

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS
AUSTRALIAN CUSTOMS AND BORDER PROTECTION SERVICE

Question No. 34

Senator Brandis asked the following question at the hearing on 24 May 2012:

Senator BRANDIS: ... Have any cases [of alleged integrity breaches] been referred to the Australian Commission for Law Enforcement Integrity?

Mr Carmody: Yes.

Senator BRANDIS: How many?

Mr Carmody: When we came under the jurisdiction of ACLEI, we had—and this is noted in the Hamburger review—a number of investigations underway. All these figures are allegations, and whether they prove true or not there were certainly investigations, and some serious investigations, underway. I think there were about 10 that we referred at the time that we had been working on.

Senator BRANDIS: Sorry, at the time meaning when?

Mr Carmody: When we came under ACLEI—that was 1 January 2011. I think in total—

Senator BRANDIS: For 10 people when you came within ACLEI's purview. And have there been any referred since?

Mr Carmody: Yes, I am just trying to find the figure for you. There have been in total 48 allegations referred to ACLEI—and I stress that these are allegations.

Senator BRANDIS: When you say allegations, does that mean allegations against 48 individuals?

Mr Carmody: I think that some of them are not named. So, putting that aside, 48 allegations of some form of behaviour.

Senator BRANDIS: All I am getting at is are we talking about 48 different people or are some individuals the subject of multiple allegations?

Mr Carmody: I will just check. There could be some, but I do not have the detail of that.

Senator BRANDIS: You might take that on notice.

Mr Carmody: Yes.

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

Matters referred to ACLEI can take any number of forms and a single allegation can relate to a single officer or multiple officers as well as identified or unidentified officers. Unidentified officers could include individuals who are not Customs and Border Protection officers and could be private individuals from another agency or industry participants (eg: Customs brokers).

Within the 48 allegations, 17 individual staff have been named and of those staff 2 have been identified in allegations more than once.