Management of the Movement Alert List

Audit Report No. 35, 2008–09

Opening Statement by Peter White, Group Executive Director

JCPAA Review 16 November 2009

1. Thank you, Chair. The objective of this audit was to assess the effectiveness of the Department of Immigration and Citizenship's management of the Movement Alert List, MAL.

2. MAL is a DIAC computer database used by the Commonwealth to protect the country from those people who may pose a threat to the Australian community. It contains information about a large number of identities and travel documents. MAL works by attempting to match its records with the details of those who are seeking to enter the country or applying for a visa or Australian citizenship. Where a match occurs, MAL brings its information to the attention of the decision-maker, who then bases their decision on all the available information. Although information on MAL is generally adverse, having a MAL record does not lead inevitably to an unfavourable result.

3. DIAC has consistently described MAL as its 'principal electronic alert system' which, it states, 'forms an integral part of Australia's national security and border control strategy'. DIAC recognised over a decade ago that it was becoming 'MAL-dependent'.

4. When considering the operation of MAL we have to bear in mind the large and increasing volume of travellers (foreign nationals and Australians) across Australia's borders (26.1 million, including passengers and crew in 2008–09). That means DIAC

has to balance speed in processing, to facilitate entry, with confidently identifying those who may pose a threat or are not entitled to come here. In addition, MAL itself has gown very rapidly in recent years, especially after 2001.

5.   Although MAL has been around for several decades it has never before been the primary subject of an ANAO performance audit. However, it has been reviewed regularly since the late 1990s and this audit took account of the findings and recommendations of those reviews, especially that by Mr David Wheen (2003–04).

6.   We concluded that successive reviews over a decade had found MAL to be conceptually sound and increasingly important part of the suite of facilities for controlling entry to Australia. DIAC had managed an extended period of growth in the numbers of MAL records and successfully introduced a new version of MAL, CMAL ('Centralised MAL').

7.   However, the department has been less successful in maintaining the quality of its MAL records. Previous reviewers have found that the quality of the data cannot be over-emphasised. There are three aspects that need to be addressed:

- *getting the right records into MAL*—We found DIAC had no systematic plan for doing this;

- *ensuring records are complete and accurate*—analysis showed the quality of the data was deteriorating; and

- *ensuring that records are reviewed and deleted appropriately*—we found that DIAC does not follow its own rules for review and many records are kept longer than necessary.

8.   DIAC also had 2000 records of Australians on MAL, but, since it has no power to prevent entry or departure of Australians, the basis for listing them is not clear.

9. DIAC has no measure of how effective MAL is. The JCPAA has previously pointed out that 'if we do not know whether people are failing or not then we have no way of saying there is a checking process.' But DIAC cannot say how many people are denied entry due, even in part, to information brought to attention by MAL.

10. MAL has experienced some system failures that have persisted for some months before being noticed. None of these has, to our knowledge, allowed anyone undesirable to enter.

11. The ANAO made five recommendations aimed at:

    • improving data quality;

    • reviewing its use of MAL in relation to Australians;

    • improving its reporting on MAL's performance;

    • reporting on data quality, MAL's reliability and client service; and

    • DIAC obtaining assurance that all key parts of MAL are working properly.

12. The department agreed to all recommendations and has reported, in its recently-published *Annual Report 2008–09* (p. 107) that, following the audit, 'some major improvements have already been made.'

13. Finally, to assist the Committee in its inquiry, I have with me today Mr Peter White, Group Executive Director, and two members of the audit team, Dr Tom Clarke, Executive Director, who oversaw this audit, and Dr David Rowlands, the Audit Manager.