

**FOI**

**From:** Senate Parliamentary Liaison Office <SenatePLO@pmc.gov.au>  
**Sent:** Monday, 14 October 2019 6:08 AM  
**To:** s22(1)(a)(ii) [REDACTED]  
**Cc:** Senate Parliamentary Liaison Office  
**Subject:** Senate Legislation Program for today – Monday 14 October 2019 – Crimes Legislation Amendment (Police Powers at Airports) Bill 2019 [SEC=OFFICIAL]

**OFFICIAL**

Morning All

Please note, your bill – **Crimes Legislation Amendment (Police Powers at Airports) Bill 2019**– is fourth on the list for today. I will forward the speakers list for the third matter (Emergency Response Fund Package) as soon as I receive it (usually only 10 minutes before debate on each bill commences), which should give you an indication of when debate on your bill might commence.

Thanks, Debbie

**Debbie Arnold**

Assistant Secretary | Parliamentary Liaison Officer for the Senate  
 Department of the Prime Minister and Cabinet  
 SG 119, Parliament House, Canberra

t: s22(1)(a)(ii) | m: s22(1)(a)(ii)  
 e. s22(1)(a)(ii) | [www.dpmpc.gov.au](http://www.dpmpc.gov.au)

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**FOI**

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**From:** Ciara SPENCER  
**Sent:** Monday, 14 October 2019 9:04 AM  
**To:** s22(1)(a)(ii)  
**Cc:** s22(1)(a)(ii)  
**Subject:** Police powers [DLM=For-Official-Use-Only]

For Official Use Only

Hi s22(1)(a)(ii)

Police powers is third on the list today. Can you keep an eye on the order of business and work with AFP to ensure we have everyone up there ready.

Thanks  
Ciara

Ciara Spencer  
Assistant Secretary  
Law Enforcement Policy | National Security and Law Enforcement Policy  
Policy Group  
Department of Home Affairs  
P: 02 s22(1)(a)(ii) M: s22(1)(a)(ii)  
E: s22(1)(a)(ii)

For Official Use Only

**FOI**

**From:** §22(1)(a)(ii)  
**Sent:** Monday, 14 October 2019 9:10 AM  
**To:** Ciara SPENCER; §22(1)(a)(ii)  
**Cc:** §22(1)(a)(ii)  
**Subject:** RE: Police powers [DLM=For-Official-Use-Only]

For-Official-Use-Only

Hi Ciara,

The Notice Paper has been published and we're fourth on the list now (available [here](#)). I've just spoken to the AFP – §22(1)(a)(ii) and §22(1)(a)(ii) will be coming up for debate. We'll touch base with the AFP before we head up to make sure everyone is there in time.

Kind regards,

§22(1)(a)(ii)

Senior Policy Officer | Serious and Organised Crime  
 Law Enforcement Policy Branch | National Security and Law Enforcement Policy Division  
 Policy Group  
 Department of Home Affairs  
 T: 02 §22(1)(a)(ii) | Ext: §22(1)(a)(ii)  
 E: §22(1)(a)(ii)

For-Official-Use-Only

**From:** Ciara SPENCER <§22(1)(a)(ii)>  
**Sent:** Monday, 14 October 2019 9:04 AM  
**To:** §22(1)(a)(ii) <§22(1)(a)(ii)> §22(1)(a)(ii) <§22(1)(a)(ii)>  
**Cc:** §22(1)(a)(ii) <§22(1)(a)(ii)>  
**Subject:** Police powers [DLM=For-Official-Use-Only]

§22(1)(a)(ii) - duplicate email

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 under the Freedom of Information Act 1982

**FOI**

**From:** Heimura RINGI  
**Sent:** Monday, 14 October 2019 9:19 AM  
**To:** s22(1)(a)(ii)  
**Cc:** s22(1)(a)(ii)  
**Subject:** FW: Bills in Parliament next week [SEC=UNCLASSIFIED]

UNCLASSIFIED

As discussed, can you please help with this today.

UNCLASSIFIED

---

**From:** Heimura RINGI <s22(1)(a)(ii)>  
**Sent:** Friday, 11 October 2019 6:15 PM  
**To:** Emily GRANT <s22(1)(a)(ii)> Pip DE VEAU <s22(1)(a)(ii)>  
**Cc:** s22(1)(a)(ii) <s22(1)(a)(ii)> s22(1)(a)(ii) <s22(1)(a)(ii)> s22(1)(a)(ii) <s22(1)(a)(ii)> s22(1)(a)(ii) <s22(1)(a)(ii)> s22(1)(a)(ii) <s22(1)(a)(ii)> s22(1)(a)(ii) <s22(1)(a)(ii)>  
**Subject:** Bills in Parliament next week [SEC=UNCLASSIFIED]

UNCLASSIFIED

Good afternoon

The following bills are indicatively scheduled for Parliament next week. Please note this may change on a daily basis and we will provide up to date information each day.

**Monday, 14 October**

s22(1)(a)(ii)

**Debate in the Senate:**

- Crimes Legislation Amendment (Police Powers at Airports) Bill 2019

s22(1)(a)(ii)

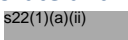

s22(1)(a)(ii)



Regards

Heimura

Heimura Ringi  
Assistant Secretary  
Legislation Branch I Legal Division  
Corporate and Enabling Group

P: 02  I M: 

Email: 

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UNCLASSIFIED

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**FOI**

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**From:** §22(1)(a)(ii)  
**Sent:** Monday, 14 October 2019 9:55 AM  
**To:** §22(1)(a)(ii)  
**Cc:** §22(1)(a)(ii); Ciara SPENCER; §22(1)(a)(ii)  
**Subject:** FW: CIRCULATED - Crimes Legislation Amendment (Police Powers at Airports) Bill 2019 [SEC=OFFICIAL] [SEC=UNOFFICIAL]  
**Attachments:** 8776 CW Crimes Legislation Amdt (Police Powers at Airports) Bill 2019 Patrick.docx

UNOFFICIAL

As discussed

Regards

§22(1)(a)(ii)

§22(1)(a)(ii)

Director / Principal Legal Officer, National Security and Law Enforcement Legislation Section  
Legislation Branch | Legal Division  
Corporate and Enabling Group  
Department of Home Affairs  
P: 02 §22(1)(a)(ii) | M: §22(1)(a)(ii)  
E: §22(1)(a)(ii)

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**From:** Senate Parliamentary Liaison Office <SenatePLO@pmc.gov.au>  
**Sent:** Monday, 14 October 2019 8:46 AM  
**To:** §22(1)(a)(ii)

§22(1)(a)(ii)

Senate Parliamentary Liaison Office <SenatePLO@pmc.gov.au>

**Subject:** CIRCULATED - Crimes Legislation Amendment (Police Powers at Airports) Bill 2019 [SEC=OFFICIAL]

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**OFFICIAL**

Morning

Please find attached proposed amendments to Crimes Legislation Amendment (Police Powers at Airports) Bill 2019 to be moved by Senator Patrick, on behalf of Centre Alliance, in committee of a whole stage (8776)

Thanks, Debbie

**Debbie Arnold**

Assistant Secretary | Parliamentary Liaison Officer for the Senate  
Department of the Prime Minister and Cabinet  
SG 119, Parliament House, Canberra

t: 02 <sup>s22(1)(a)(ii)</sup> | m: <sup>s22(1)(a)(ii)</sup>  
e. <sup>s22(1)(a)(ii)</sup> | [www.dpmc.gov.au](http://www.dpmc.gov.au)

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8776

2019

The Parliament of the  
Commonwealth of Australia

THE SENATE

## Crimes Legislation Amendment (Police Powers at Airports) Bill 2019

*(Amendments to be moved by Senator Patrick, on behalf of Centre Alliance, in committee of the whole)*

- (1) Schedule 1, item 1, page 3 (before line 8), before section 3UL, insert:

### **3ULA Expiration of this Division**

This Division is repealed at the start of the day after the end of the period of 4 years beginning on the day the *Crimes Legislation Amendment (Police Powers at Airports) Act 2019* commenced.

***[expiration of amendments]***

- (2) Schedule 1, item 1, page 11 (after line 17), at the end of Division 3B, add:

### **3UV Review of Division**

- (1) The Parliamentary Joint Committee on Intelligence and Security must review:
  - (a) the operation, effectiveness and implications of this Division; and
  - (b) security matters relating to major airports.
- (2) The Committee must begin the review before the end of the period of 3 years beginning on the day the *Crimes Legislation Amendment (Police Powers at Airports) Act 2019* commenced.
- (3) The Committee must report on the review to each House of the Parliament before the end of the period of 9 months beginning on the day the review commences.

***[review by committee]***



**FOI**

**From:** §22(1)(a)(ii)  
**Sent:** Monday, 14 October 2019 10:15 AM  
**To:** Susan Williamson-deVries §22(1)(a)(ii)  
**Cc:** §22(1)(a)(ii)  
**Subject:** FW: CIRCULATED - Crimes Legislation Amendment (Police Powers at Airports) Bill 2019 [SEC=OFFICIAL] [SEC=UNOFFICIAL]  
**Attachments:** 8776 CW Crimes Legislation Amdt (Police Powers at Airports) Bill 2019 Patrick.docx  
**Importance:** High

**UNOFFICIAL**

Hi §22(1)(a)(ii)

Senator Patrick is going to move amendments to the Police Powers Bill (attached) so we are preparing some points in rebuttal **asap**.

For the second amendment relating to PJCIS review, are you able to provide any TPs on whether the AFP will regularly monitor implementation of the bill? We are planning to include some points on the PJCIS' mandate to inquire into issues generally but some additional points (1 or 2) on oversight would be great.

Many thanks

§22(1)(a)(ii)

§22(1)(a)(ii) | Law Enforcement Policy Branch | P: +61 2 §22(1)(a)(ii) (Ext §22(1)(a)(ii) M: §22(1)(a)(ii)


**UNOFFICIAL**

**From:** §22(1)(a)(ii) <§22(1)(a)(ii)>  
**Sent:** Monday, 14 October 2019 9:55 AM  
**To:** §22(1)(a)(ii) <§22(1)(a)(ii)>  
**Cc:** §22(1)(a)(ii) <§22(1)(a)(ii)> Ciara SPENCER <§22(1)(a)(ii)> §22(1)(a)(ii) <§22(1)(a)(ii)>  
**Subject:** FW: CIRCULATED - Crimes Legislation Amendment (Police Powers at Airports) Bill 2019 [SEC=OFFICIAL] [SEC=UNOFFICIAL]

§22(1)(a)(ii) - duplicate email

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
s22(1)(a)(ii) - duplicate email




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**From:** Senate Parliamentary Liaison Office <[SenatePLO@pmc.gov.au](mailto:SenatePLO@pmc.gov.au)>

**Sent:** Monday, 14 October 2019 8:46 AM


**To:** 



Senate Parliamentary Liaison Office <[SenatePLO@pmc.gov.au](mailto:SenatePLO@pmc.gov.au)>

**Subject:** CIRCULATED - Crimes Legislation Amendment (Police Powers at Airports) Bill 2019 [SEC=OFFICIAL]

s22(1)(a)(ii) - duplicate email



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**FOI**

**From:** Ciara SPENCER  
**Sent:** Monday, 14 October 2019 10:29 AM  
**To:** s22(1)(a)(ii)  
**Cc:** s22(1)(a)(ii)  
**Subject:** FW: CIRCULATED - Crimes Legislation Amendment (Police Powers at Airports) Bill 2019 [SEC=OFFICIAL] [SEC=UNCLASSIFIED]  
**Attachments:** image002.png; 8776 CW Crimes Legislation Amdt (Police Powers at Airports) Bill 2019 Patrick.docx; s22(1)(a)(ii)

UNCLASSIFIED

Hi s22(1)(a)(ii)

Thanks, we're currently pulling together a response and will put it into the attached template and get it up to you as soon as possible.

