

Joint Committee of Public Accounts and Audit
Review of Auditor-General's Reports Nos. 32 (08/09) to 1 (09/10)

Questions on Notice (DIAC)

Audit Report No. 35 of 2008-09 – Management of the Movement Alert List

1. **Has DIAC sought to obtain formal agreements from other agencies to use its data to populate MAL?**

MAL is one of the administrative mechanisms for giving effect to a number of public interest criteria assessments of visa applicants by agencies such as ASIO and DFAT.

DIAC has a high level agreement in place for the sharing of information with ASIO. MAL holds national security alerts provided by ASIO under this agreement.

DFAT provide DIAC with UNSCRs and Travel sanction information which results in travel sanction alerts in MAL. MAL is utilised as the administrative mechanism to alert a visa processing officer to a public interest criteria determination by the Foreign Minister or a person authorised by the Foreign Minister.

DIAC also deals with the AFP for Interpol related matters. Interpol data on the MAL is populated by Border Operations Branch staff with appropriate, and AFP authorised, access to the Interpol website. MAL is utilised as the administrative mechanism to alert a visa processing officer to a potential issue relating to a visa applicant's character.

DIAC will review the operation of these relationships over the first half of 2010. As part of a review of the Alert Reason Code owner relationship commenced in December 2009, there will be a number of high level meetings with the external data owners to reaffirm the roles and functions of the stakeholders, and to put in place streamlined data access, data management and referral processes.

2. **You indicated in the audit report that you would set up a new body to discuss issues of data ownership and quality. Could you please update us on progress?**

The Border Operations Branch has convened a series of meetings with the legacy Alert Reason Code owners to review the current administrative operating model, and to suggest alternative arrangements whereby data management (operational data) is managed in a more effective way. This will

determine more clearly the role of the Border Operations Branch and the alert policy owners.

3. **The ANAO believe you could improve the control of access to MAL by reviewing a risk-based sample of transactions. Have any steps been taken to implement this suggestion?**

This particular issue has been addressed on two levels. Firstly, at the time of the ANAO Audit, a not insignificant number of DIAC officers in specific business roles had direct access into the MAL database and as such, had the ability to create, review, update and delete alerts without centralised quality assurance management. The new Central MAL model introduced in March 2009, operates fundamentally differently in that direct access has been withdrawn from the network. Now all additions, changes and deletions for the MAL are proposed by a DIAC officer through the formal and quality checked Remote Input Function (RIF) and actioned by a suitably qualified Border Operations Branch officer.

Secondly, systems access to the CMAL database is now managed by DIAC's IT Support provider in conjunction with IT Security. This separates the administrative and security roles and thus minimises the risk of inappropriate or unnecessary access.

These two changes have negated the risk leading to the audit observation.

4. **The ANAO suggested that DIAC conduct a Privacy Impact Assessment on MAL, and noted that DIAC had agreed to do so. Can you please update us on your progress and findings?**

DIAC remains committed to undertaking a Privacy Impact Assessment. The Border Operations Branch has consulted with the internal Privacy Section, and the Office of the Privacy Commissioner requesting assistance in this endeavour. However, neither is resourced to provide the staff to undertake the Assessment and provide the level of independence that the activity requires although both have offered advice. We are committed to engaging a consultant on this activity in the first quarter of 2010.

5. **What steps has DIAC taken to improve the measurement of, and reporting on data quality, MAL reliability and client service?**

To measure and report against client service, the Border Operations Branch prepares a daily operational snapshot of the CMAL processing queues and determines work focus based on the pressures identified. Aside from the CMAL maintenance queue, the client Service Level Agreement remains fully satisfied in accordance with the timelines negotiated and agreed in late 2008.

Fortnightly reports are produced for the Production Control Authority to identify system availability and performance. A review of current reports that will analyse the relevant system to system connectivity and data flow has

commenced to determine which reports may assist in identifying future issues of transmission reliability.

DIAC is developing a range of reporting tools that will be able to interrogate the data held in the Business Intelligence Warehouse. The CMAL data is scheduled to be integrated into the new warehouse by June 2010. This will provide a range of routine reports and the mechanism for creating ad-hoc reports to cater for the range of queries with respect to data quality to assist the Border Operations Branch staff and key data owner stakeholder to better identify areas of vulnerability.

JCPAA

Transcript Questions on Notice

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1. How many people have access to the Movement Alert List?

