



OCOM 2020/505

Senator Katy Gallagher  
C/O Committee Secretary  
Department of the Senate  
PO Box 6100  
Parliament House  
CANBERRA ACT 2600

Dear Senator Gallagher

I wish to draw your attention to the Ernst & Young (EY) 'Measuring border restrictions with confidence' submission dated 28 May 2020. In its submission, EY incorrectly quotes evidence I provided in my capacity as Commissioner of the Australian Border Force to the Senate Select Committee on COVID-19's hearing of 5 May 2020.

The particular reference in the EY submission is on page 6 and concerns exemption criteria:

*When appearing before the Senate Inquiry into COVID-19 in April 2020, the Australian Border Force Commissioner Michael Outram, explained the complexity of making decisions on exemption applications and the need for decision makers to "apply a no-harm rule".*

My only appearance to date before the Committee was in fact on 5 May 2020, and not during April.

My response to questions from Senator Paterson on page 8 of the Hansard for the hearing 5 May 2020 was in part:

*There are a number of different classes of cases of people and exemptions that are required. I have to make those decisions case by case, and it's hard to apply a no-harm rule to that. On the one hand I have to balance the advice from the AHPPC that the vast majority of COVID-19 cases have been imported from people coming from overseas and there's a need to protect our country and community from COVID-19; on the other hand, in some of the welfare or humanitarian cases—it's kind of heartbreaking in a way because people would ordinarily be able to come and see people who are critically ill, terminally ill or who have passed.*

I also provided evidence to questions from Senator McKim, as recorded on page 11 of the same Hansard, which is:

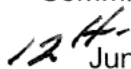
*My primary, overriding obligation is to the Australian community, based on the health advice. Yes, there are lots of individual cases where people come to senators and MPs and other people who are lobbying me, and I try not to listen to too much of that, because I have to be consistent in the application of my decisions, not show any bias and make sure that my decisions are justifiable and recorded for the future.*

*I accept entirely—and I don't wear it as a badge of honour—that there is some harm to people who want to come here who ordinarily would be able to. It's a very difficult job, and I don't enjoy it, but I am doing it as impartially, fairly and objectively as I possibly can.*

I appreciate this opportunity to clarify my evidence, as supported by the Hansard, and to ensure the Committee is provided with the correct information.

Yours sincerely

**Michael Outram APM**  
Commissioner

 June 2020

cc: Wayne Parcell PSM, Partner People Advisory Services, EY