Appreciate the update on timing.

Ciara

**Ciara Spencer**

Assistant Secretary

Law Enforcement Policy | National Security and Law Enforcement Policy

Policy Group

Department of Home Affairs

P: 02 s22(1)(a)(ii) M: s22(1)(a)(ii)

E: s22(1)(a)(ii)

UNCLASSIFIED

**From:** s22(1)(a)(ii)  
**Sent:** Monday, 14 October 2019 10:27 AM  
**To:** Ciara SPENCER <s22(1)(a)(ii)>  
**Subject:** FW: CIRCULATED - Crimes Legislation Amendment (Police Powers at Airports) Bill 2019 [SEC=OFFICIAL] [SEC=UNCLASSIFIED]

UNCLASSIFIED

Hi Ciara

Pls see attached an amendment circulated for the PP&A Bill.

Could a suggested response to the amendment please be prepared, using the attached amendment response to a previous Bill as a template.

The Bill has been bumped to third on the list, but there are quite a few speakers for the first two Bills ahead of it so it's unlikely to come on before QT.

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Thanks

s22(1)  
(a)(ii)

s22(1)(a)(ii)

Office of the Hon Peter Dutton MP  
Minister for Home Affairs  
Suite MG.46 | Parliament House | Canberra  
t. 02 s22(1)(a)(ii) | m. s22(1)(a)(ii)  
Email: s22(1)(a)(ii)

UNCLASSIFIED

---

**From:** s22(1)(a)(ii)  
**Sent:** Monday, 14 October 2019 10:19 AM  
**To:** s22(1)(a)(ii)  
**Subject:** FW: CIRCULATED - Crimes Legislation Amendment (Police Powers at Airports) Bill 2019 [SEC=OFFICIAL]

**OFFICIAL**

As discussed.

---

**From:** s22(1)(a)(ii) **On Behalf Of** Clerk Assistant, Procedure (SEN)  
**Sent:** Monday, 14 October 2019 8:41 AM  
**Subject:** CIRCULATED - Crimes Legislation Amendment (Police Powers at Airports) Bill 2019

Dear Colleagues,

Please find attached **CW amendment sheet no. 8776**, as circulated in the Senate.

Kind regards,

s22(1)(a)(ii) | Assistant Procedure Officer

Procedure Office  
Department of the Senate  
Suite SG.48 | s22(1)(a)(ii)  
s22(1)(a)(ii)

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**FOI**

**From:** s22(1)(a)(ii)  
**Sent:** Monday, 14 October 2019 10:31 AM  
**To:** Emily GRANT; s22(1)(a)(ii); Pip DE VEAU  
**Cc:** Heimura RINGI; s22(1)(a)(ii)  
**Subject:** Bills in Parliament today - 14/10/2019 [SEC=UNCLASSIFIED]

UNCLASSIFIED

Good morning all

The following bills are indicatively scheduled for Parliament today, **Monday 14 October 2019**. Please note this may change and we will provide up to date information.

s22(1)(a)(ii)

#### Debate in the Senate

- Crimes Legislation Amendment (Police Powers at Airports) Bill – **amendments** proposed by Senator Rex Patrick

s22(1)(a)(ii)

s22(1)(a)(ii)

Kind regards

s22(1)(a)(ii)

s22(1)(a)(ii)

Director / Principal Legal Officer, National Security and Law Enforcement Legislation Section  
 Legislation Branch | Legal Division  
 Corporate and Enabling Group  
 Department of Home Affairs  
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**FOI**

**From:** Williamson-deVries, Susan <§22(1)(a)(ii)>  
**Sent:** Monday, 14 October 2019 11:09 AM  
**To:** §22(1)(a)(ii)  
**Cc:** §22(1)(a)(ii)  
**Subject:** FW: CIRCULATED - Crimes Legislation Amendment (Police Powers at Airports) Bill 2019 [SEC=OFFICIAL] [SEC=UNCLASSIFIED]

**UNCLASSIFIED**

Hello §22(1)(a)(ii) and team,

Assume your points will cover that PJCIS did not recommend such an oversight mechanism?

We also would suggest the following:

- The AFP has **robust governance mechanisms** in place, including an internal audit team.
  - o The team conducts regular reviews, including a current review into how the agency implements Commonwealth legislation.
- The AFP is establishing a **working group to coordinate the implementation** required for all aspects of the Police Powers at Airports Bill.
- The Police Real-time On-line Management Information System (PROMIS) is the primary corporate system for recording investigations and operational information, including at airports.
  - o The use of the identity check directions and move-on directions will be recorded by the issuing constable or PSO on PROMIS. Recording the use of the powers on PROMIS will allow statistics to be generated for reporting on the use of the powers under the Bill each year.
  - o The number of the identity check directions and move-on directions issued each year will be **reported in the AFP Annual Report** (as recommended by PJCIS).
- While the AFP welcomes appropriate safeguards, it is already subject to extensive oversight mechanisms, including from:
  - o the Commonwealth Ombudsman
  - o the Australian Commission for Law Enforcement Integrity
  - o the Parliamentary Joint Committee on Intelligence and Security (on certain matters)
  - o the Parliamentary Joint Committee on Law Enforcement (on certain matters)
  - o the Senate Standing Committee on Legal and Constitutional Affairs, and
  - o the AFP's internal Professional Standards Unit.

**SUSAN WILLIAMSON-DE VRIES**

MANAGER STRATEGIC ENGAGEMENT

AUSTRALIAN FEDERAL POLICE

Tel +61(0) 2 §22(1)(a)(ii) Mob +61(0) §22(1)(a)(ii)

[www.afp.gov.au](http://www.afp.gov.au)**UNCLASSIFIED**
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**From:** s22(1)(a)(ii)

**Sent:** Monday, 14 October 2019 10:15 AM


**To:** Williamson-deVries, Susan s22(1)(a)(ii)

**Cc:** s22(1)(a)(ii)

**Subject:** FW: CIRCULATED - Crimes Legislation Amendment (Police Powers at Airports) Bill 2019 [SEC=OFFICIAL]  
[SEC=UNOFFICIAL]

**Importance:** High

s22(1)(a)(ii) - duplicate email



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**From:** s22(1)(a)(ii)

**Sent:** Monday, 14 October 2019 9:55 AM


**To:** s22(1)(a)(ii)

**Cc:** s22(1)(a)(ii)

Ciara SPENCER s22(1)(a)(ii)

**Subject:** FW: CIRCULATED - Crimes Legislation Amendment (Police Powers at Airports) Bill 2019 [SEC=OFFICIAL]  
[SEC=UNOFFICIAL]

s22(1)(a)(ii) - duplicate email



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**To:** s22(1)(a)(ii)

[Redacted]

Senate Parliamentary Liaison Office <[SenatePLO@pmc.gov.au](mailto:SenatePLO@pmc.gov.au)>

**Subject:** CIRCULATED - Crimes Legislation Amendment (Police Powers at Airports) Bill 2019 [SEC=OFFICIAL]

s22(1)(a)(ii) - duplicate email

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**FOI**

**From:** s22(1)(a)(ii)  
**Sent:** Monday, 14 October 2019 11:32 AM  
**To:** Williamson-deVries, Susan  
**Cc:** s22(1)(a)(ii)  
**Subject:** RE: CIRCULATED - Crimes Legislation Amendment (Police Powers at Airports) Bill 2019 [SEC=OFFICIAL] [SEC=UNCLASSIFIED]

UNCLASSIFIED

Thanks s22(1)(a)(ii) – yes we will.

In relation to the PJCIS amendment and the reference to “security matters relating to major airports” – would it be accurate to say:

- The new powers in the Bill were developed based on operational advice from the AFP. The AFP will continue to monitor security threats to major airports from terrorism and serious and organised crime.

Many thanks

s22(1)(a)(ii)

s22(1)(a)(ii) | Law Enforcement Policy Branch | P: +61 2 s. 22(1)(a)(ii) (Ext s. 22(1)(a)(ii) M: s. 22(1)(a)(ii)

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**From:** Williamson-deVries, Susan <s22(1)(a)(ii)>  
**Sent:** Monday, 14 October 2019 11:09 AM  
**To:** s22(1)(a)(ii)  
**Cc:** s22(1)(a)(ii)

**Subject:** FW: CIRCULATED - Crimes Legislation Amendment (Police Powers at Airports) Bill 2019 [SEC=OFFICIAL] [SEC=UNCLASSIFIED]

s22(1)(a)(ii) - duplicate email

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s22(1)(a)(ii) - duplicate email



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**From:** s22(1)(a)(ii)

**Sent:** Monday, 14 October 2019 10:15 AM


**To:** Williamson-deVries, Susan <s22(1)(a)(ii)>

**Cc:** s22(1)(a)(ii)

**Subject:** FW: CIRCULATED - Crimes Legislation Amendment (Police Powers at Airports) Bill 2019 [SEC=OFFICIAL]  
[SEC=UNOFFICIAL]

**Importance:** High

s22(1)(a)(ii) - duplicate email



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**From:** s22(1)(a)(ii)**Sent:** Monday, 14 October 2019 9:55 AM**To:** s22(1)(a)(ii)**Cc:** s22(1)(a)(ii)

