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**Inquiry into the analytic independence of
the Australian Security Intelligence Organisation,
the Defence Intelligence Organisation,
and the Office of National Assessments**

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under the *Inspector-General of Intelligence and Security Act 1986*

EXECUTIVE SUMMARY

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Executive summary

This inquiry examined the independence of the assessment activities of the Australian Security Intelligence Organisation (ASIO) the Defence Intelligence Organisation (DIO) and the Office of National Assessments (ONA).

The inquiry included:

- examination of relevant agency policy and procedures
- a self-assessment by each agency of their performance relating to assessment activities
- examination of a selection of intelligence assessments and associated records
- examination of staff surveys
- an open letter inviting analysts to contribute to the inquiry.

The inquiry was not prompted by a particular concern that there was a problem, but rather follows as a logical next step from previous reviews of the independence of DIO and ONA. It is important to ensure that, even in the absence of specific allegations about a lack of independence, there are strong systems in place in the agencies to demonstrate that they prevent and detect any infringement of analytic independence.

The general picture of the independence of assessment activities across the three agencies is a positive one. There was no evidence of inappropriate pressure being placed on any of the agencies.

While the overall finding is positive, the inquiry found inconsistent recordkeeping and source referencing in ASIO and DIO. Gaps in records meant that it was not possible to confirm that these agencies complied consistently with all of the criteria for independent assessments set out below. The inquiry recommends improvement to policies, procedures and training in ASIO and DIO so that these agencies can consistently demonstrate that their assessments are free from interference or bias. Both agencies have accepted these recommendations and are taking steps to implement them.

The inquiry notes that DIO is expecting to roll-out a new electronic intelligence production system in July 2013. Provided that the new system is consistently utilised to capture records in the way in which it has been designed, there should be a significant improvement in DIO recordkeeping.

As a result of this inquiry ASIO is developing a new policy on footnoting and has made some changes to electronic records systems to make it easier for analysts to consistently record supporting documentation. Training for analysts has also been revised to incorporate methods for documenting material that has been considered when making assessments.

The inquiry also noted that ASIO and DIO did not conduct formal reviews of key judgements to see whether there were any lessons that could be learnt and did not have written policies relating to the management of dissent. In response to this inquiry both agencies have taken steps to formalise their processes for dissent management and are considering possible mechanisms for the review of key judgements.

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The inquiry used the following criteria for assessing independence:

1. *Tasking and defining the scope of an assessment.*

The initiation and scoping of an assessment product should demonstrate that an agency is acting within its functions or mandate, and that its processes are transparent, consistent, and free from bias.

2. *Consultation*

An intelligence assessment process should consider as wide a variety of views as is reasonable and conclusions must be appropriately tested.

3. *Language and style*

Assessment language should reflect factors such as the analyst's confidence in the source material, their confidence in their conclusions, gaps in the coverage of a topic, and the degree of corroborating material available.

4. *Information usage and sourcing*

Assessments must be founded in reliable and valid source material. It should be possible to revisit an assessment at a future point and have regard to the same source material an analyst had when arriving at an assessment. Records should reflect the entirety of the analyst's considerations. Assessments should reflect the intelligence base and reliability of sources, indicate gaps in coverage, and clearly indicate any other relevant factors applied in the assessment process.

5. *Contestability and dissent*

Contestability underpins the notion of an agency's independence and transparency in respect of its assessments. While dissent will not necessarily form part of every assessment, when present debate and contestability and the ability to formally record dissent are important features of analytic independence.

6. *Critical review of past judgements and assumptions*

Good analytical practice requires systematic identification and critical review of underlying assumptions and previous judgements. Where judgements have been found to be incorrect, or based on unreliable intelligence, steps should be taken to examine the reasons for this and ensure that the same potential risks are not realised subsequently.

7. *Recruitment and training*

Relevant training ensures good analytical tradecraft in the generation of assessment pieces and, at the front-line management level, ensures consistent and transparent quality assurance across assessment areas and the consistent application of organisational policies.

8. *Relations with policy areas*

Consultation with relevant policy areas may be appropriate for some assessments. However, agencies need to ensure that agency policy, training and culture support and

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equip analysts to resist inappropriate pressure from external (and internal) sources to form a particular judgement or to avoid tackling a particularly sensitive topic.

9. *Non-standard reporting*

The agency must be able to demonstrate the analytic independence of both formal and informal assessments including emails and verbal briefings.

The inquiry looked at a broad range of assessment products across the agencies and required each agency to produce all records associated with selected products. ASIO security assessments were excluded from this inquiry as these assessments have been the focus of other recent reviews and are subject to a different form of oversight through the Administrative Appeals Tribunal and the independent review mechanism announced by the Government in late 2012.