



IGIS

INSPECTOR-GENERAL OF
INTELLIGENCE AND SECURITY

2018–2019

CORPORATE PLAN



IGIS CONTACT INFORMATION

LOCATION

One National Circuit
BARTON ACT 2600

WRITTEN INQUIRIES

Inspector-General of Intelligence and Security
One National Circuit
BARTON ACT 2600

PARLIAMENTARY AND MEDIA LIAISON

Phone: (02) 6271 5692
Email: info@igis.gov.au

GENERAL INQUIRIES

Phone: (02) 6271 5692
Email: info@igis.gov.au

NON-ENGLISH SPEAKERS

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INSPECTOR-GENERAL'S INTRODUCTION

I am pleased to present the 2018-19 *Inspector-General of Intelligence and Security (IGIS) Corporate Plan* for the period from 2018-19 to 2021-22 as required under paragraph 35(1)(b) of the *Public Governance, Performance and Accountability Act 2013*.

Democratic values require intelligence agencies to be subject to independent oversight and review. Australia's intelligence agencies have significant human and technical capabilities and some extraordinary legal powers and immunities. Without strong and credible oversight there may be a loss of trust between the agencies and the public. Intelligence agencies must act, and must be seen to act, with legality, with propriety and with proper regard for human rights. The IGIS office plays an important role in holding intelligence agencies to account and assisting Ministers and the Parliament in overseeing and reviewing the work of intelligence agencies.

The 2017 Independent Intelligence Review recommended substantial changes to the structure of Australia's intelligence community. One outcome of that review is that the role of the IGIS is to be expanded to include the intelligence functions of the Australian Federal Police (AFP), the Department of Home Affairs, the Australian Criminal Intelligence Commission (ACIC), and the Australian Transaction Reports and Analysis Centre (AUSTRAC). The Review also recommended increasing IGIS resourcing to enable the office's effective oversight of these additional agencies and to enhance its ability to oversee the additional powers given to intelligence agencies in recent years. The 2018-19 Budget indicated an intention to expand IGIS jurisdiction and allocated an additional \$52.1m over five years to the IGIS office. This will allow the agency to sustain a full time staff of 55 and to move to new premises to accommodate the additional staff.

Any expansion of IGIS jurisdiction will require amendments to the *Inspector-General of Intelligence and Security Act 1986* (IGIS Act). The timing and final form of any such amendments is a matter for the Government and the Parliament, however, in anticipation of some expansion in jurisdiction this Corporate Plan describes how the office is positioning itself to take on new responsibilities. The next four years will be a time of significant change for the IGIS office and our planning process will require continual review and evolution as we grow.



The Hon Margaret Stone

Inspector-General of Intelligence and Security

GLOSSARY

ACIC	Australian Criminal Intelligence Commission
AFP	Australian Federal Police
AGO	Australian Geospatial-Intelligence Organisation
AGSVA	Australian Government Security Vetting Authority
Analytic Integrity	With respect to intelligence assessments, this refers to analytical independence and dissent management within an agency
APS Values	Australian Public Service Values as defined in Section 10 of the <i>Public Service Act 1999</i>
ASD	Australian Signals Directorate
ASIO	Australian Security Intelligence Organisation
ASIS	Australian Secret Intelligence Service
AUSTRAC	Australian Transaction Reports and Analysis Centre
Complaint	The office 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 the office
DIO	Defence Intelligence Organisation
Home Affairs	The Department of Home Affairs
ICT	Information and communications technology
IGIS	Inspector-General of Intelligence and Security
Inquiry	An Inquiry conducted in accordance with Part II, Division 3 of the IGIS Act
Inspection	The examination of selected agency systems and records in the course of overseeing an agency's activities
ONI	Office of National Intelligence
PJCIS	Parliamentary Joint Committee on Intelligence and Security
Public interest disclosure	A public interest disclosure within the meaning of the <i>Public Interest Disclosure Act 2013</i>
SES	Senior Executive Service
5-eyes	The 5-eyes countries comprise an intelligence alliance of Australia, Canada, New Zealand, the United Kingdom and the United States

WHAT WE DO

Under the IGIS Act the role of the Inspector-General is to assist Ministers in overseeing and reviewing the activities of the intelligence agencies for legality and propriety and for consistency with human rights. The Inspector-General discharges these responsibilities through a combination of inspections, inquiries and investigations into complaints.

