**Executive Summary**
**2024 Annual Meeting of the Five Eyes Intelligence Oversight and Review Council**
**November 19-22, 2024 | Canberra and Sydney, Australia**
**Prepared by the**
**Office of the Inspector General of the Intelligence Community**

## INTRODUCTION

In its role as the Executive Secretariat of the Five Eyes Intelligence Oversight and Review Council (the Council), the Office of the Inspector General of the Intelligence Community of the United States prepared this Executive Summary of the Council's annual meeting held November 19-22, 2024, in Canberra and Sydney, Australia.

The Council holds at least one in-person meeting per year. Representatives from all Five Eyes partner countries attended this year's meeting hosted by Australia's Office of the Inspector-General of Intelligence and Security (IGIS). The themes this year were: *Career of an Oversight Officer, Council Coordination and Collaboration, and Preparing for the Future.* Members networked and exchanged views on several topics of mutual interest and concern including: international and cross-jurisdictional cooperation and collaboration; recruitment, retention, and professional development; building a multi-disciplinary oversight team; and handling of complaints. They also discussed visits, working-level meetings, and secondments; information sharing; cross-jurisdiction inspections; technological challenges; and geopolitical challenges.

## BACKGROUND

The Council was created in the spirit of the existing Five Eyes partnership. The intelligence alliance consists of Australia, Canada, New Zealand, the United Kingdom, and the United States. The Council is comprised of the following non-political intelligence oversight, review, and security entities of the Five Eyes countries: the Office of the Inspector-General of Intelligence and Security of Australia, the Office of the Intelligence Commissioner and the National Security and Intelligence Review Agency of Canada, the Office of the Inspector-General of Intelligence and Security of New Zealand, the Commissioners of Intelligence Warrants of New Zealand, the Investigatory Powers Commissioner's Office of the United Kingdom, and the Office of the Inspector General of the Intelligence Community of the United States.

Council members exchange views on subjects of mutual interest and concern; compare best practices in review and oversight methodology; explore areas where cooperation on reviews and the sharing of results is applicable; encourage transparency to the greatest extent possible to enhance public trust; and as appropriate, maintain contact with political offices, oversight and review committees, and non-Five Eyes countries.

## DAY 1

The first day of the 2024 meeting took place at the Ben Chifley Building in Canberra, Australia. The Honorable Christopher Jessup KC, Inspector-General of Australia's Office of the

Inspector-General of Intelligence and Security (IGIS), and Paul Cronan AM, Deputy Inspector-General, welcomed participants and offered each member an opportunity to provide introductory remarks. The theme of day one was the *Career of an Oversight Officer*, featuring a panel discussion and four work sessions.

The Honorable Mark Dreyfus KC MP, Attorney-General of Australia, gave the keynote address. He highlighted an increasingly complex and contested strategic environment, where oversight bodies provide a critical line of defense against potential abuses of power. Mr. Dreyfus also described oversight as a continuous process of engagement and improvement, and noted effective, independent oversight fosters public confidence and is an important enabler of public trust.

*Panel 1 – International and Cross-Jurisdictional Cooperation and Collaboration Between Five Eyes Intelligence Agencies*

Mr. Cronan moderated and panelists included the Director-General, Australian Secret Intelligence Service; Director-General of Security, Australian Security Intelligence Organisation; Director-General, Australians Signals Directorate; Chief of Defence Intelligence and Director, Defence Intelligence Organisation; and Deputy Director-General Intelligence, Office of National Intelligence. Each panelist focused on their unique purview on the nature and importance of Five Eyes collaboration for their respective agency. They strived to ground the annual meeting in a clear understanding of the nature and importance of collaboration and cooperation between Five Eyes members, and helped frame and provide context for upcoming discussions on how the Council might best enable collaboration and cooperation between its members.

