

The Senate

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Legal and Constitutional Affairs  
Legislation Committee

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Annual reports (No. 1 of 2017)

March 2017

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### **45th Parliament**

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# Preface

## Terms of reference

On 12 November 2013, a resolution of the Senate allocated the following portfolios to the Senate Standing Committee on Legal and Constitutional Affairs:

- Attorney-General's portfolio; and
- Immigration and Border Protection portfolio.

This report was prepared pursuant to Standing Order 25(20) relating to the consideration of annual reports by committees. The Standing Order states:

Annual reports of departments and agencies shall stand referred to the committees in accordance with an allocation of departments and agencies in a resolution of the Senate. Each committee shall:

- (a) Examine each annual report referred to it and report to the Senate whether the report is apparently satisfactory;
- (b) Consider in more detail, and report to the Senate on, each annual report which is not apparently satisfactory, and on the other annual reports which it selects for more detailed consideration;
- (c) Investigate and report to the Senate on any lateness in the presentation of annual reports;
- (d) In considering an annual report, take into account any relevant remarks about the report made in debate in the Senate;
- (e) If the committee so determines, consider annual reports of departments and budget-related agencies in conjunction with examination of estimates;
- (f) Report on annual reports tabled by 31 October each year by the tenth sitting day of the following year, and on annual reports tabled by 30 April each year by the tenth sitting day after 30 June of that year;
- (g) Draw to the attention of the Senate any significant matters relating to the operations and performance of the bodies furnishing the annual reports; and
- (h) Report to the Senate each year whether there are any bodies which do not present annual reports to the Senate and which should present such reports.

This report examines annual reports tabled in the Senate or presented to the President between 1 May and 31 October 2016.

## Role of annual reports

As annual reports place a great deal of information about government departments and agencies on the public record, the tabling of annual reports is an important element of accountability to Parliament. The information provided in annual reports assists in the effective examination of the performance of departments and agencies, and the administration of government programs.

## **Annual reporting requirements**

Departments and agencies report under the *Public Governance, Performance and Accountability Act 2013* (PGPA Act), which commenced on 1 July 2014. The PGPA Act establishes a performance reporting framework for all Commonwealth entities and companies. Section 46 of the PGPA Act sets out the annual reporting requirements in relation to Commonwealth entities, including that annual reports must comply with any requirements prescribed by rules; section 97 sets out the annual reporting requirements for Commonwealth companies. The *Public Governance, Performance and Accountability Rule 2014* (PGPA Rule) supports the PGPA Act. The 2015–16 reporting period marks the first time that all Commonwealth entities are reporting under the prescriptions of this Rule.

Annual reports for the 2015–16 reporting period were prepared under the following requirements:

- for non-corporate Commonwealth entities (departments, executive agencies and statutory agencies): the PGPA Act, section 46, and the PGPA Rule, Division 3A(A); the *Public Service Act 1999*, sections 63(2) and 70(2); and other relevant enabling legislation for statutory bodies;
- for corporate Commonwealth entities: the PGPA Act, section 46, and the PGPA Rule, Division 3A(AB); and other relevant enabling legislation for statutory bodies;
- for Commonwealth companies: PGPA Act, section 97, which also refers to requirements under the *Corporations Act 2001* and the PGPA Rule, Part 3-3; and other relevant enabling legislation for statutory bodies; and
- for non-statutory bodies: the guidelines for are contained in the government response to the Senate Standing Committee on Finance and Public Administration Report on Non-Statutory bodies.<sup>1</sup>

### ***Reporting guidelines***

The Department of Finance has produced three Resource Management Guides (RMGs) which set out the obligations for entities under the Act and provide guidance on fulfilling the mandatory requirements for the contents of annual reports prescribed by the PGPA Rule:

- *Resource Management Guide No. 135: Annual reports for non-corporate Commonwealth entities;*
- *Resource Management Guide No. 136: Annual reports for corporate Commonwealth entities;* and
- *Resource Management Guide No. 137: Annual reports for Commonwealth companies.*

In addition to the RMGs listed above, the Department of Finance has produced a guide intended to improve the quality of non-financial performance information in

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1 *Senate Hansard*, 8 December 1987, pp. 2632–45.

annual reports, *Resource Management Guide No. 131: Developing good performance information*. This guide sets out best practice for developing and reporting on performance measures, including key performance indicators and deliverables. The committee recommends that agencies use this RMG when preparing their reports.

## **Reports examined**

This report examines the following annual reports; tabled in the Senate or presented out of session to the President of the Senate and referred to the committee between 1 May 2016 and 31 October 2016:

### *Departments of state*

- Department of Immigration and Border Protection—report for 2015–16; and
- Attorney-General's Department—report for 2015–16.

### *Statutory agencies/authorities*

#### *Attorney-General's portfolio*

- Administrative Appeals Tribunal—report for 2015–16, including report of the Immigration Assessment Authority;
- Australian Law Reform Commission—report for 2015–16;
- Family Court of Australia—report for 2015–16, including financial statements for the Federal Circuit Court of Australia;
- Australian Federal Police—report for 2015–16, including reports on assumed identities and the National Witness Protection Program;<sup>2</sup>
- Commonwealth Director of Public Prosecutions—report for 2015–16;<sup>3</sup>
- Australian Financial Security Authority—report for 2015–16, including reports on the operation of the *Bankruptcy Act 1966* and *Personal Property Securities Act 2009*;<sup>4</sup>
- Australian Information Commissioner—report for 2015–16;<sup>5</sup> and
- Office of Parliamentary Counsel—report for 2015–16.<sup>6</sup>

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2 Also stands referred to the Joint Committee on Law Enforcement.

3 Presented out of session on 21 October 2016 and subsequently not available for the Supplementary Budget Estimates hearings on 17 and 18 October.

4 Presented out of session on 28 October 2016 and subsequently not available for the Supplementary Budget Estimates hearings on 17 and 18 October.

5 Presented out of session on 31 October 2016 and subsequently not available for the Supplementary Budget Estimates hearings on 17 and 18 October.

6 Presented out of session on 31 October 2016 and subsequently not available for the Supplementary Budget Estimates hearings on 17 and 18 October.

## **'Apparently satisfactory'**

Under the terms of Standing Order 25(20)(a), the committee is required to report to the Senate whether reports are 'apparently satisfactory'. In making this assessment, the committee considers such aspects as compliance with relevant reporting guidelines.

The committee found all of the reports submitted to be 'apparently satisfactory', describing the functions, activities, performance and financial positions of the departments and agencies.

## **Debate in the Senate**

Under the terms of Standing Order 25(20)(d), the committee is required to take into account any relevant remarks made about an a report in debate in the Senate.

The annual report of the Attorney-General's Department was presented to the Senate on 11 October 2016. Senator Nick McKim moved that the Senate take note of the document, speaking on the increased legal services expenditure of the department in the 2015–16 period, the role of the Solicitor-General, and legal services provided by the Australian Government Solicitor within the department.<sup>7</sup>

The committee did not identify any relevant remarks made in debate in the Senate about any other annual reports.

## **Timeliness**

Under Standing Order 25(20)(c), the committee must also report to the Senate on any lateness in the presentation of annual reports.

Section 46 of the PGPA Act sets out the requirements for the presentation of annual report for Commonwealth entities to the responsible minister by the 15th day of the fourth month after the end of the reporting period for the entity. For entities reporting on a financial-year basis, this requires reports to be provided to the minister by 15 October of that year. RMG No. 135, which relates to departments, executive agencies and other non-corporate Commonwealth entities, states that:

It has been practice for the responsible Minister to present the report to each house of the Parliament on or before 31 October. If Senate Supplementary Budget Estimates hearings are scheduled to occur before 31 October, Ministers have sought to table annual reports prior to these hearings.<sup>8</sup>

Where a body is unable to meet this deadline, an extension of time to report can be sought under the provisions of subsections 34C(4)–(7) of the *Acts Interpretation Act 1901*.<sup>9</sup>

Section 97 of the PGPA Act sets out the requirements for the provision of annual reports of Commonwealth companies to the responsible minister.

