some further changes from Tony.

[REDACTED] - there's a further question for you about what we said to PM&C about what had been omitted. I understand from our previous conversation that we only referred in general terms to correspondence but grateful if you could consider Tony's query.

[REDACTED] - Tony is still concerned about wording on the final security measures point. I'm inclined to delete the point but let me know what you think.

Sarah

From: Chidgey, Sarah
Sent: Wednesday, 3 June 2015 12:46 PM
To: Sheehan, Tony; Lowe, Jamie; Anderson, Iain; [REDACTED] Pahlow, Michael; Faulkner, James;
[REDACTED]
Subject: Revised Letter - Secretary to Attorney on Monis correspondence - request for final comments
[SEC=UNCLASSIFIED]

UNCLASSIFIED

All

Please find attached a further draft of the letter from the Secretary to the Attorney-General incorporating changes discussed at our meeting this morning.

Grateful for any final comments by 3pm this afternoon. I'll then provide a copy to Chris' office, and to Iain so he can seek Katherine's views.

Sarah

From: Horsfall, Karen
Sent: Wednesday, 3 June 2015 10:51 AM
To: Chidgey, Sarah; Sheehan, Tony
Cc: Lowe, Jamie; [REDACTED] Anderson, Iain; Pahlow, Michael; [REDACTED]
Subject: RE: 150603 - Letter - Secretary to Attorney on Monis correspondence [SEC=UNCLASSIFIED]

UNCLASSIFIED

Will let you know when I hear back from AFP on whether we can refer to [REDACTED]

From: Chidgey, Sarah
Sent: Wednesday, 3 June 2015 10:07 AM
To: Sheehan, Tony
Cc: Lowe, Jamie; [REDACTED] Anderson, Iain; Pahlow, Michael;
[REDACTED]
Subject: RE: 150603 - Letter - Secretary to Attorney on Monis correspondence [SEC=UNCLASSIFIED]

UNCLASSIFIED

All

A further version of the letter incorporating Tony's and Michael's changes is attached.

PSB is reviewing the wording on the security measures.

[REDACTED] - can you advise on the query about making the [REDACTED] public?

Sarah

From: Sheehan, Tony

Sent: Wednesday, 3 June 2015 9:21 AM

To: Chidgey, Sarah

Cc: Lowe, Jamie; [REDACTED]

Subject: 150603 - Letter - Secretary to Attorney on Monis correspondence

See track changes for consideration. Some will need checking of exact words.



Australian Government
Attorney-General's Department

Secretary

3 June 2015

Senator the Hon George Brandis QC
Attorney-General
Parliament House
Canberra ACT 2600

Dear Attorney-General

Attorney-General's Department's search and provision to the Martin Place Siege Review of correspondence from Man Haron Monis

I am writing to explain the Attorney-General's Department's search for correspondence from Man Haron Monis and provision of that correspondence to the Martin Place Siege Review (the Review) and to outline measures the department has since taken in relation to the search.

2. Between 5 and 15 January 2015 at the request of the Review the department-Department undertook searches for documents and correspondence relevant to the terms of reference for the Martin Place Siege Review. This includes-included searches of the department's-Department's ministerial correspondence and records management systems. On 14 and 15 January 2015, once the documents held by the department relevant to the terms of reference for the Martin Place Siege Review had been identified and collated, they were passed by the department to the Review team at the Department of the Prime Minister and Cabinet (PM&C). The department further advised the Review on 15 January 2015 that the final element of the search of one system concluded that day had yielded no further documents for provision to the Review.

3. On 28 January 2015 the Australian Federal Police (AFP) notified the Department that, while making inquiries, it had come into possession of a letter from Sheikh Haron addressed to the Attorney-General dated 7 October 2014 seeking legal advice and the Department's reply on the Attorney-General's behalf dated 5 November 2014. Departmental officers noted the documents were not listed on the index of documents passed to the Review by the Department. On 2 February-February 2015, officers in the department-Department became aware-determined that a letter from Sheikh Haron addressed to the Attorney-General dated 7 October 2014 seeking legal advice and the department's 5 November 2015 reply to that letter on the Attorney's behalf these letters had been inadvertently omitted from the correspondence provided to the Review. The officers became aware of this omission when the Australian Federal Police notified the department on 28 January 2015 that it had come into possession of the letter and the reply while making inquiries and one of the officers noted the documents were not listed on the index of documents passed to the Review by the department.

4. On 2 February 2015 a departmental officer contacted an officer in the Review team at the PM&C to advise that some documents-correspondence had inadvertently not been provided to the

Comment [MJP1]: The unedited paragraph states that 'officers became aware' in two different places, at two different times.

I have tried to re-word this paragraph to make it clear when the department became aware that the documents had not been provided to the Review and what followed.

Comment [MJP2]: In the phone conversation he had [redacted] can recall using correspondence dates but cannot recall specifically whether he referred to 'two documents' or just 'correspondence'.

Review. The Review team member advised that the text of the Review had already been finalised and the ~~department-Department~~ therefore did not provide the two documents.

5. In the week beginning 1 June 2015 the Department conducted a review of its January 2015 search for and provision of documents to the Review to ensure the accuracy of the search and to confirm what had been passed to the Review. It ascertained that the Monis letter and response had been inadvertently omitted from what was passed to the Review because it had been located in a second tab in a spreadsheet of search results, which was overlooked by the officers collating the index of documents for the Review. (PM&C has confirmed that the only four other documents identified in the second tab of the spreadsheet that should also have been passed to the Review by the department were passed to the Review by other agencies during the Review.)

6. On 27 May 2015 at the Senate Legal and Constitutional Affairs Committee Budget Estimates hearing, Katherine Jones, Deputy Secretary, National Security and Criminal Justice Group, provided evidence that the correspondence in question was provided to the review. After further discussions with a former colleague on the Review team, Ms Jones concluded that her recollection was incorrect and that she had been thinking of another document and not the correspondence in question. (Ms Jones was unaware when she gave her evidence that the correspondence in question had been the subject of discussion between officers of the Department and the Review on 2 February 2015.) Ms Jones will correct her evidence to the Senate Committee at the earliest opportunity.

7. To prevent errors such as that described in paragraph 5 above from occurring in future, I have asked officers in the department to prepare enhanced procedures ~~to govern~~ searches ~~for,~~ and provision of; documents in future.

8. Separately, it may be useful for me to outline the steps the department has taken ~~steps to~~ ensure appropriate awareness and vigilance after the National Public Alert Level was raised to High on 12 September 2014. These measures include:

- that staff were advised of the change in the National Terrorism Public Alert level and were encouraged to be vigilant and report any suspicious activity or behaviour
- that lockdown procedures for Robert Garran Offices were tested and reviewed
- that the ~~department's-Department's~~ Business Continuity, Crisis Management and Heightened Security arrangements were tested and reviewed
- that a threat assessment was sought from ASIO in relation to departmental premises, and
- that ~~some additional physical (?) new heightened security measures were introduced and a Security Alert Level Procedure that provides for changes in protective security measures for the alert levels of Low, Medium, High and Extreme was established (I still think this raises more questions than it answers).~~

9. In respect of correspondence, the ~~department-Department~~ carefully assesses each item received on matters relating to national security. Departmental officers liaise with other government agencies, including law enforcement and security agencies, where an item of correspondence raises concerns. The ~~department-Department~~ also has a security policy outlining how officers should respond in the event of a threat.

Yours sincerely

Chris Moraitis PSM

[REDACTED]

From: Chidgey, Sarah
Sent: Wednesday, 3 June 2015 2:04 PM
To: Pahlow, Michael; Lowe, Jamie; [REDACTED]
Cc: [REDACTED]
Subject: RE: Revised Letter - Secretary to Attorney on Monis correspondence - request for final comments [SEC=UNCLASSIFIED]

UNCLASSIFIED

Thanks Michael.

