

Title:  
DIBP Secretary Consultations with UK Home Office  
MRN:  
LH632467L 09/07/2015 03:26:04 PM GDT  
To:  
Canberra  
Cc:  
RR : Geneva UN, London  
From:  
London  
From File:

EDRMS Files:

References:  
The cable has the following attachment/s -  
Proposals for further UK-Australia collaboration.docx  
Response:  
Routine, Requires Action

U N C L A S S I F I E D FOR-OFFICIAL-USE-ONLY

#### Summary

On Tuesday 7 July, Department of Immigration and Border Protection (DIBP) Secretary Mr Michael Pezzullo met with a number of Home Office officials in London to discuss a range of issues including

s. 33(a)(iii)

Mr Michael Pezzullo, Secretary, Department of Immigration and Border Protection, travelled to London on 7 July 2015 to engage with a range of interlocutors in the UK Home Office on a range of issues including

s. 33(a)(iii)

2. Mr Pezzullo first met with Permanent Secretary to the Home Office, Mr Mark Sedwill, followed by a round table meeting with Directors General and Directors of Immigration Enforcement, UK Border Force, UK Visas and Immigration, Office of Security and Counter Terrorism, International and Immigration Group and the Foreign and Commonwealth Office (FCO). Discussion topics included


s. 33(a)(iii)

citizenship reforms,


s. 33(a)(iii)

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s. 33(a)(iii)



s. 22(1)(a)(ii)



s. 33(a)(iii)



text ends

Sent by:

s. 22(1)(a)(ii)

Prepared by:

s. 22(1)(a)(ii)

Approved by:

Topics:

IMMIGRATION & ENTRY CONTROL/General, s. 22(1)(a)(ii)



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To:

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DFAT  
MPD  
AS-IOB, AS-PSTF, PSTF

ILD  
PRI

To:  
OGOs  
DEFENCE  
Secretary, Chief ADF, Officers

DIBP  
Secretary, Managers, Officers

Cc:  
DFAT  
EXEC  
Secretary, Dep Sec s. 47F(1), Dep Sec s. 47F(1), Dep Sec s. 47F(1) Dep Sec  
s. 47F(1)

EXB  
AS-EXB, CPN

PLB  
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Title:  
Minister for Immigration and Border Protection Consultations in UK  
MRN:  
LH632471L 10/07/2015 08:04:33 AM GDT  
To:  
Canberra  
Cc:  
RR : London  
From:  
London  
From File:

EDRMS Files:

References:  
LH632467L, LH43883H, LH43876H  
Response:  
Routine, Information Only

U N C L A S S I F I E D FOR-OFFICIAL-USE-ONLY

#### Summary

On 8 July the Minister for Immigration and Border Protection, the Hon Peter Dutton, met with UK interlocutors to discuss a range of matters of mutual interest including Australia's citizenship reforms, s. 33(a)(iii)

On Wednesday 8 July, the Minister for Immigration and Border Protection, the Hon Peter Dutton MP, accompanied by Mr Michael Pezzullo, Secretary, Department of Immigration and Border Protection, met with Secretary of State for the Home Department Theresa May, Minister for Immigration James Brokenshire, and Minister for Security John Hayes to discuss matters of mutual interest.

2. The discussion with Ms May covered s. 33(a)(iii)

amendments  
to citizenship laws to deal with foreign fighters. s. 33(a)(iii)

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3. In the meeting with Mr Brokenshire and Mr Hayes, the Ministers discussed Australia's proposed citizenship reforms, s. 33(a)(iii)

s. 33(a)(iii)

text ends

Sent by:

s. 22(1)(a)(ii)

Prepared by:

s. 22(1)(a)(ii)

Approved by:

Topics:

IMMIGRATION & ENTRY CONTROL/General, s. 33(a)(iii)

s. 33(a)(iii)

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To:  
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DIBP  
Secretary, Managers, Officers

Cc:  
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EXEC  
Secretary, Dep Sec s. 47F(1) , Dep Sec s. 47F(1) , Dep Sec s. 47F(1)

EXB  
AS-EXB, CPN

PLB  
AS-PLB, PLB

APO  
ED-APO, AS-PBB, PFS

MPD  
FAS-MPD, IOB, AS-HGB, HGB, Amb-PSI

EUD  
FAS-EUD, EUD-Coord, AS-EWB, EWB, AS-NSB, NSB

PM Summary

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OGOs

PLTHSE

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DIR-EMA, EMA

NSC  
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ONA  
Director-General, Officers

PMC  
Secretary, Assoc Sec Domestic Policy, Assoc Sec National Security and  
International Policy, Dep Sec National Security and International  
Policy, FAS-NSD, NSD Officers, GOV, FAS-CPI, SOC

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Head, Officers

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Exported by Jason Pegg - 08:39 AM Monday, 13 July 2015  
LH632471L

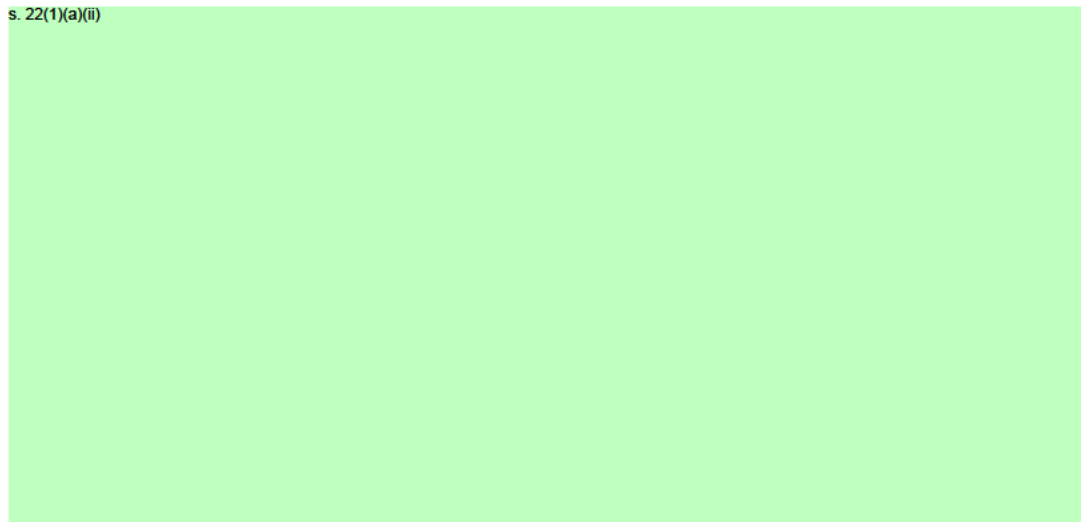
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Page 1 of 1

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s. 22(1)(a)(ii)



-----Original Message-----

From: Richard JOHNSON s. 22(1)(a)(ii)

Sent: Thursday, 6 August 2015 10:46 PM

To: SEEBACH Anthony, s. 22(1)(a)(ii)

Cc: s. 22(1)(a)(ii)

Subject: RE: Draft cable for comment - dual nationality frameworks [SEC=PROTECTED, DLM=Sensitive]

PROTECTED, Sensitive

s. 33(a)(iii)



-----Original Message-----

From: Anthony SEEBACH

Sent: Thursday, 6 August 2015 8:01 PM

To: Richard JOHNSON; s. 22(1)(a)(ii)

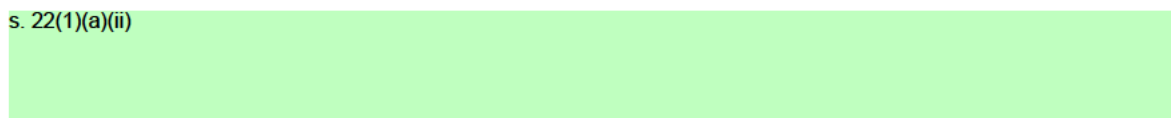
Subject: RE: Draft cable for comment - dual nationality frameworks [DLM=For-Official-Use-Only]

Yes will call to discuss - need to understand the logic. s. 33(a)(iii)

s. 33(a)(iii)



s. 22(1)(a)(ii)



---

Anthony Seebach  
Commander National Security

---

From: Richard JOHNSON<mailto:s. 22(1)(a)(ii)>

Sent: 6/08/2015 7:42 PM

To: SEEBACH Anthony<mailto:s. 22(1)(a)(ii)@border.gov.au>; s. 22(1)(a)(ii)@border.gov.au>; s. 22(1)(a)(ii)@border.gov.au>  
Subject: RE: Draft cable for comment - dual nationality frameworks [DLM=For-Official-Use-Only]

For-Official-Use-Only

Hi Anthony – I discussed this with Rachel Noble, particularly as DFAT suggested their Sec might raise it with our Sec tomorrow (so we needed to alert him through her that it might be raised).

She is of the view that a cable is not required at this point and certainly not in the tasking terms still present in the draft.

Happy to chat tomorrow,

RJ

Richard Johnson  
Assistant Secretary  
Community Protection and Border Policy  
Department of Immigration and Border Protection  
Telephone: s. 22(1)(a)(ii)  
Mobile: s. 22(1)(a)(ii)  
Email: s. 22(1)(a)(ii)@border.gov.au<mailto:s. 22(1)(a)(ii)@border.gov.au>

For-Official-Use-Only

From: Anthony SEEBACH  
Sent: Thursday, 6 August 2015 4:18 PM  
To: s. 22(1)(a)(ii) Richard JOHNSON; s. 22(1)(a)(ii)  
Subject: FW: Draft cable for comment - dual nationality frameworks [SEC=UNCLASSIFIED]

Richard, s. 22(1)(a)(ii)

Apart from a couple of minor tweaks, I am comfortable with this version of the draft capable. s. 33(a)(iii)

I hope you have had a chance to review and please let me know if you have a different and whether you still want Dep Sec Policy to clear.

Would like to get this cable moving asap

Anthony

---

Anthony Seebach  
Commander  
National Security Branch | Investigations Division Operations Group Australian Border Force  
P: s. 22(1)(a)(ii) | M: s. 22(1)(a)(ii)  
E: s. 22(1)(a)(ii)@border.gov.au<mailto:s. 22(1)(a)(ii)@border.gov.au>

From: SEEBACH Anthony  
Sent: Wednesday, 5 August 2015 6:58 PM

To: s. 47F(1) s. 22(1)(a)(ii)  
Cc: s. 47F(1) (DFAT); s. 22(1)(a)(ii) s. 47F(1) s. 22(1)(a)(ii) JOHNSON  
Richard; s. 22(1)(a)(ii)  
Subject: RE: Draft cable for comment - dual nationality frameworks [SEC=UNCLASSIFIED]

Thanks s. 47F(1) - can you also send it to s. 22(1)(a)(ii) on high and I will work with our Citizenship policy area to provide feedback.

Might also discuss at JOG tomorrow afternoon - I think I saw an email indicating that were attending.

Anthony Seebach  
Commander National Security

From: s. 47F(1) @dfat.gov.au  
Sent: 5/08/2015 6:50 PM  
To: SEEBACH Anthony<mailto:s. 22(1)(a)(ii) @border.gov.au>; s. 22(1)(a)(ii)  
s. 22(1)(a)(ii) @border.gov.au  
Cc: s. 47F(1) @dfat.gov.au; s. 22(1)(a)(ii) @border.gov.au; s. 47F(1) @agd.gov.au; s. 47F(1) @dfat.gov.au; s. 22(1)(a)(ii) @border.gov.au; JOHNSON  
Richard<mailto:s. 22(1)(a)(ii) @border.gov.au>  
Subject: RE: Draft cable for comment - dual nationality frameworks [SEC=UNCLASSIFIED] Hi Anthony,

I've just emailed the revised draft cable to s. 22(1)(a)(ii) and s. 22(1)(a)(ii) on HIGH. I welcome DIBP/ABF comment on the draft. We've also asked our Secretary to raise the clearance of 'instructions to posts' with Secretary DIBP at the Friday quarterly Secretaries' meeting.

Thanks for your time.

Regards,  
s. 47F(1)  
s. 47F(1)  
Assistant Director  
Department of Foreign Affairs and Trade

s. 47F(1) @dfat.gov.au<mailto:s. 47F(1) @dfat.gov.au>  
International Security Division  
E |  
T | s. 47F(1)  
M | s. 47F(1)

-----Original Message-----

From: SEEBACH Anthony [mailto:s. 22(1)(a)(ii) @border.gov.au]  
Sent: Tuesday, 4 August 2015 10:57 AM  
To: s. 47F(1)  
Cc: s. 47F(1) s. 22(1)(a)(ii) [DIBP]; s. 22(1)(a)(ii) [DIBP]; s. 47F(1) s. 22(1)(a)(ii) [DIBP]  
Subject: RE: Draft cable for comment - dual nationality frameworks [SEC=UNCLASSIFIED]  
Hi s. 47F(1)

I understand from s. 22(1) that there may have been further amendments to the cable since it was sent to us. ( )

Can you confirm that we have the most up to date version of the cable.

s. 33(a)(iii)

Anthony

From: s. 47F(1) @dfat.gov.au  
Sent: 4/08/2015 10:49 AM  
To: SEEBACH Anthony<mailto:s. 22(1)(a)(ii) @border.gov.au>  
Cc: s. 47F(1) (DFAT)<mailto:s. 47F(1) @dfat.gov.au>; s. 22(1)(a)(ii) @border.gov.au; s. 22(1)(a)(ii) @border.gov.au; s. 47F(1) @border.gov.au; s. 47F(1) @agd.gov.au; s. 47F(1) @dfat.gov.au  
Subject: RE: Draft cable for comment - dual nationality frameworks [SEC=UNCLASSIFIED]

Hi Anthony,

I'm writing to follow up on DIBP and ABF views on the draft cable seeking information from posts s. 33(a)(iii). It is important that we receive advice/comment from DIBP/ABF on amendments to the cable before proceeding any further.  
s. 33(a)(i)

we would welcome advice on whether or not we should send the cable at all.

s. 22(1)(a)(ii) advises that he spoke with Anthony about this recently.

