

**HOME AFFAIRS PORTFOLIO
DEPARTMENT OF HOME AFFAIRS**

PARLIAMENTARY INQUIRY SPOKEN QUESTION ON NOTICE

Joint Public Accounts and Audit

19 April 2024

QoN Number: 1

Subject: Advice provided to the Minister

Asked by: Julian Hill

Question:

Mr Julian Hill MP: What response did Home Affairs receive from the Minister when briefing him on 27 November 2019 and who was the Minister at the time?

Mr Drew Layton: The Minister at the time was Minister Dutton

Mr Julian Hill MP: Right

Mr Drew Layton: I would need to get back to you on the advice provided to the Minister at the time, and I'm happy to take that on notice.

Answer: The Department cannot disclose advice that was provided to our Minister or Government including responses related to that advice.

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PARLIAMENTARY INQUIRY SPOKEN QUESTION ON NOTICE

Joint Public Accounts and Audit

19 April 2024

QoN Number: 2

Subject: Advice provided to the Minister - implications from cancelling or shifting the direction of procurement

Asked by: Julian Hill

Question:

Mr Julian Hill MP: Was the Minister advised by Home Affairs of implications from cancelling or shifting the direction of procurement at a late stage in relation to financial and reputational implications for both the department and the tenderers?
Mr Drew Layton: I think I will rely on my previous response – that would be part of that same detailed advice that would have gone to the minister, so I'll take that on notice also.

Answer: The Department did provide advice to Ministers in relation to the Global Digital Platform procurement and the shift of direction related to the procurement.

The Department cannot disclose the details of advice that was provided to our Ministers or Government or responses related to that advice.

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PARLIAMENTARY INQUIRY SPOKEN QUESTION ON NOTICE

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19 April 2024

QoN Number: 3

Subject: Shift in government policy

Asked by: Julian Hill

Question:

Mr Julian Hill MP: Was Home Affairs aware of the shift in government policy informing the Minister's request to provide an additional brief? And it's not meant to be a gotcha question, just for context – the shifting government policy was that the government announced – then government announced public sector digital reforms with a focus on whole-of-government architecture on 29 November 2019?

Mr Drew Layton: It was apparent at the time that the government was looking at whole-of-government reuse and the principles applying to large-scale ICT procurements and how procurements and systems in general could be applied for use more broadly across government.

Mr Julian Hill MP: Yes. You would have been plugged into some of those discussions?

Mr Drew Layton: Not personally. I was running – I was managing the borders at the time.

Mr Julian Hill MP: Alright. Well, if you could just take those questions on notice, that would be helpful.

Answer:

The Department worked closely with the Digital Transformation Agency (DTA) with the shift in government policy to the Permissions Program.

The DTA's role in the Permissions Program was to identify and advise on potential reuse cases in line with its 2020-21 strategic priority to lead whole-of-government digital and ICT strategies, policies and advice that enables modern, efficient and joined-up government services.

The DTA expected numerous reuse cases to arise, including opportunities that could support visa transformation or to simplify trade for importers and exporters. With the program ceasing prior to the completion of the first use case, opportunities to validate the Permissions Program for broader reuse could not be undertaken.

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PARLIAMENTARY INQUIRY SPOKEN QUESTION ON NOTICE

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QoN Number: 4

Subject: Digital Passenger Declaration - timeline

Asked by: Julian Hill

Question:

Ms Charlotte Tressler: So, the Digital Declaration, passenger Declaration, was delivered as a component, part of that prior to the cessation, the termination of the contract.

Ms Claire Roennfeldt: Yes. And then the only reason why the DPD was then ceased was due to the fact that the biosecurity laws were changed. And when Minister O'Neil made a statement, we had to – and I think... I'm just checking the dates – I think it was 6 July 2022, I think. And then that meant that we needed to shut down the Digital Passenger Declaration at that time. But during the time it was open, it certainly facilitated the flow of health information that supported quarantine activities.

