

QUESTION TAKEN ON NOTICE

SUPPLEMENTARY BUDGET ESTIMATES HEARING : 19 October 2015

IMMIGRATION AND BORDER PROTECTION PORTFOLIO

(SE15/030) - Attorney-General decision - allegiance to Australia - Programme 2.1: Citizenship

Senator McKim, Nick (L&CA 92) asked:

Senator McKIM: It is a separate question, thank you—and less now that you have reminded me. This will be my final question for this period. Announcements from the Attorney-General were made just last week about the age of people to whom control orders can be applied. I understand that this is not necessarily technically in your area, but it will become apparent as I ask the question. The proposal was originally to lower that age from 16 to 14. There have now been news reports that the age may be lowered to as low as 12. When did ABF first become aware of that proposal, if in fact you did, before media reports on it? When you first became aware, was it a proposal to reduce the age to 14, or was it a proposal to reduce the age to 12? And what was your response to any consultation process?

Mr Pezzullo: This is a matter still before the government. I am aware of the Attorney's announcements in this regard. I am also aware of things that you read in the media. We are public officials. We deal with what ministers and officials say.

Senator McKIM: I am asking you: were you consulted on this before the announcement?

Mr Pezzullo: And I was going to complete my answer by saying that, because it is a matter still before the government, I am not really in a position to speak to the primary issue, which is the question of preventative orders or control orders, and I prefer not to discuss, until the government is in a position to announce its mind on these matters, what the consultative processes involved, other than to say—just to give you a reassurance—that this portfolio is one of a number of portfolios that are consulted regularly by the Attorney-General's Department, who have the lead responsibility in relation to what are called the various tranches of counter-terrorism legislation, so we would be in that consultative loop. As to the question about when we became aware of particular issues around age limitation, I would prefer to take it on notice as a factual matter: when were we consulted?

Senator McKIM: It was a factual question.

Mr Pezzullo: It is, but I am also going to add the caveat—so you are not overly disappointed when potentially a non-specific answer comes back to you on notice—that this is really a matter for the Attorney-General and his department. We will see what we can supply on notice; otherwise, it is a matter for the Attorney-General and his department.

Answer:

This is a matter for Government.