

Department of Agriculture, Fisheries and Forestry

COMPLIANCE AND INVESTIGATIONS ACTIVITIES OF THE AUSTRALIAN QUARANTINE AND INSPECTION SERVICE (AQIS)

REPORT ONE: AUDIT OF POLICIES, PROCEDURES, SYSTEMS AND PROCESSES

August 2009

Report by the Acting Commonwealth Ombudsman,
Dr Vivienne Thom, under the *Ombudsman Act 1976*

REPORT NO. **13|2009**

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EXECUTIVE SUMMARY

In February 2009, the Commonwealth Ombudsman commenced an own motion investigation into the policies and procedures of the Compliance and Investigation Unit (CIU) of the Australian Quarantine and Inspection Service (AQIS). The Ombudsman's investigation implemented a recommendation contained in a 2006 report by the Senate Rural and Regional Affairs and Transport Legislation Committee. In the report, the Committee criticised AQIS (in particular, the CIU) for a 2001 investigation which was seen as a missed opportunity to prevent or mitigate the citrus canker outbreak in 2004. The Committee made a series of recommendations for the future, including that this office should regularly review AQIS investigations.

Australian quarantine requirements are set out in the *Quarantine Act 1908*, the Quarantine Proclamation 1998, and the Quarantine Regulations 2000. The legislative framework differentiates between various goods, animals and plants which are either prohibited imports, or subject to conditional importing arrangements, or which may be imported without restrictions. The legislative framework is supported by administrative procedures to determine levels of quarantine risk and conditions of import. Successful quarantine protection depends on there being an effective co-regulatory environment involving government, industry and the general public.

AQIS is one of three elements within the Department of Agriculture, Fisheries and Forestry (DAFF) responsible for quarantine in Australia. Its CIU undertakes investigations into alleged breaches of the quarantine system, where offenders may be subject to prosecution by referral to the Commonwealth Director of Public Prosecutions, or be issued with a Letter of Warning or Letter of Advice.

This report is the first in a series outlining the results of our investigations into the work of the CIU. It reviews CIU policies, procedures, case management systems and quality assurance processes. The investigation has involved documentary analysis and attendance at the Brisbane CIU to assist in understanding the investigations process, from initial receipt of an allegation to investigation and case finalisation. Future reports will focus on our analysis of investigations that have been conducted by the CIU.

The main issues arising out of the investigation relate to ambiguities and inconsistencies in the legislative framework; limitations on available sanctions and the ability to prosecute offences; lack of internal regulatory and coordination mechanisms; and an overly broad and subjective matrix for assessing risk as part of the case prioritisation process.

This report concludes with recommendations to address the issues identified in this first investigation, while noting that the current quarantine regime has been restructured, with the creation of the Biosecurity Services Group on 1 July 2009.

PART 1—INTRODUCTION

Own motion investigation

1.1 On 13 February 2009, the Commonwealth Ombudsman commenced an own motion investigation into the AQIS Compliance and Investigation Unit (CIU) under section 8 of the *Ombudsman Act 1976*. The investigation implements a recommendation contained in the Report of the Senate Rural and Regional Affairs and Transport Legislation Committee inquiry into AQIS's response to the 2004 outbreak of citrus canker.¹

1.2 In June 2006, the Senate Committee Report made a number of recommendations, including:

The Committee recommends that twice a year, the Commonwealth Ombudsman review all investigations carried out by AQIS to assess whether they have been conducted by appropriately trained staff, in a timely manner, in accordance with all the relevant legislation and according to the rules adopted by AQIS executive.²

1.3 This is the first report in a series planned to be released by the Commonwealth Ombudsman to implement the Committee's recommendation.

1.4 The initiating event leading to the Senate Committee's inquiry was an outbreak of citrus canker in Emerald, Queensland in 2004. Earlier, on 12 June 2001, an employee of a citrus farm in Emerald had contacted AQIS to allege that the farm's owners and employees were engaged in the illegal importation of plants from South East Asia.³

1.5 AQIS investigated the allegations at that time. None of the claims was substantiated, but the farm was placed under quarantine in July 2001. The property owners unsuccessfully challenged the quarantine order in court, and then appealed.⁴ Just prior to the appeal hearing, AQIS entered into an agreement with the property owners that permitted the harvesting of their grape crop under AQIS supervision, the destruction of citrus suspected to have been illegally imported, conditional ongoing inspections by AQIS until 2002, and confidentiality provisions.⁵ AQIS inspected the property four times during 2001 and 2002, with the last occurring in December 2002.⁶

1.6 In June 2004, citrus canker was identified at this same Emerald farm.⁷ Citrus canker is a 'highly contagious plant disease' with various strains that originate from the Middle East, Asia and South America.⁸ Although certain citrus-growing regions

¹ Senate Rural and Regional Affairs and Transport Legislation Committee, June 2006, *The Administration by the Department of Agriculture, Fisheries and Forestry of the Citrus Canker Outbreak*, Commonwealth Parliament.

² Ibid.

³ Senate Committee report, paras 3.1 to 3.4—although the 2001 enquiry focused upon the provenance and potential disease of grape vines, also grown on the Emerald property.

⁴ Senate Committee report, pp 26–27.

⁵ Senate Committee report, pp 27–28.

⁶ Senate Committee report, p 28.

⁷ A private employee at the farm had forwarded plant material to the Queensland Department of Primary Industries for analysis, which resulted in the institution of quarantine arrangements for five citrus farms in the Emerald area and the destruction of all plant stock—refer Senate Committee report, pp 14–16.

⁸ Senate Committee report, Chapter 2.

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are susceptible to citrus canker, it is not an endemic disease in Australia.⁹ The most likely source of introduction to Australia is through illegal importation of plant material.¹⁰

1.7 The 2004 citrus canker outbreak in Emerald had significant effects upon the local economy, in addition to its implications for biosecurity in Australia.¹¹ In light of this, in June 2005, the Senate Committee commenced an inquiry into AQIS's response to the citrus canker outbreak.

1.8 The Senate Committee criticised AQIS's 2001 investigation for a 'lack of resolve' and flawed processes. Areas of concern included delays by AQIS in responding to the allegation, its failure to question former farm employees who reportedly were willing to give statements, its failure to pursue investigations into the provenance of plant material, its poor handling of evidentiary material, its failure to force entry to a locked room, its poor identification of suspect planting areas, and record keeping problems. The Senate report also commented on the apparent lack of capacity and experience of the officers involved.¹²

1.9 The Senate Committee made several recommendations regarding AQIS's Compliance and Investigation Unit, including the recommendation referred to earlier, that the Commonwealth Ombudsman undertake a twice-yearly review of the AQIS CIU. It recommended that this office assess AQIS's investigations according to the following criteria:

- appropriately trained staff
- response to allegations
- regard to relevant legislation
- compliance with rules adopted by the AQIS executive.

1.10 The Commonwealth Ombudsman will implement the Senate Committee's recommendation through a series of own motion investigations and resulting reports. This report is the first in the series. It reviews AQIS's compliance and investigation policies, procedures, case management systems and quality assurance processes. Subsequent reports will focus on individual CIU investigations.