Regards,  
s. 47F(1)

s. 47F(1)

Assistant Director  
Department of Foreign Affairs and Trade

s. 47F(1) @dfat.gov.au<mailto:s. 47F(1) @dfat.gov.au> E | s. 47F(1) @dfat.gov.au%3c  
mailto:s. 47F(1) @dfat.gov.au>> T | s. 47F(1)  
International Security Division M | s. 47F(1)

From: s. 47F(1)  
Sent: Tuesday, 28 July 2015 5:31 PM  
To: s. 22(1)(a)(ii) [DIBP]; 'SEEBACH Anthony'; s. 22(1)(a)(ii) [DIBP]  
Cc: s. 47F(1)  
Subject: Draft cable for comment - dual nationality frameworks [SEC=UNCLASSIFIED]

Hi Anthony, s. 22(1)(a)(ii)

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I forwarded a draft cable to s. 22(1)(a)(ii) on the HIGH system to pass to Anthony and s. 22(1)(a)(ii) The cable asks s. 33(a)(i)

I'd welcome DIBP and ABF comment/input to the draft.

Regards,  
s. 47F(1)

s. 47F(1)

Assistant Director  
Department of Foreign Affairs and Trade

---

Counter Terrorism Middle-East, South Asia and Africa  
s. 47F(1) @dfat.gov.au<mailto:s. 47F(1) @dfat.gov.au> E | s. 47F(1) @dfat.gov.au%3c  
mailto:s. 47F(1) @dfat.gov.au>> @dfat.gov.au<mailto:s. 47F(1) @dfat.gov.au%3c  
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Exported by <sup>s. 47F(1)</sup> - 04:41 PM Friday, 24 July 2015

**Title:** **TERRORISM: Outreach Regarding Potential Host Government Responses to Proposed Citizenship Revocation for Dual Nationals**  
**MRN:** 24/07/2015 04:40:23 PM  
**To:** <sup>s. 33(a)(i)</sup>  
**Cc:**  
**From:** Canberra (CHCH/DFAT/ISD/CTB)  
**From File:**  
**EDRMS Files:**  
**References:** The cable has the following attachment/s -  
20150630\_Australian citizenship for comparison.docx  
**Response:** **Routine, Requires Action**

~~PROTECTED SENSITIVE~~

### Summary

Request that action posts provide information on host governments' approaches to dual nationality and citizenship, <sup>s. 33(a)(iii)</sup>  
<sup>s. 33(a)(iii)</sup> Cable provides attached background on Australia's dual nationality framework and <sup>s. 33(a)(iii)</sup>

On 29 June, CTB (<sup>s. 47F(1)</sup>) and ILD (<sup>s. 47F(1)</sup>) recieved a request from Australian Counter-Terrorism Centre (ACTC) to provide information pertinent to the potential implementation of the draft Australian Citizenship Amendment (Allegiance to Australia) Bill 2015. The Department of Immigration and Border Protection (DIBP), via the ACTC, are keen to gather information on host government dual nationality and citizenship frameworks and <sup>s. 33(a)(iii)</sup>  
<sup>s. 33(a)(iii)</sup> We (DFAT) noted the potential impact of <sup>s. 33(a)(iii)</sup>  
<sup>s. 33(a)(iii)</sup> DIBP has prepared a one-page summary of Australia's citizenship framework (attached) to inform posts' engagement and has agreed that this document can be passed to host government counterparts.

### Background

2. On 26 May, the Prime Minister announced the Australian Government's intention to introduce powers to revoke Australian citizenship from dual nationals who engage in terrorism. The Australian Citizenship Amendment (Allegiance to Australia) Bill 2015 was introduced into parliament on 24 June 2015. The Bill proposes three mechanisms for automatic loss of citizenship:

- A new provision where a person renounces their citizenship if they act inconsistently with their allegiance to Australia by engaging in certain terrorist conduct.

~~PROTECTED SENSITIVE~~

- An extension to the current loss of citizenship provision for a person fighting in the armed forces of the country at war with Australia to include fighting for, or being in the service of, a specified terrorist organisation overseas.
- A new loss of citizenship provision if the person has been convicted of a specified terrorism offence by an Australian court.

*How the proposed process for automatic citizenship loss would work*

3. As the Prime Minister stated on 23 June, prior to introducing the legislation to Parliament, the legislation will update the *Australian Citizenship Act 2007* to ensure dual nationals who serve or fight for terrorist groups, or engage in terrorism-related conduct inspired by terrorist groups, automatically lose their citizenship. The Government's intention is for the above provisions to be an operation of law, that is, a person's citizenship is automatically lost by virtue of their conduct. Once the Minister for Immigration and Border Protection becomes aware that a person has lost their Australian citizenship under these provisions, the Minister must give notice of loss to the person and other affected parties. The Minister does not make a decision to 'revoke' citizenship. Where the Minister becomes aware that a person has lost their Australian citizenship under the above provisions, the Minister must give a written notice of loss at such time and to such persons as the Minister considers appropriate. The Minister would, however, have a personal power to repeal the notice and exempt a person from loss of citizenship under these provisions if the Minister considers it appropriate to do so in the public interest.

s. 47C(1)

4. In its 21 July submission to the PJCIS inquiry into the Bill, which DFAT provided comment on, DIBP as lead-portfolio agency provided an outline of the arrangements that would be put in place to support implementation of the Bill, subject to its passage through Parliament. Operationalising the Bill would involve identifying dual nationals to whom one (or more) of the provisions relating to automatic loss of citizenship apply. This would require close cooperation across government with DIBP, including the Australian Border Force, working closely with relevant departments and agencies, including law enforcement and intelligence agencies, to put in place appropriate steps and processes and, where available and suitable, utilising existing coordination mechanisms.

s. 47E(d)

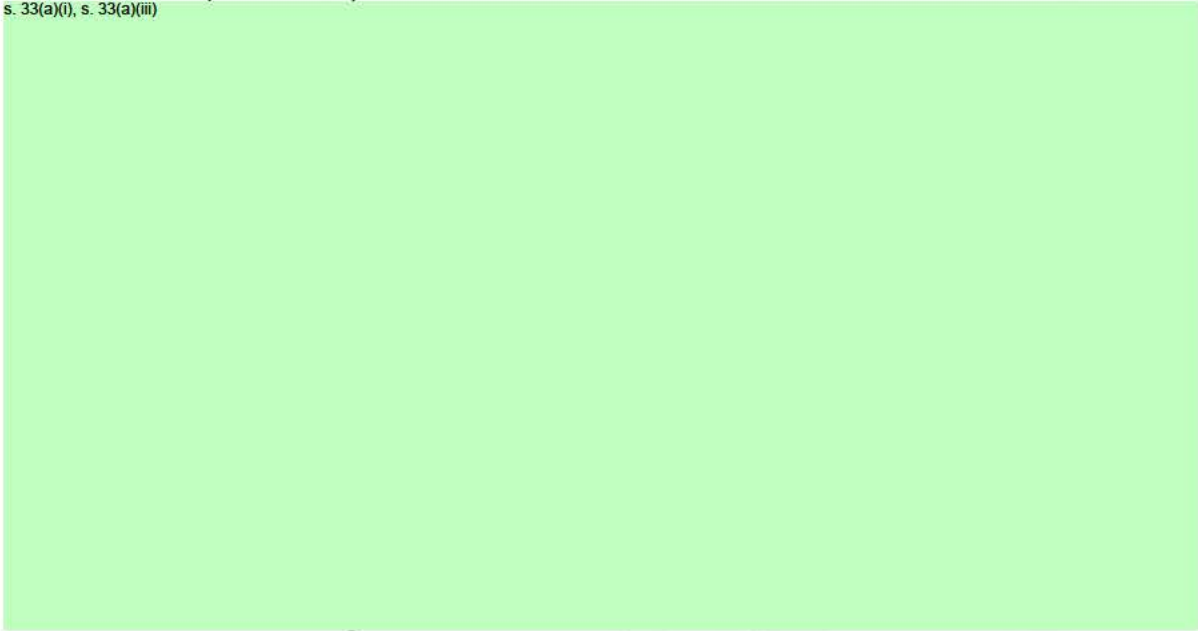
s. 47E(d)

*Engagement with host governments*

5. Action posts may wish to draw upon the above information (and attached citizenship summary) to inform discussions with host governments and, where relevant or appropriate, legal and immigration experts and civil society groups. Key questions and requests for information we would like posts to raise with host governments or answer based on in-country knowledge, include:

- Information on the host government's citizenship framework and approach to dual nationality/citizenship

s. 33(a)(i), s. 33(a)(iii)



6. We request that action posts respond by 14 August unless host country circumstances, such as public holidays, require additional time.

7. ACTC, AFP, AGD, DIBP and ILD were consulted in preparing this cable.

text ends

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**Sent by:**  
**Prepared by:** s. 47F(1)  
**Approved by:**  
**Topics:** IMMIGRATION & ENTRY CONTROL/General, INTERNATIONAL SECURITY/Terrorism

---

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Australian Government

Department of Immigration and Border Protection

# **VISIT TO THE UNITED KINGDOM (LONDON)**

**BY**

**THE HON PETER DUTTON MP,  
MINISTER FOR IMMIGRATION AND  
BORDER PROTECTION**

## **PART ONE: PRELIMINARY BRIEFING PACK**

**8 JULY 2015**

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The *Australian Citizenship Act 2007* does not currently allow for revocation of Australian citizenship on the basis that a person has been a foreign fighter. On 24 June 2015, the Minister for Immigration and Border Protection introduced the *Australian Citizenship Amendment (Allegiance to Australia) Bill 2015* into the House of Representatives. This will allow for revocation of Australian citizenship of dual citizens for national security or criminal offences (refer to the Citizenship Changes Key Issues Brief for further details).

## A.4 Citizenship Changes

*The following brief is a summary of the changes to the Australian Citizenship Act 2007.*

On 23 February 2015, the Prime Minister delivered his National Security Statement outlining the Government's response to the Review of Australia's Counter-Terrorism Machinery for a Safer Australia ('the Review'). The Review found that the terrorist threat in Australia is rising, specifically:

- the number of foreign fighters is increasing;
- the number of known sympathisers and supporters of extremists is increasing; and
- the number of potential terrorists is rising.

As part of the response, the Government is amending the *Australian Citizenship Act 2007* to broaden the powers relating to the cessation of Australia citizenship for those persons engaging in terrorism and who are a serious threat to Australia and Australia's interests.

### Extension of Existing Powers to Revoke Citizenship

On 24 June 2015, the Minister for Immigration and Border Protection introduced the *Australian Citizenship Amendment (Allegiance to Australia) Bill 2015* into the House of Representatives. The Bill proposes three mechanisms for automatic loss of citizenship:

1. A new provision where a person renounces their citizenship if they act inconsistently with their allegiance to Australia by engaging in certain terrorist conduct.
2. An extension to the current loss of citizenship provision for a person fighting in the armed forces of the country at war with Australia. The extension provides that a person ceases to be a citizen if they fight for, or are in the service of, a specified terrorist organisation overseas.
3. A new loss of citizenship provision if the person has been convicted of a specified terrorism offence by an Australian court.

Where the Minister becomes aware that a person has lost their Australian citizenship under these provisions, the Minister must give a notice of loss.

### Renunciation by Conduct

Section 33AA subsection (2) provides that a person who is a national or citizen of a country other than Australia, renounces their Australian Citizenship if the person acts inconsistently with their allegiance to Australia by engaging in the following conduct:

- engaging in international terrorist activities using explosive or lethal devices;
- engaging in a terrorist act;
- providing or receiving training connected with preparation for, engagement in, or assistance in a terrorist act;
- directing the activities of a terrorist organisation;
- recruiting for a terrorist organisation;
- financing terrorism;
- financing a terrorist; and / or
- engaging in foreign incursions and recruitment.

The renunciation takes effect immediately upon the person engaging in the conduct referred to above, and citizenship ceases regardless of how the person obtained their citizenship (including those who acquired citizenship through birth).

### Conviction of Terrorism Offenses

New section 35A provides that a person automatically ceases to be a citizen if they are convicted of a specified offence. This provision relies on a court having determined criminal guilt. The Bill sets out a detailed list of offences, in brief, they include:

- treason;
- espionage;
- terrorism; and
- foreign incursions.

### Statelessness

In accordance with Australia's international law obligations, no one will lose citizenship under any provisions under the Bill unless they are a national of another country.

### Exemptions

Under these provisions, the Minister would have a personal power to rescind a notice advising a person that they ceased to be an Australian citizen and exempt a person from loss of citizenship, if the Minister considers it appropriate to do so in the public interest. If the Minister rescinds a notice and exempts the person, then they do not lose their citizenship.

### Avenues for Appeal

The Bill does not limit the application of judicial review. A person who loses their citizenship under any of these provisions is able to seek a declaration from a court that they have not in fact lost their citizenship; the Federal Court and High Court both have original jurisdiction over such matters.

### International Comparisons (FCC perspectives)

Each of our FCC partners similarly have revocation powers resulting from fraud, false representations or concealment of relevant information related to national security. Likewise all provide review rights for affected individuals. However, powers relating to removal of citizenship which would render a person stateless, differ.

s. 22(1)(a)(ii)

## **B. MEETING BRIEF AND BIOGRAPHY**

### **B.1 Meeting with the Secretary of State for the Home Department, the Right Honourable Theresa May MP**

#### **Background**

You have requested to meet with the Secretary of State for the Home Department, the Right Honourable Mrs Theresa May MP during your day of official business in London.

s. 22(1)(a)(ii)

#### **Key Issues**

s. 22(1)(a)(ii)

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## Citizenship

- You may wish to mention the recent *Australian Citizenship Amendment (Allegiance to Australia) Bill 2015*, which will bring Australia's citizenship provisions further in-line with our international partner countries including the UK. Please refer to Citizenship Changes Key Issues Briefing.

s. 22(1)(a)(ii)

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**Key Issues (you may wish to raise):**

s. 22(1)(a)(ii)

- You may wish to note Australia's recent proposed amendments to the *Australian Citizenship Act 2007*.