And many thanks for also including Tony's edits.

Sarah

From: Pahlow, Michael
Sent: Wednesday, 3 June 2015 1:51 PM
To: Chidgey, Sarah; Lowe, Jamie; [REDACTED]
Subject: RE: Revised Letter - Secretary to Attorney on Monis correspondence - request for final comments [SEC=UNCLASSIFIED]

UNCLASSIFIED

Sarah,

Attached is the letter with some changes, mainly to para 3. I am concerned that para three as it was written indicated that officers of the department became aware of the omission on both 28 January and 2 February. Hopefully my rewording removes this confusion but happy for someone else to change it.

I have also included Tony's queries and edits in the version as well.

[REDACTED] has suggested that we use the phrase 'some correspondence' in para 4 because, while he recalls using correspondence dates, he is uncertain whether he was as specific as stating 'two documents'.

[REDACTED] and [REDACTED] are comfortable with the wording changes to para 3 & 4.

Regards,

Michael

Michael Pahlow
Assistant Secretary
AusCheck

[REDACTED]

From: Chidgey, Sarah
Sent: Wednesday, 3 June 2015 1:25 PM

To: Lowe, Jamie; [REDACTED] Pahlow, Michael; [REDACTED]

Subject: RE: Revised Letter - Secretary to Attorney on Monis correspondence - request for final comments
[SEC=UNCLASSIFIED]

UNCLASSIFIED

Attached is the letter with some further changes from Tony.

[REDACTED] - there's a further question for you about what we said to PM&C about what had been omitted. I understand from our previous conversation that we only referred in general terms to correspondence but grateful if you could consider Tony's query.

[REDACTED] Tony is still concerned about wording on the final security measures point. I'm inclined to delete the point but let me know what you think.

Sarah

From: Chidgey, Sarah

Sent: Wednesday, 3 June 2015 12:46 PM

To: Sheehan, Tony; Lowe, Jamie; Anderson, Iain; [REDACTED]; Pahlow, Michael; Faulkner, James;

Subject: Revised Letter - Secretary to Attorney on Monis correspondence - request for final comments
[SEC=UNCLASSIFIED]

UNCLASSIFIED

All

Please find attached a further draft of the letter from the Secretary to the Attorney-General incorporating changes discussed at our meeting this morning.

Grateful for any final comments by 3pm this afternoon. I'll then provide a copy to Chris' office, and to Iain so he can seek Katherine's views.

Sarah

From: [REDACTED]

Sent: Wednesday, 3 June 2015 10:51 AM

To: Chidgey, Sarah; Sheehan, Tony

Cc: Lowe, Jamie; [REDACTED] Anderson, Iain; Pahlow, Michael; [REDACTED]

Subject: RE: 150603 - Letter - Secretary to Attorney on Monis correspondence [SEC=UNCLASSIFIED]

UNCLASSIFIED

Will let you know when I hear back from AFP on whether we can refer to [REDACTED]

From: Chidgey, Sarah

Sent: Wednesday, 3 June 2015 10:07 AM

To: Sheehan, Tony

Cc: Lowe, Jamie; [REDACTED] Anderson, Iain; Pahlow, Michael;

[REDACTED]
Subject: RE: 150603 - Letter - Secretary to Attorney on Monis correspondence [SEC=UNCLASSIFIED]

UNCLASSIFIED

All

A further version of the letter incorporating Tony's and Michael's changes is attached.

PSB is reviewing the wording on the security measures.

[REDACTED] can you advise on the query about making the [REDACTED] public?

Sarah

From: Sheehan, Tony

Sent: Wednesday, 3 June 2015 9:21 AM

To: Chidgey, Sarah

Cc: Lowe, Jamie; [REDACTED]

Subject: 150603 - Letter - Secretary to Attorney on Monis correspondence

See track changes for consideration. Some will need checking of exact words.

[REDACTED]

From: Sheehan, Tony
Sent: Wednesday, 3 June 2015 2:40 PM
To: [REDACTED]
Subject: RE: Monis letter [DLM=Sensitive:Legal]

They don't need to see letter, only the bit relevant to them.

Sent with Good (www.good.com)

From: [REDACTED]
Sent: Wednesday, 3 June 2015 1:40:46 PM
To: Chidgey, Sarah
Cc: Sheehan, Tony; Anderson, Iain; Gifford, Cameron; Lowe, Jamie
Subject: Monis letter [DLM=Sensitive:Legal]

Sensitive: Legal

Sarah – In response to my query about whether we can refer to the search that resulted in the Monis/[REDACTED] corro coming into the AFP's possession, AFP Legal has asked to review and clear the draft letter to the AG. I indicated (by phone) that, if the AFP is not prepared to mention the letter [REDACTED] in the letter to the AG – if/when the letter becomes public, questions may be asked as to how the AFP came to possess the Moni/[REDACTED] corro.

Are you happy for AFP Legal to come over here this afternoon and review the draft letter or would you prefer to leave the high level statement about 'came into AFP possession' in the letter?

[REDACTED]

From: [REDACTED]@afp.gov.au]
Sent: Wednesday, 3 June 2015 1:20 PM
To: [REDACTED]
Cc: [REDACTED]
Subject: Request for Consultation [DLM=Sensitive:Legal]
Importance: High

Sensitive:Legal

Dear [REDACTED]

Thank you for seeking AFP consultation on a letter from the Secretary of AGD to the Attorney General today.

We are happy to consider the contents of the letter and any relevant attachments. However, we cannot provide official clearance or comments without first seeing the relevant correspondence.

We are happy to facilitate this request on an urgent basis. If it is convenient, we can attend your offices this afternoon to read the draft correspondence or you could attend our offices. Alternatively you could email the letter through for us to comment on, which is the usual practice.

We will of course attend to a response as a matter of priority once we have obtained a copy of the correspondence.

Regards

[REDACTED]



[REDACTED]
SENIOR LEGAL COUNSEL - EMPLOYMENT & LITIGATION
LEGAL
[REDACTED]

Sensitive:Legal

WARNING

This email message and any attached files may contain information that is confidential and subject of legal privilege intended only for use by the individual or entity to whom they are addressed. If you are not the intended recipient or the person responsible for delivering the message to the intended recipient be advised that you have received this message in error and that any use, copying, circulation, forwarding, printing or publication of this message or attached files is strictly forbidden, as is the disclosure of the information contained therein. If you have received this message in error, please notify the sender immediately and delete it from your inbox.

AFP Web site: <http://www.afp.gov.au>

[REDACTED]

From: [REDACTED]
Sent: Wednesday, 3 June 2015 2:49 PM
To: [REDACTED]
Cc: Gifford, Cameron; Lowe, Jamie
Subject: Consultation on Monis letter [DLM=Sensitive:Legal]

Sensitive: Legal

Hi [REDACTED]

Following is the relevant extract from the draft letter (two alternatives). I understand this is to be settled and provided to the Secretary by 3pm.

On 28 January 2015 the Australian Federal Police (AFP) notified the Department that, [preferred:] [REDACTED] [alternative:] while making inquiries, it had come into possession of a letter from Sheikh Haron addressed to the Attorney-General dated 7 October 2014 seeking legal advice and the Department's reply on the Attorney-General's behalf dated 5 November 2014.

As noted, we consider it likely that if a bland formulation of words is used, we will subsequently be asked how the AFP came into possession of the letter.

There is no other reference to the AFP or the Coronial in the draft letter.