⁹ Senate Committee report, Chapter 2—refer paragraphs 2.22–2.25; there have been three recorded outbreaks of citrus canker in Australia prior to 2004, refer paragraphs 2.26–29.

¹⁰ Senate Committee report, paragraph 2.30.

¹¹ The citrus canker outbreak is 'conservatively estimated to have cost over \$100 million'—Senate Committee report, p 36.

¹² Senate Committee report, pp 18–46.

PART 2— BACKGROUND

Legislative framework

2.1 Australian quarantine arrangements are set out in the *Quarantine Act 1908*, which is administered by the Department of Agriculture, Fisheries and Forestry (DAFF). The Quarantine Act focuses on the prevention and management of the introduction, establishment or spread of pests and diseases into Australia. It defines three primary types of items (goods, animals and plants) for quarantine purposes: items that are completely prohibited; items that require permits prior to importation; and items that may be imported without restriction.¹³

2.2 The Quarantine Act empowers quarantine inspectors (that is, AQIS officers) to inspect, order into quarantine, deny entry of goods, vessels and aircraft, and issue permits to import. It also provides for the declaration of quarantine areas and diseases.

2.3 The Quarantine Proclamation 1998 (the Proclamation) sets out which items are prohibited or require permits, and which Australian ports are approved entry sites.¹⁴ The issuing of an import permit is contingent upon the Director of Quarantine's assessment that the level of quarantine risk to Australia is acceptably low, by reference to the probability of the introduction, establishment and/or spread of a disease or pest, and the probable extent of harm caused by such disease or pest.¹⁵

2.4 The Quarantine Regulations 2000 (the Regulations) set out the reporting requirements for entry into Australia of vessels and aircraft, and the forms of notification and conditions on imposing quarantine and surveillance. The Regulations also identify the offences and conditions of service for infringement notices, and import risk analysis procedures.

2.5 The legislative framework is designed to allow conditional importation of goods, animals and plants, as set out in import permits, and assessed against a matrix of quarantine risk. Enforcement, through the detection of prohibited goods, or items imported without the required permit, is therefore critical to the scheme's success.

2.6 AQIS's enforcement powers are set out in Part VIA of the Quarantine Act, which contains provisions dealing with monitoring of premises and transport vehicles, search and seizure powers, and sanctions for quarantine breaches. AQIS investigators may also exercise general powers under the legislation (such as ordering goods into quarantine while executing a search warrant).¹⁶

Administrative framework

2.7 DAFF, the Australian Government department responsible for administering the Quarantine Act, has three internal units with quarantine-related responsibility: AQIS, Biosecurity Australia (BA) and Product Integrity, Animal and Plant Health (PIAPH). BA undertakes policy analysis and development, including quarantine risk

¹³ For example, see Schedules 3, 4 and 6 of the Quarantine Proclamation 1998, which identifies prohibited animals, plants and prohibited diseases, and Schedule 5 that lists plant material (seeds) that may be imported without a permit.

¹⁴ See Part 2 of the Proclamation.

¹⁵ Refer Part 8 of the Proclamation and s 5D of the Quarantine Act.

¹⁶ Refer CIU Working Instruction 5e, v2, *Use of AQIS Legislative Powers*, pp 2–3.

assessment and scientific review. PIAPH is responsible for the coordination of emergency responses, pest and disease preparedness, and liaison with Commonwealth, state and territory agencies regarding biosecurity arrangements. AQIS is responsible for the development and implementation of quarantine-related procedures and services. From 1 July 2009, a new group of divisions within DAFF, the Biosecurity Services Group (BSG), has been formed. The new group integrates the functions and responsibilities of AQIS, BA, PIAPH, and the Quarantine and Biosecurity Policy Unit.

2.8 Since 2001, quarantine administration has been the subject of a number of reviews by external Australian Government agencies, parliamentary committees, external private sector auditors, and commissioned inquiries into biosecurity and the impact of equine influenza.¹⁷ The 2008 biosecurity review recommended that DAFF's three quarantine-related units be integrated into a new statutory authority, nominally referred to as the Biosecurity Services Group.¹⁸ The Government accepted this recommendation. Implementation began in mid-2009 with the formation of the BSG within DAFF, and completion is anticipated in 2010. Changes to the legislative framework are also planned.

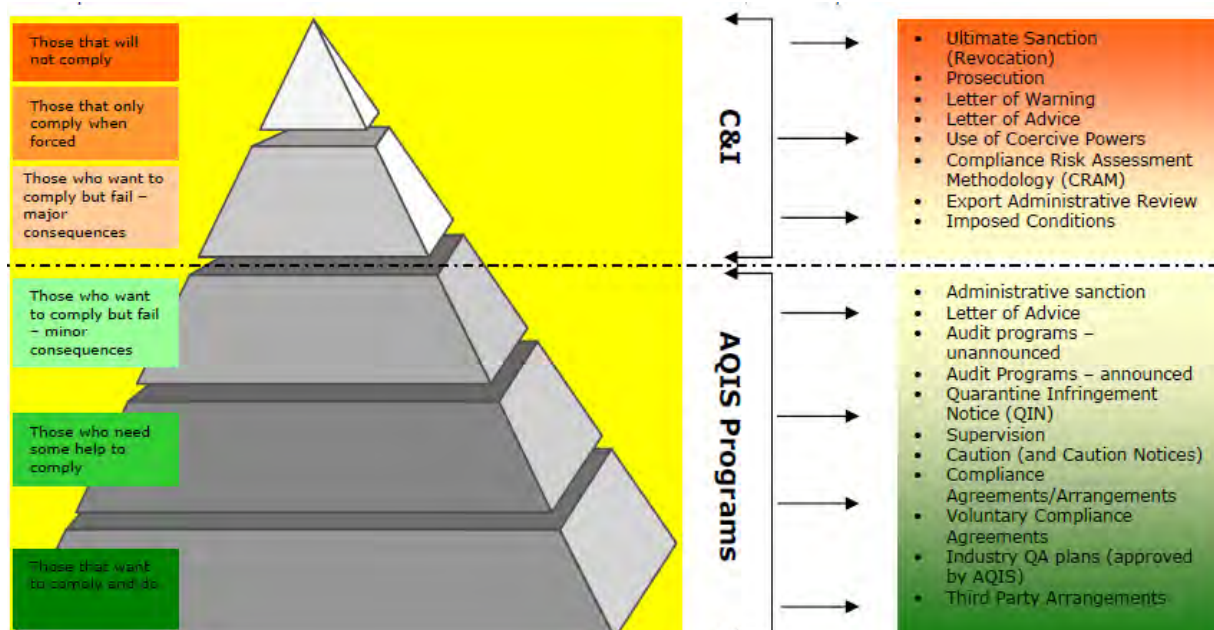
2.9 In addition to the legislative framework, AQIS has developed a substantial policy framework addressing import permit conditions and processing, management of quarantine approved premises by private enterprise, liaison with other agencies such as the Australian Customs and Border Protection Service (Customs) and Australia Post, and liaison with importers and the transport industry to ensure compliance.

