

Inquest into the deaths arising from the Lindt Café siege

Order made by the State Coroner on 13 May 2016 with respect to public interest immunity claims made by the Commonwealth of Australia

With respect to the public interest immunity claims made by the Commonwealth of Australia (“the Commonwealth”):

1. The claims made by the Commonwealth, identified by reference to the annexed schedule (titled “Annexure A: schedule of Commonwealth public interest immunity claims for the period 1 February 2016 to 24 March 2016”), are upheld, for the reasons stated in that schedule in support of the application, except for:
 - a. the claims in relation to the statement of the Category 1 officer of the New South Wales Police Force known by the pseudonym ‘Steven’ in these proceedings (Tab 14.22).



Michael Barnes
State Coroner

Annexure A: schedule of Commonwealth public interest immunity claims for the period 1 February 2016 to 24 March 2016

Code	Ground			
Ground A	PII – sensitive police/law enforcement methodology (methods, procedures, technology).			
Ground B	PII – national security information.			
Ground C	PII – witness or human source information the disclosure of which may endanger the safety of the witness/source or compromise the flow of information from other witnesses/sources.			
Ground D	PII – information sought or received in confidence from an overseas agency or information about the overseas agency's methodology (risk to relationship(s)).			
Ground E	PII – information sought or received in confidence from a domestic agency or information about the domestic agency's methodology (risk to relationship(s)).			
Ground F	PII – information that would disclose details of an operational matter/ongoing investigation/matter before the court.			
Ground G	PII – information that may give rise to risks to security of AFP or other Commonwealth personnel or members of the public.			
Ground H	Subject to statutory restriction.			
Ground I	Subject to legal professional privilege (LPP).			
Ground J	Relevance.			
Tab ¹	Document	Relevant page/para ²	Ground	Further information
Material served prior to 1 February 2016 (included in this schedule at your request)				
14.18	Handwritten notes of Detective Sergeant Tim [REDACTED]	5961 at 23.04pm	A	Information that discloses capability/methodology of surveillance devices

¹ This column records the tab in the siege brief if one has been assigned. If one has not been assigned, the column is marked "TBA".

² This column records the page number in the siege brief if one has been assigned. If one has not been assigned, it records the page number assigned according to the internal page numbering system of the document.

14.19	Transcribed notes of Detective Sergeant Tim [REDACTED]	5980 at 23.04pm	A	Information that discloses capability/methodology of surveillance devices
Material served on 2 February 2016 (other than the surveillance device recordings)				
15.3	Statement of Senior Investigating Officer [REDACTED]	6 at 13:14pm	A	Information that discloses capability/methodology of surveillance devices
		6 at 13:14pm	A	Information that discloses capability/methodology of surveillance devices
		6 at 14:05pm	A	Information that discloses capability/methodology of surveillance devices
		6 at 14:05pm	A	Information that discloses capability/methodology of surveillance devices
		7 at 15:11pm	B, G, H	Name of ASIO officer
15.17	Statement of TIS Investigations Manager [REDACTED]	7	C	Information that would identify the name and/or contact details of an individual who has contacted the National Security Hotline
Material served on 4 February 2016				
14.22	Statement of Detective Sergeant Steven [REDACTED]	11 at para 43	A	Information that discloses capability/methodology of surveillance devices
		11 at para 43	A	Information that discloses capability/methodology of surveillance devices
		32, second text message	A	Information that discloses capability/methodology of surveillance devices
		32, third text message	A	Information that discloses capability/methodology of surveillance devices

		32, fourth text message	A	Information that discloses capability/methodology of surveillance devices
		33, third text message	A	Information that discloses capability/methodology of surveillance devices
Material served on 22 February 2016				
TBA	Indigo log (Martin Place Incident)	21 of 56	C	Information that would identify the name and/or contact details of an individual who has contacted the National Security Hotline
		13295, para 43	C	Information that would identify the name and/or contact details of an individual who has contacted the National Security Hotline
		13295, para 44	C	Information that would identify the name and/or contact details of an individual who has contacted the National Security Hotline
		13295, para 44	C	Information that would identify the name and/or contact details of an individual who has contacted the National Security Hotline
		13295, para 45	C	Information that would identify the name and/or contact details of an individual who has contacted the National Security Hotline
TBA	Statement of Detective Inspector Jason Herbert	13295, para 46	C	Information that would identify the name and/or contact details of an individual who has contacted the National Security Hotline