Kind regards

[REDACTED]
Principal Legal Officer
Counter-Terrorism Law Branch
[REDACTED]



Australian Government
Attorney-General's Department

From: [REDACTED]@afp.gov.au]
Sent: Wednesday, 3 June 2015 1:20 PM
To: [REDACTED]
Cc: [REDACTED]
Subject: Request for Consultation [DLM=Sensitive:Legal]
Importance: High

Sensitive:Legal

Dear [REDACTED]

Thank you for seeking AFP consultation on a letter from the Secretary of AGD to the Attorney General today.

We are happy to consider the contents of the letter and any relevant attachments. However, we cannot provide official clearance or comments without first seeing the relevant correspondence.

We are happy to facilitate this request on an urgent basis. If it is convenient, we can attend your offices this afternoon to read the draft correspondence or you could attend our offices. Alternatively you could email the letter through for us to comment on which is the usual practice.

We will of course attend to a response as a matter of priority once we have obtained a copy of the correspondence.

Regards



SENIOR LEGAL COUNSEL - EMPLOYMENT & LITIGATION
LEGAL



Sensitive:Legal

WARNING

This email message and any attached files may contain information that is confidential and subject of legal privilege intended only for use by the individual or entity to whom they are addressed. If you are not the intended recipient or the person responsible for delivering the message to the intended recipient be advised that you have received this message in error and that any use, copying, circulation, forwarding, printing or publication of this message or attached files is strictly forbidden, as is the disclosure of the information contained therein. If you have received this message in error, please notify the sender immediately and delete it from your inbox.

AFP Web site: <http://www.afp.gov.au>

[REDACTED]

From: [REDACTED]
Sent: Wednesday, 3 June 2015 2:51 PM
To: Sheehan, Tony
Subject: RE: Monis letter [DLM=Sensitive:Legal]

Sensitive: Legal

Thanks, done.

From: Sheehan, Tony
Sent: Wednesday, 3 June 2015 2:40 PM
To: [REDACTED]
Subject: RE: Monis letter [DLM=Sensitive:Legal]

They don't need to see letter, only the bit relevant to them.

Sent with Good (www.good.com)

From: [REDACTED]
Sent: Wednesday, 3 June 2015 1:40:46 PM
To: Chidgey, Sarah
Cc: Sheehan, Tony; Anderson, Iain; Gifford, Cameron; Lowe, Jamie
Subject: Monis letter [DLM=Sensitive:Legal]

Sensitive: Legal

Sarah – In response to my query about whether we can refer to the search that resulted in the Monis/[REDACTED] corro coming into the AFP's possession, AFP Legal has asked to review and clear the draft letter to the AG. I indicated (by phone) that, if the AFP is not prepared to mention the letter [REDACTED] in the letter to the AG – if/when the letter becomes public, questions may be asked as to how the AFP came to possess the Moni/[REDACTED] corro.

Are you happy for AFP Legal to come over here this afternoon and review the draft letter or would you prefer to leave the high level statement about 'came into AFP possession' in the letter?

[REDACTED]

From: [REDACTED]@afp.gov.au
Sent: Wednesday, 3 June 2015 1:20 PM
To: [REDACTED]
Cc: [REDACTED]
Subject: Request for Consultation [DLM=Sensitive:Legal]
Importance: High

Sensitive:Legal

Dear [REDACTED]

Thank you for seeking AFP consultation on a letter from the Secretary of AGD to the Attorney General today.

We are happy to consider the contents of the letter and any relevant attachments. However, we cannot provide official clearance or comments without first seeing the relevant correspondence.

We are happy to facilitate this request on an urgent basis. If it is convenient, we can attend your offices this afternoon to read the draft correspondence or you could attend our offices. Alternatively you could email the letter through for us to comment on which is the usual practice.

We will of course attend to a response as a matter of priority once we have obtained a copy of the correspondence.

Regards



SENIOR LEGAL COUNSEL - EMPLOYMENT & LITIGATION
LEGAL



Sensitive:Legal

WARNING

This email message and any attached files may contain information that is confidential and subject of legal privilege intended only for use by the individual or entity to whom they are addressed. If you are not the intended recipient or the person responsible for delivering the message to the intended recipient be advised that you have received this message in error and that any use, copying, circulation, forwarding, printing or publication of this message or attached files is strictly forbidden, as is the disclosure of the information contained therein. If you have received this message in error, please notify the sender immediately and delete it from your inbox.

AFP Web site: <http://www.afp.gov.au>

[REDACTED]

From: [REDACTED]@afp.gov.au>
Sent: Wednesday, 3 June 2015 2:55 PM
To: [REDACTED]
Cc: [REDACTED] Gifford, Cameron; Lowe, Jamie
Subject: RE: Consultation on Monis letter [DLM=Sensitive:Legal]

Sensitive:Legal

Dear [REDACTED]

I will obtain instructions in respect of [REDACTED]

We do note that some consultation did take place with AGD on these letters in relation to their inclusion in the Brief.

We will respond as soon as possible.

Regards



[REDACTED]
SENIOR LEGAL COUNSEL - EMPLOYMENT & LITIGATION
LEGAL
[REDACTED]

Sensitive:Legal

From: [REDACTED]
Sent: Wednesday, 3 June 2015 2:49 PM
To: [REDACTED]
Cc: [REDACTED] Gifford, Cameron; Lowe, Jamie
Subject: Consultation on Monis letter [DLM=Sensitive:Legal]

Sensitive: Legal

Hi [REDACTED]

Following is the relevant extract from the draft letter (two alternatives). I understand this is to be settled and provided to the Secretary by 3pm.

On 28 January 2015 the Australian Federal Police (AFP) notified the Department that, [preferred:] [REDACTED] [REDACTED] alternative:] while making inquiries, it had come into possession of a letter from Sheikh Haron addressed to the Attorney-General dated 7 October 2014 seeking legal advice and the Department's reply on the Attorney-General's behalf dated 5 November 2014.

As noted, we consider it likely that if a bland formulation of words is used, we will subsequently be asked how the AFP came into possession of the letter.

There is no other reference to the AFP or the Coronial in the draft letter.

Kind regards

[REDACTED]
Principal Legal Officer
Counter-Terrorism Law Branch



Australian Government
Attorney-General's Department

From: [redacted]@afp.gov.au
Sent: Wednesday, 3 June 2015 1:20 PM
To: [redacted]
Cc: [redacted]
Subject: Request for Consultation [DLM=Sensitive:Legal]
Importance: High

Sensitive:Legal

Dear [redacted]

Thank you for seeking AFP consultation on a letter from the Secretary of AGD to the Attorney General today.

We are happy to consider the contents of the letter and any relevant attachments. However, we cannot provide official clearance or comments without first seeing the relevant correspondence.

We are happy to facilitate this request on an urgent basis. If it is convenient, we can attend your offices this afternoon to read the draft correspondence or you could attend our offices. Alternatively you could email the letter through for us to comment on which is the usual practice.

We will of course attend to a response as a matter of priority once we have obtained a copy of the correspondence.

Regards

[redacted]



[redacted]
SENIOR LEGAL COUNSEL - EMPLOYMENT & LITIGATION
LEGAL
[redacted]

Sensitive:Legal

WARNING

This email message and any attached files may contain information that is confidential and subject of legal privilege intended only for use by the individual or entity to whom they are addressed. If you are not the intended recipient or the person responsible for delivering the message to the intended recipient be advised that you have received this message in error and that any use, copying, circulation, forwarding, printing or publication of this message or attached files is strictly forbidden, as is the disclosure of the information contained therein. If you have received this message in error, please notify the sender immediately and delete it from your inbox.

AFP Web site: <http://www.afp.gov.au>

If you have received this transmission in error please notify us immediately by return e-mail and delete all copies. If this e-mail or any attachments have been sent to you in error, that error does not constitute waiver of any confidentiality, privilege or copyright in respect of information in the e-mail or attachments.

This email may be protected by legal professional privilege.

