

**HOME AFFAIRS PORTFOLIO
DEPARTMENT OF HOME AFFAIRS**

PARLIAMENTARY INQUIRY WRITTEN QUESTION ON NOTICE

Select Committee on COVID-19

QoN Number: CV19-175

Subject: Special Commissioner Inquiry into the Ruby Princess - summons

Asked by: Kristina Keneally

Question:

With regard to a summons issued by Commissioner Bret Walker to compel the attendance of a Department of Agriculture Biosecurity Officer at the Special Commissioner Inquiry into the Ruby Princess:

- a. When was the Minister first made aware of the summons?
- b. Was the Minister asked for his view on Departmental officers attending the Inquiry?
- c. Did the Minister discuss the summons with any of his Ministerial colleagues? If so, when?

Answer:

The Minister for Home Affairs first became aware of the summons issued to a Biosecurity Officer from the Department of Agriculture, Water and the Environment on or about 8 July 2020. The Department is not aware of whether the Minister discussed the summons with any Ministerial colleagues. No summonses were issued to Department of Home Affairs or Australian Border Force officers.

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PARLIAMENTARY INQUIRY WRITTEN QUESTION ON NOTICE

Select Committee on COVID-19

QoN Number: CV19-176

Subject: Ruby Princess - steps taken

Asked by: Kristina Keneally

Question:

What steps has the Minister taken to ensure that this never happens again?

Answer:

As the Commonwealth's voluntary statement to the NSW Special Commission of Inquiry shows, the Australian Border Force (ABF) discharged its customs and immigration functions consistently with its legislative responsibilities.

Should the Special Commission identify in its report any opportunities for improvement in findings or recommendations these will be considered by the Department and ABF.

**HOME AFFAIRS PORTFOLIO
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PARLIAMENTARY INQUIRY WRITTEN QUESTION ON NOTICE

Select Committee on COVID-19

QoN Number: CV19-177

Subject: Ruby Princess - Minister awareness

Asked by: Kristina Keneally

Question:

When and how was the Minister first made aware that:

- a. An Australian Border Force Officer granted pratique to the Ruby Princess, despite not having the legal authority to do so?
- b. An Australian Border Force Officer incorrectly read a medical form and falsely reported that isolated passengers onboard the Ruby Princess had returned negative results to COVID-19 screening?
- c. Biosecurity Officers from the Department of Agriculture failed to conduct the appropriate screening procedures for sick passengers onboard the Ruby Princess?
- d. Biosecurity Officers from the Department of Agriculture filed a false Routine Vehicle Inspection form which falsely listed the number of ill passengers onboard the Ruby Princess and the symptoms they were displaying?
- e. As a result of these errors, ill passengers onboard the Ruby Princess with active cases of COVID-19 were allowed to disembark without entering quarantine?

Answer:

No Australian Border Force Officer granted pratique or “practical pratique” in relation to the Ruby Princess. The ABF were responsible for, and only exercised, immigration and customs functions in relation to the Ruby Princess. Responsibility for the granting of pratique resides with biosecurity officers in the Department of Agriculture, Water and the Environment.

The first time the Minister was made aware that an ABF officer had misinterpreted a medical form and inaccurately reported that isolated passengers on board the Ruby Princess had returned negative COVID-19 test results was on or about 5 June 2020, upon reviewing the Commonwealth’s draft voluntary statement to the NSW Special Commission of Inquiry into the Ruby Princess.

The misinterpretation of the medical form by the ABF officer had no bearing on passengers being allowed to disembark under the Biosecurity Act or the granting of pratique or any other decision under the Biosecurity Act as:

- (a) the ABF officer had no biosecurity role in these matters; and
- (b) the misinterpretation did not occur until after the passengers commenced disembarking.

Questions relating to the actions of Biosecurity Officers from the Department of Agriculture, Water and the Environment will be addressed by them when answering their written questions on notice from Senator Keneally.

