

**Agriculture, Water and the Environment Portfolio**

**Committee:** Joint Committee on the Australian Commission for Law Enforcement Integrity

**Inquiry:** Integrity of Australia's border arrangements

**Question No:** 3

**Hearing Date:** 11 September 2020

**Division/Agency:** People Division

**Topic:** 2018-19 investigations conducted by AFP and ACIC

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**Question Type:** Spoken

**Senator Bilyk asked:**

Senator BILYK: That's great. Is there still an issue around vulnerabilities with casual and contracted workforces, specifically where ACLEI's jurisdiction doesn't cover casual and contracted employees?

...

Senator BILYK: And do those people undergo the same checks and balances on employment as other staff?

Mr Tongue: They undergo many of the same checks and balances as, say, ABF staff would, with some differences that I think are covered in various submissions, in that we're not a law enforcement agency that looks at the overall suitability of people. We can do checks. If they throw something up then we don't employ people. Law enforcement agencies have another level, if you like, of ability to make judgements, which my colleague Ms Briscoe could talk about. But, generally speaking, we have thorough checks. To date the level of activity reported through the system has been quite low. I'll hand to my colleague.

Ms Briscoe: Those staff are covered by our integrity policies—our pre-employment checks. In addition though, if we did have any concern that there might be some corrupt conduct, if they weren't under ACLEI coverage we would continue to manage that through other means. The other means might be through other law enforcement bodies, such as the AFP or a state policing organisation if it were criminal in nature, or we would go through a misconduct investigation.

Senator BILYK: Is that why those two investigations were conducted in I think 2018-19 with the Australian Federal Police and the ACIC? Or did that involve permanent staff?

Ms Briscoe: I would have to take on notice whether they were permanent or contract. Having said that, whether they were permanent or contract workforce, we would take the same action.

**Answer:**

The two investigations in 2018-19, referred to by Senator Bilyk involved permanent full time employees. As such, employment type was not a relevant factor in these matters. One related to a joint investigation with the Australian Federal Police, and the other involved the Australian Criminal Intelligence Commission, where the staff member was outside ACLEI jurisdiction. The department continues to manage corruption risk through close engagement with all relevant law enforcement agencies, and liaises with risk owners to improve their respective risk and control environments.