

From: s.22(1)(a)(ii)
To:
Cc: [AC ICO Executive Support; DC Regional Operations Executive Support](#)
Subject: RE: Minute - ABF funding allocation to support NZYQ decision [SEC=PROTECTED]
Date: Tuesday, 26 March 2024 5:25:32 PM

PROTECTED

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

Sandra had a couple of queries in reference to 43 ASL for ABF College, that is contained in this minute. I clarified with the following:

From an ABF Workforce perspective they will get:

- FY 2023-24: 19 ASL (17 for College and 2 for Procedural Instructions);
- FY 2024-25: 28 ASL (26 for College and 2 for Procedural Instructions).

To answer your question for ABF College, in FY 24-25 it does not mean they will have an FTE of 43 (17+26). Just the 26 that has been allocated for 2024-25.

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

Group Finance Partner – (Regional and National Operations)
 Management Accounting Branch | Finance Division
 Chief Operating Officer Group
 Department of Home Affairs
 Ph: s.22(1)(a)(ii)
 Email: s.22(1)(a)(ii)@homeaffairs.gov.au

PROTECTED

From: s.22(1)(a)(ii)@abf.gov.au>
Sent: Monday, 25 March 2024 11:04 AM
To: s.22(1)(a)(ii)@homeaffairs.gov.au>
Cc: AC ICO Executive Support s.22(1)(a)(ii)@abf.gov.au>; DC Regional Operations Executive Support s.22(1)(a)(ii)@abf.gov.au>
Subject: Minute - ABF funding allocation to support NZYQ decision [SEC=PROTECTED]

PROTECTED

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

Please see attached minute relating to ABF funding allocation to support NZYQ decision, signed

off by the 3 Deputies.

Regards

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

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

Superintendent

Executive Officer to Vanessa Holben PSM

Deputy Commissioner | Regional Operations

Australian Border Force

P: s.22(1)(a)(ii) M: s.22(1)(a)(ii)

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Minute

To: Deputy Commissioner National Operations s.22(1)(a)(i) 25/3/24
Deputy Commissioner Regional Operations s.22(1)(a)(i) 25/3/24
Acting Deputy Commissioner Strategy and Capability s.22(1)(a)(i) 21/3/24

Cc: Acting Deputy Secretary Immigration
Group Manager Immigration Compliance
Assistant Commissioner Immigration Compliance Operations
Group Finance Partners

Date: 21 March 2024

ABF funding allocation to support NZYQ decision

Timing

At your earliest convenience

Purpose

To:

1. **Note** that some ABF funding has already transferred to the Department, namely Intelligence, Removals and Senior Executive.
2. **Note** there is further work required on the funding associated with the ABF Workforce (ABF College and Procedural Instructions), Operational Coordination and Planning (OCP) and Electronic Monitoring Device (EMD) Contracts.
3. **Seek approvals** on the reallocation of ABF funding to the Department, to support to Community Safety Operations Division and NZYQ outcomes.

Background

1. On 08 November 2023, the High Court found that indefinite detention was unconstitutional and the decision required the Government to release from immigration detention anyone where there is no real prospect of their removal from Australia being practicable in the reasonably foreseeable future.
2. On 10 November 2023, the ABF established Operation AEGIS, which is a joint AFP and ABF Operation working closely with state and territory authorities and law enforcement partners, to monitor compliance with the new criminalised visa conditions.
3. On 16 November 2023, the Migration Amendment (Bridging Visa Conditions) Act 2023 came into effect, which introduced urgent and necessary reforms to the Return Pending Bridging Visa (BVR) to strengthen visa conditions and impose criminal penalties where needed to keep Australians safe. The BVR will

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allow for those detainees who have been released to be more effectively monitored and regulate certain activities.

