

QUESTION TAKEN ON NOTICE

Parliamentary Inquiry : 01 August 2017

IMMIGRATION AND BORDER PROTECTION PORTFOLIO

(IBA/001) – ASIO checks for DIBP staff -

Asked:

Ms Moy: All agencies that work at the border have different levels of integrity checking of staff. In terms of the Department of Immigration and Border Protection, we have what we think is a fairly rigorous integrity framework and that is underpinned by the secretary's directions, which require a certain path to be taken before you can even employ somebody. To be employed, you need to have a baseline security clearance from AGSVA. It may be higher. It may be negative vetting or positive vetting, depending on the type of position you're going into. That's the start. You also need to have what we call an employment suitability clearance, which is a fairly rigorous internal check using a number of our law enforcement partners' data to determine any criminal associations or self-declared issues.

CHAIR: Do you get an ASIO check with that?

Ms Moy: I'll have to check on the detail and whether it's through ASIO.

Answer:

ASIO checks are undertaken by the Australian Government Security Vetting Agency (AGSVA) for all clearances above baseline (e.g. Negative Vetting Level 1, Negative Vetting Level 2, Positive Vetting).

When processing Employment Suitability Clearances if any concerns are raised regarding National Security, the Department provides that information to ASIO.

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Parliamentary Inquiry : 01 August 2017

IMMIGRATION AND BORDER PROTECTION PORTFOLIO

(IBA/002) – DIBP and DAWR MOU -

Asked:

Ms Moy: We have MOUs with probably almost every department in Canberra over various and different issues.

Senator BILYK: What about the one you have with DAWR?

Ms Moy: Yes, we can provide a copy of the MOU with DAWR. I don't have a copy here with me, but we can provide a copy.

Answer:

Copy of MOU with DAWR is at Attachment A.

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Parliamentary Inquiry : 01 August 2017

IMMIGRATION AND BORDER PROTECTION PORTFOLIO

(IBA/003) – Allegations to borderwatch in 2016-17 -

Asked:

Ms Moy: Adding on to Assistant Commissioner Watson's commentary: one of the ways that we engage with industry and the community, given the size of our border and the relative number of individuals living on the border versus in larger concentrations, is with the Border Watch program. We have 1,600 organisations that work with us and also provide information to the department on industry and community, which goes to Mr Watson's commentary around how we can't do this alone. We do take in a lot of information.

Last year we had 55,000 allegations that came into Border Watch. Quite a large number of those we are able to look at and use either as intelligence or as actual exercises and operations to determine whether there's an illegal carrier of goods or illegal individuals. As an example, a referral to New South Wales from a Border Watch individual resulted in the seizure of 172 kilos of methamphetamine in a sea cargo container. That's one of a number of examples. So we do try to work as much as we can with industry and the community to receive information to help protect the borders.

Senator BILYK: Of those 1,600 people—is it people or organisations?

Ms Moy: It's 1,600 active industry members. I can tell you what they're made up of: import/export industry, accommodation providers, coastguard volunteers, radio operators, four-wheel drive clubs, marina operators and residents of coastal communities.

Senator BILYK: Okay, that's pretty broad. And the 55,000?

Ms Moy: There were 55,000 allegations in 2016-17.

Senator BILYK: That's a lot of allegations. So what happens? How do you deal with them?

Ms Moy: Some are related to Migration Act offences and some will be Customs Act offences. They are looked at very—

Senator BILYK: Like visa overstayers?

Ms Moy: Yes, visa overstayers, illegal individuals, illegal workers, contrived relationships—those sorts of things. They're dealt with within the department through the normal investigative channels of whether it's in relation to migration or Customs.

Senator BILYK: You might need to take this on notice: how many of those 55,000 were false or didn't go anywhere?

Ms Moy: I'd have to take that on notice. And to say they 'don't go anywhere' is probably a misnomer, because there may be a point in time where that information, as intelligence, becomes relative to something that's ongoing.

Senator BILYK: Okay, but if you could take that on notice, I'd be interested in knowing that too. Thanks.

Answer:

There were 52,449 allegations of all types made to Border Watch in FY2016/17. Of those 52,449 allegations, 28,509 cases were identified as warranting further investigation and referred to relevant areas in the Department for further action.

