

February 2007

Jackie Morris
Committee Secretary
Standing Committee on Legal and Constitutional Affairs
PO Box 6100
Parliament House
Canberra ACT 2600

Dear Ms Morris

RE: *AusCheck Bill 2006*

I refer to your correspondence dated 9 February 2007, inviting SAPOL to make a submission to a Parliamentary inquiry into the AusCheck Bill 2006.

There are two issues of concern for which I would ask that consideration is given to making further amendment;

1. To allow the disclosure of information in the database to Federal, State or Territory law enforcement agencies for the purpose of a criminal investigation. It is possible the AusCheck Scheme may identify criminal offences and/or information relating to other serious crimes that ought to be disseminated to relevant authorities for investigation, or that might support current investigations.
2. To ensure that AusCheck is not required to disclose intelligence collected from law enforcement agencies to an applicant pursuant to Section 15(2).

This submission is forwarded for consideration by the Legal and Constitutional Affairs Committee in preparing a report to the Senate.

Please contact Superintendent Des Bray, Officer in Charge, Commercial and Electronic Crime Branch on (08) 8463 7434, should you require any further information.

Yours sincerely

(Malcolm A Hyde)
COMMISSIONER OF POLICE