

Senate Standing Committee on Legal and Constitutional Affairs

Handling of a letter sent by Mr Man Haron Monis to the Attorney-General

Attorney-General's Department response to written question on notice from Senator Ludwig dated 25 June 2015

- 1. By 2 July 2015, could the Attorney-General's Department and the Department of Prime Minister and Cabinet please provide the committee with copies of all correspondence (together with an index) relevant to the dealings with the Monis letter sent or received between Thursday 28 May 2015 and Thursday 4 June 2015 (in a redacted form, where appropriate), including any correspondence or notes of discussions between officers of the department and relevant ministerial offices including the office of the Attorney-General, the office of the Prime Minister and the office of the Foreign Minister.*

Attached is an index and copies of relevant correspondence.

Correspondence sent or received by the Attorney-General's Department between 28 May and 4 June 2015 with any focus on the letter from Mr Monis to the Attorney-General dated 7 October 2014

#	Date	Time	From	To
1	28 May	10.53am	AGD	AGO
2	1 June	12:15pm	PM&C	AGD
3	1 June	12:15pm	PM&C	AGD
4	1 June	1.22pm	AGD	AGO
5	1 June	1:54pm	AGD	AGO
6	1 June	1:57pm	AGD	PM&C
7	1 June	5:30pm	PM&C	AGD
8	1 June	6.14pm	PM&C	AGD
9	1 June	7.37pm	AGD	PM&C
	1 June	9.39pm	PM&C	AGD
	1 June	10.36pm	AGD	PM&C
10	2 June	12:07pm	PM&C	AGD
11	2 June	1.19pm	AGD	AGO
12	3 June	1.20pm	AFP	AGD
	3 June	2.49pm	AGD	AFP
	3 June	2.55pm	AFP	AGD
	3 June	2.58pm	AGD	AFP
13	4 June	1:08pm	AGD	PM&C
14	4 June	1:09pm	AGD	AGO
15	4 June	1:22pm	PM&C	AGD
16	4 June	2:43pm	AGD	AGO
17	4 June	2.55pm	AGD	Legcon
18	4 June	2:57pm	AGD	AGO
19	4 June	3:05pm	PM&C	AGD
20	4 June	5.45 pm	PM&C	AGD
	4 June	6.19pm	AGD	PM&C

Notes of meetings/ telephone calls

#	Date	Time	Description
21	1 June	2.30pm	Telephone call
22	1 June	4.45pm	Meeting
23	2 June	12.40pm	Telephone call

[REDACTED]

From: [REDACTED]
Sent: Thursday, 28 May 2015 10:53 AM
To: [REDACTED]
Cc: Lowe, Jamie; Horsfall, Karen
Subject: FW: Monis QTB Thursday 28 May [SEC=UNCLASSIFIED]
Attachments: QTB 33 - Monis - NSLPD - 28May2015.docx; Attachment B - Monis - correspondence with AG & AGD.PDF; Attachment C - Monis QTB.docx

UNCLASSIFIED

[REDACTED]

The requested table (and relevant QTB is attached).

It's a bit of a rough job however it cover off all correspondence received by the Office / Department from Mr Monis, or him under any other alias, as provided to the Review. It includes dates, who he wrote to and how the department dealt with it.

Happy to discuss if you have any questions.,

Cheers

[REDACTED]

From: Horsfall, Karen
Sent: Thursday, 28 May 2015 10:50 AM
To: QTB
Cc: Lowe, Jamie; Gifford, Cameron; [REDACTED]
Subject: Monis QTB Thursday 28 May [SEC=UNCLASSIFIED]

UNCLASSIFIED

Please find attached the Monis QTB and Attachments B and C. Attachment A is part of the QTB document.