As at 16 December 2009 there were a total of **3,884 Central MAL (CMAL)** users (onshore and off-shore) who have access to the Movement Alert List, (see question 2 for further break down of users). All CMAL users are linked to specific job roles which govern their access to specific functions related to their role. For example: only staff members located within the Border Operation Branch have access to view the entire Movement Alert List.

The Department intends to commence the decommissioning of Heritage MAL (HMAL) following the successful deployment of the final CMAL data management tool in March 2010. Until then, HMAL will be utilised as a contingency system and reporting tool. With effect the first quarter of 2010, access to HMAL will be denied to all DIAC officers aside from the Border Operations Branch staff, (this is to provide centralised business continuity if CMAL is unavailable). As of November 2009, there are approximately the same number of officers with CMAL and HMAL access.

2. What are the levels and type of people who have access to the Movement Alert List and from what agencies?

Numbers at 16 December 2009:

CMAL Role	Agency/Access	Number
LE_DELEGATED	DIAC	6
Privileged LEE	DIAC	91
IMMI_OFFICER_A_BASED	DIAC	411
LED_DELEGATED_EXECUTIVE	DIAC	671
LEE_EMPLOYEE_EXECUTIVE	DIAC	51
ADMINISTRATOR	DIAC	18
ARC_OWNER	DIAC	85
BOC_SUPERVISOR	DIAC	42
BORDER	DIAC	347
COMPLIANCE	DIAC	376
DATA_CUSTODIAN (Note: This may be held in addition to other roles)	DIAC	(74)

ASIO, as a key and majority stakeholder in the MAL do not have the authority to load alerts directly. ASIO staff, as for all non- Border Operations Branch DIAC officers, must propose a creation, deletion or change to a MAL alert through the same quality assurance processes. This is called the Remote Input Function (RIF).

6. How much growth has there been, with regards to national security records in the last 2-3 months?

Total number of national security records on MAL for the last 6 months:

1 July 09	1 Aug 09	1 Sept 09	1 Oct 09	1 Nov 09	1 Dec 09
408,372	407,603	404,091	391,089	377,954	360,905

Please note that these figures indicate a decline in the number of National Security records which is not indicative of the past growth in National Security records.

Since the technology release in late March 2009, there have been technical issues with the ability of ASIO to bulk-load through the RIF. This has reduced the number of alerts that have been loaded by the agency compared to past years. It is important to note that although the ASIO RIF bulk-load has been temporarily disabled, they have continued to load alerts on a case by case basis for identities of concern through the normal RIF process. We anticipate a growth in the numbers of records at the beginning of 2010 once the aforementioned issues have been resolved.

7. What is DIAC's relationship with the Child Support Agency with regards to attempting to relocate children to avoid child support payments? What is DIAC's policy with regards to MAL?

The Child Support Agency has the power to issue a Departure Prevention Order (DPO) to bar departure from Australia or a Departure Authorisation Certificate (DAC) to temporarily lift a DPO. DPOs and DACs are operated by the Australian Federal Police (AFP) in conjunction with Customs through PACE/EPAC system. DIAC does not play a part in this activity. Historically DIAC offered a facility to allow AFP to monitor the movement of DPO and DAC cases but at present this is not being used. DIAC does facilitate CSA access to its movement records system.

8. What is DIAC's relationship with the AFP and Customs with regards to court orders that are in effect to prevent a child from being removed from Australia. What is DIAC's policy with regards to MAL?

DIAC's Policy on the Child Custody Concerns of foreign children is to facilitate any court order received through a credible source up to the child's 18th birthday. The most common source of MAL listings for this category is the

Interpol Yellow Notice. Other credible references include the Australian court system contacting DIAC through the Chief Lawyer, Governance and Legal.

For an Australian child DIAC has no involvement. The Family Court of Australia will deal directly with the Australian Federal Police (AFP) based on a successful court order initiated by a parent or guardian. AFP will list the child on the Customs PACE/EPAC system.

Historically DIAC offered the facility to allow AFP to monitor the movement of Child Custody cases where a court order has been notified to DIAC to monitor movements and seek AFP interdiction but at present this is not being used.

9. What is the total number of records for Person Alert List and Document Alert List?

As at 1 November 2009 and 1 December 2009, CMAL contained the following number of records:

CMAL	1 Nov 09	1 Dec 09
Document Alert List	1,812,515	1,813,606
Personal Alert List	680,503	665,194