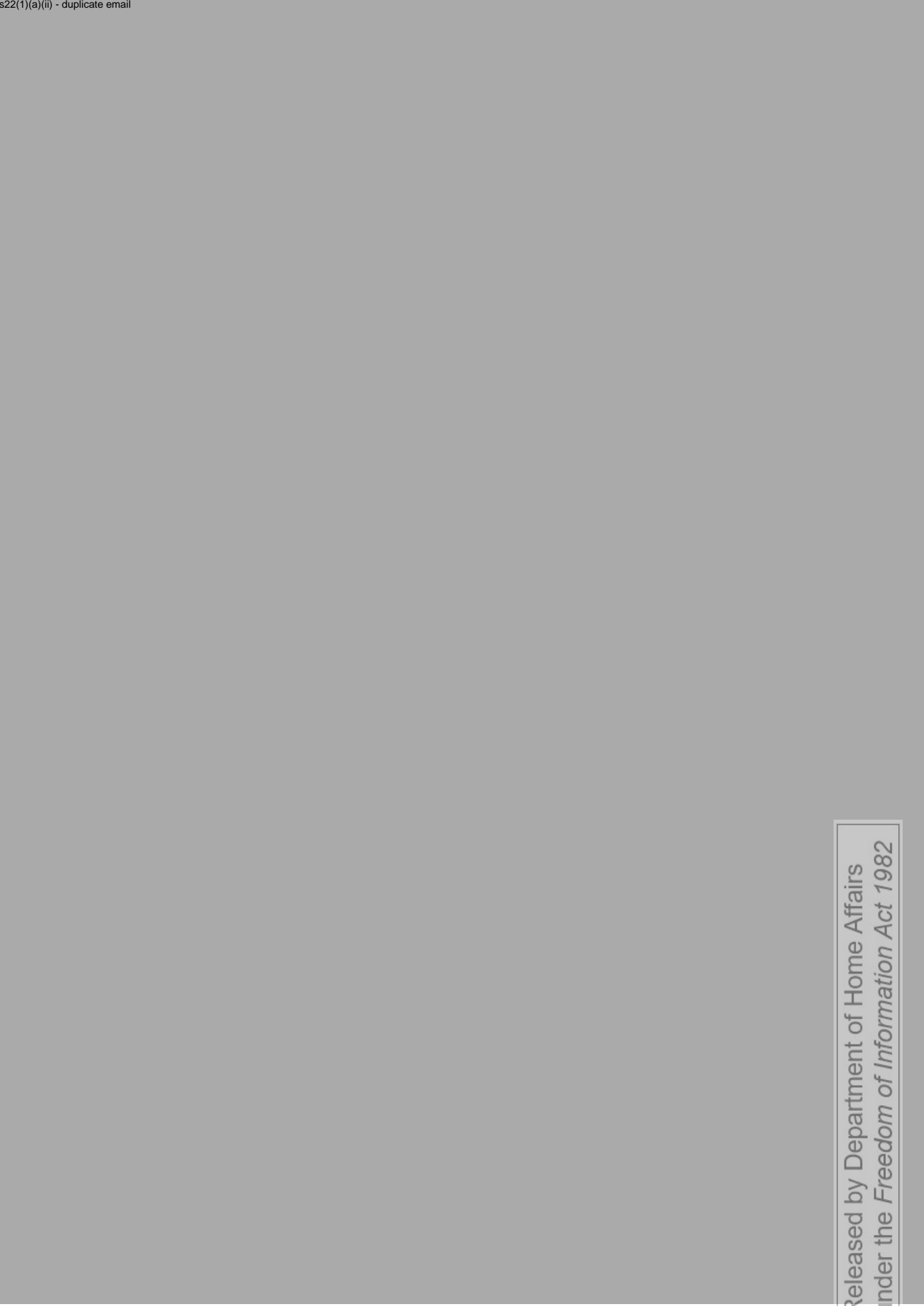
Ciara SPENCER s22(1)(a)(ii)

**Subject:** FW: CIRCULATED - Crimes Legislation Amendment (Police Powers at Airports) Bill 2019 [SEC=OFFICIAL]  
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s22(1)(a)(ii) - duplicate email

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**FOI**

**From:** s22(1)(a)(ii)  
**Sent:** Monday, 14 October 2019 11:37 AM  
**To:** s22(1)(a)(ii)  
**Subject:** RE: CIRCULATED - Crimes Legislation Amendment (Police Powers at Airports) Bill 2019 [SEC=OFFICIAL] [SEC=UNCLASSIFIED]  
**Attachments:** Police Powers at Airports Bill - Response to Amendments - Sheet 8776 Senator Patrick.tr5; Police Powers at Airports Bill - Response to Amendments - Sheet 8776 Senator Patrick.DOCX

UNCLASSIFIED

Hi s22(1)(a)(ii),

Please see attached – I'll get started on the summing up speech updates now.

Cheers,

s22(1)(a)(ii)

Senior Policy Officer | Serious and Organised Crime  
 Law Enforcement Policy Branch | National Security and Law Enforcement Policy Division  
 Policy Group  
 Department of Home Affairs  
 T: 02 s22(1)(a)(ii) | Ext: s22(1)(a)(ii)  
 E: s22(1)(a)(ii)

UNCLASSIFIED

**From:** s22(1)(a)(ii)  
**Sent:** Monday, 14 October 2019 10:30 AM  
**To:** s22(1)(a)(ii)  
**Subject:** FW: CIRCULATED - Crimes Legislation Amendment (Police Powers at Airports) Bill 2019 [SEC=OFFICIAL] [SEC=UNCLASSIFIED]

UNCLASSIFIED

s22(1)(a)(ii) | Law Enforcement Policy Branch | P: +61 2 s. 22(1)(a)(ii) (Ext s. 22(1)(a)(ii) M: s. 22(1)(a)(ii)


UNCLASSIFIED

**From:** Ciara SPENCER <s22(1)(a)(ii)>  
**Sent:** Monday, 14 October 2019 10:29 AM  
**To:** s22(1)(a)(ii)  
**Cc:** s22(1)(a)(ii)

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**Subject:** FW: CIRCULATED - Crimes Legislation Amendment (Police Powers at Airports) Bill 2019 [SEC=OFFICIAL]  
[SEC=UNCLASSIFIED]

s22(1)(a)(ii) - duplicate email



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**Sent:** Monday, 14 October 2019 10:27 AM

**To:** Ciara SPENCER <s22(1)(a)(ii)>

**Subject:** FW: CIRCULATED - Crimes Legislation Amendment (Police Powers at Airports) Bill 2019 [SEC=OFFICIAL]  
[SEC=UNCLASSIFIED]

s22(1)(a)(ii) - duplicate email



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**Sent:** Monday, 14 October 2019 10:19 AM

**To:** s22(1)(a)(ii)

**Subject:** FW: CIRCULATED - Crimes Legislation Amendment (Police Powers at Airports) Bill 2019 [SEC=OFFICIAL]

s22(1)(a)(ii) - duplicate email

---

**From:** s22(1)(a)(ii)

**On Behalf Of** Clerk Assistant, Procedure (SEN)

**Sent:** Monday, 14 October 2019 8:41 AM

**Subject:** CIRCULATED - Crimes Legislation Amendment (Police Powers at Airports) Bill 2019

s22(1)(a)(ii) - duplicate email

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under the *Freedom of Information Act 1982*

**FOI**

---

**From:** Williamson-deVries, Susan <§22(1)(a)(ii)>  
**Sent:** Monday, 14 October 2019 11:37 AM  
**To:** §22(1)(a)(ii)  
**Cc:** §22(1)(a)(ii)  
**Subject:** RE: CIRCULATED - Crimes Legislation Amendment (Police Powers at Airports) Bill 2019 [SEC=OFFICIAL] [SEC=UNCLASSIFIED]

**UNCLASSIFIED**

Yes that's right – thanks!

§22(1)  
(a)(ii)

**SUSAN WILLIAMSON-DE VRIES**

MANAGER STRATEGIC ENGAGEMENT

AUSTRALIAN FEDERAL POLICE

Tel +61(0) 2 §22(1)(a)(ii) Mob +61(0) §22(1)(a)(ii)


[www.afp.gov.au](http://www.afp.gov.au)

**UNCLASSIFIED**

---

**From:** §22(1)(a)(ii)  
**Sent:** Monday, 14 October 2019 11:32 AM  
**To:** Williamson-deVries, Susan <§22(1)(a)(ii)>  
**Cc:** §22(1)(a)(ii)  
**Subject:** RE: CIRCULATED - Crimes Legislation Amendment (Police Powers at Airports) Bill 2019 [SEC=OFFICIAL] [SEC=UNCLASSIFIED]

§22(1)(a)(ii) - duplicate email



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**From:** Williamson-deVries, Susan <§22(1)(a)(ii)>  
**Sent:** Monday, 14 October 2019 11:09 AM  
**To:** §22(1)(a)(ii)



**Cc:** §22(1)(a)(ii)

**Subject:** FW: CIRCULATED - Crimes Legislation Amendment (Police Powers at Airports) Bill 2019 [SEC=OFFICIAL]  
[SEC=UNCLASSIFIED]

§22(1)(a)(ii) - duplicate email

**From:** §22(1)(a)(ii)

**Sent:** Monday, 14 October 2019 10:15 AM


**To:** Williamson-deVries, Susan <§22(1)(a)(ii)>

**Cc:** §22(1)(a)(ii)

**Subject:** FW: CIRCULATED - Crimes Legislation Amendment (Police Powers at Airports) Bill 2019 [SEC=OFFICIAL]

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s22(1)(a)(ii) - duplicate email



**From:** s22(1)(a)(ii)

**Sent:** Monday, 14 October 2019 9:55 AM


**To:** s22(1)(a)(ii)

**Cc:** s22(1)(a)(ii)

Ciara SPENCER s22(1)(a)(ii)

**Subject:** FW: CIRCULATED - Crimes Legislation Amendment (Police Powers at Airports) Bill 2019 [SEC=OFFICIAL]  
[SEC=UNOFFICIAL]

s22(1)(a)(ii) - duplicate email



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UNOFFICIAL

---

**From:** Senate Parliamentary Liaison Office <[SenatePLO@pmc.gov.au](mailto:SenatePLO@pmc.gov.au)>

**Sent:** Monday, 14 October 2019 8:46 AM


**To:** <sup>s22(1)(a)(ii)</sup>



Senate Parliamentary Liaison Office <[SenatePLO@pmc.gov.au](mailto:SenatePLO@pmc.gov.au)>

**Subject:** CIRCULATED - Crimes Legislation Amendment (Police Powers at Airports) Bill 2019 [SEC=OFFICIAL]

s22(1)(a)(ii) - duplicate email



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under the *Freedom of Information Act 1982*

**FOI**

**From:** s22(1)(a)(ii)  
**Sent:** Monday, 14 October 2019 12:07 PM  
**To:** s22(1)(a)(ii)  
**Subject:** RE: CIRCULATED - Crimes Legislation Amendment (Police Powers at Airports) Bill 2019 [SEC=OFFICIAL] [SEC=UNCLASSIFIED]  
**Attachments:** Police Powers at Airports Bill - Summing Up Speech - Senate - 2019.tr5; Police Powers at Airports Bill - Summing Up Speech - Senate - 2019.DOCX

UNCLASSIFIED

Hi s22(1)(a)(ii),

Please see attached amended Summing Up Speech.

s22(1)(a)(ii) has spoken to the Senate PLO – our list of speakers so far includes Senator Patrick, Senator Antic (Liberal) and the Senator representing the MHA. Apparently the list of speakers for the National Housing Bill is currently quite long, so it's not expected that we'll get on til much later today.