Kind regards

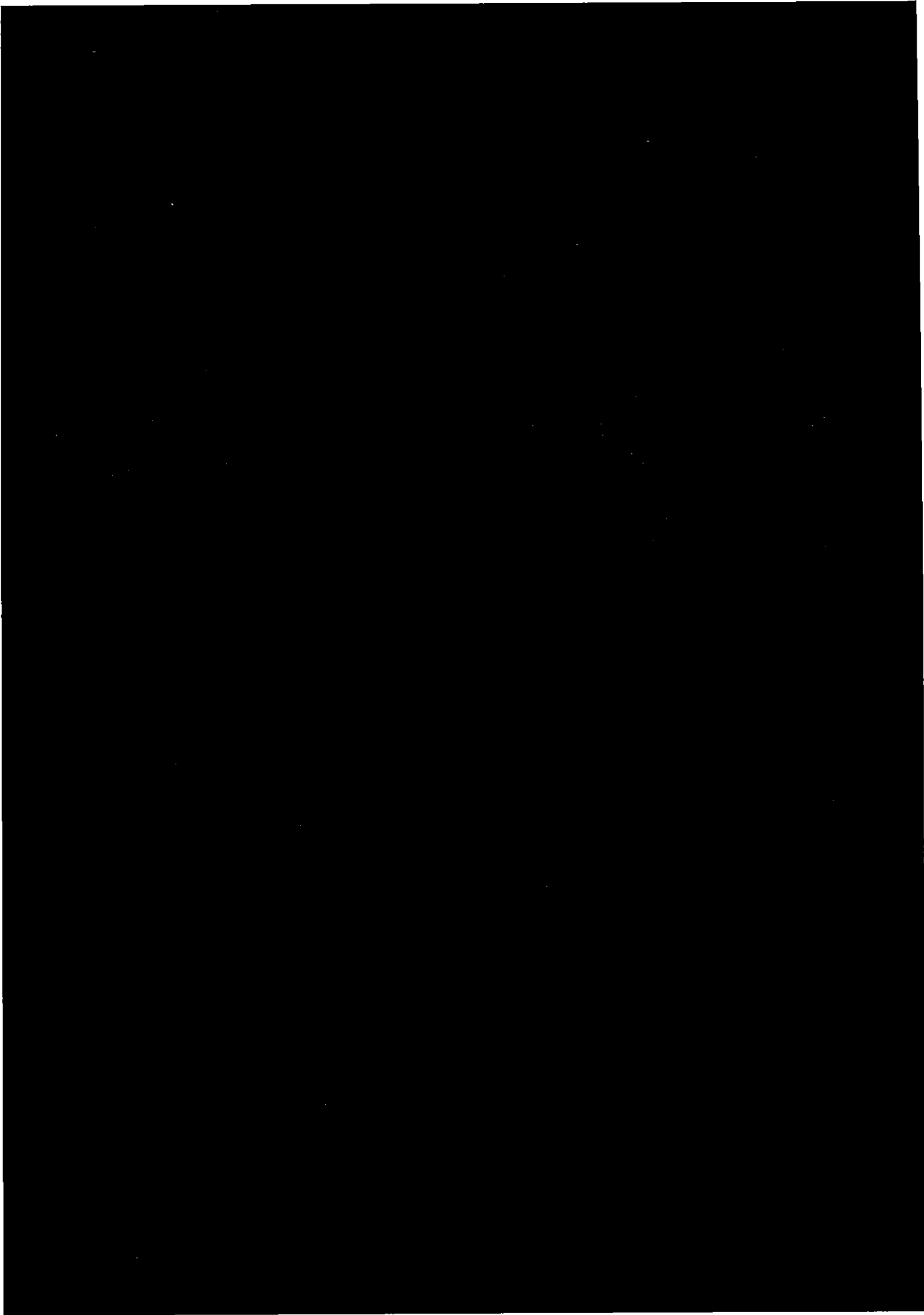
Karen Horsfall

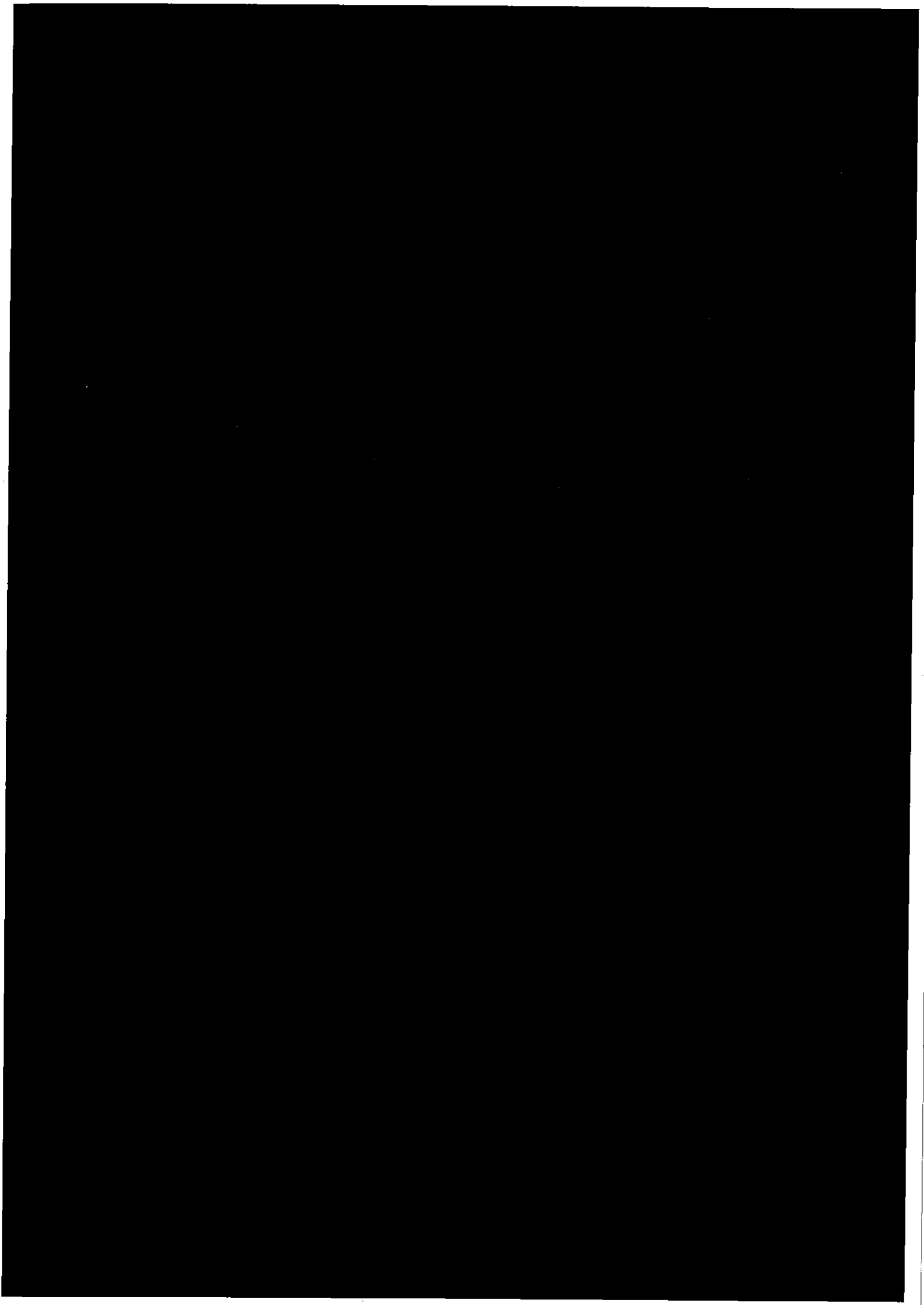
A/g Assistant Secretary

[REDACTED]



Australian Government
Attorney-General's Department





[REDACTED]

From: McKinnon, Allan [REDACTED]
Sent: Monday, 1 June 2015 12:15 PM
To: Lowe, Jamie
Cc: [REDACTED]; Anderson, Iain
Subject: FW: ppq [SEC=UNOFFICIAL]
Attachments: 1505601PPQ monislettertobrandis.docx

Unofficial

Jamie

We have checked the index of AGD documents for Martin place review very carefully.

The letter is not there.

The report went to PM under a Thawley letter on Friday 29 January. The PM wanted it be end January.

Then Thawley and Blair Comley formally signed off the copy for printing on 4 February.

PMO says that AG can answer any questions on this issue now that they know the Review Team didn't receive it. PM won't use the attached but you should be aware.

Regards

Allan

Allan

Allan McKinnon
Deputy Secretary
Department of the Prime Minister and Cabinet

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Monis letter to Senator Brandis

AGD never provided the Monis/Brandis letter to the Martin Place Review team. The Team was never aware of the existence of the letter.

Background

The Martin Place Review was announced on 17 December 2014. Shortly afterwards all agencies and ministries were asked to provide the Review team with any material that they had of relevance to the review.

AGD did provide a batch of material to the review team but it was only sometime after they had provided that material that AGD staff became aware of the existence of the Monis/Brandis letter although they had still not physically located it at that time.

According to AGD, On 2 February when AGD had physically located the letter an AGD officer rang a junior member of the Review Team. They were told that the Review had already been completed and forwarded to the Prime Minister.

The fact that AGD had located the letter was never communicated to either of the two Deputy Secretaries leading the Review (McKinnon PMC and Jones AGD).

