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Parliamentary Joint Committee on Intelligence and Security

Inquiry into the Counter-Terrorism Legislation Amendment (Foreign Fighters) Bill 2014

Australian Crime Commission responses to Questions on Notice

Appearance on 8 October 2014

1. *The Committee requested copies of those submissions that were made to AGD in the drafting of the legislation.*

The Australian Crime Commission (ACC) held discussions with the Attorney-General's Department (AGD) in relation to aspects of potential legislative amendments specifically related to the ACC and not the overall legislative amendments. However, as this information is related to broader Cabinet considerations, it is not appropriate for the ACC to divulge further detail or provide copies of correspondence or other documents to the Committee.

2. *How many times has ASIO requested the ACC to use coercive powers to interview a person of interest?*

The ACC can only undertake examinations for an ACC purpose. However, the ACC works cooperatively with partners in a broader context as is required in accordance with the Board determinations. It is therefore common for partners to refer matters to the ACC where the matter fits within the scope of an ACC Board determination. The ACC has conducted a total of 216 examinations in the 2012-13 financial year and 42 examinations for 26 individuals have been conducted in the 2013-14 financial year on national security related matters. It is inappropriate to comment on the specific number of requests received for the use of the ACC's coercive powers as this can expose operational matters.

3. *Have ASIO asked the ACC to use its coercive powers because they could not use their questioning powers?*

This question is best referred to ASIO, however the ACC can only undertake examinations for ACC purposes.

4. *Has the ACC ever provided any advice to ASIO in terms of how to lower the threshold so that they could use their coercive powers?*

No.

5. *What date was the ACC provided with an early draft of the bill?*

The ACC was provided with an early draft of the Bill on 8 September 2014.

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