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**Australian Government**

**Department of Immigration and Border Protection**

# **VISIT TO THE UNITED KINGDOM (LONDON)**

**BY**

**THE HON PETER DUTTON MP,  
MINISTER FOR IMMIGRATION  
AND BORDER PROTECTION**

**PART TWO: BRIEFING PACK**

**8 JULY 2015**

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## A. VISIT PROGRAMME

### Strategic Objectives


1. On Wednesday 8 July, you will make a number of calls on senior United Kingdom officials, a bilateral relationship of ongoing strategic importance to the Department of Immigration and Border Protection (and the Australian Government). Your engagement with these stakeholders will focus on several key matters of interest, including <sup>s. 22(1)(a)(ii)</sup> [REDACTED], citizenship revocation and [REDACTED].

s. 22(1)(a)(ii)

## Citizenship

- You may wish to mention the recent *Australian Citizenship Amendment (Allegiance to Australia) Bill 2015*, which will bring Australia's citizenship provisions further in-line with our international partner countries including the UK. Please refer to Citizenship Changes Key Issues Briefing.

s. 22(1)(a)(ii)



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## Talking Points (you may wish to raise)

s. 22(1)(a)(ii)

Citizenship

s. 22(1)(a)(ii)

- Australia has also recently passed legislative amendments to mitigate the risk of terrorism and foreign fighters – the *Counter-Terrorism Legislation Amendment (Foreign Fighters) Bill 2014* and the recent *Australian Citizenship Amendment (Allegiance to Australia) Bill 2015*, which will bring Australia's citizenship provisions further in-line with the UK.

s. 22(1)(a)(ii)

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Freedom of Information Act 1982

## B.5 Meeting with the Director of the Research, Information and Communications Unit (National Counter Terrorism Security Office, UK Home Office) Mr <sup>s. 47F(1)</sup> [REDACTED]

### Background

You will meet with the Director of the Research, Information and Communications Unit (within the National Counter Terrorism Security Office, UK Home Office) Mr <sup>s. 47F(1)</sup> [REDACTED] on Tuesday 7 July. An official biography of Mr <sup>s. 47F(1)</sup> [REDACTED] is at B.6.

s. 22(1)(a)(ii) [REDACTED]

### Key Issues

#### Australia's Approach to <sup>s. 22(1)(a)(ii)</sup> [REDACTED]

- Please refer to the Key Issues Briefing for further information on Australia's and the Department's approach to <sup>s. 22(1)(a)(ii)</sup> [REDACTED] citizenship <sup>s. 22(1)(a)(ii)</sup> [REDACTED]

s. 22(1)(a)(ii) [REDACTED]

## Talking Points (you may wish to raise)

s. 22(1)(a)(ii)

- Australia has also recently passed legislative amendments to mitigate the risk of terrorism and foreign fighters – the *Counter-Terrorism Legislation Amendment (Foreign Fighters) Bill 2014* and the recent *Australian Citizenship Amendment (Allegiance to Australia) Bill 2015*, which will bring Australia's citizenship provisions further in-line with our international partner countries including the UK.

s. 22(1)(a)(ii)


Released by DIBP under the  
Freedom of Information Act 1982

## **B.7 Meeting with the Chairman of the Migration Advisory Committee, Professor Sir David Metcalf, Commander of the Most Excellent Order of the British Empire (CBE)**

### **Background**

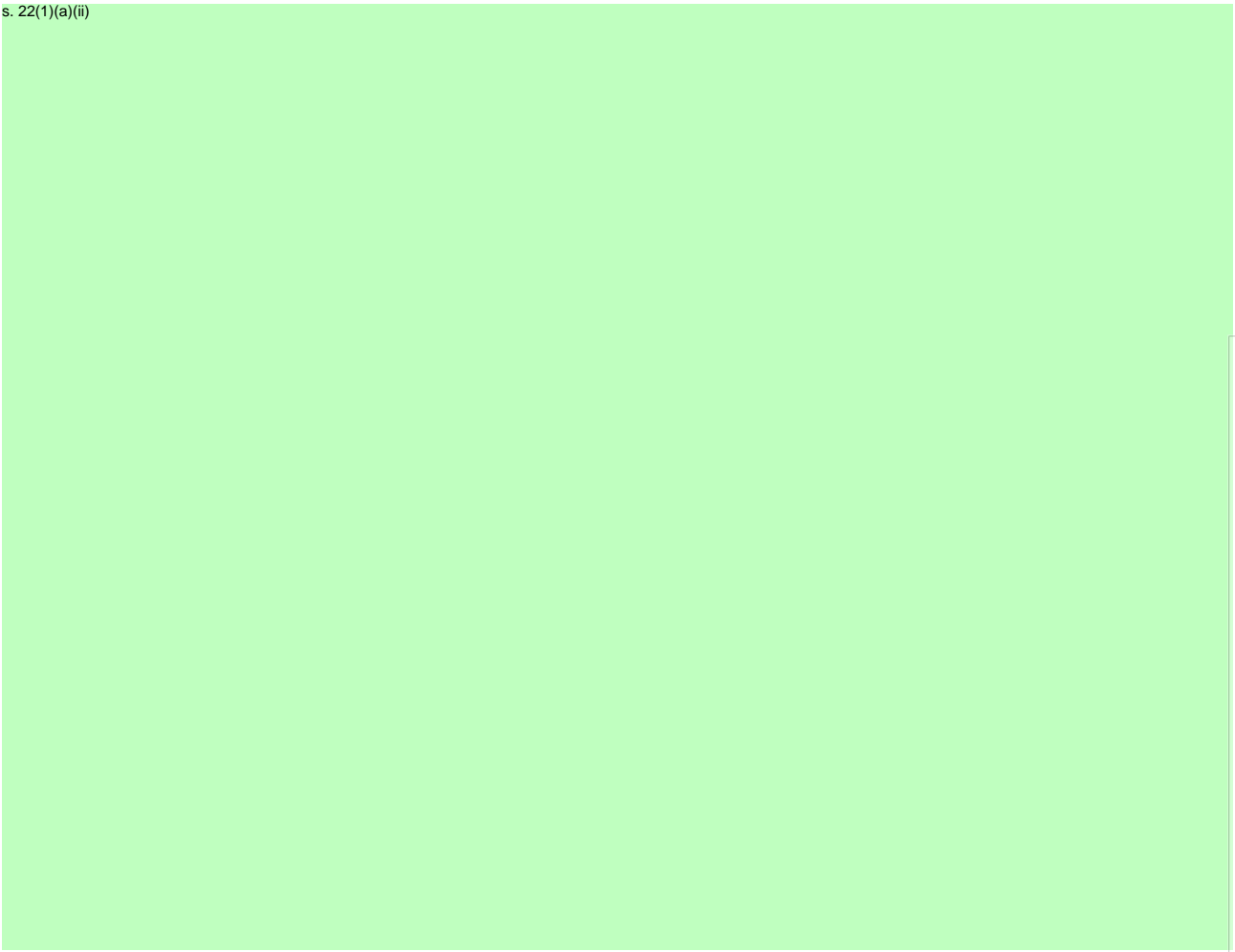
You will meet with the Chairman of the UK's Migration Advisory Committee, Professor Sir David Metcalf CBE on Wednesday 8 July. An official biography of Professor Sir David Metcalf CBE is at **B.8**.

s. 22(1)(a)(ii)



### **Key Issues**

s. 22(1)(a)(ii)



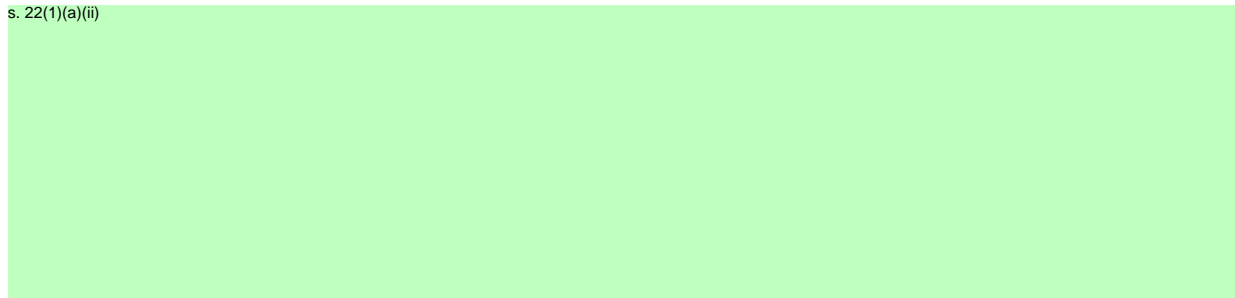
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Freedom of Information Act 1982

**B.9 Meeting with the Minister of State (Minister for Immigration) the Right Honourable Mr James Brokenshire MP and Minister of State (Minister for Security) the Right Honourable Mr John Hayes MP.**

**Background**

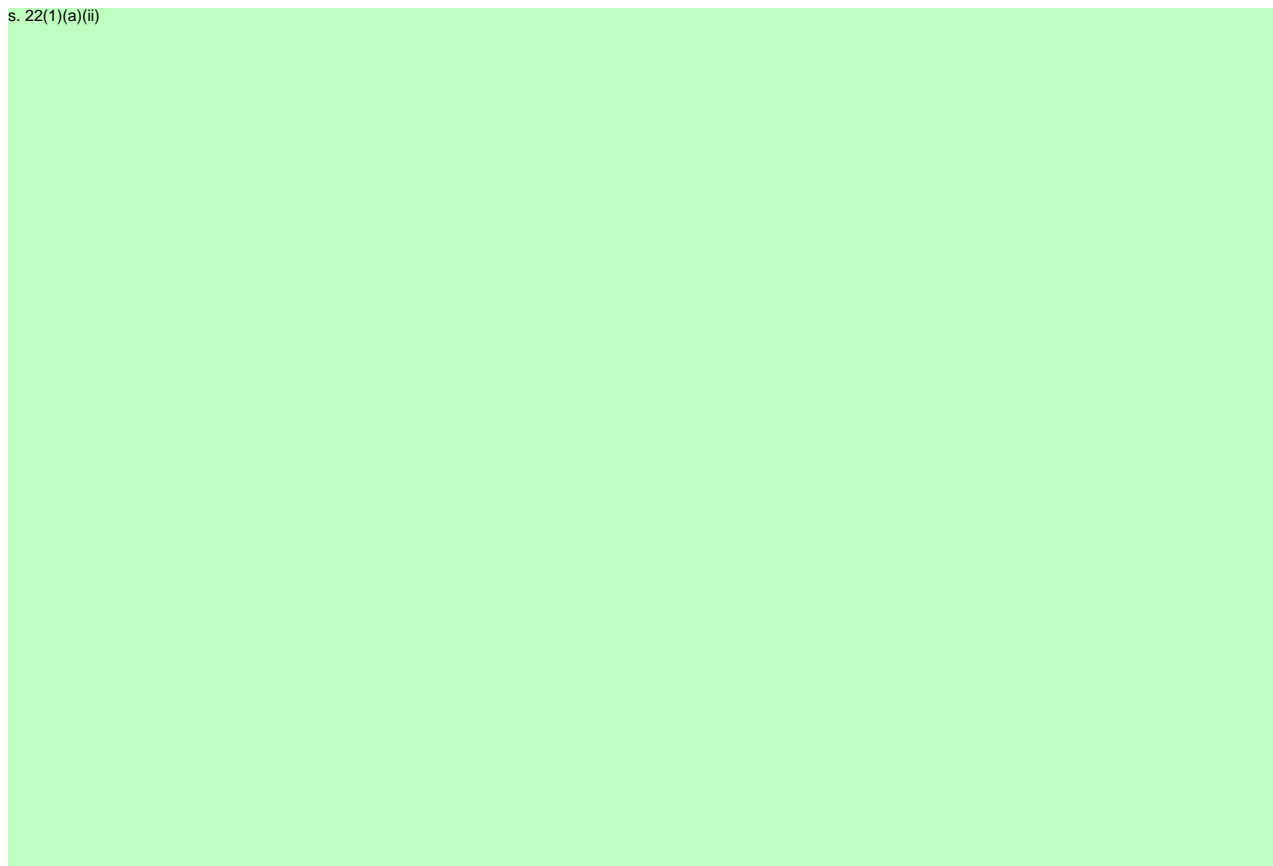
You will meet with the Ministers of State for Immigration and Security, Mr James Brokenshire MP and Mr John Hayes MP on Wednesday 8 July. Official biographies for Mr. Brokenshire MP is at **B.10** and for Mr. Hayes MP at **B.11**.

s. 22(1)(a)(ii)



**Key Issues**

s. 22(1)(a)(ii)



### Citizenship

- You may wish to mention the recent *Australian Citizenship Amendment (Allegiance to Australia) Bill 2015*, which will bring Australia's citizenship provisions further in-line with our international partner countries including the UK.

s. 22(1)(a)(ii)

- For further information on the Department's citizenship changes, please refer to the Citizenship Changes Key Issues Brief.



## Talking Points (you may wish to raise)

s. 22(1)(a)(ii)

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- Australia has also recently passed legislative amendments to mitigate the risk of terrorism and foreign fighters – the *Counter-Terrorism Legislation Amendment (Foreign Fighters) Bill 2014* and the recent *Australian Citizenship Amendment (Allegiance to Australia) Bill 2015*, which will bring Australia’s citizenship provisions further in-line the UK.

s. 22(1)(a)(ii)

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## **B.12 Meeting with the UK National Security Advisor, Sir Kim Darroch, Knight Commander of the Order of Saint Michael and Saint George (KCMG) and Permanent Secretaries of the National Security Council**

### **Background**

Please note that a copy of this briefing has also been provided to the Hon. Peter Dutton MP, Minister for Immigration and Border Protection.

