



Australian Government
Department of Home Affairs

OFFICIAL: Sensitive

ICT SPENDING PROPOSAL

To: Assistant Director, Procurement and Panel Management
Director, National Border Intelligence

Date: 03 May 2023

Ref No: SCTASK0190922

Original procurement - SCTASK0142072

TRIM Ref: ADF2017/42186

PROCUREMENT OF ADDITIONAL BABEL X SOFTWARE SUBSCRIPTION LICENSES FROM BABEL STREET INC

Timing

Approval is required by 05 May 2023.

Purpose

1. This spending proposal seeks the:

- cost centre manager for cc 12293 and WBS A.11375.01.01 to confirm that funds for this procurement are available consisting of USD s. 47G(1)(a) (which is the equivalent of approximately s. 47G(1)(a) (no GST) as at 2 May 2023;
- PGPAAs23(3) ICT Software / Goods and Services delegate to approve this proposed commitment of relevant money to procure additional licenses of Babel X from Babel Street Pty Ltd for USD s. 47G(1)(a) (no GST) as a limited tender approach below the relevant procurement threshold.
- PGPAAs23 (1) delegate to approve the attached Babel Street Inc order form 20230417.02143.
- PGPAAs60 delegate, you grant the indemnity in accordance with the Accountable Authority Instructions.

Background

2. Babel X is a browser-based social media analysis tool. It provides a dashboard approach for social media collection, analysis and monitoring, which can be adapted to suit the entity of interest and currently used by several of the Department's intelligence divisions. The business Owner for this product is Online & Geospatial Intelligence Section (OGI)

3. A range of built in applications support differing analyses of the data. Babel X provides significant advantage in identifying threats in consolidated social media, saving important time and effort in manually monitoring and analysing this data.
4. The capabilities offered by the platform enable areas within the Intelligence Division with advanced OSINT research and analysis. It also further enables non-technical intelligence analysts the ability identify publically available information to assess an individual or company's online presence.

5. s. 37(2)(b)

6. To allow s. 37(2)(b)

feed. This will enhance NBI's ability to support the Serious Financial Crime Taskforce (SFCT) and continue to meet the Department's obligations under the ADF2017 42186.

7. This spending proposal is seeking to obtain s. 37(2)(b)

from Babel Street inc under the existing Limited tender arrangement from the 8 May 2023 until the current expiry date of 14 September 2023.

Issues

8. If the Department does not proceed with this procurement, it will limit the ability to effectively and efficiently gather publicly available online information. This is considered a critical and pressing limitation given the current operating environment and the potential cohorts of interest. s. 37(2)(b)

Method of Procurement

9. The value of this procurement is s. 47G(1)(a) and is not subject to the additional rules of Division 2 of the CPRs. In this instance a Limited Tender procurement process was undertaken involving a direct approach to Babel Street Inc.

Services and Requirements

10. The goods and/or services to be obtained as part of this procurement are detailed in the quote at Attachment A.

Contract Term

11. The additional Babel X licences will be co-termed with the existing arrangement from 8 May 2023 until the current expiry date of 14 September 2023.

Cost

12. The total cost for this procurement is USD s. 47G(1)(a) (no GST). This is equivalent to s. 47G(1)(a) no GST as at 2 May 2023.
13. This procurement is funded with capital expenditure from A.11375.01.01

Funds Availability

14. This spending proposal includes an additional amount payable in the current financial year:

Financial Year	CAPEXcc12293	GST amount applicable
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2022/2023	USD s. 47G(1)(a)	Not applicable
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Prepayment

15. This commitment of relevant money involves making a prepayment. In accordance with the Accountable Authority Instructions, it is confirmed:
- that industry practice requires the payment in advance
 - the risks associated with the prepayment are low
 - there are benefits derived by making the prepayment as the goods and services are not available without payment in advance
 - there are no discounts associated with making the prepayment

Value for Money

16. Value for money can be demonstrated by:
- The option of using the cross Australian Government contract (BAST151218) – which only exists if dealing directly with Babel Street – offers significant cost reductions. There are cross government volume discounts provided to all parties of the BAST agreement. These are applied at invoicing stage and are based on the number of licences that are subscribed to at the time of invoice.
 - As a corollary to the 'cost savings' point made above, the BAST contract provides benefits across all Australian Government signatories with the benefits to each organization increasing at various government-wide volume levels.
 - The business area has reviewed the quote and confirmed it achieves value for money.

Risk Assessment

17. A risk assessment has been undertaken on this procurement and overall risk has been assessed as LOW (Appendix 1).
18. The proposed arrangement caps the supplier's liability to the value of the contract and the risk around an event occurring is assessed as LOW.

Procurement Policies

19. This procurement was conducted in accordance with the Procurement Connected Policies and the Department's Procurement Policy Framework at Appendix 2.

Consultation

20. The following area has been consulted:
- s. 22(1)(a)(ii), Intelligence Technology Section
 - s. 22(1)(a)(ii), National Border Intelligence Section
 - Application Portfolio Management through SCTASK0190922

Recommendation

That as:

- cost centre manager for cc12293 - A.11375.01.01 you confirm that funds for this procurement are available consisting of USD s. 47G(1)(a) no GST for goods. This is equivalent to s. 47G(1)(a) no GST as at 2 May 2023.

Approved ☒**Not Approved** ☐

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

Director National Border Intelligence

04 / MAY / 2023

- PGPAAs23(3) ICT Software and Goods and Services delegate to approve this proposed commitment of relevant money to procure additional licenses of Babel X from Babel Street Pty Ltd for USD s. 47G(1)(a) (no GST) as a limited tender approach below the relevant procurement threshold.
- PGPAAs23 (1) delegate to approve the attached Babel Street order form 20230417.02143. Inc.
- PGPAAs60 delegate, you grant the indemnity in accordance with the Accountable Authority Instructions.

Approved ☒**Not Approved** ☐

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

Procurement Officer

Procurement and Panel Management

..... 04 / 05 / 2023

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

Asst Assistant Director

Procurement and Panel Management

..... 04 / 05 / 2023

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Attachments:

A. Babel Street Quote/Order # 20230417.02143

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Department of Home Affairs

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APPENDIX 1 – RISK ASSESSMENT

NOTE: If the overall risk rating is HIGH you will need to complete a departmental Risk Assessment see

s. 37(2)(b)

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APPENDIX 2 – COMPLIANCE CHECKLIST

s. 37(2)(b)

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s. 47G(1)(a)

Date: April 18, 2023
Order # S. 47G(1)(a)

Customer (User):

Australian Department of Home Affairs
6 Chan St
Belconnen, ACT 2617 AU

Babel Street Contact:

S. 47F(1)
s. 47F(1)@babelstreet.com.au

S. 47(1)(b)

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under the *Freedom of Information Act 1982*

S. 47(1)(b)

Babel Street, Inc.

Australian Department of Home Affairs

Name: S. 47F(1)

Name: S. 47F(1)

Title: SVP, Growth Operations

Title: Assistant Director

Signature: S. 47F(1)

Signature: S. 47F(1)

"Effective Date": 05 May 2023

Date: 4 May 2023

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griffinlegal.



Australian Government
Department of Home Affairs

Department of Home Affairs

Open-source collection tools

Privacy Impact Assessment

FINAL
1 April 2025

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REFERENCE SCHEDULE

Name of Project	Open-source Collection Tools		
Name of Client	The Department of Home Affairs		
Date	1 April 2025	PIA version number	v.05 - FINAL
s. 47F(1)		Contact details	s. 47F(1)
			s. 47F(1)
Client project manager	s. 22(1)(a)(ii)	Contact details	s. 22(1)(a)(ii)

VERSION HISTORY

Version	Date	Summary of changes
v.01	2 August 2024	Initial PIA provided to the Department
v.02	11 September 2024	Revised PIA incorporating the Department's feedback dated 2 September 2024
v.03	12 December 2024	Revised PIA based on ILS feedback dated 10 October 2024 and included additional open source tools
v.04	25 February 2025	Revised PIA based on further feedback for this and additional tools addendum PIA
v.05	1 April 2025	FINAL PIA based on ILS feedback dated 25 March 2025

PART 1: EXECUTIVE SUMMARY

Overview

- 1.1 The Department of Home Affairs (the **Department**) is responsible for central coordination, strategy and policy leadership in relation to cyber and critical infrastructure resilience and security, immigration, border security and management, counter-terrorism, the protection of Australia's sovereignty and citizenship, and social cohesion.
- 1.2 The Department, including the Australian Border Force (the **ABF**), utilises a number of commercial open-source information platforms to support operational priorities, active operations and projects within the Department's functions and activities. This can include information accessed from social media or other online sources for research and intelligence purposes to support broader investigations, decision-making and integrity activities.
- 1.3 This Privacy Impact Assessment (**PIA**) has been prepared for the purpose of assessing the Department's (which includes the ABF's) Intelligence Capability's utilisation of various open-source collection tools (the **Project**).
- 1.4 It is our view that the privacy risks associated with the Project can be appropriately managed and mitigated in accordance with the recommendations in this PIA.
- 1.5 This PIA addresses:
 - (a) recommendations and practical measures to address privacy risks – see paragraph 2.1; and
 - (b) compliance with the Australian Privacy Principles (**APPs**) contained in Schedule 1 of the *Privacy Act 1988* (Cth) (**Privacy Act**) – see **Part 6 – Compliance with the APPs**.

PART 2: RECOMMENDATIONS AND DEPARTMENT'S RESPONSE

Summary of recommendations

- 2.1 This PIA makes **11 recommendations**, including practical analysis for how the Department can manage, mitigate, or remove privacy risks associated with the Project:

	Relevant APP	Recommendations	Department's response
1.	N/A	We recommend the Department implement appropriate privacy risk management tools (such as additional privacy impact assessments or an addendum to this PIA) to assess privacy impacts if there are any material changes to the collection or handling of personal information associated with the Project, once the details are known (paragraph 3.11).	
2.	APP 1	We recommend the Department update its Privacy Policy to explain how the Department collects personal information from online open sources, including with the assistance of software, and ensure all the primary collection purposes have been included in the Privacy Policy (paragraph 5.2).	
3.	APP 3	Most of these collection purposes require s. 47G(1)(a) and we recommend the Department assess on a case-by-case basis to consider whether it would be unreasonable or impracticable to collect information directly from individuals to avoid jeopardising the collection purposes (paragraph 5.21).	
4.	APP 6	We recommend that Departmental staff who are permitted to use or disclose personal information collected via open-source tools in connection with enforcement related activities are provided with the following guidelines with respect to record keeping requirements: (a) the date of the use or disclosure; (b) details of the personal information that was used or disclosed;	

Relevant APP		Recommendations	Department's response
		(c) the enforcement body conducting the enforcement related activity; (d) if the entity used the personal information, how the personal information was used by the entity; (e) if the entity disclosed the personal information, who it disclosed the personal information to (this may be the enforcement body or another entity); and (f) the basis for the entity's 'reasonable belief'. This will help the entity assure itself that this exception applies, and it may be a useful reference if the entity later needs to justify its reasonable belief. (paragraph 5.47).	
5.	APP 8	s. 47E(d)	
6.	APP 10	We recommend the Department satisfy itself that it has appropriate mechanisms (such as standard operating procedures and system controls) to ensure the personal information it holds is accurate, up-to-date and complete and the personal information it uses or discloses is, having regard to the purpose of the use or disclosure, accurate, up-to-date, complete and relevant (paragraph 5.64).	
7.	APP 11	We recommend the Department satisfy itself that it has appropriate security mechanisms to protect the personal and sensitive information it holds in relation to the Project. This could include:	

Relevant APP		Recommendations	Department's response
		(a) ICT security mechanisms such as: (i) encryption; (ii) audits and monitoring; and (iii) backup and recovery; (b) internal standard operating procedures; (c) an appropriate Data Breach Response Plan; and (d) destruction and de-identification processes. (paragraph 5.69 and 5.70).	
8.	APP 11	We recommend the Department obtain a Security Risk Assessment (SRA) relating to the Project and consider implementing any recommendations forming part of the SRA (paragraph 5.72).	
9.	APP 11	We recommend the Department retain the records associated with the Project per existing Departmental records management protocols and the Records Authorities that apply to the Department's core activities (paragraph 5.78).	
10.	N/A	We recommend the Department ensures its Data Breach Response Plan appropriately considers information handling associated with the Project, to ensure that privacy breaches are identified and mitigated in a timely manner (paragraph 7.10).	
11.	N/A	As a privacy-positive strategy, we recommend a post-implementation audit after the deployment of the Project to assess whether any changes need to be made to functionality or processes to better protect the data. The Department may decide a practical timeframe for the post-implementation audit considering other changing factors, such as policy updates (paragraph 7.19).	