Happy to discuss.

s22(1)(a)(ii)  
 Senior Policy Officer | Serious and Organised Crime  
 Law Enforcement Policy Branch | National Security and Law Enforcement Policy Division  
 Policy Group  
 Department of Home Affairs  
 T: 02 s22(1)(a)(ii) | Ext: s22(1)(a)(ii)  
 E: s22(1)(a)(ii)

UNCLASSIFIED

**From:** s22(1)(a)(ii)  
**Sent:** Monday, 14 October 2019 11:37 AM  
**To:** s22(1)(a)(ii)  
**Subject:** RE: CIRCULATED - Crimes Legislation Amendment (Police Powers at Airports) Bill 2019 [SEC=OFFICIAL] [SEC=UNCLASSIFIED]

s22(1)(a)(ii) - duplicate email

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**From:** §22(1)(a)(ii)**Sent:** Monday, 14 October 2019 10:30 AM**To:** §22(1)(a)(ii)**Subject:** FW: CIRCULATED - Crimes Legislation Amendment (Police Powers at Airports) Bill 2019 [SEC=OFFICIAL]  
[SEC=UNCLASSIFIED]

§22(1)(a)(ii) - duplicate email

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**From:** Ciara SPENCER <§22(1)(a)(ii)>**Sent:** Monday, 14 October 2019 10:29 AM**To:** §22(1)(a)(ii)**Cc:** §22(1)(a)(ii)**Subject:** FW: CIRCULATED - Crimes Legislation Amendment (Police Powers at Airports) Bill 2019 [SEC=OFFICIAL]  
[SEC=UNCLASSIFIED]

§22(1)(a)(ii) - duplicate email

Released by Department of Home Affairs  
under the *Freedom of Information Act 1982*

**From:** s22(1)(a)(ii)

**Sent:** Monday, 14 October 2019 10:27 AM

**To:** Ciara SPENCER <s22(1)(a)(ii)>

**Subject:** FW: CIRCULATED - Crimes Legislation Amendment (Police Powers at Airports) Bill 2019 [SEC=OFFICIAL]  
[SEC=UNCLASSIFIED]

s22(1)(a)(ii) - duplicate email

**From:** s22(1)(a)(ii)

**Sent:** Monday, 14 October 2019 10:19 AM

**To:** s22(1)(a)(ii)

**Subject:** FW: CIRCULATED - Crimes Legislation Amendment (Police Powers at Airports) Bill 2019 [SEC=OFFICIAL]

s22(1)(a)(ii) - duplicate email

**From:** s22(1)(a)(ii)

**On Behalf Of** Clerk Assistant, Procedure (SEN)


**Sent:** Monday, 14 October 2019 8:41 AM

**Subject:** CIRCULATED - Crimes Legislation Amendment (Police Powers at Airports) Bill 2019

s22(1)(a)(ii) - duplicate email

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s22(1)(a)(ii) - duplicate email



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**FOI**

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**From:** §22(1)(a)(ii)  
**Sent:** Monday, 14 October 2019 12:10 PM  
**To:** Ciara SPENCER  
**Cc:** §22(1)(a)(ii)  
**Subject:** Police Powers - Amendments - Brief [DLM=Sensitive:Legal]  
**Attachments:** Police Powers - Centre Alliance proposed amendments - 8776.DOCX  
**Importance:** High

**Sensitive:Legal**

Hi Ciara

As discussed, below (and attached) is the brief on the Centre Alliance amendments for your clearance:

§47C

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s47C

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s47C

s22(1)(a)(ii)

Director  
Serious and Organised Crime  
Law Enforcement Policy Branch  
National Security and Law Enforcement Policy Division  
Department of Home Affairs

P: +61 2 s. 22(1)(a)(ii) (Ext s. 22(1)(a)(ii) M: s. 22(1)(a)(ii)

E: s22(1)(a)(ii)

*Please note that I am out of the office on Thursdays*

Sensitive:Legal

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**FOI**

---

**From:** s22(1)(a)(ii)  
**Sent:** Monday, 14 October 2019 12:15 PM  
**To:** s22(1)(a)(ii)  
**Subject:** RE: CIRCULATED - Crimes Legislation Amendment (Police Powers at Airports) Bill 2019 [SEC=OFFICIAL] [SEC=UNCLASSIFIED]

**UNCLASSIFIED**

Thank you – I've made some changes in track in the trim version – just took out the reference to the AFP annual report and kept it to the PJCIS.

Can you send to Ciara for clearance but also copy the text into the email as well (highlighted so she can see whats new).

Thanks

s22(1)(a)(ii)

s22(1)(a)(ii) | Law Enforcement Policy Branch | P: +61 2 s. 22(1)(a)(ii) (Ext s. 22(1)(a)(ii) M: s. 22(1)(a)(ii)

**UNCLASSIFIED**

---

**From:** s22(1)(a)(ii)  
**Sent:** Monday, 14 October 2019 12:07 PM  
**To:** s22(1)(a)(ii)  
**Subject:** RE: CIRCULATED - Crimes Legislation Amendment (Police Powers at Airports) Bill 2019 [SEC=OFFICIAL] [SEC=UNCLASSIFIED]

s22(1)(a)(ii) - duplicate email


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UNCLASSIFIED

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**From:** §22(1)(a)(ii)  
**Sent:** Monday, 14 October 2019 11:37 AM  
**To:** §22(1)(a)(ii)  
**Subject:** RE: CIRCULATED - Crimes Legislation Amendment (Police Powers at Airports) Bill 2019 [SEC=OFFICIAL]  
[SEC=UNCLASSIFIED]


§22(1)(a)(ii) - duplicate email

A large rectangular area of the document is completely redacted with a solid grey fill, obscuring the main body of the email.

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**From:** §22(1)(a)(ii)  
**Sent:** Monday, 14 October 2019 10:30 AM  
**To:** §22(1)(a)(ii)  
**Subject:** FW: CIRCULATED - Crimes Legislation Amendment (Police Powers at Airports) Bill 2019 [SEC=OFFICIAL]  
[SEC=UNCLASSIFIED]

§22(1)(a)(ii) - duplicate email


A large rectangular area of the document is completely redacted with a solid grey fill, obscuring the main body of the email.

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**From:** Ciara SPENCER <§22(1)(a)(ii)>  
**Sent:** Monday, 14 October 2019 10:29 AM  
**To:** §22(1)(a)(ii)  
**Cc:** §22(1)(a)(ii)  
**Subject:** FW: CIRCULATED - Crimes Legislation Amendment (Police Powers at Airports) Bill 2019 [SEC=OFFICIAL]  
[SEC=UNCLASSIFIED]

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s22(1)(a)(ii) - duplicate email



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**From:** s22(1)(a)(ii)

**Sent:** Monday, 14 October 2019 10:27 AM

**To:** Ciara SPENCER <s22(1)(a)(ii)>

**Subject:** FW: CIRCULATED - Crimes Legislation Amendment (Police Powers at Airports) Bill 2019 [SEC=OFFICIAL]  
[SEC=UNCLASSIFIED]

s22(1)(a)(ii) - duplicate email



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under the *Freedom of Information Act 1982*

UNCLASSIFIED

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**From:** §22(1)(a)(ii)**Sent:** Monday, 14 October 2019 10:19 AM**To:** §22(1)(a)(ii)**Subject:** FW: CIRCULATED - Crimes Legislation Amendment (Police Powers at Airports) Bill 2019 [SEC=OFFICIAL]

§22(1)(a)(ii) - duplicate email

---

**From:** §22(1)(a)(ii)**On Behalf Of** Clerk Assistant, Procedure (SEN)**Sent:** Monday, 14 October 2019 8:41 AM**Subject:** CIRCULATED - Crimes Legislation Amendment (Police Powers at Airports) Bill 2019

§22(1)(a)(ii) - duplicate email

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under the *Freedom of Information Act 1982*

**FOI**

---

**From:** s22(1)(a)(ii)  
**Sent:** Monday, 14 October 2019 12:20 PM  
**To:** Ciara SPENCER  
**Cc:** s22(1)(a)(ii)  
**Subject:** Police Powers at Airports - Revised Summing Up Speech [SEC=UNCLASSIFIED]  
**Importance:** High

UNCLASSIFIED

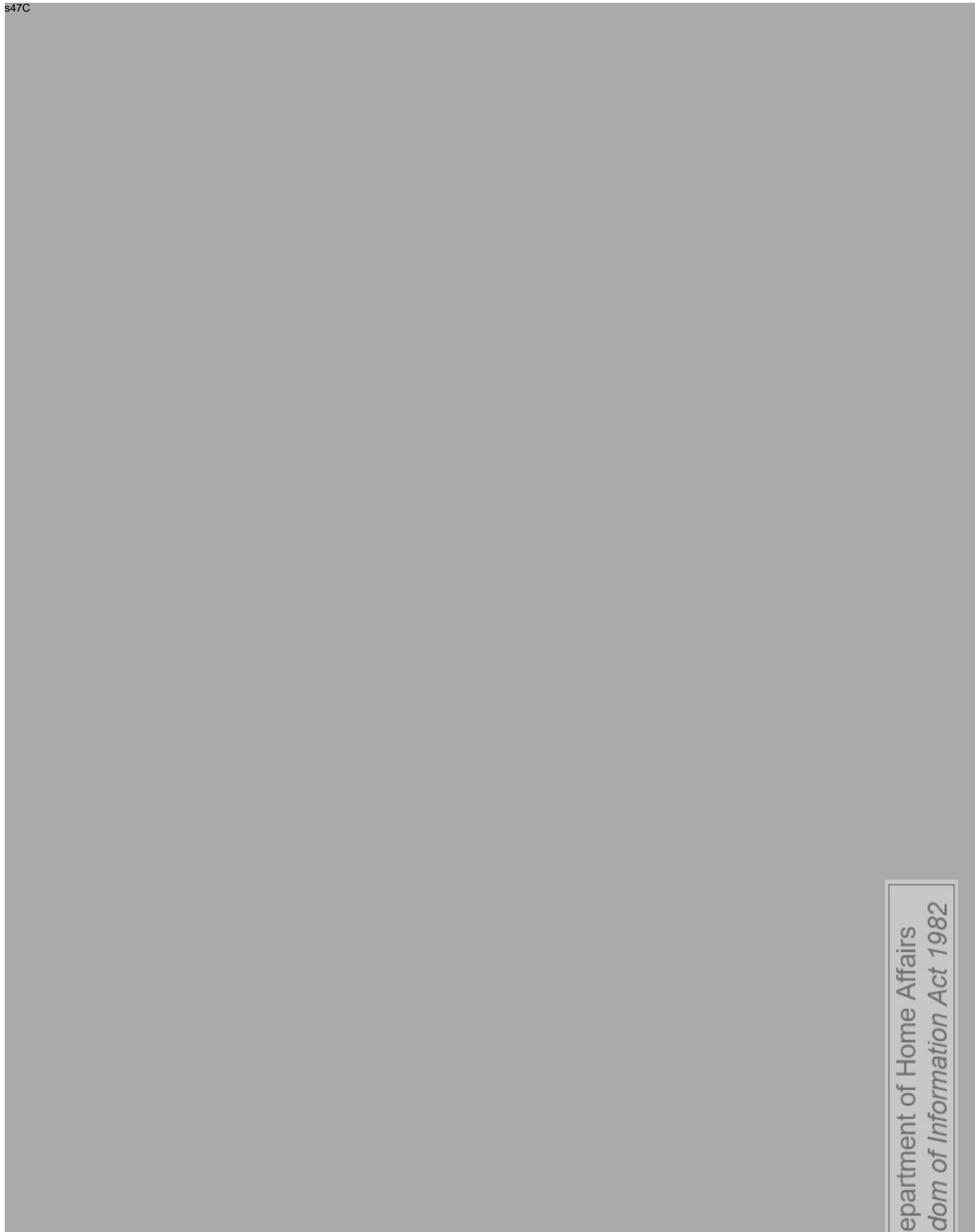
Hi Ciara,

Grateful for your review and clearance of the below update (highlighted) to the Police Powers at Airports summing up speech.

s47C

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s47C



More than happy to make any further changes.

Kind regards,

s22(1)(a)(ii)

Senior Policy Officer | Serious and Organised Crime

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Law Enforcement Policy Branch | National Security and Law Enforcement Policy Division  
Policy Group  
Department of Home Affairs  
T: 02 §22(1)(a)(ii) | Ext: §22(1)(a)(ii)  
E: §22(1)(a)(ii)

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**From:** Senate Parliamentary Liaison Office <SenatePLO@pmc.gov.au>  
**Sent:** Monday, 14 October 2019 12:21 PM  
**Cc:** Senate Parliamentary Liaison Office  
**Subject:** Re-arrangement of Government Business [SEC=OFFICIAL]

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**OFFICIAL**

Afternoon

Please note the Government have just moved a motion to re-arrange Government Business today. The Emergency Response Fund package will now become item 6.

