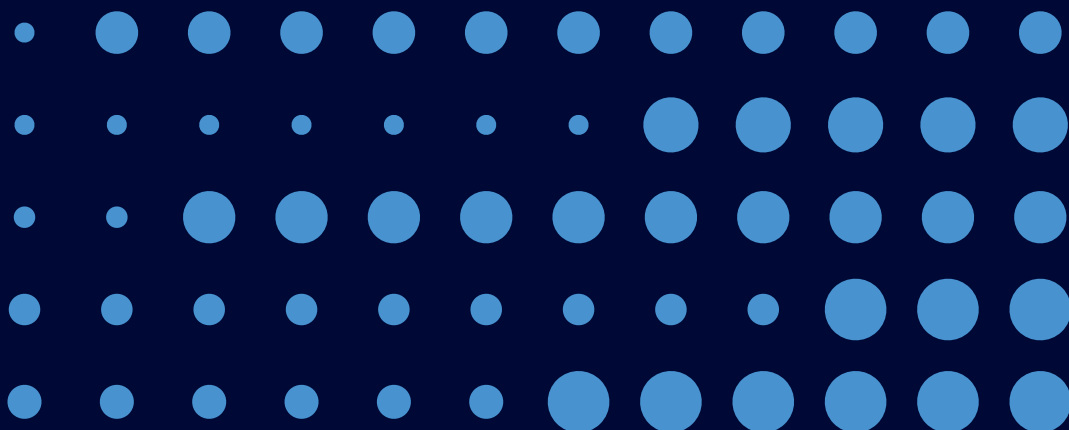


# CORPORATE PLAN 2023-24

FINANCIAL YEARS 2023-24 TO 2026-27



# Acknowledgement of Country

The Office of the Inspector-General of Intelligence and Security acknowledges Traditional Custodians of Country throughout Australia and recognises their continuing connection to lands, waters and communities. We pay our respect to Elders past and present and extend that respect to all Aboriginal and Torres Strait Islander peoples today.

## Acknowledgement

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# Glossary

<b>ACIC</b>	Australian Criminal Intelligence Commission
<b>AFP</b>	Australian Federal Police
<b>AGO</b>	Australian Geospatial-Intelligence Organisation
<b>APS</b>	Australian Public Service
<b>ASD</b>	Australian Signals Directorate
<b>ASIO</b>	Australian Security Intelligence Organisation
<b>ASIS</b>	Australian Secret Intelligence Service
<b>Complaint</b>	IGIS categorises a matter as a complaint if it raises an initially credible allegation of illegal or improper conduct or an abuse of human rights in relation to an action of an intelligence agency within the jurisdiction of IGIS
<b>DIO</b>	Defence Intelligence Organisation
<b>Five-Eyes</b>	Refers to an intelligence alliance of Australia, Canada, New Zealand, the United Kingdom and the United States
<b>ICT</b>	Information and communications technology
<b>IGIS</b>	The Office of the Inspector-General of Intelligence and Security
<b>IGIS Act</b>	<i>Inspector-General of Intelligence and Security Act 1986</i>
<b>Inquiry</b>	An inquiry conducted in accordance with Part II, Division 3 of the IGIS Act
<b>Inspection</b>	The examination of selected agency systems and records in the course of overseeing an agency's activities
<b>NACC</b>	National Anti-Corruption Commission
<b>ONI</b>	Office of National Intelligence
<b>PID Act</b>	<i>Public Interest Disclosure Act 2013</i>
<b>Public interest disclosure</b>	A public interest disclosure within the meaning of the PID Act
<b>The intelligence agencies</b>	ONI, ASIO, ASIS, ASD, AGO, and DIO

# Inspector-General's Introduction



I, Christopher Jessup, as the accountable authority of the Office of the Inspector-General of Intelligence and Security (IGIS), present the IGIS Corporate Plan 2023–2024 for the period 2023–24 to 2026–27, as required under paragraph 35(1)(b) of the *Public Governance, Performance and Accountability Act 2013*.

With the recent investments to expand the intelligence community, the national conversation has become more highly attuned to matters of intelligence integrity and oversight. In the 2023–24 Budget, the Office received an increase in funding to expand its oversight and supporting capabilities, commensurate with the recent investments in the intelligence community. This new funding is in recognition of the increased complexity and size of many of the agencies that we currently oversee, as well as the potential for an increased jurisdiction for our Office. It is phased to allow further growth of our own capability to be commensurate with the growth in the agencies in our jurisdiction, and it also allows for time to continue our targeted recruitment to fill our existing vacancies.

Over the course of this Corporate Plan we will manage the challenges and opportunities of a growing office, evolving jurisdiction, and complex national security environment by delivering on our key performance measures and meeting our objectives, which are set out in the performance section of this plan.

Our objectives for this coming year are:

- We continue to conduct independent, relevant, and influential oversight;
- We continue to build a capable, engaged, and outcome-driven workforce;
- We have plans that are strategic in outlook and that are tailored for 'business as usual', as well as forward growth; and
- We effectively grow to meet our objectives, recognising that the growth required can only be achieved by also growing our corporate capability.

