



**The Hon Chris Bowen MP**  
Minister for Immigration and Citizenship



**The Hon John Murphy MP**  
**Chair**  
**Standing Committee on Petitions**  
**PO Box 6021, Parliament House**  
**CANBERRA ACT 2600**

Dear Mr Murphy

Thank you for your letter of 10 September 2012 concerning a petition from the parishioners of Holy Saviour Catholic Parish, Glen Waverley North in Victoria, asking that three persons with adverse security assessments (ASAs) be released from immigration detention and be accorded natural justice. I apologise for the delay in responding.

Due to privacy laws, I am unable to discuss specific details of any case. I can assure you, however, that the Australian Government is committed to providing protection consistent with the values and principles of the *1951 Convention relating to the Status of Refugees* and its *1967 Protocol* and other human rights treaties to which it is a party.

The Australian Security Intelligence Organisation (ASIO) issues an adverse security assessment when it assesses an individual to be directly or indirectly a risk to security within the meaning of section 4 of the ASIO Act 1979. It is the Government's view that it is not appropriate for individuals with adverse security assessments to be released into the Australian community. The Government accords a very high priority to national security concerns and any indication of a national security risk is taken seriously. These are very complex cases and decisions are not taken lightly. I am advised that they make up less than one per cent of all irregular maritime arrival visa security assessments undertaken since January 2010.

My Department works closely with ASIO, which maintains direct responsibility for managing the security checking process, to implement an improved and more streamlined arrangement for security assessments for irregular maritime arrivals, delivering risk-based, thorough and effective checks. Individuals are advised in writing by officers of the Department of the outcome of their security assessment.

I would like to draw to your attention the recent statement by the Attorney-General, the Hon Nicola Roxon MP, on 16 October 2012, regarding the establishment of an independent review of adverse security assessments.

The Government's position regarding people who receive an adverse security assessment is that they should be removed from Australia, either to their country of origin or a safe third country, where this is consistent with Australia's international obligations. Australia continues to have contact with officials from a number of


resettlement countries to explore options for resettlement of refugees with adverse security assessments.

The Government has determined that individuals who have been assessed by ASIO to be directly or indirectly a risk to security should remain in held detention, rather than live in the community, until such time as resettlement in a third country or removal is practicable.

Of course, we ensure appropriate arrangements are in place for the care and support of people detained due to an adverse security assessment. Accommodation placement decisions are made on a case-by-case basis, taking into account the person's individual level of security risk and their care needs. Where appropriate, placement options within the immigration detention network include the least restrictive facilities, such as Immigration Residential Housing and Immigration Transit Accommodation.

Accommodation placement decisions are subject to regular reviews to ensure that the placement remains appropriate, including Departmental senior officer and Commonwealth Ombudsman reviews.

I trust this information is of assistance.

Yours sincerely  


**CHRIS BÖWEN**

23 JAN 2013