

PARLIAMENTARY JOINT COMMITTEE ON LAW ENFORCEMENT
ATTORNEY-GENERAL'S DEPARTMENT

Senator Mason asked the following question at the hearing on 17 February 2011:

“...what the likely resource implications of introducing a criminal intelligence element to the assessment of MSIC applications would be. What other issues would arise from such a measure?”

The answer to the honourable senator's question is as follows:

Incorporating criminal intelligence into the assessment of MSIC applications would raise a number of issues for consideration. Key issues include being able to access and apply intelligence in a timely manner (given the demand for MSIC background checks to be processed quickly), and the ability to apply natural justice and procedural fairness (which may have significant implications for the agency or agencies providing the intelligence).

The resource implications of including criminal intelligence in the MSIC process is unable to be estimated at this time, as it would predominantly depend on the method of incorporating that intelligence. There would also be costs for those agencies responsible for the provision of the intelligence.

These considerations would equally apply to incorporating criminal intelligence into the assessment of ASIC applications.

As AusCheck undertakes background checking on a full cost recovery basis, any increases to the cost of undertaking or processing the background checks would be necessarily passed on through AusCheck's fees.