The revised order for today is:

1. s22(1)(a)(ii)
2. [REDACTED]
3. Crimes Legislation Amendment (Police Powers at Airports) Bill 2019
4. s22(1)(a)(ii)
5. [REDACTED]
6. [REDACTED]

Please let me know if you have any questions.

Thanks, Debbie

**Debbie Arnold**

Assistant Secretary | Parliamentary Liaison Officer for the Senate  
 Department of the Prime Minister and Cabinet  
 SG 119, Parliament House, Canberra

t: 02 s22(1)(a)(ii) | m: s22(1)(a)(ii)  
 e. s22(1)(a)(ii) | [www.dpmc.gov.au](http://www.dpmc.gov.au)

---

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---

**FOI**

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**From:** s22(1)(a)(ii)  
**Sent:** Monday, 14 October 2019 12:50 PM  
**To:** s22(1)(a)(ii)  
**Subject:** RE: NSLEPD Strat Coord {SEC=PROTECTED}

**PROTECTED**

Hi s22(1)(a)(ii)

I've updated s22(1)(a)(ii) and police powers.

Thanks

s22(1)(a)(ii)

s22(1)(a)(ii) | Law Enforcement Policy Branch | P: +61 2 s. 22(1)(a)(ii) (Ext s22(1)(a)(ii) ) M: s. 22(1)(a)(ii)

**PROTECTED**

---

**From:** s22(1)(a)(ii)  
**Sent:** Monday, 14 October 2019 8:42 AM  
**To:** s22(1)(a)(ii)

**Subject:** NSLEPD Strat Coord {SEC=PROTECTED}

**PROTECTED**

Good morning,

Please find attached Strat Coord for this week.  
 Could I please have your input or a nil response by **3.30pm today**.  
 Apologies for the tight time frame.

With thanks

s22(1)(a)(ii)

Executive Assistant to s22(1)(a)(ii)  
 A/g Assistant Secretary  
 Law Enforcement Policy Branch/National Security and Law Enforcement Policy  
 Department of Home Affairs

**P:** 02 s22(1)(a)(ii)

**M:** s22(1)(a)(ii)

**E:** s22(1)(a)(ii)

**PROTECTED**

---

**From:** s22(1)(a)(ii)  
**Sent:** Friday, 11 October 2019 5:01 PM  
**To:** s22(1)(a)(ii)  
**Cc:** s22(1)(a)(ii)  
**Subject:** NSLEPD Strat Coord [SEC=PROTECTED]

**PROTECTED**

Hi Team,

Grateful if you could please have AS cleared Strat Coord to FAS-O by **COB MONDAY 14<sup>TH</sup> OCTOBER 2019**.

Please note the above timeframe has been adjusted as the FAS Diary now has limited clearance time.

Thank you

s22(1)(a)(ii)  
**Acting Executive Support Officer to Hamish Hansford**  
**First Assistant Secretary National Security and Law Enforcement Policy Division**  
Policy Group  
Department of Home Affairs  
P: (02) s22(1)(a)(ii)  
E: s22(1)(a)(ii)

**PROTECTED**

**FOI**

---

**From:** Ciara SPENCER  
**Sent:** Monday, 14 October 2019 1:17 PM  
**To:** s22(1)(a)(ii)  
**Cc:** s22(1)(a)(ii)  
**Subject:** RE: Police Powers at Airports - Revised Summing Up Speech [SEC=UNCLASSIFIED]

UNCLASSIFIED

Hi s22(1)(a)(ii)

Thanks, this looks great. Could you please send it through as an attachment and I'll get it up to the Office.

Cheers

Ciara

**Ciara Spencer**

Assistant Secretary

Law Enforcement Policy | National Security and Law Enforcement Policy

Policy Group

Department of Home Affairs

P: 02 s22(1)(a)(ii) M: s22(1)(a)(ii)

E: s22(1)(a)(ii)

UNCLASSIFIED

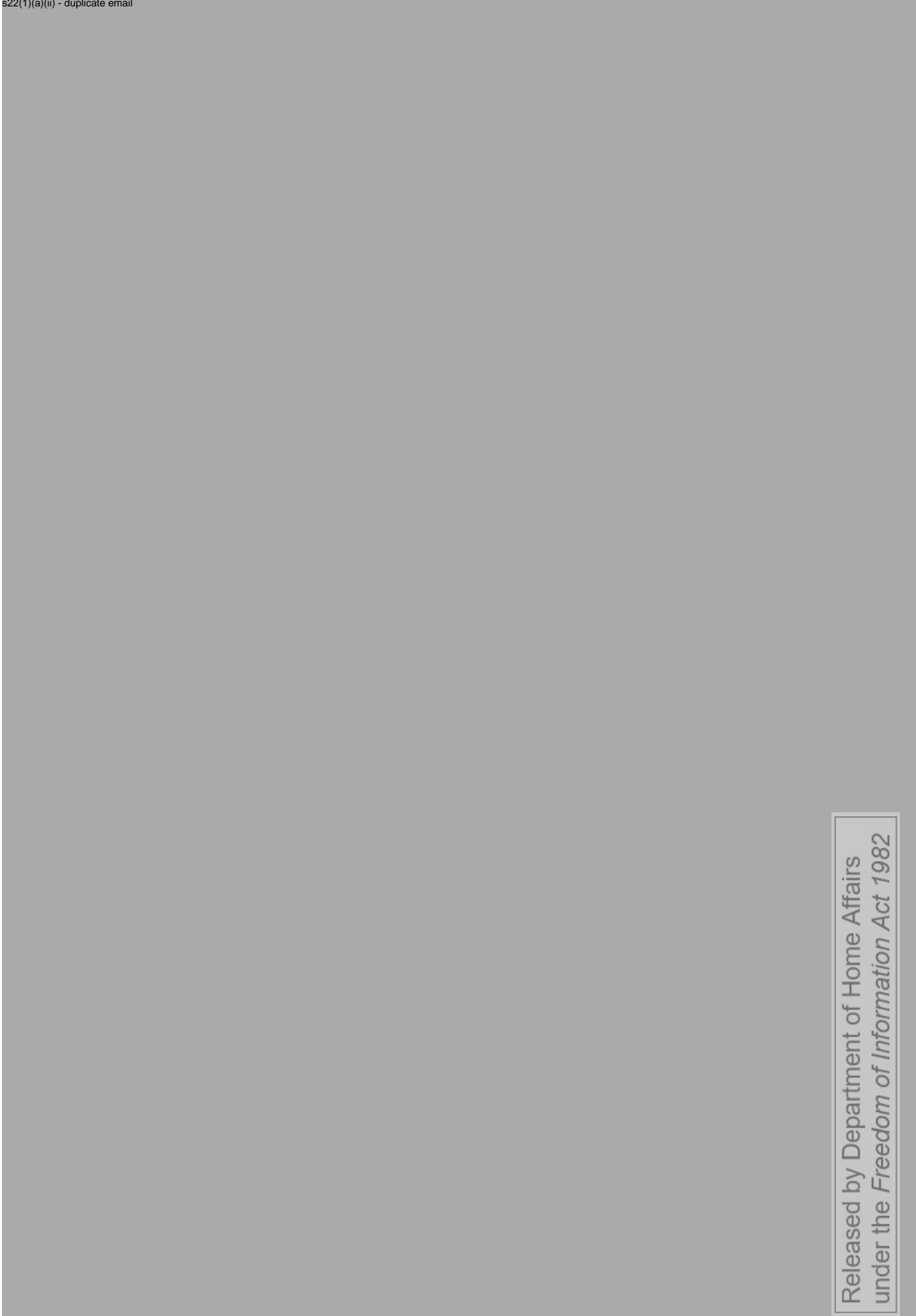
---

**From:** s22(1)(a)(ii)  
**Sent:** Monday, 14 October 2019 12:20 PM  
**To:** Ciara SPENCER <s22(1)(a)(ii)>  
**Cc:** s22(1)(a)(ii)  
**Subject:** Police Powers at Airports - Revised Summing Up Speech [SEC=UNCLASSIFIED]  
**Importance:** High

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**FOI**

**From:** Ciara SPENCER  
**Sent:** Monday, 14 October 2019 1:19 PM  
**To:** s22(1)(a)(ii)  
**Cc:** s22(1)(a)(ii)  
**Subject:** RE: CIRCULATED - Crimes Legislation Amendment (Police Powers at Airports) Bill 2019 [SEC=OFFICIAL] [DLM=For-Official-Use-Only]  
**Attachments:** Police Powers - Centre Alliance proposed amendments - 8776.DOCX; 8776 CW Crimes Legislation Amdt (Police Powers at Airports) Bill 2019 Patrick.docx

For-Official-Use-Only

Hi s22(1)(a)(ii)

Please find attached the amendment response as requested. We have also updated the summing up speech which I will send through shortly.

Happy to discuss

Ciara

**Ciara Spencer**

Assistant Secretary

Law Enforcement Policy | National Security and Law Enforcement Policy

Policy Group

Department of Home Affairs

P: 02 s22(1)(a)(ii) M: s22(1)(a)(ii)

E: s22(1)(a)(ii)

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s22(1)(a)(ii)

For-Official-Use-Only


**From:** s22(1)(a)(ii)  
**Sent:** Monday, 14 October 2019 10:27 AM  
**To:** Ciara SPENCER <s22(1)(a)(ii)>  
**Subject:** FW: CIRCULATED - Crimes Legislation Amendment (Police Powers at Airports) Bill 2019 [SEC=OFFICIAL] [SEC=UNCLASSIFIED]

s22(1)(a)(ii) - duplicate email

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s22(1)(a)(ii) - duplicate email



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**From:** s22(1)(a)(ii)

**Sent:** Monday, 14 October 2019 10:19 AM

**To:** s22(1)(a)(ii)

**Subject:** FW: CIRCULATED - Crimes Legislation Amendment (Police Powers at Airports) Bill 2019 [SEC=OFFICIAL]

s22(1)(a)(ii) - duplicate email



---


**From:** s22(1)(a)(ii)

**On Behalf Of** Clerk Assistant, Procedure (SEN)

**Sent:** Monday, 14 October 2019 8:41 AM

**Subject:** CIRCULATED - Crimes Legislation Amendment (Police Powers at Airports) Bill 2019

s22(1)(a)(ii) - duplicate email



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# **RESPONSE TO AMENDMENTS**

## **Crimes Legislation Amendment (Police Powers at Airports) Bill 2019**

### **Sheet 8776 (Senator Patrick)**

#### Explanation of amendment:

- *Item 1 provides that Division 3B (Identity information requirements and move-on powers at airports) will **sunset after four years from the day of commencement**.*

*This proposal is inconsistent with the intention of the Bill, which is to address some of the complexity of various Commonwealth, State and Territory laws that currently apply across Australian airports. The Bill gives police consistent and appropriate powers to address criminal, safety and security threats at major Australian airports.*

*These measures have been developed on the basis of operational advice from the Australian Federal Police (AFP) that existing identity checking powers are no longer fit-for-purpose in light of the current threat environment at Australia's major airports. Should these measure be repealed after four years, police will then be required to revert back to the a patchwork of Commonwealth, State and Territory identity checking and move-on powers to address threats arising in the aviation environment.*

- *Item 2 provides for **the Parliamentary Joint Committee on Intelligence and Security to review the operation of the Division and security matters relating to major airports after three years**.*

*This proposal was not included in the Parliamentary Joint Committee on Intelligence and Security's recommendations when it inquired into the Bill.*

*In addition, the AFP is already subject to extensive oversight mechanisms, including the Parliamentary Joint Committee on Law Enforcement which has a function to monitor, review and report on the performance by the AFP of its functions and to examine trends and changes in criminal activities, practices and methods.*

*The AFP will also continue to monitor security threats to major airports from terrorism and serious and organised crime.*

## **Response**

The Government will not be supporting these amendments.

