



Senate Legal and Constitutional Affairs Legislation Committee
Budget Estimates 2024–25
Wednesday, 29 May 2024
Daily summary

The committee met from 9.00am until 9.57pm

The committee called:

- The Department of Home Affairs (including the Australian Border Force);
- Australian Security Intelligence Organisation;
- Office of the Australian Information Commissioner;
- Australian Transaction Reports and Analysis Centre (AUSTRAC); and
- Australian Law Reform Commission.

The Australian Financial Security Authority and Independent National Security Legislation Monitor released from the hearing.

Topics discussed by the committee included:

Department of Home Affairs (incl. Australian Border Force) - Outcome 2 (continued)

- Visa cancellations;
- Review of visa cancellation decisions by the AAT;
- Business Innovation and Investment Program;
- Ministerial direction 99;
- Visas issued to people from Palestine, Ukraine, and Afghanistan;
- Outcomes from the Niksen review;
- Regulation of sexual exploitation and human trafficking of migrants;
- Australian Government's rate of granting and refusing visas for migrants;
- Protocol for notifying the Minister for Immigration about AAT decisions;
- Role of the migration system in meeting the demand for skilled workers;
- Skills in Demand Visa stream;
- Future Made in Australia government plan;
- Training and skilling Australian workers in emerging industries;
- Government grants for Jewish and Palestinian communities in Australia;
- Management of criminal cases through the Stranger Protocol;
- Departmental process of cancelling visas for criminal cases; and
- Settlement Engagement and Transitional Support program.

Department of Home Affairs (incl. Australian Border Force) - Outcome 3

- Release of migrants from detention facilities following the NZYQ decision;
- Curfew and bail conditions of migrants charged with a Commonwealth offense;
- Government protections in relation to the NZYQ decision;
- NZYQ case and subsequent release of detainees;
- Operation Sovereign Borders;
- Staffing, policies, and measures in regards to stopping people smugglers;
- Funding for border protection;

- Interception of Rwandan men at Saibai island, and their subsequent protection claim;
- Monitoring and curfew conditions for NZYQ cohort;
- Unprecedented nature of conditions for NZYQ cohort, including comparison to comparable measures in previous decade;
- Potential needs and gaps regarding the Australian Border Force;
- Visas issued to Palestinian refugees;
- Community Safety Detention and Community Safety Provision Orders;
- Community Protection Board;
- Illegal arrivals in Australia;
- Operation AEGIS;
- Risk assessment of NZYQ cohort;
- Unauthorised Maritime Arrivals;
- Aerial surveillance, including amount of hours and aircraft capabilities;
- Illegal fishing, including measures operations to prevent such activity;
- Seizure of illicit tobacco and vapes at border, including difficulties in discerning licit from illicit goods; and
- Serco's management of onshore immigration detention facilities.

Australian Security Intelligence Organisation

- Overseas conferences;
- Threats to the Sikh community in Australia;
- Recent alleged terrorist incidents involving young people;
- Chinese foreign interference in Australia;
- Australian MPs who have allegedly been targeted by a Chinese hacking group;
- Diversity and inclusion strategies; and
- Right-wing extremism.

Office of the Australian Information Commissioner

- New privacy laws to protect data harvesting by social media platforms;
- Data gained through staff surveys in the Public Service conducted through third party providers;
- Investigations into Optus, Medibank, HWL Ebsworth, Latitude Finance, American Express data breaches and current status of investigations;
- Decision not to initiate an investigation into TikTok regarding Pixel and users information passed onto third parties;
- OAIC survey results demonstrating overall performance increase; and
- Timeliness of responses to FOI requests from Department of Home Affairs and Attorney-General's Department.

Australian Transaction Reports and Analysis Centre (AUSTRAC)

- AUSTRAC's involvement in programs identifying, disrupting and preventing money laundering and terrorism financing; and
- Australia's anti-money laundering and counter-terrorism financing risks.

Australian Law Reform Commission

- ALRC consultation with relevant stakeholders regarding justice responses to sexual violence;
- Proposed removal of section of Sex Discrimination Act to allow schools to terminate on the basis of sexual orientation and analysis undertaken by the ALRC;
- Terms of reference for consultation for proposed removal of Sex Discrimination Act; and
- ALRC inquiries into judicial misconduct.

The committee will next meet at 9.00am on Thursday, 30 May 2024 in the Main Committee Room, for further examination of the Attorney-General's Portfolio.