PART 3: METHODOLOGY AND ASSUMPTIONS

Introduction

- 3.1 The Department is a Commonwealth agency and must comply with the Privacy Act, the APPs, and the *Australian Government Agencies – Governance) APP Code 2017 (APP Code)*.
- 3.2 Section 33D of the Privacy Act defines a PIA as a written assessment of an activity or function (or project) that identifies the impact the project might have on the privacy of individuals, and sets out recommendations for managing, minimising or eliminating that impact.
- 3.3 Section 12 of the APP Code requires agencies to conduct a PIA for all “high privacy risk projects” and states that:
- “...a project may be a high privacy risk project if the agency reasonably considers that the project involves any new or changed ways of handling personal information that are likely to have a significant impact on the privacy of individuals.”*
- 3.4 The Project involves collection of open-source data, utilising tools and software platforms of various commercial vendors. These methods have been utilised since 2017.
- 3.5 The Office of the Australian Information Commissioner (OAIC) has published the *Guide to undertaking privacy impact assessments (PIA Guide)*, which advises:
- “A PIA may be useful more than once during the project’s development and implementation. It should be revisited and updated when changes to the project are considered. If there are substantial changes to how personal information will be handled or changes to an existing project, it may be necessary to undertake another PIA.”*
- 3.6 This PIA follows guidance published by OAIC in the PIA Guide. Further assessment of potential privacy impacts should be considered if the project scope changes materially from that described in this PIA, or if new and substantial information becomes known.
- 3.7 In completing this PIA, we have:
- (a) considered how personal information flows through the Project;
 - (b) considered the Project’s compliance with the Privacy Act, including the APPs;
 - (c) analysed the possible impacts on the privacy of individuals; and
 - (d) identified and recommended options for avoiding, minimising or mitigating negative privacy impacts associated with the Project.

Assumptions and limitations

- 3.8 Griffin Legal has prepared this PIA in consultation with the Department.
- 3.9 We have relied on the Department for a description of the Project and have drafted our analysis and recommendations on the assumption that the information provided by the Department during the initial meeting of 15 May 2024 and in the documents listed in paragraph 3.13 accurately reflect the Project.
- 3.10 Griffin Legal has been engaged to undertake this PIA at the instruction of the Department and considered only the handling of personal information by the Department's Intelligence Capability (the **Intelligence Capability**) with respect to the Project.
- 3.11 If it is anticipated that there will be material changes to the collection or handling of personal information associated with this Project, we **recommend** the Department implement appropriate privacy risk management tools (such as additional privacy impact assessments or an addendum to this PIA) to assess privacy impacts of the changes, once the details are known (**Recommendation 1**).
- 3.12 Privacy risk management tools should also ensure that the Department maintains compliant with the Privacy Act as it may be amended from time to time.

Documents reviewed

- 3.13 In preparing this PIA, the following documents were considered:
- (a) publicly available information on the software platforms and tools from commercial vendors;
 - (b) the Department's Privacy Policy; and
 - (c) documents provided by the Department.

PART 4: PROJECT DESCRIPTION

- 4.1 In considering the privacy scope of the Project, it is important to understand the background to the Project.

Background – Current State

- 4.2 The Department's Intelligence Capability, containing the dispersed intelligence teams formerly within the Department's Intelligence Division, utilises several commercial open-source information platforms to support operational priorities, active operations and projects within the Department's functions and enforcement related activities.
- 4.3 The Intelligence Capability provides a unique contribution to national intelligence to protect Australian borders through its assessment and analysis function. It is charged with enabling intelligence-led operational and policy outcomes for the Department. It provides intelligence products and analysis capabilities to support the Secretary of the Department of Home Affairs and the Commissioner of the Australian Border Force in their responsibilities to protect Australia's security, prosperity and cohesion.
- 4.4 In fulfilling its functions, the Intelligence Capability must consider the full legislative frameworks that provide the authority to produce this intelligence. The Intelligence Capability's activities are governed by several Acts, including the *Customs Act 1901* (Cth), the *Migration Act 1958* (Cth), *Australian Citizenship Act 2007* (Cth) and the *Australian Border Force Act 2015* (Cth).
- 4.5 Accessing online and open-source information must be necessary for a specific function, proportionate to the objective in question and in accordance with the law and are listed as follows:

Privacy Act	The Privacy Act outlines considerations when collecting personal and sensitive information in APP 3 (contained in Schedule 1 to the Privacy Act). The collection of personal information is only permitted when the information is reasonably necessary for, or directly related to the Department's functions or activities, and must only be collected by lawful and fair means. The Department must not collect 'sensitive information' about an individual without the consent of that individual (and where this collection is also reasonably necessary for or directly related to the Department's functions or activities), unless an exception applies. Exceptions in the Privacy Act that allow the Department to lawfully collect sensitive information include: • when the collection is required or authorised by another law; or, • where the Department reasonably believes that the collection is reasonably necessary for, or directly related to, one or more enforcement related activities conducted by, or on behalf of the Department.
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	The Privacy Act defines the term 'enforcement related activities' to include, amongst other things, the conduct of surveillance, intelligence gathering or monitoring activities. While collection of sensitive information about an individual generally requires consent, there are situations where consent is not required if a 'permitted general situation' exists (APP 3.4(b)). This exception applies in relation to the collection of sensitive information (APP 3.4) and the use or disclosure of personal information (APPs 6.2 and 8.2). The APP entity is nevertheless required to comply with the rest of the APP requirements such as keeping information secure (APP 11) even though consent is not required. There are five relevant permitted general situations listed in s 16A of the Privacy Act (s 16A exception activities): • lessening or preventing a serious threat to the life, health or safety of any individual, or to public health or safety (see APPs 3.4(b), 6.2(c) and 8.2(d)) • taking appropriate action in relation to suspected unlawful activity or serious misconduct (see APPs 3.4(b), 6.2(c) and 8.2(d)) • locating a person reported as missing (see APPs 3.4(c), 6.2(c) and 8.2(d)) • asserting a legal or equitable claim (see APPs 3.4(c) and 6.2(c)) • conducting an alternative dispute resolution process (see APPs 3.4(b) and 6.2(c)) The Department may rely on these exceptions when Open Source Collection Tools are being used for one of the purposes listed under S16A of the Privacy Act. The Tools are generally used for investigations and intelligence gathering. From the list of exceptions, it may be most relevant to the Department if the Department needs to use these tools to prevent a threat to public safety or to take appropriate action in relation to suspected unlawful activity or serious misconduct.
Migration Act 1958 (Cth) (the Migration Act)	The Migration Act outlines functions and activities of the Department, and provides both specific and implied authority for the Department to conduct information collection. The Department is subject to Migration Act restrictions relating to the handling of 'identifying information', which is defined in section 336A of the Migration Act, unless permitted under Part 4A of the Migration Act. Investigating an offence against a law of the Commonwealth or a State or Territory is not a

	permitted purpose under Part 4A of the Migration Act (section 336D(3)(a) and 336E(3)).
Australian Border Force Act 2015 (Cth) (the ABF Act)	Part 6 of the ABF Act prohibits the making of a record or disclosure of Immigration and Border Protection Information (IBP Information), subject to certain exceptions. Part 6 of the ABF Act provides that entrusted persons can only make a record of or disclose IBP information when certain exceptions apply, such as where disclosure is authorised by a provision of Part 6 of the ABF Act. For example, entrusted persons authorised by the Secretary under section 44(3) of the ABF Act can disclose IBP Information which contains personal information collected from open source tools under s 44(2) to a body or person mentioned in section 44(4) provided that the Secretary (or their delegate) is satisfied that it is necessary for a purpose mentioned in section 46 (see paragraph 4.6 below) and that the IBP information will enable or assist that body or person to perform or exercise any of the functions, duties or powers of that body or person; and provided that any conditions imposed under section 44(6) are satisfied. Under section 42(2)(b) of the ABF Act, the making of the record or disclosure of IBP Information by an entrusted person is not an offence if the disclosure is during the course of the person's employment or service as an entrusted person.
Customs Act 1901 (Cth) (the Customs Act)	The Customs Act outlines functions and activities of the Department, and provides both specific and implied authority for the Department to conduct information collection.
Australian Citizenship Act 2007 (Cth) (the Citizenship Act)	The Citizenship Act outlines functions and activities of the Department, and provides specific and implied authority for the Department to conduct information collection.

4.6 The permitted purposes set out in section 46 of the ABF Act, which are relevant to disclosures of IBP Information which contain personal information under s 44(2) and 45(2) of the ABF Act and are potentially relevant to this PIA are:

- (a) the administration or enforcement of Australian and foreign criminal laws, laws that impose pecuniary penalties or laws that involve the forfeiture of property;
- (b) in relation to the above laws, the prevention of crime or the detection or analysis of criminal conduct in respect of those laws;
- (c) assisting a coronial inquiry, investigation or inquest under Commonwealth, State or Territory law;
- (d) a purpose relating to the protection of public health or the prevention or elimination of risks to the life or safety of an individual or group of individuals;
- (e) the protection of the public revenue of the Commonwealth, a State, a Territory or a foreign country;

- (f) the establishment of a person's identity, citizenship status or visa status at any given moment in time;
 - (g) a purpose relating to immigration, quarantine or border control between Australia and a foreign country;
 - (h) the performance of functions under:
 - (i) section 17 of the *Australian Security Intelligence Organisation Act 1979*;
 - (ii) section 6 of the *Intelligence Services Act 2001*;
 - (iii) section 7 of the *Office of National Intelligence Act 2018*;
 - (i) the inter-country adoption of a child;
 - (j) the protection of national security or the defence of Australia;
 - (k) locating a missing person; or
 - (l) a purpose prescribed by the rules.
- 4.7 Section 6(1) of the *Privacy Act* includes the Immigration Department, which functions and responsibilities have been subsumed by the Department of Home Affairs, as an 'enforcement body'.
- 4.8 Section 6(1) of the *Privacy Act* defines an 'enforcement related activity' as:
- (a) the prevention, detection, investigation, prosecution or punishment of:
 - (i) criminal offences; or
 - (ii) breaches of a law imposing a penalty or sanction; or
 - (b) the conduct of surveillance activities, intelligence gathering activities or monitoring activities; or
 - (c) the conduct of protective or custodial activities; or
 - (d) the enforcement of laws relating to the confiscation of the proceeds of crime; or
 - (e) the protection of the public revenue; or
 - (f) the prevention, detection, investigation or remedying of misconduct of a serious nature, or other conduct prescribed by the regulations; or
 - (g) the preparation for, or conduct of, proceedings before any court or tribunal, or the implementation of court/tribunal orders.
- 4.9 The Department's enforcement related activities include activities relating to both customs and immigration, such as:
- (a) detecting, preventing, investigating and prosecuting breaches of visa, immigration and citizenship law;
 - (b) identifying and locating unlawful non-citizens and resolving their immigration status, including the removal of unlawful non-citizens from Australia;
 - (c) preventing and reducing irregular migration, people smuggling and trafficking in persons;
 - (d) identifying and assessing claims by non-citizens for protection in Australia, including managing the detention or release into the community of protection claimants;
 - (e) assessing and enforcing compliance with visa and citizenship requirements;

- (f) identifying and assessing prior to arrival those entitled to lawfully enter Australia;
- (g) managing the entry and departure of people crossing the Australian border;
- (h) resolving the identity, health, national security and criminal history status of people applying to enter Australia;
- (i) collecting and assessing information to assess the identity, character and criminal history of applicants for Australian citizenship; and
- (j) cooperation with other agencies, including information-sharing, for law enforcement and border security purposes, and the protection of the public revenue; and
- (k) Enforcement activities under the *Customs Act 1901*.