Senator Patrick seeks to amend this Bill to provide that these new measures – measures developed to keep the Australian public safe – are repealed after four years.

Airports are attractive targets for terrorists and focal points for serious and organised crime groups seeking to expand their illicit

operations both within Australia and abroad. Currently, police are required to rely on a patchwork of Commonwealth, State and Territory laws to address the criminal, safety and security threats at major Australian airports. The measures in this Bill will address some of this complexity by giving police consistent and appropriate powers to respond to these threats and protect Australians.

The threats to our aviation network are not static and are not simply going to disappear or diminish in four years. We need to ensure that police powers continue to evolve in parallel with the threat environment.

The Parliamentary Joint Committee on Intelligence and Security inquired into the Bill and did not identify a need to review the operation of the Division and security matters relating to major airports after four years.

Existing parliamentary committee mechanisms already provide suitable opportunities to review these new powers. For example, the Parliamentary Joint Committee on Law Enforcement has a function to monitor, review and report on the performance by the AFP of its functions and to examine trends and changes in criminal activities, practices and methods.

The AFP, as an organisation, is already subject to extensive oversight mechanisms. The AFP also has robust governance mechanisms in place, including an internal audit team. The team conducts regular reviews, including a current review into how the agency implements Commonwealth legislation.

The AFP is establishing a working group to coordinate the implementation required for all aspects of the Police Powers at Airports Bill. The number of the identity check directions and move-on directions issued each year will also be reported in the AFP Annual Report (as recommended by the PJCIS).

The new powers in the Bill were developed based on operational advice from the AFP. The AFP will continue to monitor security threats to major airports from terrorism and serious and organised crime.

For these reasons the Government will not be supporting these amendments.

**FOI**

---

**From:** s22(1)(a)(ii)  
**Sent:** Monday, 14 October 2019 1:20 PM  
**To:** s22(1)(a)(ii)  
**Cc:** Ciara SPENCER; s22(1)(a)(ii)  
**Subject:** FW: SPEAKERS LIST: ANL Legislation Repeal Bill 2019 [SEC=OFFICIAL]  
[SEC=UNOFFICIAL]


UNOFFICIAL

FYI

UNOFFICIAL

---

**From:** Senate Parliamentary Liaison Office <SenatePLO@pmc.gov.au>  
**Sent:** Monday, 14 October 2019 1:19 PM  
**To:** s22(1)(a)(ii)



**Cc:** Senate Parliamentary Liaison Office <SenatePLO@pmc.gov.au>  
**Subject:** FW: SPEAKERS LIST: ANL Legislation Repeal Bill 2019 [SEC=OFFICIAL]

**OFFICIAL**

Dear Colleagues,

Please see the speakers list for the **ANL Legislation Repeal Bill 2019**

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**From:** s22(1)(a)(ii)  
**Sent:** Monday, 14 October 2019 1:26 PM  
**To:** s22(1)(a)(ii)  
**Cc:** s22(1)(a)(ii)  
**Subject:** Police Powers - Speakers List for ANL Bill [DLM=For-Official-Use-Only]

For-Official-Use-Only

Hi s22(1)(a)(ii)

Please see below list of speakers for the ANL Bill which is being debated before the Police Powers at Airports Bill. The Senate PLO has also advised that the National Housing Bill (currently being debated) has a lot of speakers, so we're not anticipating until getting on until later this afternoon/evening.

Cheers,

s22(1)(a)(ii)

Senior Policy Officer | Serious and Organised Crime  
Law Enforcement Policy Branch | National Security and Law Enforcement Policy Division  
Policy Group  
Department of Home Affairs  
T: 02 s22(1)(a)(ii) | Ext: s22(1)(a)(ii)  
E: s22(1)(a)(ii)

For-Official-Use-Only

---

**From:** Senate Parliamentary Liaison Office <[SenatePLO@pmc.gov.au](mailto:SenatePLO@pmc.gov.au)>  
**Sent:** Monday, 14 October 2019 1:19 PM  
**To:** s22(1)(a)(ii)

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s22(1)(a)(ii)



**Cc:** Senate Parliamentary Liaison Office <[SenatePLO@pmc.gov.au](mailto:SenatePLO@pmc.gov.au)>

**Subject:** FW: SPEAKERS LIST: ANL Legislation Repeal Bill 2019 [SEC=OFFICIAL]

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**FOI**

---

**From:** s22(1)(a)(ii)  
**Sent:** Monday, 14 October 2019 1:27 PM  
**To:** Williamson-deVries, Susan  
**Cc:** s22(1)(a)(ii)  
**Subject:** FW: CIRCULATED - Crimes Legislation Amendment (Police Powers at Airports) Bill 2019 [SEC=OFFICIAL] [DLM=For-Official-Use-Only]  
**Attachments:** Police Powers - Centre Alliance proposed amendments - 8776.DOCX; 8776 CW Crimes Legislation Amdt (Police Powers at Airports) Bill 2019 Patrick.docx

For-Official-Use-Only

Hi s22(1)(a)(ii)

As discussed, attached is the brief on the Centre Alliance amendments – cleared by Ciara and with the office.

Thanks

s22(1)(a)(ii)

s22(1)(a)(ii) | Law Enforcement Policy Branch | P: +61 2 s. 22(1)(a)(ii) (Ext s22(1)(a)(ii)) M: s. 22(1)(a)(ii)

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# **RESPONSE TO AMENDMENTS**

## **Crimes Legislation Amendment (Police Powers at Airports) Bill 2019**

### **Sheet 8776 (Senator Patrick)**

#### Explanation of amendment:

- *Item 1 provides that Division 3B (Identity information requirements and move-on powers at airports) will **sunset after four years from the day of commencement**.*

*This proposal is inconsistent with the intention of the Bill, which is to address some of the complexity of various Commonwealth, State and Territory laws that currently apply across Australian airports. The Bill gives police consistent and appropriate powers to address criminal, safety and security threats at major Australian airports.*

*These measures have been developed on the basis of operational advice from the Australian Federal Police (AFP) that existing identity checking powers are no longer fit-for-purpose in light of the current threat environment at Australia's major airports. Should these measure be repealed after four years, police will then be required to revert back to the a patchwork of Commonwealth, State and Territory identity checking and move-on powers to address threats arising in the aviation environment.*

- *Item 2 provides for **the Parliamentary Joint Committee on Intelligence and Security to review the operation of the Division and security matters relating to major airports after three years**.*

*This proposal was not included in the Parliamentary Joint Committee on Intelligence and Security's recommendations when it inquired into the Bill.*

*In addition, the AFP is already subject to extensive oversight mechanisms, including the Parliamentary Joint Committee on Law Enforcement which has a function to monitor, review and report on the performance by the AFP of its functions and to examine trends and changes in criminal activities, practices and methods.*

*The AFP will also continue to monitor security threats to major airports from terrorism and serious and organised crime.*

## **Response**

The Government will not be supporting these amendments.

Senator Patrick seeks to amend this Bill to provide that these new measures – measures developed to keep the Australian public safe – are repealed after four years.

Airports are attractive targets for terrorists and focal points for serious and organised crime groups seeking to expand their illicit

operations both within Australia and abroad. Currently, police are required to rely on a patchwork of Commonwealth, State and Territory laws to address the criminal, safety and security threats at major Australian airports. The measures in this Bill will address some of this complexity by giving police consistent and appropriate powers to respond to these threats and protect Australians.

The threats to our aviation network are not static and are not simply going to disappear or diminish in four years. We need to ensure that police powers continue to evolve in parallel with the threat environment.

The Parliamentary Joint Committee on Intelligence and Security inquired into the Bill and did not identify a need to review the operation of the Division and security matters relating to major airports after four years.

Existing parliamentary committee mechanisms already provide suitable opportunities to review these new powers. For example, the Parliamentary Joint Committee on Law Enforcement has a function to monitor, review and report on the performance by the AFP of its functions and to examine trends and changes in criminal activities, practices and methods.

The AFP, as an organisation, is already subject to extensive oversight mechanisms. The AFP also has robust governance mechanisms in place, including an internal audit team. The team conducts regular reviews, including a current review into how the agency implements Commonwealth legislation.

The AFP is establishing a working group to coordinate the implementation required for all aspects of the Police Powers at Airports Bill. The number of the identity check directions and move-on directions issued each year will also be reported in the AFP Annual Report (as recommended by the PJCIS).

The new powers in the Bill were developed based on operational advice from the AFP. The AFP will continue to monitor security threats to major airports from terrorism and serious and organised crime.

For these reasons the Government will not be supporting these amendments.

**FOI**

---

**From:** s22(1)(a)(ii)  
**Sent:** Monday, 14 October 2019 1:28 PM  
**To:** Ciara SPENCER  
**Cc:** s22(1)(a)(ii)  
**Subject:** RE: Police Powers at Airports - Revised Summing Up Speech [SEC=UNCLASSIFIED]  
**Attachments:** Police Powers at Airports Bill - Summing Up Speech - Senate - 2019.DOCX

UNCLASSIFIED

Hi Ciara,

Please see attached.

Kind regards,


s22(1)(a)(ii)  
Senior Policy Officer | Serious and Organised Crime  
Law Enforcement Policy Branch | National Security and Law Enforcement Policy Division  
Policy Group  
Department of Home Affairs  
T: 02 s22(1)(a)(ii) | Ext: s22(1)(a)(ii)  
E: s22(1)(a)(ii)

UNCLASSIFIED

---

**From:** Ciara SPENCER <s22(1)(a)(ii)>  
**Sent:** Monday, 14 October 2019 1:17 PM  
**To:** s22(1)(a)(ii)  
**Cc:** s22(1)(a)(ii)  
**Subject:** RE: Police Powers at Airports - Revised Summing Up Speech [SEC=UNCLASSIFIED]

s22(1)(a)(ii) - duplicate email



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under the Freedom of Information Act 1982