As such, the remaining 23,940 allegations were either unverifiable, duplicates, or unrelated to the DIBP portfolio or were otherwise determined as not requiring further analysis. These remaining allegations have been recorded against DIBP systems for possible future intelligence use.

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Parliamentary Inquiry : 01 August 2017

IMMIGRATION AND BORDER PROTECTION PORTFOLIO

(IBA/004) – Rates of inspection -

Asked:

Ms Moy: Yes, it has. I think the year before last the number of inspections was around 40-odd million, in about 2013-14. That's moved, in 2016-17, to 60.8 million. We now inspect another 20 million pieces.

CHAIR: But how much has the overall increased as a proportion?

Ms Moy: The proportion is probably very similar, but the numbers have increased.

CHAIR: Yes, I appreciate that. But the proportion hasn't changed?

Ms Moy: The proportion of what we've inspected.

CHAIR: That would suggest you don't think there has been any increased risk, because it's proportionally going up?

Ms Moy: No, the inspections have increased by 20 million, and it is a portion of that that has remained.

CHAIR: But it's increased because the overall number of parcels has increased.

Ms Moy: Not by that amount, I don't believe. I believe there's a discrepancy.

CHAIR: Can you just do a bit of proportional comparison for me so that I can be confident?

Ms Moy: Sure.

Answer:

Table 1 shows the inspection rates for all incoming international mail for the financial years 2013-14 to 2016-17.

Table 1 – International Mail inspection rate from 2013-14 to 2016-17

Financial year	Inspection rate
2013-14	34.95%
2014-15	42.14%
2015-16	42.78%
2016-17	40.16%

QUESTION TAKEN ON NOTICE

Parliamentary Inquiry : 14 August 2017

IMMIGRATION AND BORDER PROTECTION PORTFOLIO

(IBA/005) – Breakdown of DIBP ASIC and MSIC holders -

Asked:

CHAIR: How many ASIC and MSIC cardholders does Border Force have?

Ms Moy: Approximately 2,800.

CHAIR: Of each?

Ms Moy: Altogether.

CHAIR: Split how?

Ms Moy: I don't have the split. But I can tell you that the majority of our cards would be red cards, because the red ASIC card is one card that you require if you work in an airport in the secure zones. You must have a red card, and you must have the red card to be able to escort people. The white card is only, primarily, used for those people involved in the operations of actually issuing the card. No, sorry. Let me just take that back a moment. We have issued 2,800 in ASIC cards and—

CHAIR: So you're an issuing body?

Ms Moy: We are—and 202 MSIC cards. In terms of what our staff have, I can come back to you on notice on what the split of those two is.

Answer:

The ABF has the following ASIC/MSIC cardholders:

ASIC – 4035

MSIC - 19

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Parliamentary Inquiry : 01 August 2017

IMMIGRATION AND BORDER PROTECTION PORTFOLIO

(IBA/006) – Cancellations of ASIC and MSIC -

Asked:

CHAIR: Right. How are you made aware, at the very start of that, that somebody's card needs to be cancelled or suspended? Are you, as the issuing body, informed every time somebody leaves a department of agriculture's or CSIRO's employ?

Ms Moy: I understand we are. I can take on notice the actual process. But I understand that we are advised when an individual no longer requires the MSIC card or the ASIC card.

Answer:

1. How we are notified when a card needs to be cancelled or suspended?

In the event of dismissal, retirement, resignation, or death of a cardholder as examples, the client agency's Single Point of Contact notifies DIBP and the card is cancelled.

If a cardholder lacks an operational need for a card, their Single Point of Contact notifies DIBP, or the cardholder directly notifies DIBP. The card is then cancelled.

If a card is lost, stolen or damaged, the cardholder is required to immediately notify DIBP or they notify their Single Point of Contact who notifies DIBP, and the card is cancelled.

The card is returned to DIBP and the card is then destroyed by shredding.

2. Are we informed by the Department of Agriculture or CSIRO when someone leaves the department? If so how?

Yes we are informed by the client agency Single Point of Contact who notifies or advises DIBP.

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Parliamentary Inquiry: 01 August 2017

IMMIGRATION AND BORDER PROTECTION PORTFOLIO

(IBA/007) – Number of infringements

Asked:

CHAIR: Thank you. Is there a common approach to mitigating integrity risks posed by the presence of non-government personnel—for example, private contractors in shared work environments?

