

**Senate Foreign Affairs, Defence and Trade Legislation Committee**

**ANSWERS TO QUESTIONS ON NOTICE  
DEPARTMENT OF DEFENCE**

**Additional estimates 2001—2002; 20–21 February 2002**

**Security Vetting**

**QUESTION 16**

SENATOR: WEST  
HANSARD: Page 237

With respect to the Australian Federal Police raids in September 2000 relating to alleged leaks of classified information concerning East Timor, when was the military member notified of administrative action to be brought against him/her?

**RESPONSE**

The Army issued a notice on 9 November 2001 requesting the member to 'Show cause why your commission should not be terminated'.

**Security Vetting**

**QUESTION 17**

SENATOR: WEST  
HANSARD: Page 238

In respect of positive vetting, how long overdue are the 845 re-evaluations not yet initiated?

**RESPONSE**

There are nine positive vetting clearances overdue from 1999, the earliest being from 5 April 1999. Of the remainder, approximately 320 date from the year 2000 and 520 from 2001.

**Security Vetting**

**QUESTION 18**

SENATOR: WEST  
HANSARD: Page 239

- a) In respect of the 10,969 case backlog for negative vetting, what has been the impact on the ADF and how long will it take to clear the backlog?
- b) What is the process for undertaking security checking and vetting in the regional offices for both military and commercial support program people?
  - How are the files kept?
  - At any stage, are the Australian Federal Police files given to the employer of the civilian contractors?
  - Have there been any problems with this in the last couple of years?

**Senate Foreign Affairs, Defence and Trade Legislation Committee**

**ANSWERS TO QUESTIONS ON NOTICE  
DEPARTMENT OF DEFENCE**

**Additional estimates 2001—2002; 20–21 February 2002**

**RESPONSE**

- a) Of the Defence personnel case workload for negative vetting, there are 530 ADF cases and 200 Defence civilian cases waiting for clearance action to commence, and approximately 10,200 security clearances that are overdue for re-evaluation. The impact on the ADF has been that some members have been unable to access higher levels of classified information until the clearance is completed. This should not have affected any operational contingencies as there are temporary access provisions that allow members to have emergency access to necessary classified material pending completion of their clearance. This type of access is strictly regulated and controlled.

The effect of the overdue re-evaluations on the ADF could mean that some members' postings may be delayed until the necessary clearance update is done. Many overseas and representational appointments require a current security clearance. A more important concern with overdue re-evaluations is the impact on the security environment within the ADF. Changes in a clearance holder's personal circumstances and attitudes to the member's security obligations need to be re-assessed regularly to determine the member's continued suitability to have access to classified material. The risk posed by overdue re-evaluations is mitigated by supervisors' observation of their responsibility to monitor attitudes towards and practice of security obligations.

The Defence Security Authority is currently recruiting additional staff, most of whom will be involved in vetting. Planning is under way to clear the current overdue case workload once the additional staff are in place. We expect that it will take about two to three years to clear the backlog.

- b) The processes for undertaking security checking and vetting in the regional offices are fundamentally the same for both military and commercial support program people. Defence is currently 'deeming' an ADF member as suitable for Confidential access based on the checking action undertaken for their recruitment. The degree of checking into an applicant's background carried out by recruiting staff is very similar to that required for a Confidential clearance.

The degree of checking into an applicant's background carried out by Recruiting staff is very similar to that required for a Confidential clearance. The only substantial difference is the request for an ASIO assessment. A decision made in December 1993, as an acceptable risk management option allowable under the then PSM, was to "deem" that an inducted recruit had had sufficient "fit and proper" checks done on him/her during the recruiting process to satisfy the Confidential clearance requirement. The 2000 edition of the PSM prescribed requirements that Defence has not yet been able to meet. Our intent is to focus on initial clearances to Secret and Top Secret and then reduce the backlog of Secret and Top Secret re-evaluations before moving to the Confidential level.

Some commercial support program members who do not require access to classified or sensitive areas do not undergo the security clearance process. These members undergo a form of background checking as deemed appropriate by the local Commander/Executive.

**Senate Foreign Affairs, Defence and Trade Legislation Committee**

**ANSWERS TO QUESTIONS ON NOTICE  
DEPARTMENT OF DEFENCE**

**Additional estimates 2001—2002; 20–21 February 2002**

In relation to how the files are kept, each security clearance subject has their own personal security file which is secured either within the relevant Regional Security Office or at Defence Archives. Most papers within the files are either marked Security-in-Confidence or given a national security classification as required. The need-to-know principle is strictly applied regarding who has access to these files.

In relation to whether Australian Federal Police information is given to employers of the civilian contractors, the Federal Police provide the Defence Security Authority with information extracted from police records on the understanding that it will be used solely for the purposes of security checking; it will be retained and securely stored by the authority; and it will not be passed to a third party. Australian Federal Police information is not to be provided to employers of civilian contractors. If police checking produces information that adversely affects the subject's suitability for classified access, the employer is informed that, due to information that has arisen during the clearance process, the security clearance process should cease.

In relation to whether any problems have arisen in the last couple of years, the security clearance procedures of the Northern Territory/Kimberley Regional Security Office were audited by Defence Security Branch Central Office in early 2000. It emerged that a vetting officer from that region had incorrectly passed a number of police check results to the facility security officer of a local Defence contractor. The vetting officer was disciplined and the facility security officer counselled. The police checks were returned to the correct storage arrangements and the Officer-in-Charge of the Australian Federal Police Central Records informed of the error and of the corrective action taken.