2.10 Quarantine risk management is significantly dependent on individuals, industry and organisations conforming to the import permit scheme requirements. AQIS aims to induce compliance through outreach activities, by education and training, auditing of its import permit schemes to ensure conformity, and, in cases of serious non-compliance, enforcement actions that include sanctions and penalties. The levels of compliance, and the CIU's role in investigation and sanction, are depicted in the regulatory pyramid at Figure 1 (page 6).

¹⁷ The reviews include: Australian National Audit Office *Fraud Control Arrangements in DAFF (AFFA) Audit Report No 20, 2001-2002* (November 2001); Joint Committee of Public Accounts and Audit *Report No 394, Review of Australia's Quarantine Function*, (2003); Australian National Audit Office *Audits Examining Service Delivery, Audit Report No 2, 2006-07, Export Certification, AQIS* (2007); Ernst and Young *AQIS, Review of Quarantine Border Security Strategies and Policies* (August 2007); Hon Ian Callinan AC *Equine Influenza—The August 2007 Outbreak in Australia* (April 2008); and Roger Beale, AO, Dr Jeff Fairbrother AM, Andrew Inglis AM and David Trebeck *One Biosecurity: A Working Partnership—The Independent Review of Australia's Quarantine and Biosecurity Arrangements Report to the Australian Government* (September 2008)—also referred to in footnote 27.

¹⁸ These changes followed recommendations by Beale et al (2008)—refer http://www.daff.gov.au/__data/assets/pdf_file/0010/931609/report-single.pdf—and have been agreed in-principle by the government—refer http://www.daff.gov.au/about/publications/quarantine-biosecurity-report-and-preliminary-response/beale_response.

Figure 1: Regulatory Pyramid



From AQIS Compliance and Investigations (C&I) Operations Policy, July 2008

2.11 In AQIS's current structure, quarantine is devolved into four program areas: airports, seaports, international mail, and import clearance.¹⁹ The Airport and Seaport Programs focus upon quarantine clearance for passenger and crew, and modes of transport (aircraft or marine vessels).²⁰ The International Mail Program undertakes quarantine clearance for all international postal articles, including letters and parcels.²¹ The Import Clearance Program manages quarantine clearance for sea cargo containers, air cargo and high volume low value (HVLV) air cargo.²² An additional two programs operate across the four major import streams; these are the Northern Australia Quarantine Strategy (NAQS), and Detector Dogs.²³

¹⁹ Ernst and Young, p 4.

²⁰ Ernst and Young; refer pp 125–152 for Airports Program and pp 193–213 for Seaports Program.

²¹ Ernst and Young, pp 155–184.

²² Ernst and Young, pp 83–117.

²³ Ernst and Young; refer pp 220–242 for NAQS Program, and pp 248–253 for Detector Dogs Program. The NAQS Program covers the coastline from Broome in Western Australia to Cairns, Queensland, including 150 Torres Strait Islands, a total of 7300 kilometres, but excluding Darwin and Cairns metropolitan areas. It relies upon community and stakeholder contacts, industry liaison and selective personnel deployment to achieve its quarantine risk management targets. The Detector Dog Program is operational in all import environments, with differentiated approaches according to individual program requirements, being divided into two categories, determined by breed and response. Beagles are used within the airport, seaport and NAQS environs and are trained to exhibit passive responses, i.e. 'to sit quietly' next to suspect items; while dogs used in the international mail and HVLV air cargo environs are trained to exhibit active responses, i.e. 'to nudge/paw item of interest,' and dog breed is irrelevant.

2.12 Within this structure, the CIU is an independent unit, reporting directly to the Executive Manager, BSG Regional and Business Services. It undertakes enforcement activity for AQIS, focusing on severe non-compliance or deliberate breaches of the quarantine system. The CIU General Manager, National Investigation Manager and support staff are located in Central Office, Canberra. Regional investigation units are located in five state capital cities.²⁴ The Unit has increased its personnel numbers by 25% since 2007.²⁵

Intake procedures

2.13 Initial allegations are received from both internal and external sources such as other law enforcement agencies, industry stakeholders or 'Redline' contacts.²⁶ Internally-generated referrals are by way of incident reports from AQIS officers, which are forwarded to CIU Central Office.

2.14 Where allegations are made to the AQIS Redline, the CIU Central Office records the initial allegation and forwards it to the relevant regional office. Central Office may also telephone the regional CIU, if the allegation requires immediate response.

2.15 An investigator in the regional CIU office reviews and prioritises each referral, and decides whether to accept and investigate the allegation, or to forward the report to either an AQIS Program or external agency, or to decline and finalise the referral.

2.16 Nationally, the CIU investigated approximately 51% of initial reports during 2007–08. In the first two quarters of 2008–09, 36% have been investigated (see Annex 1).

2.17 Once a decision to investigate has been made, the case officer identifies potential lines of enquiry in consultation with, and subject to the approval of, the Regional Investigations Manager. The investigator's actions may include information requests for access to external agency holdings, database interrogation, travel (for example, to meet with informants, take witness statements or attend locations where alleged activities are believed to have occurred) and telephone contacts. Additional activity may involve the identification and seizure of evidentiary material, requests for assistance to external agencies, and liaison with science discipline specialists.

2.18 Following investigation, the case may be finalised in one of the following ways:

- decision to prosecute—referral to the Commonwealth Director of Public Prosecutions (CDPP)
- decision not to prosecute, but prima facie evidence exists to prove offence—issue of Letter of Warning (LOW)
- decision not to prosecute, with limited prima facie evidence—issue of Letter of Advice (LOA)
- decision to forward a Briefing Report to Program Manager—this may occur with or without an LOW or LOA being issued, noting systemic issues in the program identified during the CIU investigation and recommending program actions to

²⁴ Sydney, Melbourne, Adelaide, Perth and Brisbane.

²⁵ C&I communication, Feb 09.

²⁶ 'Redline' is the term for the AQIS contact telephone number, email and postal addresses. Not all Redline contacts relate to allegations of legislative breaches.

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remedy the concerns, and may occur throughout the investigation if system vulnerabilities are identified

- decision to finalise with no further action taken—taken in light of the Prosecution Policy of the Commonwealth, and may occur where the investigator believes that no enforcement action is warranted or is difficult to pursue, or at the direction of the CDPP
- decision to refer investigation to an external agency.

2.19 Investigations are regularly reviewed, with monthly statistical reports issued that include data integrity checks, new referrals and the status of regional caseloads.²⁷ In general, non-finalised cases of three months or more duration are continuing investigations, while non-finalised cases of six months or more duration are often CDPP referrals, awaiting review or advice. Weekly reports and teleconferences are also held, hosted by Central Office with all regional CIU investigators, to discuss administrative issues and specific cases.

²⁷ Derived from Compliance Information System entries.

PART 3— INVESTIGATION

Investigation scope

3.1 This first report focuses on the CIU case management system and recordkeeping procedures, in particular:

- CIU policies, procedures, working instructions and manuals pertaining to regional investigations
- recordkeeping practices, both paper-based and electronic
- investigation procedures, including enquiry processes and exhibit management
- case finalisation processes.

