



# **Control Orders and Preventative Detention Orders**

Annual Report  
2015-2016

ISBN:

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# Control Orders

## Annual Report 2015–16

The Attorney-General is required under section 104.29 of the *Criminal Code* to provide a report in respect of control orders during the year ending on 30 June 2016.

The provisions of this section of the legislation require the report to include:

- a) (i) the number of ordinary interim control orders made
- (ii) the number of urgent interim control orders made by electronic means
- (iii) the number of urgent interim control orders made in person
- b) the number of interim control orders that the AFP elected not to confirm
- c) the number of control orders confirmed at the confirmation hearing
- d) the number of control orders declared void at the confirmation hearing
- e) the number of control orders revoked at the confirmation hearing or upon application by the subject or the AFP Commissioner
- f) the number of control orders varied at the confirmation hearing or upon application by the subject or the AFP Commissioner
- g) particulars of:
  - (i) any complaints relating to control orders made or referred to the Commonwealth Ombudsman
  - (ii) any information given under section 40SA of the *Australian Federal Police Act 1979* that related to control orders and raised an AFP conduct or practices issue

## Control Orders 2015–16

a) (i)	Interim control orders made	1 <sup>1</sup>
(ii)	Urgent interim control orders made– electronic	0
(iii)	Urgent interim control orders made – in person	0
b)	Interim control orders – not elected to confirm	0
c)	Control orders confirmed	1 <sup>2</sup>
d)	Control orders declared void	0
e)	Control orders revoked	0
f)	Control orders varied	1*
g) (i)	Complaints to Commonwealth Ombudsman	0
(ii)	Information given under AFP Act raising issues	0

<sup>1</sup> The Federal Circuit Court issued one interim control order on 10 September 2015.

<sup>2</sup> The Federal Circuit Court confirmed and varied an interim control order on 30 November 2015.

\*This is the same control order referred to in footnote 2 that was confirmed and varied on 30 November 2015.

# Preventative Detention Orders

## Annual Report 2015-16

The Attorney-General is required by section 105.47 of the *Criminal Code* to provide a report in respect of preventative detention orders during the year ending on 30 June 2016.

The provisions of this section of the legislation require the report to include:

- a) the number of initial preventative detention orders made
- b) the number of continued preventative detentions orders made
- c) (i) whether a person was taken into custody under each order  
(ii) if so how long the person was detained for
- d) particulars of:
  - (i) any complaints in relation to the detention of a person under a preventative detention order made or referred to the Commonwealth Ombudsman
  - (ii) any information given under section 40SA of the *Australian Federal Police Act 1979* during the year that related to the detention of a person under a preventative detention order and raised an AFP conduct or practices issue
- e) the number of prohibited contact orders made
- f) the number of preventative detention orders or prohibited contact orders that a court has found not to have been validly made or that the Administrative Appeals Tribunal has declared to be void

## Preventative Detention Orders 2015-16

a)	Initial preventative detention orders made	0
b)	Continued preventative detention orders made	0
c) (i)	Persons taken into custody under each order	0
(ii)	Detention period	0
d) (i)	Complaints to Commonwealth Ombudsman	0
(ii)	Information given under AFP Act raising issues	0
e)	Prohibited contact order made	0
f)	Orders declared invalid or void	0