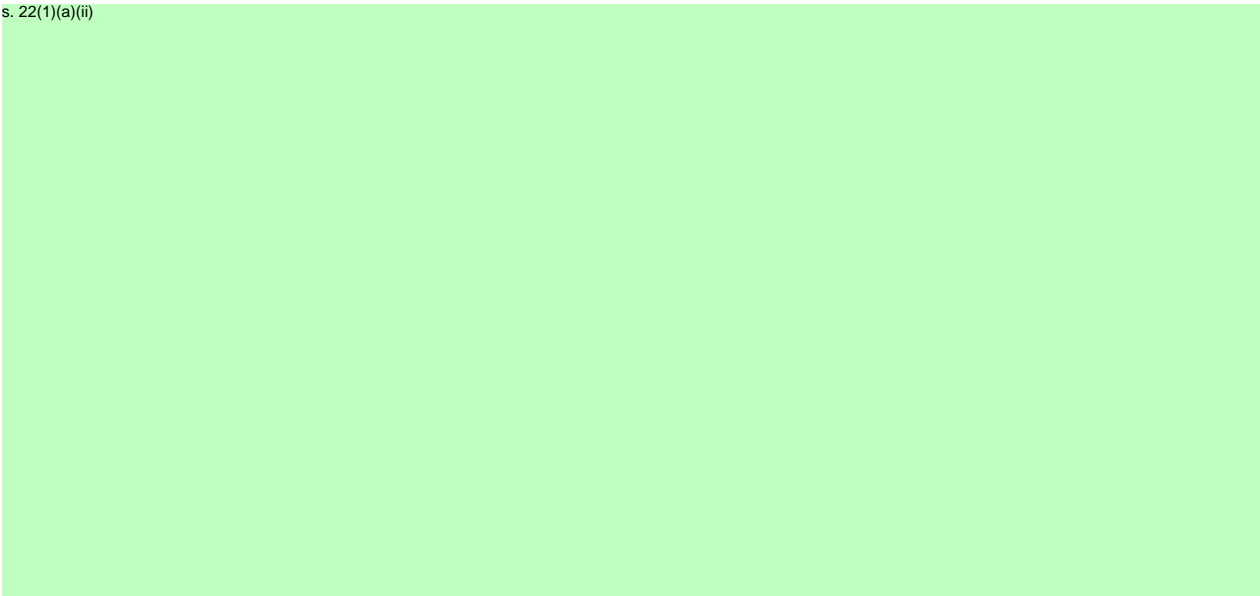
You will meet with the UK's National Security Advisor, Sir Kim Darroch KCMG and the Permanent Secretaries of the National Security Council on Wednesday 8 July. An official biography of Sir Kim Darroch KCMG is included at **B.13**.

s. 22(1)(a)(ii)



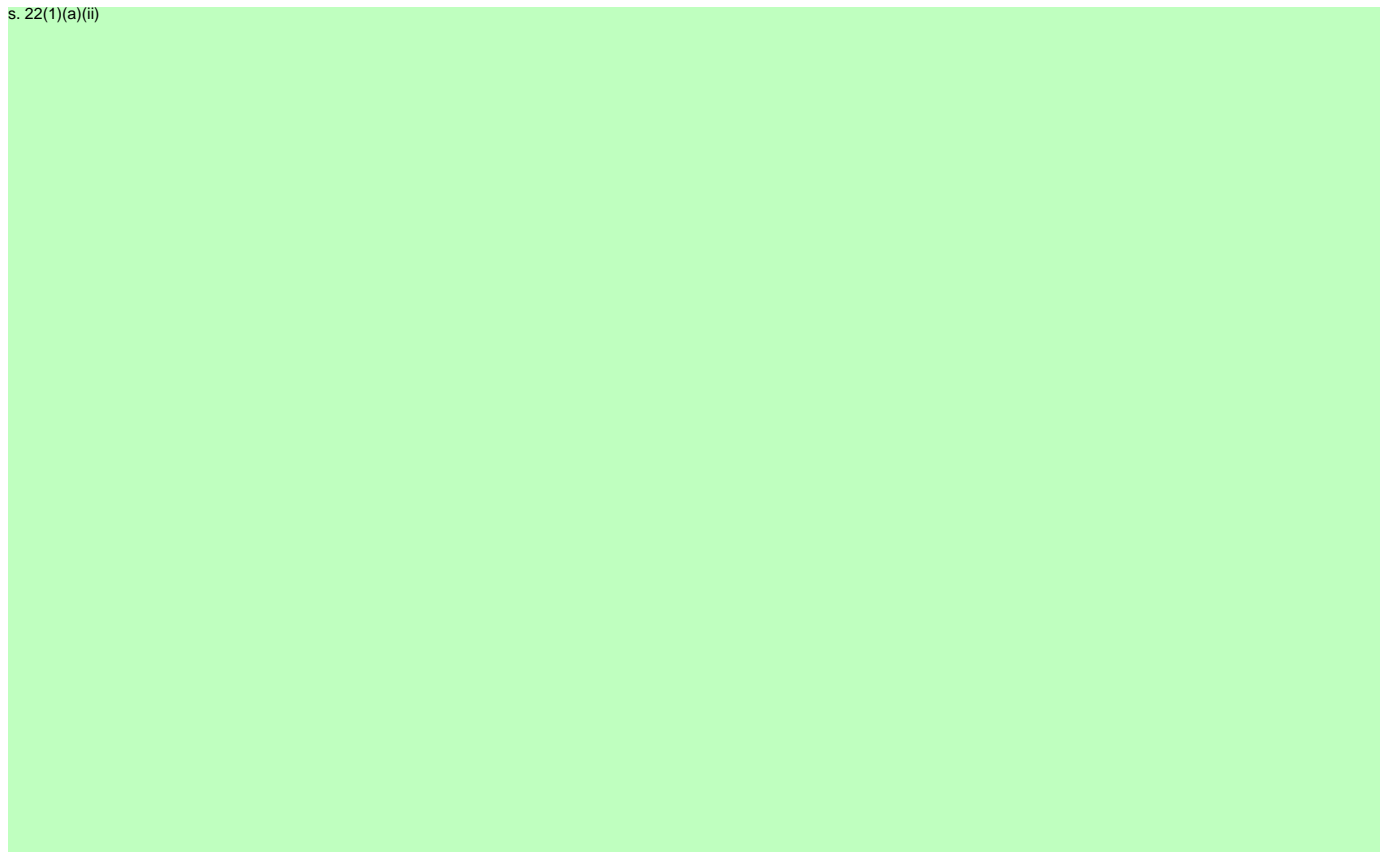
### **Key Issues**

s. 22(1)(a)(ii)

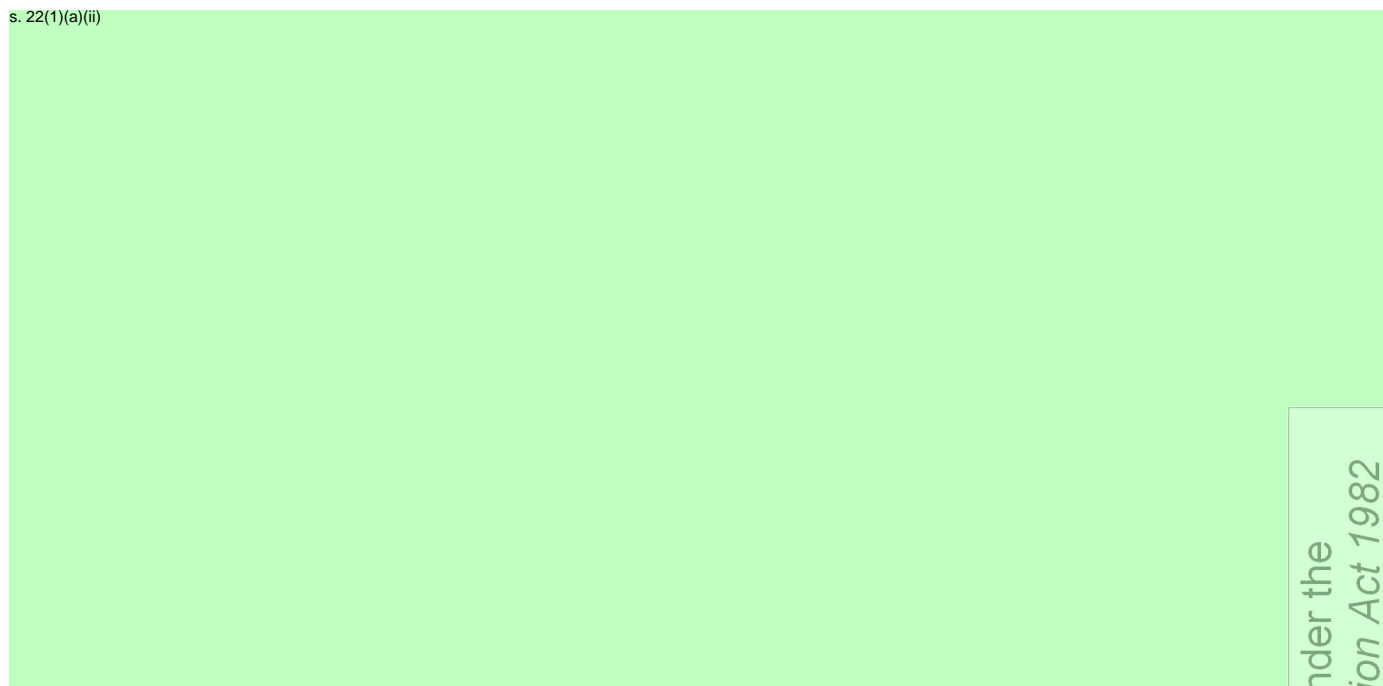


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s. 22(1)(a)(ii)




s. 22(1)(a)(ii)



### Citizenship Revocation

- Please refer to the Citizenship Changes Key Issues Briefing for further information on the Department's and the UK's approach to citizenship revocation.

s. 22(1)(a)(ii)



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## Talking Points (you may wish to raise)

s. 22(1)(a)(ii)

- Australia has also recently passed legislative amendments to mitigate the risk of terrorism and foreign fighters – the *Counter-Terrorism Legislation Amendment (Foreign Fighters) Bill 2014* and the recent *Australian Citizenship Amendment (Allegiance to Australia) Bill 2015*, which will bring Australia's citizenship provisions further in-line with countries like the UK.

s. 22(1)(a)(ii)

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**Australian Government**

**Department of Immigration and Border Protection**

**VISIT TO THE UNITED KINGDOM  
(LONDON)**

**BY**

**MR. MICHAEL PEZZULLO  
SECRETARY  
DEPARTMENT OF IMMIGRATION  
AND BORDER PROTECTION**

**BRIEFING PACK**

**7-8 JULY 2015**

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## A. VISIT PROGRAMME

### Strategic Objectives

- On Tuesday 7 July, you will make a number of calls on senior United Kingdom officials, a bilateral relationship of ongoing strategic importance to the Department. Your engagement with these stakeholders will focus on several key matters of interest to the Department, including <sup>s. 22(1)(a)(ii)</sup> [REDACTED], citizenship revocation <sup>s. 22(1)(a)(ii)</sup> [REDACTED]
- <sup>s. 22(1)(a)(ii)</sup> [REDACTED]
- Assistant Secretary Americas, Europe, Middle East & Africa Branch (designate), Mr. Brendan Dowling will accompany you to your scheduled calls on Tuesday 7 July. <sup>s. 22(1)(a)(ii)</sup> [REDACTED]
- You, Mr. Dowling and Deputy Head of Mission <sup>s. 47F(1)</sup> [REDACTED] will accompany the Hon. Peter Dutton MP, Minister for Immigration and Border Protection to a number of calls on Wednesday 8 July. These meetings with senior UK Government officials will focus on <sup>s. 22(1)(a)(ii)</sup> [REDACTED], citizenship revocation, <sup>s. 22(1)(a)(ii)</sup> [REDACTED]
- <sup>s. 22(1)(a)(ii)</sup> [REDACTED]

<sup>s. 22(1)(a)(ii)</sup> [REDACTED]

## D. MEETING BRIEFS AND BIOGRAPHIES

### D.1 Meeting with the Australian High Commission Security Intelligence Group

#### Background

You have been invited to attend and address the Australian High Commission Security Intelligence Group (SIG) during your visit to London, United Kingdom (UK).

#### Key Issues

s. 22(1)(a)(ii)

- Citizenship: On 24 June 2015, the Minister for Immigration and Border Protection introduced the *Australian Citizenship Amendment (Allegiance to Australia) Bill 2015* into the House of Representatives. For further information, please refer to the Citizenship Changes Key Issues Briefing.