*Session 1 – Recruitment, Retention, and Professional Development*

Chris Brookes, Assistant Inspector-General for Agency Oversight of Australia's IGIS, moderated this session and highlighted his office's recent work on establishing a clear Employee Value Proposition (EVP) and key initiatives to enhance recruitment, retention, and the professional development of oversight officers and broader staff. EVP, not a new practice in public and private sectors, provided invaluable insight and data to drive strategy so IGIS can continue to be an employer of choice and attract staff to serve in the public sector. Professional development was another key initiative discussed; specifically, tradecraft training. This training helps Australia's IGIS maintain consistency through staff turnover and provide an efficient way to train new employees. Recruitment and retention remain a challenge for all five member countries, however, each having varying experiences overall. Every Council member shared its own initiatives for recruitment, retention, and professional development of staff and identified potential areas for cooperation.

*Session 2 – Building a Multidisciplinary Oversight Team*

The United Kingdom's Investigatory Powers Commissioner's Office (IPCO) moderated this session. IPCO delegates set out that IPCO has access to a multidisciplinary team of judges, lawyers, technical experts, and inspectors who serve as subject-matter experts. As IPCO moves to evolve, hone skills, be flexible, and provide a wide-range of oversight, they take different

approaches where needed. A description was provided of IPCO's handling of a reported major compliance issue in which the handling of data practices did not align with internal policies. IPCO formed a team that fused expertise across its organization and took a multidisciplinary approach. Council members discussed the benefits of this approach, and provided examples of their multidisciplinary teams. For example, The Honorable Robin Ashton, former Inspector General of Central Intelligence Agency, shared a multi-disciplinary approach to her office's report on sexual harassment. Ms. Ashton relied on auditors, inspectors, and investigators to produce a lengthy and in-depth report, and briefed the report to Congress. Council members affirmed the benefits in fusing expertise and adopting a "whole of organization" approach to tackling complex oversight areas.

*Session 3 – Complaints Handling*

Craig Forcese, Vice-Chair of Canada's National Security and Intelligence Review Agency (NSIRA), moderated this session. Council discussed how member organizations receive and address complaints against government agencies; share strategic ideas for promoting accountability on the part of these agencies through appropriate access to information and evidence; and ensure accessible and transparent processes and outcomes for complaints. Mr. Forcese described NSIRA as the access point to the Canadian intelligence community for the public, and the proxy for the public and parliament. Due to Canada's lengthy and quasi-judicial investigative complaints process, Mr. Forcese shared that NSIRA moved to an inquisitorial procedure that balances procedural fairness with a procedural model.

Dr. Jessup explained the highest level for Australia's IGIS is inquiry, in which his team has power to compel the production of documents. For Australia's IGIS, a complainant is not a party and it is not an adversarial process. Depending on how complex the case is, it is usually completed in six months or less. The process is not subject to a judicial review, and cannot be subpoenaed or compelled in court. Brendan Horsley, Inspector-General of New Zealand's Office of the Inspector-General of Intelligence and Security (IGIS), said his office's process is similar─ it is not a judicial review and his recommendations are non-binding.

Sir Brian Leveson, Investigatory Powers Commissioner for the United Kingdom, shared that IPCO is responsible for oversight of public authorities' use of investigatory powers but does not have a complaints mandate. IPCO can notify individuals of issues of serious errors that have caused significant prejudice or harm and their rights to apply to the Investigatory Powers Tribunal (IPT). Also, the IPT can refer items to IPCO for investigation or assistance.

The Honorable Thomas Monheim, former Inspector General of the Intelligence Community, stated the Office of the Inspector General of the Intelligence Community (IC IG) statute gives members of the U.S. Intelligence Community the opportunity to report matters of urgent concern where IC IG owes a response in a prescribed timeframe. There are further Whistleblower Protections under Presidential Policy Directive 19 (PPD-19) in which federal employees can report fraud, misconduct, or wrongdoing without fear of retaliation. The Honorable Michael Horowitz, former Inspector General of the U.S. Department of Justice, further described U.S. Inspectors Generals as factfinders, not adjudicators. U.S. Inspectors General strive to raise issues as they are identified, which may include issuing a management

referral or alert, to promote accountability through cooperation. U.S. delegates further detailed ways to promote the closure of Inspector General recommendations, including: agency buy-in; highlighting the value of the oversight work, promoting transparency, and reporting recommendations to Congress, which may result in budget leverage.