We recognise that our oversight processes must be as visible and transparent as possible to provide public and parliamentary assurance that agency activities are open to robust scrutiny. Providing this assurance relies on us being respected as a credible and independent oversight agency. Accordingly, we will continue to make public as much of our work as is possible within appropriate security constraints.

**The Hon Christopher Jessup KC**

Inspector-General of Intelligence and Security

# About the Office

Established under the *Inspector-General of Intelligence and Security Act 1986* (IGIS Act) the role of the Inspector-General is to assist ministers in overseeing and reviewing the activities of the six intelligence agencies under IGIS jurisdiction (the intelligence agencies) for legality, propriety, and consistency with human rights.

We provide independent assurance for the Prime Minister, senior ministers, Parliament and the public as to whether the intelligence agencies are acting in accordance with these principles.

We do this by inspecting, inquiring into, and reporting on agency activities. As set out in the IGIS Act, the intelligence agencies IGIS oversees are:

- Office of National Intelligence (ONI)
- Australian Security Intelligence Organisation (ASIO)
- Australian Secret Intelligence Service (ASIS)
- Australian Signals Directorate (ASD)
- Australian Geospatial-Intelligence Organisation (AGO)
- Defence Intelligence Organisation (DIO)

In addition, the *Surveillance Legislation (Identify and Disrupt) Act 2021* expanded IGIS's jurisdiction to include oversight of the use of network activity warrants by the Australian Criminal Intelligence Commission (ACIC) and the Australian Federal Police (AFP).

We undertake regular, proactive inspections of the intelligence agencies, and conduct inquiries. Inquiries can be undertaken in response to complaints, of the Inspector-General's own motion, or at the request of ministers. When undertaking inquiries, we have investigative powers similar to those of a royal commission, including the power to compel persons to answer questions and produce documents and to take sworn evidence.

As part of our scrutiny of the activities of intelligence agencies and public assurance role, we can inquire into complaints made about ASIS, ASIO, AGO and ASD, or the use of network activity warrants by the AFP and ACIC. Complaints can be made by a member of the public, or by a current or former employee of an intelligence agency, about the activities of an intelligence agency. When the Inspector-General decides not to inquire into a complaint, the complainant is informed in writing. Details about individual complaints and their resolution are not made public by our Office for privacy reasons.

The Inspector-General has functions and responsibilities under the *Public Interest Disclosure Act 2013* (PID Act) relating to disclosures about the intelligence agencies. In addition, the Inspector-General has a specific role under the *Freedom of Information Act 1982* (FOI Act) and the *Archives Act 1983* (Archives Act) to provide evidence on national security-related damage that may be caused by the disclosure of certain material in disputed matters.

# Purpose

Our purpose is to provide independent assurance to ministers, the Parliament, and public as to whether Australia's intelligence and security agencies under our jurisdiction are acting with legality, propriety and consistency with human rights.

The Office's purpose is guided by the how the role of the Inspector-General of Intelligence and Security is outlined in section 4 of the IGIS Act, which states that the IGIS's role is:

- To assist ministers in the oversight and review of:
  - the compliance with the law by, and the propriety of particular activities of, the intelligence agencies
  - the effectiveness and appropriateness of the procedures of those agencies relating to the legality or propriety of their activities
  - certain other aspects of the activities and procedures of those agencies.
- To assist ministers in ensuring that the activities of those agencies are consistent with human rights
- To assist ministers in investigating intelligence or security matters relating to Commonwealth agencies, including agencies other than intelligence agencies
- To allow for review of certain directions given to ASIO by the responsible minister for ASIO
- To assist the Government in assuring the Parliament and the public that intelligence and security matters relating to Commonwealth agencies are open to scrutiny, in particular the activities and procedures of the intelligence agencies.

## OUR KEY ACTIVITIES

We deliver on our purpose through our key activities. The key activities reflect our prescribed role as set out in the IGIS Act. The Office is supported in undertaking these key activities by our corporate, legal and governance teams.



### Inquiries and preliminary inquiries

Conducting inquiries is a core function and is the most formal activity we undertake to review the operations of intelligence agencies. An inquiry may be initiated by the Inspector-General of his own motion (which may in some cases be in response to a complaint or a Public Interest Disclosure (PID)) or at the request of the Attorney-General, the relevant responsible minister or the Prime Minister. A preliminary inquiry may be initiated by the Inspector-General into the action of an intelligence agency, either in connection with a complaint, a PID, or of the Inspector-General's own motion. This process provides the means for the Inspector-General to make preliminary investigations and to determine whether further inquiry into the action is necessary. An inquiry or preliminary inquiry can look proactively at an issue or area of agency activity that may pose a significant risk, or reactively based on a previous inspection, compliance incident or complaint.

