



Australian Government

Australian Signals Directorate

SENATE FINANCE AND PUBLIC ADMINISTRATION LEGISLATION COMMITTEE

Thank you for the opportunity to provide a submission to the Committee on the Intelligence Services Amendment (Enhanced Parliamentary Oversight of Intelligence Agencies) Bill 2018.

The Australian Signals Directorate (ASD) supports strong oversight. Strong oversight provides the Government and the Australian public with confidence and independent assurance that the activities of intelligence agencies are lawful and proper.

ASD is currently subject to oversight by the Parliamentary Joint Committee on Intelligence and Security (PJCIS), the Australian National Audit Office and the Inspector-General of Intelligence and Security (IGIS).

The IGIS is an independent statutory office holder appointed by the Governor-General to oversee the activities of the intelligence agencies. The IGIS has four key areas of interest when conducting inspections into ASD including legality, propriety, compliance with Australia's human rights obligations and adherence to ministerial directions and guidelines. The IGIS reviews ASD's applications for Ministerial authorisations, has access to ASD's ICT system and conducts quarterly face to face meetings with ASD senior executives.

The IGIS may also conduct a formal inquiry into a matter arising from a complaint, on the IGIS' own initiative, or in response to a request from the responsible Minister. The *Inspector-General of Intelligence and Security Act 1986* provides the IGIS with powers similar to those of a Royal Commission. These include the power to compel production of information and documents, to enter premises occupied or used by ASD, to issue notices to persons to attend before the IGIS to answer questions relevant to the inquiry, and to administer an oath or affirmation when taking such evidence.

ASD also works hard to maintain a strong organisational-level culture of compliance, and pro-actively engages with the Office of the IGIS on compliance matters.

Any additional oversight of the National Intelligence Community by the PJCIS is a matter for Government. Should the Committee receive additional oversight functions, ASD will work closely with the Committee to ensure that it has a clear understanding of ASD's activities, and the importance of protecting its capabilities and intelligence outputs.

Mike Burgess

Director-General

Australian Signals Directorate

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