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Freedom of Information Act 1982

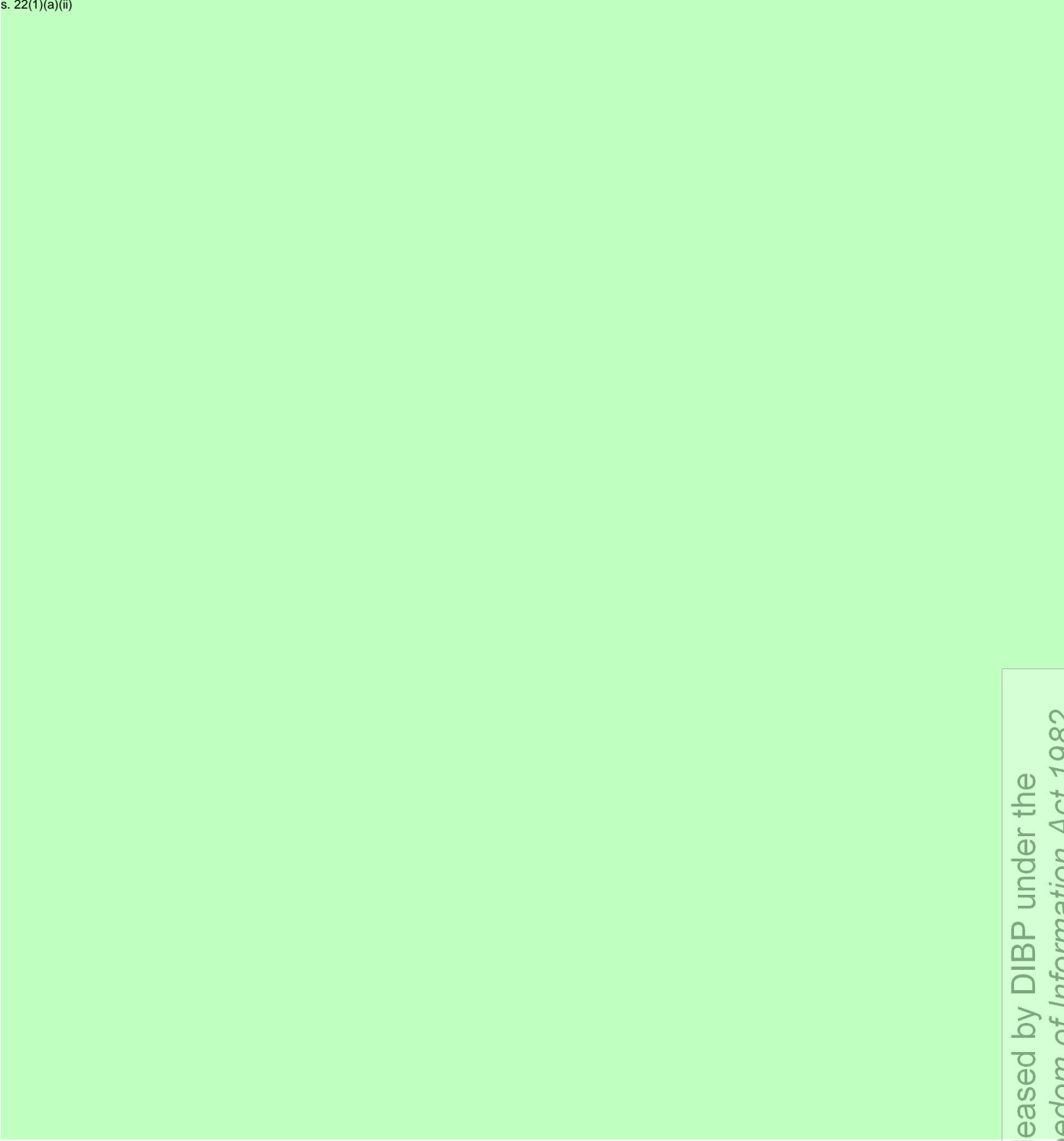


## **D.2 Meeting with Mr Mark Sedwill, Companion of the Order of St. Michael and St. George (CMG), Permanent Secretary at the UK Home Office**

### **Background**

You have requested to meet with Mr Mark Sedwill CMG, Permanent Secretary at the United Kingdom (UK) Home Office during your visit to London. A biography of Mr Mark Sedwill CMG is included at **D.3**.

s. 22(1)(a)(ii)



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## Citizenship

- You may wish to mention the recent *Australian Citizenship Amendment (Allegiance to Australia) Bill 2015*, which will bring Australia's citizenship provisions further in-line with international partners, including the UK.
  - The *Australian Citizenship Act 2007* does not currently allow for revocation of Australian citizenship on the basis that a person has been a foreign fighter. On 24 June 2015, the Minister for Immigration and Border Protection introduced the *Australian Citizenship Amendment (Allegiance to Australia) Bill 2015* into the House of Representatives. This will allow for revocation of Australian citizenship of dual citizens for national security or criminal offences.

s. 22(1)(a)(ii)

## Talking Points (you may wish to raise)

s. 22(1)(a)(ii)

### Citizenship

s. 22(1)(a)(ii)

- You may have heard of our proposed changes to citizenship legislation. This will bring us more in line with our fellow FCC partners and allow us to revoke citizenship from those who act inconsistently with their allegiance to Australia by engaging in various terrorism related acts.
  - The proposed citizenship changes are part of Australia's broader mission to combat terrorism and counter violent extremism. We continue to take part in this global conversation and welcome our close relationship at these times.

s. 22(1)(a)(ii)

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## D.5 Roundtable Discussion with UK Home Office Officials

### Background

You will participate in a roundtable discussion, with the following senior officials in attendance:


- Ms <sup>s. 47F(1)</sup> [REDACTED], Director General of Immigration Enforcement (biography **D.6**)
- Sir <sup>s. 47F(1)</sup> [REDACTED], Director General UK Border Force (biography **D.7**)
- <sup>s. 47F(1)</sup> [REDACTED], Director International, UK Visas and Immigration (biography **D.8**)
- Dr <sup>s. 47F(1)</sup> [REDACTED], UK Home Office (no biography available)
- Mr. <sup>s. 47F(1)</sup> [REDACTED], UK Home Office (no biography available)
- Mr. <sup>s. 47F(1)</sup> [REDACTED], UK Home Office (no biography available)

s. 22(1)(a)(ii)



### Key Issues

s. 22(1)(a)(ii)



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### Citizenship

- The fact that the Australian Government is seeking to amend citizenship powers in line with our international partners (such as the UK), may be raised with meeting attendees. Please refer to the Citizenship Changes Key Issues Brief for further details.
  - The *Australian Citizenship Act 2007* does not currently allow for revocation of Australian citizenship on the basis that a person has been a foreign fighter. On 24 June 2015, the Minister for Immigration and Border Protection introduced the *Australian Citizenship Amendment (Allegiance to Australia) Bill 2015* into the House of Representatives. This will allow for revocation of Australian citizenship of dual citizens for national security or criminal offences.

## Talking Points (you may wish to raise)

s. 22(1)(a)(ii)

### Citizenship Reform

- To reflect the challenges associated with increased numbers of Australians travelling offshore as foreign fighters and otherwise involved with terrorist organisations, the Australian Government has recently put forward the *Australian Citizenship Amendment (Allegiance to Australia) Bill 2015*.

s. 22(1)(a)(ii)

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## **D.11 Minister Dutton Meeting With the Secretary of State for the Home Department, the Right Honourable Theresa May MP**

### **Background**

Please note that a copy of this briefing has also been provided to the Hon. Peter Dutton MP, Minister for Immigration and Border Protection.

You have requested to meet with the Secretary of State for the Home Department, the Right Honourable Mrs Theresa May MP during your day of official business in London. The Home Department (better known as the Home Office) is the lead agency on immigration and passports, drugs policy, crime policy and counter-terrorism and is largely based in London. An official biography of Theresa May is included at **D.12**, as well as research notes from DIBP staff.

### **Key Issues**

s. 22(1)(a)(ii)

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### Citizenship

- You may wish to mention the recent *Australian Citizenship Amendment (Allegiance to Australia) Bill 2015*, which will bring Australia's citizenship provisions further in-line with our international partner countries including the UK. Please refer to Citizenship Changes Key Issues Briefing.



## Talking Points (you may wish to raise)

s. 22(1)(a)(ii)

### Citizenship

s. 22(1)(a)(ii)

- I also note other legislative changes made by the UK Government during 2015 through the *Counter Terrorism and Security Bill*.
  - Australia has also recently passed legislative amendments to mitigate the risk of terrorism and foreign fighters – the *Counter-Terrorism Legislation Amendment (Foreign Fighters) Bill 2014* and the recent *Australian Citizenship Amendment (Allegiance to Australia) Bill 2015*, which will bring Australia's citizenship provisions further in-line with the UK.

s. 22(1)(a)(ii)

## D.15 Minister Dutton Meeting with the Director of the Research, Information and Communications Unit (National Counter Terrorism Security Office, UK Home Office) Mr <sup>s. 47F(1)</sup> [REDACTED]

### Background

Please note that a copy of this briefing has also been provided to the Hon. Peter Dutton MP, Minister for Immigration and Border Protection.

You will meet with the Director of the Research, Information and Communications Unit (within the National Counter Terrorism Security Office, UK Home Office) Mr <sup>s. 47F(1)</sup> [REDACTED] on Tuesday 7 July. An official biography of Mr <sup>s. 47F(1)</sup> [REDACTED] is at D.16.

s. 22(1)(a)(ii)

### Key Issues

#### Australia's Approach to Counter Terrorism and Countering Violent Extremism

- Please refer to the Key Issues Briefing for further information on Australia's and the Department's approach to <sup>s. 22(1)(a)(ii)</sup> [REDACTED], citizenship <sup>s. 22(1)(a)(ii)</sup> [REDACTED].

s. 22(1)(a)(ii)

## Talking Points (you may wish to raise)

s. 22(1)(a)(ii)

- Australia has also recently passed legislative amendments to mitigate the risk of terrorism and foreign fighters – the *Counter-Terrorism Legislation Amendment (Foreign Fighters) Bill 2014* and the recent *Australian Citizenship Amendment (Allegiance to Australia) Bill 2015*, which will bring Australia's citizenship provisions further in-line with our international partner countries including the UK

s. 22(1)(a)(ii)

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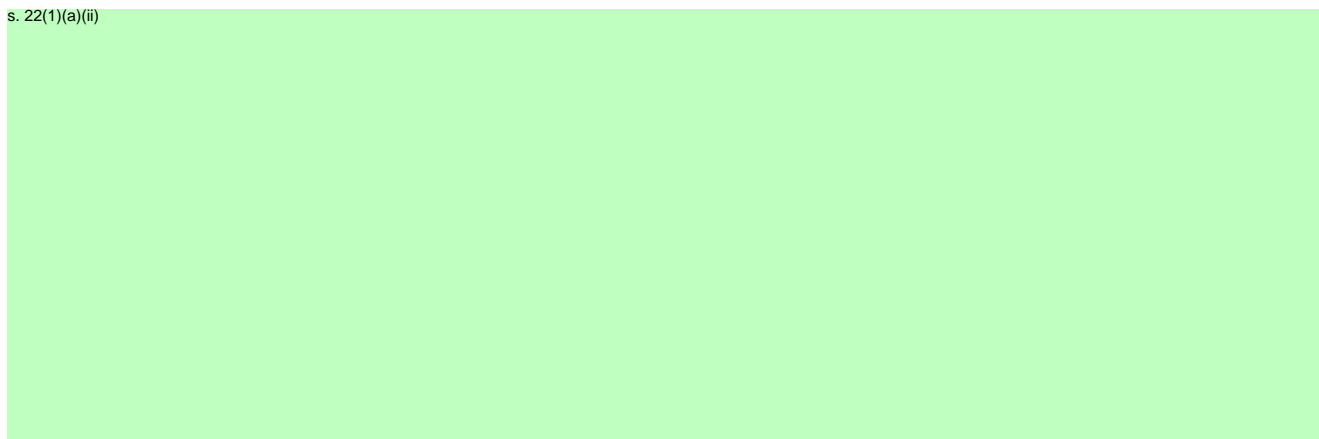
## **D.17 Minister Dutton Meeting with the Chairman of the Migration Advisory Committee, Professor Sir David Metcalf, Commander of the Most Excellent Order of the British Empire (CBE)**

### **Background**

Please note that a copy of this briefing has also been provided to the Hon. Peter Dutton MP, Minister for Immigration and Border Protection.

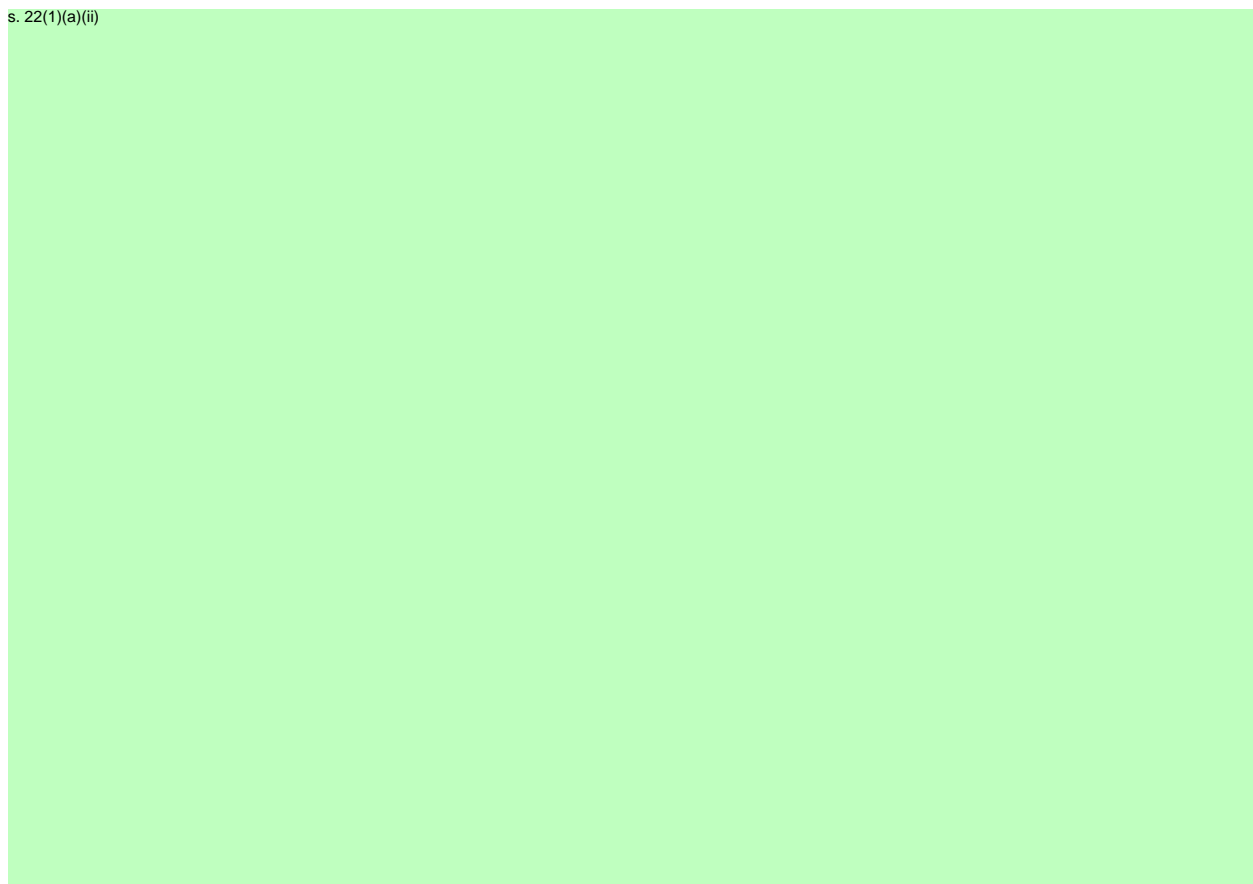
You will meet with the Chairman of the UK's Migration Advisory Committee, Professor Sir David Metcalf CBE on Wednesday 8 July. An official biography of Professor Sir David Metcalf CBE is at **D.18**.

s. 22(1)(a)(ii)



### **Key Issues**

s. 22(1)(a)(ii)



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## Talking Points (you may wish to raise)

s. 22(1)(a)(ii)

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**D.19 Minister Dutton Meeting with the Minister of State (Minister for Immigration) the Right Honourable Mr James Brokenshire MP and Minister of State (Minister for Security) the Right Honourable Mr John Hayes MP.**

**Background**

Please note that a copy of this briefing has also been provided to the Hon. Peter Dutton MP, Minister for Immigration and Border Protection.