UNCLASSIFIED

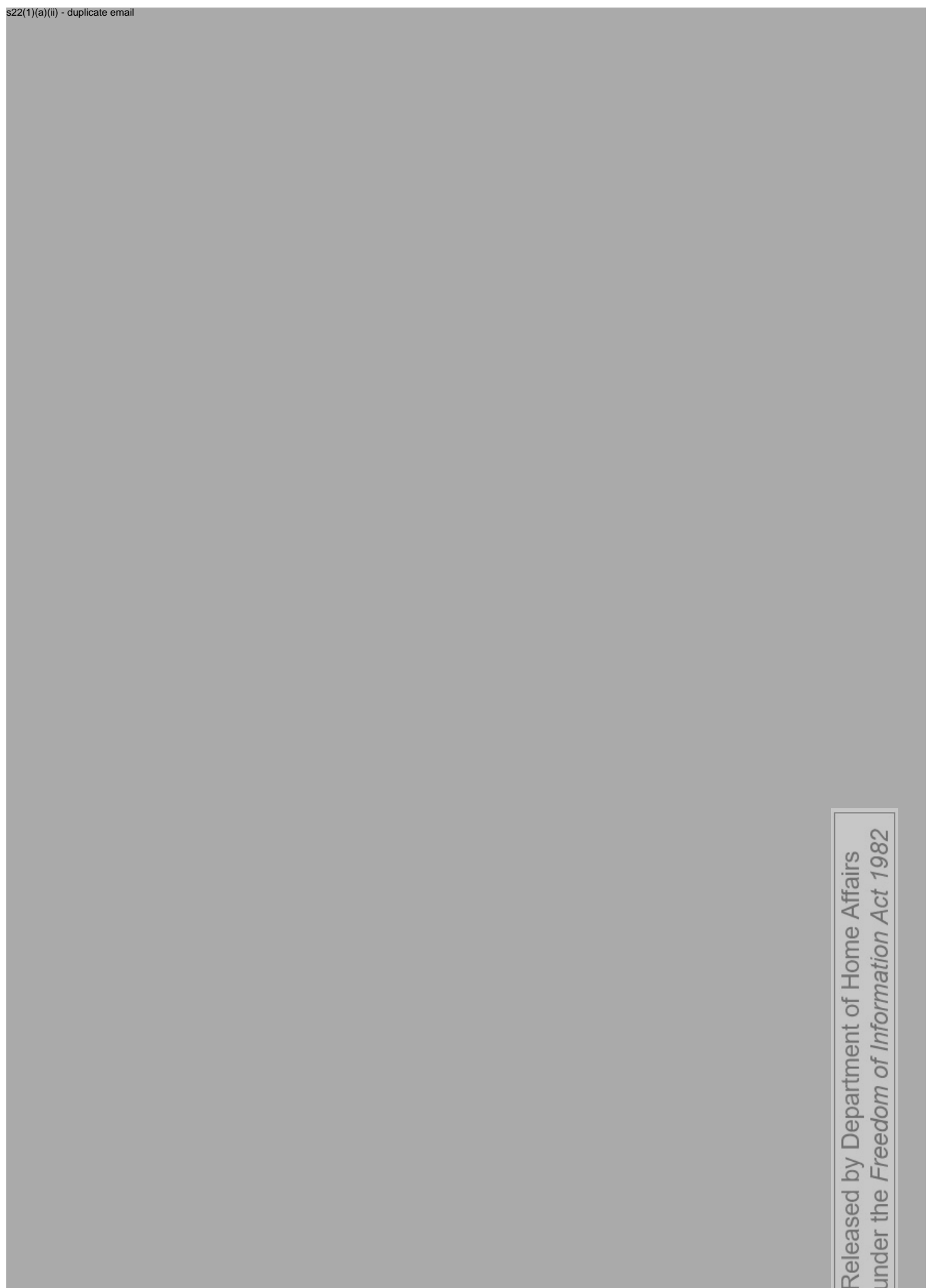
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**From:** §22(1)(a)(ii)**Sent:** Monday, 14 October 2019 12:20 PM**To:** Ciara SPENCER <§22(1)(a)(ii)>**Cc:** §22(1)(a)(ii)**Subject:** Police Powers at Airports - Revised Summing Up Speech [SEC=UNCLASSIFIED]**Importance:** High

§22(1)(a)(ii) - duplicate email


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s22(1)(a)(ii) - duplicate email



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under the *Freedom of Information Act 1982*

s22(1)(a)(ii) - duplicate email



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under the *Freedom of Information Act 1982*



**FOI**

**From:** Ciara SPENCER  
**Sent:** Monday, 14 October 2019 1:30 PM  
**To:** s22(1)(a)(ii)  
**Cc:** s22(1)(a)(ii) Marc ABLONG; s22(1)(a)(ii) Hamish HANSFORD; s22(1)(a)(ii)  
**Subject:** RE: CIRCULATED - Crimes Legislation Amendment (Police Powers at Airports) Bill 2019 [SEC=OFFICIAL] [DLM=For-Official-Use-Only]  
**Attachments:** Police Powers at Airports Bill - Summing Up Speech - Senate - 2019.DOCX

For-Official-Use-Only

Hi s22(1)(a)(ii)

Apologies for the typo below, the revised summing up speech is now also attached.

s22(1)(a)(ii) will be coming up for debate, along with representatives from Legal Division and the AFP.

Thanks  
 Ciara

**Ciara Spencer**  
 Assistant Secretary  
 Law Enforcement Policy | National Security and Law Enforcement Policy  
 Policy Group  
 Department of Home Affairs  
 P: 02 s22(1)(a)(ii) M: s22(1)(a)(ii)  
 E: s22(1)(a)(ii)


For-Official-Use-Only

**From:** Ciara SPENCER  
**Sent:** Monday, 14 October 2019 1:19 PM  
**To:** s22(1)(a)(ii)  
**Cc:** s22(1)(a)(ii) Marc ABLONG  
 s22(1)(a)(ii) Hamish HANSFORD  
**Subject:** RE: CIRCULATED - Crimes Legislation Amendment (Police Powers at Airports) Bill 2019 [SEC=OFFICIAL] [DLM=For-Official-Use-Only]

s22(1)(a)(ii) - duplicate email

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s22(1)(a)(ii) - duplicate email



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**From:** s22(1)(a)(ii)  
**Sent:** Monday, 14 October 2019 10:27 AM  
**To:** Ciara SPENCER <s22(1)(a)(ii)>  
**Subject:** FW: CIRCULATED - Crimes Legislation Amendment (Police Powers at Airports) Bill 2019 [SEC=OFFICIAL]  
[SEC=UNCLASSIFIED]

s22(1)(a)(ii) - duplicate email



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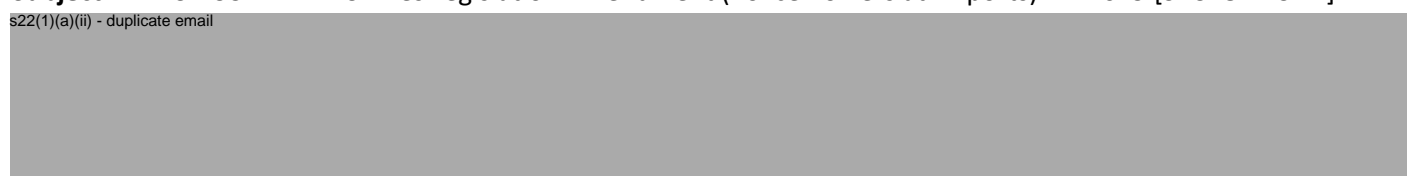
**From:** s22(1)(a)(ii)

**Sent:** Monday, 14 October 2019 10:19 AM

**To:** s22(1)(a)(ii)

**Subject:** FW: CIRCULATED - Crimes Legislation Amendment (Police Powers at Airports) Bill 2019 [SEC=OFFICIAL]

s22(1)(a)(ii) - duplicate email



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**From:** s22(1)(a)(ii)

**On Behalf Of** Clerk Assistant, Procedure (SEN)

**Sent:** Monday, 14 October 2019 8:41 AM

**Subject:** CIRCULATED - Crimes Legislation Amendment (Police Powers at Airports) Bill 2019

s22(1)(a)(ii) - duplicate email



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## SUMMING UP SPEECH - SENATE

### CRIMES LEGISLATION AMENDMENT (POLICE POWERS AT AIRPORTS) BILL 2019

I would like to thank my colleagues for their contribution to the debate on this Bill.

It is the Morrison Government's commitment and duty to protect Australians and our international visitors from the very real and unique threats to our aviation environment posed by violent extremists and nefarious organised crime groups.

This Bill will provide police with broader identity checking and move-on powers at major airports. These powers are designed to keep the Australian public safe by enhancing the ability of police to prevent, detect and disrupt serious criminal, safety and security risks at the earliest possible opportunity.

#### ***[If required - reply to points raised in debate]***

1. Senator Patrick proposed amendments to this Bill that the Government did not support. The threats to our aviation network are changing, but not lessening, and we need to ensure that our police are adequately equipped to respond to these risks on an ongoing basis.

The Parliamentary Joint Committee on Intelligence and Security has already scrutinised this Bill and did not identify a need for the statutory review or sunseting of these

measures.

2. Senator [the Honourable] .....raised the issue  
of:

## Conclusion

Although Australia already has strong and comprehensive aviation security framework, threats to our aviation security are not static, and our laws shouldn't be either.

Police powers must continue to evolve in parallel with the threat environment. This Bill strikes the right balance between ensuring the safety and security of all Australians using our airports and minimising the disruption to the travelling public.

I commend the Bill to the Senate.

**ENDS**

**FOI**

---

**From:** Williamson-deVries, Susan <s22(1)(a)(ii)>  
**Sent:** Monday, 14 October 2019 1:31 PM  
**To:** s22(1)(a)(ii)  
**Cc:** s22(1)(a)(ii)  
**Subject:** RE: CIRCULATED - Crimes Legislation Amendment (Police Powers at Airports) Bill 2019 [SEC=OFFICIAL] [SEC=UNCLASSIFIED]

**UNCLASSIFIED**

Thanks, pre-2pm is not looking good ... let me know what you are hearing ;-)

s22(1)(a)(ii)

**UNCLASSIFIED**

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**From:** s22(1)(a)(ii)  
**Sent:** Monday, 14 October 2019 1:27 PM  
**To:** Williamson-deVries, Susan <s22(1)(a)(ii)>  
**Cc:** s22(1)(a)(ii)  
**Subject:** FW: CIRCULATED - Crimes Legislation Amendment (Police Powers at Airports) Bill 2019 [SEC=OFFICIAL] [DLM=For-Official-Use-Only]

s22(1)(a)(ii) - duplicate email

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**From:** s22(1)(a)(ii)  
**Sent:** Monday, 14 October 2019 1:32 PM  
**To:** Ciara SPENCER  
**Cc:** s22(1)(a)(ii) Marc ABLONG; s22(1)(a)(ii) Hamish HANSFORD; s22(1)(a)(ii)  
**Subject:** RE: CIRCULATED - Crimes Legislation Amendment (Police Powers at Airports) Bill 2019 [SEC=OFFICIAL] [DLM=For-Official-Use-Only]

For-Official-Use-Only

Thanks Ciara

Regards

s22(1)(a)(ii)

For-Official-Use-Only

---

**From:** Ciara SPENCER <s22(1)(a)(ii)>  
**Sent:** Monday, 14 October 2019 1:30 PM  
**To:** s22(1)(a)(ii)  
**Cc:** s22(1)(a)(ii) Marc ABLONG  
s22(1)(a)(ii) Hamish HANSFORD  
s22(1)(a)(ii)  
**Subject:** RE: CIRCULATED - Crimes Legislation Amendment (Police Powers at Airports) Bill 2019 [SEC=OFFICIAL] [DLM=For-Official-Use-Only]

s22(1)(a)(ii) - duplicate email

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**From:** Ciara SPENCER

**Sent:** Monday, 14 October 2019 1:19 PM

**To:** s22(1)(a)(ii)

**Cc:** s22(1)(a)(ii)

s22(1)(a)(ii)

s22(1)(a)(ii)

Marc ABLONG

Hamish HANSFORD

**Subject:** RE: CIRCULATED - Crimes Legislation Amendment (Police Powers at Airports) Bill 2019 [SEC=OFFICIAL]  
[DLM=For-Official-Use-Only]

s22(1)(a)(ii) - duplicate email

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**From:** s22(1)(a)(ii)

