

Question on notice no. 28

Portfolio question number: LCC-BE20-28

2020-21 Budget estimates

Legal and Constitutional Affairs Committee, Home Affairs Portfolio

Senator the Hon Kristina Keneally: asked the Australian Federal Police on 9 December 2020—

- (1. How many individuals have been charged in Australia with criminal offences related to ransomware attacks on Australian organisations?
2. Supplementary question: What is the average sentence length?

Answer —

Please see the attached answer.

**SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS
BUDGET ESTIMATES
19-20 OCTOBER 2020**

**Home Affairs Portfolio
Australian Federal Police**

BE20-028 - Charges related to ransomware attacks

Senator Keneally asked:

1. How many individuals have been charged in Australia with criminal offences related to ransomware attacks on Australian organisations?
2. Supplementary question: What is the average sentence length?

Answer:

1. The infection of IT systems with malware (including ransomware, spyware, worms, trojans and viruses) is criminalised by Section 477 and 478 of the Criminal Code, with penalties ranging from two to ten years' imprisonment based on the nature and seriousness of the criminal conduct.

In the last 12 months, the AFP charged one individual in Australia with criminal offences related to ransomware.

State and territory Police generally have responsibility for investigating ransomware attacks against state government, individuals and small to medium enterprises.

2. The prosecution of the individual referred to in answer 1 is still before the courts.