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7 *Senate Hansard*, 11 October 2016, pp. 1506-7.

8 Department of Finance, *Resource Management Guide No. 135: Annual reports for non-corporate Commonwealth entities*, p. 8.

9 *Acts Interpretation Act 1901*, s. 34.

A table listing the annual reports of departments and agencies tabled in the Senate (or presented out of session to the President of the Senate) between 1 May 2016 and 31 October 2016, and which have been referred to the committee for examination, can be found at Appendix 1.<sup>10</sup> Also included in this table is the date each report was tabled in the House of Representatives.

The annual reports included and examined in this report met the reporting deadline of 31 October 2016.

The annual reports of the following agencies were not tabled in the Senate, nor referred to the committee, by the 31 October deadline.<sup>11</sup> These reports will be examined by the committee in its next *Report on Annual Reports (No. 2 of 2017)*:

- Australian Commission for Law Enforcement Integrity;
- Australian Crime Commission;
- Australian Human Rights Commission;
- Australian Institute of Criminology;
- Australian Security Intelligence Organisation;
- CrimTrac Agency;
- Federal Circuit Court of Australia;
- Federal Court of Australia;
- High Court of Australia; and
- National Archives of Australia.

The committee continues to encourage bodies to table annual reports before the Supplementary Budget Estimates hearings in October each year, in accordance with best practice, as outlined in RMG No. 135.<sup>12</sup>

### **Requirement for non-reporting bodies to report**

In accordance with Standing Order 25(20)(h), the committee is required to report on bodies that do not present an annual report to the Senate and which should present such a report. On this occasion, the committee has not identified any bodies that have not provided their annual reports to the Senate.

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10 The table also includes reports on the operation of acts or programs that have been referred to the committee.

11 See Appendix 1.

12 Department of Finance, *Resource Management Guide No. 135: Annual reports for non-corporate Commonwealth entities*, p. 8.



# Chapter 1

## Annual reports of departments

1.1 The annual reports of the following departments for the financial year 2015–16, were referred to the committee for examination and report:

- Attorney-General's Department; and
- Department of Immigration and Border Protection.

### Attorney-General's Department

#### *Tabling of report*

1.2 The 2015–16 annual report was tabled in the Senate on 11 October 2016. The report was available to senators for the Supplementary Budget Estimates 2016–17 hearings on 17 and 18 October 2016, and 12 December 2016.

#### *Secretary's review*

1.3 In his review for 2015–16, the secretary of the department, Mr Chris Moraitis PSM, focused on program and policy delivery in the areas of law and justice, national security, and emergency management.<sup>1</sup>

1.4 Other key areas of work for the reporting period included: the consolidation of the Australian Government Solicitor (AGS) into the department; improving the efficiency of the judicial system; supporting the Defence Abuse Response Taskforce and Royal Commissions; the implementation of data retention obligations; a data-breach notification scheme; the National Facial Biometric Matching Capability; a national domestic violence order scheme; supporting the National Ice Taskforce; and reforming national disaster relief and recovery arrangements.<sup>2</sup>

1.5 The review also reported that in its first stakeholder survey, the department 'performed well on all measures, including overall performance, staff expertise and effectiveness, relationships and leadership and delivering quality results'.<sup>3</sup>

1.6 The secretary's outlook for 2016–17 outlined a continued role in 'achieving a just and secure society for all Australians'<sup>4</sup> through policy delivery, an effective justice system, national responses to crime and emergency management, and the rights, freedoms and responsibilities of a free society.<sup>5</sup>

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1 *Attorney-General's Department Annual Report 2015–16*, p. 2.

2 *Attorney-General's Department Annual Report 2015–16*, pp. 2-3.

3 *Attorney-General's Department Annual Report 2015–16*, p. 2.

4 *Attorney-General's Department Annual Report 2015–16*, p. 3.

5 *Attorney-General's Department Annual Report 2015–16*, p. 3.

### ***Changes to the portfolio structure***

1.7 A number of changes were made to the structure of agencies within the portfolio during, and immediately following, the reporting period.

1.8 On 1 July 2015, the Migration Review Tribunal and Refugee Review Tribunal, and the Social Security Appeals Tribunal were amalgamated into the Administrative Appeals Tribunal, and the AGS was consolidated into the Attorney-General's Department.<sup>6</sup>

1.9 On 1 July 2016, the Australian Crime Commission and CrimTrac merged to form the Australian Criminal Intelligence Commission, and the Federal Court of Australia, Family Court of Australia, and the Federal Circuit Court of Australia merged to form a single administrative entity.<sup>7</sup>

1.10 Additionally, in September 2015 the Ministry for the Arts moved from the Attorney-General's Department to the Department of Communications and the Arts under a machinery-of-government change.<sup>8</sup>

### ***Performance reporting***

1.11 The Attorney-General's Department made significant changes to its performance measures and key performance indicators (KPIs) in the 2015–16 reporting period.

1.12 The series of KPIs outlined in the Portfolio Budget Statement (PBS) for 2015–16<sup>9</sup> under each strategic priority are not reflected in the Corporate Plan<sup>10</sup> published in August of the same year, and no explanation for the discrepancy is provided in that document. Furthermore, there was no mention of a change to KPIs in the Portfolio Additional Estimates Statements (PAES) 2015–16 in February 2016, although changes to deliverables are outlined following the transfer of the Arts outcome to the Department of Communications.<sup>11</sup>

1.13 The committee identified that the only clear information about the change to KPIs for the department was given in the PBS for 2016–17 in May 2016, where the following explanation was provided, along with tables comparing old and new KPIs in 2015–16 and KPIs for 2016–17:

In 2015–16, the department implemented a new performance framework in line with the requirements of the *Public Governance, Performance and Accountability Act 2013*, detailed in the department's Corporate Plan 2015–16. The performance criteria from that framework will be adopted as the performance criteria for programs from 2016–17.

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6 *Attorney-General's Department Annual Report 2015–16*, p. 5.

7 *Attorney-General's Department Annual Report 2015–16*, p. 5.

8 *Attorney-General's Department Annual Report 2015–16*, p. 5.

9 *Portfolio Budget Statements 2015–16, Attorney-General's Portfolio*, pp. 24-37.

10 *Attorney-General's Department Corporate Plan 2015–16*, pp. 11-21.

11 *Portfolio Additional Estimates Statements 2015–16, Attorney-General's Portfolio*, pp. 20-8.

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In its 2015–16 annual report, the department will report against both the key performance indicators in the 2015–16 Portfolio Budget Statements and the performance framework in the corporate plan. The results against the performance framework will be reported in the department's annual performance statement and will be used as baseline results against which future targets will be set.<sup>12</sup>

1.14 The KPIs presented and analysed in the department's annual report for 2015–16 therefore reflect the new KPIs detailed in the Corporate Plan and the PBS for 2016–17.

1.15 The department has introduced a new structure for performance reporting, applying four high-level KPIs (Community impact; Effectiveness in achieving objectives; Efficiency in meeting goals; Professionalism, skills and commitment) to each of the seven strategic priorities across the department.<sup>13</sup> Further detail on these strategic priorities and KPIs is provided in the Corporate Plan.<sup>14</sup>

1.16 While the committee is pleased to see that the department has improved the specificity of its KPIs, it continues to hold concerns about the lack of quantitative measures to assess the effectiveness of the department. The committee wishes to reiterate the best practice for the development of KPIs as outlined in the Australian National Audit Office's (ANAO) *Development and Implementation of Key Performance Indicators to Support the Outcomes and Programs Framework*:

The tendency for entities to rely on qualitative KPIs reduces their ability to measure the results of program activities over time. A mix of effectiveness KPIs, that place greater emphasis on quantitative KPIs and targets, would provide a more measureable basis for performance assessment. Targets, in particular, should be used more often to express quantifiable performance levels to be attained at a future date. By enabling a more direct assessment of performance, the greater use of targets would assist to clarify and simplify the process of performance monitoring.<sup>15</sup>

1.17 However, the committee recognises the difficulty in using quantitative KPI targets to assess the effectiveness of departmental programs that involve policy development and commends the department for its introduction of stakeholder surveys to assess performance against targets of this nature.