4. The ABF also established a new 24/7 tactical capability within the Australian Border Operations Centre (ABOC) to respond quickly to suspected visa breaches and this includes referrals to the AFP, and immediate referrals to State and Territory police agencies.
5. On 11 December 2023, the ABF established the Community Protection Board, which has membership from the ABF and Department, personnel with law enforcement expertise and individuals with other highly relevant experience. The purpose of the Board is to provide informed, impartial and evidence-based recommendations to the Minister or the Delegate concerning the necessity of visa conditions which may be required to be imposed on a person subject to a bridging visa.
6. The ABF College quickly released two e-learning programs on 28 November 2023 for officers performing Field Operations, Detention Operations and ABF Investigations functions supporting Operation AEGIS outcomes. A subsequent training product was released on 18 December 2023, covering the use of the electronic monitoring systems to support authorised users in completely transact with monitoring information in real time and produce reports as needed.
7. The ABF Workforce undertook revision of a number of operational policy documents to support Operation AEGIS, this also included work on the development of two operational notifications and the Monitoring Device and Related Monitoring Equipment Information Sheet issued to clients by Field Operations officer translated into 16 languages.
8. The ABF entered into contract arrangements with two vendors to establish and operate electronic monitoring:
 - a. On 28 November 2023, the department entered into a Letter of Agreement with Corrective Services NSW to provide devices and electronic monitoring of up to 150 clients subject to condition 8621 (Key documents are located at s. 47E(d), s. 47(1)(b)). The value of the agreement is s. 47(1)(b).
 - b. On 24 November 2023, the department entered into a Letter of Intent with Buddi Limited, in advance of a contract commencing on 31 December 2023, to provide devices and electronic monitoring of clients subject to condition 8621 (Key documents are located at s. 47(1)(b), s. 47E(d)). The value of the agreement is s. 47(1)(b).
 - c. On 02 January 2024, a contract was signed between the Department and Buddi Limited for the provision of electronic monitoring services until 30 November 2024.
9. With new changes to immigration detention laws, the emergent release of in excess of 140 detainees and the current high risk environment already evident within the detention space, there was value from an enhanced intelligence framework which can adapt to changes in both cohort and legislative amendments and provide timely intelligence to ensure ABF Detention Operations have information relating to new and returning detainees to ensure adequate management within the immigration space and provide an intelligence response for the Community Safety Scheme.
 - a. The ABF entered a contract with a service provider, with the cost of the contract being \$420,000 (GST Exclusive) funded from the NZYQ funding envelope.
 - b. To cover the costs of the contract this financial year, funding will be repurposed from training costs; and transferred from ABF Workforce to Onshore Detention.
10. The Government announced funding to support the NZYQ initiatives, with the ABF being allocated a total of \$102.5m in 2023-24 and 2024-25, consisting of:
 - a. \$45.6m in Departmental funding - \$17.5m (121 ASL) in 2023-24 and 28.1m (176 ASL) in 2024-25; and
 - b. \$56.9m in Administered funding - \$21.3m in 2023-24 and 35.6m in 2024-25.

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Issues

11. The ABF was allocated funding to support implementation of the outcomes following the NZYQ decision and NPP approval, based on estimated number of individuals that would be affected by the High Court Decision, per Table 1 below:

s. 47C(1)

12. Of the Initial Departmental funding allocation of \$45.6m to the ABF, the following has been transferred:
- \$6.4m to Intelligence Division (Table 2): \$2.5m in FY23-24 (21 ASL) and \$3.9m in FY24-25 (32 ASL); and
 - \$0.9m to Immigration Compliance Division: \$0.4m in FY23-24 (3 ASL) and \$0.6m (4 ASL).

Table 2 – ASL Transfers from ABF.

Division		2023-24	2024-25	2023-24	2024-25
		\$	\$	ASL	ASL
<i>Intelligence Analysts</i>	<i>Intelligence</i>			3	4
<i>Regional Intelligence Officers</i>	<i>Intelligence</i>			14	23
<i>Intelligence Analysts</i>	<i>Intelligence</i>			4	5
Total		2,544,885	3,955,745	21	32
<i>Removals Procedural Instructions</i>	<i>Immigration Compliance</i>	361,804	594,540	3	4
Total		2,906,689	4,550,285	24	36

13. Post the aforementioned transfers, \$38.1m in Departmental funding remains within the ABF. Please refer to Table 3 below in relation to the current funding allocation including the ASL, and a detailed breakdown of ASL by function in Table 4.

Table 3 – Current NZYQ funding allocation within the ABF.