**HOME AFFAIRS PORTFOLIO
DEPARTMENT OF HOME AFFAIRS**

PARLIAMENTARY INQUIRY WRITTEN QUESTION ON NOTICE

Select Committee on COVID-19

QoN Number: CV19-178

Subject: Commonwealth Submissions to the Special Commissioner Inquiry into the Ruby Princess

Asked by: Kristina Keneally

Question:

With regard to the Commonwealth Submissions to the Special Commissioner Inquiry into the Ruby Princess:

a. Which SES officer(s) in the Department (including Australian Border Force) were consulted by the Australian Government Solicitor in the preparing the Submission?
b. Which SES officer(s) in the Department (including Australian Border Force) approved the Submission on behalf of the Department (including Australian Border Force)?

c. Was the Minister's office provided a copy of the Submission in draft form?

i. If yes:

1. Why was the Minister's office consulted?
2. When was the submission provided in draft submission?
3. What was the Minister's office response to the draft submission?

Please include details of any suggestions or requests to change, alter, add to or delete the draft submission? Please also indicate the date each response from the Minister was provided.

ii. If no, why was the Minister's office not consulted?

d. Was the Minister provided a copy of the Submission in draft form?

i. If yes:

1. Why was the Minister consulted?
2. When was the submission provided in draft submission to the Minister?
3. What was the Minister's response to the draft submission? Please include details of any suggestions or requests to change, alter, add to or delete the draft submission? Please also indicate the date each response from the Minister was provided.

ii. If no, why was the Minister not consulted?

Answer:

The General Counsel, Assistant Secretary Emergency Management Legal Taskforce and Assistant Secretary National Security and Law Enforcement Legal from the Department of Home Affairs were consulted by the Australian Government Solicitor in preparing the Voluntary Statement of 12 June 2020 to the NSW Special Commission of Inquiry. The Voluntary Statement was considered by the Australian Border Force Commissioner and its provision to the Commission was endorsed by the Secretary.

The Minister for Home Affairs and the Minister's Office were provided a draft of the Voluntary Statement on 5 June 2020 as the Commission of Inquiry is relevant to the Minister's portfolio responsibilities.

On 9 June 2020, the Minister noted the Voluntary Statement.

**HOME AFFAIRS PORTFOLIO
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PARLIAMENTARY INQUIRY WRITTEN QUESTION ON NOTICE

Select Committee on COVID-19

QoN Number: CV19-179

Subject: Ruby Princess - Minister's Office awareness

Asked by: Kristina Keneally

Question:

When and how was the Minister's Office first made aware that:

- a. An Australian Border Force Officer granted pratique to the Ruby Princess, despite not having the legal authority to do so?
- b. An Australian Border Force Officer incorrectly read a medical form and falsely reported that isolated passengers onboard the Ruby Princess had returned negative results to COVID-19 screening?
- c. Biosecurity Officers from the Department of Agriculture failed to conduct the appropriate screening procedures for sick passengers onboard the Ruby Princess?
- d. Biosecurity Officers from the Department of Agriculture filed a false Routine Vehicle Inspection form which falsely listed the number of ill passengers onboard the Ruby Princess and the symptoms they were displaying?
- e. As a result of these errors, ill passengers onboard the Ruby Princess with active cases of COVID-19 were allowed to disembark without entering quarantine?

Answer:

No Australian Border Force (ABF) Officer granted pratique or "practical pratique" in relation to the Ruby Princess. The ABF were responsible for, and only exercised, immigration and customs functions in relation to the Ruby Princess. Responsibility for the granting of pratique resides with biosecurity officers in the Department of Agriculture, Water and the Environment.

The first time the Minister's Office was made aware that an ABF officer had misinterpreted a medical form and inaccurately reported that isolated passengers on board the Ruby Princess had returned negative COVID-19 test results was on or about 5 June 2020, upon reviewing the Commonwealth's draft voluntary statement to the NSW Special Commission of Inquiry into the Ruby Princess.

The misinterpretation of the medical form by the ABF officer had no bearing on passengers being allowed to disembark under the Biosecurity Act or the granting of pratique or any other decision under the Biosecurity Act as:

- (a) the ABF officer had no biosecurity role in these matters; and
- (b) the misinterpretation did not occur until after the passengers commenced disembarking.

Questions relating to the actions of Biosecurity Officers from the Department of Agriculture, Water and the Environment will be addressed by them when answering their written questions on notice from Senator Keneally.

