



**Australian Government**  
**Australian Commission for  
Law Enforcement Integrity**

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**PARLIAMENTARY JOINT COMMITTEE ON THE AUSTRALIAN  
COMMISSION FOR LAW ENFORCEMENT INTEGRITY**  
**Inquiry into the integrity of Australia's border arrangements**

**Additional Term of Reference (c)**  
*The shared work environment and the effectiveness of joint management  
arrangements at Australia's seaports and airports*

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Submission by the  
Australian Commission for  
Law Enforcement Integrity

21 December 2016





## 1. INTRODUCTION

The Australian Commission for Law Enforcement Integrity (ACLEI) welcomes the opportunity to make a further submission to the Parliamentary Joint Committee on the Australian Commission for Law Enforcement Integrity in response to the additional term of reference for the *Inquiry into the integrity of Australia's border arrangements*:

(c) the shared work environment and the effectiveness of joint management arrangements at Australia's seaports and airports.

ACLEI made a submission to the inquiry during the 44<sup>th</sup> Parliament in response to the original terms of reference. [Part 2](#) of that submission, dated 28 May 2015, provides background information about ACLEI's role and responsibilities.

[Part 2](#) of this new submission sets out ACLEI's response to the additional term of reference.

## 2. RESPONSE TO THE ADDITIONAL TERM OF REFERENCE

ACLEI's purpose is to make it more difficult for corruption in prescribed law enforcement agencies to occur or remain undetected, through the performance of functions prescribed by the *Law Enforcement Integrity Commissioner Act 2006* (LEIC Act).

Agencies with law enforcement functions at the border share the responsibility to protect Australia from a range of interconnecting threats from organised crime or from within regulated industries that may seek to circumvent controls or gain competitive advantage.

Australia's model of border control relies on specialist government agencies working together in shared operational environments—such as international airports or seaports, international mail facilities, and quarantine premises—to manage these inter-related risks. In these shared work environments, agencies work at close quarters, and must share information to meet their objectives. Shared work environments at Australia's seaports and airports may include LEIC Act agencies, as well as private sector businesses, including Accredited Trusted Traders.

Commonwealth agencies are responsible for ensuring their compliance with Commonwealth fraud control and risk management policy requirements, and for the effectiveness of any joint management arrangements. ACLEI has a role in working cooperatively with LEIC Act agencies to manage risk, and to lead or facilitate projects which identify vulnerabilities and address corruption risks. Officer-level briefings on current operations are conducted regularly and the Integrity Commissioner raises operational matters with the heads of LEIC Act agencies as necessary.

Historically, most corruption control plans focussed on the treatment of risks within an agency's control and accepted risks that were outside of its control. However, where acknowledged risks are shared across agencies, such as in shared work environments, locally-based mitigations and cross-agency agreements may be a better way to manage them.

For this reason, ACLEI encourages interagency consultation about risk management plans—moving to more integrated function-based or place-based risk assessments and treatment strategies—including for fraud and corruption control. These approaches would be characterised by interagency accountability for controls. This conclusion is supported by discussions with members of ACLEI's Fraud Control Experts Panel, a sub-group of the ACLEI Community of Practice for Corruption Prevention.