The Inspector-General is also required to assist the Government in assuring the Parliament and the public that intelligence and security matters relating to Commonwealth agencies are open to scrutiny. Submissions to Parliamentary Committees and a program of public speaking are designed to address this aspect of the Inspector-General's role, as is our policy of providing as much information about our activities as is consistent with our secrecy requirements.

OUR STRATEGIC PRIORITY AREAS

We have six key strategic priority areas:

1. Assisting Ministers in overseeing the intelligence agencies
2. Assisting the Government in assuring Parliament that intelligence and security matters are open to scrutiny
3. Assisting the Government in assuring the public that intelligence and security matters are open to scrutiny
4. Effective arrangements for conducting inquiries, inspections and investigation of complaints
5. Appropriate infrastructure and effective services to assist IGIS in discharging responsibilities
6. High performing and professional staff.

OUR ENVIRONMENT

Recommendations of the 2017 Independent Intelligence Review and the creation of the Home Affairs Portfolio have led to the most significant changes to the structure of the Australian intelligence community in decades. In addition to recommending the creation of the Office of National Intelligence (ONI) and the expansion of the national intelligence community to include AFP, ACIC, AUSTRAC and Home Affairs the review also recommended changes to oversight arrangements and additional responsibilities and resources for IGIS.

The 2018-19 Budget allocated additional resources to allow IGIS to increase its staffing level from 17 to 55 full time equivalent staff and indicated an intention to expand IGIS jurisdiction to include oversight of the intelligence functions of the AFP, ACIC, AUSTRAC and Home Affairs. Although the new oversight functions are contingent on legislation this Corporate Plan recognises that significant planning is needed for IGIS to increase in size and to be ready to perform additional oversight work.

Expanding the size of the office from 17 to 55 full time equivalent staff by the end of 2019-20 will be a significant challenge in itself. This level of recruitment requires significant internal resources and is also dependent on the efficient completion of high level security vetting clearances by AGSVA. There is also a significant training burden in bringing in so many new staff. The growth in the size of the office will require a move to new premises and upgrading of information and computer technology facilities; the very high security needs of the office make both of these things particularly challenging.

“...the IGIS office needs to develop an in-depth understanding of the intelligence activities of each of these agencies and how that intelligence work fits into the broader operation of the agencies.”

Overseeing the intelligence functions of the AFP, ACIC, AUSTRAC and Home Affairs will mean that the IGIS office needs to develop an in-depth understanding of the intelligence activities of each of these agencies and how that intelligence work fits into the broader operation of the agencies. Work has already begun on developing an understanding of these issues and the task will be ongoing throughout the corporate plan period. Each of these four agencies is also subject to oversight by other bodies including the Commonwealth Ombudsman, Australian Commission for Law Enforcement Integrity, Australian Human Rights Commission and the Office of the Australian Information Commissioner. We are working closely with these and other oversight bodies to avoid any duplication of effort.

In addition to the expected growth in the office and expansion of jurisdiction there are also enduring challenges arising from the small size of the office relative to the size of the agencies we oversee, as well as the high security needs of the office. Our small size means that to make the most efficient use of our resources we have to target our work very carefully. Our security requirements make accommodation, information management and recruitment more demanding as well as limiting how much we can say publicly about what we do.

The legal framework that applies to intelligence agencies is complex and expanding. In the past five years there have been at least 10 tranches of legislation dealing directly with the powers of intelligence agencies; more is expected this year. In addition, the Government has announced a wholesale review of legislation in this area (the Richardson Review) which is scheduled to report at the end of 2019. The IGIS plays an important role in providing input to Parliamentary review of legislation and government reviews by providing comment on the oversight implications of proposed laws and the practical operation of current laws based on our experience in conducting oversight. This involves considerable time and effort, and is likely to continue for some time.