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### Risk-based proactive inspections

Conducting regular, proactive, and independent inspections of the legality, propriety and human rights implications of intelligence agency activities and compliance incidents is a key part of our approach to oversight. We prioritise these inspections based on risk. We consider many factors when assessing this risk including the impact on Australian persons or on Australia's domestic and foreign relationships, and whether similar activity has raised previous concerns. In practice, this means that focus is often on an agency's most intrusive and sensitive activities. Our inspections are carried out by inspection teams, each specialising in the oversight of one or more of the intelligence agencies. To support these inspections, the intelligence agencies self-report instances of potential non-compliance and provide us with advice of the context in which the activities were conducted. Reports of key inspections and other activities are provided to each relevant responsible minister.







## Complaints and Public Interest Disclosures

We receive contacts from a range of people – including current or former staff of the intelligence agencies, people who have had dealings with the agencies, and others. These contacts are mostly initiated through our website or through a telephone call. Once a contact is assessed as a complaint within our jurisdiction, it is examined in accordance with set procedures. A complaint may be resolved informally, be subject to a preliminary inquiry or may proceed to an inquiry.

In the case of conduct that relates to an intelligence agency, certain officers of the IGIS are authorised internal recipients for the purposes of the *Public Interest Disclosure Act 2013* (PID Act). These officers, and the Inspector-General, are able to receive disclosures of information concerning such conduct, and then determine if it is appropriate either to allocate the handling of the disclosure to one or more of the agencies or for the Inspector-General to handle the investigation of conduct.

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## Provide assurance to ministers, Parliament, and the public

An important part of the role of the IGIS is to assist the Government in assuring the Parliament and, to the extent possible, the public that there is effective oversight and scrutiny of intelligence agencies. Our regular program of inspections and inquiries into the activities and procedures of intelligence agencies, as well as the management of complaints and PIDs, contribute to providing this assurance.



A crucial element of assurance is communicating information about our role and our work to ministers, the Parliament, and the public. We accomplish this through a series of complementary activities; these include submissions to parliamentary inquiries and other reviews of national security matters, and providing comments on matters relating to oversight and accountability in draft legislation. We deliver presentations and participate in engagements with the public and experts across the national security community, the legal profession, oversight bodies, and academia, in Australia and internationally. We make public as much information as possible, including through the production of an annual report that includes – with consideration for protective security requirements – details of inspection, inquiry, complaint and PID activities and findings for each agency. The Office's executive also regularly meets with each agency's senior officers and provides regular updates to the agencies' ministers on the key issues for each agency and the Office.

## Our approach

### Independent and impartial



Independence is fundamental to the Inspector-General's role and the role of the Office of the Inspector-General of Intelligence and Security. This includes independence in selecting matters for inspection or inquiry as well as in undertaking and reporting on those activities. We have direct access to intelligence agency systems and are able to retrieve and check information independently. Our approach is impartial and our assessments are unbiased.

### Astute and informed

Each of the intelligence agencies we oversee has its individual mandate. To target our inspections and inquiries effectively and efficiently we need to understand the purpose and functions of each of the intelligence agencies as well as their operational planning, risk management and approach to compliance. We also need to have a sound understanding of the techniques and technologies used by the agencies to obtain, analyse and disseminate intelligence. Being well-informed allows us to target our oversight resources to the areas of greatest risk.



### Measured



We appreciate the complex environment in which intelligence agencies operate and we accept that at times errors may occur. We identify errors and possible problems, and encourage agencies to self-report breaches and potential breaches of legislation and propriety. Our risk-based approach targets activities of high risk and activities with the potential to adversely affect the lives or rights of Australians. We consider an agency's internal control mechanisms as well as its history of compliance and reporting. The focus is on identifying serious, systemic or cultural problems in the activities of agencies within our jurisdiction.

### Open

We make as much information public as possible, however, a large part of the information that IGIS deals with is classified and cannot be released publicly. Nevertheless, we include as much information as we can about our activities, including oversight of intelligence agency activities, in our Annual Report, unclassified inquiry reports on our website, and in responses to complaints.



### Influential



IGIS oversight is a key part of the oversight framework within which intelligence agencies operate. Inspections and inquiries make a positive contribution to compliance; they lead to effective changes in agency processes and assist in fostering a culture of compliance. Important to these outcomes is that we work cooperatively with other oversight bodies to work effectively in areas of overlap. Our submissions to parliamentary committees contribute to informed debate about the activities of the agencies as well as the policies reflected in those activities.

# Our operating context

## Environment

Our effectiveness in achieving our purpose is dependent on our ability to manage and adapt to the constantly evolving environment in which we operate.

We operate in a unique environment. We are an independent statutory agency with oversight of the activities of six intelligence agencies, as well as oversight of the use of network activity warrants by the ACIC and AFP, each of which operates within different security settings that are often technically complex and occur within an intricate legislative and regulatory regime.

The scope of our work is influenced by the activities of the intelligence agencies and legislative changes that may alter, or increase the range of, agency powers for which we have oversight. Our work is also affected by changes that may increase the size of agencies. The intelligence agencies have been provided new powers and growth targets in recent years, necessitating changes to our approach, priorities and activities.