AGD is now reviewing the history of the events to determine why the letter was not found when AGD were asked to provide all relevant material, when they found the letter, why they did not communicate the fact of the letter's existence to senior officers working on the Review.

[REDACTED]

From: [REDACTED]@pmc.gov.au>
Sent: Monday, 1 June 2015 12:15 PM
To: [REDACTED]
Cc: McKinnon, Allan
Subject: letter - October 2014 [SEC=UNCLASSIFIED]

UNCLASSIFIED

[REDACTED]

We have done a thorough search of the AG documents we have here – no record of a letter from October 2014 has been found. If you wanted to double check, you're more than welcome to come and look through the files.

Thanks,

[REDACTED]

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[REDACTED]

From: [REDACTED]
Sent: Monday, 1 June 2015 1:22 PM
To: [REDACTED]
Cc: Gifford, Cameron
Subject: RE: 31 - Monis – Correspondence - 28 May 2015.docx [SEC=UNCLASSIFIED]

UNCLASSIFIED

Thanks.

From: [REDACTED]
Sent: Monday, 1 June 2015 1:13 PM
To: [REDACTED]
Subject: FW: 31 - Monis – Correspondence - 28 May 2015.docx [SEC=UNCLASSIFIED]

UNCLASSIFIED

[REDACTED]

Update not necessary, we're just leaving it how it is.

[REDACTED]

From: [REDACTED]
Sent: Monday, 1 June 2015 12:39 PM
To: [REDACTED]
Subject: 31 - Monis – Correspondence - 28 May 2015.docx [SEC=UNCLASSIFIED]

UNCLASSIFIED

[REDACTED]

Just checking whether any updates are required to this QTB in light of any discussions this morning?

Thanks,
[REDACTED]

From: Chidgey, Sarah
Sent: Monday, 1 June 2015 1:54 PM
To: [REDACTED]
Cc: [REDACTED]; Lowe, Jamie; [REDACTED]; Sheehan, Tony; Anderson, Iain; Moraitis, Chris; Jones, Katherine
Subject: MinCorro - Martin Place Siege [DLM=For-Official-Use-Only]
Attachments: List of Man Haron Monis correspondence for AGO.xlsx; All MinCorro Items.pdf

For Official Use Only

Below are points outlining the department's handling of Monis correspondence in the context of the Review and Estimates. I have also attached a spreadsheet listing all correspondence received by the department and indicating those items that were not provided to the review and why not. I have also attached, in a single PDF, copies of all correspondence that we have been able to locate in our electronic systems (this does not include older hard copy correspondence that has been archived).