Open Source Tools

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

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

Babel Street Insights

- 4.16 We understand that the Department utilises Babel Street Insights in support of their OSINT capabilities. This software is currently only used within OGI.
- 4.17 Babel Street Insights is a multilingual, geo-enabled analytics platform which assists with threat intelligence, identity resolution, and risk mitigation.

Functional capabilities

- 4.18 Babel Street Insights analyses real-world relationships between information that is publicly accessible on the Internet, s. 47G(1)(a)

s. 47G(1)(a)

Locate X

- 4.19 The Department utilises Locate X in support of their OSINT capabilities.
- 4.20 Locate X is a software that enables users to draw a digital fence around a defined geographic area, identifies the location of mobile devices s. 47G(1)(a)
- Mobile devices are only identified

through anonymised advertising ID's, and not unique identifiers for the physical handsets.

Functional capabilities

4.21 Locate X uses s. 47G(1)(a)

s. 47G(1)(a)

4.22 Locate X s. 47G(1)(a)

4.23 The availability of some Locate X Data may be limited in accordance with various national privacy and/or data protection laws, including the GDPR. s. 47G(1)(a)

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

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

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under the *Freedom of Information Act 1982*

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

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

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

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

Benefits of the Project

- 4.49 The Project will assist the Department to research publicly available data to assist with investigations and several enforcement related activities in order to respond to threats.

PART 5: PERSONAL INFORMATION ANALYSIS

Privacy Policy

- 5.1 The declared object of APP 1 is 'to ensure that APP entities manage personal information in an open and transparent way'. This enhances the accountability of APP entities for their personal information handling practices and can build community trust and confidence in those practices.
- 5.2 The Department's Privacy Policy identifies that personal information may be collected from other sources, such as publicly available sources. However, the Privacy Policy does not specifically call out the methods by which the Department utilises to collect personal information from publicly available sources. While APP 1.4(b) states that the usual approach to collecting personal information must be explained in the Privacy Policy, to strengthen compliance with APP 1, in furtherance of accountability and transparency, we **recommend** the Department include how personal information is collected from online open sources, including with the assistance of software, and ensure all the primary collection purposes have been included in the Privacy Policy (**Recommendation 2**).
- 5.3 The Department's Privacy Policy expressly identifies that the Department is an enforcement body for the purposes of the *Privacy Act* and as such, can collect, use and disclose personal and sensitive information where it is reasonably necessary for, or directly related to, one or more enforcement related activities conducted by or on behalf of the Department, or another enforcement body.

Collection of personal information

- 5.4 In accordance with APP 3.1, the Department may only collect personal information about an individual where reasonably necessary for, or directly related to, one or more of the Department's functions and activities.
- 5.5 The Department's functions are conferred either by legislation or an executive scheme or arrangement established by government. The legislation which governs the use of Open Source Collection Tools by the Department are listed in paragraph 4.5.
- 5.6 'Reasonably necessary' in APP 3.1 requires that the collection of personal information by the Department be appropriate and adapted to the Department's functions and activities and not merely 'helpful' or 'desirable'.⁶ We understand that guidance is provided to the Department regarding how to determine whether collection of personal information will be reasonably necessary for the Department's functions and activities, including asking the following questions:
- (a) what is the value of the information to the particular activity being undertaken?
 - (b) has the use of such information been of assistance in similar circumstances in the past?
 - (c) can the information be obtained from an alternative source?
 - (d) what is the strength of the suspicion that has led the Department to want to obtain the information?

⁶ *Mulholland v Australian Electoral Commissioner* [2004] HCA 41 [39] (Gleeson CJ).

- 5.7 The Department utilises open-source information platforms to support operational priorities, active operations and projects within the Department's functions and activities for the following purposes: border management, visa compliance and immigration status resolution, certain Australian laws including criminal and community protection, and enforcement related activities such as detecting, preventing, investigating and prosecuting breaches of visa, immigration and citizenship law.
- 5.8 The Department has mentioned in its [Privacy Policy](#) Section 4 that it may collect personal information for the following purposes: border management, visa compliance and immigration status resolution, certain Australian laws including criminal and community protection, and enforcement related activities such as detecting, preventing, investigating and prosecuting breaches of visa, immigration and citizenship law.
- 5.9 We find the Department's collection of personal information necessary and directly related to the Department's functions as outlined in the Department's Privacy Policy and the Department's Online Open Source and Social Media Access Policy.
- 5.10 We note from the privacy policies of the Open Source Collection Tools that these tools may be collecting and using personal information for purposes not listed in their Privacy Policies and often the personal information collected by Open Source Collection Tools may be excessive and broad. We note this is beyond the Department's control to maintain or update privacy policies used by the Open Source Collection Tools. As our recommendations in this PIA are addressed to the Department, not to the Open Source Collection Tools, no recommendations can be made to the Department to address this issue.
- 5.11 APP 3.5 provides an APP entity must collect personal information 'only by lawful and fair means', which is an important safeguard to ensure that personal information can only be collected by lawful and fair means. In this particular project, Open Source Collection Tools generally collect public information available on the public internet from various sources. The standard of what is 'fair' presents an open-textured and evaluative criterion against which collection by an entity is to be assessed. Although the term 'fair' is not defined in the Privacy Act, in relation to the conception of fairness embodied in APP 3.5, the explanatory memorandum states that the OAIC has interpreted "fair" to mean "without intimidation or deception" or without use of means that are "unreasonably intrusive". When undertaking the assessment of whether a collection is 'fair' for the purposes of APP 3.5, all the circumstances must be considered. See 63F [49] of *Commissioner Initiated Investigation into Master Wealth Control Pty Ltd t/a DG Institute (Privacy)* [2024] AICmr 243.
- 5.12 In the *Master Wealth* case, the companies were found to have failed to collect the personal information by fair means, take reasonable steps to notify individuals whose information was collected, and to ensure that the information it collected was accurate and up to date. The companies collected personal information from court lists and databases for inclusion in their weekly leads lists, and whose personal information they subsequently disclosed to participants through those leads lists. We note that while this case provides references to how OAIC may interpret what lawful and fair means, 'lawful and fair' is not limited to collection with individual's knowledge. Whilst the sources of information collected by the Open Source Collection Tools are often not verified, the Department is collecting information "without intimidation or deception" and without use of means that are "unreasonably intrusive".
- 5.13 We also note that Open Source Collection Tools often use data scraping techniques to extract publicly available information from online sources. The **OAIC** and 11 other

international data protection and privacy authorities have previously released a joint statement, [Global expectations of social media platforms and other sites to safeguard unlawful data scraping](#) (**Statement**) to identify privacy risks involved in data scraping processes.

- 5.14 We have provided **Recommendation 2** to the Department to use the Department's Privacy Policy as a reasonable way to notify individuals about the Department's use of Open Source Collection Tools, include how personal information is collected via open-source collection tools and ensure all the primary collection purposes have been included in the Privacy Policy. The OAIC also included in the Statement that organisations can further protect users' information and reinforce user trust by actively informing their users of the steps they can take to protect their personal information. The Department should be mindful of the practices used by relevant Open Source Collection Tools and avoid using tools which collect information that is sourced from unlawful and unfair means for the purpose of this Project.
- 5.15 We **recommend** the Department review how personal information is collected by each Open Source Collection Tool, and satisfy itself that information is collected by lawful and fair means without intimidation, deception or use of means that are unreasonably intrusive (**Recommendation 2**).
- 5.16 APP 3.6 provides that an APP entity 'must collect personal information about an individual only from the individual' unless the individual consents to the collection of the information from someone other than the individual or it is unreasonable or impracticable for the entity to collect personal information only from the individual.
- 5.17 In this particular project, Open Source Collection Tools generally collect public information available on the internet. For example, individuals may not be aware that they have provided a broad consent to online social media sites, and they may not be aware that personal information publicly available on social media sites is collected by Open Source Collection Tools and used by customers of Open Source Collection Tools, like the Department, to conduct investigations and other purposes. We have also noted above Open Source Collection Tools often do not disclose in their Privacy Policies or Privacy Notices which platforms they collect personal information from, and whether they have obtained consent to collect such information. It is likely that some information collected by the Open Source Collection Tools is not directly collected from the individual nor with the individual's consent.
- 5.18 The *Explanatory Memorandum, Privacy Amendment (Enhancing Privacy Protection) Bill 2012*, page 77 provides examples of when it may be unreasonable or impracticable to collect personal information only from the individual concerned, for example, a law enforcement agency may be investigating an individual for a criminal offence, but that investigation could be prejudiced by the agency being forced to seek particular information directly from the individual. This exception allows long-standing type of activity to continue without breaching APP 3, and the exception is not limited to enforcement related activities.
- 5.19 The Department may be able to rely on the exception provided in APP 3.6(b) to avoid collecting information from the individual because it is "unreasonable or impracticable to do so". When the Department collects information for purposes of s 16A exception activities and enforcement related activities, it is unreasonable or impracticable to collect personal information only from the individual concerned, where the collection may not be practical or may jeopardise the investigation if the personal information is collected only from that individual (APP Guidelines 3.65). This scenario also fits the example provided in the *Explanatory Memorandum*.

- 5.20 When the Department collects information for purposes other than s 16A exception activities and enforcement related activities, if it is for an investigation, the Department can still rely on APP 3.6(b) exception and the example scenario provided in the *Explanatory Memorandum*.
- 5.21 If the Department collects information for purposes other than s 16A exception activities and enforcement related activities, the Department collects, uses and discloses personal information for the primary purposes of border management, community protections, investigations, intelligence and enforcement activities listed in paragraph 4.9 such as investigations and assessment. Most of these collection purposes require discreet investigations and we **recommend** the Department assess on a case-by-case basis to consider whether it would be unreasonable or impracticable to collect information directly from individuals to avoid jeopardising the collection purposes (**Recommendation 3**).

Collection of sensitive information

- 5.22 The Department may only collect sensitive information about an individual with consent and where the information is reasonably necessary for the Department's functions or activities, or if an exception under APP 3.4 applies.
- 5.23 APP 3.4 provides that an APP entity can collect sensitive information without a person's consent, if the APP entity is an enforcement body and the entity reasonably believes that the collection of the information is reasonably necessary for, or directly related to, one or more enforcement related activities conducted by, or on behalf of, the enforcement body.
- 5.24 The requirement for there to be a 'reasonable belief' means that an objective assessment needs to be made in relation to whether the collection of the information by the Department is 'reasonably necessary for' the particular enforcement related activities, listed in paragraph 4.9, to be undertaken by the Department.
- 5.25 As an enforcement body, the Department may collect sensitive information where there is a reasonable belief that collecting the information is reasonably necessary for, or directly related to, one or more enforcement related activities conducted by, or on behalf of, the Department (APP 3.4(d)(i)).
- 5.26 APP 3.4(b) also provides seven permitted general situations in relation to the collection of sensitive information by the APP entity. We have included our analysis in paragraph 4.5 that the Department may rely on these exceptions when Open Source Collection Tools are being used for any of the s 16A exception activities.
- 5.27 For of this Project, the Department can only collect sensitive information if:
- (a) the Department has obtained an individual's consent, or
 - (b) it is for enforcement related activities purpose, or
 - (c) it falls within the list of s 16A exception activities.

Unsolicited personal information

- 5.28 APP 4 outlines the steps the Department must take if it receives unsolicited personal information. Unsolicited personal information is personal information received by the Department that has not been requested by the Department.
- 5.29 We understand that while search requests within the tools can provide search results that may include personal information, including sensitive information, that is not necessary for the functions of the Department, only the information that is relevant to an investigation is collected by Departmental Staff. No unsolicited personal information is expected to be collected for this Project.