We assist ministers in assuring Parliament and the public that the intelligence agencies are subject to scrutiny and we continually consider how we can meaningfully contribute to the work of Parliament and its committees and ministers. In many instances, security constraints prevent us from releasing comprehensive details of our investigative processes and oversight findings. We establish our credibility as an independent oversight and integrity agency whose work is as transparent as possible within these security constraints through publications such as the Annual Report and Corporate Plan, appearances before parliamentary committees, our website, and through our public engagement.

In delivering our purpose, we are conscious of the following elements of the environment in which we operate.

## Evolving jurisdiction and functions

With the commencement of the National Anti-Corruption Commission (NACC) on 1 July 2023 the Inspector-General has a role under the *National Anti-Corruption Commission Act 2022* (NACC Act) to consider corruption issues that are referred to us by intelligence agencies, and subsequently refer them to the NACC if we are satisfied that they likely meet the threshold of being serious or systemic. The Office has been preparing for the NACC's commencement, both for the Office's new functions under the NACC Act and as an agency within the NACC's jurisdiction. Over the period of this Corporate Plan, the Office will work to establish a cooperative relationship with the NACC.

The Respect@Work reforms – including the *Anti-Discrimination and Human Rights Legislation Amendment (Respect At Work) Act 2022* – expand the Office's complaints jurisdiction in the human rights space. That Act creates a duty on employers to take reasonable and proportionate measures to eliminate unlawful discrimination including sexual harassment (referred to as 'the positive duty'). Consistent with the Office's current oversight of intelligence agencies' compliance with human rights obligations, that Act provides that the IGIS will oversee their compliance with the positive duty – meaning ensuring the intelligence agencies are putting in place plans and procedures to proactively reduce instances of discrimination in the workplace. This function for the Office commences on 12 December 2023.

If the *Intelligence Services Legislation Amendment Bill 2023* passes the Parliament, the Office's jurisdiction will expand to cover the entirety of the ACIC and the intelligence functions of AUSTRAC, AFP, and the Department of Home Affairs. The Office's jurisdiction will also expand if the *Inspector-General of Intelligence and Security and Other Legislation Amendment (Modernisation) Bill 2022* passes the Parliament. These amendments will expand the Office's complaints jurisdiction to include both ONI and DIO, bringing these two agencies in line with the Office's oversight of the other intelligence agencies under our jurisdiction.

## **Growth of intelligence agencies in size and capability**

The global threat environment has changed, resulting in the intelligence agencies having adjusted investment and growth. As an Office, we need to consider how we innovate our oversight and complaints practices to take account of this evolving environment. We are conscious we must have comparable technical capacity to understand the new powers or capabilities of intelligence agencies. Equally, an expansion in the quantum of activities of agencies in the Inspector-General's jurisdiction can also have an impact on our work. These are important factors to consider to ensure that our oversight 'footprint' continues to be proportionate to the work of the agencies, and that we have the requisitely skilled people to conduct and support oversight of these agencies. That means the Office must also maintain an effective corporate capability to ensure that all our staff are able to be effectively supported.

## **Advances in technology**

The success of our oversight regime relies on our ability to understand the activities of the intelligence agencies and to ask the right questions to assess issues that might have an impact on the legality and propriety of those activities. Technological change and advancement, and their impact on agency operations, remain a challenge for the Office. We must be aware of the opportunities and risks that technology presents for the activities of the agencies and our own oversight approach. We are committed to understanding and addressing the impact of technology by using new and dynamic initiatives and approaches to ensure our oversight activities remain effective and efficient.

## Our capability and enablers

To deliver on our purpose, we are focussed on enhancing our organisational capabilities.

### People

We are a small agency and our people are our greatest capability, and central to achieving our strategic priorities. We appreciate the value of a diverse and inclusive workplace culture and the need to foster excellence and expertise in all staff. We also recognise that following the COVID-19 lockdowns, the recruitment and retention landscape in Australia has changed.

Given our small size, the loss of key and experienced staff can pose particular challenges. The necessarily high security clearance that is required for our work – and which we rely on external agencies to progress – can, at times, lead to long delays between the selection of new staff and the commencement of their work at the Office. This results in particular importance being placed on the retention of staff and long term recruitment planning. Flexible working arrangements and workplace training that promotes leadership skills and succession are just some of the actions being undertaken. These challenges are shared cross the APS, and we are continually adapting our approaches to innovate and stay abreast of APS current practices and ideas.

Our development and retention workforce strategies include:

- conducting regular bulk and specialised recruitment activities, including the use of secondments for specialist roles
- integrating branch plans with learning and development, diversity and inclusion and recruitment strategies
- encouraging employee mobility across the agency and elsewhere
- undertaking strategic recruitment of staff to fill existing and future capability gaps
- providing a flexible work environment through a variety of initiatives
- supporting managers to plan for succession, recruitment and learning and development needs.

Over the life of this plan, we will continue to evolve our recruitment and retention strategies as well as refining our employee value proposition.

