

HIGHLY PROTECTED



AFP
AUSTRALIAN FEDERAL POLICE



OPERATION RAIN – BRISBANE MIR

OPERATION RAIN SITUATION REPORT

0600 hours, Tuesday 10 July 2007 Report Number: 32

s40(1)(d)

Significant information since last Situation Report:

- On 9 July 2007, AFP Legal and counsel for HANEEF appeared before Magistrate GORDON where AFP Legal made application to extend HANEEF's detention for a period of 120 hours. Magistrate GORDON authorised an extension of 48 hours on the basis that it commences at 1805 for a period of 48 hours (exp 11 July 2007).
- The parties to the application would re-appear before Magistrate GORDON on Wednesday 11 July 2007 at 1000 for the primary purposes of allowing the AFP to consider and address detailed written submissions as made by Counsel for HANEEF. Magistrate GORDON will then consider whether he will grant a further extension of time up to the full 120 hours as originally sought by the AFP.

s.22(1)(a)(ii)

FREEDOM OF INFORMATION ACT 1982

CAVEAT
In order to prevent prejudice to any person, in any manner, without the prior written consent of the AFP, including but not limited to dissemination, or disclosure pursuant to a freedom of information request; a subpoena, a summons to produce, and similar process; or any duty to disclose information or material in official proceedings.

THE HIGHLY PROTECTED POLICE ACT BY

HIGHLY PROTECTED

s.40(1)(d)

Significant Meetings:

No update.

s.40(1)(d)

FREEDOM OF INFORMATION ACT 1982

2

Caveat
In order to prevent prejudice to any person, in any manner, without the prior written consent of the AFP, including but not limited to dissemination or disclosure pursuant to: a freedom of information request; a subpoena; a summons to produce; any similar process; or any duty to disclose information or material in criminal proceedings.

THE HIGHLY PROTECTED POLICE

FOI - 111

HIGHLY PROTECTED

s.40(1)(d)

On 9 July 2007, AFP Legal and counsel for HANEEF appeared before Magistrate GORDON where AFP Legal made application to extend HANEEF's detention for a period of 120 hours. Magistrate GORDON authorised an extension of 48 hours on the basis that it commences at 1805 for a period of 48 hours (exp 11 July 2007).

The parties to the application would re-appear before Magistrate GORDON on Wednesday 11 July 2007 at 1000 for the primary purposes of allowing the AFP to consider and address detailed written submissions as made by Counsel for HANEEF. Magistrate GORDON will then consider whether he will grant a further extension of time up to the full 120 hours as originally sought by the AFP.

s.22(1)(a)(iii)

s.40(1)(d)

s.22(1)(a)(iii)

FREEDOM OF INFORMATION ACT 1982

Caveat

In order to prevent prejudice to any person, in any manner, without the prior written consent of the disseminator or disclosed to any person, in any manner, without the prior written consent of the AFP, including but not limited to dissemination or disclosure pursuant to: a freedom of information request; a subpoena; a summons to produce; any similar process; or any duty to disclose information or material in a judicial proceeding.

FORMERLY KNOWN AS INVESTIGATION) THIS INFORMATION IS NOT TO BE DISSEMINATED OR DISCLOSED TO ANY PERSON, IN ANY MANNER, WITHOUT THE PRIOR WRITTEN CONSENT OF THE AFP, INCLUDING BUT NOT LIMITED TO DISSEMINATION OR DISCLOSURE PURSUANT TO: A FREEDOM OF INFORMATION REQUEST; A SUBPOENA; A SUMMONS TO PRODUCE; ANY SIMILAR PROCESS; OR ANY DUTY TO DISCLOSE INFORMATION OR MATERIAL IN A JUDICIAL PROCEEDING.

3

THE HIGHLY PROTECTED POLICE

s.22(1)(a)(ii)

s.40(1)(d)

FREEDOM OF INFORMATION ACT 1982

4

Caveat
In order to prevent prejudice to any person, in any manner, without the prior written consent of the disseminator or disclosed to any person, in any manner, without the prior written consent of the AFP, including but not limited to, dissemination or disclosure pursuant to: a freedom of information request; a subpoena; a summons to produce; any similar process; or any duty to disclose information or material in criminal proceedings.

THE HIGHLY PROTECTED POLICE

FOI - 113

HIGHLY PROTECTED

s.40(1)(d)

s.22(1)(a)(ii)

External Agency Liaison / Advisings:

No update.