Notification of the collection of personal information

- 5.30 APP 5 requires an APP entity that collects personal information about an individual to take reasonable steps either to notify the individual of certain matters or to ensure the individual is aware of those matters.
- 5.31 The OAIC APP Guidelines provide that APP 5.1 acknowledges that it may be reasonable for an APP entity to not take any steps to provide a notice or ensure awareness of all or some of the APP 5 matters. It is the responsibility of the entity to be able to justify not taking any steps. One of the examples of when this may be reasonable is when Notification may jeopardise the purpose of collection or the integrity of the personal information collected and there is a clear public interest in the purpose of collection, for example, a law enforcement agency undertaking lawful covert surveillance of an individual in connection with a criminal investigation (OAIC APP Guidelines Chapter 5 APP 5 Notification of the collection of personal information paragraph 5.7).
- 5.32 In this Project, notification to individuals will jeopardise the purpose of the collection, for example, when the Department conducts an investigation on a person of interest. Therefore, it is not required for the Department to take reasonable steps outlined in APP 5.2 to notify individuals when conducting activities for a purpose that may be jeopardised by the notification.

Use and disclosure of personal information

- 5.33 Under APP 6, the Department may only use or disclose personal information about an individual for the purpose it was collected (**primary purpose**) or for another purpose (**secondary purpose**) with the individual's consent or where an exception in APP 6.2 applies.
- 5.34 The Department has mentioned in its [Privacy Policy](#) Section 4 that it may collect, use and disclose personal information for the following purposes: border management, visa compliance and immigration status resolution, certain Australian laws including criminal and community protection, and enforcement related activities such as detecting, preventing, investigating and prosecuting breaches of visa, immigration and citizenship law.
- 5.35 In this Project, the Department collects, uses and discloses personal information for the primary purposes of border management, community protections, investigations, intelligence and enforcement activities listed in paragraph 4.9 such as investigations and

assessment. The specific purpose applicable to a particular use of a Tool depends on the circumstances. The Department's primary use of personal information is aligned with the collection purposes outlined in its privacy policy.

- 5.36 The Department may also use personal information for secondary purposes beyond the original collection purpose, such as for research and reporting purposes.
- 5.37 If the Department uses Open Source Collection Tools for purposes beyond the primary purposes and relies on APP 6.2 as an exception, the Department needs to be mindful that for any use and disclosure purposes beyond the primary purposes, the secondary use and disclosure purpose must fall within one of the exceptions outlined in the APP 6.2:
- (a) the individual would reasonably expect the APP entity to use or disclose the information for the secondary purpose, and the secondary purpose is directly related the primary purpose (if the information is sensitive information), or related to the primary purpose (if the information is personal information);
 - (b) the use or disclosure of the information is required or authorised by or under an Australian law or a court/tribunal order;
 - (c) a permitted general situation exists in relation to the use or disclosure of the information by the APP entity;
 - (d) the APP entity is an organisation and a permitted health situation exists in relation to the use or disclosure of the information by the entity;
 - (e) the APP entity reasonably believes that the use or disclosure of the information is reasonably necessary for one or more enforcement related activities conducted by, or on behalf of, an enforcement body.
- 5.38 In this Project, APP 6.2(b) may apply when the Department operates under a court order or where it is otherwise authorised or required by law. APP 6.2 (c) may apply if the use or disclosure of the information falls within one of the s 16A permitted general situations. APP 6.2(e) applies when the Department conducts enforcement related activities.
- 5.39 The Department may use or disclose personal information collected through the open source tools for a secondary purpose where, amongst others, the use or disclosure of the personal information is reasonably necessary for an enforcement related activity of the Department or if the Department considers that the use or disclosure of the information is necessary to prevent a serious threat to the life, health or safety of an individual or reasonably necessary to assist in locating a person who has been reported as missing. These disclosures remain compliant with APP 6.
- 5.40 The Department's Privacy Policy outlines that *"We are permitted to disclose personal information to law enforcement bodies (amongst others) and intelligence bodies for the purpose of enforcing the criminal law, laws imposing a pecuniary penalty or for the purpose of protecting public revenue (amongst other things)"*.
- 5.41 Under APP 6.2(e), the Department is permitted to use or disclose personal information if it reasonably believes that the use or disclosure is 'reasonably necessary' for one or more 'enforcement related activities' conducted by, or on behalf of, an enforcement body.

- 5.42 We understand that personal information collected by the Department may form part of intelligence reporting and constitute IBP Information which may be disseminated to partner agencies where relevant to informing their enforcement related functions.
- 5.43 An entrusted person authorised by the Secretary, may disclose IBP Information containing personal information to another department, agency, AFP or other person or body listed at section 44(4) of the ABF Act if:
- (a) the Secretary is satisfied that the information will enable or assist that body to exercise their powers or functions; and the disclosure is necessary for a purpose listed in section 46, including for example:
 - (i) law enforcement;
 - (ii) protection of public health or safety;
 - (iii) assisting in the establishing of a person's identity;
 - (iv) provision of services to persons who are not Australian citizens;
 - (v) protection of national security or defence of Australia;
 - (vi) locating a missing person; and
 - (vii) purposes relating to matters covered by *Customs Act 1901*, the *Migration Act 1958*, the *Maritime Powers Act 2013*, the *Australian Citizenship Act 2007*, the *Immigration (Guardianship of Children) Act 1946*, the *Education Services for Overseas Students Act 2000* or the *Biosecurity Act 2015*; and
 - (b) the body has complied with any applicable conditions in respect of the disclosure.
- 5.44 In addition, s 51 of the ABF Act provides that disclosure under s 43, 44, 45, 47, 48 or 49 of the ABF Act is taken to be a disclosure that is authorised by the ABF Act, which constitutes a disclosure 'authorised by or under an Australian law' for the purposes of APP 6.2(b). Falling within the APP 6.2(b) exception permits the disclosure of personal information for a purpose other than the purpose for which the information was collected.
- 5.45 We consider these uses and disclosures of personal information are for the primary purpose of border management, community protections, investigations, intelligence and enforcement activities listed in paragraph 4.9 such as investigation and assessment.
- 5.46 Under the *Privacy Act*, if the Department uses or discloses personal information in accordance with the 'enforcement related activities' exception in APP 6.2(e), the Department must make a written note of the use or disclosure (APP 6.5).
- 5.47 'The Department as an Enforcement Body' document provides guidance with respect to the record keeping requirements. We **recommend** that this guidance is provided to all departmental staff who are permitted to use or disclose personal information collected via open-source tools in connection with enforcement related activities. (**Recommendation 4**). The following guidelines should be included:
- (a) the date of the use or disclosure;
 - (b) details of the personal information that was used or disclosed;
 - (c) the enforcement body conducting the enforcement related activity;
 - (d) if the entity used the personal information, how the personal information was used by the entity;

- (e) if the entity disclosed the personal information, who it disclosed the personal information to (this may be the enforcement body or another entity); and
- (f) the basis for the entity's 'reasonable belief'. This will help the entity assure itself that this exception applies, and it may be a useful reference if the entity later needs to justify its reasonable belief.

Cross-border disclosure

- 5.48 An 'overseas recipient' is a person who receives personal information from the Department and is:
- (a) not in Australia or an external Territory;
 - (b) not the Department (disclosing the personal information); and
 - (c) not the individual to whom the personal information relates.
- 5.49 The Department's Privacy Policy identifies that personal information may be disclosed overseas and there may be circumstances where the Department engages contractors to collect, transmit and store data, including providers located outside of Australia.
- 5.50 Under APP 6.1, the Department 'uses' information where it handles or undertakes an activity with the information, within the entity's effective control. Open Source Collection Tools are used within the Department's effective control when the Department directly operates on the tools or provides instructions to the search criteria.
- 5.51 Some of the Open Source Collection Tool providers are based overseas. Once the information from Open Source Collection Tools is collected by the Department's Intelligence Capability, it is stored as an internal departmental record.
- 5.52 Even if the Department engages a third party provider to operate on Open Source Collection Tools, providing personal information to a contractor to perform services on behalf of the Department constitutes a use, rather than a disclosure where the Department does not release the subsequent handling of personal information from its effective control. Given the Department has a binding contract in place with the service providers, which requires the provider only to handle the personal information for limited purposes of performing searches, the Department retains effective control of the personal information and such search requests to a service provider does not constitute a disclosure or overseas disclosure of personal information.
- 5.53 APP 8.1 will not apply to a disclosure of personal information by an APP entity to an overseas recipient where the disclosure is 'required or authorised by or under an Australian law or a court/tribunal order' (APP 8.2(c)). We understand that the Department may also be authorised to disclose personal information to a foreign country, agency or authority of a foreign country or a public international organisation under section 45 of the ABF Act. Such overseas disclosures are in line with the Department's existing BAU disclosure guidance and APP 8.
- 5.54 Under section 45 of the ABF Act, an entrusted person authorised by the Secretary may disclose IBP Information containing personal information to a foreign country, agency or authority of a foreign country or a public international organisation for a purpose mentioned in section 46 of the ABF Act including the purposes set out at paragraph 5.23(a) if:

- (a) The Secretary is satisfied that the information will be used in accordance with an agreement in force between the Commonwealth and that foreign country/agency; and
 - (b) the Secretary is satisfied that the disclosure of that information to that foreign country, agency, authority or organisation is necessary for the purpose mentioned in section 46; and
 - (c) The foreign country, agency, authority or organisation undertakes not to use or further disclose the information except in accordance with the agreement or otherwise as required or authorised by law.
- 5.55 We understand the Department has a number of Memoranda of Understanding (MOU) which set standards of information handling with overseas recipients to ensure the Department is meeting its obligations under the Privacy Act.
- 5.56 Further, APP 8.1 does not apply to cross-border disclosures of personal information where both of the following apply:
- (a) the Department reasonably believes that the disclosure is reasonably necessary for one or more enforcement related activities conducted by, or on behalf of, an enforcement body, and
 - (b) the recipient is a body that performs functions, or exercises powers, that are similar to those performed or exercised by an enforcement body (APP 8.2(f)).
- 5.57 The Department is unlikely to have any separate administrative arrangement with the open source tool vendors. Instead, privacy obligations including under APP 8 are passed on to the vendors through the Department's contracts with those vendors.
- 5.58 Prior to overseas disclosure, we understand that departmental personnel, who are permitted to use and disclose the personal information collected via Open Source Collection Tools, should contact the Privacy Operations Section if they require further information about APP 8 per 'The Department as an Enforcement Body' document.
- 5.59 There may be circumstances where personal information collected by each of these Open Source Collection Tools are stored or processed overseas, as follows:

Tool	Storage/processing location
s. 22(1)(a)(ii)	
Babel Street Insights & Locate X	Per the Privacy Policy, information collected by Babel Street at the instruction of the customer may be processed outside of Australia. The Policy does not list specific locations where Babel Street has facilities or service providers. However, information collected by customers, through Babel Street Insights, is not stored by Babel Street as it is only acting as a 'search engine'.

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

- 5.60 Although the tools mentioned above have offshore data processes, once the Department collects the information from the tool, we understand it is recorded and stored separately on the Department's systems. The Department stores records of information about individuals on their internal ICT environment which is located onshore in Australia. The Open Source Collection Tools are an intermediary step and no records of personal information are stored on the tools.

5.61

s. 47E(d)

Quality of personal information

- 5.62 The quality of the information associated with the Project will be dependent on what is publicly available, and in turn, is up to the discretion of Departmental personnel to consider the quality of such information.
- 5.63 We have not had the opportunity to review any policies or procedures the Department has in place to ensure that the information is accurate, up-to-date and correct.
- 5.64 We **recommend** the Department satisfy itself that it has appropriate mechanisms (such as standard operating procedures and system controls) to ensure the personal information it holds is accurate, up-to-date and complete and the personal information it uses or discloses is, having regard to the purpose of the use or disclosure, accurate, up-to-date, complete and relevant (**Recommendation 6**).