**Sent:** Monday, 14 October 2019 10:27 AM

**To:** Ciara SPENCER <s22(1)(a)(ii)>


**Subject:** FW: CIRCULATED - Crimes Legislation Amendment (Police Powers at Airports) Bill 2019 [SEC=OFFICIAL]  
[SEC=UNCLASSIFIED]

s22(1)(a)(ii) - duplicate email

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s22(1)(a)(ii) - duplicate email



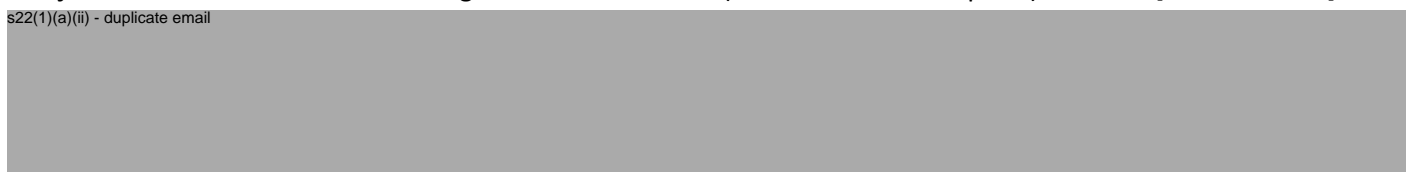
**From:** s22(1)(a)(ii)

**Sent:** Monday, 14 October 2019 10:19 AM

**To:** s22(1)(a)(ii)

**Subject:** FW: CIRCULATED - Crimes Legislation Amendment (Police Powers at Airports) Bill 2019 [SEC=OFFICIAL]

s22(1)(a)(ii) - duplicate email




**From:** s22(1)(a)(ii)

**On Behalf Of** Clerk Assistant, Procedure (SEN)

**Sent:** Monday, 14 October 2019 8:41 AM

**Subject:** CIRCULATED - Crimes Legislation Amendment (Police Powers at Airports) Bill 2019

s22(1)(a)(ii) - duplicate email



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**FOI**

**From:** §22(1)(a)(ii)  
**Sent:** Monday, 14 October 2019 1:34 PM  
**To:** Williamson-deVries, Susan  
**Cc:** §22(1)(a)(ii)  
**Subject:** RE: CIRCULATED - Crimes Legislation Amendment (Police Powers at Airports) Bill 2019 [SEC=OFFICIAL] [DLM=For-Official-Use-Only]

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Yes – very unlikely to get on before 2pm. No 1 is still going (with two amendments) and No 2 on the list has 7 speakers as well as one amendment.

§22(1)(a)(ii) | Law Enforcement Policy Branch | P: +61 2 §22(1)(a)(ii) (Ext §22(1)(a)(ii) ) M: §22(1)(a)(ii)

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**From:** Williamson-deVries, Susan <§22(1)(a)(ii)>  
**Sent:** Monday, 14 October 2019 1:31 PM  
**To:** §22(1)(a)(ii)  
**Cc:** §22(1)(a)(ii)  
**Subject:** RE: CIRCULATED - Crimes Legislation Amendment (Police Powers at Airports) Bill 2019 [SEC=OFFICIAL] [SEC=UNCLASSIFIED]

§22(1)(a)(ii) - duplicate email

**From:** §22(1)(a)(ii)  
**Sent:** Monday, 14 October 2019 1:27 PM  
**To:** Williamson-deVries, Susan <§22(1)(a)(ii)>  
**Cc:** §22(1)(a)(ii)  
**Subject:** FW: CIRCULATED - Crimes Legislation Amendment (Police Powers at Airports) Bill 2019 [SEC=OFFICIAL] [DLM=For-Official-Use-Only]

§22(1)(a)(ii) - duplicate email

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**From:** s22(1)(a)(ii)  
**Sent:** Monday, 14 October 2019 3:02 PM  
**To:** s22(1)(a)(ii)  
**Subject:** Police Powers at Airports - Revised Summing Up Speech [DLM=For-Official-Use-Only]  
**Attachments:** Police Powers at Airports Bill - Summing Up Speech - Senate - 2019.DOCX

For-Official-Use-Only

Hi s22(1)(a)(ii)

The long version of the Senate summing up speech has also been revised, in light of Senator Patrick's proposed amendments. Attached is the version that has been provided to the MO.

More than happy to discuss.

Cheers,

s22(1)(a)(ii)

Senior Policy Officer | Serious and Organised Crime  
Law Enforcement Policy Branch | National Security and Law Enforcement Policy Division  
Policy Group  
Department of Home Affairs  
T: 02 s22(1)(a)(ii) | Ext: s22(1)(a)(ii)  
E: s22(1)(a)(ii)

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**FOI**

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**From:** §22(1)(a)(ii)  
**Sent:** Monday, 14 October 2019 5:02 PM  
**To:** §22(1)(a)(ii)  
**Cc:** §22(1)(a)(ii)  
**Subject:** FW: UPDATED speakers list: ANL Legislation Repeal Bill 2019 [SEC=OFFICIAL]  
[SEC=UNOFFICIAL]

UNOFFICIAL

FYI


UNOFFICIAL

---

**From:** Senate Parliamentary Liaison Office <SenatePLO@pmc.gov.au>

**Sent:** Monday, 14 October 2019 5:00 PM

**To:** §22(1)(a)(ii)



**Cc:** Senate Parliamentary Liaison Office <SenatePLO@pmc.gov.au>

**Subject:** UPDATED speakers list: ANL Legislation Repeal Bill 2019 [SEC=OFFICIAL]

**OFFICIAL**

Dear Colleagues,

Please see the updated speakers list for the **ANL Legislation Repeal Bill 2019**

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# Government Business

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## ANL Legislation Repeal Bill 2019

BROWN

SIEWERT

DAVEY

POLLEY

BROCKMAN

CICCONE

GALLACHER

STERLE

---

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**FOI**

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**From:** s22(1)(a)(ii)  
**Sent:** Monday, 14 October 2019 5:14 PM  
**To:** s22(1)(a)(ii)  
**Subject:** PP@A - Review/Sunset of Div 3A [SEC=UNCLASSIFIED]

UNCLASSIFIED

Hi s22(1)(a)(ii)

The review and sunset provisions for Division 3A of Part IAA of the *Crimes Act 1914* (Crimes Act) were inserted into the Crimes Act and *Intelligence Services Act 2001* by the [Counter-Terrorism Legislation Amendment Act \(No. 1\) 2018](#) (CTLA Act), which was led by AGD.

The [Explanatory Memorandum](#) for the CTLA Act states that the review and sunset provisions were inserted in accordance with recommendations of the PJCS (see pages 50, 52).

Let me know if I can look into anything further around these points.

Thanks,

s22(1)(a)(ii)

Senior Policy Officer | Serious and Organised Crime  
Law Enforcement Policy Branch | National Security and Law Enforcement Policy Division  
Policy Group  
Department of Home Affairs  
T: 02 s22(1)(a)(ii) | Ext: s22(1)(a)(ii)  
E: s22(1)(a)(ii)

UNCLASSIFIED

**FOI**

---

**From:** s22(1)(a)(ii)  
**Sent:** Monday, 14 October 2019 5:31 PM  
**Subject:** Reminder Updates WoG talking points, Australia's Response to Terrorism by 10am Tuesday, 15 October 2019 [SEC=UNCLASSIFIED]  
**Attachments:** Australia s Response to Terrorism - WoG TPs - 8 October 2019.DOCX

UNCLASSIFIED

Good afternoon

Please see the most recent version of the *Australia's Response to Terrorism* WoG TPs attached.

Could you please provide any updates by 10am tomorrow.

Regards

s22(1)(a)(ii)

National Security & Crisis Communication SectionPortfolio Media Operations  
Department of Home Affairs

s22(1)(a)(ii)

s22(1)(a)(ii)

UNCLASSIFIED



**Australian Government**  
**Department of Home Affairs**

## TALKING POINTS

<b>Subject</b>	<b>AUSTRALIA'S RESPONSE TO TERRORISM</b>		
<b>Date</b>	8 October 2019		
<b>Type</b>	Whole of Government		
<b>Home Affairs Media Hotline: 02 6264 2244</b>		<b>Email:</b>	s22(1)(a)(ii)

s22(1)(a)(ii)

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**Australian Government**  
**Department of Home Affairs**

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**Australian Government**  
**Department of Home Affairs**

**CONTENTS**

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Aviation security initiatives ..... 8

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Pages 4 – 7 removed

Section 22(1)(a)(ii)

(irrelevant to request)

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**Australian Government**  
**Department of Home Affairs**

s22(1)(a)(ii)

### **Aviation security initiatives**

- The Australian Government's first priority is, and will always be, to keep Australians safe and secure.
- The disrupted terrorist attack in Sydney in July 2017 demonstrated a level of sophistication not seen before in Australia and reinforced that aviation remains a high profile target for terrorists.
- Although we already have strong and comprehensive aviation security, it is essential that we remain ahead of the evolving threat.
- A range of measures are being implemented to further strengthen security at airports and mail and air cargo facilities.
- These measures include:
  - Sophisticated new screening technology at major and regional Australian airports
  - Increasing AFP Counter Terrorist First Response presence at airports with an additional 190 officers
  - Upgrading inbound air cargo and international mail screening technology
  - Strengthening outbound air cargo screening (piece level screening)
  - Improving the training and accreditation of screening staff at airports.
- To complement these improvements, new laws have been introduced into Parliament to give police powers to conduct identity checks at certain airports and to direct a person to 'move on' from airport premises where they pose a criminal, safety or security threat.
- These initiatives will ensure Australia remains a trusted destination for trade and travel and a world-leader in aviation security.

s22(1)(a)(ii)

UNCLASSIFIED

Pages 9 – 34 removed

Section 22(1)(a)(ii)

(irrelevant to request)

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**FOI**

**From:** Heimura RINGI  
**Sent:** Monday, 14 October 2019 9:02 PM  
**To:** s22(1)(a)(ii) Emily GRANT; s22(1)(a)(ii) Pip DE VEAU; s22(1)(a)(ii)  
**Cc:** s22(1)(a)(ii)  
**Subject:** Re: Bills in Parliament today [DLM=Sensitive:Legal]  
**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**Sensitive:Legal**

The Police Powers Bill passed the Senate this evening with amendments moved by Centre Alliance agreed to. The amendments provide for review by PJCIS after 3 years and for the provisions to sunset after 4 years.

Regards  
 Heimura

Sent by Email+

**Sensitive:Legal**

**From:** s22(1)(a)(ii)  
**Date:** Monday, October 14, 2019 at 6:00:46 PM  
**To:** "Emily GRANT" s22(1)(a)(ii)  
 "Pip DE VEAU" s22(1)(a)(ii)  
**Cc:** "Heimura RINGI" s22(1)(a)(ii)  
**Subject:** Bills in Parliament today [DLM=Sensitive:Legal]

**Sensitive:Legal**

Good afternoon,

s22(1)(a)(ii)

The Crimes Legislation Amendment (Police Powers at Airports) Bill 2019 may still come on for debate in the Senate later tonight.

Kind regards

s22(1)(a)(ii)

Director / Principal Legal Officer  
 Migration and Citizenship Legislation Section  
 Legislation Branch, Legal Division  
 Department of Home Affairs

s22(1)(a)(ii)

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 under the Freedom of Information Act 1982

s22(1)(a)(ii)

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