



Introduction

Improved public reporting of ASIO's activities is one important way of ensuring community confidence in ASIO.¹

Background

- 1.1 In May 1999 we presented *An Advisory Report on the Australian Security Intelligence Organisation Legislation Amendment Bill 1999*. In this report we discussed, among other things, the accountability framework within which ASIO² operates, noting that:

It is no easy task to develop and maintain an appropriate accountability framework for an intelligence and security agency. It cannot be treated as an ordinary government agency and exposed to the normal processes of parliamentary scrutiny and public reporting, neither can its operations be cloaked in total secrecy.

1 Parliamentary Joint Committee on ASIO, *An Advisory Report on the Australian Security Intelligence Organisation Legislation Amendment Bill 1999*, Parliament of Australia, May 1999, p. 43.

2 Throughout this report the Australian Security Intelligence Organisation will be referred to as 'ASIO'.

It is important that a balance be achieved and that mechanisms be established to give the community confidence that ASIO is performing its functions in a way that is lawful and respects individual rights and liberties.³

- 1.2 We went on to make a number of recommendations aimed at improving the extent of public reporting about ASIO's activities. We also concluded that there were grounds for a further inquiry into the scope for ASIO to report more comprehensively and candidly to the Australian community about its activities.
- 1.3 Our intention in making this suggestion was to help promote public confidence in a Commonwealth agency charged with very significant responsibilities.
- 1.4 In February 2000, the Attorney-General wrote to the Presiding Member of the Committee asking that we conduct such an inquiry.

Conduct of the inquiry

- 1.5 We advertised the inquiry in the national press in April 2000, and wrote to a number of organisations with an interest in Australian security and intelligence issues and related issues such as privacy and civil rights.
- 1.6 We received 16 written submissions and held a public hearing in Canberra in July 2000. All submissions, apart from those requested to be confidential, were placed on our internet site. The transcript of evidence from the public hearing is also available.⁴

Scope of the inquiry

- 1.7 We took the term 'public reporting' to refer to any material which is available to the public about ASIO, its role and functions. While focusing on material produced by ASIO, we also looked at related material such as that produced by the Inspector-General of Intelligence and Security,
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3 Parliamentary Joint Committee on ASIO, *An Advisory Report on the Australian Security Intelligence Organisation Legislation Amendment Bill 1999*, Parliament of Australia, May 1999, p. 43.

4 Parliamentary Joint Committee on ASIO internet site:
<http://www.aph.gov.au/house/committee/pjcasio>.

evidence given at Parliamentary inquiries, and the like. While not the focus of the inquiry, we also looked at access provisions for ASIO files which are over 30 years of age.

- 1.8 Our inquiry did not look at ASIO's operations or into complaints by individuals about ASIO. The *Australian Security Intelligence Organisation Act 1979* specifically prohibits us from looking at such matters.

The report

- 1.9 This report provides a brief overview of the role of ASIO and its accountability regime (Chapter 2). As well as placing our inquiry into the broad context of accountability, we hope that the provision of this information will serve to inform members of the public who are interested in ASIO's activities.
- 1.10 The report then looks at each of the main sources of ASIO's current public reporting – its annual report, its internet site, other ASIO publications, and the reports of other agencies relevant to ASIO (Chapter 3). We have looked briefly at how the security agencies of other countries – particularly Commonwealth countries – report publicly on their activities.
- 1.11 We also comment, in Chapter 4, on the issue of access to ASIO files which are over 30 years old.

Launch of ASIO's internet site

- 1.12 As we note in Chapter 3, ASIO launched its internet site in June 2000, after the commencement of our inquiry. The site has expanded considerably the range of information now available to the community about ASIO. While ASIO is to be commended for establishing the site, which judging by its quality has been under development for some time, we would like to think that our interest has helped encourage ASIO to maintain its focus on improving the nature and scope of its public reporting.