3.2 The following matters are outside the scope of this investigation:

- security processes relating to document handling and system management—these processes are subject to independent assessment by other agencies, to ensure compliance with the requirements of the Commonwealth Protective Security Manual
- personnel systems, including recruitment, induction and training, performance management, and assessment of knowledge currency
- proactive and outreach activities, including investigative and proactive resource allocation, administrative ‘fit and proper person’ reviews, the compliance risk assessment process (CRAM), and intelligence functions.

Investigation process

3.3 In order to understand the context and background of CIU functions, as well as reviewing the legislative framework and previous external review reports,²⁸ we considered the applicable national standards relating to investigations, including:

- Australian Government Investigations Standards (September 2003)
- Heads Of Commonwealth Operational Law Enforcement Agencies, Overarching Principles for Selecting Cases for Investigation and Administrative, Civil and Criminal Sanctions (February 2007)
- Prosecution Policy of the Commonwealth
- CDDP Guidelines on Brief Preparation
- CDDP Prosecution Disclosure Policy.

3.4 We also undertook short-term work-shadowing with the CIU in Queensland. This involved attendance for four days at the Brisbane CIU office. During this visit, CIU officers provided documents and files for review, and demonstrated the current and replacement case management systems and exhibit registers. CIU officers discussed their investigation process, from initial allegation or report, to finalisation. A visit to Australia Post’s Brisbane Airport Logistics Centre was also arranged, during which the AQIS inspection of international mail was demonstrated, including the use

²⁸ Refer CIU Working Instruction 5e, v2, *Use of AQIS Legislative Powers*, pp 2–3.

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of detector dogs and X-ray equipment, and the processes for mail seizure, database recording and property handling procedures were outlined.

3.5 In addition, the Commonwealth Ombudsman's Office was provided with all relevant CIU documents used for conducting investigations. These documents included copies of CIU operational policies, standard operating procedures and working instructions. A full list of the documents provided is included at Annex 2.

3.6 The policy documents included those relating to compliance with the ISO 9001:2000 requirements. As at September 2008, CIU is the only unit within AQIS to have achieved full certification with ISO 9001 Quality Management Systems.²⁹

3.7 The Compliance and Investigations Operations Policy for 2008–2009 identifies 'strategies to support AQIS outputs', such as development of staff skills and knowledge, engagement with internal and external stakeholders, encouragement of voluntary compliance with AQIS legislation, and dealing with legislative breaches through enforcement actions.³⁰ The policy refers to legislation and reporting lines (via regional managers to national operations manager, then to general manager CIU, who reports to the Executive Director).³¹ Flowcharts included in the policy refer to the investigations process and the export administrative review process.

3.8 The Standard Operating Procedures and Working Instructions were developed by the CIU Central Office. The Working Instructions include guidelines on investigation procedures, including brief preparation and adjudication, and the issuing of Letters of Advice or Warning.

General conclusions

3.9 CIU's policies, standard operating procedures and working instructions are comprehensive, with detailed guidelines for each investigative procedure and relevant recordkeeping practices.

3.10 CIU's recordkeeping practices are currently in transition, with the introduction of a new electronic case management system, and transfer from a paper-based to electronic exhibit register. The new electronic system is expected to enhance operational practices and information management.

3.11 CIU procedures appear to be well supported and integrated with those program areas which have rigorous systems in place. An example of a robust system is the International Mail Program, with a defined non-discretionary process, timely requests for CIU assistance and facilities to immediately secure prima facie evidence, procedures that facilitate early identification of suspected criminal activity and the likelihood of successful prosecution. Less robust systems are those of the Airport and Import Clearance Programs, where discretionary decision-making, unclear and inconsistent procedures, and delays in seeking CIU assistance are factors that decrease opportunities to identify criminal activity and the potential for investigations proceeding to prosecution.

²⁹ Beale et al, p 176.

³⁰ C&I Operations Policy for 2008–2009, p 7.

³¹ Ibid.

PART 4— ISSUES ARISING FROM THE INVESTIGATION

4.1 The primary issues identified during this investigation are:

- legislation—the need for revised and simplified legislation³²
- sanctions and prosecution of offences—including the development of protocols with the CDPP and penalty revision³³
- internal regulatory mechanisms—a lack of clarity in the regulatory role of AQIS
- case prioritisation.

Legislation

4.2 The Quarantine Act is based upon an importation scheme designed to differentiate between prohibited and conditionally non-prohibited goods. However, implementation of the legislation is problematic, potentially limiting the scope and impact of an investigation, reducing the investigator's capacity to obtain prima facie evidence, apprehend suspected offenders, or achieve successful prosecution.

4.3 Previous reviews of AQIS have identified conflict and inconsistencies between the Quarantine Act, Proclamations and Regulations.³⁴ Beale et al noted that legal advice often needs to be sought on interpreting legislation, with 'difficulty in its administration and prosecution'.³⁵ Examples cited by Beale et al include the definitions of 'authorised officer', conflict between sections 66AA, 66AB, 66AD, 67 and 68 of the Quarantine Act on the seizure of 'related goods', particularly where this occurs in airport environs, and requirements for two search warrants in privatised seaports, the first to access the seaport premises (if consent not given) and the second to search the targeted vessel or property.³⁶

4.4 The Quarantine Act forms the framework for CIU investigations, with enforcement powers set out in Part VIA of the Quarantine Act. CIU has expressed concerns with the limitations of these powers, including inconsistency in sanctions between importation and ownership of prohibited goods, restrictions on the timely identification and securing of evidence, a lack of extended geographic jurisdiction, and few penalties for intermediaries identified in investigations.³⁷ These issues have an impact on CIU operations by limiting the potential for successful resolution and prosecution of offences.

4.5 While the importation of prohibited goods into Australia is subject to prosecution, there is no concurrent offence addressing illegal ownership of such goods in Australia; that is, importation of prohibited goods is an offence, while ownership of the same goods in Australia is not. Successful prosecution is contingent upon proof of provenance, by demonstrating that the owner was involved in the importation of the prohibited items. The success of CIU investigations into prohibited imports of plants and animals often depends on proving that such goods are *not* the progeny of previously imported parent lines, an inherently difficult task.

³² Beale et al, pp xlv, 20,81, 130, 171.

³³ Beale et al, pp xlv, 81.

³⁴ Beale et al, pp x, xxix, xxxi, xxxix point 43, 127 to 132.

³⁵ Beale et al, p 130.

³⁶ Ibid.

³⁷ CIU *Legislative Review Recommendations* (25 February 2009).

4.6 The issue is particularly acute where prohibited goods are imported at an early life-stage and lack identifiable features, for example, in species such as fish. Quarantine procedures rely upon isolation of the imported species, and records relating to mortality or overt symptoms of disease being maintained by the importer, with regular reviews by an AQIS inspector. With no legislative guidelines on the age of imported species, quarantine compliance ultimately relies instead on the probity of the importer.

4.7 For CIU investigators, gaps in quarantine legislation also create difficulties in the obtaining of evidence and prosecution of offences. In order to secure evidence, investigators must ensure they have enforcement powers to enter, search and seize in premises that may be owned or managed by third parties who are not the subject of the investigation. Where goods are in transition, being held or transported by third parties, the requirement for additional search warrants to gain entry to private premises may compromise the timely identification and seizure of evidence.

