

DEPARTMENT OF HOME AFFAIRS

PARLIAMENTARY INQUIRY WRITTEN QUESTION ON NOTICE

Parliamentary Joint Committee on Intelligence and Security

12 December 2023

QoN Number: 1

Subject: Oversight of intelligence functions of the Australian Border Force

Asked by: The Committee

Question:

Who provides oversight of the intelligence functions of the Australian Border Force?

Answer:

The Department of Home Affairs' (the Department) intelligence functions inclusive of those provided to the Australian Border Force through the Department's Intelligence Division are undertaken in accordance with relevant legislation. These functions are currently subject to wide-ranging existing oversight mechanisms, including through (but not limited to) the Commonwealth Ombudsman, Parliamentary oversight, National Anti-Corruption Commission, Auditor General and Australian National Audit Office, Australian Human Rights Commission and Office of the Australian Information Commissioner.

In addition, these functions are subject to internal oversight, assurance and integrity related controls led by the Department's Integrity, Security and Assurance Division.

DEPARTMENT OF HOME AFFAIRS

PARLIAMENTARY INQUIRY WRITTEN QUESTION ON NOTICE

Parliamentary Joint Committee on Intelligence and Security

12 December 2023

QoN Number: 2

Subject: Intelligence functions of the Australian Border Force

Asked by: The Committee

Question:

In the view of the Department, is the Intelligence Services Legislation Amendment Bill 2023 expected to place the intelligence functions of the Australian Border Force under the oversight of the IGIS and this Committee?

Answer:

It is currently proposed that the oversight of the Department of Home Affairs' (the Department) intelligence functions be prescribed in regulations made under the Intelligence Services Legislation Amendment Bill as '*the part of the Department of Home Affairs known as Intelligence Division*'.

This will ensure that the intelligence functions (inclusive of those provided to the Australian Border Force through the Department's Intelligence Division) will be subject to oversight from the Parliamentary Joint Committee on Intelligence and Security and the Inspector-General of Intelligence and Security.