Security of personal information

- 5.65 APP 11 requires the Department to take active measures to ensure the security of personal information it holds, and to actively consider whether it is permitted to retain personal information.
- 5.66 The Department must take reasonable steps to protect the information from misuse, interference and loss, as well as unauthorised access, modification or disclosure.
- 5.67 In accordance with the Protective Security Policy Framework (**PSPF**), the Department is required to comply with the Information Security Manual (**ISM**). The PSPF mandates

that all Australian Government agencies, organisations and entities manage the security of their information systems through a certification and accreditation process.

- 5.68 We understand that the use of open-source collection tools has role-based access controls, which require supervisor approval. This includes password protected licences.
- 5.69 We **recommend** the Department satisfy itself that it has appropriate security mechanisms to protect the personal and sensitive information it holds in relation to the Project (**Recommendation 7**).
- 5.70 This could include:
- (a) ICT security mechanisms such as:
 - (iv) encryption;
 - (v) audits and monitoring; and
 - (vi) backup and recovery;
 - (b) internal standard operating procedures;
 - (c) an appropriate Data Breach Response Plan; and
 - (d) destruction and de-identification processes.
- 5.71 We understand that where required, a Security Impact Assessment is conducted with the Department's Cyber Risk Management Branch during the procurement process for open source tools.
- 5.72 We **recommend** the Department obtain a Security Risk Assessment (**SRA**) relating to the Project and consider implementing any recommendations forming part of the SRA (**Recommendation 8**).
- 5.73 We understand that all Departmental staff are required to complete the Essentials Suite, which is mandatory training about privacy and personal information, and associated obligations. Additionally, we understand that Departmental staff are regularly required to complete security awareness training.

Storage, retention and destruction of personal information

- 5.74 The Department must take reasonable steps to destroy or de-identify the personal information it holds once the personal information is no longer needed for any purpose for which the personal information may be used or disclosed under the APPs.
- 5.75 However, this requirement does not apply where the personal information is contained in a Commonwealth record or where the entity is required by law or a court/tribunal order to retain the personal information (APP 11.2). Under APP 11.2 and the *Archives Act 1983* (Cth) (**Archives Act**), Australian Government agencies such as the Department are generally required to retain the personal information they hold as 'Commonwealth records', for the periods specified in the relevant Records Authority made under the Archives Act. The Archives Act makes it an offence to destroy a Commonwealth record before expiration of its retention period (section 24).
- 5.76 Storage and retention of personal and sensitive information collected by open-source tools used by the Department must be in accordance with the Department's Protective Marking and Handling of Sensitive and Security Classified Information Procedural

Instruction (HR-6361), which adheres to the broader Protective Security Policy Framework (PSPF), and relevant legislation.

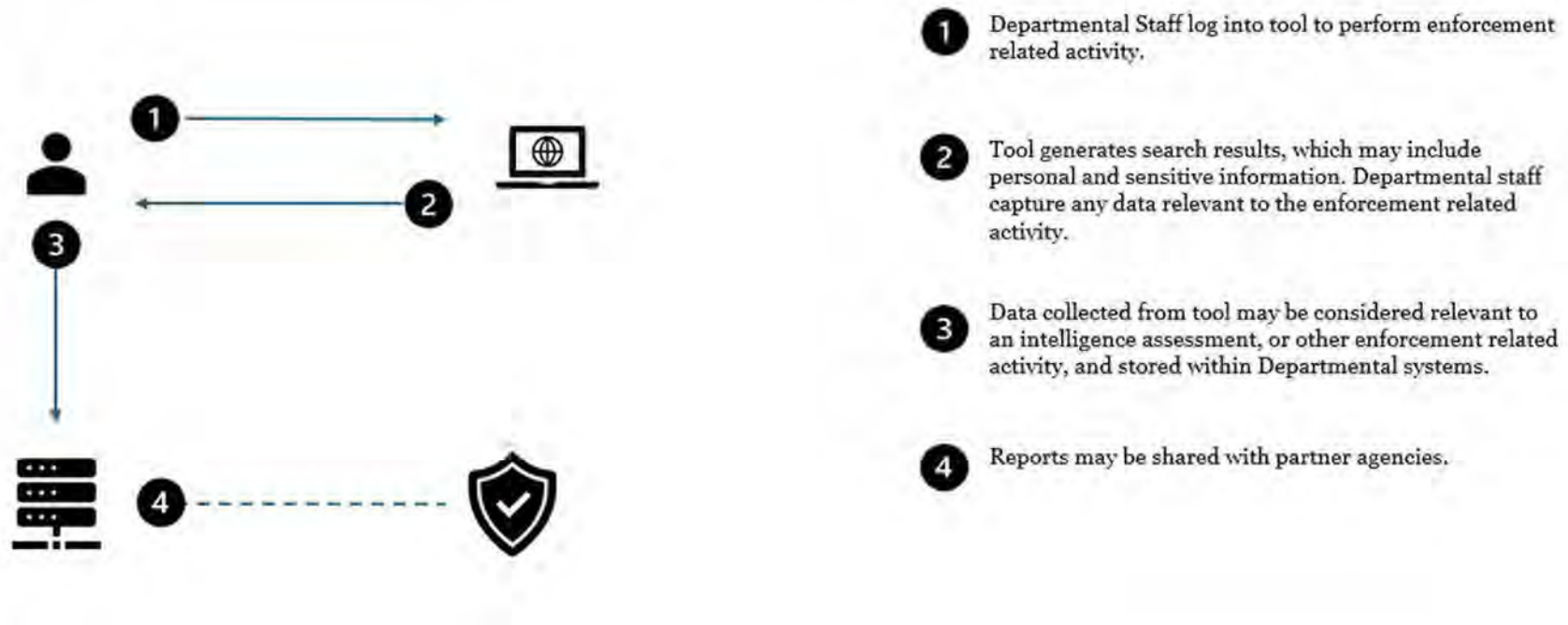
- 5.77 We understand that bulk data provided by the use of the open source tools is not extracted by the Department. Where information is relevant to an intelligence assessment, it is manually collated by Departmental Staff and stored as part of the information base for the work being undertaken. Any resulting artefacts are stored in Departmental record keeping systems at the level of PROTECTED or higher.
- 5.78 We **recommend** the Department retain the records associated with the Project per existing Departmental records management protocols and the Records Authorities that apply to the Department's core activities (**Recommendation 9**).

Access to and correction of personal information

- 5.79 As each open-source tool collects data from publicly available information on the internet, and not the individual themselves, there will be no opportunity for correction.
- 5.80 When exercising its law enforcement functions, the Department may not be required to provide an individual access to the personal information under APP 12.2 and s 37 of the FOI Act if the Department can provide evidence that providing access to information collected via open-source tools would affect enforcement of law and protection of public safety.
- 5.81 Information falling under Part IV, Division 2 of the FOI Act may also be exempted, such as information relating to national security, defence or international relations (s 33), cabinet documents (s 34) and information subject to legal professional privilege (s 42). A conditional exemption in Part IV Div 3 may also apply depending on the circumstances.
- 5.82 A decision to refuse access under APP 12.2(b)(i) (on one of the FOI grounds) is a decision made under the Privacy Act, not the FOI Act. As required by APP 12.9, the Department must provide the individual with a written notice that sets out the reasons for the refusal and the complaint mechanisms available to the individual. The individual may have a right to complain to the Information Commissioner under the Privacy Act. After investigation, the Commissioner may make a determination that the Department has failed to comply with APP 12 and require, for example, that the agency give access (Privacy Act, s 52). However, the individual will not have a right to seek internal review or Information Commissioner review under the FOI Act.

Flow of information

5.83 An illustration of information flows associated with the Project is in **Annexure A**.



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PART 6: COMPLIANCE WITH THE APPS

6.1 We have considered compliance of the Project against each of the APPs in preparing this PIA. Our analysis refers only to the specific Project with respect to the Department's compliance with the APPs, and not any broader analysis of the APPs.

C	Compliant
CI	Compliant, but could be improved
NC	Non-compliant

Australian Privacy Principle	Rating	Details/comments
APP 1 – open and transparent management of personal information	CI	APP 1 requires the Department to manage personal information in an open and transparent way; take reasonable steps to implement practices, procedures and systems that will ensure it complies with the APPs; and to have a privacy policy which covers a range of prescribed matters. The Department's Privacy Policy is publicly available at Privacy (homeaffairs.gov.au). The Privacy Policy explains how the Department collects and handles personal information, and how an individual can access or correct their personal information or submit a complaint. The Department has mentioned in its Privacy Policy Section 4 that it may collect personal information for the following purposes: border management, visa compliance and immigration status resolution, certain Australian laws including criminal and community protection, and enforcement related activities such as detecting, preventing, investigating and prosecuting breaches of visa, immigration and citizenship law. The Department's Privacy Policy identifies that personal information may be collected from other sources, such as publicly available sources. However, the Privacy Policy does not specifically call out the methods by which the Department utilises to collect personal information from publicly available sources. While APP 1.4(b) states that the

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		usual approach to collecting personal information must be explained in the Privacy Policy, to strengthen compliance with APP 1, in furtherance of accountability and transparency, we recommend the Department include how personal information is collected via open-source collection tools and ensure all the primary collection purposes have been included in the Privacy Policy (see Recommendation 2).
APP 2 – anonymity and pseudonymity	N/A	APP 2 requires that individuals are given the opportunity to remain anonymous or use a pseudonym, unless it is not practicable, or there is a legal reason why this cannot happen. APP 2.2(b) provides that an individual may not have the option of dealing anonymously or by pseudonym with an APP entity if ‘it is impracticable for the APP entity to deal with individuals who have not identified themselves’. Given the nature of the Project, we conclude it is not practical for the Department to allow individuals to interact with the Department on a pseudonymous or anonymous basis.
APP 3 – collection of solicited personal information	CI	APP 3 states that when the Department collects personal information, that collection should be reasonably necessary for, or directly related to, one of the Department’s functions. Personal information should also be collected directly from the individual concerned unless it is impractical to do so and by lawful and fair means. APP 3 also sets out the restrictions on collecting sensitive information for agencies. The information collected for the Project is reasonably necessary for, and directly related to the Department’s functions and activities. In line with the Department’s ‘Online Open Source and Social Media Access Policy’, we consider the Department’s use of the open-source tools to be consistent with this requirement. The Department’s functions are conferred either by legislation or an executive scheme or arrangement established by government. The legislation which governs the use of Open Source Collection Tools by the Department are listed in paragraph 4.5 of the Open Source Collection Tools PIA.

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		Any collection, use or disclosure of materials from Open Source Collection Tools by the Intelligence Capability will be considered on a case-by-case basis to assess its collection purpose. We understand that personal information collected by the Department may form part of intelligence reporting and constitute IBP Information for the purposes of the ABF Act s 4, which may be disseminated to partner agencies where relevant to informing their enforcement related functions. If the Department collects information for purposes other than s 16A exception activities and enforcement related activities, the Department collects, uses and discloses personal information for the primary purposes of border management, community protections, investigations, intelligence and enforcement activities listed in paragraph 4.9 such as investigations and assessment. The Department should be mindful when using Open Source Collection Tools for purposes outside of the enforcement activities and s 16A exception activities and ensure compliance with APP 3. We believe Recommendation 3 will improve the Department's compliance with APP 3.
APP 4 – dealing with unsolicited personal information	C	APP 4 outlines the steps an APP entity must take if it receives unsolicited personal information. If an APP entity receives unsolicited personal information, it must decide whether it could have collected the information under APP 3 (collection of solicited personal information). If the entity could not have collected the personal information and the information is not contained in a Commonwealth record – the entity must destroy or de-identify the information as soon as practicable, if it is lawful and reasonable to do so (APP 4.3). We understand that while search requests within the tools can provide search results that may include personal information, including sensitive information, which is not necessary for the functions of the Department, only the information that is relevant to an investigation is collected by the Department. No unsolicited personal information is expected to be collected for this Project.

