


~~PROTECTED~~



OFFICE OF THE
CHIEF EXECUTIVE

Our Ref: 10/111351
Your Ref:

Dr Jeff Harmer AO
Secretary
Department of Families, Housing, Community Services and Indigenous Affairs
Tuggeranong Office Park
Soward Way (cnr Athllon Drive)
Greenway ACT 2900

Dear Dr Harmer 

ACC analysis of NTNER audit of publicly funded computers, December 2009 and June 2010

I am writing to advise you of the outcomes of the Australian Crime Commission's analysis of the December 2009 and June 2010 audit of publicly funded computers conducted under the *Northern Territory National Emergency Response Act 2007* (NTNER Act).

In December 2009, FaHCSIA conducted an audit of "publicly funded computers" in the Northern Territory. Consistent with the requirements of Section 29(5) of the NTNER Act, FaHCSIA then forwarded the audit reports to the ACC. In March 2010 the ACC Cyber Intelligence Unit received data containing 539 encrypted audit reports. Analysis of the data found that 61 audit reports contained no information due to corrupted software or user error. Further analysis of the remaining 478 audit reports identified 85 suspected pornographic images or web pages accessed from seven organisations. Accordingly the list of audit reports positive for pornographic material is attached as **Annex A** to this report.

In June 2010, FaHCSIA again conducted an audit of applicable computers under the NTNER Act. In August 2010, 602 encrypted audit reports were received by the ACC Cyber Intelligence Unit for analysis. Of these reports 26 were unable to be opened as a result of a computer password encryption error. Analysis of the remaining 576 audit reports identified 106 suspected pornographic images or web pages accessed from 15 organisations. Accordingly the list of audit reports positive for pornographic material is attached as **Annex B** to this report.

In relation to the computer errors mentioned above, discussions between ACC and FaHCSIA officers are continuing in order to resolve this issue for future audits. In relation to the delay in the dissemination of the results from the December 2009 audit, I am advised that this occurred as a consequence of discussions between ACC, AFP and FaHCSIA to establish protocols for the dissemination of the ACC's analysis of these reports. The outcome of these discussions was that FaHCSIA would receive empirical data on non-compliance of NTNER audited organisations (ie. where computers have been used to access pornography) and the AFP would only be disseminated

ACC HEADQUARTERS
44 Mort Street, Braddon, Canberra, ACT 2601
Tel: (02) 6243-6613, Fax: (02) 6243-6679, Internet: www.crimecommission.gov.au
GPO Box 1936, Canberra, ACT 2601

~~PROTECTED~~

~~PROTECTED~~

audit reports for child pornography. To date no child pornography has been identified. It is intended that future audits will follow these agreed protocols.

You should note that the attached information (as recorded in Annex A and B) is being provided pursuant to section 59(7) of the *Australian Crime Commission Act 2002 (Cth)* for your agency's further dealing and as such, caveats apply in relation to the handling of this material.

In particular, this information should not be copied and must not be released to any other agency or person without the prior approval of the ACC.


If this information is potentially subject to subpoena, Freedom of Information requests or any other order for production or disclosure, I request that you advise the ACC as soon as practicable with a view to making arrangements to claim either or all of the following:

- Conditional possession of the document;
- Public interest immunity from production;
- Exemption from FOI action;
- Exemption from production pursuant to Section 51(3) of the ACC Act.

I thank you for your co-operation in handling the attached information according to these caveats.

Should your office require further information please have them contact s 47F
s 47F or via email to s 47F @crimecommission.gov.au.

Yours sincerely



John Lawler APM
Chief Executive Officer
22 November 2010

~~PROTECTED~~

~~UNCLASSIFIED covering PROTECTED~~

RECEIPT COPY

ACC Ref: 10/111351

Dr Jeff Harmer AO
Secretary
Department of Families, Housing, Community Services and Indigenous Affairs
Tuggeranong Office Park
Soward Way (cnr Athllon Drive)
Greenway ACT 2900

ACC analysis of
NTNER audit of publicly funded computers, December 2009 and June 2010

The attached information (as recorded in Annex A and B) is provided pursuant to section 59(7) of the *Australian Crime Commission Act 2002 (Cth)* for your agency's further dealing. Please have your staff contact ~~s 47F~~ ^{s 47F} if clarification of the above or further information is required.

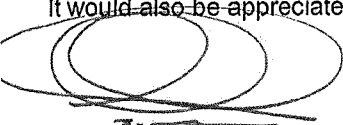
This information should not be copied and must not be released to any other agency or person without the prior approval of the ACC.

If this information is potentially subject to subpoena, Freedom of Information requests or any other order for production or disclosure, I request that you advise the ACC as soon as practicable with a view to making arrangements to claim either or all of the following:

- Conditional possession of the document;
- Public interest immunity from production;
- Exemption from FOI action;
- Exemption from production pursuant to Section 51(3) of the ACC Act.

Your co-operation in having the attached Information Appraisal Form completed and returned will assist the ACC to determine whether the information disseminated is of interest and/or use to your agency. Your advice of any positive outcome if further inquiries are undertaken would also be appreciated.

It would also be appreciated if the enclosed receipt could be completed and returned to Ms Jessica Kosic.



John Lawler APM
Chief Executive Officer

27 November 2010

I acknowledge receipt of the document referred to above (ACC Reference: 10/111351)

Name:..... Date:.....

Signature:.....