4.8 There are no legislative provisions recognising the unique challenges to a modern biosecurity enforcement regime. Examples of these challenges include the lack of personal search powers, limited timeframes for the retention and copying of electronic evidence, and no powers to compel persons to assist in electronic data retrieval. The present legislation only allows for the retention and copying of electronic evidence in a 24-hour period. This is an unrealistic timeframe, given increasing computer memory capacity and multiple forms of electronic media, and where it may take, at the minimum, four hours to copy small amounts of data. In addition, investigators have no powers to compel persons to assist in electronic data retrieval, in an era where increasingly sophisticated encryption programs are readily available to the public. CIU currently has no personal search powers, a significant impediment to investigators, where small, high-risk biosecurity items may be concealed on the person. Such limitations on the timely identification and securing of evidence may have an impact upon the prospects of an investigation proceeding to a successful prosecution.³⁸

4.9 Similarly, the legislation does not address issues such as extended geographic jurisdiction for suspected offenders resident overseas, nor the inclusion of intermediaries in the 'chain of responsibility' (such as brokers) who could be subject to offences and penalties for non-compliance with directions.³⁹ There is currently no provision within the quarantine legislation for pursuing overseas entities believed to be involved in illegal importations into Australia, despite AQIS audit and approval regimes for overseas-based premises. Similarly, there are few sanctions that may be imposed on intermediaries (such as customs brokers and agents) suspected of involvement or complicity in illegal importation enterprises. These constraints may also have an impact upon the investigator's capacity to successfully resolve an investigation, and to disrupt the activities of suspected offenders.⁴⁰

Sanctions and prosecution

4.10 A regulatory environment is dependent not only on compliance by all stakeholders, but by suitable deterrence measures. CIU has three methods of sanction, based upon increasing evidentiary thresholds: issue of an LOA, issue of an LOW or referral to the CDPP. The Airport Program also has authority to issue Quarantine Infringement Notices (QINs), resulting in a pecuniary fine of \$220.

³⁸ *CIU Legislative Review Recommendations* (25 February 2009).

³⁹ *Ibid*; also *Report No 394, Review of Australia's Quarantine Function*, (2003) Joint Committee of Public Accounts and Audit.

⁴⁰ *CIU Legislative Review Recommendations* (25 February 2009).

4.11 There are two issues of concern with the QIN scheme. First, as Beale et al identified, there appears to be a reluctance by the CDPP to pursue prosecution where the non-payment of QINs may be perceived to be of limited worth compared to the cost of prosecution.⁴¹ The lack of enforcement follow-up for non-payment of QINs poses a high risk for Australia's quarantine arrangements, particularly if such a gap in the sanctions scheme became known to the wider community. The second issue regarding the QIN scheme is determining whether there has been a deliberate attempt to breach quarantine. The issuing of a QIN is at the discretion of AQIS inspectors, who must be satisfied that there was no deliberate intent to breach quarantine. Where AQIS inspectors hold a belief that there was a deliberate intention, they are reliant upon Customs for assistance in the detention and questioning of a suspected offender. CIU is not involved in the issuing of QINs, and provides a limited response to the Airport Program. Given the seeming lack of clarity in the Airport Program on the handling of deliberate quarantine breaches, there appear to be two avenues open to AQIS to improve its enforcement assistance: either seeking an improved relationship with Customs, or the commitment of CIU resources to support AQIS inspectors.

4.12 CIU issues an LOA where insufficient evidence exists to establish a prima facie case that a criminal offence has been committed, and is a mechanism for addressing activities assessed to be of low risk in the quarantine environment. The LOA also alerts the suspected offender that their breach of quarantine has been identified and referred to the CIU. There is no immediate sanction applied from the issuing of an LOA, other than recording on the CIU database.⁴²

4.13 An LOW is issued when some prima facie evidence exists that an offence has been committed, but various factors may militate against the investigation being referred for prosecution (for example, commercial sensitivities). The LOW notifies the suspected offender that a breach of quarantine legislation has been identified, and draws attention to the penalties that would be applied if the investigation had proceeded to prosecution. Administrative sanctions emanating from the LOW may include increased AQIS inspection, or revocation of a license or registration.⁴³

4.14 The issuing of a QIN or LOA is of limited deterrence, particularly where deliberate breaches of quarantine legislation have occurred. By contrast, the deterrent effect of an LOW may be emphasised where AQIS does institute administrative sanctions, such as an increased inspection regime, but these actions require an integrated approach by AQIS inspectors and CIU in ensuring greater scrutiny of the suspected offender's activities. There appears to be a lack of coordination within AQIS in following up the issue of an LOW, somewhat reducing the deterrent effect.

Internal coordination

4.15 There is a lack of clarity in the roles of AQIS inspectors and CIU investigators, with inspection regimes and methodologies at times impeding rather than enhancing the quarantine framework and investigation of offences. Examples include reliance upon third party actors to facilitate quarantine inspection, and discretionary decision-making by inspectors in assessing breaches.

4.16 AQIS's inspection methodologies, while suitable for addressing opportunistic incursions of high-risk plant, animal and disease vectors, at times do little to deter

⁴¹ Beale et al, p xlv.

⁴² Refer WI 6b—*Issuing Letters Of Warning and Advice* (4 July 2008).

⁴³ Ibid.

intentional breaches of the quarantine system. Where inspection regimes and methodologies are rigorous, with limited discretionary capacity, the identification and prosecution of suspected offences is well supported; an example of such a regime is the International Mail Clearance Program. By contrast, methodologies such as the use of 'tail-gate' inspections (opening of a sea cargo container and removal of three or four tiers of goods) may address opportunistic incursions by high-risk plant or animal vectors, but is of minimal utility in identifying deliberate breaches of the quarantine system.

4.17 The reliance upon third party actors and inconsistent approaches to regulatory duties also impedes CIU's ability to gather evidence of offences. An example of such a regime is quarantine orders issued in the Import Clearance Program, where notification from AQIS to its own inspectors is reliant upon external third parties to transfer such information. This practice appears to have developed over a long period of time and while it is recognised as being easier than other methods, it introduces unnecessary risk into sea cargo inspection arrangements. Another effect of this regime is the potentially tardy response to suspected breaches, particularly activities of a criminal nature. Identification by AQIS of non-compliance with quarantine orders may not occur for several weeks, by which time sea containers are often emptied and discharged, thereby precluding effective inspection. Current AQIS inspection regimes and methodologies present limited avenues for the successful disruption of criminal activity, or the apprehension and prosecution of offenders.

Prioritising of investigations

4.18 CIU investigations are prioritised according to a matrix outlined in its Standard Operating Procedures, referred to as the Incidental Referral Assessment and Prioritisation Procedure (IRAPP). The prioritisation matrix is not clearly defined, with a broad interpretation of probability and impact of threat. In practice, CIU prioritises investigations according to subjective assessments of potential risk, rather than an objective quarantine risk assessment derived from specific epidemiological criteria.