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APP 5 – notification of the collection of personal information	C	APP 5 requires an APP entity that collects personal information about an individual to take reasonable steps either to notify the individual of certain matters or to ensure the individual is aware of those matters. The Department has mentioned in its Privacy Policy Section 4 that it may collect personal information for the following purposes: border management, visa compliance and immigration status resolution, certain Australian laws including criminal and community protection, and enforcement related activities such as detecting, preventing, investigating and prosecuting breaches of visa, immigration and citizenship law. We are satisfied the Department complies with requirements outlined in APP 5.
APP 6 – use or disclosure of personal information	CI	APP 6 states that the Department can only use or disclose personal information for the purpose for which it was collected (known as the ‘primary purpose’) or for a secondary purpose if the individual has provided their consent or an exception applies. The Department’s Privacy Policy outlines that “we are permitted to disclose personal information to law enforcement bodies (amongst others) and intelligence bodies for the purpose of enforcing the criminal law, laws imposing a pecuniary penalty or for the purpose of protecting public revenue (amongst other things)”. In this Project, the Department collects, uses and discloses personal information for the primary purposes of border management, community protections, investigations, intelligence and enforcement activities listed in paragraph 4.9 such as investigation and assessment. The specific purpose applicable to a particular use of a Tool depends on the circumstances. The Department’s primary use of personal information is aligned with the collection purposes outlined in its privacy policy and therefore is compliant to APP 6.1. The Department may also use personal information for secondary purposes beyond the original collection purpose, such as for research and reporting purposes. If the Department uses Open Source Collection Tools for purposes beyond the primary purposes and relies on APP 6.2 as an exception, the Department needs to be mindful

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		that for any use and disclosure purposes beyond the primary purposes, the secondary use and disclosure purpose must fall within one of the exceptions outlined in the APP 6.2: (a) the individual would reasonably expect the APP entity to use or disclose the information for the secondary purpose, and the secondary purpose is directly related the primary purpose (if the information is sensitive information), or related to the primary purse (if the information is personal information); (b) the use or disclosure of the information is required or authorised by or under an Australian law or a court/tribunal order; (c) a permitted general situation exists in relation to the use or disclosure of the information by the APP entity; (d) the APP entity is an organisation and a permitted health situation exists in relation to the use or disclosure of the information by the entity; (e) the APP entity reasonably believes that the use or disclosure of the information is reasonably necessary for one or more enforcement related activities conducted by, or on behalf of, an enforcement body. In this Project, APP 6.2(b) may apply when the Department operates under a court order or where it is otherwise authorised or required by law. APP 6.2 (c) may apply to publicly available information that has been collected by the Department using Open Source Collection Tools if the use or disclosure of the information falls within one of the s 16A exceptions. We understand that personal information collected by the Department may form part of intelligence reporting which may be disseminated to partner agencies where relevant to informing their enforcement related functions. Under the Privacy Act, if the Department uses or discloses personal information in accordance with the 'enforcement related activities' exception in APP 6.2(e), the Department must make a written note of the use or disclosure (APP 6.5). Additionally, if the Department discloses personal information contained within IBP Information, the disclosure must be in accordance with an exception under s 42(2) of the ABF Act, such as sections 44(2) and s 45(2) of the ABF Act.
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		As discussed with Recommendation 4 , 'The Department as an Enforcement Body' document provides guidance with respect to the record keeping requirements. We believe this recommendation will improve the Department's compliance with APP 6.
APP 7 – direct marketing	NA	The Department is not required to comply with APP 7, as the Department is not listed in Part 1 of Schedule 2 of the <i>Freedom of Information Act 1982 (FOI Act)</i> and the Department's functions are not related to a commercial activity.
APP 8 – cross-border disclosure of personal information	CI	APP 8 requires the Department to take reasonable steps to ensure that overseas recipients do not breach the APPs in relation to any personal information disclosed to them. The Department's Privacy Policy identifies that personal information may be disclosed overseas and there may be circumstances where the Department engages contractors to collect, transmit and store data, including providers located outside of Australia. Under APP 6.1, the Department 'uses' information where it handles or undertakes an activity with the information, within the entity's effective control. The Open Source Collection Tools are used within the Department's effective control when the Department directly operates on the tools or provides instructions to the search criteria. Some of the Open Source Collection Tool providers are based overseas. Once the information from Open Source Collection Tools is collected by the Department's Intelligence Capability, it is stored as an internal departmental record. Even if the Department engages a third party provider to operate on Open Source Collection Tools, providing personal information to a contractor to perform services on behalf of the Department constitutes a use, rather than a disclosure where the Department does not release the subsequent handling of personal information from its effective control. Given the Department has a binding contract in place with the service providers, which requires the provider only to handle the personal information for limited purposes of performing searches, the Department retains effective control of the personal information and such search requests to a service provider does not constitute a disclosure or overseas disclosure of personal information.

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		We understand that the Department may also be authorised to disclose personal information to a foreign country, agency or authority of a foreign country or a public international organisation under s 45 and s 46 of the Australian Border Force Act 2015 (Cth). Such overseas disclosures are in line with the Department's existing BAU disclosure guidance and APP 8. Further, APP 8.1 does not apply where both of the following apply: (a) the Department reasonably believes that the disclosure is reasonably necessary for one or more enforcement related activities conducted by, or on behalf of, an enforcement body, and (b) the recipient is a body that performs functions, or exercises powers, that are similar to those performed or exercised by an enforcement body (APP 8.2(f)). Prior to overseas disclosure, we understand that Departmental personnel, who are permitted to use any disclose the personal information collected via Open Source Collection Tools, should contact the Privacy Operations Section if they require any further information on APP 8, per 'The Department as an Enforcement Body' document. We recommend the Department implement Recommendation 5 to improve compliance with APP 8.
APP 9 – adoption, use of disclosure of government related identifiers	NA	The Department is not required to comply with APP 9, as the Department is not listed in Part 1 of Schedule 2 of the FOI Act.
APP 10 – quality of personal information	CI	The quality of the information associated with the Project will be dependent on what is publicly available, and in turn, is up to the discretion of Departmental personnel to consider the quality of such information. We have not had the opportunity to review any policies or procedures the Department has in place to ensure that the information is accurate, up-to-date and correct.

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		As discussed in Recommendation 6, we would advise the Department satisfy itself that it has appropriate mechanisms to ensure the personal information it holds is accurate, up-to-date and complete and the personal information it uses or discloses is, having regard to the purpose of the use or disclosure, accurate, up-to-date, complete and relevant.
APP 11 – security of personal information	CI	APP 11 requires the Department to take active measures to ensure the security of personal information it holds, and to actively consider whether it is permitted to retain personal information. The Department must take reasonable steps to protect the information from misuse, interference and loss, as well as unauthorised access, modification or disclosure. In accordance with the Protective Security Policy Framework (PSPF), the Department is required to comply with the Information Security Manual (ISM). The PSPF mandates that all Australian Government agencies, organisations and entities manage the security of their information systems through a certification and accreditation process. We understand that the use of open-source collection tools has role-based access controls, which require supervisor approval. This includes password protected licences. To ensure compliance we have suggested Recommendations 7, 8 and 9. We recommend the Department satisfy itself that it has appropriate security mechanisms to protect the personal and sensitive information it holds in relation to the Project, and retain records associated with the Project per existing Departmental records management protocols and the Records Authorities that apply to the Department's core activities.

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		We believe the Department should also obtain a Security Risk Assessment (SRA) relating to the Project and consider implementing any recommendations forming part of the SRA. We understand that all Departmental staff are required to complete the Essentials Suite, which is mandatory training about privacy and personal information, and associated obligations. Additionally, we understand that Departmental staff are regularly required to complete security awareness training.
APP 12 – access to personal information	C	APP 12 requires the Department provide individuals with access to their personal information on request. The Department can refuse this access, but only under certain grounds. If access is refused, written notice must be provided, along with complaint mechanisms available to an individual. When exercising its law enforcement functions, the Department may not be required to provide an individual access to the personal information under APP 12.2 and s 37 of the FOI Act, if the Department can evidence that providing access to information collected via open-source tools would affect enforcement of law and protection of public safety. Information falling under Part IV, Division 2 of the FOI Act may also be exempted, such as information relating to national security, defence or international relations (s 33), cabinet documents (s 34) and information subject to legal professional privilege (s 42). A conditional exemption in Part IV Div 3 may also apply in some circumstances. A decision to refuse access under APP 12.2(b)(i) (on one of the FOI grounds) is a decision made under the Privacy Act, not the FOI Act. As required by APP 12.9, the Department must provide the individual with a written notice that sets out the reasons for the refusal and the complaint mechanisms available to the individual.

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APP 13 – correction of personal information	C	APP 13 requires the Department to take reasonable steps to correct personal information to ensure that, having regard to the purpose for which it is held, it is accurate, up-to-date, complete, relevant and not misleading. As each open-source tool collects data from publicly available information on the internet, and not the individual themselves, there will be no opportunity for correction. Further, in light of the Department's enforcement related activities, there will be no opportunity for individuals to request correction.
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PART 7: PRIVACY IMPACT ANALYSIS AND COMPLIANCE CHECK

- 7.1 The PIA Guide recommends agencies analyse how a project impacts privacy, both positively and negatively. This is broader than simply assessing the project for compliance with the APPs.

Whether additional safeguards are required to ensure that the privacy interests of individuals are appropriately protected?

- 7.2 We have set out in paragraph 2.1 of this PIA a number of recommendations which we believe if implemented will manage the privacy interests of individuals as part of the Project.

Additional compliance questions

- 7.3 In considering the broader privacy impacts, the PIA Guide poses some key questions. The questions relevant to the Project are addressed below.

Do individuals have to give up control of their personal information?

- 7.4 Individuals do not give up control of their personal information, as what is collected by the Department is available from publicly available sources. Because of the legal and law enforcement framework within which the Department operates, its use and disclosure of personal information is highly circumscribed and, in some cases, carries criminal penalties for misuse.

Will the Project change the way individuals interact with the Department, such as through more frequent identify checks, costs or impacts on individuals or groups who do not have identity documents?

- 7.5 No, the Project does not involve direct interaction with individuals.

Will decisions that have consequences for individuals be made as a result of the way personal information is handled in the Project (such as decisions about services or benefits)?

- 7.6 It depends on how the Department uses this information and the purpose of the Department's original search. The information is being collected from publicly available sources.

Is there a complaint-handling mechanism? If yes, is it visible, comprehensive and effective?

- 7.7 The Department's Privacy Policy outlines the Department's complaint-handling mechanism which gives complainants the option of direct complaint or escalation to the OAIC. Further, the Department's online complaints form provides a range of means to raise privacy complaints directly to the Department.
- 7.8 The Privacy Policy confirms that complainants will be advised of complaint outcomes and that complaints will be dealt with quickly and fairly.

How will the Department handle any privacy breaches?

- 7.9 Privacy breaches are managed in accordance with the Department's existing Privacy breaches and Notifiable Data Breaches Scheme document.
- 7.10 We **recommend** the Department ensures its Data Breach Response Plan appropriately considers information handling associated with the Project, to ensure that privacy breaches are identified and mitigated in a timely manner (**Recommendation 10**).

Are there audit and oversight mechanisms in place (including emergency procedures) in case the system fails?

- 7.11 In addition to data breach management (as discussed immediately above), the Department is obliged to comply with the ISM (including its guidelines for Cybersecurity incidents, physical and personnel security, system hardening, ICT equipment, system management and monitoring, database systems and data transfers). It is also required to follow the [Information Security Policies](#) of the PSPF, covering 'Sensitive and classified information' (Policy 8), 'Access to information' (Policy 9), 'Safeguarding data from cyber threats' (Policy 10) and 'Robust ICT Systems' (Policy 11).
- 7.12 This obligation is not changed by the implementation of the Project. Accordingly, the Department's existing business continuity and emergency management arrangements continue to apply.

Does the Project recognise the risk of function creep? (For example, is there an interest in using the personal information collected for the project for other purposes that might occur in the future?)