You will meet with the Ministers of State for Immigration and Security, Mr James Brokenshire MP and Mr John Hayes MP on Wednesday 8 July. Official biographies for Mr. Brokenshire MP is at **D.20** and for Mr. Hayes MP at **D.21**.

s. 22(1)(a)(ii)



**Key Issues**

s. 22(1)(a)(ii)



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Freedom of Information Act 1982


### Citizenship

- You may wish to mention the recent *Australian Citizenship Amendment (Allegiance to Australia) Bill 2015*, which will bring Australia's citizenship provisions further in-line with our international partner countries including the UK.

- For further information on the Department's citizenship changes, please refer to the Citizenship Changes Key Issues Brief.

- Australia has also recently passed legislative amendments to mitigate the risk of terrorism and foreign fighters – the *Counter-Terrorism Legislation Amendment (Foreign Fighters) Bill 2014* and the recent *Australian Citizenship Amendment (Allegiance to Australia) Bill 2015*, which will bring Australia's citizenship provisions further in-line the UK.

s. 22(1)(a)(ii)



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## **D.22 Minister Dutton Meeting with the UK National Security Advisor, Sir Kim Darroch, Knight Commander of the Order of Saint Michael and Saint George (KCMG) and Permanent Secretaries of the National Security Council**

### **Background**

Please note that a copy of this briefing has also been provided to the Hon. Peter Dutton MP, Minister for Immigration and Border Protection.

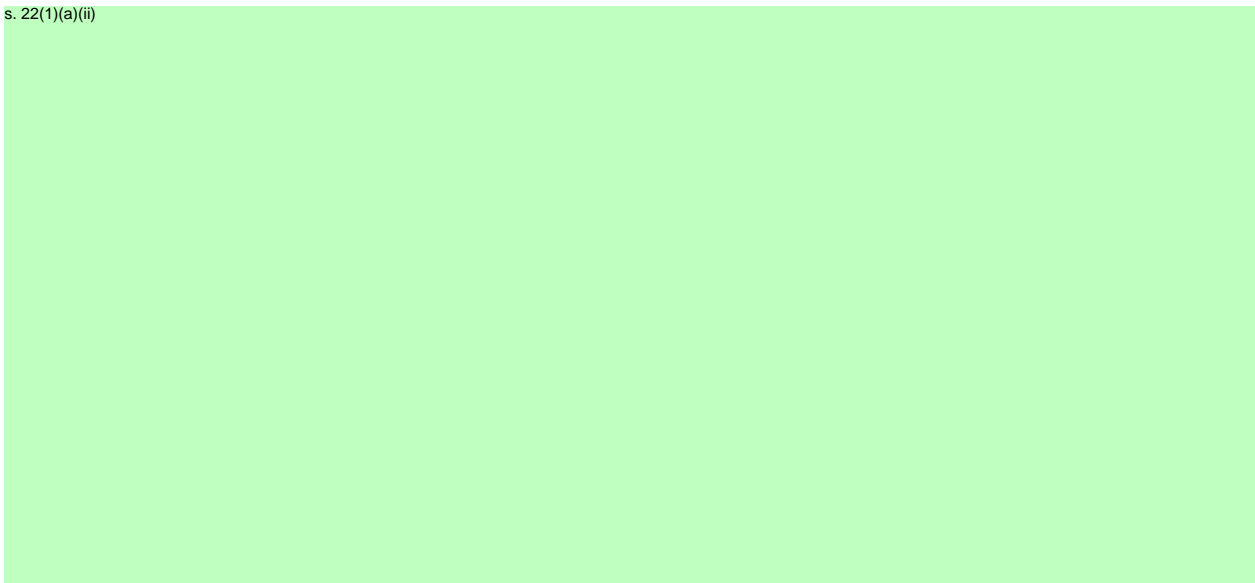
You will meet with the UK's National Security Advisor, Sir Kim Darroch KCMG and the Permanent Secretaries of the National Security Council on Wednesday 8 July. An official biography of Sir Kim Darroch KCMG is included at **D.23**.

s. 22(1)(a)(iii)

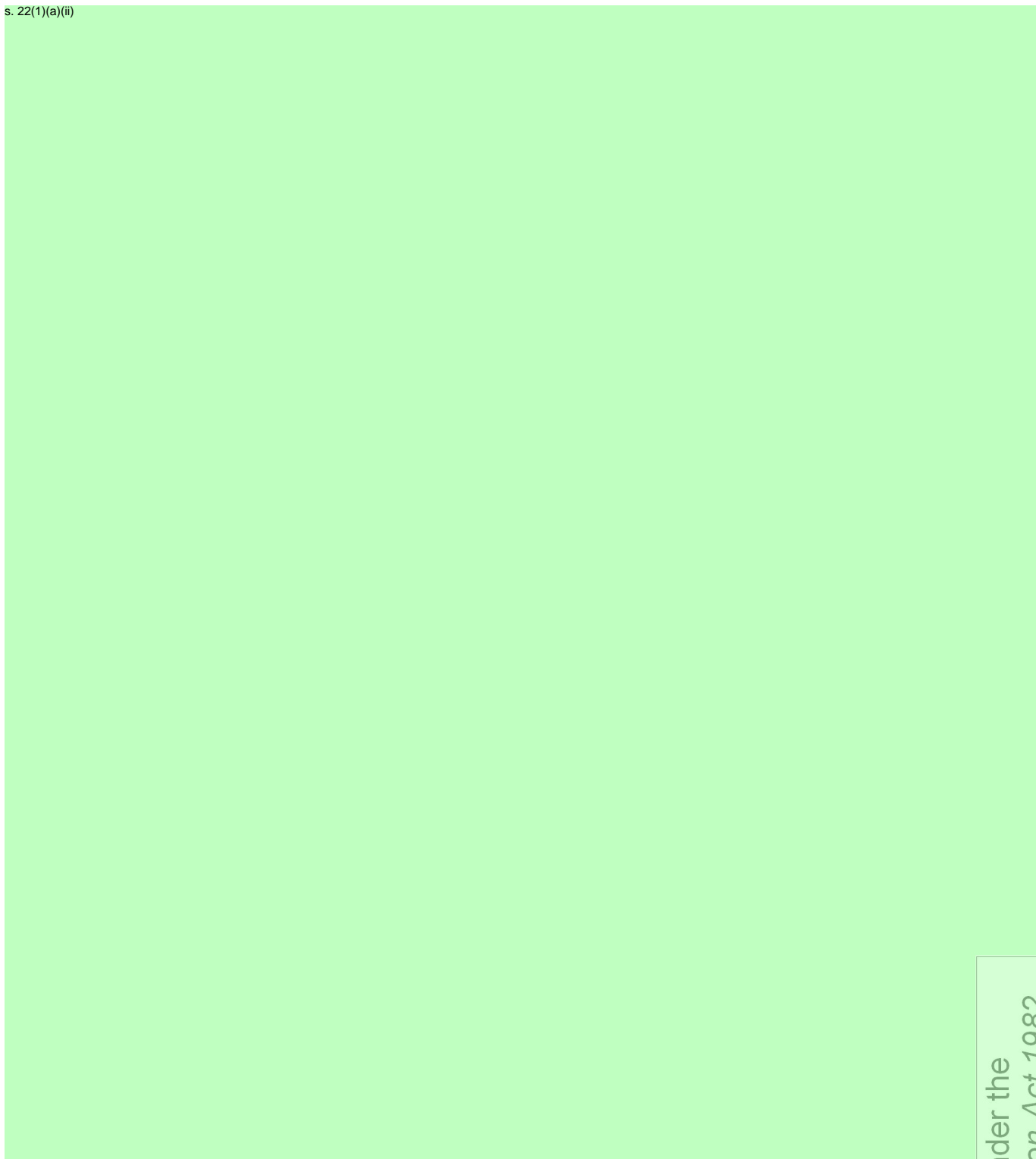


### **Key Issues**

s. 22(1)(a)(iii)

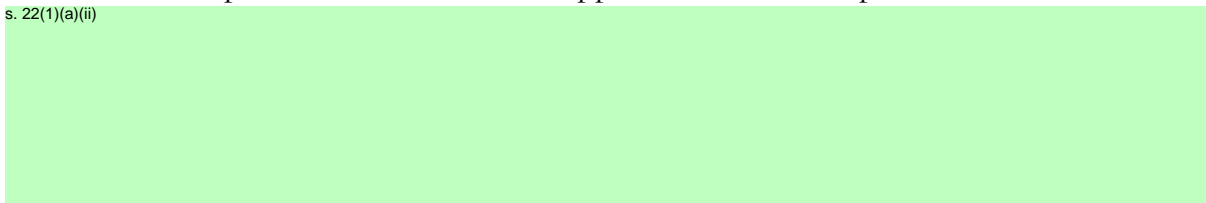


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Freedom of Information Act 1982



### Citizenship Revocation

- Please refer to the Citizenship Changes Key Issues Briefing for further information on the Department's and the UK's approach to citizenship revocation.



## Talking Points (you may wish to raise)

s. 22(1)(a)(ii)

- Australia has also recently passed legislative amendments to mitigate the risk of terrorism and foreign fighters – the *Counter-Terrorism Legislation Amendment (Foreign Fighters) Bill 2014* and the recent *Australian Citizenship Amendment (Allegiance to Australia) Bill 2015*, which will bring Australia's citizenship provisions further in-line with countries like the UK.

s. 22(1)(a)(ii)

The *Australian Citizenship Act 2007* does not currently allow for revocation of Australian citizenship on the basis that a person has been a foreign fighter. On 24 June 2015, the Minister for Immigration and Border Protection introduced the *Australian Citizenship Amendment (Allegiance to Australia) Bill 2015* into the House of Representatives. This will allow for revocation of Australian citizenship of dual citizens for national security or criminal offences (refer to the Citizenship Changes Key Issues Brief for further details).

## E.4 Citizenship Changes

*The following brief is a summary of the changes to the Australian Citizenship Act 2007.*

On 23 February 2015, the Prime Minister delivered his National Security Statement outlining the Government's response to the Review of Australia's Counter-Terrorism Machinery for a Safer Australia ('the Review'). The Review found that the terrorist threat in Australia is rising, specifically:

- the number of foreign fighters is increasing;
- the number of known sympathisers and supporters of extremists is increasing; and
- the number of potential terrorists is rising.

As part of the response, the Government is amending the *Australian Citizenship Act 2007* to broaden the powers relating to the cessation of Australia citizenship for those persons engaging in terrorism and who are a serious threat to Australia and Australia's interests.

### Extension of Existing Powers to Revoke Citizenship

On 24 June 2015, the Minister for Immigration and Border Protection introduced the *Australian Citizenship Amendment (Allegiance to Australia) Bill 2015* into the House of Representatives. The Bill proposes three mechanisms for automatic loss of citizenship:

1. A new provision where a person renounces their citizenship if they act inconsistently with their allegiance to Australia by engaging in certain terrorist conduct.
2. An extension to the current loss of citizenship provision for a person fighting in the armed forces of the country at war with Australia. The extension provides that a person ceases to be a citizen if they fight for, or are in the service of, a specified terrorist organisation overseas.
3. A new loss of citizenship provision if the person has been convicted of a specified terrorism offence by an Australian court.

Where the Minister becomes aware that a person has lost their Australian citizenship under these provisions, the Minister must give a notice of loss.

### Renunciation by Conduct

Section 33AA subsection (2) provides that a person who is a national or citizen of a country other than Australia, renounces their Australian Citizenship if the person acts inconsistently with their allegiance to Australia by engaging in the following conduct:

- engaging in international terrorist activities using explosive or lethal devices;
- engaging in a terrorist act;
- providing or receiving training connected with preparation for, engagement in, or assistance in a terrorist act;
- directing the activities of a terrorist organisation;
- recruiting for a terrorist organisation;
- financing terrorism;
- financing a terrorist; and / or
- engaging in foreign incursions and recruitment.

The renunciation takes effect immediately upon the person engaging in the conduct referred to above, and citizenship ceases regardless of how the person obtained their citizenship (including those who acquired citizenship through birth).

### Conviction of Terrorism Offenses

New section 35A provides that a person automatically ceases to be a citizen if they are convicted of a specified offence. This provision relies on a court having determined criminal guilt. The Bill sets out a detailed list of offences, in brief, they include:

- treason;
- espionage;
- terrorism; and
- foreign incursions.

### Statelessness

In accordance with Australia's international law obligations, no one will lose citizenship under any provisions under the Bill unless they are a national of another country.