ANTICIPATED STAFFING GROWTH

2018-19 **GROW FROM 17 TO 27**

Expansion of Jurisdiction Preparation
Capability Identify requirements and commence build

2019-20 **GROW TO 42**

Expansion of Jurisdiction Anticipated new responsibilities
Initial implementation
Capability Settled in new premises and operating with new ICT systems

2020-21 **GROW TO 55**

Expansion of Jurisdiction Refine implementation
Capability Business as usual

2021-22 **STABLE STAFFING**

Expansion of Jurisdiction Business as usual
Capability Business as usual

OUR APPROACH TO OUR ROLE

INDEPENDENT AND IMPARTIAL

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

ASTUTE AND INFORMED

Each of the intelligence agencies we oversee has its individual mandate; its procedures and operations are directed to that mandate. To target our inspections and inquiries effectively and efficiently we need to understand the environment in which the intelligence agencies operate as well as each agency's operational planning, risk management and approach to compliance. We also need to have a sound understanding of the techniques and technology used by the agencies to obtain, analyse and disseminate intelligence. Being well-informed allows us to target our oversight efficiently and with flexibility.

MEASURED

We accept that in the complex environment in which intelligence agencies operate there will inevitably be errors. We encourage agencies to identify and self-report breaches and potential breaches of legislation and issues of propriety and we assist agencies to identify gaps and errors and address the problem. Our focus is on identifying systemic or cultural problems in the activities of the agencies we oversee and ensuring that non-compliance with requirements of legality or propriety is as infrequent as is possible in the circumstances.

OPEN

Much of the information with which the IGIS deals is classified and cannot be released publicly. That said, we seek to include as much information as possible about our activities and our findings about intelligence agency activities in our annual report, unclassified inquiry reports and responses to complaints. We are also open about the way we approach oversight. We seek to ensure that intelligence agencies provide Ministers with accurate reports of their intelligence activities, this includes reporting about the use of special powers such as warrants as well as non-compliance with legislative requirements.

INFLUENTIAL

Our inspections and inquiries lead to positive changes in agency processes and foster a culture of compliance. IGIS oversight is seen as a positive contribution to agency functions and a key part of the framework within which intelligence agencies operate. We work cooperatively with other oversight bodies to avoid any duplication of effort. Our program of public presentations and our submissions to Parliamentary Committees encourage informed debate about the activities of the agencies we oversee as well as about the policies reflected in those activities.

OUR PERFORMANCE

We measure our performance through a range of indicators that track not only the achievement of our strategic objectives but also the factors that contribute to the achievement of the objectives.

OBJECTIVE 1 TO ASSIST MINISTERS IN OVERSEEING THE ACTIVITIES OF THE INTELLIGENCE AGENCIES

1.1 PROVIDING MINISTERS WITH AS MUCH INFORMATION AS POSSIBLE ABOUT THE WORK OF THE IGIS AND THE ACTIVITIES OF THE AUSTRALIAN INTELLIGENCE AGENCIES

- Proactively providing Ministers with information about key issues relevant to each Minister's portfolio.
- Responding promptly to any request from Ministers for briefing about any aspect of the work of the office.
- Responding promptly to ministerial requests for the IGIS to inquire into any matter that relates to IGIS functions, and to provide a report to the Minister in a timely manner.
- Responding promptly to any request from the Prime Minister for the IGIS to initiate an inquiry and to provide a report to the Prime Minister in a timely manner.

Measure: IGIS provides Ministers with relevant and timely information about the independent oversight activities of the IGIS.

