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Parts IAC and IACA of the *Crimes Act 1914* (Cth)



ASSUMED IDENTITIES AND WITNESS IDENTITY PROTECTION CERTIFICATES ANNUAL REPORTS 2019–20



POLICING FOR
A SAFER AUSTRALIA



13 September 2020

The Hon. Christian Porter MP
 Attorney-General
 Parliament House
 Canberra ACT 2600

Dear Attorney-General

I am pleased to submit the Australian Federal Police assumed identities and witness identity protection certificates annual reports for the period 1 July 2019 to 30 June 2020.

These reports have been prepared in accordance with the relevant legislation. A copy of these reports are to be presented to Parliament in accordance with sections 15LD (3) and 15MU (4) of the *Crimes Act 1914* (Cth).

Yours sincerely

Reece P Kershaw APM
 Commissioner

Assumed identities and witness identity protection certificates annual reports 2019–20

Parts IAC and IACA of the *Crimes Act 1914* (Cth)

Pursuant to sections 15LD (1) and 15MU (2) of the *Crimes Act 1914* (Cth), the AFP provides the following information for the year ending 30 June 2020:

15LD (1):

- a. Authorising persons from the AFP issued 126 authorities for the acquisition and use of assumed identities. In addition, there were 74 variations and 93 revocations.
- b. The activities undertaken by approved officers when using their assumed identities included functions performed covertly in the conduct of intelligence collection and investigations associated with the achievement of AFP core business outcomes.
- c. There were no applications for authorities refused.
- d. There were no authorities of which control was transferred by the chief officer of the AFP under section 15KV.
- e. There were no authorities of which control was transferred to the chief officer of the AFP under section 15KV.
- f. No fraud or unlawful activity was identified.

15MU (2):

- a. The delegates of the chief officer of the AFP issued 45 witness identity protection certificates.
- b. The basis for each certificate issuance was:
 - i. 20 were issued to protect the safety of an operative or other person.
 - ii. 25 certificates were issued to prevent the prejudice of any current or future investigations.
 - iii. no certificates were issued to prevent any current or future activity relating to security.
- c. Across the reporting period no operatives were required to provide their true identities to the presiding officer pursuant to section 15ML.
- d. There were no proceedings in which leave or an order was made pursuant to section 15MM given for a party to lead or ask questions which may have disclosed an operative's true identity or where the operative lives.
- e. No leave or order was given for joinder of a person as a respondent to proceedings pursuant to section 15MN.
- f. There were no matters in which leave was given for an adjournment pursuant to section 15MP.
- g. There were no witness identity protection certificates cancelled pursuant to section 15MQ.
- h. There were no proceedings in which the chief officer permitted a person to give information that disclosed or may have led to the disclosure of an operative's true identity or where they live pursuant to section 15MR.