**HOME AFFAIRS PORTFOLIO
AUSTRALIAN BORDER FORCE**

PARLIAMENTARY INQUIRY WRITTEN QUESTION ON NOTICE

Select Committee on COVID-19

QoN Number: CV19-180

Subject: Ruby Princess - Commissioner Awareness

Asked by: Kristina Keneally

Question:

When and how was the Commissioner first made aware that:

- a. An Australian Border Force Officer granted pratique to the Ruby Princess, despite not having the legal authority to do so?
- b. An Australian Border Force Officer incorrectly read a medical form and falsely reported that isolated passengers onboard the Ruby Princess had returned negative results to COVID-19 screening?
- c. Biosecurity Officers from the Department of Agriculture failed to conduct the appropriate screening procedures for sick passengers onboard the Ruby Princess?
- d. Biosecurity Officers from the Department of Agriculture filed a false Routine Vehicle Inspection form which falsely listed the number of ill passengers onboard the Ruby Princess and the symptoms they were displaying?
- e. As a result of these errors, ill passengers onboard the Ruby Princess with active cases of COVID-19 were allowed to disembark without entering quarantine?

Answer:

No Australian Border Force (ABF) Officer granted pratique or “practical pratique” in relation to the Ruby Princess. The ABF were responsible for, and only exercised, immigration and customs functions in relation to the Ruby Princess. Responsibility for the granting of pratique resides with biosecurity officers in the Department of Agriculture, Water and the Environment.

The Commissioner was aware on 20 March 2020 that several swabs were taken from passengers who were exhibiting flu-like symptoms and that these swabs had been provided to NSW Health for analysis. He was also aware that NSW Health had cleared the vessel from a human biosecurity perspective. The first time the Commissioner was made aware that an ABF officer had misinterpreted a medical form and inaccurately reported that isolated passengers on board the Ruby Princess had returned negative COVID-19 test results was when considering a draft of the Commonwealth’s Voluntary Statement to the NSW Special Commission of Inquiry into the Ruby Princess on 4 June 2020.

The misinterpretation of the medical form by the ABF officer had no bearing on passengers being allowed to disembark under the Biosecurity Act or the granting of pratique or any other decision under the Biosecurity Act as:

- (a) the ABF officer had no biosecurity role in these matters; and
- (b) the misinterpretation did not occur until after the passengers commenced disembarking.

Questions relating to the actions of Biosecurity Officers from the Department of Agriculture, Water and the Environment will be addressed by them when answering their written questions on notice from Senator Keneally.

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PARLIAMENTARY INQUIRY WRITTEN QUESTION ON NOTICE

Select Committee on COVID-19

QoN Number: CV19-181

Subject: Ruby Princess - Secretary awareness

Asked by: Kristina Keneally

Question:

When and how was the Secretary first made aware that:

- a. An Australian Border Force Officer granted pratique to the Ruby Princess, despite not having the legal authority to do so?
- b. An Australian Border Force Officer incorrectly read a medical form and falsely reported that isolated passengers onboard the Ruby Princess had returned negative results to COVID-19 screening?
- c. Biosecurity Officers from the Department of Agriculture failed to conduct the appropriate screening procedures for sick passengers onboard the Ruby Princess?
- d. Biosecurity Officers from the Department of Agriculture filed a false Routine Vehicle Inspection form which falsely listed the number of ill passengers onboard the Ruby Princess and the symptoms they were displaying?
- e. As a result of these errors, ill passengers onboard the Ruby Princess with active cases of COVID-19 were allowed to disembark without entering quarantine?

Answer:

No Australian Border Force Officer granted pratique or “practical pratique” in relation to the Ruby Princess. The ABF were responsible for, and only exercised, immigration and customs functions in relation to the Ruby Princess. Responsibility for the granting of pratique resides with biosecurity officers in the Department of Agriculture, Water and the Environment.

The first time the Secretary was made aware that an ABF officer had misinterpreted a medical form and inaccurately reported that isolated passengers on board the Ruby Princess had returned negative COVID-19 test results was on 4 June 2020, upon reviewing a draft of the Commonwealth’s voluntary statement to the NSW Special Commission of Inquiry into the Ruby Princess.

The misinterpretation of the medical form by the ABF officer had no bearing on passengers being allowed to disembark under the Biosecurity Act or the granting of pratique or any other decision under the Biosecurity Act as:

- (a) the ABF officer had no biosecurity role in these matters; and
- (b) the misinterpretation did not occur until after the passengers commenced disembarking.