Command	Category	2023-24	2024-25	2023-24	2024-25
		\$	\$	ASL	ASL
ABF Work Force	Employee	2,636,744	3,791,581		
	Travel	167,129	280,432		
	Training (Field)	1,118,800	2,555,716		
	Training (Invest)	193,194	643,980		
	Total WF	4,115,867	7,271,709	19	28
Operational Coordination and Planning (OCP)	Employee	4,213,118	4,904,103		
	Travel	307,870	420,647		
	Shift Allowances	242,024	412,597		
	Tactical	99,860	199,720		
	Total OCP	4,862,872	5,937,067	35	42
South Command	Employee	4,228,144	7,153,266		
	Travel	372,083	706,087		
	Shift Allowances	787,510	1,939,206		
	Legal Costs	250,000	500,000		
	Total South	5,637,736	10,298,558	43	71
Grand Total		14,616,475	23,507,335	98	141

Table 4 Detailed ASL Breakdown

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	Command	2023-24	2024-25
Monitor travel settings, triage info and alerts		5	5
Australian Border Operations Centre	OCP	5	5
Curfew and electronic monitoring conditions		48	68
Immigration Compliance Officers	South	29	46
Immigration status services	South	4	5
National Monitoring Centre	OCP	8	10
Liaison Officers	OCP	2	2
National Surveillance Officers	OCP	4	5
Investigations and Enforcement		20	33
Investigations	South	9	19
Digital Investigators	OCP	7	8
National Surveillance Officers	OCP	4	5
Critical enabling and support		24	35
ABF Workforce	WF	17	26
Fusion, Effects and Reporting	OCP	5	6
Procedural Instructions	WF	2	2
ABF Total	Total	98	141

14. On 4 January 2024, the Community Safety Operations (CSO) Division was established under Deputy Regional Operations to support the enduring ABF efforts to Operation AEGIS and Community Protection Board (CPB) arrangements, with an enduring structure being finalised recently (**refer Attachment A**).
 - a. The new CSO Division did not have any dedicated funding, however one SES position was funded.
 - b. The CPB did not receive discrete funding and resources allocated to CPB will come from the AEGIS (NZYQ) envelope.
15. Work has been undertaken to review the current ABF funding allocations and seek agreement to support an enduring workforce and functions, from ABF work areas in order to reallocate funding from these to the Community Safety Operations Division.
16. **Seeking Approval (DC National Operations)** for the current management and funding associated with the EMD contracts to remain in the ABF, as outlined below
 - a. Electronic Monitoring contracts (including contract with NSW Corrections).
 - i. Approval has been given for 2 contractors to manage the contracts
 - ii. Agreement between Assistant Commissioner CSO and Acting AC Detention Operations, that ABF will on-board 2 contractors to manage the EMD contracts and future procurement process
 - iii. Plan to transition the contractors and funding to the Department and CSOD within **6months**.
17. **Seeking Approval (DC Regional Operations)** for the FTE and associated Supplier funds from South Command to be allocated to the new Division, for the following functions, per Table 5.

Table 5 Proposed funding transfer from South Command

	2023-24 \$	2024-25 \$	2023-24 ASL	2024-25 ASL
Immigration Compliance Officers			29	46
Immigration status services			4	5
Investigations [^]			9	19
South Command Total	5,637,736	10,298,558	43	71

[^] Investigations –Note: however this is not an investigations function as it is for triage and referrals of reports of crime only. If it was an investigations function it would remain in the ABF with the agreed Immigration Compliance Investigations capability. This is a coordination role only, ABF support will not be provided to train Investigators for this function.

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18. Seeking Approval (DC Strategy and Capability)

- a. **Reallocation** of the following FTE and associated supplier costs, following discussions with the relevant OCP areas and relevant Financial Impact, per Table 6

Table 6 Proposed funding transfer from OCP

	2023-24	2024-25	2023-24	2024-25
	\$	\$	ASL	ASL
Monitor travel settings, triage info and alerts			5	5
Australian Border Operations Centre			5	5
Curfew and electronic monitoring conditions			10	12
National Monitoring Centre			8	10
Liaison Officers			2	2
Investigations and Enforcement			7	8
Digital Investigators			7	8
Critical enabling and support			5	6
Fusion, Effects and Reporting			5	6
OCP Total	3,705,198	4,448,182	27	32
Employees	3,225,963	3,714,041		
Travel	237,211	321,543		
Penalties	242,024	412,597		
Total	3,705,198	4,448,182		

Note: National Surveillance Officers

- o Total ASL 18 across two years to support curfew and electronic monitoring conditions; and investigations and enforcement.

s. 47E(d)

- o Following discussions with the new Commander Tactical Capability, a reduced FTE is required in the current FY of 3 ASL who have already been onboarded, with the dedicated 10 ASL remaining for 2024/25.