Sarah

AGD handling of Monis correspondence

1. In early January 2015, AGD conducted a comprehensive search of all documents and correspondence related to Man Haron Monis and passed relevant documents to PM&C.
2. The correspondence in question (letter from Sheikh Haron dated 7 October 2014) was discovered during this search.
3. On 2 February 2015, AGD became aware that this correspondence had been omitted from the correspondence provided to the Martin Place Siege Review due to an administrative error related to a spreadsheet.
4. On the same day, AGD advised the Review team by telephone that an additional item of correspondence and response had inadvertently not been provided to the Review due to an administrative error. The Review team member responded that the text of the Review had been finalised and AGD therefore did not provide the document.
5. 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, AGD, who was also a senior member of the Review, provided evidence that the correspondence "was provided to the review".
6. After further discussions with another colleague on the Review, Ms Jones concluded that her evidence at the Estimates hearing on 27 May 2015 was incorrect and that she was recalling a discussion of a separate document and not the correspondence in question.
7. Ms Jones will correct her evidence to the Senate Committee at the earliest opportunity.

Additional Background

1. On 1 June 2015, the Department became aware that another four items of correspondence had not been provided to the Review. This was due to the same administrative error that occurred in January. These items are:
 - MC11/01714 The assassination of Mr Faruque Ahmed (Attorney-General)
 - MC13/29312 Police Harrassment - Please ask Australian Politicians to leave me alone (Attorney-General)
 - MC13/29810 REFERRAL - An invitation for a live debate (Minister for Justice)
 - MC13/29818 An invitation for a live debate (Attorney-General)
2. The other four items of correspondence have not been provided to the coronial inquiry but the department will do so for any items that are relevant.
3. The department will formally advise PM&C of the documents that were not provided.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Support and assist the traditional custodians of this land and celebrate their ongoing culture and contribution to society.



[REDACTED]

From: Anderson, Iain
Sent: Monday, 1 June 2015 1:57 PM
To: allan.mckinnon
Subject: FW: MinCorro - Martin Place Siege [DLM=For-Official-Use-Only]
Attachments: List of Man Haron Monis correspondence for AGO.xlsx; All MinCorro Items.pdf

Allan,
Rang to speak to you before sending it to AGO, but had to send it without talking to you given Q Time.

Let me know if you have any questions.

Regards,
Iain

Sent with Good (www.good.com)

From: Chidgey, Sarah
Sent: Monday, 1 June 2015 1:54:19 PM
To: [REDACTED]
Cc: S [REDACTED] Lowe, Jamie; [REDACTED] Sheehan, Tony;
Anderson, Iain; Moraitis, Chris; Jones, Katherine
Subject: MinCorro - Martin Place Siege [DLM=For-Official-Use-Only]

For Official Use Only

[REDACTED]

Below are points outlining the department's handling of Monis correspondence in the context of the Review and Estimates. I have also attached a spreadsheet listing all correspondence received by the department and indicating those items that were not provided to the review and why not. I have also attached, in a single PDF, copies of all correspondence that we have been able to locate in our electronic systems (this does not include older hard copy correspondence that has been archived).

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6. After further discussions with another colleague on the Review, Ms Jones concluded that her evidence at the Estimates hearing on 27 May 2015 was incorrect and that she was recalling a discussion of a separate document and not the correspondence in question.
7. Ms Jones will correct her evidence to the Senate Committee at the earliest opportunity.

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2. The other four items of correspondence have not been provided to the coronial inquiry but the department will do so for any items that are relevant.
3. The department will formally advise PM&C of the documents that were not provided.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

- [REDACTED]
- [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

We are proud to be the traditional custodians of this land and
celebrate their ongoing culture and contribution to society.



[REDACTED]

From: McKinnon, Allan [REDACTED]
Sent: Monday, 1 June 2015 5:30 PM
To: Lowe, Jamie; Anderson, Iain
Subject: Monis/Brandis [SEC=UNOFFICIAL]

Unofficial

Iain/Jamie

Michael Thawley rang me from PMO. He wanted to know whether AGD had corrected the Senate Estimates record the other night where K Jones had said that he Monis Letter was provided to the Martin Place Review team.

He said that Senator Bishop had repeated the same line today. He wanted AGD to correct the record and to notify Senator Bishops office of the correction.

Thanks Allan

Allan McKinnon
Deputy Secretary
Department of the Prime Minister and Cabinet

[REDACTED]

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

From: McKinnon, Allan
Sent: Monday, 1 June 2015 6:14:39 PM
To: Lowe, Jamie
Subject: FW: MonisBrandis [SEC=UNOFFICIAL]

Unofficial

The Bishop utterance was in the House.

Thanks for all your help on this.

Allan

Allan McKinnon
Deputy Secretary
Department of the Prime Minister and Cabinet

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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[REDACTED]

From: Sheehan, Tony
Sent: Monday, 1 June 2015 10:36 PM
To: McKinnon, Allan; Anderson, Iain
Cc: [REDACTED]
Subject: RE: Meeting tomorrow morning [SEC=UNOFFICIAL]

Allan

Will come at 1015.

Many thanks

Tony

Sent with Good (www.good.com)

From: McKinnon, Allan
Sent: Monday, 1 June 2015 9:38:43 PM
To: Sheehan, Tony; Anderson, Iain
Cc: [REDACTED]
Subject: RE: Meeting tomorrow morning [SEC=UNOFFICIAL]

UNOFFICIAL

Tony

I have set that time aside. But that also means its free for an important meeting. So come anytime in the span 9:30 and 11:30. I can be pulled away from what i am doing.