OBJECTIVE 2 TO ASSIST THE GOVERNMENT IN ASSURING THE PARLIAMENT THAT INTELLIGENCE AND SECURITY MATTERS ARE OPEN TO SCRUTINY

2.1 PROVIDING THE PARLIAMENT WITH AS MUCH INFORMATION AS POSSIBLE ABOUT THE WORK OF THE IGIS AND THE ACTIVITIES OF THE AUSTRALIAN INTELLIGENCE AGENCIES

- Ensuring that when tabled in Parliament our Annual Report contains as much information about our activities as is possible to provide in an unclassified report.
- Appearing before the Parliamentary Joint Committee on Intelligence and Security and other relevant Committees to brief the Committee and to answer the Committee's questions concerning our oversight.
- Where requested by Parliamentary Committees, in particular the PJCIS, providing written submissions and appearing before the Committee to explain those submissions.
- Appearing before Senate Estimates Committees and providing information requested with as much detail as is possible to provide in an unclassified setting.

Measure: References to IGIS submissions (written and oral) in the reports of the PJCIS and other committees indicate that the submissions are seen as relevant and useful.

OBJECTIVE 3 TO ASSIST THE GOVERNMENT IN ASSURING THE PUBLIC THAT INTELLIGENCE AND SECURITY MATTERS ARE OPEN TO SCRUTINY

3.1 PROVIDING THE PUBLIC WITH AS MUCH INFORMATION ABOUT THE WORK OF THE IGIS AND THE ACTIVITIES OF THE AUSTRALIAN INTELLIGENCE AGENCIES AS IS COMMENSURATE WITH OUR SECRECY OBLIGATIONS

- Publishing information about the office procedures for scrutinising intelligence agency activities on the IGIS website and in the IGIS annual report.
- Having a targeted annual program of public presentations by the IGIS and staff in which the work of the office and its approach to oversight are explained.
- Ensuring that the procedures for a member of the public to make complaints and disclosures to the IGIS about matters within IGIS jurisdiction are freely available and simple to use.

Measures: to the extent commensurate with our secrecy responsibilities all IGIS inquiries are described on the IGIS website and in the IGIS annual report.

Completion of at least 15 outreach activities each year to groups outside Australia's intelligence community.

IGIS website provides an easy-to-use complaint submission process. In addition complaints may be made by phone or in writing.

OBJECTIVE 4 EFFECTIVE ARRANGEMENTS FOR CONDUCTING INQUIRIES, INSPECTIONS AND INVESTIGATIONS OF COMPLAINTS

4.1 IGIS HAS EFFECTIVE WORKING RELATIONSHIPS WITH THE AGENCIES WE OVERSEE

- Regular constructive engagement with senior staff in all agencies subject to IGIS oversight.
- The IGIS office has effective working relationships and productive exchange of information and ideas with all agencies overseen.
- Sound knowledge and understanding within the IGIS office of relevant functions and capabilities of the agencies.
- Agencies are well informed about the role and functions of IGIS and the office approach to the performance of its functions.

Measures: Agencies proactively disclose relevant information to IGIS in a timely way.

Agencies respond cooperatively to IGIS suggestions for improving their internal processes.

IGIS or SES staff meet at least every six months with SES staff from each agency to discuss key issues and arrangements for oversight.

4.2 IGIS HAS A WELL-DEVELOPED AND IMPLEMENTED INSPECTION PROGRAM

- IGIS inspection teams conduct targeted inspections that identify issues and promote compliance.
- Inspections are targeted on the basis of legality, propriety and respect for human rights risks.
- IGIS has an open and consistent approach to inspections.
- IGIS continually reviews inspection procedures with a view to improvement.
- IGIS provides consistent advice across agencies and utilises 'lessons learned' from inspections across agencies.
- Initial work on developing inspection plans for agencies expected to come within jurisdiction has commenced.

Measures: Where relevant, IGIS inspection reports prompt changes in agency processes and agencies report on improvements.

An inspection plan approved by the Inspector-General is in place for each of the six agencies within current IGIS jurisdiction.

Inspections for agencies within current IGIS jurisdiction cover at least 75% of each agency's activity categories.