- b. **Note Further work** is required from ABF Workforce as part of the enduring *raise, train and sustain* model to support ABF operational officers deployed into the Department, including training and procedural instructions. Discussions to occur within the next **3-6 months**.

i. ABF College (Total 43 ASL)

1. Agree on a training needs assessment. *The ABF College will likely need to revise the required ASL to support the agreed training requirements, which may result in a reduced number of FTE required.*
2. Any future training requirements will need to be sought through the ABF Training Advisory Committee (TAC).

ii. ABF Workforce

1. Procedural Instructions (Total 4 ASL).
2. Alignment to remain with the training for ABF Officers, until such time that a decision is made to transfer the function to the Department.

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19. If **Approved**, a total of \$24.1m (total across two years) will be transferred from the ABF to the Department's Community Safety Operations Division, per Table 7.

Table 7 Proposed Transfer from ABF

	2023-24	2024-25	2023-24	2024-25
	\$	\$	ASL	ASL
<i>South Command</i>	5,637,736	10,298,558	43	71
<i>Operations Coordination and Planning</i>	3,705,198	4,448,182	27	32
Total	9,342,934	14,746,740	70	103

20. GFP have **advised** the funding is currently allocated at the Assistant Commissioner cost centre levels and the process of reallocation will be arranged by GFP on approval of this minute.
21. Further changes may be required in the future and these will be made with the relevant business area.

Consultation

The following areas have been consulted:

ABOC Acting Commander
 ABF College Acting Commander
 National Planning and Targeting Commander
 Operations AEGIS Commander
 Strategy Capability and Investment Assistant Secretary
 Tactical Capability Commander
 Group Finance Partner Director

Contact Officer: s.22(1)(a)(ii)

Division/branch: Regional Operations

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

Attachments:

A – Community Safety Operations Division Operating Model Structure

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Recommendations

It is recommended that:

DC National Operations

- **Approve** at this stage there is no current change to the management of the EMD contracts and further work is required to progress transfer of these functions from Detention Operations to the Department, following a 6month transition period.

Approved/ Not Approved/ Please Discuss

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

Tim Fitzgerald

Deputy Commissioner

National Operations

25 March 2024

DC Regional Operations

- **Approve** the reallocation of South funding, per Table 6 to the Department.

Approved/ Not Approved/ Please Discuss

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

Vanessa Holben

Deputy Commissioner

Regional Operations

25 March 2024

DC Strategy and Capability

- **Approve** the reallocation of OCP funding, per Table 6 to the Department.

Approved/ Not Approved/ Please Discuss

- **Note** there is further work required towards the *raise, train and sustain* components including agreement on a training needs assessment and possible transfer of procedural instructions.

Noted/Please Discuss

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

Kylie Rendina

Acting Deputy Commissioner

Strategy and Capability

21 March 2024

There is also requirements for workforce planning + management for these officers which requires + will leverage this funding.

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From: s.22(1)(a)(ii)
To: [DC Regional Operations Executive Support](#)
Subject: EC24-001456 | Minute - ABF funding to support NZYQ decision : Corporate Documents [SEC=PROTECTED]
Date: Monday, 25 March 2024 10:01:40 AM

SEC=PROTECTED

Notification from the Parliamentary Document Management System (PDMS)

EXECUTIVE COMMUNICATION

Details: s.22(1)(a)(ii) has assigned **EC24-001456** to **ABF - EXEC - DC - Regional Operations.**

Document Type: Corporate Documents

Subject: Minute - ABF funding to support NZYQ decision

PDR Link: [EC24-001456](#)

PDR Status: Draft

Due for Clearance: 26/03/2024 5:00:31 PM

Due to Executive: 2/04/2024 5:00:31 PM

Responsible Area: ABF - EXEC - DC - Regional Operations

Processing Instructions: PDMS record can be closed. Signed Minute to circulate to relevant business areas

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CC Recipients:

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From: [DC Regional Operations Executive Support](#)
To: [s.22\(1\)\(a\)\(ii\)](#)
Cc: [Bjorn ROBERTS](#); [Ken MCKERN](#); [s.22\(1\)\(a\)\(ii\)](#)
Subject: RE: FOR APPROVAL - NZYQ funding - reallocation of funding for NPP - Tactical Capability [SEC=OFFICIAL]
Date: Wednesday, 28 February 2024 11:31:00 AM
Attachments: [image001.jpg](#)

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Thanks, happy to wait until Bjorn commences next week to discuss further and will schedule in some time.