1.18 The committee also notes that the PBS for 2016–17 set the target for all KPIs as 'to equal or better 2015–16 results' and hopes that this target will encourage quantitative comparison of performance information in future reports, where applicable.

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12 *Portfolio Budget Statements 2016–17, Attorney-General's Portfolio*, p. 22.

13 An eighth strategic priority around the Arts outcome has been removed following the machinery-of-government change in September 2015.

14 *Attorney-General's Department Corporate Plan 2015–16*, pp. 11-21.

15 Australian National Audit Office, *Audit Report No. 5 2011-12, Performance Audit, Development and Implementation of Key Performance Indicators to Support the Outcomes and Programs Framework*, p. 53.

1.19 The department met its KPIs for 2015–16, however two KPIs were not reported on in detail due to lack of a comprehensive measure (Strategic Priority 2, KPI 1: Community impact – community satisfaction with and awareness of national security strategies)<sup>16</sup> and a lack of data for the reporting year (Strategic Priority 6, KPI 1: Community impact – death and total asset loss from emergency events excluding road crashes).<sup>17</sup>

1.20 A large amount of performance information for reporting period was informed by the stakeholder survey.<sup>18</sup> Stakeholders surveyed included other federal agencies, state and territory agencies, professional and representative bodies, and community organisations.<sup>19</sup> A high level of satisfaction was reported across all strategic priorities, with results of 86 to 97 per cent satisfaction with Effectiveness in achieving objectives and 86 to 98 per cent satisfaction with Professionalism, skills and commitment.

### ***Financial performance***

1.21 In a departure from previous annual reports, the secretary's review did not include a summary of financial results. There was also no substantive discussion of financial results in the body of the report, and only minimal explanatory notes in the financial statements at Part 4.<sup>20</sup>

1.22 The PGPA Rule requires that 'a discussion and analysis of the entity's financial performance' be included in annual reports.<sup>21</sup> The committee provides further commentary on this at paragraph 1.30 below.

1.23 The department reported a departmental operating deficit of \$14.275 million for 2015–16. This deficit compares to an operating deficit of \$14.593 million in 2014–15, and is an \$8.496 million improvement from the deficit of \$21.118 million anticipated in the PAES. The 2015–16 result partly reflects the department's depreciation and amortisation expense of \$27.248 million, which is not funded by the Government.

1.24 The committee notes that administered expenses for 2015–16 were \$854.651 million, compared to \$1,275.811 million in 2014–15. Payments to Commonwealth corporate entities were \$265.673 million, compared with \$471.068 million in 2014–15. The reduction in both amounts mostly reflects the transfer of the Classification, Copyright and Arts and Cultural Development programs and functions to the Department of Communications and the Arts from 1 November 2015.

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16 *Attorney-General's Department Annual Report 2015–16*, p. 23.

17 *Attorney-General's Department Annual Report 2015–16*, p. 43.

18 *Attorney-General's Department Annual Report 2015–16*, p. 14.

19 *Attorney-General's Department Annual Report 2015–16*, p. 15.

20 *Attorney-General's Department Annual Report 2015–16*, pp. 79-162.

21 *Public Governance, Performance and Accountability Rule 2014* (PGPA Rule), p. 27.

1.25 The two Royal Commissions that operated during 2015–16 incurred expenses that required funding of \$89.292 million, which was less than the budgeted funding requirement of \$90.771 million.

### ***Management of human resources***

1.26 Changes to reporting requirements under the PGPA Act and PGPA Rule now require more detailed statistics on an entity's employees, including classification level, full-time/part-time status, gender, location, and number who identify as Indigenous. The committee notes that the department failed to include information about the location of staff, which is mandated in section 17AG(4)(a) of the PGPA Rule.

### ***New reporting guidelines and list of requirements***

1.27 The committee notes that while the Attorney-General's Department has largely followed the new reporting requirements under the PGPA Act, the department's 'list of requirements' is of concern.

1.28 Section 17AJ(d) of the PGPA Rule requires that a list of requirements, as set out in Appendix F of the Rule, is included in entities' annual reports as an 'aid of access' to enable readers to locate specific information in a straightforward manner. Section 17AJ(d) also requires other aids of access, including table of contents, index, glossary of abbreviations and acronyms, and website and contact details for the agency, in all reports.

1.29 There appear to be major discrepancies between the PGPA Rule references provided in the department's list<sup>22</sup> and the list of requirements included in all compilations of the Rule since 13 May 2016.<sup>23</sup> The committee is unable to identify which, if any, compilation of the PGPA Rule the department is referencing in its list. Additionally, the description text has been substantially changed for a number of requirements.

1.30 For example, the committee notes that the department's list changed the requirement 'a discussion and analysis of the entity's financial performance' to the simplified 'entity's financial performance'. The committee is particularly concerned about this change to the description, which obscures the requirement for discussion and analysis, and disguises the department's omission of any such discussion or analysis from its report.

1.31 The committee strongly recommends that in future reports the department use the list of requirements provided in the PGPA Rule without making amendments to references or descriptions.

### ***Conclusion***

1.32 The committee would like to draw attention to its comments on following reporting guidelines and encourages closer compliance in future annual reports.

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22 *Attorney-General's Department Annual Report 2015–16*, p. 178.

23 PGPA Rule compilations containing the list of requirements were published on 13 May 2016 and 1 July 2016 prior to the tabling of the annual report.

1.33 Despite the omissions noted above, the committee considers the report to be 'apparently satisfactory'.

## **Department of Immigration and Border Protection**

### ***Tabling of report***

1.34 The 2015–16 annual report was tabled in the Senate on 10 October 2016. The report was available to senators for the Supplementary Budget Estimates 2016–17 hearing on 17 October 2016.

### ***Corrigendum***

1.35 At the Supplementary Budget Estimates 2016–17 hearing on 17 October 2016, Senator the Hon Kim Carr asked questions about discrepancies between the report on financial performance in the text of the annual report and the financial statements.<sup>24</sup> Mr Steven Groves, Acting Deputy Secretary, Corporate, and Chief Operating Officer, explained that the tables in the financial resources summary did not include depreciation and that a corrigendum was in the process of being prepared.<sup>25</sup> He also clarified that there were no errors in the financial statements.<sup>26</sup>

1.36 A corrigendum to the report on financial performance was published online by the department on 17 October 2016.<sup>27</sup>

1.37 As there were no errors in the financial statements, the department has not tabled the corrigendum in either the House of Representatives or the Senate.

### ***Secretary's review and Commissioner's review***

1.38 This is the first annual report for the new Department of Immigration and Border Protection, following amalgamation between the department and Australian Customs and Border Protection Service and the formation of the Australian Border Force (ABF) within the department on 1 July 2015.

1.39 Both the Secretary of the Department of Immigration and Border Protection, Mr Michael Pezzullo, and the Commissioner of the Australian Border Force, Mr Roman Quaedvlieg APM, provided reviews for the annual report.

1.40 Mr Pezzullo's review focused on the continued mission and purpose of the department to 'protect Australia's border and manage the movement of people and goods across it' and on the changes to the department since 1 July 2015. Key areas highlighted included: the administrative relationship between the Secretary (administration and policy) and the Commissioner (operational activities); training and development for the new integrated staff; new corporate, policy and operational

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24 *Estimates Hansard*, 17 October 2016, p. 91.

25 *Estimates Hansard*, 17 October 2016, pp. 91-2.

26 *Estimates Hansard*, 17 October 2016, p. 92.