Mr Julian Hill MP: Gotcha. Okay, thank you. Maybe just take on notice and give us that sort of more detailed timeline of when it was developed, when it came into effect, and so on – that would be helpful.

Senator Linda Reynolds: Chair?

Mr Julian Hill MP: Yes?

Senator Linda Reynolds: Can I just on that, just on notice, just also clarify a little bit more about the intent? My understanding is that it came in to make the process when the borders reopened more efficient. And it did partially deliver that before it was closed down. Is that a correct interpretation of what was said?

Ms Claire Roennfeldt: Yes, that is correct.

Senator Linda Reynolds: So, if I could just ask a bit more information on that aspect of it as well in terms of the intent and what it did demonstrate it could do, and any efficiencies that were evident for people crossing the borders?

Mr Julian Hill MP: Yes, that would be really helpful. I think putting your question and mine together, it's the same question, just to flesh it out.

Answer:

In October 2020, the Department of Home Affairs (the Department) commenced a procurement process for a broader Permissions Capability platform/system that would extend beyond visas to citizenship, customs functions and personnel security clearances, and was intended for reuse beyond the Home Affairs portfolio for other similar permissions-based services such as permits, accreditations, licenses and registrations.

Below is the timeline of events encompassing the development, release and cessation of the DPD and ultimately contractual arrangements with the Vendor:

- 6 September 2021 - the Department entered into a Deed of Standing Offer for a Permissions Capability (the Contract) with the Vendor to deliver a Whole of Government Permissions Capability base platform, with the first use case to be the DPD.
- September 2021 to November 2021 - under the Deed of Standing Offer, the Vendor began design, build and testing work on three of the six individual Work Orders (WO) within the Contract:
 - WO1 – Discovery and Co-Design. To establish the high level design concepts for the Permissions Capability.
 - WO2 – Base Capability. Design, build, test, release and support for the Permissions Capability, the re-usable platform for Whole of Government.
 - WO3 – DPD, Design, build, test, and release. The DPD would replace and combine the Incoming Passenger Card and the Australian Traveller Declaration and include biometrics for verification, vaccination status and personal identifiers specific to the traveller.
- November 2021 – December 2021 – the Department and the Vendor discussed delays to contract milestones, including the establishment of a Temporary Workaround Plan for the release of the DPD, which would initially see the DPD ‘go live’ as a web application instead of the intended Apple and Android mobile applications.
- 13 December 2021 - the DPD was scheduled to ‘go live’ however the Vendor was unable to meet this contractual milestone as the DPD product had failed user acceptance testing and was not fit for purpose containing too many defects to be released to production.
- 15 February 2022 - the first iteration of the DPD went live as a web application form and was mandated for use by all travellers.
- 1 March 2022 - the DPD Apple mobile application came into effect for all travellers, followed by a 9 March 2022 ‘go live’ of the DPD Android mobile application, ostensibly replacing the web application form.
- By the 30 June 2022 contractual milestone date, the Vendor had not delivered against WO1 or WO2 which included the full DPD application scope, including identity, biometrics and a fully integrated Incoming Passenger Card capability that included border declarations. In respect to WO3, the Permissions Base Capability, the Vendor had only delivered the underlying infrastructure, technical design documentation and a minimal reusable ‘out of the box’ base capability function, which fell short of the required Whole-of-Government Base Capability described within the Tender and Deed of Standing Offer for a Permissions Capability.
- The Department issued the Vendor with formal Contract Notices for failure to meet milestones and highlighted concerns regarding ongoing delays. In doing so, the Department continued to reserve its rights under the work orders.

- 3 July 2022 – the Hon. Minister O’Neil announced the ‘hibernation’ of the DPD from midnight 6 July 2022, following changes to the *Biosecurity Act 2015 (Cth)* and advice from the Department of Health that the information collected from travellers was no longer required. The DPD was subsequently decommissioned
- 22 July 2022 - the Department entered into discussions with the Vendor as to the future direction of the program of work for the DPD and Permissions Base Capability.
- In August 2022, the Department concluded its contractual arrangements with the Vendor regarding the Permissions Capability Program and agreed to a mutual separation. Delays encountered in achieving the planned objectives were a factor in this decision.