Mr Watson: Forgive me if I follow the gist of the question: if you're asking in terms of controls for contractors within, for instance, the aviation environment, clearly within our remit at Border Force we have a number of mechanisms to ensure the right people are in the right place at the right time. If we detect breaches, a number of options are available to us as an issuing authority, and that might be issuing a warning, for instance, to an individual or to individuals if they have not complied with the requirements of an ASIC to move in and out. We could issue an infringement, or indeed an exclusion, or, where necessary, prosecutions can occur. So there are a range of measures that are put in place that give bite to the requirements when it comes to ensuring folks comply with the terms of their ASIC.

CHAIR: In terms of common approach, your approach is the approach. Would you be able to give us how many infringements you have had—on notice, not off the top of your head?

Mr Watson: We could take that on notice, but it's not an irregular occurrence.

Answer:

Under section 234AA of the *Customs Act 1901*, the Australia Border Force (ABF) sets aside places where officers undertake clearance and intervention activities in relation to crew or passengers embarking or disembarking from a ship or aircraft.

ABF officers are empowered under the Customs Act to issue infringement notices to persons who have unlawfully entered or remain in a s.234AA place. Department records indicate ABF officers issued a total of 101 infringement notices during 2016-17 to individuals for breaches of this legislation.

In addition, there is a requirement under the *Aviation Security Act 2004* that persons authorised to access secure areas of a security controlled airport have an obligation to comply with and support the security measures in place at that airport, including the display of Aviation Security Identification Cards (ASIC).

ABF officers are empowered under the Aviation Security Act to issue infringement notices for persons who have breached relevant ASIC holder requirements. Department records indicate ABF officers issued a total of 23 infringement notices during 2016-17 to individuals for breaches of this legislation.

QUESTION TAKEN ON NOTICE

Parliamentary Inquiry : 01 August 2017

IMMIGRATION AND BORDER PROTECTION PORTFOLIO

(IBA/008) – Outsourcing of DIBP visa operations functions

Asked:

Recent media reports have indicated that DIBP is intending to address forecast steep increases in visitor and immigrant numbers by outsourcing sections of its visa operations.

1. Assuming DIBP is intending to pursue outsourcing of parts of the visa system, how does it intend to ensure the integrity of the system is maintained?
2. Does DIBP foresee any threats to the integrity of its operations from such outsourcing proposals?
3. To what extent does DIBP already outsource such functions?

Answer:

1. The Department is in the early stages of engaging with the market to explore new technologies to help design and build a visa processing platform that will better manage risk, increase processing efficiency and improve the client experience. The integrity of the visa system remains a priority, including where third parties deliver services on behalf of the Department. Where new arrangements with market providers are put in place, risk management controls and mitigation strategies would also be established.

The Department would retain functions where direct control is necessary for ensuring Government sovereignty over decision-making and the protection of the Australian community.

2. The integrity of the visa system remains a priority. The Department would establish appropriate new risk management controls and mitigation strategies where new arrangements with market providers are put in place and new technologies adopted.

The Department would retain functions where direct control is necessary for ensuring Government sovereignty over decision-making and the protection of the Australian community.

3. Market based service delivery partners currently deliver around 20 per cent of the effort involved in delivering the visa business.

QUESTION TAKEN ON NOTICE

Parliamentary Inquiry : 14 August 2017

IMMIGRATION AND BORDER PROTECTION PORTFOLIO

(IBA/009) – ASIC and MSIC cards issued and returned over the last 5 calendar years -

Asked:

With respect to its role as an ASIC and MSIC issuing body, can the Department of Immigration and Border Protection provide a breakdown of how many aviation and maritime security cards it has issued in each of the five calendar years from 2012 to 2016 inclusive, and how many cards have been returned to it in each of those years once holders no longer have an operational need to access secure areas or the cards have expired?

Answer:

The Department of Immigration and Border Protection was established 1 July 2015.

1. How many ASIC/MSIC cards were issued over that period:

Year	ASIC	MSIC
2015-16	3570	569
2016-17	2827	339

2. How many cards (ASIC/MSIC) were returned for the years listed above?

Year	ASIC	MSIC
2015-16	2410	633
2016-17	1083	184