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OFFICE OF THE  
CHIEF EXECUTIVE

Our Ref: 09/128526

Your Ref:

Mr Field  
cc Mr Mr Tanguay 28/12  
Mr Smith (OIPC)

12/2198  
18 DEC 2009  
SECRETARY

Dr Jeff Harmer  
Secretary

Department of Families, Housing, Community Services and Indigenous Affairs  
Tuggeranong Office Park  
Soward Way (cnr Athlon Drive)  
Greenway ACT 2900

Dear Dr Harmer

**ACC Analysis of NTER Audit of Publicly funded computers, June 2009**

I am writing regarding the third audit of publicly funded computers conducted under the *Northern Territory National Emergency Response Act 2007* (NTNER Act).

The attached information (as recorded in Annex A) is provided pursuant to section 59(7) of the *Australian Crime Commission Act 2002* (Cth) for your agency's further dealing.

**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.

In June 2009 FAHCSIA conducted an audit of applicable computers and, consistent with the requirements of Section 29(5) of the NTNER Act, FAHCSIA then forwarded the audit reports to the ACC in September and October 2009. The ACC subsequently completed an initial analysis of the audit results.

Analysis indicates that from 573 audit reports analysed, 8 organisations displayed recent alleged illicit activity (24 compressed files reported as corrupted and unable to be opened) with a total of 145 suspect images or web pages.

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

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Accordingly the list of audit reports positive for illicit material is attached as **Annex A** to this report.

Comparative analysis of the December 2008 and June 2009 audits have shown a significant drop in detected images and webpages from 1229 to 145. ✓

s47E(a)

I draw your attention to the explanatory notes at Annex A and reiterate that the results are indicative only.

Given the audit analysis indicates that activity may have taken place on some publicly funded computers in contravention of Section 30 of the NTNER Act, I have provided a copy of this analysis and a DVD containing the alleged illicit material to the Australian Federal Police (AFP) for any action they consider appropriate.

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.

Should your office require further information please have them contact the Acting Head of the ACC's National Indigenous Intelligence Task Force, s47F

Yours sincerely



John Lawler APM  
Chief Executive Officer

16 December 2009

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Australian Crime Commission

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## Annex A

ACC Reference: 09/128526

Organisation <sup>1</sup>	Approx No. of computers <sup>2</sup>						
s47G	8	6				15/06/2009	E1A
	2	17	3		5	17/06/2009	M2C
	6	14	1		14	15/07/2009	C3D
	2	20	1		2	25/05/2009	C4C
	10	20			4	18/06/2009	E1C
	10	6			1	16/06/2009	R1
	31	14	3		4	01/04/2009	K1
	3	10				06/08/2009	W4C

<sup>1</sup> As supplied by audit report

<sup>2</sup> As supplied by auditors spreadsheet

<sup>3</sup> Alleged illicit images identified by individual examination (not officially categorised)

<sup>4</sup> Alleged illicit video files identified by individual examination (not officially categorised)

<sup>5</sup> Alleged illicit web pages identified by individual examination (not officially categorised)

<sup>6</sup> Last date supplied by audit software of when file was accessed (indicative only)

<sup>7</sup> Identifier of individual computers linked to alleged illicit material, as supplied by audit software

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### Explanatory Notes

1. The alleged illicit material has been individually examined for pornographic content and false hits removed. However, illicit material identified has not officially been categorised according to Australian Government classifications. As such numeric values for quantities of illicit materials should be considered as indicative only.
2. s47E(a)
3. The December 2008 audit was the first to use new "pinpoint auditor" audit software, purpose built for FaHCSIA by Bridgepoint Communications Pty Ltd for the audits (see [www.bridgepoint.com.au](http://www.bridgepoint.com.au)).  
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