WARNING

This email message and any attached files may contain information that is confidential and subject of legal privilege intended only for use by the individual or entity to whom they are addressed. If you are not the intended recipient or the person responsible for delivering the message to the intended recipient be advised that you have received this message in error and that any use, copying, circulation, forwarding, printing or publication of this message or attached files is strictly forbidden, as is the disclosure of the information contained therein. If you have received this message in error, please notify the sender immediately and delete it from your inbox.

AFP Web site: <http://www.afp.gov.au>

[REDACTED]

From: [REDACTED]
Sent: Wednesday, 3 June 2015 2:58 PM
To: [REDACTED]
Cc: [REDACTED]; Gifford, Cameron; Lowe, Jamie
Subject: RE: Consultation on Monis letter [DLM=Sensitive:Legal]

Sensitive: Legal

Hi [REDACTED] – Yes, there was consultation with AGD – after the letters were provided to the Coronial Inquest AGS emailed me and asked if they could be tendered in evidence. Looking forward to your early advice on [REDACTED].

From: [REDACTED]@afp.gov.au]
Sent: Wednesday, 3 June 2015 2:55 PM
To: [REDACTED]
Cc: [REDACTED]; Gifford, Cameron; Lowe, Jamie
Subject: RE: Consultation on Monis letter [DLM=Sensitive:Legal]

Sensitive:Legal

Dear [REDACTED]

I will obtain instructions in respect of [REDACTED]

We do note that some consultation did take place with AGD on these letters in relation to their inclusion in the Brief.

We will respond as soon as possible.

Regards



[REDACTED]
SENIOR LEGAL COUNSEL – EMPLOYMENT & LITIGATION
LEGAL

Sensitive:Legal

From: [REDACTED]
Sent: Wednesday, 3 June 2015 2:49 PM
To: [REDACTED]
Cc: [REDACTED]; Gifford, Cameron; Lowe, Jamie
Subject: Consultation on Monis letter [DLM=Sensitive:Legal]

Sensitive: Legal

Hi [REDACTED]

Following is the relevant extract from the draft letter (two alternatives). I understand this is to be settled and provided to the Secretary by 3pm.

On 28 January 2015 the Australian Federal Police (AFP) notified the Department that, [preferred:] [redacted] [alternative:] while making inquiries, it had come into possession of a letter from Sheikh Haron addressed to the Attorney-General dated 7 October 2014 seeking legal advice and the Department's reply on the Attorney-General's behalf dated 5 November 2014.

As noted, we consider it likely that if a bland formulation of words is used, we will subsequently be asked how the AFP came into possession of the letter.

There is no other reference to the AFP or the Coronial in the draft letter.

Kind regards

[redacted]
Principal Legal Officer
Counter-Terrorism Law Branch
[redacted]



Australian Government
Attorney-General's Department

From: [redacted]@afp.gov.au
Sent: Wednesday, 3 June 2015 1:20 PM
To: [redacted]
Cc: [redacted]
Subject: Request for Consultation [DLM=Sensitive:Legal]
Importance: High

Sensitive:Legal

Dear [redacted]

Thank you for seeking AFP consultation on a letter from the Secretary of AGD to the Attorney General today.

We are happy to consider the contents of the letter and any relevant attachments. However, we cannot provide official clearance or comments without first seeing the relevant correspondence.

We are happy to facilitate this request on an urgent basis. If it is convenient, we can attend your offices this afternoon to read the draft correspondence or you could attend our offices. Alternatively you could email the letter through for us to comment on which is the usual practice.

We will of course attend to a response as a matter of priority once we have obtained a copy of the correspondence.

Regards

[redacted]



[redacted]
SENIOR LEGAL COUNSEL - EMPLOYMENT & LITIGATION
LEGAL
[redacted]

Sensitive:Legal

WARNING

This email message and any attached files may contain information that is confidential and subject of legal privilege intended only for use by the individual or entity to whom they are addressed. If you are not the intended recipient or the person responsible for delivering the message to the intended recipient be advised that you have received this message in error and that any use, copying, circulation, forwarding, printing or publication of this message or attached files is strictly forbidden, as is the disclosure of the information contained therein. If you have received this message in error, please notify the sender immediately and delete it from your inbox.

AFP Web site: <http://www.afp.gov.au>


If you have received this transmission in error please notify us immediately by return e-mail and delete all copies. If this e-mail or any attachments have been sent to you in error, that error does not constitute waiver of any confidentiality, privilege or copyright in respect of information in the e-mail or attachments.

This email may be protected by legal professional privilege.

WARNING

This email message and any attached files may contain information that is confidential and subject of legal privilege intended only for use by the individual or entity to whom they are addressed. If you are not the intended recipient or the person responsible for delivering the message to the intended recipient be advised that you have received this message in error and that any use, copying, circulation, forwarding, printing or publication of this message or attached files is strictly forbidden, as is the disclosure of the information contained therein. If you have received this message in error, please notify the sender immediately and delete it from your inbox.

AFP Web site: <http://www.afp.gov.au>


From: Chidgey, Sarah
Sent: Wednesday, 3 June 2015 3:13 PM
To: Lowe, Jamie
Subject: Letter - Secretary to Attorney on Monis correspondence - version 1400 3 June
[SEC=UNCLASSIFIED]
Attachments: Letter - Secretary to Attorney on Monis correspondence - version 1400 3 June.doc

UNCLASSIFIED



Australian Government
Attorney-General's Department

Secretary

3 June 2015

Senator the Hon George Brandis QC
Attorney-General
Parliament House
Canberra ACT 2600

Dear Attorney-General

Attorney-General's Department's search and provision to the Martin Place Siege Review of correspondence from Man Haron Monis

I am writing to explain the Attorney-General's Department's search for correspondence from Man Haron Monis and provision of that correspondence to the Martin Place Siege Review (the Review) and to outline measures the department has since taken in relation to the search.

2. Between 5 and 15 January 2015 at the request of the Review the department undertook searches for documents and correspondence relevant to the terms of reference for the Martin Place Siege Review. This included searches of the department's ministerial correspondence and records management systems.
3. On 14 January 2015, once the documents held by the department relevant to the terms of reference for the Martin Place Siege Review had been identified and collated, they were passed by the department to the Review team at the Department of the Prime Minister and Cabinet (PM&C). The department further advised the Review on 15 January 2015 that the final element of the search of one system concluded that day had yielded no further documents for provision to the Review.
4. On 2 February 2015, officers in the department became aware that a letter from Sheikh Haron addressed to the Attorney-General dated 7 October 2014 seeking legal advice and the department's 5 November 2015 reply to that letter on the Attorney's behalf had been inadvertently omitted from the correspondence provided to the Review. The officers became aware of this omission following the Australian Federal Police notifying the department that it had come into possession of the letter and the reply while making inquiries.
5. On 2 February 2015 a departmental officer contacted an officer in the Review team at the PM&C to advise that some correspondence had inadvertently not been provided to the Review. The Review team member advised that the text of the Review had already been finalised and the department therefore did not provide the two documents.
6. In the week beginning 1 June 2015 the department conducted a review of its January 2015 search for and provision of documents to the Review to ensure the accuracy of the search and to confirm what had been passed to the Review. It ascertained that the Monis letter and reply had been inadvertently omitted from what was passed to the Review because they were listed in a

second tab in a spreadsheet of search results that was overlooked by the officers collating the index of documents for the Review. (PM&C has confirmed that the only four other documents identified in the second tab of the spreadsheet that should also have been passed to the Review by the department were passed to the Review by other agencies during the Review.)