4.19 Without specific scientific parameters to guide CIU investigators in determining operational priority and quarantine risk, there is the potential for investigations to be assessed according to misleading or subjective criteria. Increasing the specificity of the IRAPP would promote consideration of appropriate responses to incidents, highlight gaps or deficiencies in current approaches, and assist the investigator when implementing an investigation management plan.

Minor issues

4.20 Several minor issues were also identified during the investigation.

Working instructions

4.21 There appears to be an inconsistent national approach on CIU involvement in the Airport Program, with Customs being the primary responder when AQIS officers require assistance, rather than CIU. There are minimal or no guidelines for AQIS staff on their powers when issuing QINs, and the legislative constraints on the seizure of related goods in airport environments. The potential confusion arising from inconsistent practices and lack of CIU input into the Airport Program can inhibit identification of deliberate breaches of quarantine, the institution of effective deterrence measures and successful prosecution.

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4.22 There appear to be two working instructions which duplicate each other (WI3d and WI3e) and may be misleading for new CIU officers. Further, it seems that CIU may approach both the Australian Federal Police (AFP) and Australian Crime Commission (ACC) for record holdings, which could result in duplication of activity and confusion.

4.23 The WI6b Instruction does not reflect a recent change to delegations, in so far as a Regional Investigations Manager now has the power to issue an LOW, instead of the National Investigations Manager. This may be misleading for CIU officers. The change in delegation may have a greater deterrent effect, for regional liaison arrangements may assist in increasing AQIS scrutiny of an LOW recipient's activities.

Authority cards

4.24 CIU investigators are issued with up to seven different authority cards, two cards granting access to restricted sites such as airports and seaports, and the remaining cards citing the investigator's powers under specific legislation. This has the potential to cause confusion, particularly during the execution of search warrants, where witnesses or offenders could be presented with more than one card held by a CIU investigator.

4.25 Preferably only one authority card would be issued to CIU investigators, listing all relevant legislation on the reverse of the card. Such cards should include enhanced security features—currently they have almost no security features and are easy to replicate.

Exhibits

4.26 The current location and access to Brisbane CIU Property Office is potentially a security risk. Unauthorised staff may be able to obtain access, given that the roller door key appears to be held within an open plan office used by non-CIU AQIS staff, and exhibit storage, although secured, is located in a public access area.

4.27 It is unclear as to what facilities are available at airports for securing items of quarantine risk. It is recommended that dedicated facilities be made available for securing quarantine risk materials. This will also ensure continuity in evidence handling and assist in successful prosecution, if appropriate.

4.28 In some instances, CIU has secured seized items in Customs facilities. It is recommended that protocols between CIU and Customs be implemented for the securing of such evidence. In particular, these protocols should address issues such as unauthorised access by Customs officers, and the potential consequences of interference in continuity of evidence handling.

Response to CIU identification of internal regulatory issues

4.29 There appears to be limited understanding within CIU of the impact of its reports on bringing deficiencies in AQIS practices to the attention of relevant Program Managers. With limited feedback to CIU, it is difficult for investigators to gauge whether defective practices have been amended. In turn, there is a limited capacity for CIU to determine whether such issues are systemic or anomalous.

4.30 Policies should be developed to ensure that CIU investigators are advised when and what procedures have been instituted to redress identified deficient practices. This also provides a mechanism for assessing the effectiveness of CIU investigations and outcomes.

Dissemination of intelligence across AQIS

4.31 There appears to be no current process for the dissemination of Central Office strategic and tactical reporting to CIU investigators. Similarly, there appears to be limited information of tactical value being disseminated to other AQIS officers. The consequences are twofold: first, there is no formal knowledge capture within the organisation on strategies, methodologies and anomalies to assist in operational decisions or analysis; and, second, there is no historical framework for understanding networks or organisations that may be deliberately breaching the quarantine system.

4.32 The introduction of formal notifications would also assist in closer liaison between the AQIS programs and CIU. Further, a formal reporting regime would enhance the CIU's status as an investigative unit within the wider Commonwealth law enforcement network.

Informant management practices

4.33 Issues cited during the Senate Committee hearings on citrus canker included the challenges in obtaining witness statements, gathering information in remote or rural environments, and the potential identification of informants. Community perceptions may be based upon CIU's limited capacity to provide protection for potential witnesses and informants.

4.34 Strategies to improve witness or informant protection may include greater use of electronic communications, financial resources to assist investigators to meet with witnesses or informants in off-site locations, and closer liaison with law enforcement agencies, such as the AFP, which offer training in informant management methodologies.

PART 5—CONCLUSION

5.1 The purpose of this investigation was to review the investigation processes and recordkeeping procedures undertaken by CIU, and to gain an understanding of the operational environment. This review provides a basis for the individual investigations which will then be undertaken as part of this series of reports.

5.2 The CIU has developed a wide range of policies and manuals to guide its investigators in the course of their duties. These guidelines provide fairly detailed procedures for recordkeeping and investigative processes. These documents are useful for strategic investigative administration. However, there is scope for further refinement, particularly in relation to the more tactical aspects of investigations, such as formal records of interview, witness and informant management procedures, and CIU involvement in the Airport Program and issuing of QINS.⁴⁴

5.3 Formal procedures for tactical issues would assist in developing nationally consistent guidelines for CIU interaction with AQIS programs that require support, and to address key concerns on informant management practices, such as allocation of financial resources and enhanced training. The documents also require regular annual review, with input from regional CIU investigators, to ensure a nationally consistent approach and guidelines that reflect practitioner expertise.

5.4 Consideration should be given to the strategic development of memoranda of understanding (MOUs). To date, MOUs have been developed on an ad hoc, case-specific basis, where information requirements have instigated contact with particular agencies. It is recommended that MOUs be reviewed or developed with agencies that address the strategic issues confronting CIU. These issues include the need for revised approaches to extended geographic jurisdiction, access to data holdings to enhance current investigative practices, and opportunities for training and liaison.

5.5 In particular, consideration should be given to revising the MOU with the AFP to ensure operational support for enquiries through the AFP International Liaison Network, and to access training programs. These arrangements may also assist in gaining inclusion into the wider law enforcement community. Consideration should also be given to revision of the existing MOUs with Customs and the ACC, and developing MOUs with agencies such as AUSTRAC and CrimTrac. Key objectives of these MOUs should be reciprocal data exchange.

5.6 It is unclear as to what arrangements are in place for regional CIU investigators to access data held by Central Office. Such data holdings include advisory notes for the conduct of CIU search warrants and surveillance, the CIU investigators toolkit manual and Australian Government Investigation Standards manual, all reportedly held by Central Office, for regional distribution as deemed appropriate.⁴⁵ It is recommended that Working Instructions and Standard Operating Procedures should include notations on the most recent distribution of such guidelines to regional CIU investigators.

5.7 CIU's operational environment is subject to constraints imposed by a substantial administrative structure that, at times, hinders rather than facilitates investigations into quarantine breaches. In particular, these constraints relate to legislation inconsistencies and gaps, at times limited avenues for prosecution, internal regulatory mechanisms that focus upon opportunistic or inadvertent breaches of the quarantine regime, and broad prioritisation categories for investigations.

