

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS
AUSTRALIAN CUSTOMS AND BORDER PROTECTION SERVICE

Question No. 61

Senator Xenophon asked the following question at the hearing on 19 October 2009:

What is Customs' investigation process for breaches of Section 70 of the *Crimes Act 1914*? Would such an instance be investigated internally by Customs, or would it be referred directly to the Australian Federal Police for investigation?

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

All incidents reported to Customs and Border Protection's Internal Affairs are assessed on a case by case basis against the Internal Affairs case prioritisation model. In making an assessment, Internal Affairs considers the impact and priority of each matter. The model takes into account the severity of the incident, the impact on Customs and Border Protection core business and the loss of confidence by Government, clients and stakeholders. No one element is considered in isolation.

An assessment will also take into consideration the *Commonwealth Fraud Control Guidelines*, *Australian Government Investigation Standards*, the *Commonwealth Protective Security Manual* and the *Prosecution Policy of the Commonwealth*.