Thanks
Allan

-----Original Message-----

From: Sheehan, Tony [REDACTED]
Sent: Monday, June 01, 2015 07:37 PM AUS Eastern Standard Time
To: Anderson, Iain; McKinnon, Allan
Cc: [REDACTED]
Subject: Meeting tomorrow morning

Allan

Do you have time for me and Iain Anderson to come across to see you for 20 minutes or so tomorrow morning between 10 and 11am? I had a message from Jamie you had called and I think it would be easiest if we run through where we have got to in person. Jamie won't make it, but I think I will have all the information we will need.

Regards

Tony Sheehan

Deputy Secretary

Strategic Policy and Coordination Group

Attorney-General's Department



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[REDACTED]

From: McKinnon, Allan [REDACTED]
Sent: Tuesday, 2 June 2015 12:07 PM
To: Sheehan, Tony; Anderson, Iain
Subject: Monis [SEC=UNOFFICIAL]

Unofficial

Have done search.

The other four letters were in our possession. So that's a great start.

Allan

Allan McKinnon
Deputy Secretary
Department of the Prime Minister and Cabinet

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[REDACTED]

From: [REDACTED]
Sent: Tuesday, 2 June 2015 1:19 PM
To: [REDACTED]
Cc: Lowe, Jamie; Gifford, Cameron; Anderson, Iain; Sheehan, Tony; Chidgey, Sarah; Pahlow, Michael; [REDACTED]
Subject: AGD Revisions to 31 - AGO AMENDED - Monis Correspondence - 1 June 2015 (2) [DLM=Sensitive]
Attachments: 31 - AGO AMENDED - Monis Correspondence - 1 June 2015 (2).docx

Sensitive

[REDACTED] – Please see revised Monis QTB attached. The document has been amended to reflect – but not highlight – that not ALL documents held by AGD were provided to the Siege Review. Happy to discuss.

[REDACTED]

[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

[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 [REDACTED].

From: [REDACTED]
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

[REDACTED]

I will obtain instructions in respect of the warrant issue.

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]

www.afp.gov.au

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

[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, [REDACTED] 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]



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

Sensitive:Legal

[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]
www.afp.gov.au

Sensitive:Legal

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

[REDACTED]

From: Chidgey, Sarah
Sent: Thursday, 4 June 2015 1:08 PM
To: [REDACTED]
Cc: Anderson, Iain
Subject: AGD Secretary letter on Monis correspondence [SEC=UNCLASSIFIED]
Attachments: Letter - Secretary to Attorney on Monis correspondence - final - 4 June 2015.doc

UNCLASSIFIED

Allan

I've attached a letter from our Secretary to the Attorney-General about the department's search and provision to the Martin Place Siege Review of correspondence from Man Haron Monis. Iain Anderson will call you.

Sarah

Sarah Chidgey
First Assistant Secretary
Strategy and Delivery Division
Attorney-General's Department

[REDACTED]



Australian Government

Attorney-General's Department

Secretary

4 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 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. 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. 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 of administrative error (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.

8. To prevent errors such as that described in paragraph 4 above from occurring again, I have instructed officers in the department to prepare enhanced procedures for searches and provision of documents.

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. Measures included:

- advising staff by email of the change in the National Terrorism Public Alert level and encouraging staff to be vigilant and report any suspicious activity or behaviour
- testing and reviewing lockdown procedures for the 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: Thursday, 4 June 2015 1:09 PM
To: [REDACTED]
Subject: 'AGD Secretary letter on Monis correspondence [SEC=UNCLASSIFIED]
Attachments: Letter - Secretary to Attorney on Monis correspondence - final - 4 June 2015.doc

UNCLASSIFIED

[REDACTED]

I've attached a letter from our Secretary to the Attorney-General about the department's search and provision to the Martin Place Siege Review of correspondence from Man Haron Monis. We've also provided it to PM&C.

Sarah

Sarah Chidgey
First Assistant Secretary
Strategy and Delivery Division
Attorney-General's Department

[REDACTED]



Australian Government
Attorney-General's Department

Secretary

4 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 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. 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. 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 of administrative error (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.

8. To prevent errors such as that described in paragraph 4 above from occurring again, I have instructed officers in the department to prepare enhanced procedures for searches and provision of documents.

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. Measures included:

- advising staff by email of the change in the National Terrorism Public Alert level and encouraging staff to be vigilant and report any suspicious activity or behaviour
- testing and reviewing lockdown procedures for the 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: Thursday, 4 June 2015 1:22 PM
To: 'McKinnon, Allan'
Cc: Anderson, Iain
Subject: RE: AGD Secretary letter on Monis correspondence [SEC=UNCLASSIFIED]

UNCLASSIFIED

Many thanks Allan.

Sarah

From: McKinnon, Allan [REDACTED]
Sent: Thursday, 4 June 2015 1:22 PM
To: Chidgey, Sarah
Cc: Anderson, Iain
Subject: RE: AGD Secretary letter on Monis correspondence [SEC=UNCLASSIFIED]

UNCLASSIFIED

Saras

That is fine.

