

## **Question on notice no. 46**

**Portfolio question number: SQ23-000409**

### **2023-24 Budget estimates**

#### **Community Affairs Committee, Services Australia Portfolio**

**Senator Janet Rice:** asked the Services Australia on 31 May 2023—

Mr Birrer: I would note that at the last hearing, Ms Lees, who was in this role, did speak about—without any of the detail—a range of both pre- and post-payment checks that we do in order to assess the risk. One thing we have found is that a high proportion of the transactions that trigger those risk factors do have strong indicators of being fraudulent behind them, including identity theft, or hijacking, incidents.

Senator RICE: I understand—and I think you mentioned this just before—that Cellebrite is only deployed in investigations where a warrant is obtained. Is that correct?

Mr Birrer: Yes.

Senator RICE: How many warrants has Services Australia requested to allow the use of Cellebrite?

Mr Birrer: I'd have to take that on notice. I would note too that we also work with other agencies in terms of shared services.

Senator RICE: Could you take on notice those investigations where it's a shared service?

Ms Skinner: We have a capability, and we offer it to other agencies or situations where it might be of assistance.

Senator RICE: Who else do you offer it to, then?

Mr Birrer: When people are committing these sorts of financial offences against the Commonwealth, they're often not choosing a single payment, so it can interact with other payments such as from the Department of Education or the National Disability Insurance Agency.

Senator RICE: In those circumstances with shared services, would you obtain the warrant?

Mr Birrer: It would depend on the circumstances.

Senator RICE: Could you take on notice a list of all agencies that you have those shared services with that you are sharing the use of Cellebrite with? Could you also take on notice how many warrants you've requested? Have there been warrants that you've requested which haven't been approved?

Mr Birrer: I'd have to take that on notice. I can't recall.

**Answer —**

Please see attached answer.

## Senate Community Affairs Legislation Committee

Budget Estimates – 31 May 2023  
ANSWER TO QUESTION ON NOTICE

The Hon Bill Shorten MP  
Minister for the National Disability Insurance Scheme  
Minister for Government Services

**Topic: Celebrite shared usage, and warrant statistics**

**Question reference number: SQ23-000409**

**Outcome Number: 1**

**Senator: Janet Rice**

**Type of Question: Spoken. Hansard Page/s: 27-28**

**Date set by the Committee for the return of answer: 14 July 2023**

### **Question:**

Mr Birrer: I would note that at the last hearing, Ms Lees, who was in this role, did speak about—without any of the detail—a range of both pre- and post-payment checks that we do in order to assess the risk. One thing we have found is that a high proportion of the transactions that trigger those risk factors do have strong indicators of being fraudulent behind them, including identity theft, or hijacking, incidents.

Senator RICE: I understand—and I think you mentioned this just before—that Celebrite is only deployed in investigations where a warrant is obtained. Is that correct?

Mr Birrer: Yes.

Senator RICE: How many warrants has Services Australia requested to allow the use of Celebrite?

Mr Birrer: I'd have to take that on notice. I would note too that we also work with other agencies in terms of shared services.

Senator RICE: Could you take on notice those investigations where it's a shared service?

Ms Skinner: We have a capability, and we offer it to other agencies or situations where it might be of assistance.

Senator RICE: Who else do you offer it to, then?

Mr Birrer: When people are committing these sorts of financial offences against the Commonwealth, they're often not choosing a single payment, so it can interact with other payments such as from the Department of Education or the National Disability Insurance Agency.

Senator RICE: In those circumstances with shared services, would you obtain the warrant?

Mr Birrer: It would depend on the circumstances.

Senator RICE: Could you take on notice a list of all agencies that you have those shared services with that you are sharing the use of Celebrite with? Could you also take on notice how many warrants you've requested? Have there been warrants that you've requested which haven't been approved?

Mr Birrer: I'd have to take that on notice. I can't recall.

**Answer:**

Q1. How many warrants has Services Australia (the Agency) requested to allow the use of Cellebrite? Could you take on notice those investigations where it's a shared service?

A search warrant is not requested specifically for use of the Cellebrite tools. The Agency does not track the number of applications of Cellebrite technologies during investigations.

Q2. Could you take on notice a list of all agencies that you have those shared services with that you are sharing the use of Cellebrite with?

The Cellebrite tool is not shared with other agencies due to an End User Agreement and requirements for specialist training and certification with the tool.

Q3. Could you also take on notice how many warrants you've requested?

From 1 June 2022 to 31 May 2023, there were 16 Agency led matters that proceeded to a premises search warrant. This figure does not include those matters where a search warrant was executed by prior arrangement with the individual or organisation.

Q4. Have there been warrants that you've requested which haven't been approved?

No.