27 *Department of Immigration and Border Protection Annual Report 2015–16 corrigendum – Report on Financial Performance*, <https://www.border.gov.au/about/reports-publications/reports/annual/annual-report-corrigendum-2015-16> (accessed 10 March 2017).

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strategy documents; enhanced collaboration with domestic, regional and global partners; the establishment of the Border Intelligence Fusion Centre to support real-time operational decision-making; updates on visa programs; and financial performance.<sup>28</sup>

1.41 Mr Quaedvlieg's review covered the formation of the ABF and its role as Australia's customs service. Points of discussion included: training for ABF uniformed and non-uniformed officers; the role of ABF in whole-of-government law enforcement; operational successes in areas of organised crime, illicit drugs and counter-terrorism, including visa cancellations on character grounds; immigration compliance and enforcement, including targeting organised visa fraud, illegal work and the exploitation of foreign workers in Australia; maintaining the sovereignty of Australia's maritime border through Operation Sovereign Borders; the implementation of the Australian Trusted Trader program; the rollout of 'SmartGate' technology at international airports; and the management of immigration detention facilities.<sup>29</sup>

### ***Performance reporting***

1.42 The annual report for 2015–16 provides comprehensive reporting on performance in accordance with the requirements of the PGPA Act and PGPA Rule.

1.43 Performance reporting is displayed in a clear format and footnotes throughout provide information about the source of each criterion, including page references from the PBS and/or Corporate Plan, distinction between deliverables and KPIs, and relevant outcome and/or program information.

1.44 Qualitative deliverables and KPIs are listed with a Result displayed as Met/Not met as applicable, and with explanatory text evaluating the result.

1.45 Quantitative deliverables and KPIs are reported in tables with separate columns for 2014–15 Actual [figure], 2015–16 Target [figure, for KPIs only], 2015–16 Actual [figure], and Result displayed as Met/Not met as applicable. There is limited-to-no explanatory text evaluating individual quantitative criteria.

1.46 The committee congratulates the department on the overall high standard of performance reporting in this annual report.

1.47 However, the committee notes that while the department met a substantial proportion of its KPIs, a number were not met across the following functions:

- (a) Function 1 (Facilitation and enforcement of trade and customs): air and sea cargo inspections, examinations and reports;<sup>30</sup> processing of customs broker licenses; tariff classification, valuation and rules of origin advices; and international vessel movements and reported vessel arrivals;<sup>31</sup>

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28 *Department of Immigration and Border Protection Annual Report 2015–16*, pp. 2-4.

29 *Department of Immigration and Border Protection Annual Report 2015–16*, pp. 6-9.

30 *Department of Immigration and Border Protection Annual Report 2015–16*, pp. 28, 34.

31 *Department of Immigration and Border Protection Annual Report 2015–16*, p. 35.

- (b) Function 2 (Facilitation and enforcement of travel): management of goods and services moving across borders in accordance with service standards; rate of passenger and crew arrivals refused immigration clearance at airports and seaports;<sup>32</sup> timely resolution of immigration status breaches for non-citizens in the community;<sup>33</sup> timely processing of passengers in inwards queue at airports and seaports;<sup>34</sup> and percentage of high-risk vessels subject to targeted operational responses;<sup>35</sup>
- (c) Function 3 (Delivery of visitor, temporary resident, migration and citizenship programs): visa applications finalised within applicable service standards; and citizenship conferral applications decided within service standards;<sup>36</sup>
- (d) Function 5 (Offshore maritime security): aerial surveillance; station and steaming days for the Ashmore vessel; patrol days for the Marine Unit; and apprehension and processing of illegal foreign fisher and fishing vessels;<sup>37</sup> and
- (e) Function 6 (Revenue collection): target revenue associated with passenger movements; drawbacks delivered according to service standards; and target duty concessions from schemes other than the tariff concessions system.<sup>38</sup>

1.48 The failure of the department to meet the criteria listed above was raised at the Supplementary Budget Estimates hearing on 17 October 2016 by Senator the Hon Kim Carr.<sup>39</sup> The Senator then provided a written question on notice (QoN) detailing 10 of the areas of failure and seeking further explanation from the department. An answer was received by the committee on 2 December 2016, QoN SE16-107.<sup>40</sup>

1.49 In its response to Senator Carr, the department provided a comprehensive attachment detailing the reasons for failure in each instance.<sup>41</sup> The department acknowledged that 'its ability to meet specified targets may be impacted by a range of environmental factors within, or outside of, its control', and outlined where variances

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32 *Department of Immigration and Border Protection Annual Report 2015–16*, p. 39.

33 *Department of Immigration and Border Protection Annual Report 2015–16*, p. 43.

34 *Department of Immigration and Border Protection Annual Report 2015–16*, p. 46.

35 *Department of Immigration and Border Protection Annual Report 2015–16*, p. 46.

36 *Department of Immigration and Border Protection Annual Report 2015–16*, p. 64.

37 *Department of Immigration and Border Protection Annual Report 2015–16*, p. 80.

38 *Department of Immigration and Border Protection Annual Report 2015–16*, p. 85.

39 *Estimates Hansard*, 17 October 2016, pp. 92-3.

40 Department of Immigration and Border Protection, *Response to Question on Notice SE16-107*.

41 Department of Immigration and Border Protection, *Response to Question on Notice SE16-107*, Attachment A.

were in acceptable ranges, where failed targets could cause negative impacts, and where exceeded targets in other areas caused run-on effects.<sup>42</sup>

1.50 The committee considers that the information provided in the answer to QoN SE16-107 would have provided meaningful detail to the performance reporting in the annual report. The committee therefore recommends more detailed explanation where the department fails to meet performance criteria, particularly quantitative criteria, in future reports.

### ***Financial performance***

1.51 In considering the financial performance of the department, the committee referred to both the annual report, and the corrigendum published online and comments made at the Supplementary Budget Estimates hearing on 17 October 2016.

1.52 The total departmental expenses for 2015–16 were \$2986.1 million, \$139.3 million higher than in 2014–15. The department had budgeted \$2868.3 million for departmental expenses for the period.<sup>43</sup> The total administered expenses in the same period were \$2307.0 million, \$236.7 million lower than in 2014–15, and the department had budgeted \$2551.5 million.<sup>44</sup>

1.53 There was a reported \$12.4 million increase in departmental assets since 30 June 2015, with total assets now equal to \$1882.2 million at 30 June 2016. Total administered assets were equal to \$1965.6 million on 30 June 2016. The 2015–16 reporting period also saw a decrease in total liabilities: departmental liabilities decreased by \$10.1 million to \$737.5 million, mainly due to a decrease in salaries and wages payable; and administered liabilities decreased by \$34.0 million to \$279.2 million. The department's net asset position at 30 June 2016 was therefore \$1144.7 million, an increase of \$22.5 million from 30 June 2015.<sup>45</sup>

1.54 The overall operating result for 2015–16 was a deficit of \$21.7 million, due to an increase in depreciation and amortisation expenses, attributed to changes in government bond rates. The depreciation and amortisation expenses for 2015–16 were \$277.5 million, an increase from \$109.9 million in 2014–15. The department stated in both the annual report and in the estimates hearing that, had it not been for this increased expense, the department would have 'finished the year on budget'.<sup>46</sup>

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42 Department of Immigration and Border Protection, *Response to Question on Notice SE16-107*, [p. 2].

43 *Department of Immigration and Border Protection Annual Report 2015–16*, p. 90; *Department of Immigration and Border Protection Annual Report 2015–16 corrigendum – Report on Financial Performance*.

44 *Department of Immigration and Border Protection Annual Report 2015–16*, p. 90; *Department of Immigration and Border Protection Annual Report 2015–16 corrigendum – Report on Financial Performance*.

45 *Department of Immigration and Border Protection Annual Report 2015–16*, p. 92.