Regards

Allan

Allan McKinnon
Deputy Secretary
Department of the Prime Minister and Cabinet

From: Chidgey, Sarah [REDACTED]
Sent: Thursday, 4 June 2015 1:08 PM
To: McKinnon, Allan
Cc: Anderson, Iain
Subject: AGD Secretary letter on Monis correspondence [SEC=UNCLASSIFIED]

UNCLASSIFIED

Allan

I've attached a letter from our Secretary to the Attorney-General about the department's search and provision to the Martin Place Siege Review of correspondence from Man Haron Monis. Iain Anderson will call you.

Sarah

Sarah Chidgey

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.

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[REDACTED]

From: Chidgey, Sarah
Sent: Thursday, 4 June 2015 2:43 PM
To: [REDACTED]
Cc: Moraitis, Chris
Subject: Letter from the Secretary [SEC=UNCLASSIFIED]
Attachments: Letter Secretary AGD to Attorney-General on Monis Correspondence - 4 June 2015.pdf

UNCLASSIFIED

[REDACTED]

Please find attached a letter from the Secretary to the Attorney-General about the department's search, and provision to the Martin Place Siege Review, of correspondence from Man Haron Monis.

Regards
Sarah

Sarah Chidgey
First Assistant Secretary
Strategy and Delivery Division
Attorney-General's Department

[REDACTED]



Australian Government

Attorney-General's Department

Secretary

4 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 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-General'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. However, that fact was not communicated either to your office or the Prime Minister's office.
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. 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.

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8. To prevent such errors from occurring again, I have instructed officers in the department to prepare enhanced procedures for searches and provision of documents.

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. Measures included:

- advising staff by email of the change in the National Terrorism Public Alert level and encouraging staff to be vigilant and report any suspicious activity or behaviour
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Yours sincerely

Chris Moraitis PSM

[REDACTED]

From: Chidgey, Sarah
Sent: Thursday, 4 June 2015 2:55 PM
To: legcon.sen@aph.gov.au
Cc: [REDACTED] Jones, Katherine
Subject: Correction of evidence [SEC=UNCLASSIFIED]
Attachments: Letter Katherine Jones to Leg Con Cmtee Chair - Correction of Evidence - 4 June 2015.pdf

UNCLASSIFIED

[REDACTED]

Please find attached a letter from Katherine Jones, Deputy Secretary National Security and Criminal Justice Group, correcting evidence provided during the Budget Estimates hearings on 27 May 2015.

Regards
Sarah

Sarah Chidgey
First Assistant Secretary
Strategy and Delivery Division
Attorney-General's Department

[REDACTED]



Australian Government
Attorney-General's Department

Deputy Secretary
National Security and Criminal Justice

4 June 2015

Senator the Hon Ian Macdonald
Chair
Senate Standing Committee on
Legal and Constitutional Affairs
Australian Parliament House
Canberra ACT 2600

Dear Chair

Correction to Hansard — proceedings of 27 May 2015

I write to correct the record of evidence provided to the Senate Standing Committee on Legal and Constitutional Affairs hearing of 27 May 2015.

2. The proof Hansard of proceedings indicates at page 87 that I gave the following evidence:

Senator JACINTA COLLINS: *Are you able to tell me whether this correspondence was considered by the review?*

Ms K Jones: *It was provided to the review and we considered all the correspondence that was provided to us.*

3. I have since checked my recollections with another colleague on the Review. I have concluded that my recollection was incorrect and related to a separate document. While it is the case that the Review considered all the correspondence that was provided to it, the correspondence raised by Senator Collins was not provided to the Review.

Yours sincerely

Katherine Jones
Deputy Secretary
National Security and Criminal Justice Group

[REDACTED]

From: Chidgey, Sarah
Sent: Thursday, 4 June 2015 2:57 PM
To: [REDACTED]
Subject: FW: Correction of evidence [SEC=UNCLASSIFIED]
Attachments: Letter Katherine Jones to Leg Con Cmtee Chair - Correction of Evidence - 4 June 2015.pdf

UNCLASSIFIED

[REDACTED]

Please attached a letter from Katherine Jones correcting evidence provided during the Budget Estimates hearings on 27 May 2015. The letter has been emailed to the Committee Secretariat.

Regards
Sarah

From: Chidgey, Sarah
Sent: Thursday, 4 June 2015 2:55 PM
To: 'legcon.sen@aph.gov.au'
Cc: [REDACTED] Jones, Katherine
Subject: Correction of evidence [SEC=UNCLASSIFIED]

UNCLASSIFIED

[REDACTED]

Please find attached a letter from Katherine Jones, Deputy Secretary National Security and Criminal Justice Group, correcting evidence provided during the Budget Estimates hearings on 27 May 2015.

Regards
Sarah

Sarah Chidgey
First Assistant Secretary
Strategy and Delivery Division
Attorney-General's Department
[REDACTED]



Australian Government
Attorney-General's Department

Deputy Secretary
National Security and Criminal Justice

4 June 2015

Senator the Hon Ian Macdonald
Chair
Senate Standing Committee on
Legal and Constitutional Affairs
Australian Parliament House
Canberra ACT 2600

Dear Chair

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Yours sincerely

Katherine Jones
Deputy Secretary
National Security and Criminal Justice Group

[REDACTED]

From: [REDACTED]
Sent: Thursday, 4 June 2015 3:05 PM
To: [REDACTED]
Cc: [REDACTED]
Subject: MPSR [REDACTED] [DLM=For-Official-Use-Only]
Attachments: C08-58407 - Rudd - Gen Rep Corro - [REDACTED]

For Official Use Only

[REDACTED]

I was able to track down the attached copy of the letter to former AG McClelland (copying the PM) informing him of the [REDACTED].

