

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS  
AUSTRALIAN FEDERAL POLICE

**Question No. AE16/036**

**Senator Macdonald asked the following question at the hearing on 9 February 2016:**

CHAIR: It is wasting resources, is my point, when we are dealing with criminals, thugs, rapists, murderers, and we have the AFP looking through hundreds of thousands of documents and emails for an offence which, even on conviction, I guess would get a good behaviour bond or something. That would be my experience of how lenient the courts are these days. How difficult would it be to get me some examples of the last time someone was convicted for procuring someone else to make an unauthorised disclosure? Would that be difficult to find?

Ms L Close: I am not aware of the last matter where a person was convicted, so we will have to take that on notice and do some research.

CHAIR: I do not want you to do too much research, because I for one appreciate that you have far more important things to do. But if it is easy to get the last couple of times there were convictions—if there have ever been any in the history of the Criminal Code of the Commonwealth—I would be interested to see when they were, what the penalty was and how many there were.

**The answer to the honourable senator's question is as follows:**

The AFP is not aware of any previous matters where a person was convicted of *procuring* another person with the intent to conduct an unauthorised disclosure contrary to s70 of the *Crimes Act 1914*.

It is further noted that questions relating to convictions would be best directed to the Commonwealth Director of Public Prosecutions (CDPP) for a response.