

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS  
ATTORNEY-GENERAL'S PORTFOLIO

**Program: 1.7**

**Question No. SBE15/039**

**Senator Bilyk asked the following question at the hearing on 20 October 2015:**

Senator BILYK: Has the Attorney-General or the government consulted with the telecommunications industry regarding compliance with the new regime?

Ms Chard: Yes, extensively.

Senator BILYK: Extensively? How was that done?

Ms Chard: The department has engaged through the industry implementation working group, the IWG, which is a senior implementation industry group consisting of representatives from the department and from law enforcement and national security agencies as well as the telecommunications industry. The department has also attended a wide range of industry stakeholder forums. There has been quite substantial guidance material prepared that has been distributed to industry and published on the department's website. There have been emails that have gone out from the Communications Access Coordinator to industry groups, predominantly through the Telecommunications Industry Ombudsman. And we also have been managing a hotline where we have been fielding any inquiries from industry.

Senator BILYK: Is that hotline staffed from nine to five?

Ms Chard: It is staffed during normal business hours, yes.

Senator BILYK: How many calls have you had to it?

Ms Chard: I would have to take on notice the actual number of calls.

Senator BILYK: While you are doing that, maybe you could just take on notice where those consultations were held—

Ms Chard: Sure.

Senator BILYK: you said public consultations and things like that were held—as well as when the industry working group met and where?

Ms Chard: Yes.

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

The Attorney-General's Department (department) has recorded over 530 interactions with industry about their data retention obligations. Each interaction may have included multiple phone calls, meetings and/or emails. Of those 530 interactions, the department has recorded 277 interactions originating from phone calls.

The department has consulted with industry through the joint government-industry Data Retention Implementation Working Group (IWG), established in advance of the passage of the data retention legislation through Parliament. The IWG is an executive level forum, including representatives from the Attorney-General's Department, the department of Communications, law enforcement and national security agencies as well as the telecommunications industry. The IWG established an Experts Group comprised of experts from within industry and agencies to consider the details of particular elements of the regime and advise the IWG of their views.

The Implementation Working Group (IWG) met on:

- 19 November 2014
- 12 December 2014

- 16 February 2015
- 16 March 2015

The Experts' Group of the IWG met on:

- 1 December 2014
- 8 December 2014
- 1 April 2015
- 23 April 2015

All meetings were held in the department's offices in Canberra. Teleconferencing facilities were available for members unable to physically attend the meetings.

In addition, the department has met with providers on an individual basis; and through industry forums, including:

- the Communications Alliance's *Comms Essential Seminar* on Data Retention in Sydney on 25 June 2015
- the Australian Network Operators Group's 2015 Programme on 27 August 2015 in Melbourne
- the Data Retention Implementation Plan Working Group established by the Communications Alliance, in Sydney on 2 July 2015.