7. On 27 May 2015 at the Senate Legal and Constitutional Affairs Committee Budget Estimates hearing, Katherine Jones, Deputy Secretary, National Security and Criminal Justice Group, provided evidence that the correspondence in question was provided to the review. After further discussions with a former colleague on the Review team, Ms Jones concluded that her recollection was incorrect and that she had been thinking of another document and not the correspondence in question. (Ms Jones was unaware when she gave her evidence that the correspondence in question had been the subject of discussion between officers of the Department and the Review on 2 February 2015.) Ms Jones will correct her evidence to the Senate Committee at the earliest opportunity.

8. To prevent errors such as that described in paragraph 5 above from occurring in future, I have asked officers in the department to prepare enhanced procedures for searches and provision of documents in future.

9. Separately, it may be useful for me to outline the steps the department has taken to ensure appropriate awareness and vigilance after the National Public Alert Level was raised to High on 12 September 2014. These measures include:

- advising staff of the change in the National Terrorism Public Alert level and were encouraged to be vigilant and report any suspicious activity or behaviour
- testing and reviewing lockdown procedures for Robert Garran Offices
- testing and reviewing the department's Business Continuity, Crisis Management and Heightened Security arrangements, and
- seeking a threat assessment from ASIO in relation to departmental premises.

10. In respect of correspondence, the department carefully assesses each item received on matters relating to national security. Departmental officers liaise with other government agencies, including law enforcement and security agencies, where an item of correspondence raises concerns. The department also has a security policy outlining how officers should respond in the event of a threat.

Yours sincerely

Chris Moraitis PSM

From: Chidgey, Sarah
Sent: Wednesday, 3 June 2015 3:14 PM
To: Lowe, Jamie
Subject: Letter - Secretary to Attorney on Monis correspondence - version 1400 3 June
[SEC=UNCLASSIFIED]
Attachments: Letter - Secretary to Attorney on Monis correspondence - version 1400 3 June.doc

UNCLASSIFIED



Australian Government
Attorney-General's Department

Secretary

3 June 2015

Senator the Hon George Brandis QC
Attorney-General
Parliament House
Canberra ACT 2600

Dear Attorney-General

Attorney-General's Department's search and provision to the Martin Place Siege Review of correspondence from Man Haron Monis

I am writing to explain the Attorney-General's Department's search for correspondence from Man Haron Monis and provision of that correspondence to the Martin Place Siege Review (the Review) and to outline measures the department has since taken in relation to the search.

2. Between 5 and 15 January 2015 at the request of the Review the department undertook searches for documents and correspondence relevant to the terms of reference for the Martin Place Siege Review. This included searches of the department's ministerial correspondence and records management systems.
3. On 14 January 2015, once the documents held by the department relevant to the terms of reference for the Martin Place Siege Review had been identified and collated, they were passed by the department to the Review team at the Department of the Prime Minister and Cabinet (PM&C). The department further advised the Review on 15 January 2015 that the final element of the search of one system concluded that day had yielded no further documents for provision to the Review.
4. On 2 February 2015, officers in the department became aware that a letter from Sheikh Haron addressed to the Attorney-General dated 7 October 2014 seeking legal advice and the department's 5 November 2015 reply to that letter on the Attorney's behalf had been inadvertently omitted from the correspondence provided to the Review. The officers became aware of this omission following the Australian Federal Police notifying the department that it had come into possession of the letter and the reply while making inquiries.
5. On 2 February 2015 a departmental officer contacted an officer in the Review team at the PM&C to advise that some correspondence had inadvertently not been provided to the Review. The Review team member advised that the text of the Review had already been finalised and the department therefore did not provide the two documents. The two documents were, however, provided to the coronial inquiry.
6. In the week beginning 1 June 2015 the department conducted a review of its January 2015 search for and provision of documents to the Review to ensure the accuracy of the search and to confirm what had been passed to the Review. It ascertained that the Monis letter and reply had

been inadvertently omitted from what was passed to the Review because they were listed in a second tab in a spreadsheet of search results that was overlooked by the officers collating the index of documents for the Review. (PM&C has confirmed that the only four other documents identified in the second tab of the spreadsheet that should also have been passed to the Review by the department were passed to the Review by other agencies during the Review.)

7. On 27 May 2015 at the Senate Legal and Constitutional Affairs Committee Budget Estimates hearing, Katherine Jones, Deputy Secretary, National Security and Criminal Justice Group, provided evidence that the correspondence in question was provided to the review. After further discussions with a former colleague on the Review team, Ms Jones concluded that her recollection was incorrect and that she had been thinking of another document and not the correspondence in question. (Ms Jones was unaware when she gave her evidence that the correspondence in question had been the subject of discussion between officers of the Department and the Review on 2 February 2015.) Ms Jones will correct her evidence to the Senate Committee at the earliest opportunity.

8. To prevent errors such as that described in paragraph 5 above from occurring in future, I have asked officers in the department to prepare enhanced procedures for searches and provision of documents in future.

9. Separately, it may be useful for me to outline the steps the department has taken to ensure appropriate awareness and vigilance after the National Public Alert Level was raised to High on 12 September 2014. These measures include:

- advising staff of the change in the National Terrorism Public Alert level and were encouraged to be vigilant and report any suspicious activity or behaviour
- testing and reviewing lockdown procedures for Robert Garran Offices
- testing and reviewing the department's Business Continuity, Crisis Management and Heightened Security arrangements, and
- seeking a threat assessment from ASIO in relation to departmental premises.

10. In respect of correspondence, the department carefully assesses each item received on matters relating to national security. Departmental officers liaise with other government agencies, including law enforcement and security agencies, where an item of correspondence raises concerns. The department also has a security policy outlining how officers should respond in the event of a threat.

Yours sincerely

Chris Moraitis PSM

[REDACTED]

From: Chidgey, Sarah
Sent: Wednesday, 3 June 2015 3:39 PM
To: [REDACTED] Anderson, Iain
Cc: Sheehan, Tony; Lowe, Jamie; [REDACTED] Pahlow, Michael; Faulkner, James;
Subject: Final draft Letter - Secretary to Attorney on Monis correspondence [SEC=UNCLASSIFIED]
Attachments: Letter - Secretary to Attorney on Monis correspondence - version 1500 3 June.doc

UNCLASSIFIED

[REDACTED]

I have attached a draft letter from Chris to the Attorney explaining the Attorney-General's Department's search and provision to the Martin Place Siege Review of correspondence from Man Haron Monis. Grateful if you could provide it to Chris to consider.

Iain - grateful if you could run the draft past Katherine.

Sarah

From: Chidgey, Sarah
Sent: Wednesday, 3 June 2015 12:46 PM
To: Sheehan, Tony; Lowe, Jamie; Anderson, Iain; [REDACTED] Pahlow, Michael; Faulkner, James;
[REDACTED]
Subject: Revised Letter - Secretary to Attorney on Monis correspondence - request for final comments [SEC=UNCLASSIFIED]

UNCLASSIFIED

All

Please find attached a further draft of the letter from the Secretary to the Attorney-General incorporating changes discussed at our meeting this morning.

Grateful for any final comments by 3pm this afternoon. I'll then provide a copy to Chris' office, and to Iain so he can seek Katherine's views.

Sarah

From: [REDACTED]
Sent: Wednesday, 3 June 2015 10:51 AM
To: Chidgey, Sarah; Sheehan, Tony
Cc: Lowe, Jamie; [REDACTED] Anderson, Iain; Pahlow, Michael; [REDACTED]
Subject: RE: 150603 - Letter - Secretary to Attorney on Monis correspondence [SEC=UNCLASSIFIED]

UNCLASSIFIED

Will let you know when I hear back from AFP on whether we can refer to [REDACTED]

From: Chidgey, Sarah
Sent: Wednesday, 3 June 2015 10:07 AM
To: Sheehan, Tony
Cc: Lowe, Jamie; [REDACTED] Anderson, Iain; Pahlow, Michael;
[REDACTED]
Subject: RE: 150603 - Letter - Secretary to Attorney on Monis correspondence [SEC=UNCLASSIFIED]

UNCLASSIFIED

All

A further version of the letter incorporating Tony's and Michael's changes is attached.