### Technological expertise

As noted in the Environment section, advances in technology and the impact of these advances on agency operations is an area of focus for the Office. To assist the Office managing this challenge, a temporary dedicated Technical Advisor role has been established and filled. This role provides an interim technical advisory function and will assist with future decisions on the best approach for how the Office will engage technical advice to strengthen our oversight function, including how to engage independent technical advice in the future. In the first year of this Plan, the Office will review the position and determine the most efficient and effective way ahead for access to technical advice.

## Information technology to support officer mobility

The nature of the work we undertake means that our staff are often dependent on access to our physical office and systems. However, we will continue to identify specific tasks and functions that can be performed remotely or in a lower classification workspace. This will allow us to capitalise on some of the positive aspects of a mobile workforce. Our ICT mobility is dependent on a shared services arrangement with the Attorney-General's Department that provides staff access to a remote working platform.

## Information governance and management

We are progressing the implementation of our Information Governance Framework, which is forward-looking to a growing workforce and sets out plans to update the architecture and management of our information holdings. This will bring our records and information governance better in line with Commonwealth information management policies across electronic and hardcopy systems. We are progressing our recordkeeping to a fully digital environment as far as possible, recognising that there are some records that will never be able to be digitalised.

### Oversight Capability Review

The Office is committed to continuous improvement and will progress the recommendations of the Oversight Capability Review that was finalised in early 2023. That Review was initiated by the Office to examine the current practices, procedures and capabilities of the agency oversight area to provide practicable recommendations on how it can remain fit-for-purpose. The Review provided a number of recommendations to enhance efficiency and effectiveness, all of which were endorsed by the Executive. Implementation has begun, with a number of recommendations already underway and others to be delivered over the life of this Plan.

# Risk oversight and management

We are committed to embedding a positive risk-aware culture that promotes proactive risk management and informed decision making.

The identification and effective management of risk is an integral part of business planning and governance processes. We manage risk through our Risk Management Policy and Framework, which provides a structured and consistent approach to identifying, analysing and mitigating risk. Identifying risks and determining what we need to have in place to reduce them to an acceptable level is vitally important in developing branch plans, fraud and corruption control measures, business continuity arrangements, and strategic plans for the Office.

The Risk Management Framework has been developed to make risk management efficient, effective and consistent.



The Risk Management Framework requires risk owners to be responsible for risks identified in the risk register, which includes responsibility for related controls and mitigation strategies. The Governance Directorate coordinates biannual reviews with risk owners which are considered at a meeting of our Executive Board. In addition, the Audit Committee provides advice to the Inspector-General about our risk framework, governance, compliance, and financial accountability. The Audit Committee is supported by an internal audit program that is tailored to the size and functions of a small agency, and is supplied through externally contracted arrangements.

We monitor and review risk against the following categories:

 <b>Business continuity and disaster recovery</b>	 <b>Cyber security</b>	 <b>Information technology</b>
 <b>Fraud</b>	 <b>Health, safety and wellbeing</b>	 <b>Legal compliance</b>
 <b>Organisational resources</b>	 <b>Reputation</b>	 <b>Security</b>

During the period of this plan, it is anticipated that the strategic risks being managed will grow as a result of a range of factors including an expanding workforce, evolving jurisdiction, and changes in the national security environment. We will manage these risks through robust planning and further strengthening stakeholder relationships.



# Cooperation

We maintain cooperative relationships with a range of agencies and entities.

Cooperative relationships with international oversight and review organisations from the Five-Eyes nations strengthens our approach to intelligence oversight. The sharing of ideas and approaches assists us to adapt and respond to emerging issues and continually improve how we operate.

**Five-Eyes Intelligence Oversight and Review Council**

Office of the Intelligence Commissioner (Canada)

National Security and Intelligence Review Agency (Canada)

Commissioner of Intelligence Warrants (New Zealand)

Office of the Inspector-General of Intelligence and Security (New Zealand)

Investigatory Powers Commissioner's Office (United Kingdom)

Office of the Inspector General of the Intelligence Community (United States)

The Office is an agency within the Attorney-General's portfolio and works collaboratively with the Attorney-General's Department on a range of policy and legal issues.

Co-location and facilities maintenance

Physical security

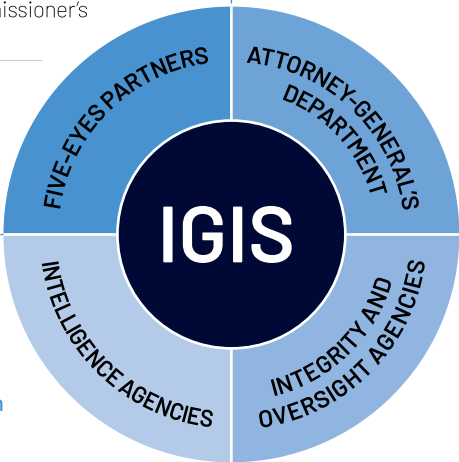
Some ICT systems and capabilities

Policy and legal issues

The Office's productive relationships with the agencies facilitate the conduct of oversight work, and are maintained through regular meetings between leadership.