~~UNCLASSIFIED covering PROTECTED~~

**AUSTRALIAN CRIME COMMISSION
INFORMATION APPRAISAL FORM**

Please complete and return to:

847F
Australian Crime Commission
PO Box 8850
Alice Springs NT 0871

Appraisal of Information:

The information provided to Department of Families, Housing, Community Services and Indigenous Affairs regarding **ACC analysis of NTNER audit of publicly funded computers, December 2009 and June 2010:**

- ☐ Is of limited interest or relevance to my agency.
- ☐ Is of general interest but has no direct relevance to current investigations.
- ☐ Is of real interest and is relevant to current investigations.
- ☐ Has directly assisted current investigations by

.....
.....
.....
.....

- ☐ Other comments

.....
.....
.....
.....

Completed By:

Name: [In full]

Agency:

Designation:

Date:

Your cooperation in completing and returning this evaluation form will assist the Australian Crime Commission to identify and disseminate information that is relevant to your agency in a timely manner.

~~PROTECTED~~

Australian Crime Commission
****Use and Dissemination Restrictions Apply****

This information should not be copied or released to any other agency without prior approval of the Australian Crime Commission

Annex A (December 2009 Audit - ACC Reference: 10/111351)

Organisation ¹	Approx No. of computers ²	Alleged Suspect Images ³	Alleged Suspect Multimedia ⁴	Webpages ⁵	Last modified Date ⁶	Audit ID / Comments ⁷
s47g	31	1			26/06/2009	B3
		18			13/11/2009	B3
	42	5			17/06/2010	C3H
		1			27/07/2009	C3H
	3	2			16/06/2009	E1D
	8	15			27/07/2009	K1A

¹ As supplied by Audit Report

² As supplied by Bridgepoint spreadsheet

³ Alleged pornographic images identified by individual visual examination. (Not officially classified)

⁴ Alleged pornographic movie files identified by individual visual examination. (Not officially classified)

⁵ Alleged pornographic webpage files identified by individual visual examination. (Not officially classified)

⁶ Last date supplied by audit software that an alleged pornographic file identified was changed/accessed. (Only an indication, not forensically sound)

⁷ ID of individual computers linked to identified alleged pornographic material, as supplied by audit software. (This is audit user input)

~~PROTECTED~~

~~PROTECTED~~

Australian Crime Commission
****Use and Dissemination Restrictions Apply****

This information should not be copied or released to any other agency without prior approval of the Australian Crime Commission

s47 G

	9	1			8/12/2009	K1B
	35	1			31/07/2009	M5
		19			4/07/2009	M5
	7	13			31/07/2009	R5A
	1	9			6/11/2009	Y2

~~PROTECTED~~

~~PROTECTED~~

Australian Crime Commission
****Use and Dissemination Restrictions Apply****

This information should not be copied or released to any other agency without prior approval of the Australian Crime Commission
Annex B (June 2010 Audit - ACC Reference: 10/111351)

Organisation ⁸	Approx No. of computers ⁹	Alleged Suspect Images ¹⁰	Alleged Suspect Multimedia ¹¹	Webpages ¹²	Last modified Date ¹³	Audit ID / Comments ¹⁴
s47G	3	12			24/02/2010	B1/a
	2	1			16/03/2010	B1/b
	2	7			17/06/2010	C2
	25	1			8/4/2010	C3
	4	1			21/05/2010	E1/h
	1	2			16/06/2010	I3
	32	1			17/05/2010	K1
		2			7/01/2010	K1
		1			24/05/2010	K1
		4			27/05/2010	K1

⁸ As supplied by Audit Report

⁹ As supplied by Bridgepoint spreadsheet

¹⁰ Alleged pornographic images identified by individual visual examination. (Not officially classified)

¹¹ Alleged pornographic movie files identified by individual visual examination. (Not officially classified)

¹² Alleged pornographic webpage files identified by individual visual examination. (Not officially classified)

¹³ Last date supplied by audit software that an alleged pornographic file identified was changed/accessed. (Only an indication, not forensically sound)

¹⁴ ID of individual computers linked to identified alleged pornographic material, as supplied by audit software. (This is audit user input)

~~PROTECTED~~

~~PROTECTED~~

Australian Crime Commission
****Use and Dissemination Restrictions Apply****

This information should not be copied or released to any other agency without prior approval of the Australian Crime Commission

Organisation ⁸	Approx No. of computers ⁹	Alleged Suspect Images ¹⁰	Alleged Suspect Multimedia ¹¹	Webpages ¹²	Last modified Date ¹³	Audit ID / Comments ¹⁴
s47G		1			18/02/2010	L1
		3			23/04/2010	L1
	22	1			1/03/2010	M1
	22	2			27/04/2010	M5
		9			4/06/2010	M5
	1	2			20/04/2010	R2
	1	15			21/05/2010	R2
	50	13			16/02/2010	S1
		1			31/05/2010	S1
		1			10/01/2010	S1
	28	8			25/06/2010	T2
	16	2			25/03/2010	T3
		14			7/05/2010	T3
	13	1			12/07/2010	V1/d

~~PROTECTED~~

~~PROTECTED~~

Australian Crime Commission

****Use and Dissemination Restrictions Apply****

This information should not be copied or released to any other agency without prior approval of the Australian Crime Commission

Organisation ⁸	Approx No. of computers ⁹	Alleged Suspect Images ¹⁰	Alleged Suspect Multimedia ¹¹	Webpages ¹²	Last modified Date ¹³	Audit ID / Comments ¹⁴
s47G		1			23/03/2010	W2

~~PROTECTED~~