Questions relating to the actions of Biosecurity Officers from the Department of Agriculture, Water and the Environment will be addressed by them when answering their written questions on notice from Senator Keneally.

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PARLIAMENTARY INQUIRY WRITTEN QUESTION ON NOTICE

Select Committee on COVID-19

QoN Number: CV19-182

Subject: Ruby Princess - SES Officials

Asked by: Kristina Keneally

Question:

When and how was the first SES-level Departmental Official first made aware that:

- a. An Australian Border Force Officer granted 'pratique' to the Ruby Princess, despite not having the legal authority to do so?
- b. An Australian Border Force Officer incorrectly read a medical form and falsely reported that isolated passengers onboard the Ruby Princess had returned negative results to COVID-19 screening?
- c. Biosecurity Officers from the Department of Agriculture failed to conduct the appropriate screening procedures for sick passengers onboard the Ruby Princess?
- d. Biosecurity Officers from the Department of Agriculture filed a false Routine Vehicle Inspection form which falsely listed the number of ill passengers onboard the Ruby Princess and the symptoms they were displaying?
- e. As a result of these errors, ill passengers onboard the Ruby Princess with active cases of COVID-19 were allowed to disembark without entering quarantine?

Answer:

No Australian Border Force (ABF) Officer granted pratique or "pratique" in relation to the Ruby Princess. The ABF were responsible for, and only exercised, immigration and customs functions in relation to the Ruby Princess. Responsibility for the granting of pratique resides with biosecurity officers in the Department of Agriculture, Water and the Environment.

The first time an SES level Official was made aware that an ABF officer had misinterpreted a medical form and inaccurately reported that isolated passengers onboard the Ruby Princess had returned negative COVID-19 test results was in the afternoon of 20 March 2020.

The misinterpretation of the medical form by the ABF officer had no bearing on passengers being allowed to disembark under the Biosecurity Act or the granting of pratique or any other decision under the Biosecurity Act as:

- (a) the ABF officer had no biosecurity role in these matters; and
- (b) the misinterpretation did not occur until after the passengers commenced disembarking.

Questions relating to the actions of Biosecurity Officers from the Department of Agriculture, Water and the Environment will be addressed by them when answering their written questions on notice from Senator Keneally.

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PARLIAMENTARY INQUIRY WRITTEN QUESTION ON NOTICE

Select Committee COVID-19

QoN Number: CV19-217

Subject: Special Commissioner Inquiry into the Ruby Princess - summons - ABF

Asked by: Kristina Keneally

Question:

"With regard to a summons issued by Commissioner Bret Walker to compel the attendance of a Department of Agriculture Biosecurity Officer at the Special Commissioner Inquiry into the

Ruby Princess:

- a. When was the Minister first made aware of the summons?
- b. Was the Minister asked for his view on Departmental officers attending the Inquiry?
- c. Did the Minister discuss the summons with any of his Ministerial colleagues? If so, when?"

Answer:

Please refer to response CV19-175.

**HOME AFFAIRS PORTFOLIO
AUSTRALIAN BORDER FORCE**

PARLIAMENTARY INQUIRY WRITTEN QUESTION ON NOTICE

Select Committee COVID-19

QoN Number: CV19-218

Subject: Ruby Princess - steps taken - ABF

Asked by: Kristina Keneally

Question:

What steps has the Minister taken to ensure that this never happens again?

Answer:

Please refer to CV19-176.

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PARLIAMENTARY INQUIRY WRITTEN QUESTION ON NOTICE

Select Committee COVID-19

QoN Number: CV19-219

Subject: Ruby Princess - Minister awareness - ABF

Asked by: Kristina Keneally

Question:

When and how was the Minister first made aware that:

- a. An Australian Border Force Officer granted pratique to the Ruby Princess, despite not having the legal authority to do so?
- b. An Australian Border Force Officer incorrectly read a medical form and falsely reported that isolated passengers onboard the Ruby Princess had returned negative results to COVID-19 screening?
- c. Biosecurity Officers from the Department of Agriculture failed to conduct the appropriate screening procedures for sick passengers onboard the Ruby Princess?
- d. Biosecurity Officers from the Department of Agriculture filed a false Routine Vehicle Inspection form which falsely listed the number of ill passengers onboard the Ruby Princess and the symptoms they were displaying?
- e. As a result of these errors, ill passengers onboard the Ruby Princess with active cases of COVID-19 were allowed to disembark without entering quarantine?

