

SUBMISSION TO THE PARLIAMENTARY JOINT COMMITTEE ON INTELLIGENCE AND SECURITY (PJCIS)

Review of Administration and Expenditure No. 24 (2024-2025) – Australian Intelligence Agencies

Submission by Paul Templeton ([REDACTED])

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Date: 11 November 2025

EXECUTIVE SUMMARY

Recommendation: Insert s 46(2A) and s 46(2B) into the *Australian Security Intelligence Organisation Act 1979* (Cth) to mandate an annual, unclassified public section in ASIO's Annual Report on "Institutional Distrust and Erosion of Public Confidence as a National Security Risk", with neutral, open-source metrics and a one-off early report if enacted before 30 June 2026.

This original amendment directly addresses administrative transparency and expenditure efficiency under the No. 24 Review Terms of Reference — at zero cost.

Why this inquiry?

The ASIO Amendment Bill (No. 2) 2025 inquiry is not open for new submissions.¹ No. 24 is the only current PJCIS vehicle that allows review of ASIO's administration (reporting gaps) and expenditure (resource use on cohesion threats). It is the perfect statutory fit to advance this transparency reform without waiting for another bill.

Why now?

On 4 November 2025, ASIO Director-General Mike Burgess warned:

"Our social fabric is fraying... trust in institutions below 50%... anti-authority beliefs rising... this creates a permissive environment for violence."²

¹ Parliamentary Joint Committee on Intelligence and Security, 'Inquiries and Reports' (Parliament of Australia)
<https://www.apf.gov.au/Parliamentary_Business/Committees/Joint/Intelligence_and_Security>
accessed 10 November 2025.

² Mike Burgess, '2025 Lowy Lecture' (Speech delivered at Lowy Institute, Sydney Town Hall, 4 November 2025) <<https://www.asio.gov.au/publications/speeches-and-statements/2025-lowy-lecture>> accessed 10 November 2025.

ASIO has diagnosed the threat.

But it is legally hamstrung from publicly reporting on it.

This amendment fixes that gap — without policy critique or operational risk

1. WHY THIS INQUIRY: No. 24 REVIEW OF ADMINISTRATION AND EXPENDITURE

Reason	Explanation
Only Open PJCIS Process	The ASIO Amendment Bill (No. 2) 2025 inquiry closed for submissions. No. 24 is the sole active review (mandated by Intelligence Services Act 2001 (Cth) s 29). ³
Direct ToR Fit	Reviews ASIO's administration (s 46 reporting) and expenditure (zero-cost use of open-source data for cohesion analysis).
Statutory Power	PJCIS can recommend legislative changes to improve admin/expenditure — precedent: No. 19 Review (2019–20) led to enhanced public reporting. ⁴
Timely Leverage	Burgess's 4 Nov speech is fresh evidence of admin gaps — No. 24 can act now, not wait for 2026 bills.

2. CURRENT LAW: s 46 – WHAT ASIO CAN REPORT

Provision	Current Text (Key Parts)	Limitation
s 46(1)	"The Director-General must... furnish to the Minister a report on the activities..." ⁵	General only — no mandated thematic focus.
s 46(2)	"The Minister must cause a copy... to be laid before each House..." ⁶	Redactions allowed (s 65) — public version often sanitised.

³ Intelligence Services Act 2001 (Cth) s 29.

⁴ Parliamentary Joint Committee on Intelligence and Security, Review of Administration and Expenditure No 19 (2019–20) – Australian Intelligence Agencies (Report, Parliament of the Commonwealth of Australia, 2020) rec 5
<https://www.aph.gov.au/Parliamentary_Business/Committees/Joint/Intelligence_and_Security/Completed_Inquiries_46th_Parliament/AandENo19/Report> accessed 10 November 2025.

⁵ Australian Security Intelligence Organisation Act 1979 (Cth) s 46(1).

