

Ombudsman makes 22 recommendations on use of covert electronic surveillance by law enforcement agencies

Today the Commonwealth Ombudsman's report on how law enforcement and integrity agencies are complying with safeguards when using covert electronic surveillance powers was tabled in Parliament.

The report covers the Ombudsman's findings from 54 inspections conducted between 1 July 2023 and 30 June 2024 across 22 Commonwealth, State and Territory agencies. The Ombudsman made 22 recommendations across 7 agencies, mostly about their use of telecommunications data powers. Twenty recommendations were accepted in full and 2 were partially accepted by agencies.

The Ombudsman identified that two common issues were insufficient record keeping and a lack of general training and guidance material for officers.

Not only were these common issues, but for some agencies they are also repeat findings across several inspection periods. The Ombudsman was most concerned about some state agencies that had not taken sufficient action to address previous concerns.

Statements attributable to Commonwealth Ombudsman, Mr Iain Anderson:

"People in the community who are subject to these powers are most often unaware of the use of them. Agencies must keep records so that we can see how decisions were made and if they were made lawfully. Training and guidance material is essential for officers to make good decisions and comply with the law when using these covert powers.

It is deeply concerning that we have made repeat findings despite our previous recommendations, in some instances over many years. However, we are pleased to note agencies are being proactive in making disclosures to my Office and collaborating to improve their collective knowledge."

[Read the full report on our website.](#)

For more information, visit ombudsman.gov.au or for media enquiries email media@ombudsman.gov.au.