### Exemptions

Under these provisions, the Minister would have a personal power to rescind a notice advising a person that they ceased to be an Australian citizen and exempt a person from loss of citizenship, if the Minister considers it appropriate to do so in the public interest. If the Minister rescinds a notice and exempts the person, then they do not lose their citizenship.

### Avenues for Appeal

The Bill does not limit the application of judicial review. A person who loses their citizenship under any of these provisions is able to seek a declaration from a court that they have not in fact lost their citizenship; the Federal Court and High Court both have original jurisdiction over such matters.

### International Comparisons (FCC perspectives)

Each of our FCC partners similarly have revocation powers resulting from fraud, false representations or concealment of relevant information related to national security. Likewise all provide review rights for affected individuals. However, powers relating to removal of citizenship which would render a person stateless, differ.

s. 22(1)(a)(ii)

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Meeting Brief - New Zealand Immigration Minister Woodhouse - Tuesday 11 August

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**Key Messages for Minister to Deliver**

- The Australian Government has introduced a Bill that would strip Australian citizenship from dual nationals who engage in terrorism, ensuring that terrorists who are dual nationals are prevented from returning to Australia and dual nationals who engage in terrorism within Australia can be removed, where possible.
- These provisions would operate automatically. The Minister for Immigration and Border Protection does not make a decision on these cases. However, where the Minister becomes aware that a person has lost their Australian citizenship under these provisions, the Minister must give a notice of loss.
- The Minister would have a personal and non-compellable power to rescind a notice of loss and exempt a person from the effect of the new provisions, if it is in the public interest to do so. The Minister would be able to consider the security relationship between Australia and another country when considering whether to rescind a notice.

**Background**

The Australian Citizenship Amendment (Allegiance to Australia) Bill 2015, introduced into the House of Representatives on 24 June 2015, proposes three mechanisms for automatic loss of citizenship:

- a new provision where a person renounces their citizenship if they act inconsistently with their allegiance to Australia by engaging in certain terrorist conduct;
- an extension to the current loss of citizenship provision for a person fighting in the armed forces of the country at war with Australia so that a person ceases to be a citizen if they fight for, or are in the service of, a specified terrorist organisation overseas;
- a new loss of citizenship provision if the person has been convicted of a specified terrorism offence by an Australian court.

The changes modernise our current laws, which strip dual nationals of their Australian citizenship if they serve in a foreign army at war with Australia.

These provisions would operate automatically. The Minister for Immigration and Border Protection does not make a decision on these cases. However, where the Minister becomes aware that a person has lost their Australian citizenship under these provisions, the Minister must give a notice of loss.

The Bill provides the Minister with a non-compellable personal power to rescind a notice advising a person that they ceased to be an Australian citizen and exempt a person from loss of citizenship under these provisions, if the Minister considers it appropriate to do so in the public interest.

These provisions will not leave a person stateless and do not exclude the role of the courts. This will enable a person who has lost his or her citizenship to seek legal redress.

The Government has asked the Parliamentary Joint Committee on Intelligence and Security (PJCIS) to inquire into the Bill and report back to Parliament in early August.

Prior to the introduction of the Bill the New Zealand High Commissioner to Australia wrote to the Minister (**Attachment A**) <sup>s. 33(a)(iii)</sup> Deputy Secretary Noble responded on the Minister's behalf (**Attachment B**).



**MINISTER:** Peter Dutton  
**ELECTORATE (Federal):** Sydney  
**SITTING MEMBER:** Tanya Plibersek MP

**ADVISER:** s. 47F(1)

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**Event Brief - Australia's Regional Summit to Counter Violent Extremism**

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**Event day/date**

Thursday-Friday, 11-12 June 2015

**Time Minister is to arrive**

09:15

**Minister's Role**

To represent the Immigration and Border Protection Portfolio (the Portfolio)

**Venue**

Pier One, Hickson Road, Walsh Bay, Sydney NSW

**Number of attendees**

TBC

**Who the Minister will be met by:**

Michael Pezzullo, Secretary  
Department of Immigration and Border Protection (DIBP)

**Where will the Minister be met:**

Pier One, Hickson Road, Walsh Bay – Front Entrance

**Event contact person:**

Lachlan M Colquhoun, First Assistant Secretary  
International Division, DIBP

**Contact person for day of Event:**

Agnieszka Holland  
International Division, DIBP

**List of Attendees**

Michael Pezzullo, Secretary DIBP

Dr Ben Evans, A/g First Assistant Secretary, Strategic Policy and Planning Division, DIBP

Agnieszka Holland, Assistant Secretary, International Strategy Branch, International Division, DIBP

Balance - unavailable

**Brief order of proceedings**

Agenda at Attachment C

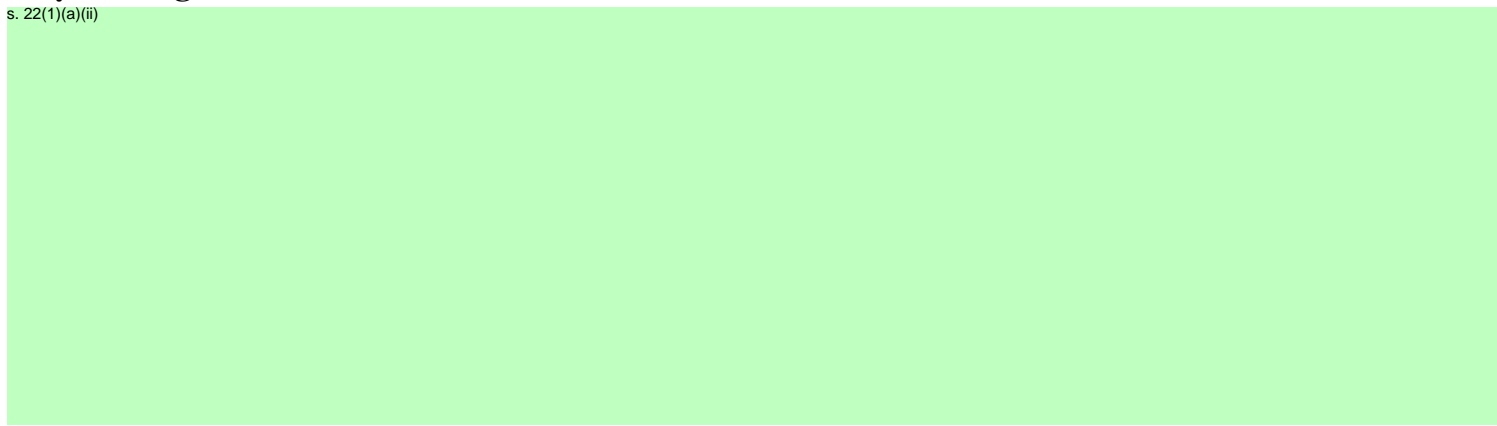
**Dress**

Daytime event – business attire

Evening reception - business attire


## Key Messages

s. 22(1)(a)(ii)



5. On 26 May 2015, the Prime Minister and I announced the government's intention to update the Australian Citizenship Act 2007 to allow it to revoke citizenship from dual citizens who engage in terrorism activities.

s. 22(1)(a)(ii)



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Freedom of Information Act 1982

### Proposed Legislative Amendments to *Australian Citizenship Act 2007*

- On 26 May 2015, the Prime Minister and you, as Minister for Immigration and Border Protection, announced the government's intention to amend the *Australian Citizenship Act 2007* to allow it to revoke citizenship from dual citizens who engage in terrorism.
- The government will launch a national consultation to improve understanding of the privileges and responsibilities of Australian citizenship.
- A national conversation about citizenship will enable consideration as to whether the rights and responsibilities of citizenship are well understood and how they can be better promoted, including among young Australians.
- The consultation will seek the public's views on further possible measures, including the suspension of certain privileges of citizenship for those involved in serious terrorism.
- The consultations will be led by the Parliamentary Secretary for Social Services, Senator the Hon Concetta Fierravanti-Wells and the Hon Philip Ruddock MP.

s. 22(1)(a)(ii)

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**Attachment E: Brief for bilateral meeting with Malaysian Minister for Home Affairs**

**BILATERAL MEETING WITH MALAYSIAN MINISTER OF HOME AFFAIRS,  
YB DATO' SERI DR AHMAD ZAHID HAMIDI**

**Thursday, 11 June 2015, 16:00 – 16:30**

s. 22(1)(a)(ii)

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**Attachment F: Brief for bilateral meeting with Singapore**

**BILATERAL MEETING WITH SINGAPORE SECOND MINISTER FOR HOME AFFAIRS AND  
SECOND MINISTER FOR FOREIGN AFFAIRS,  
MR MASAGOS ZULKIFLI**

**Thursday, 11 June 2015**

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s. 22(1)(a)(ii)

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Australian  
**BORDER FORCE**



Australian Government  
Department of Immigration  
and Border Protection

# SITUATION REPORT

s. 47E(d)

SITUATION REPORT	9
TIME / DATE	1700hrs (AEST) Friday 7 August 2015
PERIOD COVERED BY THIS REPORT	1700hrs (AEST) Friday 31 July 2015 1700hrs (AEST) Friday 7 August 2015
NEXT REPORT	1700hrs (AEST) Friday 21 August 2015

## KEY DEVELOPMENTS:

### Investigation mission:

To identify, and provide assessments on, dual citizens who are known to be engaging in or supporting terrorism related conduct, thereby renouncing their right to hold Australian citizenship.

### General outcomes/developments:

(i) On 4 and 5 August 2015, the Parliamentary Joint Committee on Intelligence and Security (PJCIS) conducted public and in-camera hearings as part of its inquiry into the Australian Citizenship Amendment (Allegiance to Australia) Bill 2015. The PJCIS will reconvene its hearings on Monday, 10 August 2015.

s. 33(a)(i), s. 33(a)(iii)

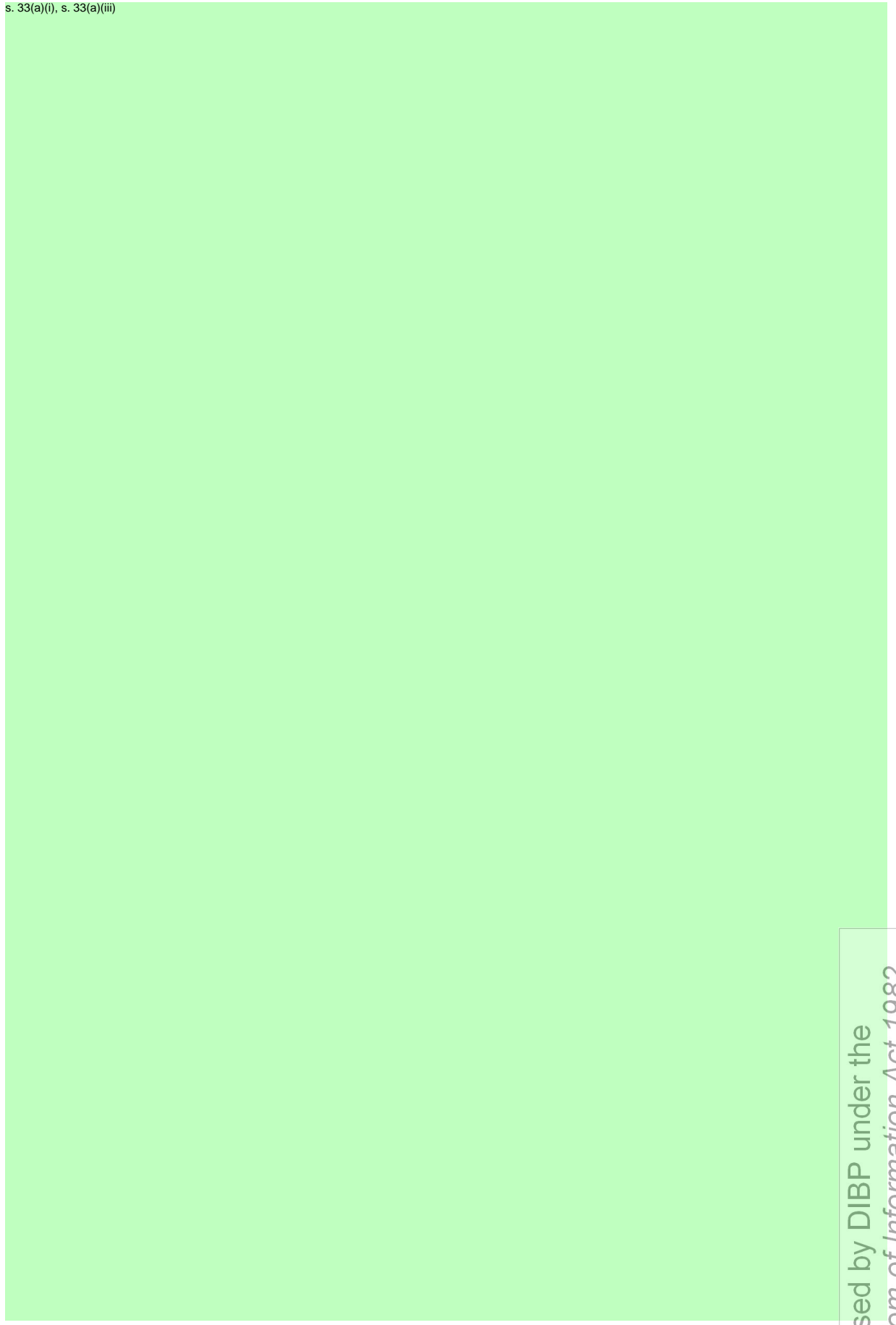
(iii) As governance arrangements are in place and the focus has shifted to identifying candidates and building cases for loss of citizenship, SITREP reporting will occur once a fortnight on Friday.