An interim inspection plan is in place for the four agencies expected to be added to IGIS jurisdiction by the time relevant amendments to the IGIS Act commence.

Inspection plans are reviewed at least once every six months.

4.3 IGIS HAS A WELL-DEVELOPED AND IMPLEMENTED INQUIRY CAPABILITY

- Ability to respond rapidly to inquiries in response to issues detected through inspection findings or complaints or a ministerial request.
- Program of own-motion inquiries including regular analytic integrity inquiries.
- Capacity to undertake coordinated multiagency inquiries in addition to single agency inquiries.
- Inquiries lead to demonstrable improvements in agency processes where issues have been identified.

Measures: Program of own-motion inquiries including regular analytic integrity inquiries and inquiries triggered by inspection findings or complaints.

100% of inquiry recommendations accepted in that the relevant agency accepts that a substantive issue requiring attention has been identified in the recommendation.

4.4 IGIS HAS EFFICIENT COMPLAINT AND PUBLIC INTEREST DISCLOSURE MANAGEMENT PROCESSES

- Complaints and disclosures are triaged rapidly, and routine matters are resolved quickly.
- Complaints and disclosures more appropriately dealt with by other bodies are referred promptly.

Measures: 90% of complaints acknowledged, triaged and allocated within five working days.

85% of visa-related complaints resolved within two weeks.

Public interest disclosures are managed in accordance with statutory requirements, including timeframes.

OUR CAPABILITIES

As set out in the 'Our Environment' section of this Corporate Plan, IGIS is expanding in order to take on additional oversight responsibilities. To achieve this expansion it is essential we not only maintain but also enhance the capabilities of our people, processes and systems to enable the IGIS office to perform its role effectively and efficiently.

IGIS will therefore develop clear strategies and plans to manage the required growth effectively. The IGIS office needs to develop both our capacity and our capabilities to enable our strategic objectives to be achieved.

The factors to support delivery of our strategic objectives are:

- appropriate infrastructure and effective corporate support; and
- committed and professional staff.

OBJECTIVE 5 APPROPRIATE INFRASTRUCTURE AND EFFECTIVE SERVICES TO ASSIST IGIS IN DISCHARGING RESPONSIBILITIES

5.1 APPROPRIATE INFRASTRUCTURE

- IGIS premises are fitted out appropriately and are fully security accredited.
- Effective and secure information and computer technology in place.

Measures: IGIS premises meet all applicable security accreditation standards.

IGIS classified ICT systems meet all applicable security accreditation standards.

5.2 EFFECTIVE AND EFFICIENT SUPPORT BOTH INTERNALLY AND EXTERNALLY

- Effective arrangements provide corporate and property services including payroll, finance and relevant information and computer technology.
- Effective human resources systems including recruitment, induction and staff support.

Measures: Arrangements including service level agreements in place to provide corporate and property services including payroll, finance and relevant ICT.

Plan to implement electronic document management and complaint management systems to coincide with move to new ICT systems.

5.3 IGIS HAS POSITIVE RELATIONSHIPS WITH OTHER INTEGRITY AGENCIES

- IGIS works cooperatively with other Australian integrity agencies to avoid duplication of oversight.
- IGIS has active and positive relations with 5-eyes counterparts and benefits from knowledge gained from that contact to inform and improve oversight arrangements.

Measures: Meet at least twice per year with other integrity agencies to ensure complaint transfer and other cooperative arrangements are working efficiently.

Exchange of information with other integrity agencies leads to improvements in our processes.

OBJECTIVE 6 IGIS STAFF EFFECTIVELY DISCHARGE THEIR RESPONSIBILITIES UNDER THE LEADERSHIP OF THE IGIS

6.1 HIGH PERFORMING PROFESSIONAL STAFF

- IGIS recruitment attracts people with relevant skills from a variety of backgrounds.
- The SES effectively support IGIS in developing and implementing the organisation's strategic direction, and actively promote professionalism, integrity and productivity.
- Team leaders maintain high performance and continuous improvement.
- Staff demonstrate skills necessary to conduct their duties including meticulous inspections and rigorous analysis.
- Sufficient staff with legal skills who are able to support IGIS oversight of the legality of intelligence agency actions as well as IGIS engagement with the legislative process.
- IGIS has an effective performance management program directed to fostering high-performance as well as identifying and managing under-performance.