PSB is reviewing the wording on the security measures.

[REDACTED] can you advise on the query about making [REDACTED] public?

Sarah

From: Sheehan, Tony
Sent: Wednesday, 3 June 2015 9:21 AM
To: Chidgey, Sarah
Cc: Lowe, Jamie; [REDACTED]
Subject: 150603 - Letter - Secretary to Attorney on Monis correspondence

See track changes for consideration. Some will need checking of exact words.



Australian Government
Attorney-General's Department

Secretary

3 June 2015

Senator the Hon George Brandis QC
Attorney-General
Parliament House
Canberra ACT 2600

Dear Attorney-General

Attorney-General's Department's search and provision to the Martin Place Siege Review of correspondence from Man Haron Monis

I am writing to explain the Attorney-General's Department's search for correspondence from Man Haron Monis and provision of that correspondence to the Martin Place Siege Review (the Review) and to outline measures the department has since taken in relation to the search.

2. Between 5 and 15 January 2015 at the request of the Review the department undertook searches for documents and correspondence relevant to the terms of reference for the Martin Place Siege Review. This included searches of the department's ministerial correspondence and records management systems.
3. On 14 January 2015, once the documents held by the department relevant to the terms of reference for the Martin Place Siege Review had been identified and collated, they were passed by the department to the Review team at the Department of the Prime Minister and Cabinet (PM&C). The department further advised the Review on 15 January 2015 that the final element of the search of one system concluded that day had yielded no further documents for provision to the Review.
4. On 2 February 2015, officers in the department became aware that a letter from Sheikh Haron addressed to the Attorney-General dated 7 October 2014 seeking legal advice and the department's 5 November 2015 reply to that letter on the Attorney's behalf had been inadvertently omitted from the correspondence provided to the Review. The officers became aware of this omission following the Australian Federal Police notifying the department that it had come into possession of the letter and the reply while making inquiries.
5. On 2 February 2015 a departmental officer contacted an officer in the Review team at the PM&C to advise that some correspondence had inadvertently not been provided to the Review. The Review team member advised that the text of the Review had already been finalised and the department therefore did not provide the two documents. The two documents were, however, provided to the coronial inquiry.
6. In the week beginning 1 June 2015 the department conducted a review of its January 2015 search for and provision of documents to the Review to ensure the accuracy of the search and to confirm what had been passed to the Review. It ascertained that the Monis letter and reply had

been inadvertently omitted from what was passed to the Review because they were listed in a second tab in a spreadsheet of search results that was overlooked by the officers collating the index of documents for the Review. (PM&C has confirmed that the only four other documents identified in the second tab of the spreadsheet that should also have been passed to the Review by the department were passed to the Review by other agencies during the Review.)

7. On 27 May 2015 at the Senate Legal and Constitutional Affairs Committee Budget Estimates hearing, Katherine Jones, Deputy Secretary, National Security and Criminal Justice Group, provided evidence that the correspondence in question was provided to the review. After further discussions with a former colleague on the Review team, Ms Jones concluded that her recollection was incorrect and that she had been thinking of another document and not the correspondence in question. (Ms Jones was unaware when she gave her evidence that the correspondence in question had been the subject of discussion between officers of the Department and the Review on 2 February 2015.) Ms Jones will correct her evidence to the Senate Committee at the earliest opportunity.

8. To prevent errors such as that described in paragraph 5 above from occurring in future, I have asked officers in the department to prepare enhanced procedures for searches and provision of documents in future.

9. Separately, it may be useful for me to outline the steps the department has taken to ensure appropriate awareness and vigilance after the National Public Alert Level was raised to High on 12 September 2014. These measures include:

- advising staff of the change in the National Terrorism Public Alert level and were encouraged to be vigilant and report any suspicious activity or behaviour
- testing and reviewing lockdown procedures for Robert Garran Offices
- testing and reviewing the department's Business Continuity, Crisis Management and Heightened Security arrangements, and
- seeking a threat assessment from ASIO in relation to departmental premises.

10. In respect of correspondence, the department carefully assesses each item received on matters relating to national security. Departmental officers liaise with other government agencies, including law enforcement and security agencies, where an item of correspondence raises concerns. The department also has a security policy outlining how officers should respond in the event of a threat.

Yours sincerely

Chris Moraitis PSM

Chidgey, Sarah

From: [REDACTED]
Sent: Wednesday, 3 June 2015 4:27 PM
To: Chidgey, Sarah
Subject: RE: Final draft Letter - Secretary to Attorney on Monis correspondence [SEC=UNCLASSIFIED]
Categories: For Action

Thanks Sarah will do.

Sent with Good (www.good.com)

From: Chidgey, Sarah
Sent: Wednesday, 3 June 2015 3:38:51 PM
To: [REDACTED] Anderson, Iain
Cc: Sheehan, Tony; Lowe, Jamie; [REDACTED] Pahlow, Michael; Faulkner, James; [REDACTED]
Subject: Final draft Letter - Secretary to Attorney on Monis correspondence [SEC=UNCLASSIFIED]

UNCLASSIFIED

[REDACTED]

I have attached a draft letter from Chris to the Attorney explaining the Attorney-General's Department's search and provision to the Martin Place Siege Review of correspondence from Man Haron Monis. Grateful if you could provide it to Chris to consider.

Iain – grateful if you could run the draft past Katherine.

Sarah

From: Chidgey, Sarah
Sent: Wednesday, 3 June 2015 12:46 PM
To: Sheehan, Tony; Lowe, Jamie; Anderson, Iain; [REDACTED] Pahlow, Michael; Faulkner, James; [REDACTED]
Subject: Revised Letter - Secretary to Attorney on Monis correspondence - request for final comments [SEC=UNCLASSIFIED]

UNCLASSIFIED

All

Please find attached a further draft of the letter from the Secretary to the Attorney-General incorporating changes discussed at our meeting this morning.

Grateful for any final comments by **3pm this afternoon**. I'll then provide a copy to Chris' office, and to Iain so he can seek Katherine's views.

Sarah

From: [REDACTED]
Sent: Wednesday, 3 June 2015 10:51 AM
To: Chidgey, Sarah; Sheehan, Tony
Cc: Lowe, Jamie; [REDACTED] Anderson, Iain; Pahlow, Michael; [REDACTED]
Subject: RE: 150603 - Letter - Secretary to Attorney on Monis correspondence [SEC=UNCLASSIFIED]

UNCLASSIFIED

Will let you know when I hear back from AFP on whether we can refer to [REDACTED]

From: Chidgey, Sarah
Sent: Wednesday, 3 June 2015 10:07 AM
To: Sheehan, Tony
Cc: Lowe, Jamie; [REDACTED] Anderson, Iain; Pahlow, Michael;
[REDACTED]
Subject: RE: 150603 - Letter - Secretary to Attorney on Monis correspondence [SEC=UNCLASSIFIED]

UNCLASSIFIED

All

A further version of the letter incorporating Tony's and Michael's changes is attached.

PSB is reviewing the wording on the security measures.

[REDACTED] - can you advise on the query about making [REDACTED] public?

Sarah

From: Sheehan, Tony
Sent: Wednesday, 3 June 2015 9:21 AM
To: Chidgey, Sarah
Cc: Lowe, Jamie; [REDACTED]
Subject: 150603 - Letter - Secretary to Attorney on Monis correspondence

See track changes for consideration. Some will need checking of exact words.

[REDACTED]

From: Chidgey, Sarah
Sent: Wednesday, 3 June 2015 3:43 PM
To: [REDACTED]
Subject: FW: Final draft Letter - Secretary to Attorney on Monis correspondence [SEC=UNCLASSIFIED]
Attachments: Letter - Secretary to Attorney on Monis correspondence - version 1500 3 June.doc

UNCLASSIFIED

[REDACTED]

Please use this version - I just fixed a couple of minor things.