Strategic and Policy Issues:

AFP Legal, HANEEF's defense counsel and Magistrate GORDON will re-convene at 10:00 on 11 July 2007 for the purposes of allowing the AFP to consider and address the written submission as made by Counsel for HANEEF on 9 July 2007. Magistrate GORDON will then consider whether he will grant a further extension of time up to the full 120 hours originally requested.

Media:

Media interest remains high. This will again intensify when AFP Legal and HANEEF's defense counsel appear before Magistrate GORDON on 11 July 2007 for further submissions.

FREEDOM OF INFORMATION ACT 1982

5

Caveat
In order to prevent prejudice to any person, in any manner, without the prior written consent of the disseminator or disclosed to any person, in any manner, without the prior written consent of the AFP, including but not limited to dissemination or disclosure pursuant to a freedom of information request; a subpoena; a summons to produce; and similar process; or any duty to disclose information or material in criminal proceedings.

INVESTIGATIVE ACT BY
THE HIGHLY PROTECTED POLICE

s.22(1)(a)(ii)

FREEDOM OF INFORMATION ACT 1982

6

Caveat
In order to prevent prejudice to any person, in any manner, without the prior written consent of the disseminator or disclosed to any person, in any manner, without the prior written consent of the AFP, including but not limited to dissemination, disclosure, pursuant to a freedom of information request, a subpoena, a summons to produce and similar process; or any duty to disclose information or material in criminal proceedings;
COMMONWEALTH (AFP investigation), this information is not to be disseminated or disclosed to any person, in any manner, without the prior written consent of the AFP, including but not limited to dissemination, disclosure, pursuant to a freedom of information request, a subpoena, a summons to produce and similar process; or any duty to disclose information or material in criminal proceedings.

THE HIGHLY PROTECTED POLICE ACT BY

FOI - 115

s.37(2)(b) and s.40(1)(d)

FREEDOM OF INFORMATION ACT 1982
(COMMONWEALTH)

DOCUMENT HAS BEEN RELEASED
UNDER THE FOI ACT BY
THE AUSTRALIAN FEDERAL POLICE

HIGHLY PROTECTED

s.37(2)(b) and s.40(1)(d)

FREEDOM OF INFORMATION ACT 1982
(COMMONWEALTH)

DOCUMENT HAS BEEN RELEASED
UNDER THE FOI ACT BY
THE AUSTRALIAN FEDERAL POLICE

HIGHLY PROTECTED

FOI - 117

s.37(2)(b) and s.40(1)(d)

FREEDOM OF INFORMATION ACT 1982
(COMMONWEALTH)

DOCUMENT HAS BEEN RELEASED
UNDER THE FOI ACT BY
THE AUSTRALIAN FEDERAL POLICE

HIGHLY PROTECTED

FOI - 118

s.37(2)(b) and s.40(1)(d)

FREEDOM OF INFORMATION ACT 1982
(COMMONWEALTH)

DOCUMENT HAS BEEN RELEASED
UNDER THE FOI ACT BY
THE AUSTRALIAN FEDERAL POLICE

HIGHLY PROTECTED

s.37(2)(b) and s.40(1)(d)

FREEDOM OF INFORMATION ACT 1982
(COMMONWEALTH)

DOCUMENT HAS BEEN RELEASED
UNDER THE FOI ACT BY
THE AUSTRALIAN FEDERAL POLICE

HIGHLY PROTECTED

FOI - 120

s.37(2)(b) and s.40(1)(d)

Options

Having reviewed the material in possession of the investigation team at this stage and assessed that against the offences outlined above, s36(1)(e)

s36(1)(a)

In the light of this I have considered the current situation in respect of HANEEF 's continued detention.

I believe that the grounds for his continued detention based on the application on the 9 July 2007 remain current given the outstanding enquiries. I will continue to review this up to the end of his current detention authorisation on Wednesday 11 July at 6:05pm. There is a current application before the magistrate for a period of five days detention. s36(1)(e)

s36(1)(e)

FREEDOM OF INFORMATION ACT 1982
(COMMONWEALTH)

DOCUMENT HAS BEEN RELEASED
UNDER THE FOI ACT BY
THE AUSTRALIAN FEDERAL POLICE

HIGHLY PROTECTED

FOI - 121