46 *Department of Immigration and Border Protection Annual Report 2015–16*, p. 90; *Estimates Hansard*, 17 October 2016, p. 92.

***Correction of previous errors***

1.55 Two errors made in the Australian Customs and Border Protective Service (ACBPS) annual report for 2014–15 were corrected in the department's report for 2015–16.<sup>47</sup>

1.56 A correction adjusted the number of fishers apprehended and processed from 25 to 34<sup>48</sup> and did not change the result of the KPI for 2014–15 being unmet.<sup>49</sup>

1.57 However, there was a significant correction regarding the number of undeclared handguns detected at the border. The ACBPS annual report for 2014–15 reported that the number had 'increased by almost 60 percent',<sup>50</sup> however the actual result was a decrease of approximately 73 percent in 2014–15, with 13 handguns detected in 2014–15 compared with 49 detected in 2013–14.<sup>51</sup> The reason for this error was not stated.

***Information required by other legislation***

1.58 The annual report also includes information required by other legislation, including: compliance with the *Work Health and Safety Act (Cth) 2011*;<sup>52</sup> compliance with the *Environment Protection and Biodiversity Act 1999*;<sup>53</sup> and a brief report on the Office of the Migration Agents Registration Authority, as required under the *Migration Act 1958*.<sup>54</sup>

1.59 The committee found that for the purpose of the annual report, the department met the reporting requirements of the above Acts.

***Conclusion***

1.60 The committee found the annual report to be 'apparently satisfactory'.

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47 *Department of Immigration and Border Protection Annual Report 2015–16*, p. 295.

48 *Department of Immigration and Border Protection Annual Report 2015–16*, p. 295.

49 *Australian Customs and Border Protection Service Annual Report 2014–15*, p. 45.

50 *Australian Customs and Border Protection Service Annual Report 2014–15*, p. 62.

51 *Department of Immigration and Border Protection Annual Report 2015–16*, p. 295.

52 *Department of Immigration and Border Protection Annual Report 2015–16*, pp. 148-151.

53 *Department of Immigration and Border Protection Annual Report 2015–16*, pp. 158-163.

54 *Department of Immigration and Border Protection Annual Report 2015–16*, pp. 292-294.

## Chapter 2

### Annual reports of agencies

2.1 The annual reports of the following agencies in the Attorney-General's portfolio were referred to the committee for examination and report during the period 1 May to 31 October 2016:

- Administrative Appeals Tribunal;
- Australian Law Reform Commission;
- Family Court of Australia;
- Australian Federal Police;<sup>1</sup>
- Commonwealth Director of Public Prosecutions;
- Australian Financial Security Authority; and
- Australian Information Commissioner.

2.2 As of 1 July 2015, there are no statutory agencies under the Immigration and Border Protection Portfolio.

#### Consideration of annual reports

2.3 The list of agencies that did not table their annual reports in the Senate during the period 1 May to 31 October 2016 is provided in the preface of this report. The committee will consider those annual reports in the *Report on Annual Reports (No. 2 of 2017)*.<sup>2</sup>

2.4 On this occasion, the committee has examined in more detail the reports of the Administrative Appeals Tribunal, due to significant changes in the agency during the reporting period, and the Office of the Australian Information Commissioner, which it has not examined before.

#### Administrative Appeals Tribunal

2.5 The Administrative Appeals Tribunal (AAT) is a statutory agency, established by the *Administrative Appeals Tribunal Act 1975*. The 2015–16 reporting period marked 40 years of operation for the AAT.

2.6 On 1 July 2015, in accordance with the *Tribunals Amalgamation Act 2015*, the Migration Review Tribunal (MRT), Refugee Review Tribunal (RRT) and Social Security Appeals Tribunal (SSAT) were amalgamated with the AAT.<sup>3</sup>

2.7 The AAT provides independent review of administrative decisions made by Australian Government ministers, departments and agencies, and, in limited

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1 Also stands referred to the Joint Committee on Law Enforcement.

2 See Preface, p. xi.

3 *Administrative Appeal Tribunal Annual Report 2015–16*, p. 10.

circumstances, by state and territory governments and non-government bodies. The AAT also reviews decisions made under Norfolk Island laws.<sup>4</sup>

2.8 The AAT annual report for 2015–16 was prepared in accordance with section 24R of the *Administrative Appeals Tribunal Act 1975* and section 46 of the *Public Governance, Performance and Accountability Act 2013* (PGPA Act).<sup>5</sup> It was tabled in the Senate on 12 October 2016 and was therefore available for the Supplementary Budget Estimates hearings on 17 and 18 October 2016.<sup>6</sup>

### ***President's and Registrar's overviews***

2.9 The President's overview discussed the significant governance changes to the AAT in 2015–16, following the integration of the MRT, RRT and SSAT, including: an increase in staff numbers; a new senior management team and governance structure; and a new strategic plan for 2015–20.<sup>7</sup> The overview also summarised the AAT's membership and performance for the reporting period, and key developments in national and international engagement with like organisations.<sup>8</sup> The President finished his remarks with an outlook for 2016–17, including the implementation of a new protocol for member appointments and harmonising procedures for the amalgamated AAT.<sup>9</sup>

2.10 The Registrar's overview covered the operations of the AAT following amalgamation, including: staff consultation processes; consolidation of office locations; integration of IT networks and online service delivery; stakeholder engagement; and human resources, training and staffing costs. The Registrar's outlook for 2016–17 focused on a 'more integrated registry service' and a digital services strategy for the AAT.<sup>10</sup>

### ***Performance reporting***

2.11 Annual performance information for the AAT was well-presented and provided a 'clear read' when cross-checked with the Portfolio Budget Statement (PBS) and Corporate Plan. The presentation of performance criteria results closely matched the format recommended by the Department of Finance in *Resource Management Guide No. 135*,<sup>11</sup> listing each criterion with its source, and providing detailed discussion of how it was or was not achieved.<sup>12</sup>

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4 *Administrative Appeal Tribunal Annual Report 2015–16*, p. 10.

5 *Administrative Appeal Tribunal Annual Report 2015–16*, p. iii.

6 See Appendix 1.

7 *Administrative Appeal Tribunal Annual Report 2015–16*, pp. 2-3.

8 *Administrative Appeal Tribunal Annual Report 2015–16*, pp. 3-4.

9 *Administrative Appeal Tribunal Annual Report 2015–16*, pp. 4-5.

10 *Administrative Appeal Tribunal Annual Report 2015–16*, pp. 6-7.

11 Department of Finance, *Resource Management Guide No. 135: Annual reports for non-corporate Commonwealth entities*, Appendix A, pp. 37-8.

12 *Administrative Appeal Tribunal Annual Report 2015–16*, pp. 20-2.

2.12 Of the four performance criteria set for 2015–16, the AAT only failed to achieve Performance Criterion 1: Number of applications finalised. The following table sets out a comparison between the PBS deliverables for 2015–16 and the result for the period:

**Table 2.1—Performance Criterion 1**

<b>Deliverable</b>	<b>2015–16 Target<sup>13</sup></b>	<b>2015–16 Actual<sup>14</sup></b>
Number of applications finalised without a hearing	6,535	14,003
Number of applications finalised with a hearing	34,134	24,143
Total number of applications finalised	40,669	38,146

2.13 Variation between targets and actual results was related to the significant changes within the AAT following amalgamation.<sup>15</sup> The tribunal attributed the six per cent discrepancy in total number of applications finalised to reduced member appointments in the Migration and Refugee Division, and a lower-than-expected number of applications received relating to the National Disability Insurance Scheme. Furthermore, the variation between estimates in the two target categories (with a hearing/without a hearing) was attributed to the tribunal's anticipation that all finalisations in the Migration and Refugee Division and the Social Services and Child Support division would require a hearing.<sup>16</sup>

2.14 The committee commends the AAT for exceeding its targets regarding timeliness (Criterion 2) and judicial review (Criterion 2),<sup>17</sup> and for providing detailed information on the user feedback survey used to assess customer satisfaction (Criterion 4).<sup>18</sup>

### ***Financial performance***

2.15 The AAT reported total expenditure of \$133.9 million in 2015–16, with total revenue (including appropriations) of \$125.8 million. Excluding depreciation of \$7.4 million, the AAT reported a net deficit of \$0.7 million for the reporting period.<sup>19</sup>

13 *Portfolio Budget Statements 2015–16, Attorney-General's Portfolio*, p. 66.