During the time the DPD was in operation (15 February to 6 July 2022), approximately 89% of travellers arriving in Australia successfully completed the DPD with more than 2.8 million DPDs lodged. The DPD app was downloaded approximately 1.12 million times from the Apple store and just over 472,000 times from the Google Play store.

While in operation, the DPD supported the safe re-opening of Australia’s international border by capturing essential information for use by border officials, including digitally-verified details of their vaccination status.

While the DPD functionally performed what was required at this critical time, ongoing development of the DPD was not considered viable post its decommission as the Department’s view was that it was inflexible and hard-coded – unable to be reconfigured in a timely way to support the rapid changing requirements for international travel. Further, it included too many unresolved defects and contained limited amounts of the intended work order scope within the Contract.

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QoN Number: 7

Subject: Response received from letter

Asked by: Julian Hill

Question:

Mr Julian Hill MP: So, given the ANAO did not see any evidence of a response from the Prime Minister, first – the then Prime Minister – firstly, can you add anything? Was a response received or was the letter just sort of popped in a black hole? Is there any evidence there was a response?

Mr Michael Willard: I don't have that detail with me but happy to take that on notice and come back to you.

Answer: The Cabinet Secretary responded on behalf of the Prime Minister to the letter from the Minister for Government Services that was sent on 24 July 2020. The response from the Cabinet Secretary was dated 6 August 2020 and was copied to the Treasurer and the Minister for Finance.

The Department cannot disclose advice that was provided to our Ministers or government or responses to such advice.

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PARLIAMENTARY INQUIRY SPOKEN QUESTION ON NOTICE

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QoN Number: 8

Subject: Decision for expedited procurement

Asked by: Julian Hill

Question:

Mr Julian Hill MP: And can you advise us on what basis the expedited procurement commenced then, given there was no response from the Prime Minister?

Mr Drew Layton: I'm just trying to recall that from my memory. But again, I'm sure there is documentation supporting that decision and I'll take that on notice and I'll get back to you on that one.

Answer:

The Cabinet Secretary responded on behalf of the Prime Minister to the letter from the Minister for Government Services that was sent on 24 July 2020. The response from the Cabinet Secretary was dated 6 August 2020 and was copied to the Treasurer and the Minister for Finance.

The Department cannot disclose advice that was provided to our Ministers or Government or responses to such advice, however, the Department acted in accordance with the direction of the Government.

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PARLIAMENTARY INQUIRY SPOKEN QUESTION ON NOTICE

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QoN Number: 10

Subject: Funding envelope and authority of process

Asked by: Julian Hill

Question:

Mr Julian Hill MP: Would people generally agree, or are we misreading things that it's not great practice or usual practice to go to market with an RFT for something you haven't actually got funding approved for?

Ms Charlotte Tressler: And our chief procurement officer can probably elaborate as well. Preferably, and particularly because you need to ensure, as you're approaching the market, that you have clarity around funding and are not wasting tenderers' time when they come back to you on options, you would have a funding envelope that you know that you're working within, yes.

Ms Lee-anne Monterosso: And traditionally as well, just to elaborate on Charlotte's point, usually there is an authority to go to market from government. And that will, sort of, give the guardrails as to what it is that we would be procuring, and obviously there might be a funding envelope that comes with that particular authority, as our COO has suggested. We'll come back to you on the details with exactly what that funding envelope and that authority was with regards to this particular process, but you're correct.

Answer:

The delegate signed a Strategic Procurement Plan for the Permissions Capability procurement in October 2020, which included a funds assurance check for an approach to market. It was noted that the Department was awaiting further Government decisions in relation to this activity and progressed the indicative funds availability associated with the release of the RFT on the basis of funds available across the Department at that time.