- 7.13 Yes, there is a risk of function creep if the Department plans to collect, use and disclose information for additional secondary purposes outside of the primary and secondary purposes recognised in this PIA. If the Department collects information for purposes other than s 16A exception activities and enforcement related activities, the Department collects, uses and discloses personal information for purposes of border management, community protections, investigations, intelligence and enforcement activities listed in paragraph 4.9 such as investigations and assessment.
- 7.14 Most of these collection purposes require discreet investigations and the Department will assess on a case-by-case basis to consider whether it would be unreasonable or impracticable to collect information directly from individuals to avoid jeopardising the collection purposes.
- 7.15 As discussed with **Recommendation 4**, 'The Department as an Enforcement Body' document provides guidance with respect to the record keeping requirements. We believe this recommendation will mitigate the risk of function creep.

How valuable would the information be to unauthorised users? (For example, is it information that others would pay money for or try to access via hacking?)

- 7.16 The information would be highly valuable to unauthorised users as it may contain intelligence reports based on key identity information or sensitive information of individuals. However, the Department has identified this as a risk and has appropriate security mechanisms in place to ensure personal information is protected.

Is any intrusion or surveillance fully justified and in proportion to the Project's anticipated benefits? Is it the only way of achieving the aims of the Project, and

done in the least intrusive manner? Is it subject to legislative or judicial authority? What auditing and oversight measures are in place?

- 7.17 The Project uses information collected by the Department from publicly available sources and we have made previous recommendations to the Department to be aware of collection by lawful and fair means without intimidation, deception or use of means that are unreasonably intrusive, especially when the Department collects and uses information for purposes outside the s 16A exceptions or enforcement related activities.
- 7.18 We note that collecting and using personal information for purposes within the S 16A exceptions and for enforcement related activities are subject to exceptions, and any intrusion is limited to what is necessary for the enforcement related activities.
- 7.19 As a privacy-positive strategy, we **recommend** a post-implementation audit after the deployment of the Project to assess whether any changes need to be made to functionality or processes to better protect the data (**Recommendation 11**). The Department may decide a practical timeframe for the post-implementation audit considering other changing factors, such as policy updates.

How consistent is the project with community values about privacy?

- 7.20 The OAIC has published the *Australian Community Attitudes to Privacy Survey 2023 (OAIC 2023 survey)*. Relevantly, the OAIC survey found:
- (a) 74% of respondents feel data breaches are one of the biggest privacy risks they face. This has increased by 13% since 2020; and
 - (b) Federal government agencies were rated second in the level of trustworthiness by sector – with 67% of respondents rating Federal government agencies as ‘somewhat trustworthy’ or ‘very trustworthy’.
- 7.21 In addition, the previous OAIC *Australian Community Attitudes to Privacy Survey 2020 (OAIC 2020 survey)* identified that:
- (a) 70% of respondents were uncomfortable with government agencies sharing their personal information with businesses in Australia; and
 - (b) 40% of respondents felt that the privacy of their personal information was either poorly or very poorly protected.’

PART 8: ASSESSMENT OF DEPARTMENT PRIVACY POLICY

8.1 We have reviewed the Department's Privacy Policy (last updated 31 May 2023) for compliance against the APPs. We have considered whether the specific matters prescribed by APP 1 are incorporated into the Department's Privacy Policy:

Compliance check	Requirement	Comments
✓	The kinds of personal information that the entity collects and holds	The Privacy Policy comprehensively lists the information collected by the Department in contexts such as visa and migration, refugee and humanitarian assistance, and border management.
✓	How the entity collects and holds personal information	The Policy lists interviews, application forms and other official forms as the sources from which it collects personal information. The Privacy Policy also provides for the collection of personal information from other sources, including third parties such as other government agencies and members of the public.
✓	The purposes for which the entity collects, holds, uses and discloses personal information	The Privacy Policy clearly sets out the purposes for which the Department collects different types of personal information. A full list of the Department's programmes as well as its administrative and enforcement related activities is provided to complement reference to the Department's 'functions or activities' as the primary purpose of collecting personal information. The Privacy Policy notes that the Department will also disclose personal information to facilitate merits or judicial review of a decision.
✓	Clearly expressed that is easy to understand	The Privacy Policy does not include notably legalistic wording or jargon.
✓	Tailored to the specific information handling practices of the entity	The level of detail provided in the Privacy Policy indicates that the policy is tailored to the information handling procedures of the Department.
✓	Privacy Policy available free of charge in an appropriate format	The Privacy Policy is publicly available for free through the Department's website.

Compliance check	Requirement	Comments
✓	How an individual may access personal information about the individual that is held by the entity and seek the correction of such information	The Privacy Policy provides a link to Form 424A for access to personal information held by the Department. It also lists the governing legislation of access procedures. Correction procedures are detailed thoroughly, and numerous forms and explanations are provided to account for the circumstances of Australian and non-Australian citizens seeking correction to personal information held by the Department.
✓	How an individual may complain about a breach of the Australian Privacy Principles, or a registered APP code (if any) that binds the entity, and how the entity will deal with such a complaint	The Privacy Policy provides an online feedback form as well as the addresses of the Department's Global Feedback Unit and the OAIC. The Privacy Policy notes that the OAIC would likely recommend that a person try to resolve the complaint directly with the Department in the first instance. The Privacy Policy provides that complaints "will be investigated and complainants will be advised of the outcome".
✓	Whether the entity is likely to disclose personal information to overseas recipients	The Policy provides a thorough outline of the circumstances in which personal information may be disclosed to overseas recipients by the Department or its contractors.
✓	If the entity is likely to disclose personal information to overseas recipients—the countries in which such recipients are likely to be located if it is practicable to specify those countries in the policy	No details are provided of the location of overseas personal information recipients in the Policy. We understand that the operational sensitivity of the Department means that incorporating this information may be impractical.

ANNEXURE A: GLOSSARY

Throughout this PIA, the following terms have the corresponding meaning:

ABF	Australian Border Force
AI	Artificial Intelligence
APIs	Application Programming Interfaces
APP Code	<i>Privacy (Australian Government Agencies – Governance) APP Code 2017</i> . The APP Code is a written code, developed for the handling of personal information, available at: Privacy (Australian Government Agencies – Governance) APP Code 2017 OAIC
APP	The Australian Privacy Principles as set out in Schedule 1 of the <i>Privacy Act 1988</i> .
APP Guidelines	The OAIC's publication <i>Australian Privacy Principles Guidelines</i> , available at Australian Privacy Principles guidelines OAIC
Archives Act	<i>Archives Act 1983</i> (Cth)
CRM	Customer Relationship Management
Department	Department of Home Affairs
DNS	Domain Name System
Division	Department of Home Affairs (former) Intelligence Division
FOI Act	<i>Freedom of Information Act 1982</i> (Cth)
GL	Griffin Legal
GPT	Generative Pre-training Transformer
Health Information Section 6FA, <i>Privacy Act</i>	(a) information or an opinion about: (i) the health, including an illness, disability or injury, (at any time) of an individual; or (ii) an individual's expressed wishes about the future provision of health services to the individual; or (iii) a health service provided, or to be provided, to an individual;

	that is also personal information; (b) other personal information collected to provide, or in providing, a health service to an individual; (c) other personal information collected in connection with the donation, or intended donation, by an individual of his or her body parts, organs or body substances; (d) genetic information about an individual in a form that is, or could be, predictive of the health of the individual or a genetic relative of the individual.
Intelligence Capability	The Department's dispersed intelligence teams formerly contained in the Intelligence Division
ISM	Information Security Manual
IoT	Internet of Things
OSINT	Open Source Intelligence
OGI	Online and Geospatial Intelligence Section
OAIC	Office of the Australian Information Commissioner
OAIC 2020 survey	The OAIC's publication <i>Australian Community Attitudes to Privacy Survey 2020</i> , available at Australian Community Attitudes to Privacy Survey 2020 OAIC
OAIC 2023 survey	The OAIC's publication <i>Australian Community Attitudes to Privacy Survey 2023</i> , available at Australian Community Attitudes to Privacy Survey 2023 OAIC
Personal Information, Section 6, <i>Privacy Act</i>	information or an opinion about an identified individual, or an individual who is reasonably identifiable: (a) whether the information or opinion is true or not; and (b) whether the information or opinion is recorded in a material form or not.
PIA Section 33D(3), <i>Privacy Act</i>	A privacy impact assessment is a written assessment of an activity or function that: (a) identifies the impact that the activity or function might have on the privacy of individuals; and (b) sets out recommendations for managing, minimising or eliminating that impact.
PIA Guide	The OAIC's publication <i>Guide to undertaking privacy impact assessments</i> , available at: Guide to undertaking privacy impact assessments OAIC
Privacy Act	<i>Privacy Act 1988</i> (Cth)

Privacy Policy	The Department's Privacy Policy, available at Privacy (homeaffairs.gov.au)
Project	Open-Source Collection Tools
PSPF	Protective Security Policy Framework
SaaS	Software as a Service
SRA	Security Risk Assessment
Sensitive Information – Section 6, <i>Privacy Act</i>	(a) information or an opinion about an individual's: (i) racial or ethnic origin; or (ii) political opinions; or (iii) membership of a political association; or (iv) religious beliefs or affiliations; or (v) philosophical beliefs; or (vi) membership of a professional or trade association; or (vii) membership of a trade union; or (viii) sexual orientation or practices; or (ix) criminal record; that is also personal information; or (b) health information about an individual; or (c) genetic information about an individual that is not otherwise health information; or (d) biometric information that is to be used for the purpose of automated biometric verification or biometric identification; or (e) biometric templates.
VPC	Virtual Private Cloud

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

From: s. 22(1)(a)(ii)
Sent: Tuesday, 1 July 2025 2:16 PM
To: s. 47F(1)
Cc: s. 22(1)(a)(ii)
Subject: RE: [External] RE: Trial Extension? s. 47G(1)(a) [SEC=OFFICIAL]

Categories: CC Only

OFFICIAL

Hi s. 47F(1),

Thanks for the information on the approximate additional cost for s. 47G(1)(a), noting your caveats there.

1 week would be great, happy to start either Tuesday or Wednesday next week.

Regards,

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

Assistant Director Geospatial Intelligence Unit
 Online and Geospatial Intelligence | ABF Intelligence
 Customs Compliance, Enforcement and Targeting Division
 Australian Border Force
 M | s. 22(1)(a)(ii) Email | s. 22(1)(a)(ii) @abf.gov.au
 W | [Geospatial Intelligence Portal](#) | [RFI Form](#)

From: S. 47F(1) @babelstreet.com.au>
Sent: Tuesday, 1 July 2025 1:44 PM
To: S. 22(1)(a)(ii) @ABF.GOV.AU>; S. 47F(1) @babelstreet.com>
Cc: S. 22(1)(a)(ii) @ABF.GOV.AU>
Subject: Re: [External] RE: Trial Extension? s. 47G(1)(a) [SEC=OFFICIAL]

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

Apologies for the delay. I've been off work for personal reasons.

Your contract currently has s. 47G(1)(a) licences with s. 47G(1)(a).

Your next renewal will be approximately s. 47G(1)(a) USD (TBC). NB due to your new procurement policies, Home Affairs now s. 47G(1)(a).

If we make your s. 47G(1)(a) account the total amount looks like approximately s. 47G(1)(a) USD.

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All of the above pricing is unconfirmed by Babel Street's Sales Ops team and S. 47G(1)(a)

S. 47G(1)(a). Let me know if you want to set up a call to discuss.

For the S. 47G(1)(a). I should have double checked this again with you after our last discussion but it got away on me. As it has lapsed, S. 47G(1)(a)

on a Tues or a Wed so there is no confusion from different time zones.

Many thanks!

