



Australian Government
Department of Home Affairs

Control Orders, Preventative Detention Orders, and Continuing Detention Orders

Annual Report
2017-2018

ISBN: 978-1-920996-64-2

© Commonwealth of Australia 2018

With the exception of the Commonwealth Coat of Arms, all material presented in this publication is provided under a Creative Commons Attribution 4.0 International license at <https://creativecommons.org/licenses/by/4.0/legalcode>.

This means this license only applies to material as set out in this document.



The details of the relevant license conditions are available on the Creative Commons website at <https://creativecommons.org/> as is the full legal code for the CC BY 4.0 license at <https://creativecommons.org/licenses/by/4.0/legalcode>.

Use of the Coat of Arms

The terms under which the Coat of Arms can be used are detailed at the Department of Prime Minister and Cabinet website—<https://www.pmc.gov.au/government/commonwealth-coat-arms>.

Contact us

Enquiries regarding the licence and any use of this document are welcome at:

Centre for Counter-Terrorism Coordination

Department of Home Affairs
PO Box 25
BELCONNEN ACT 2616

Table of Contents

Control Orders	3
Preventative Detention Orders	5
Continuing Detention Orders	6

Control Orders

Annual Report 2017-18

The AFP Minister is required under section 104.29 of the *Criminal Code* to provide a report in respect of control orders during the year ending on 30 June 2018.

The provisions of this section of the legislation require the report to include:

- a) (i) the number of ordinary interim control orders made
- (ii) the number of urgent interim control orders made by electronic means
- (iii) the number of urgent interim control orders made in person
- b) the number of interim control orders that the AFP elected not to confirm
- c) the number of control orders confirmed at the confirmation hearing
- d) the number of control orders declared void at the confirmation hearing
- e) the number of control orders revoked at the confirmation hearing or upon application by the subject or the AFP Commissioner
- f) the number of control orders varied at the confirmation hearing or upon application by the subject or the AFP Commissioner
- g) particulars of:
 - (i) any complaints relating to control orders made or referred to the Commonwealth Ombudsman
 - (ii) any information given under section 40SA of the *Australian Federal Police Act 1979* that related to control orders and raised an AFP conduct or practices issue
- h) the number of monitoring warrants issued in relation to individuals subject to a control order
- i) the number of monitoring warrants executed in relation to individuals subject to a control order
- j) the report prepared by the Commonwealth Ombudsman detailing the results of any inspections of AFP records in relation to monitoring warrants
- k) for control orders relating to people who are 14 to 17 years of age – the matters referred to in (a) to (j) in so far as those matters specifically relate to those control orders

Control Orders 2017-18

a) (i)	Interim control orders made	0
(ii)	Urgent interim control orders made – electronic	0
(iii)	Urgent interim control orders made – in person	0
b)	Interim control orders – not elected to confirm	0
c)	Control orders confirmed	0
d)	Control orders declared void	0
e)	Control orders revoked	0
f)	Control orders varied	0
g) (i)	Complaints to Commonwealth Ombudsman	0
(ii)	Information given under AFP Act raising issues	0
h)	Number of monitoring warrants issued	0
i)	Number of monitoring warrants executed	0
j)	Reports prepared by the Commonwealth Ombudsman	0
k)	Control orders relating to people 14 to 17 years of age	0

Preventative Detention Orders

Annual Report 2017-18

The AFP Minister is required by section 105.47 of the *Criminal Code* to provide a report in respect of preventative detention orders during the year ending on 30 June 2018.

The provisions of this section of the legislation require the report to include:

- a) the number of initial preventative detention orders made
- b) the number of continued preventative detention orders made
- c) (i) whether a person was taken into custody under each order
(ii) if so how long the person was detained for
- d) particulars of:
 - (i) any complaints in relation to the detention of a person under a preventative detention order made or referred to the Commonwealth Ombudsman
 - (ii) any information given under section 40SA of the *Australian Federal Police Act 1979* during the year that related to the detention of a person under a preventative detention order and raised an AFP conduct or practices issue
- e) the number of prohibited contact orders made
- f) the number of preventative detention orders or prohibited contact orders that a court has found not to have been validly made or that the Administrative Appeals Tribunal has declared to be void

Preventative Detention Orders 2017-18

a)	Initial preventative detention orders made	0
b)	Continued preventative detention orders made	0
c) (i)	Persons taken into custody under each order	0
(ii)	Detention period	0
d) (i)	Complaints to Commonwealth Ombudsman	0
(ii)	Information given under AFP Act raising issues	0
e)	Prohibited contact order made	0
f)	Orders declared invalid or void	0

Continuing Detention Orders

Annual Report 2017-18

The AFP Minister is required under section 105A.22 of the *Criminal Code* to provide a report in respect of continuing detention orders during the year ending on 30 June 2018.

The provisions of this section of the legislation require the report to include:

- a) the number of applications for continuing detention orders made
- b) the number of applications for interim detention orders made
- c) the number of continuing detention orders made
- d) the number of interim detention orders made
- e) the number of applications for review of continuing detention orders made by terrorist offenders
- f) the number of continuing detention orders affirmed
- g) the number of continuing detention orders varied
- h) the number of continuing detention orders revoked

Continuing Detention Orders 2017-18

a)	Applications for continuing detention orders made	0
b)	Applications for interim detention orders made	0
c)	Continuing detention orders made	0
d)	Interim detention orders made	0
e)	Applications for review of continuing detention orders made by terrorist offenders	0
f)	Continuing detention orders affirmed	0
g)	Continuing detention orders varied	0
h)	Continuing detention orders revoked	0