THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

Telecommunications (Interception) Amendment Bill 1994

Report by the Senate Legal and Constitutional Legislation Committee

March 1995

| Commonwealth of Australia 1995 | | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| This document was produced from camera-ready copy prepared by the Senate Legal and Constitutional Legislation Committee Secretariat, and printed by the Senate Printing Unit, Parliament House, Canberra. | | |
| | | |

Membership of the Committee

Senator B Cooney (Chair)

Senator S Spindler (Deputy Chair)

Senator C Ellison

Senator C Evans

Senator J McKiernan

Senator W O'Chee

Participating members:

Senator Abetz Senator M Baume

Senator D Brownhill Senator R Boswell Senator B Harradine

Senator C Chamarette

Senator J McGauran Senator R Kemp

Senator J Short Senator D Margetts

Senator G Tambling Senator A Vanstone

Senator S Knowles

Committee Secretariat

Secretary:

Ms Anne Twomey Mr Stephen Bull Committee Secretariat:

> Mr Peter Thomson Ms Marina Ellis Mr Don Wilkinson

Executive Assistants:

Ms Cath Drinkwater

Ms Lois Carroll

The Senate Parliament House CANBERRA ACT 2600 Telephone: (06) 277 3560

Telecommunications (Interception) Amendment Bill 1994

Contents

| | Page |
|--------------------------------------------------------------|--------------------------|
| Membership of the Committee | ; |
| Table of Contents | i |
| • Introduction | 1 |
| • Purpose of the Bill | 1 |
| Background | 2 |
| The Structure and Operation of the Print | ncipal Act 3 6 ication 7 |
| Application Procedure | 6 |
| Matters relevant in considering an Appl | ication 7 |
| Record keeping and reporting requirem | ents 7 |
| The Barrett Report | 8 |
| The main findings | 8 |
| The Casualities of Telecom | 10 |
| The Committee's Inquiry | 12 |
| • Part 1 | 12 |
| • Part 2 | 15 |
| • Part 3 | 17 |
| • Part 4 | 19 |
| • Part 5 | 20 |
| • Part 6 | 22 |
| • Schedule 2 | 29 |
| • Conclusion | 33 |
| Recommendation | 33 |

Dissenting Report

Report of Senator Sid Spindler

Appendices

| Appendix 1 | Submissions Received | 34 |
|------------|------------------------------------------------|----|
| Appendix 2 | Details of Meetings | 37 |
| Appendix 3 | Guidelines on Voice Monitoring or Recording of | |
| | Telephone Services | 45 |