⁶ Ibid s 46(2).

s 46(3)	“The Minister may require... a report on any matter...” ⁷	Ad-hoc, internal — not public or annual.
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Result: The 2024–25 Annual Report includes warrant counts and expenditure — but zero metrics on public trust, protest escalation, or federal balance perceptions — despite Burgess naming these as core security Risks.⁸

3. PROPOSED AMENDMENT: s 46(2A) + s 46(2B)

46(2A) Unclassified Public Section – Institutional Distrust Risk

The Director-General must include in each annual report under subsection (1) an unclassified section titled:

“Institutional Distrust and Erosion of Public Confidence as a National Security Risk”

containing:

(a) aggregated, anonymised metrics including:

- (i) longitudinal public trust data ⁹
- (ii) volume and sentiment of protest activity;
- (iii) public perceptions of federal balance and infrastructure resilience;

(b) a neutral, qualitative risk assessment of how declining trust may amplify threats under s 17;

(c) no operational sources, methods, or policy recommendations.

46(2B) Early Report

If subsection (2A) commences before 30 June 2026, the Director-General must, within 90 days of commencement, table an interim unclassified report containing the content required by subsection (2A).

⁷ Ibid s 46(2).

⁸ Australian Security Intelligence Organisation, Annual Report 2024–25 (Commonwealth of Australia, 2025).

⁹ Lowy Institute, Lowy Institute Poll 2025 (Report, 2025) <<https://poll.lowyinstitute.org/report/2025/>> accessed 10 November 2025.

4. WHY THIS IS FEASIBLE, LEGAL, AND ESSENTIAL

Criteria	Evidence
Legal	s 17(1)(e): ASIO must “advise... on matters relating to security” — cohesion is security. ¹⁰ No breach of s 40: open-source only.
Precedent	Telecommunications (Interception and Access) Act 1984 (Cth) s 94(2A): public stats model (2024: 5,127 ASIO authorisations). ¹¹ No. 19 Review: recommended confidence metrics — this delivers. ¹²
Operational	Zero cost — uses Lowy, X, ABS data. IGIS classification review ensures s 65 compliance. ¹³
Urgent	Burgess: “Unprecedented fraying” — first time ASIO named trust collapse as core threat. ¹⁴ Early report ensures 2026 data.

5. ALIGNMENT WITH AUSTRALIA’S FOUNDING PRINCIPLES

The Australian Constitution ss 51, 107 entrenches federal balance.¹⁵
ASIO was created in 1949 to protect the Commonwealth — not the executive.¹⁶
This amendment restores ASIO’s role as the “cohesion canary”.

6. PUBLIC SUPPORT & MOMENTUM

- Petition: change.org/mandate-asio-report-drift (19+ signatures, launched 5 Nov 2025)¹⁷

¹⁰ Australian Security Intelligence Organisation Act 1979 (Cth) s 17(1)(e).

¹¹ Telecommunications (Interception and Access) Act 1984 (Cth) s 94(2A); Australian Security Intelligence Organisation, Annual Report 2023–24 (Commonwealth of Australia, 2024) 45.

¹² Ibid [4].

¹³ Australian Security Intelligence Organisation Act 1979 (Cth) s 65; Inspector-General of Intelligence and Security, Annual Report 2023–24 (Report, Commonwealth of Australia, 2024).

¹⁴ Ibid [2].

¹⁵ Australian Constitution ss 51, 107.

¹⁶ Ben Chifley, Directive for the Establishment and Maintenance of a Security Service (Cabinet Directive, Commonwealth of Australia, 16 March 1949).

¹⁷ Paul Templeton, 'Mandate ASIO to Report on Australia's Drift from Founding Principles – Restore Unity' (Online Petition, Change.org, 5 November 2025) <<https://www.change.org/p/mandate-asio-to-report-on-australia-s-drift-from-founding-principles-restore-unity>> accessed 10 November 2025.

- X: 2,500+ impressions

7. RECOMMENDED ACTION FOR PJCIS

Adopt s 46(2A) and s 46(2B) in the current or a future Bill.

Require first full report in the 2026 Annual Report (tabled September 2026).

Require interim early report within 90 days if enacted before 30 June 2026.

Mandate annual IGIS review of classification process.

Reject any “policy critique” clause — keep it risk-only.

8. CONCLUSION

ASIO has sounded the alarm.

Parliament must give it a megaphone.

The Australian people deserve to know — in unclassified, neutral terms — when institutional distrust becomes a national security emergency.

This is not about politics. It is about prevention.

Respectfully submitted,

Paul Templeton
Constitutional Advocate

11 November 2025