Let me know if you need anything further,

[REDACTED]

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[REDACTED]

From: Sheehan, Tony
Sent: Thursday, 4 June 2015 6:19 PM
To: McKinnon, Allan; Anderson, Iain
Subject: RE: Scanned copy - Letter from Secretary to PM (+ message from Secretary) [DLM=For-Official-Use-Only] [DLM=For=Official-Use-Only]

Thanks Allan

Sent with Good (www.good.com)

From: [REDACTED] on behalf of McKinnon, Allan
Sent: Thursday, 4 June 2015 5:44:36 PM
To: Anderson, Iain; Sheehan, Tony
Subject: Scanned copy - Letter from Secretary to PM (+ message from Secretary) [DLM=For-Official-Use-Only]

For Official Use Only

FYI – please see attached.

Allan McKinnon | Deputy Secretary
Executive | Department of the Prime Minister and Cabinet

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Australian Government

Department of the Prime Minister and Cabinet

**Michael Thawley AO
Secretary**

Ref: EC15/376

The Hon. Tony Abbott MP
Prime Minister
Parliament House
Canberra ACT 2600

Dear Annie Minister

A question was asked in Parliament about a letter to the Attorney General from Man Monis on 7 October 2014 and its availability to the review into the Martin Place siege conducted by me and my NSW counterpart, the head of the NSW Department of the Premier and Cabinet.

The letter was not available to us. The Attorney General's Department has investigated the circumstances surrounding this omission and briefed the Department of the Prime Minister and Cabinet on the result.

It advises that, through an administrative handling error, there was a group of five documents which they failed to hand over to the review team during the document discovery phase.

PM&C has examined these five documents. The review team had four of these from other sources (ASIO and PM&C) and considered them as part of the review.

The fifth document, the letter from Man Monis, was not available at the time.

I have considered this letter against the background of the many other letters that Man Monis sent to politicians and others and the very large volume of other information and documents that were available to us.

I can assure you that the letter would have made no difference to the findings in the review.

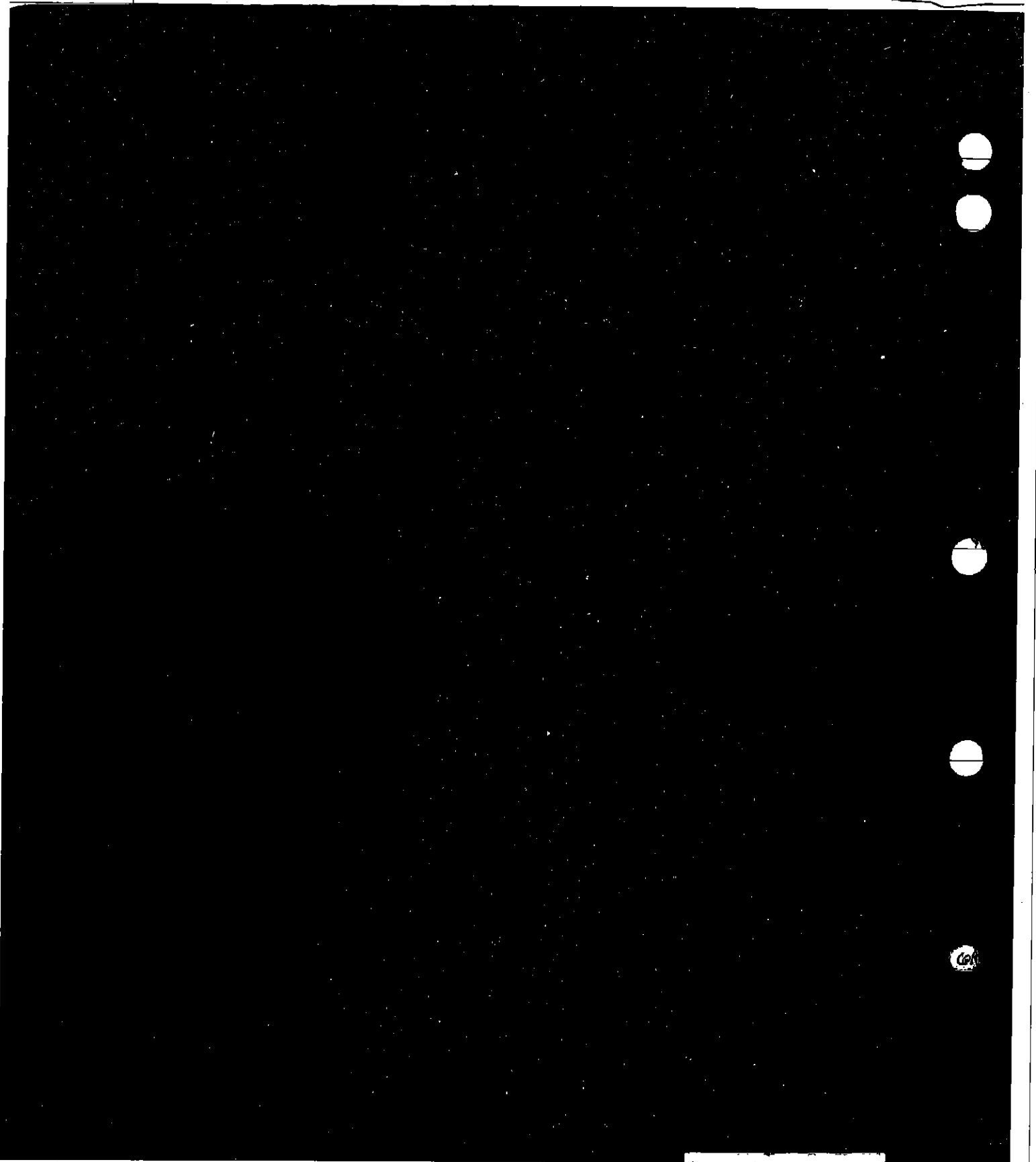
I have kept my NSW counterpart informed.