14 *Administrative Appeal Tribunal Annual Report 2015–16*, p. 20.

15 *Administrative Appeal Tribunal Annual Report 2015–16*, p. 22.

16 *Administrative Appeal Tribunal Annual Report 2015–16*, pp. 20-1.

17 *Administrative Appeal Tribunal Annual Report 2015–16*, p. 21.

18 *Administrative Appeal Tribunal Annual Report 2015–16*, pp. 22, 39.

19 *Administrative Appeal Tribunal Annual Report 2015–16*, p. 23.

2.16 Funding for the AAT in 2015–16 was based on the existing funding models for the separate tribunals before amalgamation, including a 'demand-driven' funding model for MRT and RRT where funding was based on the number of actual reviews finalised: appropriations set in the PBS and Portfolio Additional Estimates Statements were based on finalising 18,000 decisions in the Migration and Refugee Division, while the actual result for the division was 16,111 in 2015–16.<sup>20</sup> This reduced caseload therefore resulted in reduced funding for the AAT.

### **Conclusion**

2.17 The committee congratulates the AAT for clear reporting of the transitional period following the amalgamation with the MRT, RRT and SSAT.

2.18 The committee finds the annual report of the AAT to be 'apparently satisfactory'.

### **Office of the Australian Information Commissioner**

2.19 The Office of the Australian Information Commissioner (OAIC) is a statutory agency established under the *Australian Information Commissioner Act 2010*. The OAIC performs functions relating to privacy, freedom of information and information policy around government information.

2.20 The OAIC annual report for 2015–16 was prepared under sections 30, 31 and 32 of the *Australian Information Commissioner Act 2010*, and section 46 of the PGPA Act, and includes reporting under the *Freedom of Information Act 1982*. The report was tabled out of session on 31 October 2016 and was therefore not available for Supplementary Budget Estimates on 17 and 18 October 2016.<sup>21</sup>

### **Commissioner's review**

2.21 The Australian Privacy Commissioner and Acting Australian Information Commissioner, Mr Timothy Pilgrim PSM, provided an overview of the work of the OAIC in the 2015–16 period,<sup>22</sup> following the reversal of a 2014–15 Budget measure to cease operation of the agency.<sup>23</sup> Themes included: the scope and diversity of personal information use in products and services; innovation in the social and economic potential of data; the Open Government Partnership; the implementation of efficiencies in freedom of information (FOI) administration; and the necessity of 'strategically-transparent' approaches to information management in businesses and agencies.<sup>24</sup>

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20 *Administrative Appeal Tribunal Annual Report 2015–16*, pp. 22-3, 64.

21 See Appendix 1.

22 *Office of the Australian Information Commissioner Annual Report 2015–16*, pp. 11-13.

23 *Portfolio Budget Statements 2015–16, Attorney-General's Portfolio*, p. 455.

24 *Office of the Australian Information Commissioner Annual Report 2015–16*, pp. 11-13.

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### ***Performance reporting***

2.22 In the overview of the annual report, infographics provided a visual representation of key results and statistics in the areas of FOI and privacy. The numbers of enquiries, complaints and notifications were compared with results from the previous two reporting periods, demonstrating a significant increase in all measures in 2015–16.<sup>25</sup>

2.23 In the performance statement of the annual report, KPIs were presented clearly and in accordance with the PGPA Rule guidelines. Each of the ten performance criteria groups was supported with reference to the PBS and Corporate Plan 2015–16, and a brief explanation was provided for how each target was met or unmet for the period.<sup>26</sup>

2.24 Three performance targets were not met in the reporting period: 80% of data breach notifications handled or escalated to Commissioner initiated investigations within 60 days (actual result 54.5%); 100% of privacy enquires finalised within 10 days (actual result 70% of written enquiries finalised within 10 days, 100% of phone enquiries finalised on day of call); and 100% of FOI enquiries finalised within 10 days (actual result 85% of written enquiries finalised within 10 days, 100% of phone enquiries finalised on day of call). These failures were explained by an increase in breach notifications and privacy and FOI enquiries, including a 34% increase in written enquiries. The OAIC explained that methods for managing these increases in future years were being evaluated.<sup>27</sup>

2.25 The performance criterion around staff survey results was not assessed in the annual report as data was not yet available.<sup>28</sup>

### ***Financial reporting***

2.26 The OAIC annual report did not include any in-text discussion of financial performance but did provide comprehensive explanatory notes in the annual financial statements.<sup>29</sup>

2.27 The total departmental expenses for the OAIC in 2015–16 were \$11.4 million, a decrease from \$13.4 million in 2014–15. The OAIC achieved a surplus of \$0.3 million in the reporting period.<sup>30</sup>

2.28 The change in depreciation and amortisation expenses from \$0.9 million in 2014–15 to \$0.5 million in 2015–16 was attributed to the closure of the Canberra

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25 *Office of the Australian Information Commissioner Annual Report 2015–16*, pp. 14-17.

26 *Office of the Australian Information Commissioner Annual Report 2015–16*, Table 1, pp. 31-5.

27 *Office of the Australian Information Commissioner Annual Report 2015–16*, pp. 32-5.

28 *Office of the Australian Information Commissioner Annual Report 2015–16*, p. 35.

29 *Office of the Australian Information Commissioner Annual Report 2015–16*, pp. 90-121.

30 *Office of the Australian Information Commissioner Annual Report 2015–16*, p. 95.

office and significant write-down of assets at 30 June 2015 in preparation for the closure of the OAIC that did not occur.<sup>31</sup>

### ***PGPA Rule mandatory requirements***

2.29 Section 17AG(4)(a) of the PGPA Rule requires an assessment of the entity's effectiveness in managing and developing employees to achieve entity objectives. The Rule states that 'the content of the assessment is at the discretion of the accountable authority' but suggests that this may include workforce planning, staff retention, enterprise bargaining, training and development, work health and safety, and productivity gains.<sup>32</sup>

2.30 This item, although identified as mandatory, was marked as 'not applicable' in the OAIC's list of requirements,<sup>33</sup> which the committee believes is incorrect.

2.31 However, the committee is satisfied that the information provided in the human resources section of the annual report<sup>34</sup> broadly meets the requirements of Section 17AG(4)(a) and recommends that the list of requirements references similar content as such in future reports.

### ***Conclusion***

2.32 The committee congratulates the OAIC on a well-presented, visually-appealing and easy-to-read annual report and on its strong performance in the reporting period. However, it wishes to remind the OAIC of the need to fulfil and reference all mandatory requirements of the PGPA Rule when preparing annual reports.

2.33 The committee considers the annual report of the OAIC to be 'apparently satisfactory'.

**Senator the Hon Ian Macdonald  
Chair**

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31 *Office of the Australian Information Commissioner Annual Report 2015–16*, pp. 95-6.

32 PGPA Rule, pp. 20-1.

33 *Office of the Australian Information Commissioner Annual Report 2015–16*, p. 174.

34 *Office of the Australian Information Commissioner Annual Report 2015–16*, pp. 79-83.

