

1. *The number of charges instigated for Division 268 of the Code since 2002 and Division 274 of the Code since 2010*
2. *The number of charges that have led to prosecutions under Division 268 of the Code since 2002 and Division 274 of the Code since 2010*

The records of the CDPP indicate that a total of seven charges for offences under Division 268 of the Code have been commenced against two individuals since 2002. These figures include all charges whether commenced by the CDPP or by others.

No charges have been commenced for offences under Division 274 of the Code since 2010.

3. *Number of referrals or matters that the Composition of the 'Organised Crime and Counter-Terrorism Practice' reviewed or is reviewing in relation to war crimes (or other offences within Division 268) referred to in Annual Reports of 2014, 2015, 2016 and 2017*

The Organised Crime and Counter-Terrorism Practice Group reviewed one matter relating to allegations of possible offences under Division 268 of the Code in 2016-2017.

4. *The CDPP assessment of the charges pursuant to Division 268 of the Criminal Code (Cth) relating to the then President of Sri Lanka, Mahinda Rajapaksa in 2011.*

Access to six memoranda between CDPP lawyers was refused on the ground that they are privileged from production on the ground of legal professional privilege (FOI Act s42(1)).

5. *The CDPP assessment of the request to prosecute pursuant to Division 268 of the Criminal Code relating to the former Israeli Prime Minister Ehud Olmert in 2009*

No documents falling within this category exist.

6. *Any other CDPP assessments relating to other persons who were charged with, or the subject of requests to prosecute, for offences pursuant to Divisions 268, since 2002 and Division 274, since 2010 of the Criminal Code.*

Access to five memoranda between CDPP lawyers was refused on the ground that they are privileged from production on the ground of legal professional privilege (FOI Act s42(1)).

7. *Any assessments made in relation to whether Australians returning from fighting in Syria and Iraq are to be charged with offences under Division 268*

No documents falling within this category exist.

8. *The number of matters referred from foreign countries relating to Australians involved in genocide, war crimes or crimes against humanity*

No documents falling within this category exist.

9. *The number of Mutual Assistance Requests and the number of Extradition requests made in relation to Division 268, since 2002 and Division 274, since 2010 of the Criminal Code to foreign countries, the names of the foreign countries as well as the number of requests granted*

This aspect of the request was transferred to the Attorney-General's Department pursuant to section 16 of the FOI Act.

*10. Number of charges that have resulted in a successful conviction and access to the documents specifying names and the case citations for successful convictions*

There have been no convictions for offences under Division 268 or 274 of the Code.