SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS
ATTORNEY-GENERAL'S DEPARTMENT

Group: 3

Program: Other Agency

Question: BE14/012

Senator Rhiannon asked the following question at the hearing on 26-29 May 2014:

Senator RHIANNON: Are there any former members of the Sri Lankan army or the Sri Lankan police working for the AFP in Australia or Sri Lanka, both in the past and at the moment?

Mr Negus: No.

CHAIR: That you know of. Would you know?

Mr Negus: I think if we were employing former Sri Lankan military officers in the AFP I would know about it. One, you have to be an Australian citizen to be a member of the AFP, so that would disqualify the vast majority of—

CHAIR: I am being pedantic, though. What about someone who was in the Colombo police, when it was Colombo back 20 years ago?

Mr Negus: You are right, Chair, I probably should take that on notice, but I would be very surprised if that is the case. Given the circumstances around Sri Lanka and the security checks we undertake, I would be very surprised that anyone would make it through any of our screening processes, unless we could categorically state that they were clear of any particular issues, going back some time. We know that in Sri Lanka there have been difficult times, and it is very hard to establish people's work history and other things as well. I will take it on notice, on the advice of the Chair.

Senator RHIANNON: Thank you. To give you a timeline, could you do it from the end of the civil war, in 2009?

Senator Brandis: The answer to the question will be either no or yes. Commissioner Negus has told the committee the answer is no, and when invited by the chair to reflect upon that answer he said words to the effect that if the answer were other than no he would know about it. So in deference—

Senator RHIANNON: I understand he took it on notice.

Senator Brandis: In deference to the chair Commissioner Negus will take the question on notice. But you asked about a timeline. If there are none, there are none. It is not an issue of timelines, and you should not imply that the answer to the question is other than no.

Senator RHIANNON: I did not make that implication.

CHAIR: I think the Senator has now narrowed the timeline given my example of someone 20 years ago perhaps being in the Ceylonese police. But I suspect now that since whenever it was—

Mr Negus: I have been commissioner since 2009, so it gives me even more comfort the answer will be no. But I will double-check.

The answer to the honourable senator's question is as follows:
Information recorded in the AFP electronic Insight system has identified that there are currently eight serving appointees in the AFP who can speak or read/write Sinhalese or Tamil, the two official languages of Sri Lanka. The Insight system is the AFP's corporate system recording all financial and human resource data for its current employees. A check of security vetting files for those current eight appointees has confirmed that none of those persons have previously served with the Sri Lankan army or the Sri Lankan police force.

The AFP does not have an electronic method that allows for a search of its security vetting files to identify previous employees by a country of origin alone. A manual review of thousands of hard copy security and vetting files for serving and former AFP appointees would be required to isolate this data. It is estimated that it would take approximately 5000 hours to check the clearance files for all appointees who have served in the AFP since 2009.

It is very unlikely that the AFP would have appointed and security cleared an applicant who had previously served with the Sri Lankan army or police force. Applicants are required to provide proof of Australian Citizenship, and declare details of their employment history (including previous employment with Armed Forces or Police Services), residential addresses, referees and other background checks for the previous 10 years as a part of the application process for employment and entry into the AFP.