## Appendix 1

### Reports tabled during the period 1.5.2016 and 31.10.2016 and referred to the committee

Department/authority/ operation of an act or program	Date submitted to minister/date received by minister	Date tabled in Senate (received in Senate out of session)	Date tabled in the House of Reps
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#### *Attorney-General's portfolio*

<i>Department/authority – Report</i>			
Australian Crime Commission (ACC) Board— Report for 2014-15.	4.5.2016/ 4.5.2016	31.8.2016	31.8.2016
Defence Abuse Response Taskforce—Final report to the Minister for Defence and the Minister for Justice, dated March 2016. <sup>1</sup>	25.8.2016/ 25.8.2016 <sup>2</sup>	10.10.2016	10.10.2016
Attorney-General's Department—Report for 2015- 16.	22.9.2016/ 22.9.2016	11.10.2016	11.10.2016
Administrative Appeals Tribunal—Report for 2015- 16, including report of the Immigration Assessment Authority.	4.10.2016/ 4.10.2016	12.10.2016	12.10.2016
Australian Law Reform Commission (ALRC)— Report No. 130—Report for 2015-16.	6.10.2016/ 6.10.2016	12.10.2016	12.10.2016
Family Court of Australia—Report for 2015-16, including financial statements for the Federal Circuit Court of Australia.	4.10.2016/ 4.10.2016	12.10.2016	12.10.2016
Australian Federal Police (AFP)—Report for 2015- 16, including reports on assumed identities and the National Witness Protection Program.	5.10.2016/ 5.10.2016	7.11.2016 (14.10.2016)	17.10.2016
Commonwealth Director of Public Prosecutions (CDPP)—Report for 2015-16.	28.9.2016/ 10.10.2016	7.11.2016 (21.10.2016)	7.11.2016

<sup>1</sup> Forwarded to the Foreign Affairs, Defence and Trade Legislation Committee also.

<sup>2</sup> Submitted to and received by both the Minister for Defence and the Minister for Justice.

Australian Financial Security Authority (AFSA)—Report for 2015-16, including reports on the operation of the <i>Bankruptcy Act 1966</i> and <i>Personal Property Securities Act 2009</i>	13.10.2016/ 13.10.2016	7.11.2016 (28.10.2016)	7.11.2016
Australian Information Commissioner—Report for 2015-16.	12.10.2016/ 12.10.2016	7.11.2016 (31.10.2016)	7.11.2016
Office of Parliamentary Counsel—Report for 2015-16	12.10.2016/ 12.10.2016	7.11.2016 (31.10.2016)	7.11.2016/ 7.11.2016

<i>Operation of an act/program</i>			
<i>National Security Information (Criminal and Civil Proceedings) Act 2004</i> – Annual Report 2014-15 – Section 47 of the <i>National Security Information (Criminal and Civil Proceedings) Act 2004</i>	24.3.2016/ 24.3.2016	31.8.2016	5.5.2016
Control Orders and Preventative Detention Orders – Annual Report 2014-15 – Sections 104.29 and 105.47 of the <i>Criminal Code Act 1995</i>	24.3.2016/ 24.3.2016	31.8.2016	5.5.2016
<i>Surveillance Devices Act 2004</i> —Commonwealth Ombudsman’s report on inspections of surveillance device records for the period 1 July to 31 December 2015—Australian Commission for Law Enforcement Integrity, Australian Crime Commission and Australian Federal Police for the period 1 July to 31 December 2014.	22.8.2016/ 22.8.2016	10.10.2016	10.10.2016
<i>Crimes Act 1914</i> —Controlled operations—Report for 2015-16.	5.10.2016/ 5.10.2016	7.11.2016 (14.10.2016)	17.10.2016

<i>Royal Commission – Report</i>			
Institutional Responses to Child Sexual Abuse—Royal Commission—Report of case study no. 33—The response of The Salvation Army (Southern Territory) to allegations of child sexual abuse at children’s homes that it operated, dated July 2016.	25.8.2016/ 25.8.2016	12.9.2016	12.9.2016

<p>Institutional Responses to Child Sexual Abuse— Royal Commission—Report of case study no. 23— The response of Knox Grammar School and the Uniting Church in Australia to child sexual abuse at Knox Grammar School in Wahroonga, New South Wales, dated June 2016.</p>	<p>25.8.2016/ 25.8.2016</p>	<p>13.9.2016</p>	<p>13.9.2016</p>
<p>Institutional Responses to Child Sexual Abuse— Royal Commission—Report of case study no. 21— The response of the Satyananda Yoga Ashram at Mangrove Mountain to allegations of child sexual abuse by the ashram’s former spiritual leader in the 1970s and 1980s, dated April 2016.</p>	<p>25.8.2016/ 25.8.2016</p>	<p>14.9.2016</p>	<p>14.9.2016</p>
<p>Institutional Responses to Child Sexual Abuse— Royal Commission—Report of case study no. 30— The response of Turana, Winlaton and Baltara, and the Victoria Police and the Department of Health and Human Services Victoria (and its relevant predecessors), dated April 2016.</p>	<p>25.8.2016/ 25.8.2016</p>	<p>14.9.2016</p>	<p>14.9.2016</p>

Department/authority/ operation of an act or program	Date submitted to minister/date received by minister	Date tabled in Senate (received in Senate out of session)	Date tabled in the House of Reps
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***Immigration and Border Protection portfolio***

<i>Department/authority – Report</i>			
Department of Immigration and Border Protection—Report for 2015-16.	15.9.2016/ 15.9.2016	10.10.2016	10.10.2016

<i>Operation of an act/program</i>			
<i>Migration Act 1958</i>			
<p><i>Migration Act 1958</i>—Section 486O—Assessment of detention arrangements— Personal identifiers 1002059, 1002142, 1002306, 1002309, 1002390, 1002400, 1002495, 1002509, 1002517, 1002539, 1002550, 1002553, 1002554, 1002559, 1002590, 1002685, 1002885, 1002909, 1002918, 1002919, 1002970, 1002981, 1002982, 1002983, 1002985, 1002987, 1002989, 1003127, 1003147, 1003165, 1003260, 1003283, 1003321, 1003323, 1003448, 1003468, 1003472, 1003495, 1003501 and 1003502—Commonwealth Ombudsman’s reports—Report no. 8 of 2016.</p> <p>Government response to Ombudsman’s reports, dated 29 April 2016.</p>	19.4.2016/ 19 4.2016	30.8.2016 (6.5.2016)	31.8.2016
<p><i>Migration Act 1958</i>—Section 486O—Assessment of detention arrangements— Personal identifiers 1002188, 1002288, 1002380, 1002449, 1002485, 1002493, 1002648, 1002652, 1002654, 1002661, 1002841, 1002859, 1002935, 1002944, 1002945, 1002966, 1003018, 1003019, 1003029, 1003074, 1003086, 1003087, 1003096, 1003208, 1003228, 1003232, 1003258, 1003259, 1003268, 1003280, 1003284, 1003317, 1003327, 1003365, 1003402, 1003403, 1003450, 1003451, 1003482 and 1003497—Commonwealth Ombudsman’s reports—Report no. 9 of 2016.</p> <p>Government response to Ombudsman’s reports, dated 29 August 2016.</p>	11.8.2016/ 12.8.2016	31.8.2016	31.8.2016