⁴⁴ Refer WI5f Management of Informants.

⁴⁵ Refer SOP 1, WI5b and WI5c.

PART 6—RECOMMENDATIONS

6.1 On the basis of this investigation, I recommend that the Department of Agriculture, Fisheries and Forestry take the following action:

- as part of the establishment of the new Biosecurity agency, consider options for amending the relevant legislation to ensure consistency across the organisation, particularly in relation to the seizure of items in environments such as airports or privately managed premises, and to introduce a reverse onus of proof in relation to suspected importation offences
- review the sanctions system managed by the Australian Quarantine and Inspection Service (AQIS) Compliance and Investigations Unit (CIU), in particular the quarantine infringement notice scheme and arrangements with the Commonwealth Director of Public Prosecutions for the recovery of outstanding pecuniary penalties, to ensure that the debt recovery process is more viable, including effective sanctions for non-payment
- review AQIS's inspection methodologies and regimes, to ensure that they address all breaches of the quarantine system, whether opportunistic, inadvertent or deliberate
- develop the prioritisation matrix for AQIS's CIU investigations, derived from specific epidemiological criteria, including rate and spread of transmission, and potential environmental risk from animal, plant and disease vectors
- ensure that all manuals, policies and guidelines used by CIU investigators are subject to annual review by CIU Central Office; regional CIU investigators should be consulted in these reviews, and all documents should be notated with the most recent dissemination of manuals and advisory notes to regional CIU offices
- review AQIS's Memoranda of Understanding with the Australian Federal Police (AFP), Customs and the Australian Crime Commission, to better align them with strategic CIU operational objectives
- develop Memoranda of Understanding with AQIS and CrimTrac and AUSTRAC, to assist in reciprocal data exchange
- pursue training opportunities for CIU investigators with law enforcement agencies such as the AFP, to enhance investigative practices and maintain currency of knowledge
- ensure that intelligence reports are formally disseminated to CIU investigators, to promote strategic and tactical awareness; tactical reports should also be disseminated to AQIS inspectors, outlining methodologies and strategies identified from recent investigations
- ensure that the outcomes of CIU reports relating to AQIS programs and practices are reported back to the CIU, including regional offices
- undertake a review of CIU exhibit storage practices in third party-owned premises, to include the development and implementation of protocols on security access
- consider issuing a single authority card to its CIU investigators, including enhanced security features, and with relevant legislative powers cited on the reverse of the card

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- clarify the CIU's responsibilities in the airport environment, with CIU input into the drafting and implementation of national guidelines on the issuing of Quarantine Infringement Notices by AQIS inspectors, and requests for Customs enforcement assistance.

PART 7— RESPONSE FROM THE DEPARTMENT OF AGRICULTURE, FISHERIES AND FORESTRY

Compliance and Investigations Activities of the Australian Quarantine and Inspection Service (AQIS).

Report One: Audit of Policies, Procedures, Systems and Processes

DAFF Response to the Ombudsman's Draft Report

Attachment A

Response to Recommendations

Recommendation	Response
<ul style="list-style-type: none"> as part of the establishment of the new Biosecurity agency, consider options for amending the relevant legislation to ensure consistency across the organisation, particularly in relation to the seizure of items in environments such as the airport or privately managed premises, and to introduce a reverse onus of proof in relation to suspected importation offences 	<p>The government has agreed in principle to develop new biosecurity legislation. The time-frame for implementation has yet to be set.</p>
<ul style="list-style-type: none"> review the current sanctions system managed by Australian Quarantine and Inspection Service Compliance and Investigations Unit, in particular the quarantine infringement notice scheme and arrangements with the Commonwealth Director of Public Prosecutions for the recovery of outstanding pecuniary penalties, to ensure that the debt recovery process is more viable, including effective sanctions for non-payment 	<p>All sanctions for non-compliance are being reviewed in the context of developing new biosecurity legislation. Consultation with both the Director of Public Prosecutions and the Australian Government Solicitor will be undertaken on appropriate sanctions for non-payment of QINS.</p>
<ul style="list-style-type: none"> review AQIS's current inspection methodologies and regimes, to ensure that they address all breaches of the quarantine system, whether opportunistic, inadvertent or deliberate 	<p>The main objective of AQIS inspections is to mitigate the risk of incursions of exotic pests and diseases for a wide range of risk pathways. Inspection methodologies and regimes are regularly reviewed as part of on-going operations. Better ways of targeting intentional breaches are continually sought within AQIS and in cooperation with other agencies.</p>

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<ul style="list-style-type: none"> develop the prioritisation matrix for AQIS's CIU investigations, derived from specific epidemiological criteria, including rate and spread of transmission, and potential environmental risk from animal, plant and disease vectors 	<p>CIU is working with the Principal Scientists (Animal and Plant) to review current investigation prioritisation procedures and investigate the feasibility of including consideration of epidemiological criteria that are relevant to the diverse range of risk situations that may be investigated. AQIS is strengthening its risk return approach as recommended by the Beale review.</p>
<ul style="list-style-type: none"> ensure that all manuals, policies and guidelines used by CIU investigators are subject to annual review by CIU Central Office, regional CIU investigators should be consulted in these reviews, and all documents should be notated with the most recent dissemination of manuals and advisory notes to regional CIU offices 	<p>This will be addressed this financial year and the review processes will be included in out year business plans.</p>
<ul style="list-style-type: none"> review AQIS's Memoranda of Understanding with the Australian Federal Police, Australian Customs Service and Australian Crime Commission, to better align them with strategic CIU operational objectives 	<p>These reviews will commence this financial year.</p>
<ul style="list-style-type: none"> develop Memoranda of Understanding between AQIS and CrimTrac and AUSTRAC, to assist in reciprocal data exchange 	<p>DAFF will hold discussions with both organisations this financial year to examine potential for reciprocal data exchange.</p>
<ul style="list-style-type: none"> pursue training opportunities for CIU investigators with law enforcement agencies such as the Australian Federal Police, to enhance investigative practices and maintain currency of knowledge 	<p>CIU staff are currently provided training activities and refresher courses that meet the requirements of the Commonwealth Fraud Control Guidelines. CIU will continue to work with other agencies including the AFP to enhance investigative practices and maintain the currency of knowledge.</p>

