

SENATE LEGAL AND CONSTITUTIONAL LEGISLATION COMMITTEE
AUSTRALIAN SECURITY INTELLIGENCE ORGANISATION

Question No. 177

Senator Nettle asked the following question at the hearing on 14 February 2006:

A friend Mr Naqib Noori was recently released from Villawood detention centre after more than six years in detention. He was held while his wife and children became citizens in the community because of an anonymous claim about his past in Afghanistan. Mr Noori was not allowed to know the contents of this claim and thus unable to refute it until recently, where the AAT found the claim to be false. This was during October 2005, but he was only released 31 Jan 2006. This was apparently because of an ASIO security check. Four months is a long time in detention, particularly after 6 years in detention:

- a) Is this delay due to a security check unusual? It seems extraordinary given he was in detention for 6 years and his background had already been subject to scrutiny by several courts.
- b) How does DIMA liaise with ASIO when a check is taking so long? Is anything being done to ensure security checks occur faster?
- c) What is the average delay from the granting of a visa by DIMA and clearance from ASIO?

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

- (a) The case of Mr Naqib Noori was referred to ASIO on 9 November 2005 with the assessment completed on 18 January 2006. DIMA was advised on 18 January 2006.
- (b) ASIO places a high priority on its responsibilities under the *Migration Act* and sets its work priorities in this area in consultation with DIMA. ASIO has assigned a high priority to the assessment of cases at a time of heightened operational activity and other high priority demands.
- (c) The time taken to complete such assessments varies depending on individual circumstances.