Measures: IGIS has a performance management framework that integrates performance expectations and professional development.

All IGIS staff have performance plans in place and these are reviewed in accordance with the performance management framework.

IGIS has sufficient staff with the skills necessary to support IGIS oversight activities including inspections, inquiries and complaint management, as well as IGIS engagement with the legislative process.

6.2 RECRUITMENT AND TRAINING

- IGIS has a recruitment strategy tailored to meet agency growth targets.
- IGIS has an internal training program that provides staff with specialist knowledge and skills.
- IGIS has a professional development program and studies assistance program that supports staff to undertake external training to develop relevant skills.

Measures: IGIS runs at least 10 modules of internal training per year.

IGIS is meeting the recruitment targets set in the IGIS strategic HR plan.

6.3 OFFICE CULTURE AND ETHOS

- IGIS staff model and exemplify APS Values and adhere to security requirements.
- IGIS staff have access to flexible working arrangements.
- IGIS staff recognise the importance of our role and of our performance.
- The office provides a satisfying working environment with opportunities for those interested in integrity and oversight.

Measures: IGIS staff comply with APS and security obligations.

IGIS staff utilise flexible working arrangements.

IGIS conducts a staff survey at least once every two years, the survey has at least a 90% response rate, and feedback in the survey is addressed.

RISK OVERSIGHT AND MANAGEMENT

IGIS engages with risk in two spheres: operational and corporate. By operational risk we mean the risk of the agencies we oversee engaging in undetected illegal or improper activities. By corporate risk we mean risks internal to the office of the IGIS such as fraud, security and business continuity.

OPERATIONAL RISKS

We use a risk-based approach to target our inspection and inquiry activities to achieve the greatest level of assurance that we can for Ministers, Parliament and the public about the legality and propriety of the operations of Australia's intelligence and security agencies. The risk assessment process considers the likelihood of there being an undetected or unreported breach of the requirements of legality, propriety or human rights taking into account: the intelligence agency's internal control mechanisms; history of compliance and reporting; and the nature of the operations. Risks are identified and continually reassessed as part of the inspection and inquiry planning process. The Inspector-General is ultimately responsible for decisions relating to allocation of resources to inspections and inquiries and is assisted in this task by regular briefings and weekly discussion with the IGIS leadership team about operational priorities, identified and emerging risks and the progress and results of inspections and inquiries.

CORPORATE RISKS

The executive team monitors our corporate risks. Like other similar sized Commonwealth agencies our strategies for identifying and managing corporate risk include our:

- risk matrix and risk management plan
- fraud plan
- business continuity plan
- audit committee.

The risk of a serious security breach is particularly significant for IGIS. It is essential that the agencies we oversee have confidence that the office can handle and store highly classified information in accordance with Commonwealth protective security procedures and any additional security requirements that the agencies themselves apply. We have a very low tolerance for security risk. Our strategies to minimise security risks include having a dedicated agency security adviser, robust security procedures, organisational suitability screening for new staff, top secret (positive vetting) clearances for all staff, fully accredited premises and ICT and regular security refresher training for staff.

MONITORING THE IMPLEMENTATION AND SUCCESS OF THE CORPORATE PLAN

Implementation of the Corporate Plan is led by the Inspector-General assisted by the Deputy and Assistant Inspectors-General. Individual teams within the office have team plans that are linked to the Corporate Plan. Team leaders report regularly to relevant members of the executive team on progress against team plans. There is a formal review of progress against the measures in the corporate plan at least every six months. The Inspector-General shares the results of these reviews with the IGIS Audit Committee.