ASIO	ASIS	ONI
ASD	AGO	DIO
AFP*	ACIC*	

\*Network Activity Warrant oversight only



The Office's oversight role complements that of other Commonwealth integrity and oversight agencies, and any potential issues of operational or jurisdictional overlap are managed cooperatively.

Australian Human Rights Commission

Australian National Audit Office

Integrity Agencies Group

National Anti-Corruption Commission

Office of the Australian Information Commissioner

Office of the Commonwealth Ombudsman

# Performance

We constantly review our performance framework to ensure it remains a useful tool with which to manage the work of the Office. In 2022–23, we reviewed our performance measures and the updated framework strengthens links between our purpose, key activities and performance.

The commitment to continuous review resulted in amendments to our performance targets from what appeared in the 2023–24 Portfolio Budget Statements – a summary of the changes is at Appendix A. The purpose of the Office remains the same. As part of maturing our performance targets, we have developed new targets, recast the language in other targets, and added a new ‘key activity’ to better align our performance framework with the practices of the Office in achieving our purpose.

The Office will reconcile our performance in our 2023–24 Annual Performance Statement against the performance measures in this Corporate Plan.

**OUTCOME 1:** Independent assurance for the Prime Minister, ministers, Parliament and the public as to whether Australia's intelligence and security agencies act legally and with propriety by inspecting, inquiring into and reporting on their activities.

### Program 1.1 – Office of the Inspector-General of Intelligence and Security

The objectives of the program are to meet the responsibilities and exercise the functions outlined in the *Inspector-General of Intelligence and Security Act 1986* and in other relevant legislation, and to conduct activities to facilitate the role of providing independent assurance as to whether Australia's intelligence agencies are acting legally and with propriety.

#### Key activity:

				
Conduct inquiries and preliminary inquiries	Conduct risk-based proactive inspections	Investigate complaints and Public Interest Disclosures	Provide assurance to ministers, Parliament, and the public	
<b>Objective 1: Inquiries</b>  Through in-depth inquiries into specific issues or activities, provide assurance to ministers, Parliament, and to the extent possible the public that operational activities of agencies are undertaken legally, with propriety and consistent with human rights obligations.	<b>Objective 2: Inspections</b>  Through risk-based independent inspections, provide assurance to ministers, Parliament and to the extent possible the public that operational activities of agencies are undertaken legally, with propriety and consistent with human rights obligations.	<b>Objective 3: Complaints</b>  Investigate complaints made by the public, or by current or former staff of an intelligence agency, about the activities of an intelligence agency.	<b>Objective 4: Public Interest Disclosures</b>  Receive and, where appropriate, investigate authorised disclosures about suspected wrongdoing within an intelligence agency.	<b>Objective 5: Assurance</b>  Provide ministers, Parliament and to the extent possible the public, assurance that intelligence and security matters relating to Commonwealth agencies are open to scrutiny, in particular the activities and procedures of intelligence agencies.



**OBJECTIVE 1: Inquiries**

Through in-depth inquiries into specific issues or activities, provide assurance to ministers, Parliament, and to the extent possible the public that operational activities of agencies are undertaken legally, with propriety and consistent with human rights obligations.

**Performance Measure**

**Performance Targets**

**1.1**

**Conduct inquiries efficiently and effectively**

The draft report for an inquiry is provided to the responsible minister and/or the head of the relevant agency and/or the Secretary of Defence in a timely manner following completion of information gathering.

The final report for an inquiry, incorporating comments (or after the passing of a reasonable time without the receipt of comments) is provided to the responsible minister and/or the head of the relevant agency and/or the Secretary of Defence in a timely manner.

The final report for an inquiry clearly identifies any findings and recommendations, and promotes meaningful reviews of policy, process, procedure, training or technology in an agency to improve legality and propriety.

Implement the recommendations of the internal Oversight Capability Review relevant to inquiries.

**TARGET (Financial Year)**

23/24

24/25

25/26

26/27



## OBJECTIVE 1: Inquiries (continued)

Through in-depth inquiries into specific issues or activities, provide assurance to ministers, Parliament, and to the extent possible the public that operational activities of agencies are undertaken legally, with propriety and consistent with human rights obligations.

### Performance Measure

### Performance Targets

## 1.2

### Conduct inquiries consistent with the IGIS Act

Before the commencement of an inquiry, the responsible minister and/or the head of the relevant agency and/or the Secretary of Defence (as required) is informed. [IGIS Act, s 15]

Before the commencement of an inquiry, regard is had to the functions of, and consideration is given to consulting, the Auditor-General and/or the Ombudsman. [IGIS Act, s 16]

When preparing a report, any opinions that are critical of an individual or agency's actions or activities is provided to the individual, agency head or responsible minister for comment before completion. [IGIS Act, s 17]

The final report from an inquiry is provided to the agency head and responsible minister. [IGIS Act, s 22]

### TARGET (Financial Year)

23/24 ✓

24/25 ✓

25/26 ✓

26/27 ✓



## OBJECTIVE 2: Inspections

Through risk-based independent inspections, provide assurance to ministers, Parliament and to the extent possible the public that operational activities of agencies are undertaken legally, with propriety and consistent with human rights obligations.