Answer:

Please refer to CV19-177.

**HOME AFFAIRS PORTFOLIO
AUSTRALIAN BORDER FORCE**

PARLIAMENTARY INQUIRY WRITTEN QUESTION ON NOTICE

Select Committee COVID-19

QoN Number: CV19-220

Subject: Ruby Princess - Minister's Office awareness - ABF

Asked by: Kristina Keneally

Question:

When and how was the Minister's Office first made aware that:

- a. An Australian Border Force Officer granted pratique to the Ruby Princess, despite not having the legal authority to do so?
- b. An Australian Border Force Officer incorrectly read a medical form and falsely reported that isolated passengers onboard the Ruby Princess had returned negative results to COVID-19 screening?
- c. Biosecurity Officers from the Department of Agriculture failed to conduct the appropriate screening procedures for sick passengers onboard the Ruby Princess?
- d. Biosecurity Officers from the Department of Agriculture filed a false Routine Vehicle Inspection form which falsely listed the number of ill passengers onboard the Ruby Princess and the symptoms they were displaying?
- e. As a result of these errors, ill passengers onboard the Ruby Princess with active cases of COVID-19 were allowed to disembark without entering quarantine?

Answer:

Please refer to CV19-179.

**HOME AFFAIRS PORTFOLIO
AUSTRALIAN BORDER FORCE**

PARLIAMENTARY INQUIRY WRITTEN QUESTION ON NOTICE

Select Committee COVID-19

QoN Number: CV9-221

Subject: Commonwealth Submissions to the Special Commissioner Inquiry into the Ruby Princess - ABF

Asked by: Kristina Keneally

Question:

With regard to the Commonwealth Submissions to the Special Commissioner Inquiry into the

Ruby Princess:

a. Which SES officer(s) in the Department (including Australian Border Force) were consulted by the Australian Government Solicitor in the preparing the Submission?

b. Which SES officer(s) in the Department (including Australian Border Force) approved

the Submission on behalf of the Department (including Australian Border Force)?

c. Was the Minister's office provided a copy of the Submission in draft form?

i. If yes:

1. Why was the Minister's office consulted?

2. When was the submission provided in draft submission?

3. What was the Minister's office response to the draft submission?

Please include details of any suggestions or requests to change, alter, add to or delete the draft submission? Please also indicate the date each response from the Minister was provided.

ii. If no, why was the Minister's office not consulted?

d. Was the Minister provided a copy of the Submission in draft form?

i. If yes:

1. Why was the Minister consulted?

2. When was the submission provided in draft submission to the Minister?

3. What was the Minister's response to the draft submission? Please include details of any suggestions or requests to change, alter, add to or delete the draft submission? Please also indicate the date each response from the Minister was provided.

ii. If no, why was the Minister not consulted?

Answer:

Please refer to CV19-178.

**HOME AFFAIRS PORTFOLIO
AUSTRALIAN BORDER FORCE**

PARLIAMENTARY INQUIRY WRITTEN QUESTION ON NOTICE

Select Committee COVID-19

QoN Number: CV19-222

Subject: Ruby Princess SES Officials - ABF

Asked by: Kristina Keneally

Question:

When and how was the first SES-level Departmental Official first made aware that:

- a. An Australian Border Force Officer granted "practical pratique"™ to the Ruby Princess, despite not having the legal authority to do so?
- b. An Australian Border Force Officer incorrectly read a medical form and falsely reported that isolated passengers onboard the Ruby Princess had returned negative results to COVID-19 screening?
- c. Biosecurity Officers from the Department of Agriculture failed to conduct the appropriate screening procedures for sick passengers onboard the Ruby Princess?
- d. Biosecurity Officers from the Department of Agriculture filed a false Routine Vehicle Inspection form which falsely listed the number of ill passengers onboard the Ruby Princess and the symptoms they were displaying?
- e. As a result of these errors, ill passengers onboard the Ruby Princess with active cases of COVID-19 were allowed to disembark without entering quarantine?

Answer:

Please refer to CV19-182.