*Session 4 – Outcomes Workshop*

Mr. Horsley led the group in identifying areas that might be open to bilateral or multilateral cooperation. Most notably, the group discussed the benefit of short-term secondments, which are easier to secure than long-term secondments due to funding constraints or security clearance challenges. Additionally, Council members promoted the benefits of Australia's IGIS and New Zealand's IGIS sharing of complaint intake processes and procedures with Canada's NSIRA. Lastly, Council members proposed creating multilateral working groups or networks and agreed to finalize group topic areas on the last day of the annual meeting.

**DAY 2**

The second day of the 2024 meeting took place at the Australian Signals Directorate (ASD) at Majura Park in Canberra. Abigail Bradshaw, Director-General of ASD, welcomed the Council members. Following her opening remarks, ASD presented its approach and structures for internal compliance and oversight, and how they engage with partner agencies' compliance and oversight teams, including Australia's IGIS. The presentation and discussion reiterated the importance of oversight, and highlighted that ASD values transparent and open–engagement with Australia's IGIS and other oversight bodies, noting early engagement as a best practice. The theme of day two was *FIORC Coordination and Collaboration*, featuring three work sessions and an outcomes workshop.

*Session 5 – Visits, Working Level Meetings, and Secondments*

Council members from NSIRA and IPCO shared their recent initiatives and approaches to secondments and short-term visits between their offices. Council members highlighted examples of successful bilateral engagements in 2022 and 2023, and lessons learned from a short-term secondment from IPCO to NSIRA. Council members identified remaining challenges on the logistics required for visits and secondments, and committed to sharing best practices and lessons learned as they continue to pursue opportunities as they arise.

*Session 6 – Information Sharing*

Jeremy Kirkland, Inspector General for the Defense Intelligence Agency, and Mr. Monheim jointly presented on information sharing. Specifically, they briefed Council members on current Five Eyes intelligence sharing between agencies, and provided data on recent bilateral engagements between U.S. intelligence agencies and their Five Eyes partners. All Council members expressed the value of ongoing collaboration between working level staff and how to best address this through the Council. Additionally, members identified key focus areas of future collaboration including: legal and complaints management; inspection and review methodologies; transparency and public engagement; technology and the implications of

evolving technologies on intelligence oversight; hiring and human resources; employee learning and development; and secondments.

*Session 7 – Cross-Jurisdiction Inspections*

Mr. Horsley led a discussion on the potential for developing opportunities for cross-jurisdiction inspections or reviews, or complimentary inspection or review activities. Council members sought to identify potential focus areas of mutual interest and oversight, identify challenges of, or barriers to these activities, and determine a way forward. Through this discussion, Council members recognized the challenges inherent to conducting joint inspections, and deemed them currently infeasible. However, all members agreed to be open to, and supportive of, coordinated inspections where outcomes are shared. There was particular interest from the group on communicating recommendations to agencies.

*Session 8 – Outcomes Workshop*

Australia's IGIS delegates led the group in synthesizing outcomes from the day's sessions. Council members agreed each office would prepare an educational module on their entity and oversight jurisdiction to share with the group. Members from Australia, Canada, and New Zealand said they are currently open to secondments, but noted capacity limitations. U.S. and U.K. delegates stated they are open to secondments in time, but likely not for 12 to 24 months. Council members agreed to continue these discussions in the human resources network. Additionally, members concurred to share inspection plans each financial year, as possible. Lastly, members decided to pursue new opportunities to share information, outcomes of inspections and reviews, and potential areas for sequential or similar work.