Performance Measure	Performance Targets
<b>2.1</b> Conduct inspections efficiently and effectively	Annual risk-based inspection plans are developed by July for each agency in jurisdiction and are updated throughout the year as additional issues are identified.
	All inspection activities in the inspection plan are commenced during the annual cycle.
	Preliminary investigations into proactively reported compliance incidents are completed in a timely manner.
	Inspection outcomes, including findings and recommendations, are clearly communicated to the agency and promote meaningful reviews of policy, process, procedure, training or technology.
	Implement the recommendations of the internal Oversight Capability Review relevant to inspections.

### TARGET (Financial Year)

23/24 ✓

24/25 ✓

25/26 ✓

26/27 ✓

Performance Measure	Performance Targets
<b>2.2</b> Conduct inspections consistent with the IGIS Act	Responsible ministers are provided with a biannual report outlining the key inspection activities each year. [IGIS Act, s 25A]
	Annual inspection plans are reviewed in accordance with key priorities and risks before being provided to agency heads in July. [IGIS Act, s 9A(1)]
	TARGET (Financial Year)
	23/24 ✓
	24/25 ✓
	25/26 ✓
	26/27 ✓



### OBJECTIVE 3: Complaints

Investigate complaints made by the public, or by current or former staff of an intelligence agency, about the activities of an intelligence agency.

#### Performance Measure

#### Performance Targets

Where there has been no, or no further, inquiry into a complaint the complainant has been informed in a timely manner. [IGIS Act, s 12]

Following an inquiry, a response relating to the inquiry is given to the complainant and to the responsible minister in a timely manner. [IGIS Act, s 23]

A timely decision is made after receipt of a matter that:

- the matter is not within authority; or
- the complaint is within authority, but there will be no inquiry; or
- there will be an inquiry. [IGIS Act, s 11]

The agency head, and the responsible minister, are informed at least once in the relevant year of the complaints where there were no, or no further, inquiries. [IGIS Act, s 12]

Procedures on the handling of complaints are regularly reviewed to ensure our processes are robust.

#### TARGET (Financial Year)

23/24 ✓

24/25 ✓

25/26 ✓

26/27 ✓





3.1

Investigate complaints efficiently and effectively, and consistent with the IGIS Act



## OBJECTIVE 4: Public Interest Disclosures

Receive and, where appropriate, investigate authorised disclosures about suspected wrongdoing within an intelligence agency.

Performance Measure	Performance Targets		
<div>4.1</div> <div>Public Interest Disclosures are handled efficiently and effectively, and consistent with the PID Act</div>	<p>After the receipt of a disclosure, a decision whether there is a reasonable basis on which to consider the disclosure to be an internal disclosure is made within a timely manner. [PID Act, s 43(2)]</p>		
	<p>After receipt of a disclosure, best endeavours are made to allocate the handling of the disclosure in a timely manner. [PID Act, s 43(5)]</p>		
	<p>After the allocation of a disclosure to the Inspector-General, the discloser is informed in a timely manner that:</p> <ul style="list-style-type: none"><li>• the disclosure will be investigated, and whether under the PID Act or the IGIS Act; or</li><li>• the disclosure will not be investigated. [PID Act, ss 48, 49, 50]</li></ul>		
	<p>After the allocation of a disclosure to the Inspector-General and decision to investigate the matter under the PID Act, the investigation is completed in a timely manner. [PID Act, ss 48, 49, 52]</p>		
	<p>After preparation of the report, a copy is given to the discloser in a timely manner. [PID Act, s 51(4)]</p>		
	<p>Procedures on the handling of PIDs are regularly reviewed to ensure our processes are robust.</p>		
TARGET (Financial Year)			
23/24 	24/25 	25/26 	26/27 





## OBJECTIVE 5: Assurance

Provide ministers, Parliament and to the extent possible the public, assurance that intelligence and security matters relating to Commonwealth agencies are open to scrutiny, in particular the activities and procedures of intelligence agencies.

### Performance Measure

### Performance Targets

Provide submissions to parliamentary inquiries, hearings and other reviews of national security matters.

Provide comments on matters relating to oversight and accountability in draft legislation.

Produce a publicly available annual report that provides as much information as possible of inspection, inquiry, complaint and PID activities and findings, with consideration for protective security requirements, for each agency.

Deliver presentations and engage with the public and experts across the national security community, the legal profession, oversight bodies, and academia in Australia and internationally.

IGIS executive participate in at least biannual meetings with each agency's senior officers to understand agency priorities and share oversight key issues and findings.

Provide regular updates to the agencies' ministers on the key issues for each agency and the Office.

