

Media release – 7 June 2024

“Surveillance devices and computer access: what’s happening with your information?”

The Commonwealth Ombudsman’s Report about agencies’ use of surveillance devices was tabled in Parliament yesterday.

The Report identified several areas where agencies need to improve including:

- the Australian Criminal Intelligence Commission (ACIC) needs to destroy information gathered through surveillance devices that they no longer require,
- the Law Enforcement Conduct Commission (LECC) and National Anti-Corruption Commission (NACC) needs to permanently delete information that has been authorised for destruction, and
- the Australian Federal Police (AFP), LECC and ACIC should revoke or discontinue surveillance devices and warrants if they are no longer required.

Protected information includes information gathered about a person through the use of a surveillance device.

Commonwealth Ombudsman Iain Anderson said *“I am concerned the ACIC is continuing to hold protected information which is likely to be older than 5 years and unlikely to relate to any proceedings. I recommended the ACIC immediately review this material and destroy any protected information that should not be retained under the provisions of the Act. That review should not take up to 7 years as the ACIC advised.”*

The report also highlights examples of good practice across each of the agencies inspected, with all agencies having either a maturing or mature compliance culture. Mr Anderson said, *“the agencies are making concerted efforts to ensure their processes, governance and training is contemporary and fit for purpose. This was particularly evident at the NACC.”*

The report details the oversight of agencies’ use of powers under the *Surveillance Devices Act 2004* and summarises inspections conducted from 1 July to 31 December 2023 at the ACIC, AFP, LECC and NACC. The Office of the Commonwealth Ombudsman reviewed the agencies’ use of surveillance devices and collection of information from computers under warrant.

The report can be found on our [website](#).

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