Sarah

From: Chidgey, Sarah
Sent: Wednesday, 3 June 2015 3:39 PM
To: [REDACTED]; Anderson, Iain
Cc: Sheehan, Tony; Lowe, Jamie; [REDACTED]; Pahlow, Michael; Faulkner, James; [REDACTED]
Subject: Final draft Letter - Secretary to Attorney on Monis correspondence [SEC=UNCLASSIFIED]

UNCLASSIFIED

[REDACTED]

I have attached a draft letter from Chris to the Attorney explaining the Attorney-General's Department's search and provision to the Martin Place Siege Review of correspondence from Man Haron Monis. Grateful if you could provide it to Chris to consider.

Iain - grateful if you could run the draft past Katherine.

Sarah

From: Chidgey, Sarah
Sent: Wednesday, 3 June 2015 12:46 PM
To: Sheehan, Tony; Lowe, Jamie; Anderson, Iain; [REDACTED]; Pahlow, Michael; Faulkner, James; [REDACTED]
Subject: Revised Letter - Secretary to Attorney on Monis correspondence - request for final comments [SEC=UNCLASSIFIED]

UNCLASSIFIED

All

Please find attached a further draft of the letter from the Secretary to the Attorney-General incorporating changes discussed at our meeting this morning.

Grateful for any final comments by 3pm this afternoon. I'll then provide a copy to Chris' office, and to Iain so he can seek Katherine's views.

Sarah

From: [REDACTED]
Sent: Wednesday, 3 June 2015 10:51 AM
To: Chidgey, Sarah; Sheehan, Tony
Cc: Lowe, Jamie; [REDACTED]; Anderson, Iain; Pahlow, Michael; [REDACTED]
Subject: RE: 150603 - Letter - Secretary to Attorney on Monis correspondence [SEC=UNCLASSIFIED]

UNCLASSIFIED

Will let you know when I hear back from AFP on whether we can refer to [REDACTED]

From: Chidgey, Sarah
Sent: Wednesday, 3 June 2015 10:07 AM
To: Sheehan, Tony
Cc: Lowe, Jamie; [REDACTED]; Anderson, Iain; Pahlow, Michael;
[REDACTED]
Subject: RE: 150603 - Letter - Secretary to Attorney on Monis correspondence [SEC=UNCLASSIFIED]

UNCLASSIFIED

All

A further version of the letter incorporating Tony's and Michael's changes is attached.

PSB is reviewing the wording on the security measures.

[REDACTED] - can you advise on the query about making the AFP search public?

Sarah

From: Sheehan, Tony
Sent: Wednesday, 3 June 2015 9:21 AM
To: Chidgey, Sarah
Cc: Lowe, Jamie; [REDACTED]
Subject: 150603 - Letter - Secretary to Attorney on Monis correspondence

See track changes for consideration. Some will need checking of exact words.



Australian Government
Attorney-General's Department

Secretary

3 June 2015

Senator the Hon George Brandis QC
Attorney-General
Parliament House
Canberra ACT 2600

Dear Attorney-General

Attorney-General's Department's search and provision to the Martin Place Siege Review of correspondence from Man Haron Monis

I am writing to explain the Attorney-General's Department's search for correspondence from Man Haron Monis and provision of that correspondence to the Martin Place Siege Review (the Review) and to outline measures the department has since taken in relation to the search.

2. Between 5 and 15 January 2015 at the request of the Review the department undertook searches for documents and correspondence relevant to the terms of reference for the Review. This included searches of the department's ministerial correspondence and records management systems.
3. On 14 January 2015, once the documents held by the department relevant to the terms of reference for the Review had been identified and collated, they were passed by the department to the Review team at the Department of the Prime Minister and Cabinet (PM&C). The department further advised the Review on 15 January 2015 that the final element of the search of one system concluded that day had yielded no further documents for provision to the Review.
4. On 2 February 2015, officers in the department became aware that a letter from Sheikh Haron addressed to the Attorney-General dated 7 October 2014 seeking legal advice and the department's 5 November 2015 reply to that letter on the Attorney's behalf had been inadvertently omitted from the correspondence provided to the Review. The officers became aware of this omission following the Australian Federal Police notifying the department that it had come into possession of the letter and the reply while making inquiries.
5. On 2 February 2015 a departmental officer contacted an officer in the Review team at PM&C to advise that some correspondence had inadvertently not been provided to the Review. The Review team member advised that the text of the Review had already been finalised and the department therefore did not provide the two documents. The two documents were, however, provided to the coronial inquiry.
6. In the week beginning 1 June 2015 the department conducted a review of its January 2015 search for, and provision of, documents to the Review to ensure the accuracy of the search and to confirm what had been passed to the Review. It ascertained that the Monis letter and reply had been inadvertently omitted from what was passed to the Review because they were listed in a

second tab in a spreadsheet of search results that was overlooked by the officers collating the index of documents for the Review. (PM&C has confirmed that the only four other documents identified in the second tab of the spreadsheet that should also have been passed to the Review by the department were passed to the Review by other agencies during the Review.)

7. On 27 May 2015 at the Senate Legal and Constitutional Affairs Committee Budget Estimates hearing, Katherine Jones, Deputy Secretary, National Security and Criminal Justice Group, provided evidence that the correspondence in question was provided to the review. After further discussions with a former colleague on the Review team, Ms Jones concluded that her recollection was incorrect and that she had been thinking of another document and not the correspondence in question. (Ms Jones was unaware when she gave her evidence that the correspondence in question had been the subject of discussion between officers of the Department and the Review on 2 February 2015.) Ms Jones will correct her evidence to the Senate Committee at the earliest opportunity.

8. To prevent errors such as that described in paragraph 5 above from occurring in future, I have asked officers in the department to prepare enhanced procedures for searches and provision of documents in future.

9. Separately, it may be useful for me to outline the steps the department has taken to ensure appropriate awareness and vigilance after the National Public Alert Level was raised to High on 12 September 2014. These measures include:

- advising staff of the change in the National Terrorism Public Alert level and were encouraged to be vigilant and report any suspicious activity or behaviour
- testing and reviewing lockdown procedures for Robert Garran Offices
- testing and reviewing the department's Business Continuity, Crisis Management and Heightened Security arrangements, and
- seeking a threat assessment from ASIO in relation to departmental premises.

10. In respect of correspondence, the department carefully assesses each item received on matters relating to national security. Departmental officers liaise with other government agencies, including law enforcement and security agencies, where an item of correspondence raises concerns. The department also has a security policy outlining how officers should respond in the event of a threat.

Yours sincerely

Chris Moraitis PSM

[REDACTED]

From: Perry, Ayesha
Sent: Wednesday, 3 June 2015 5:26 PM
To: Chidgey, Sarah
Subject: RE: Procedures/guidelines on search and provision of documents [SEC=UNCLASSIFIED]

UNCLASSIFIED

Happy to assist! I'll read the attachments and think about it this evening, ready to discuss at our weekly catch-up tomorrow. AP

From: Chidgey, Sarah
Sent: Wednesday, 3 June 2015 5:21 PM
To: Perry, Ayesha
Subject: Procedures/guidelines on search and provision of documents [SEC=UNCLASSIFIED]

UNCLASSIFIED

Hi Ayesha

It would be wonderful to have your assistance in preparing procedures or guidelines on searching and providing documents for audits/investigations/reviews etc.

The context is mainly the recent Monis correspondence issues (see attached draft letter from Secretary to Attorney) as well as the Safer Streets audit (draft SOPs attached).