### TARGET (Financial Year)

23/24 ✓

24/25 ✓

25/26 ✓

26/27 ✓

5.1

Provide effective and impartial advice on matters relating to the activities of intelligence agencies

# Appendix A – Revisions to the IGIS Performance Framework

The 2023-24 Corporate Plan includes revisions to the IGIS performance framework that reflect the growing maturity of the IGIS strategic planning processes. As provided by Rule 16E(2) item 5 of the *Public Governance, Performance and Accountability Rule 2014*, it is not reasonably practicable to include specific targets for many of our measures. This is because the number and complexity of activities within each measure will vary from year to year and is not within the Office’s control. However, when numbers or timeframes are considered in relation to the other measures outlined, it provides important information against which to assess the workload of the agency during the period and our efficiency and effectiveness in managing that workload.

In this Corporate Plan, the Office identifies 5 objectives consisting of 7 performance measures, with each measure having multiple performance targets.

The 2023-24 Performance Framework removes Objective 6: Organisational Capabilities as it was determined the activities contained in that objective and associated performance measures were inputs to help the Office achieve our purpose and not an output that realises the delivery of our purpose.

## Revisions to the IGIS Performance Framework from the Portfolio Budget Statements 2023-24

Change type	Corporate Plan 2023-24	Portfolio Budget Statements 2023-24	Reason for change
<b>Addition to key activities</b>	Provide assurance to ministers, Parliament, and the public	–	To more accurately reflect the activities of the Office in achieving our purpose.
<b>Change in naming</b>	Performance Target	Key Performance Indicator	To better reflect current practice and naming conventions.
<b>Addition of a Performance Target to Performance Measure 1.1</b>	Implement the recommendations of the internal Oversight Capability Review relevant to inquiries.	–	To include a key priority for the reporting period.

Change type	Corporate Plan 2023-24	Portfolio Budget Statements 2023-24	Reason for change
<b>Change in tense to Performance Measure 1.2</b>	–	–	For consistency with other performance measures.
<b>Amendments to the Performance Targets for Performance Measure 2.1</b>	Annual risk-based inspection plans are developed by July for each agency in jurisdiction and are updated throughout the year as additional issues are identified.	Annual risk-based inspection plans are developed by July for each agency in jurisdiction.	To more accurately capture the dynamic nature of inspection activities.
	All inspection activities in the inspection plan are commenced during the annual cycle.	Each inspection is delivered in the period identified in the annual plan.	Amalgamated to avoid duplication and recast to reflect that some inspection activities may carry over to subsequent reporting periods.
	Inspection outcomes, including findings and recommendations, are clearly communicated to the agency and promote meaningful reviews of policy, process, procedure, training or technology.	All inspection activities in the inspection plan are delivered during the annual cycle.	
		Inspection outcomes, including findings and recommendations, are clearly communicated to the agency and promote meaningful reviews of policy, process, procedure, training or technology to improve legality and propriety.	To more accurately reflect the outcome of agency inspections.

Change type	Corporate Plan 2023–24	Portfolio Budget Statements 2023–24	Reason for change
<b>Amendments to the Performance Targets for Performance Measure 2.2</b>	Annual inspection plans are reviewed in accordance with key priorities and risks before being provided to agency heads in July. [IGIS Act, s 9A(1)]	Agency heads are provided with an annual inspection plan outlining planned inspection activities in July. [IGIS Act, s 9A(1)]	To more accurately convey that the inspection plans are dynamic and change each year.
<b>Addition of a Performance Target to Performance Measure 2.1</b>	Implement the recommendations of the internal Oversight Capability Review relevant to inspections.	–	To include a key priority for the reporting period.
<b>Addition of a Performance Target for Performance Measure 3.1</b>	Procedures on the handling of complaints are regularly reviewed to ensure our processes are robust.	–	To align with the priorities and practices of the Office.
<b>Addition of a Performance Target for Performance Measure 4.1</b>	Procedures on the handling of PIDs are regularly reviewed to ensure our processes are robust.	–	To align with the priorities and practices of the Office.

Change type	Corporate Plan 2023-24	Portfolio Budget Statements 2023-24	Reason for change
<b>Amendments to the Performance Targets for Performance Measure 5.1</b>	Provide comments on matters relating to oversight and accountability in draft legislation.	Provide comment on the appropriate oversight and accountability requirements relating to the powers of intelligence and security agencies in draft legislation.	To more accurately and succinctly reflect the activities of the Office.
	Produce a publicly available annual report that provides as much information as possible of inspection, inquiry, complaint and PID activities and findings, with consideration for protective security requirements, for each agency.	Produce a publicly available annual report that provides transparency of inspection, inquiry, complaint and PID activities and findings, with consideration for protective security requirements, for each agency.	To more clearly articulate the Office's efforts to assure the public by providing as much information the Office can within security constraints.
	Deliver presentations and engage with the public and experts across the national security community, the legal profession, oversight bodies, and academia in Australia and internationally.	Deliver presentations and engage with the public and national security experts in Australia and internationally.	Recast to more accurately reflect the breadth of engagement.
<b>Addition of a Performance Target for Performance Measure 5.1</b>	Provide regular updates to the agencies' ministers on the key issues for each agency and the Office.	–	To align with the practices of the Office.





