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31 May 2024

Mr Phillip Donato, MP
Chair, Committee on the Ombudsman, the Law Enforcement Conduct Commission and the Crime
Commission
Parliament House
Macquarie Street SYDNEY 2000

[by email: ombolecc@parliament.nsw.gov.au]

Dear Mr Donato MP,

On 2 May 2024, I appeared before a Hearing held by the Committee on the Ombudsman, the Law Enforcement Conduct Commission and the Crime Commission.

During the hearing I took a question on notice, and on 22 May 2024, the Committee asked a further six supplementary questions for response by Friday 31 May 2024.

I am pleased to provide the Committee responses to all questions.

As advised by my letter of 21 May, the Commission did not directly hold data relating to the question on notice and required additional time to liaise with partner agencies and collate information. The response to this question is enclosed with this response.

In addition, I would like to make a correction to the evidence I gave on 2 May 2024. On page 7 of the transcript, I stated:

The Australian federal authorities have very significant powers to compel the provision of information about the technical architecture of devices. We don't have that. We've been requesting access to those powers – the so-called TOLA warrants – for some years. We've been told by the oversight parliamentary committee that we'd get it, but it still hasn't come in. It's something we'll continue to pursue.

Unfortunately, I was incorrect. My Commission requested access to those powers for a number of years. These powers were granted in 2023. Please refer to my response to Supplementary Question 5 for more information on the value of these powers.

I would like to thank the Committee for its time in facilitating the recent hearing and express my appreciation for the further interest into the Commission's operations through the supplementary questions received from members.

If you have any further questions about the information submitted in response, I welcome you to contact my office via [REDACTED] for clarification or discussion.

Kind regards,



Michael Barnes
Commissioner
NSW Crime Commission