I haven't had particularly clear direction about what it is intended to cover but happy to meet and discuss in more detail.

Sarah

From: Chidgey, Sarah
Sent: Wednesday, 3 June 2015 4:01 PM
To: Sheehan, Tony
Subject: FW: SOP on audit and investigation data requests [SEC=UNCLASSIFIED]

UNCLASSIFIED

Tony

Attached is the standard operating procedures for ID staff who access and extract email and other data for audit and investigation purposes.

Sarah

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

From: Pahlow, Michael
Sent: Wednesday, 3 June 2015 6:15 PM
To: Coles, Anthony
Subject: FW: Final draft Letter - Secretary to Attorney on Monis correspondence [SEC=UNCLASSIFIED]
Attachments: Letter - Secretary to Attorney on Monis correspondence - version 1500 3 June.doc

UNCLASSIFIED

Anthony,

For your information – no action required.

Attached is the final draft letter to the attorney on the Monis letters that has gone to the Secretary for his consideration.

Regards,

Michael

Michael Pahlow
Assistant Secretary
AusCheck

[REDACTED]

From: Chidgey, Sarah
Sent: Wednesday, 3 June 2015 3:39 PM
To: [REDACTED] Anderson, Iain
Cc: Sheehan, Tony; Lowe, Jamie; [REDACTED]; Pahlow, Michael; Faulkner, James; [REDACTED]
Subject: Final draft Letter - Secretary to Attorney on Monis correspondence [SEC=UNCLASSIFIED]

UNCLASSIFIED

[REDACTED]

I have attached a draft letter from Chris to the Attorney explaining the Attorney-General's Department's search and provision to the Martin Place Siege Review of correspondence from Man Haron Monis. Grateful if you could provide it to Chris to consider.

Iain – grateful if you could run the draft past Katherine.

Sarah

From: Chidgey, Sarah
Sent: Wednesday, 3 June 2015 12:46 PM
To: Sheehan, Tony; Lowe, Jamie; Anderson, Iain; Gracik-Anczewska, Lavinia; Pahlow, Michael; Faulkner, James; Horsfall, Karen; Ananijevski, Branko
Cc: Spindler, Jayston; Lee, Edward; Warnes, Andrew

Subject: Revised Letter - Secretary to Attorney on Monis correspondence - request for final comments
[SEC=UNCLASSIFIED]

UNCLASSIFIED

All

Please find attached a further draft of the letter from the Secretary to the Attorney-General incorporating changes discussed at our meeting this morning.

Grateful for any final comments by 3pm this afternoon. I'll then provide a copy to Chris' office, and to Iain so he can seek Katherine's views.

Sarah

From: [REDACTED]
Sent: Wednesday, 3 June 2015 10:51 AM
To: Chidgey, Sarah; Sheehan, Tony
Cc: Lowe, Jamie; [REDACTED] Anderson, Iain; Pahlow, Michael; [REDACTED]
Subject: RE: 150603 - Letter - Secretary to Attorney on Monis correspondence [SEC=UNCLASSIFIED]

UNCLASSIFIED

Will let you know when I hear back from AFP on whether we can refer to [REDACTED]

From: Chidgey, Sarah
Sent: Wednesday, 3 June 2015 10:07 AM
To: Sheehan, Tony
Cc: Lowe, Jamie; [REDACTED] Anderson, Iain; Pahlow, Michael;
[REDACTED]
Subject: RE: 150603 - Letter - Secretary to Attorney on Monis correspondence [SEC=UNCLASSIFIED]

UNCLASSIFIED

All

A further version of the letter incorporating Tony's and Michael's changes is attached.

PSB is reviewing the wording on the security measures.

[REDACTED] - can you advise on the query about making [REDACTED] public?

Sarah

From: Sheehan, Tony
Sent: Wednesday, 3 June 2015 9:21 AM
To: Chidgey, Sarah
Cc: Lowe, Jamie; [REDACTED]
Subject: 150603 - Letter - Secretary to Attorney on Monis correspondence

See track changes for consideration. Some will need checking of exact words.



Australian Government
Attorney-General's Department

Secretary

3 June 2015

Senator the Hon George Brandis QC
Attorney-General
Parliament House
Canberra ACT 2600

Dear Attorney-General

Attorney-General's Department's search and provision to the Martin Place Siege Review of correspondence from Man Haron Monis

I am writing to explain the Attorney-General's Department's search for correspondence from Man Haron Monis and provision of that correspondence to the Martin Place Siege Review (the Review) and to outline measures the department has since taken in relation to the search.

2. Between 5 and 15 January 2015 at the request of the Review the department undertook searches for documents and correspondence relevant to the terms of reference for the Martin Place Siege Review. This included searches of the department's ministerial correspondence and records management systems.
3. On 14 January 2015, once the documents held by the department relevant to the terms of reference for the Martin Place Siege Review had been identified and collated, they were passed by the department to the Review team at the Department of the Prime Minister and Cabinet (PM&C). The department further advised the Review on 15 January 2015 that the final element of the search of one system concluded that day had yielded no further documents for provision to the Review.
4. On 2 February 2015, officers in the department became aware that a letter from Sheikh Haron addressed to the Attorney-General dated 7 October 2014 seeking legal advice and the department's 5 November 2015 reply to that letter on the Attorney's behalf had been inadvertently omitted from the correspondence provided to the Review. The officers became aware of this omission following the Australian Federal Police notifying the department that it had come into possession of the letter and the reply while making inquiries.
5. On 2 February 2015 a departmental officer contacted an officer in the Review team at the PM&C to advise that some correspondence had inadvertently not been provided to the Review. The Review team member advised that the text of the Review had already been finalised and the department therefore did not provide the two documents. The two documents were, however, provided to the coronial inquiry.
6. In the week beginning 1 June 2015 the department conducted a review of its January 2015 search for and provision of documents to the Review to ensure the accuracy of the search and to confirm what had been passed to the Review. It ascertained that the Monis letter and reply had

been inadvertently omitted from what was passed to the Review because they were listed in a second tab in a spreadsheet of search results that was overlooked by the officers collating the index of documents for the Review. (PM&C has confirmed that the only four other documents identified in the second tab of the spreadsheet that should also have been passed to the Review by the department were passed to the Review by other agencies during the Review.)

7. On 27 May 2015 at the Senate Legal and Constitutional Affairs Committee Budget Estimates hearing, Katherine Jones, Deputy Secretary, National Security and Criminal Justice Group, provided evidence that the correspondence in question was provided to the review. After further discussions with a former colleague on the Review team, Ms Jones concluded that her recollection was incorrect and that she had been thinking of another document and not the correspondence in question. (Ms Jones was unaware when she gave her evidence that the correspondence in question had been the subject of discussion between officers of the Department and the Review on 2 February 2015.) Ms Jones will correct her evidence to the Senate Committee at the earliest opportunity.

8. To prevent errors such as that described in paragraph 5 above from occurring in future, I have asked officers in the department to prepare enhanced procedures for searches and provision of documents in future.

9. Separately, it may be useful for me to outline the steps the department has taken to ensure appropriate awareness and vigilance after the National Public Alert Level was raised to High on 12 September 2014. These measures include:

- advising staff of the change in the National Terrorism Public Alert level and were encouraged to be vigilant and report any suspicious activity or behaviour
- testing and reviewing lockdown procedures for Robert Garran Offices
- testing and reviewing the department's Business Continuity, Crisis Management and Heightened Security arrangements, and
- seeking a threat assessment from ASIO in relation to departmental premises.

10. In respect of correspondence, the department carefully assesses each item received on matters relating to national security. Departmental officers liaise with other government agencies, including law enforcement and security agencies, where an item of correspondence raises concerns. The department also has a security policy outlining how officers should respond in the event of a threat.

Yours sincerely

Chris Moraitis PSM