Cont.		13295, para 47	C	Information that would identify the name and/or contact details of an individual who has contacted the National Security Hotline
		13295, para 47	C	Information that would identify the name and/or contact details of an individual who has contacted the National Security Hotline
		13295, para 47	C	Information that would identify the name and/or contact details of an individual who has contacted the National Security Hotline
		13295, para 48	C	Information that would identify the name and/or contact details of an individual who has contacted the National Security Hotline
Cont.	Cont.	13295, para 48	C	Information that would identify the name and/or contact details of an individual who has contacted the National Security Hotline
		13296, para 48	C	Information that would identify the name and/or contact details of an individual who has contacted the National Security Hotline
		13296, para 49	C	Information that would identify the name and/or contact details of an individual who has contacted the National Security Hotline
		13296, para 49	C	Information that would identify the name and/or contact details of an individual who has contacted the National Security Hotline
		13296, para 49	C	Information that would identify the name and/or contact details of an individual who has contacted the National Security Hotline

		13296, para 50	C	Information that would identify the name and/or contact details of an individual who has contacted the National Security Hotline
		13296, para 52	C	Information that would identify the name and/or contact details of an individual who has contacted the National Security Hotline
		13297, para 53	C	Information that would identify the name and/or contact details of an individual who has contacted the National Security Hotline
		13297, para 53	C	Information that would identify the name and/or contact details of an individual who has contacted the National Security Hotline
	Cont.	13297, para 53	C	Information that would identify the name and/or contact details of an individual who has contacted the National Security Hotline
	Cont.	13297, para 54	C	Information that would identify the name and/or contact details of an individual who has contacted the National Security Hotline
		13297, para 54	C	Information that would identify the name and/or contact details of an individual who has contacted the National Security Hotline
		13297, para 54	C	Information that would identify the name and/or contact details of an individual who has contacted the National Security Hotline
		13318, para 83	C	Information that would identify the name and/or contact details of an individual who has contacted the National Security Hotline

Cont.	Cont.	13325, para 106	C	Information that would identify the name and/or contact details of an individual who has contacted the National Security Hotline
		13325, para 106	C	Information that would identify the name and/or contact details of an individual who has contacted the National Security Hotline
Material served on 29 February 2016				
TBA	Pages 27-28 of the handwritten notes of Sergeant Tina [REDACTED], dated 15 December 2014 (to be added to Tab 14.3)	27 of notes at 01.26am	A	Information that discloses capability/methodology of surveillance devices
		27 of notes at 01.37am	A	Information that discloses capability/methodology of surveillance devices
		27 of notes at 01.56am	A	Information that discloses capability/methodology of surveillance devices
		27 of notes at 02.01am	A	Information that discloses capability/methodology of surveillance devices
		1, para 4	A	Information that discloses capability/methodology of surveillance devices
TBA	Statement of Detective Senior Constable Tim Goodman-Jones	2, para 5	A	Information that discloses capability/methodology of surveillance devices
		2, para 5	A	Information that discloses capability/methodology of surveillance devices
Material served on 10 March 2016				
TBA	Annexure 1 to the Statement of [REDACTED] The Category 2 officer name located at Tab 15.20	4 of annexure (or 3 of the Terrorism Intelligence Unit Assessment)	C	Information that might compromise the flow of information from National Security hotline callers

		4 of annexure (or 3 of the Terrorism Intelligence Unit Assessment)	C	Information that might compromise the flow of information from National Security hotline callers
Material served on 16 March 2016				
TBA	Investigator's note: Brock Thompson (dob DOB) – Claim to be a hostage in the Lindt Café Actions taken by Police	1	C	Information that would identify the name and/or contact details of an individual who has contacted the National Security Hotline
		1	C	Information that would identify the name and/or contact details of an individual who has contacted the National Security Hotline
		1	C	Information that would identify the name and/or contact details of an individual who has contacted the National Security Hotline
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