

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS  
ATTORNEY-GENERAL'S PORTFOLIO

**Group: 3**

**Program: Other Agency**

**Question No. SBE14/202**

**Senator Wright asked the following written question from the 20 November and 11 December 2014 hearings.**

1. How many new staff have been recruited to ASIO since the change in the level of security threat faced by Australia?
2. Given the very rapid expansion in the powers of ASIO's powers under the Government's recently enacted counter-terrorism laws, what changes can the community expect to see in terms of how the ASIO go about their counter-terrorism investigations and inquiries?
3. For example, should the community expect a greater use of questioning and detention powers by ASIO?
4. Has ASIO made use of its new powers to recommend visa or passport cancellations?
5. How many adverse ASIO security assessments have been issued in 2014?
6. How does ASIO develop relationships of trust with the Australian communities upon which it depends to provide information relevant to national security?
7. Has any cultural awareness or other training been undertaken within the AFP to assist in establishing and maintaining positive relationships with the communities most affected by their counter-terrorism operations?
8. The Muslim community holds genuine concerns that the enactment of foreign fighters law will further isolate and alienate people and drive those with nefarious intent underground. How is ASIO addressing these concerns?

**The answer to the honourable senator's question is as follows:**

1. 27.
2. ASIO has and will continue to work closely with our law enforcement agencies and international partners to identify and counter threats to Australian security as they present.

Recent legislative changes have provided ASIO with a greater range of options and capabilities, resulting in ASIO being able to provide greater assurance to the Australian people and Government that it is taking the necessary actions to identify and counter threats to the security of our people and interests. However, this is not likely to lead to changes which would be seen by the community in terms of how ASIO undertakes its counter-terrorism investigations and inquiries.

ASIO is subject to a range of complementary accountability and oversight measures that provide a comprehensive suite of checks and balances. These include:

- ministers and the National Security Committee of Cabinet
- the Parliamentary Joint Committee on Intelligence and Security
- the Inspector-General of Intelligence and Security (who has the powers akin to a standing royal commission, is accountable to ministers, and reports to the Parliament)
- The Independent National Security Legislation Monitor
- Attorney-General's guidelines
- Annual Report to the Parliament
- Senate Estimates and Inquiries.

ASIO officers are also subject to internal policies and procedures. They provide direction and guidance to ensure all ASIO's operations and investigations are conducted in an environment of legality, accountability, efficiency, propriety and security designed to maximise our performance and contribution while maintaining due regard for community sensitivities.

3. ASIO conducts inquiries and investigations relevant to security in a manner which is flexible and adaptable to the changing security environment. Any means used for obtaining information must be proportionate to the gravity of the threat posed and the probability of its occurrence as outlined in the Attorney-General's guidelines.
4. The *Counter-Terrorism Legislation Amendment (Foreign Fighters) Act 2014* did not create new powers around passport or visa cancellations; however, it introduced a power for ASIO to recommend that an individual's passport or visa could be temporarily suspended where ASIO becomes aware at short notice of potential security dimensions to an individual's imminent travel.

Since these powers came into force on 1 December 2014, ASIO has recommended the suspension of Australian passports for two individuals; to date, no suspensions have been sought for Australian visas.

5. ASIO has issued the following adverse security assessments in 2014.

Passport	-	58
Visa	-	14
Personnel	-	for national security reasons ASIO does not provide this information
Citizenship	-	0
Counter-terrorism	-	0 - security assessments in relation to access to certain security-controlled areas (such as airports or ports) or certain security-controlled substances.

6. ASIO engages across the Australian community and continues to rely on the support of all communities. ASIO officers are required to conduct activities with minimal intrusion into

individual privacy and also with due regard for the cultural values, traditions and sensitivities of individuals of various backgrounds, consistent with the national interest.

7. ASIO provides a range of training to its officers to ensure they are equipped to engage with communities, consistent with the requirements outlined in the answer above.
8. As per our response to Q6, independent of our contribution to whole-of-government engagement with affected communities, we also commit to direct engagement with communities.