Regards

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

Superintendent
Executive Officer to Vanessa Holben PSM
Deputy Commissioner | Regional Operations
Australian Border Force
P: [s.22\(1\)\(a\)\(ii\)](#) M: [s.22\(1\)\(a\)\(ii\)](#)

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From: [s.22\(1\)\(a\)\(ii\)](#) <[@abf.gov.au](#)>
Sent: Wednesday, 28 February 2024 9:37 AM
To: [s.22\(1\)\(a\)\(ii\)](#) <[@abf.gov.au](#)>
Cc: Bjorn ROBERTS [s.22\(1\)\(a\)\(ii\)](#) <[@abf.gov.au](#)>; Ken MCKERN [s.22\(1\)\(a\)\(ii\)](#) <[@abf.gov.au](#)>; DC Regional Operations Executive Support [s.22\(1\)\(a\)\(ii\)](#) <[@abf.gov.au](#)>
Subject: RE: FOR APPROVAL - NZYQ funding - reallocation of funding for NPP - Tactical Capability [SEC=OFFICIAL]

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Hi [s.22\(1\)\(a\)](#)

s. 47C(1)

[s.22\(1\)\(a\)\(ii\)](#)
A/g Commander
Tactical Capability Branch
Operational Coordination and Planning
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From: [s.22\(1\)\(a\)\(ii\)](#) <[@abf.gov.au](#)>
Sent: Tuesday, 27 February 2024 4:15 PM
To: [s.22\(1\)\(a\)\(ii\)](#) <[@abf.gov.au](#)>
Cc: Bjorn ROBERTS [s.22\(1\)\(a\)\(ii\)](#) <[@abf.gov.au](#)>; Ken MCKERN [s.22\(1\)\(a\)\(ii\)](#) <[@abf.gov.au](#)>; DC Regional Operations Executive Support [s.22\(1\)\(a\)\(ii\)](#) <[@abf.gov.au](#)>
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s. 47C(1)

Regards

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

Superintendent
Executive Officer to Vanessa Holben PSM
Deputy Commissioner | Regional Operations
Australian Border Force
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Sent: Tuesday, 27 February 2024 2:57 PM
To: [s.22\(1\)\(a\)\(ii\)](#) <[@abf.gov.au](#)>
Cc: Bjorn ROBERTS [s.22\(1\)\(a\)\(ii\)](#) <[@abf.gov.au](#)>; Ken MCKERN [s.22\(1\)\(a\)\(ii\)](#) <[@abf.gov.au](#)>; DC Regional Operations Executive Support [s.22\(1\)\(a\)\(ii\)](#) <[@abf.gov.au](#)>
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Hi s.22(1)(a)

s. 47C(1)

thanks

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

A/g Commander
Tactical Capability Branch
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XXXXXXXXXXXX

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From: s. 22(1)(a)(ii) @abf.gov.au>
Sent: Tuesday, 27 February 2024 1:06 PM
To: s. 22(1)(a)(ii) @abf.gov.au>
Cc: Bjorn ROBERTS s. 22(1)(a)(ii) @abf.gov.au>; Ken MCKERNS s. 22(1)(a)(ii) @abf.gov.au>; DC Regional Operations Executive Support s. 22(1)(a)(ii) @abf.gov.au>
Subject: FOR APPROVAL - NZYQ funding - reallocation of funding for NPP - Tactical Capability [SEC=OFFICIAL]

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Commander s.22(1)(a)

s. 47C(1)

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Regards
s.22(1)(b)(i)
Superintendent
Executive Officer to Vanessa Holben PSM
Deputy Commissioner | Regional Operations
Australian Border Force
P: s.22(1)(a)(ii) M: s.22(1)(a)(ii)

From: s.22(1)(a)(ii)
To: s.22(1)(a)(ii)
Cc: [Bjorn Bickel](#); [Ken McKern](#); [DC Regional Operations Executive Support](#)
Subject: FOR APPROVAL - NZYQ funding - reallocation of funding for NPP - Tactical Capability [SEC=OFFICIAL]
Date: Tuesday, 27 February 2024 12:05:36 PM

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Commander s.22(1)(a)

S. 47C(1)

Regards

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

Superintendent
Executive Officer to Vanessa Holben PSM
Deputy Commissioner | Regional Operations
Australian Border Force
s.22(1)(a)(ii) M: s.22(1)(a)(iii)

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