

SENATE LEGAL AND CONSTITUTIONAL LEGISLATION COMMITTEE
AUSTRALIAN SECURITY INTELLIGENCE ORGANISATION

Question No. 178

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

- a) Have Mohammed Sagar and Muhammad Faisal or their lawyer been informed of the reasons for their adverse security clearance finding? If so, to what extent? If not, why not?
- b) Please provide the reasons (even if generalised to protect sources etc) for Mr Sagar and Mr Faisal's security clearance finding.
- c) Does Mr Sagar or Mr Faisal's security clearance finding conclude that either person would be an immediate danger to the Australia community?
- d) Does Mr Sagar or Mr Faisal's security clearance finding conclude that either person could not be kept in an Australian detention centre?
- e) Does Mr Sagar or Mr Faisal's security clearance finding conclude that either person could be a danger to the people of Nauru?
- f) Does Mr Sagar or Mr Faisal's security clearance finding conclude that either person is likely to re-offend?
- g) Were there discussions between ASIO and DIMA or IOM or UNHCR regarding Mr Sagar and Mr Faisal prior to the decision on their security clearance? If so, what were these discussions regarding?

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

- (a) Following investigation, ASIO issued prejudicial assessments on Mohammad Faisal al Delimi and Mohammed Qasim Yusef Sagar on 30 June 2005. Al Delimi and Sagar were interviewed by ASIO on three occasions and would, as a result, be aware of the nature of ASIO's concerns about them. From ASIO's perspective they were granted procedural fairness.
- (b) – (g) ASIO assessments, sources and methods are confidential and details cannot be provided publicly.