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<ul style="list-style-type: none"> ensure that intelligence reports are formally disseminated to CIU investigators, to promote strategic and tactical awareness; tactical reports should also be disseminated to AQIS inspectors, outlining methodologies and strategies identified from recent investigations 	<p>Steps are being undertaken by CIU to improve intelligence and information sharing across the organisation including weekly briefings to Regional Investigation Managers and meeting with operational program managers to share learning's from current investigations.</p>
<ul style="list-style-type: none"> ensure that the outcomes of CIU reports relating to AQIS programs and practices are reported back to the CIU, including regional offices 	<p>CIU will develop a system to ensure recommendations arising from its investigations are reported to relevant national and regional program managers. Work has commenced with the internal audit area to implement a tracking and reporting system in line with the existing internal audit approach.</p>
<ul style="list-style-type: none"> undertake a review of CIU exhibit storage practices in third party-owned premises, to include the development and implementation of protocols on security access 	<p>DAFF will progress this issue this financial year with those third parties.</p>
<ul style="list-style-type: none"> consider issuing a single Authority card to its CIU investigators, including enhanced security features, and with relevant legislative powers cited on the reverse of the card 	<p>DAFF is seeking legal advice to determine whether this can be achieved for legislation administered by DAFF.</p>
<ul style="list-style-type: none"> clarify the CIU's responsibilities in the airports environment, with CIU input into the drafting and implementation of national guidelines on the issuing of Quarantine Infringement Notices by AQIS inspectors, and requests for ACS enforcement assistance 	<p>The CIU will work with Quarantine Operations Division this financial year on revision of relevant Work Instructions, including guidance on roles and responsibilities of the Australian Customs and Border Protection Service at international airports on QINS and breaches of quarantine legislation.</p>

ANNEX 1— CIU REFERRAL STATISTICS

Figure 2 – CIU Referral Statistics, 2007-2008

Incident Reports received	973
Redline contacts (telephone/email) received	789
<i>Comprising:</i>	
Merit referrals – to Program or CIU	221
Information calls	516
EI Inquiries	52
Investigations conducted by CIU	684

(Information provided by CIU Central Office, March 2009)

Figure 3 – CIU Referral Statistics, Quarters 1 and 2, 2008-2009

Incident Reports received	435
Redline contacts (telephone/email) received	428
<i>Comprising:</i>	
Merit referrals – to Program or CIU	117
Information calls	311
Investigations conducted by CIU	320

(Information provided by CIU Central Office, March 2009)

ANNEX 2— DOCUMENTS CONSIDERED AS PART OF THE REVIEW

CIU Operations Policy for 2008-2009 (July 2008)
Quality Management ISO 9001:2000 (SOP 9 – Quality Management) (14 July 2008)
CIU Legislative Review Recommendations (25 February 2009)

Standard Operating Procedures (SOP):

SOP 1	<i>Standards and Guidelines</i> (10 July 2008)
SOP 2	<i>Strategy Planning</i> (10 July 2008)
SOP 3	<i>Intelligence and Information Management</i> (10 July 2008)
SOP 4	<i>Incident Referral Assessment and Prioritisation Procedure (IRAPP)</i> (10 July 2008)
SOP 5	<i>Investigation Management</i> (1 October 2008)
SOP 6	<i>Reporting and Case Finalisation</i> (11 July 2008)
SOP 7	<i>Fitness and Proprietary Activities</i> (11 July 2008)
SOP 8	<i>Pro-active Related Activities</i> (14 July 2008)
SOP 9	<i>Quality Management ISO 9001:2000</i> (14 July 2008)
SOP 10	<i>Observation of External Requirements</i> (14 July 2008)
SOP 11	<i>Referral of Incidents to CIU</i> (1 October 2008)
SOP 12	<i>Passenger Analysis, Clearance and Evaluation (PACE) Alert</i> <i>Guidelines for AQIS Programs</i> (23 July 2008)

Working Instructions (WIs):

WI 3a	<i>Requests for Information, Australian Customs</i> (1 July 2008)
WI 3b	<i>Requests for Information, Australian Customs</i> (1 July 2008)
WI 3c	<i>Administration of IRs and IIRs</i> (24 June 2008)
WI 3d	<i>CIU Mailbox – For Intel Users</i> (1 July 2008)
WI 3e	<i>CIU Mailbox – All Staff</i> (1 July 2008)
WI 3f	<i>CIU Registers</i> (1 July 2008)
WI 3g	<i>Obtaining Records From The Electoral Roll Database</i> (1 July 2008)
WI 3h	<i>Intelligence formation Request – Dissemination Register</i> <i>Administering Information Requests</i> (1 July 2008)
WI 3i	<i>Memoranda Of Understanding (MOU)</i> (1 July 2008)
WI 3j	<i>AQIS Redline</i> (1 July 2008)
WI 3k	<i>Requesting Information from the Australian Crime Commission</i> (1 July 2008)
WI 3l	<i>Requesting Information from the Australian Federal Police</i> (1 July 2008)
WI 3m	<i>Requesting Information from Australia Post</i> (2 July 2008)
WI 3n	<i>Requesting Information from Dun and Bradstreet</i> (2 July 2008)
WI 3o	<i>Requesting Information from the Department of Foreign Affairs and</i> <i>Trade</i> (2 July 2008)
WI 3p	<i>Requesting Information from the Department of Immigration and</i> <i>Citizenship</i> (2 July 2008)
WI 3q	<i>Requesting Information from eBay</i> (2 July 2008)
WI 3r	<i>Requesting Information from QANTAS</i> (2 July 2008)
WI 3s	<i>Requesting Information from Telecommunication Companies</i> (2 July 2008)
WI 3u	<i>How to Folio Documents</i> (4 July 2008)
WI 3v	<i>Processing Letters of Advice</i> (4 July 2008)

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WI 3w	<i>Processing Letters of Warnings – Including LOW Feedback</i> (4 July 2008)
WI 3x	<i>CIU Intelligence Information Request – Dissemination Register – Referring Information to External Agencies</i> (4 July 2008)
WI 5a	<i>Conduct of Interviews</i> (4 July 2008)
WI 5b	<i>Search and Seizure</i> (4 July 2008)
WI 5c	<i>Surveillance</i> (4 July 2008)
WI 5d	<i>Note Taking and Record-Keeping</i> (4 July 2008)
WI 5e	<i>Use of AQIS Legislative Powers</i> (4 July 2008)
WI 5f	<i>Management of Informants</i> (4 July 2008)
WI 6a	<i>Brief Preparation and Adjudication</i> (10 July 2008)
WI 6b	<i>Issuing Letters of Warning and Advice</i> (4 July 2008)
WI 7a	<i>Integrity and Fit and Proper Person Checks Conducted on Ex26 Applications</i> (4 July 2008)
WI 10a	<i>Issuing Authority Cards to Officers in CIU</i> (22 October 2008)

ABBREVIATIONS AND ACRONYMS

ACC	Australian Crime Commission
AQIS	Australian Quarantine and Inspection Service
BA	Biosecurity Australia
BSG	Biosecurity Services Group
CDPP	Commonwealth Director of Public Prosecutions
C&I	Compliance and Investigations
CIU	Compliance and Investigation Unit
CRAM	compliance risk assessment process
Customs	Australian Customs and Border Protection Service
DAFF	Department of Agriculture, Fisheries and Forestry
HVLV	high volume low value
IRAPP	Incidental Referral Assessment and Prioritisation Procedure
LOA	Letter of Advice
LOW	Letter of Warning
MOUs	memoranda of understanding
NAQS	Northern Australia Quarantine Strategy
PIAPH	Product Integrity, Animal and Plant Health
QINs	Quarantine Infringement Notices
Quarantine Act	<i>Quarantine Act 1908</i>
SOPs	standard operating procedures
The Proclamation	Quarantine Proclamation 1998
The Regulations	Quarantine Regulations 2000