### Critical decisions:

Nil

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s. 33(a)(i), s. 33(a)(iii)



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s. 22(1)(a)(ii)



	Name	Date/Time
Prepared by:	s. 22(1)(a)(ii)	07/08/2015
Cleared SIO	s. 22(1)(a)(ii)	07/08/2015
Cleared OPChief	Anthony Seebach	07/08/2015
Cleared by AC Investigations	s. 22(1)(a)(ii)	07/08/2015

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OP CHIEF Anthony Seebach; s. 22(1)(a)(ii) s. 22(1)(a)(ii) @border.gov.au

**MINISTER: Peter Dutton**

**ADVISER:** s. 47F(1)

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**Meeting with the Hon. Michael Woodhouse MP, New Zealand Minister of Immigration, Tuesday  
11 August 2015, 12:00-12:45.**

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**Person/ Organisation**

The Hon. Minister Woodhouse MP, Minister of Immigration, Minister of Police, and  
Minister for Workplace Relations and Safety for New Zealand.

s. 22(1)(a)(ii)

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### Key issues likely to be raised at the meeting

#### **Issue 2 – Counter terrorism measures in the Citizenship Act**

- The Australian Government has introduced a Bill that would strip Australian citizenship from dual nationals who engage in terrorism. The Bill ensures that terrorists who are dual nationals are prevented from returning to Australia and dual nationals who engage in terrorism within Australia can be removed, where possible.
- These provisions would operate automatically. The Minister for Immigration and Border Protection does not make a decision on these cases. However, where the Minister becomes aware that a person has lost their Australian citizenship under these provisions, the Minister must give a notice of loss.
- The Minister would have a personal and non-compellable power to rescind a notice of loss and exempt a person from the effect of the new provisions, if it is in the public interest to do so. The Minister would be able to consider the security relationship between Australia and another country when considering whether to rescind a notice.

## Background

The *Australian Citizenship Amendment (Allegiance to Australia) Bill 2015*, introduced into the House of Representatives on 24 June 2015, proposes three mechanisms for automatic loss of citizenship:

- a new provision where a person renounces their citizenship if they act inconsistently with their allegiance to Australia by engaging in certain terrorist conduct
- an extension to the current loss of citizenship provision for a person fighting in the armed forces of a country at war with Australia. A person would cease to be a citizen if they fight for, or are in the service of, a specified terrorist organisation overseas
- a new loss of citizenship provision if a person has been convicted of a specified terrorism offence by an Australian court.

The changes modernise Australia's current laws, which strip dual nationals of their Australian citizenship if they serve in a foreign army at war with Australia. These provisions will not leave a person stateless and do not exclude the role of the courts. This will enable a person who has lost their citizenship to seek legal redress. The Government has asked the Parliamentary Joint Committee on Intelligence and Security to inquire into the Bill and report back to Parliament in early August.

s. 33(a)(iii)

s. 22(1)(a)(ii)

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## MEETING BRIEF

Meeting Date: <b>30/06/2015</b>	Meeting Time: <b>1330</b>	Item: N/A
<b>Meeting with Mr Llewellyn Roberts, Deputy Head of Mission, New Zealand High Commission Canberra</b>		

### Background

Mr Llewellyn Roberts, Deputy Head of Mission, New Zealand (NZ) High Commission Canberra, has requested a meeting with you to exchange views on issues relating to Australian and NZ people

s. 22(1)(a)(ii)

s. 22(1)(a)(ii)

### Key Issues

#### 1) Counter terrorism measures in the Citizenship Act

- The Australian Government will strip Australian citizenship from dual nationals who engage in terrorism.
- Australia wants to ensure that terrorists who are dual nationals are prevented from returning to Australia and that dual nationals who engage in terrorism within Australia can be removed, where possible.
- Australia's highest priority is to keep the community safe. These new laws will give our agencies another tool to protect the community and combat the growing terrorist threat.

s. 33(a)(iii)

- The Bill provides a mechanism for the Minister to consider the security relationship between Australia and another country in the operation of the new powers. However, this mechanism is a personal power and non-compellable.

### ***The substance of the Bill***

- The *Australian Citizenship Amendment (Allegiance to Australia) Bill 2015* introduced into the House of Representatives on 24 June 2015 proposes three mechanisms for automatic loss of citizenship:
  1. A new provision where a person renounces their citizenship if they act inconsistently with their allegiance to Australia by engaging in certain terrorist conduct.
  2. An extension to the current loss of citizenship provision for a person fighting in the armed forces of the country at war with Australia so that a person ceases to be a citizen if they fight for, or are in the service of, a specified terrorist organisation overseas.
  3. A new loss of citizenship provision if the person has been convicted of a specified terrorism offence by an Australian court.
- These provisions operate automatically. The Minister does not make a decision on these cases. However, where the Minister becomes aware that a person has lost their Australian citizenship under these provisions, the Minister must give a notice of loss.
- The Bill provides the Minister with a non-compellable personal power to rescind a notice advising a person that they ceased to be an Australian citizen and exempt a person from loss of citizenship under these provisions, if the Minister considers it appropriate to do so in the public interest.
  - These provisions will not leave a person stateless and do not exclude the role of the courts. This will enable a person who has lost his or her citizenship to seek legal redress.
  - The changes modernise our current laws, which strip dual nationals of their Australian citizenship if they serve in a foreign army at war with Australia.
- The Government has asked the Parliamentary Joint Committee on Intelligence and Security (PJCIS) to inquire into the Bill and report back to Parliament in early August.



<b>AUTHOR:</b>	s. 22(1)(a)(ii)
<b>POSITION:</b>	Pacific, Americas, North Asia & Europe Branch, International Division, Policy Group
<b>CLEARING OFFICER:</b>	Peter Speldewinde s. 22(1)(a)(ii), Assistant Secretary Pacific, Americas, North Asia & Europe Branch.
<b>CONTENT PROVIDED BY:</b>	International Division Strategic Policy and Planning Division Trade Customs & Industry Policy Division Immigration and Citizenship Policy Division
<b>DATE:</b>	29 June 2015



## MEETING BRIEF

### DIBP/DFAT Joint Secretaries Meeting

s. 22(1)(a)(ii)

#### TALKING POINTS:

s. 22(1)(a)(ii)

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## 2. Citizenship revocation for NZ dual nationals and impact on bi-lateral relationship

- The Australian Government will strip Australian citizenship from dual nationals who engage in terrorism and remove those dual nationals wherever possible.
- Australia's highest priority is to keep the community safe. These new laws will give Australian agencies another tool to protect the community and combat the growing terrorist threat.

s. 33(a)(iii)

- The *Australian Citizenship Amendment (Allegiance to Australia) Bill 2015* provides a mechanism for the Minister to consider the security relationship between Australia and another country in the operation of the new powers. However, this mechanism is a personal power and non-compellable.

s. 33(a)(iii)

s. 22(1)(a)(ii)

### Counter terrorism measures in the Citizenship Act

#### *The substance of the Bill*

- The *Australian Citizenship Amendment (Allegiance to Australia) Bill 2015* introduced into the House of Representatives on 24 June 2015 proposes three mechanisms for automatic loss of citizenship:
  1. A new provision where a person renounces their citizenship if they act inconsistently with their allegiance to Australia by engaging in certain terrorist conduct.
  2. An extension to the current loss of citizenship provision for a person fighting in the armed forces of the country at war with Australia so that a person ceases to be a citizen if they fight for, or are in the service of, a specified terrorist organisation overseas.
  3. A new loss of citizenship provision if the person has been convicted of a specified terrorism offence by an Australian court.
- These provisions operate automatically. The Minister does not make a decision on these cases. However, where the Minister becomes aware that a person has lost their Australian citizenship under these provisions, the Minister must give a notice of loss.

- The Bill provides the Minister with a non-compellable personal power to rescind a notice advising a person that they ceased to be an Australian citizen and exempt a person from loss of citizenship under these provisions, if the Minister considers it appropriate to do so in the public interest.
  - These provisions will not leave a person stateless and do not exclude the role of the courts. This will enable a person who has lost his or her citizenship to seek legal redress.
  - The changes modernise our current laws, which strip dual nationals of their Australian citizenship if they serve in a foreign army at war with Australia.
- The Government has asked the Parliamentary Joint Committee on Intelligence and Security (PJCIS) to inquire into the Bill and report back to Parliament in early August.

s. 22(1)(a)(ii)

AUTHOR:	s. 22(1)(a)(ii)
POSITION:	Pacific Section, Pacific and Transnational Issues Branch, International Division, Policy Group
CLEARING OFFICER:	Scott Matheson s. 22(1)(a)(ii), Assistant Secretary, Pacific and Transnational Issues Branch.
CONTENT PROVIDED BY:	International Division Strategic Policy and Planning Division Immigration and Citizenship Policy Division
DATE:	03 August 2015

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## New Zealand

Attorney General, the Hon Christopher FINLAYSON QC

DIBP Secretary Michael PEZZULLO

s. 33(a)(iii)

### Talking Points

#### If asked: revoking citizenship of dual nationals involved in terrorism

- Australia's highest priority is to keep the community safe. These new laws will give Australian agencies another tool to protect the community and combat the growing terrorist threat.
- The Australian Government will strip Australian citizenship from dual nationals who engage in terrorism and remove those dual nationals wherever possible.

s. 33(a)(iii)

- Under the legislation currently being considered, the Minister for Immigration and Border Protection would have the power to exempt a person from loss of citizenship on a case-by-case basis.

s. 22(1)(a)(iii)

## Key Issues

s. 22(1)(a)(ii)

### *Counter terrorism measures in the Citizenship Act*

The Australian Government introduced the *Australian Citizenship Amendment (Allegiance to Australia) Bill 2015* to Parliament on 24 June 2015, which would strip Australian citizenship from dual nationals who engage in terrorism. This measure ensures that terrorists who are dual nationals are prevented from returning to Australia and dual nationals who engage in terrorism within Australia can be removed, where possible.

The Bill as introduced proposes three mechanisms for automatic loss of citizenship:

- a new provision where a person renounces their citizenship if they act inconsistently with their allegiance to Australia by engaging in certain terrorist conduct
- an extension to the current loss of citizenship provision for a person fighting in the armed forces of a country at war with Australia. A person would cease to be a citizen if they fight for, or are in the service of, a specified terrorist organisation overseas
- a new loss of citizenship provision if a person has been convicted of a specified terrorism offence by an Australian court.

These provisions would operate automatically. The Minister for Immigration and Border Protection does not make a decision on these cases. However, where the Minister becomes aware that a person has lost their Australian citizenship under these provisions, the Minister must give a notice of loss.

The Minister would have a personal and non-compellable power to rescind a notice of loss and exempt a person from the effect of the new provisions, if it is in the public interest to do so. The Minister would be able to consider the security relationship between Australia and another country when considering whether to rescind a notice.

At the request of Australia's Attorney-General, the Parliamentary Joint Committee on Intelligence and Security inquired into the Bill and published its report on 4 September 2015.


The Committee's report recommended passage of the Bill, subject to the implementation of 27 recommendations including:

- making loss of citizenship following conviction for a specified criminal offence a matter for Ministerial decision (rather than automatic);
- making the conviction-based provisions work retrospectively so that a person convicted of specified terrorism offences up to ten years prior to the legislation commencing can lose their citizenship;
- limiting the application of the conduct provisions to persons offshore (either for conduct offshore, or for conduct onshore, after the person leaves Australia)
- adding a number of oversight and review mechanisms concerning the implementation and operation of the proposed new laws.

The Government is considering the Committee's recommendations carefully.

*Not for public release:* The Department of Immigration and Border Protection and the Attorney-General's Department have prepared a draft amended Bill that responds to the Committee's recommendations.

s. 22(1)(a)(ii)





## COUNTER TERRORISM MEASURES IN THE CITIZENSHIP ACT:

s. 33(a)(iii)

### Talking Points (you may wish to raise):

- The Australian Government has introduced a Bill that would strip Australian citizenship from dual nationals who engage in terrorism. The Bill ensures that terrorists who are dual nationals are prevented from returning to Australia and dual nationals who engage in terrorism within Australia can be removed, where possible.
- These provisions would operate automatically. The Minister for Immigration and Border Protection does not make a decision on these cases. However, where the Minister becomes aware that a person has lost their Australian citizenship under these provisions, the Minister must give a notice of loss.
- The Minister would have a personal and non-compellable power to rescind a notice of loss and exempt a person from the effect of the new provisions, if it is in the public interest to do so. The Minister would be able to consider the security relationship between Australia and another country when considering whether to rescind a notice.

### Background

#### *The substance of the Bill*

The Australian Citizenship Amendment (Allegiance to Australia) Bill 2015, introduced into the House of Representatives on 24 June 2015, proposes three mechanisms for automatic loss of citizenship:

- a new provision where a person renounces their citizenship if they act inconsistently with their allegiance to Australia by engaging in certain terrorist conduct
- an extension to the current loss of citizenship provision for a person fighting in the armed forces of a country at war with Australia. A person would cease to be a citizen if they fight for, or are in the service of, a specified terrorist organisation overseas
- a new loss of citizenship provision if a person has been convicted of a specified terrorism offence by an Australian court.

The changes modernise Australia's current laws, which strip dual nationals of their Australian citizenship if they serve in a foreign army at war with Australia. These provisions will not leave a person stateless and do not exclude the role of the courts. This will enable a person who has lost their citizenship to seek legal redress.

s. 33(a)(iii)

***Parliamentary Joint Committee on Intelligence and Security (not for release)***

At the request of Australia's Attorney-General, the Parliamentary Joint Committee on Intelligence and Security inquired into the Bill and published its report on 4 September 2015.

The Committee's report recommended passage of the Bill, subject to the implementation of 27 recommendations including:

- making loss of citizenship following conviction for a specified criminal offence a matter for Ministerial decision (rather than automatic);
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- limiting the application of the conduct provisions to persons offshore (either for conduct offshore, or for conduct onshore, after the person leaves Australia)
- adding a number of oversight and review mechanisms concerning the implementation and operation of the proposed new laws.
- The Government is considering the Committee's recommendations carefully.

The Department of Immigration and Border Protection and the Attorney-General's Department have prepared a draft amended Bill that responds to the Committee's recommendations.