

Senate Finance and Public Administration Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE
Budget Estimates Hearing October 2015
Prime Minister and Cabinet Portfolio

Department/Agency:	Office of the Inspector-General of Intelligence and Security
Outcome/Program:	Outcome 1
Topic:	Privacy breaches
Senator:	Xenophon
Question reference number:	230
Type of question:	Written
Date set by the committee for the return of answer:	4 December 2015
Number of pages:	1
Question:	

I understand in response to IGIS compliance activities, ASIS provided a summary of seven instances where intelligence was passed to foreign officials without approval and advised that “lack of awareness” by staff about what was classified as “intelligence information” for the purpose of privacy laws was a contributing factor to the breaches.

Can IGIS advise if any of these incidences (excluding the case previously mentioned) were ‘time-critical’ or ‘emergency’ situations?

If not, what were reasons for breaches?

Answer:

The circumstances varied from case to case. In at least one instance there was a time imperative to the sharing of the intelligence information. In other instances, a lack of awareness by ASIS staff of the breadth of the definition of ‘intelligence information’ was a significant contributing factor. For example, it was not well understood that the definition of ‘intelligence information’ under the *Intelligence Services Act 2001* extends to include publicly available material, such as newspaper articles and media releases.