<p><i>Migration Act 1958</i>—Section 486O—Assessment of detention arrangements— Personal identifiers 1002196, 1002199-O, 1002204, 1002211, 1002230, 1002251, 1002284, 1002430, 1002453, 1002555, 1002557, 1002558, 1002565, 1002567, 1002594, 1002601, 1002618, 1002827, 1002851, 1002913, 1002920, 1003049, 1003149, 1003167, 1003174, 1003177, 1003179, 1003191, 1003196, 1003201, 1003225, 1003270, 1003340, 1003393, 1003422, 1003430, 1003473, 1003480, 1003492 and 1003532—Commonwealth Ombudsman’s reports—Report no. 10 of 2016.</p> <p>Government response to Ombudsman’s reports, dated 29 August 2016.</p>	<p>11.8.2016/ 12.8.2016</p>	<p>31.8.2016</p>	<p>31.8.2016</p>
<p><i>Migration Act 1958</i>—Section 486O—Assessment of detention arrangements— Personal identifiers 1000159-O, 1000413-O, 1002198-O, 1002231, 1002317, 1002592, 1002630, 1002631, 1002646, 1002701, 1002702, 1002755, 1002756, 1002857, 1002858, 1002860, 1002901, 1002978, 1002980, 1002995, 1003064, 1003081, 1003120, 1003158, 1003229, 1003265, 1003273, 1003287, 1003306, 1003311, 1003335, 1003372, 1003373, 1003381, 1003400, 1003408, 1003467, 1003487, 1003496 and 1003500— Commonwealth Ombudsman’s reports—Report no. 11 of 2016.</p> <p>Government response to Ombudsman’s reports, dated 29 August 2016.</p>	<p>12.8.2016/ 15.8.2016</p>	<p>31.8.2016</p>	<p>31.8.2016</p>
<p><i>Migration Act 1958</i>—Section 486O—Assessment of detention arrangements—Personal identifiers 1001653-O, 1002193, 1002200-O, 1002201-O, 1002235, 1002253-O, 1002304, 1002396, 1002413, 1002494, 1002680, 1002812, 1002844, 1002845, 1002846, 1002998, 1003028, 1003036, 1003037, 1003048, 1003054, 1003062, 1003077, 1003079, 1003082, 1003089, 1003115, 1003117, 1003118, 1003178, 1003200, 1003230, 1003274, 1003285, 1003286, 1003334, 1003418, 1003437, 1003470 and 1003510—Commonwealth Ombudsman’s reports—Report no. 12 of 2016.</p> <p>Government response to Ombudsman’s reports, dated 29 August 2016.</p>	<p>12.8.2016/ 15.8.2016</p>	<p>31.8.2016</p>	<p>31.8.2016</p>

<p><i>Migration Act 1958</i>—Section 486O—Assessment of detention arrangements—Personal identifiers 1001647, 1002064, 1002203-O, 1002204-O, 1002233-O, 1002262, 1002359, 1002374, 1002378, 1002451, 1002500, 1002536, 1002658, 1002659, 1002843, 1002905, 1002940, 1002946, 1003038, 1003040, 1003108, 1003116, 1003153, 1003157, 1003198, 1003203, 1003221, 1003243, 1003264, 1003288, 1003290, 1003295, 1003312, 1003319, 1003341, 1003357, 1003358, 1003375, 1003380, 1003383, 1003419, 1003421, 1003428, 1003434 and 1003494—Commonwealth Ombudsman’s reports—Report no. 13 of 2016.</p> <p>Government response to Ombudsman’s reports, dated 29 August 2016.</p>	<p>12.8.2016/ 15.8.2016</p>	<p>31.8.2016</p>	<p>31.8.2016</p>
<p><i>Migration Act 1958</i>—Section 486O—Assessment of detention arrangements—Personal identifiers 1001665-O, 1001801-O, 1002223, 1002234-O, 1002237-O, 1002298-O, 1002350, 1002367-O, 1002379, 1002392, 1002450, 1002454, 1002471, 1002492, 1002600, 1002656, 1002675, 1002681, 1002811, 1002873, 1002976, 1002992, 1003021, 1003055, 1003204, 1003205, 1003227, 1003234, 1003235, 1003248, 1003253, 1003255, 1003302, 1003314, 1003322, 1003328, 1003339, 1003351, 1003353, 1003355, 1003359, 1003382, 1003401, 1003429 and 1003464—Commonwealth Ombudsman’s reports—Report no. 14 of 2016.</p> <p>Government response to Ombudsman’s reports, dated 9 September 2016.</p>	<p>23.8.2016/ 23.8.2016</p>	<p>14.9.2016</p>	<p>14.9.2016</p>
<p><i>Migration Act 1958</i>—Section 486O—Assessment of detention arrangements—Personal identifiers 1001040-O, 1001333-O, 1001428-O, 1002214-O, 1002217-O, 1002228-O, 1002234, 1002345-O, 1002359-O, 1002389, 1002420, 1002472, 1002475, 1002546, 1002595, 1002628, 1002650, 1002660, 1002698, 1002723, 1002734, 1002768, 1002774, 1002776, 1002813, 1002817, 1002828, 1002831, 1003017, 1003070, 1003088, 1003133, 1003146, 1003217, 1003233, 1003239, 1003244, 1003249, 1003275, 1003298, 1003310, 1003324, 1003346, 1003347, 1003349, 1003376, 1003386, 1003395, 1003449 and 1003486—Commonwealth Ombudsman’s reports—Report no. 15 of 2016.</p> <p>Government response to Ombudsman’s reports, dated 9 September 2016.</p>	<p>22.8.2016/ 23.8.2016</p>	<p>14.9.2016</p>	<p>14.9.2016</p>

<p><i>Migration Act 1958</i>—Section 486O—Assessment of detention arrangements—Personal identifiers 1000853-O, 1001130-O, 1001678-O, 1001810-O, 1001961-O, 1001963-O, 1002166, 1002197-O, 1002226-O, 1002236-O, 1002239-O, 1002241-O, 1002242-O, 1002251-O, 1002255-O, 1002265-O, 1002267-O, 1002275-O, 1002284-O, 1002295-O, 1002337-O, 1002424, 1002433, 1002465, 1002491, 1002503, 1002542, 1002727, 1002770, 1002773, 1002791, 1002806, 1002864, 1002867, 1002971, 1003041, 1003075, 1003085, 1003289, 1003293, 1003325, 1003378, 1003439, 1003465, 1003476, 1003485 and 1003519—Commonwealth Ombudsman’s reports—Report no. 16 of 2016.</p> <p>Government response to Ombudsman’s reports, dated 9 September 2016.</p>	<p>26.8.2016/ 26.8.2016</p>	<p>14.9.2016</p>	<p>14.9.2016</p>
<p><i>Migration Act 1958</i>—Section 486O—Assessment of detention arrangements—Personal identifiers 1000714-O, 1000840-O, 1000979-O, 1001232-O, 1001288-O, 1001688-O, 1001972-O, 1002233, 1002282-O, 1002283-O, 1002286-O, 1002288-O, 1002289-O, 1002290-O, 1002291-O, 1002292-O, 1002299-O, 1002300-O, 1002301-O, 1002307-O, 1002338-O, 1002354, 1002401-O, 1002467, 1002674, 1002724, 1002779, 1002928, 1003084, 1003090, 1003106, 1003129, 1003231, 1003236, 1003240, 1003254, 1003292, 1003296, 1003300, 1003320, 1003331, 1003332, 1003360, 1003391, 1003410, 1003442, 1003444, 1003462, 1003483 and 1003484—Commonwealth Ombudsman’s reports—Report no. 17 of 2016.</p> <p>Government response to Ombudsman’s reports, dated 9 September 2016.</p>	<p>29.8.2016/ 29.8.2016</p>	<p>14.9.2016</p>	<p>14.9.2016</p>

<p><i>Migration Act 1958</i>—Section 486O—Assessment of detention arrangements—Personal identifiers 1000051-O, 1001784-O, 1002213-O, 1002221-O, 1002246-O, 1002252, 1002290, 1002320-O, 1002412, 1002726, 1002788, 1002832, 1002886, 1002889, 1002932, 1002941, 1002948, 1003006, 1003016, 1003060, 1003061, 1003069, 1003092, 1003098, 1003123, 1003125, 1003128, 1003141, 1003144, 1003163, 1003164, 1003242, 1003246, 1003251, 1003252, 1003261, 1003266, 1003276, 1003279, 1003294, 1003303, 1003305, 1003308, 1003330, 1003336, 1003343, 1003345, 1003457, 1003458 and 1003531—Commonwealth Ombudsman’s reports—Report no. 18 of 2016.</p> <p>Government response to Ombudsman’s reports, dated 9 September 2016.</p>	<p>25.8.2016/ 25.8.2016</p>	<p>14.9.2016</p>	<p>14.9.2016</p>
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