**DAY 3**

The third day of the 2024 meeting took place at the Office of National Intelligence (ONI) in Canberra. Nina Davidson, Deputy Director-General of ONI, welcomed the group and provided remarks on national security challenges and the Australian Intelligence Community. Ms. Davidson shared ONI's approach to threats, ability to adapt response activities, and potential opportunities for the office. She also highlighted the importance of intelligence diplomacy and Five Eyes partnerships. Following Ms. Davidson's remarks, Council members discussed adversarial environments, national security challenges, opportunities for transparency, and the impact of transparency on public trust in national security institutions. The theme of day three was *Preparing for the Future*, featuring one work session and travel from Canberra to Sydney.

*Session 9 – Technological Challenges*

Australia's IGIS delegates led a conversation on technology challenges and effective oversight--sharing information on the scope, approach, findings, and methodology of the office's recent preliminary inquiry into Artificial Intelligence (AI). Council members also discussed the use of AI by oversight bodies themselves, including barriers and potential usage challenges. U.S. delegates noted they were actively pursuing and investigating the use of AI for conducting oversight, whereas other Council members were not, primarily due to resourcing and other

constraints. However, Council members are broadly open to such opportunities in future. They also reiterated their interest in establishing a network on technology and its implications for intelligence oversight, focusing on the use of commercial datasets and services.

**DAY 4**

The fourth day of the 2024 meeting took place at a meeting facility in Sydney. Dr. Jessup welcomed Council members to Sydney and provided an overview of the schedule for the final day of the annual meeting. The theme of *Preparing for the Future* continued into day four, featuring two work sessions.

*Session 10 – Geopolitical Challenges*

The Honorable Robert Storch, former Inspector General for the U.S. Department of Defense, led a discussion on approaches to oversight in contested environments, particularly current geopolitical challenges. Mr. Storch shared his office's planning and review methodology in times of crisis/conflict, noting the challenges of ensuring personnel security, establishing and managing satellite offices, and understanding mission objectives and authorizations. Council members shared the varying degrees of maturity across agencies in terms of planning for oversight in crisis/conflict. This led to a discussion on how to balance the necessary limitations on oversight bodies prospectively "approving" activities, versus ensuring they are sufficiently involved in planning for time of conflict or crisis. Council members also discussed the utility of short-term reporting on time-sensitive issues, rather than always waiting for the conclusion of an investigation or review. This approach can assist in some circumstances with increasing public trust/awareness of oversight work and providing urgent updates to agency heads, as required. Council members remarked on the need to continue to progress in planning for oversight in times of conflict/crisis and agreed to establish an additional network across member offices to share best practice on this work.

*Session 11 – Planning for the Future*

IPCO delegates led a discussion on the challenges for oversight, based on prior talks of geopolitical and technological changes. The conversation focused on three key challenges to oversight in the future: (1) the evolution of the nature of national security from non-state actors to state-based threats; (2) growing collaboration and cooperation between Five Eyes partners; and (3) the increased emphasis on conflict preparedness. Council members highlighted the need to maintain engagement at the political level to ensure the ongoing relevance of oversight, and the importance of Council cooperation to ensure oversight agencies meet the challenges. In addition, members conferred about the nature and purpose of the Council, including whether it is conducive to collective action/activities, or operates best as a forum for exchange of information, ideas, and best practices. It was agreed that there was a need to update and refresh the Council Charter to ensure it remains fit for purpose, and that this would be discussed at the 2025 annual meeting. Lastly, Council members generally agreed there is a need to maintain the independence and autonomy of members within their respective jurisdictions–this means identifying opportunities to coordinate and collaborate, rather than joint or collective action.

**CLOSING**

It was agreed by Council members, considering the topics discussed at the meeting, to establish six networks to facilitate deeper cooperation between the agencies represented on the Council. The networks established will meet throughout the year and focus on the following subject areas: (1) legal; (2) technology; (3) human resources, learning, and development; (4) inspections and reviews; (5) transparency and public engagement; and (6) oversight in contested environments.

The United Kingdom agreed to host the next annual Council meeting October 13-17, 2025, in London.