

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

Group 3

Program: Other Agency

Question No. SBE15/095

Senator Collins asked the following written question from the hearing on 20 October 2015:

1. Why did the AFP cancel the contract with Elbit Systems?
2. Did the AFP make the decision to cancel the contract with Elbit Systems independently?
3. Were other agencies involved in the decision to cancel the contact with Elbit?
4. Can you please give details of the review into SPECTRUM Elbit Systems crime fighting software?
5. What was the outcome of the review?
6. What were the recommendations of this review?
7. Were these recommendations implemented?
8. Who formed part of the review?
9. Why were these people chosen in particular?
10. Why has this review remained a secret (up until now)?
11. How much money was spent on the review?
12. How much money has been spent to date on contract negotiations with Elbit Systems?
13. How much money already spent on the contract can be retrieved?
14. Can you please provide the letter sent to Andrew Colvin by Jane Halton in regards to the Elbit system SPECTRUM?
15. How long has the PROMIS Program been in use by the AFP?
16. What are the PROMIS Programs shortcomings?
17. Is the PROMIS Program user friendly?
18. Does PROMIS meet the operational requirements of the AFP?
19. Can PROMIS support the AFP's international deployments?
20. Have there been cases where the operating system has hindered the success of AFP operations?
21. Will the AFP replace PROMIS?
22. What is the AFP's future approach to the development of a replacement system for PROMIS?
23. What is the AFP's budget on a new operating system?
24. How much will the AFP allocate to the negotiating process?
25. What is the difference between this new system and SPECTRUM, in terms of price, system compatibility and operator friendliness?

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

1. On 26 June 2015, the AFP notified ELSA of their decision to terminate the contract for convenience. This decision was made due to the forecasted changes in cost and schedule.
2. Yes.
3. No.
4. The Spectrum Program consisted of four tranches of work. Tranche 1 and 2 represented a set of projects to deliver interim improvements to core operational technology for a range of business process initiatives. Tranche 2 also involved the tendering / contract negotiation stage of a Commercial-off-the-Shelf (COTS) solution to replace PROMIS, with Tranche 3 representing the implementation of the Investigations, Intelligence and Incident Management (IIIM) Solution. Tranche 4 represented Benefits Realisation.

There have been 4 gateway reviews, their date of occurrence and purpose is listed below:

1. December 2008 – Gateway 2 (Delivery Strategy Review)
2. July 2011 – Gateway 3 (Investment Decision Review)
3. August 2012 – Gateway 0 (Business Need Review)
4. October 2014 – Gateway 4 (Readiness for Service Review)
5. The Department of Finance Gateway review gave a rating of Red/Amber.
6. The recommendations were:
 - That the Spectrum Program Sponsoring Group (SPSG) re- establish a regular meeting schedule (possibly of increased frequency) that aligns with key Investigations, Intelligence and Incident Management Project deliverables and milestones to support the Senior Responsible Official in making key decisions.
 - That the Senior Responsible Official convenes a 'risk appetite' workshop for the Senior Leadership Group to inform the decision framework prior to the critical decision milestone at the end of the Investigations, Intelligence and Incident Management Project's Detailed Design phase.
 - Review and identify any compliance requirements within the Department of Finance's 'Whole of Government ICT Policies and Circulars' that may be necessary with the apparent migration from a Commercial off the Shelf (COTS) to a bespoke solution.
 - Develop Terms of Reference and establish an Investigations, Intelligence and Incident Management Project Delivery Approach Steering Committee, whose membership should include at least one independent person.
 - Initiate a stream of work entirely separate from the Critical Spectrum Program and Investigations, Intelligence and Incident Management Project to provide decision support to the Spectrum Senior Responsible Official in relation to the anticipated mid-2015 milestone decision regarding the viability of continuing delivery of an Investigations, Intelligence and Incident Management solution under the current contract with Elbit Systems Australia.
7. Yes.

8. The Department of Finance Gateway Review Team.
9. Members of the review team were allocated by the Department of Finance.
10. The results of this review have been kept in the same level of confidence as any Department of Finance Review.
11. The effort required in support of the Gateway Reviews was absorbed in the administrative budget of the program. Gateway Reviews are a Department of Finance initiative and expense.
12. Contract negotiations were in the order of \$1,470,000 for external legal representation, procurement specialists and the Australian Government Solicitor (termination).
13. The AFP has received a refund of \$15,924,000 licence fees less \$4,761,692 (termination) totalling \$11,162,308 (GST Incl).
14. Due to the classification of the requested material we are not able to provide.
15. PROMIS is not a program, it is a computer system brought into production in 1997.
16. PROMIS was originally developed to meet the operational needs of the AFP as they were in 1997. Over the following 18 years, the AFP and the environment in which it operates have evolved significantly and therefore its demands of its core operational system has also changed.

Areas of shortcomings in PROMIS capability include but are not limited to support for:

- The operations of AFP's International Deployment Group;
- The recording and intelligence analysis of forms of electronic communication that are prevalent today as opposed to 1997;
- The application for and processing of warrants and other legal instrument that are subject to complexity of today's legislation;
- The loading and processing of large volumes of information received from external parties;
- Sophisticated query and analysis tools that handle large volumes of fragmented information;
- Planning of large AFP activities;
- Brief of Evidence preparation; and
- Mobile device integration.

Also many areas of the PROMIS application were developed using 1990s technology which is now outdated, difficult and expensive to maintain and evolve.

17. PROMIS was initially developed with a focus of usability. However, with the advancements in technology and the increasing complexity of the AFP's operational demands on the system, many aspects of PROMIS would now be considered as cumbersome and inefficient when used for large AFP activities or in contrast to modern mobility requirements.

18. PROMIS does not meet all current operational needs of the AFP. Members are forced to utilise other systems and manual processes to supplement the capability delivered by PROMIS.
19. PROMIS is widely used by AFP liaison officers deployed to the AFP's overseas posts. However, PROMIS only provides very minimal support for the needs of the AFP's International Deployments Group (e.g. the Solomon Islands Deployment).
20. Access to a modern core operational system that meets the AFP's business requirements would have led to significant operational efficiencies on many occasions.
21. The AFP's Spectrum Program will deliver a replacement of core operational systems including PROMIS. The cancellation of the contract with ELSA has not altered this requirement.
22. Not yet finalised.
23. Not yet determined.
24. Not yet determined.
25. Not yet determined.