Yours sincerely

Michael Thawley
4 June 2015

2/20/77

CA (VI 5, 1A) - 1/10 [REDACTED] - ask me if would have changed anything in the way



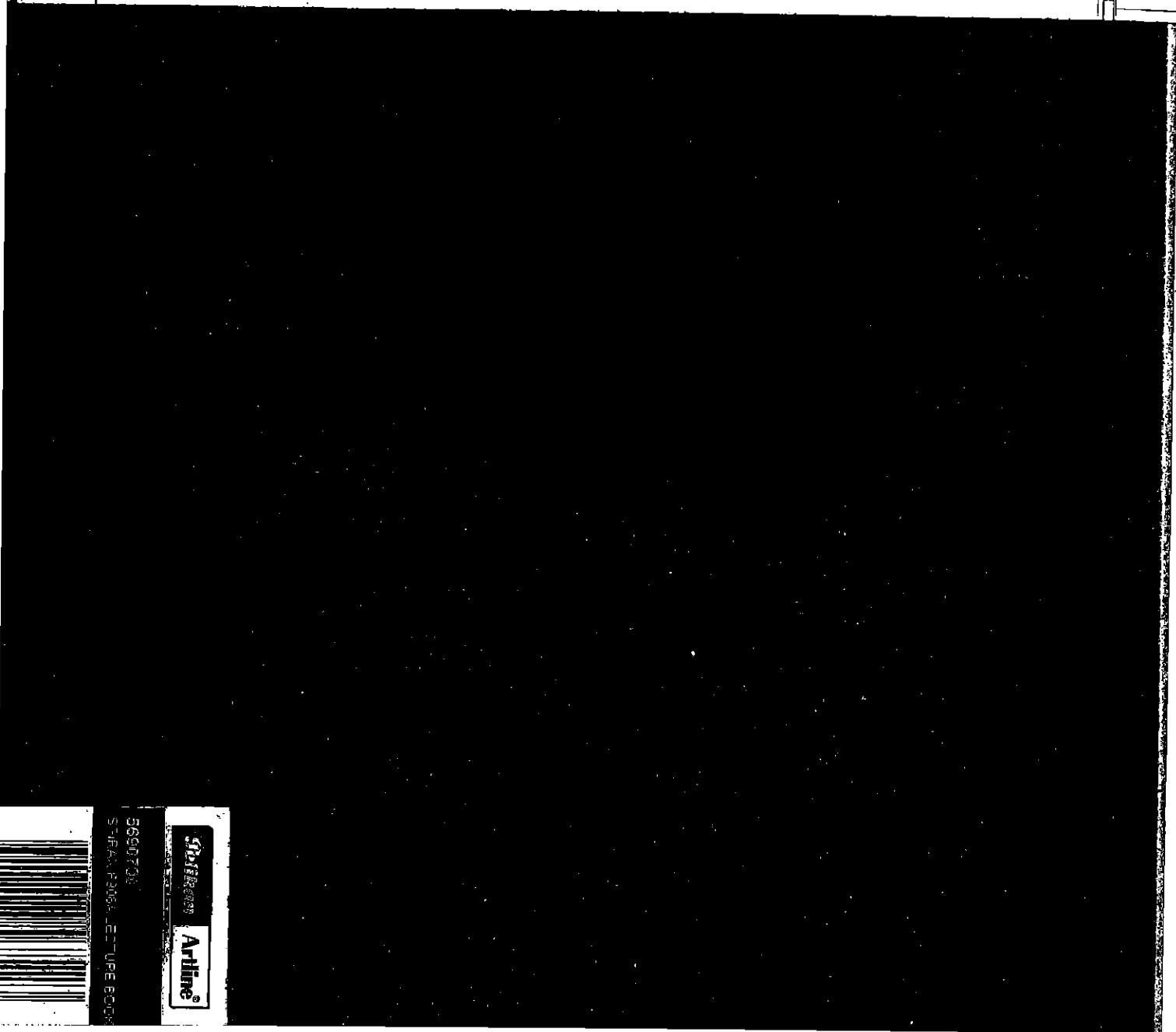
AP, CM, ID, IA - 4-4-68

• LINDEN KEY AIDS TO CONTROL RECORD

• CM WORKING PREVIOUS POINTS - LINDEN NAT TO CM

TI, CA - 1760 - 12-41 PM 2/6/11

WORDS 4/5 PRESS OF CARNO ALABAMA IN MISSION OF REVIEW



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