S. 47F(1)

Account Executive, APAC

Email: S. 47F(1) [@babelstreet.com.au](mailto:S.47F(1)@babelstreet.com.au)

Mobile: S. 47F(1) | www.babelstreet.com



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From: S. 22(1)(a)(ii) [@ABF.GOV.AU](mailto:S.22(1)(a)(ii)@ABF.GOV.AU)>

Sent: Tuesday, July 1, 2025 11:14 AM

To: S. 47F(1) [@babelstreet.com](mailto:S.47F(1)@babelstreet.com); S. 47F(1) [@babelstreet.com.au](mailto:S.47F(1)@babelstreet.com.au)>

Cc: S. 22(1)(a)(ii) [@ABF.GOV.AU](mailto:S.22(1)(a)(ii)@ABF.GOV.AU)>

Subject: RE: [External] RE: Trial Extension? S. 47G(1)(a) [SEC=OFFICIAL]

OFFICIAL

Thanks S. 47F(1)

Any movement on the pricing info?

We've also just lost our S. 47G(1)(a) capability and are hoping we can get an extension if feasible.

Regards,

S. 22(1)(a)(ii)

Assistant Director Geospatial Intelligence Unit
Online and Geospatial Intelligence | ABF Intelligence
Customs Compliance, Enforcement and Targeting Division
Australian Border Force

M | S. 22(1)(a)(ii) Email | S. 22(1)(a)(ii) [@abf.gov.au](mailto:S.22(1)(a)(ii)@abf.gov.au)

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From: S. 47F(1) <[REDACTED]@babelstreet.com>
Sent: Thursday, 26 June 2025 11:19 AM
To: S. 22(1)(a)(ii) <[REDACTED]@ABF.GOV.AU>; S. 47F(1) <[REDACTED]@babelstreet.com.au>
Cc: S. 22(1)(a)(ii) <[REDACTED]@ABF.GOV.AU>
Subject: Re: [External] RE: Trial Extension? [REDACTED] [SEC=OFFICIAL]

Hey [REDACTED],

Just about to walk into [REDACTED] for most of the day, will get you some indicative pricing to you this arvo once I'm reunited with my laptop.

Thanks, [REDACTED]

S. 47F(1)
 Sales Engineer, APAC
 Email: [REDACTED] <[REDACTED]@babelstreet.com>
 Mobile: [REDACTED] (GMT+11) | [REDACTED]@babelstreet.com



From: S. 22(1)(a)(ii) <[REDACTED]@ABF.GOV.AU>
Sent: Thursday, June 26, 2025 9:38:39 AM
To: S. 47F(1) <[REDACTED]@babelstreet.com.au>; S. 47F(1) <[REDACTED]@babelstreet.com>
Cc: S. 22(1)(a)(ii) <[REDACTED]@ABF.GOV.AU>
Subject: [External] RE: Trial Extension? [REDACTED] [SEC=OFFICIAL]

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Hi [REDACTED],

In addition to the below – as discussed recently could you please advise on the cost of procuring both [REDACTED] and [REDACTED] at our renewal in September compared to the cost of just [REDACTED].

Thanks.

Regards,

S. 22(1)(a)(ii)

Assistant Director Geospatial Intelligence Unit
 Online and Geospatial Intelligence | ABF Planning and Preparedness
 Operational Coordination and Planning
 Australian Border Force

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M | s. 22(1)(a)(ii) Email | s. 22(1)(a)(ii) @abf.gov.au
 W | [Geospatial Intelligence Portal](#) | [RFI Form](#)

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From: s. 22(1)(a)(ii)
Sent: Tuesday, 24 June 2025 12:27 PM
To: s. 47F(1) @babelstreet.com.au>; s. 47F(1) @babelstreet.com>
Cc: s. 22(1)(a)(ii) @ABF.GOV.AU>
Subject: Trial Extension? s. 47F(1)(a) [SEC=OFFICIAL]

OFFICIAL

Hi s. 47F(1),

Hoping you are able to extend our trial for 1 or 2 more weeks as its currently due to finish on 30JUN and we have a few key personnel away who are back next week.

Please let me know if this is feasible and the new finish date if possible. Thanks.

Regards,

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

Assistant Director Geospatial Intelligence Unit
 Online and Geospatial Intelligence | ABF Planning and Preparedness
 Operational Coordination and Planning
 Australian Border Force
 M | s. 22(1)(a)(ii) Email | s. 22(1)(a)(ii) @abf.gov.au
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s. 22(1)(a)(ii)

From: s. 47F(1) @babelstreet.com>
Sent: Thursday, 23 October 2025 4:30 PM
To: s. 22(1)(a)(ii); s. 47F(1)
Cc: s. 22(1)(a)(ii)
Subject: Re: [External] FW: Babel Street Contract Renewal - s. 47G(1)(a) data - PAUSE [SEC=OFFICIAL]

Convolutd story - but may work out for the best in a way.

Go with a time that suits you guys best - s. 47F(1) and I are easier to wrangle into flexibility.

Thanks, s. 47F(1)

From: s. 22(1)(a)(ii) @ABF.GOV.AU>
Date: Thursday, 23 October 2025 at 12:14
To: s. 47F(1) @babelstreet.com>, s. 47F(1) @babelstreet.com.au>
Cc: s. 22(1)(a)(ii) @ABF.GOV.AU>, s. 22(1)(a)(ii) @ABF.GOV.AU>
Subject: RE: [External] FW: Babel Street Contract Renewal - s. 47G(1)(a) data - PAUSE [SEC=OFFICIAL]

OFFICIAL

s. 47F(1)
 Hi

Thanks for getting back to me.

Curious about this better offer, happy to be guinea pigs assuming we still have an s. 37(2)(b) analogous or superior to our current set up on s. 47G(1)(a).

Keen to meet next week and we are flexible around your schedule – options:

Monday or Tuesday afternoon, Wednesday or Friday all day. Feel free to send through an invite, or I will flick you one at a time that suits us.

Regards,

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

Assistant Director Geospatial Intelligence Unit
 Online and Geospatial Intelligence | ABF Intelligence
 Targeting and Intelligence Operations | National Operations Group
 Australian Border Force
 M | s. 22(1)(a)(ii) Email | s. 22(1)(a)(ii) @abf.gov.au

OFFICIAL

From: S. 47F(1) [REDACTED]@babelstreet.com>
 Sent: Thursday, 23 October 2025 10:48 AM
 To: S. 22(1)(a)(ii) [REDACTED]@ABF.GOV.AU>; S. 47F(1) [REDACTED]@babelstreet.com.au>
 Cc: S. 22(1)(a)(ii) [REDACTED]@ABF.GOV.AU>; S. 22(1)(a)(ii) [REDACTED]@ABF.GOV.AU>
 Subject: Re: [External] FW: Babel Street Contract Renewal - [REDACTED] data - PAUSE [SEC=OFFICIAL]

Hey S. 22(1)(a)(ii) [REDACTED]

Perfect timing as we were just discussing this internally this morning.

We may have a better counteroffer available, if you don't mind being a bit of a guinea pig (will brief in more detail when we talk)

I'm free next week and happy to work around you guys.

Thanks, S. 47F(1) [REDACTED]

S. 47F(1) [REDACTED]

Sales Engineer, APAC

Email S. 47F(1) [REDACTED]@babelstreet.com

Mobile: S. 47F(1) [REDACTED] (GMT+11) | babelstreet.com

From: S. 22(1)(a)(ii) [REDACTED]@ABF.GOV.AU>
 Sent: Thursday, October 23, 2025 11:44:26 AM
 To: S. 47F(1) [REDACTED]@babelstreet.com.au>; S. 47F(1) [REDACTED]@babelstreet.com>
 Cc: S. 22(1)(a)(ii) [REDACTED]@ABF.GOV.AU>; S. 22(1)(a)(ii) [REDACTED]@ABF.GOV.AU>
 Subject: RE: [External] FW: Babel Street Contract Renewal - [REDACTED] data - PAUSE [SEC=OFFICIAL]

OFFICIAL

Hi S. 47F(1) [REDACTED] and S. 47F(1) [REDACTED]

We would like to pause the switch to S. 47G(1)(a) [REDACTED] data given we have just identified that S. 47G(1)(a) [REDACTED] with the S. 47G(1)(a) [REDACTED]. This would greatly decrease the utility of the S. 47G(1)(a) [REDACTED] dataset.

If you're both free and available for a quick chat sometime in the next few weeks that would be appreciated. We would like to explore the differences with the two datasets a bit closer given this, find out exactly what implications this might have. Lastly, is there S. 47G(1)(a) [REDACTED]

If so – what is it?

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under the Freedom of Information Act 1982

S. 47G(1)(a)

Thanks

Regards,

S. 22(1)(a)(ii)

Assistant Director Geospatial Intelligence Unit
Online and Geospatial Intelligence | ABF Intelligence
Targeting and Intelligence Operations | National Operations Group
Australian Border Force
M | S. 22(1)(a)(ii) Email | S. 22(1)(a)(ii) [@abf.gov.au](mailto:S. 22(1)(a)(ii)@abf.gov.au)

OFFICIAL

From: S. 22(1)(a)(ii)
Sent: Friday, 17 October 2025 8:02 AM
To: S. 47F(1) [@babelstreet.com.au](mailto:S. 47F(1)@babelstreet.com.au); S. 47F(1) [@babelstreet.com](mailto:S. 47F(1)@babelstreet.com)>
Cc: S. 22(1)(a)(ii) [@ABF.GOV.AU](mailto:S. 22(1)(a)(ii)@ABF.GOV.AU); S. 22(1)(a)(ii) [@ABF.GOV.AU](mailto:S. 22(1)(a)(ii)@ABF.GOV.AU)>
Subject: RE: [External] FW: Babel Street Contract Renewal - S. 47G(1)(a) data [SEC=OFFICIAL]

OFFICIAL

Thanks S. 47F(1)

Yes please – from S. 47G(1)(a) to S. 47G(1)(a)

Regards,

S. 22(1)(a)(ii)

Assistant Director Geospatial Intelligence Unit
Online and Geospatial Intelligence | ABF Intelligence
Targeting and Intelligence Operations | National Operations Group
Australian Border Force
M | S. 22(1)(a)(ii) Email | S. 22(1)(a)(ii) [@abf.gov.au](mailto:S. 22(1)(a)(ii)@abf.gov.au)

Released by Department of Home Affairs
under the Freedom of Information Act 1982

OFFICIAL

From: S. 47F(1) [REDACTED] <[\[REDACTED\]@babelstreet.com.au](mailto:[REDACTED]@babelstreet.com.au)>
 Sent: Thursday, 16 October 2025 5:11 PM
 To: S. 22(1)(a)(ii) [REDACTED] <[\[REDACTED\]@ABF.GOV.AU](mailto:[REDACTED]@ABF.GOV.AU)>; S. 47F(1) [REDACTED] <[\[REDACTED\]@babelstreet.com](mailto:[REDACTED]@babelstreet.com)>
 Cc: S. 22(1)(a)(ii) [REDACTED] <[\[REDACTED\]@ABF.GOV.AU](mailto:[REDACTED]@ABF.GOV.AU)>; S. 22(1)(a)(ii) [REDACTED] <[\[REDACTED\]@ABF.GOV.AU](mailto:[REDACTED]@ABF.GOV.AU)>
 Subject: Re: [External] FW: Babel Street Contract Renewal - [REDACTED] data [SEC=OFFICIAL]

Hi S. 47E(c)

Yes we can now look into getting you transferred since the commercial issues have been resolved.

I am in Singapore at the moment but we are talking to the US team next week when I return. We'll draft a plan for your transfer and report back to you asap.

To confirm, you were looking to swap from S. 47G(1)(a) [REDACTED] to S. 47G(1)(a) [REDACTED] ?

Best regards,

S. 47F(1) [REDACTED]
 Account Executive, APAC
 Email: S. 47F(1) [REDACTED] <[\[REDACTED\]@babelstreet.com.au](mailto:[REDACTED]@babelstreet.com.au)>
 Mobile: S. 47F(1) [REDACTED] | www.babelstreet.com



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From: S. 22(1)(a)(ii) [REDACTED] <[\[REDACTED\]@ABF.GOV.AU](mailto:[REDACTED]@ABF.GOV.AU)>
 Sent: Wednesday, October 15, 2025 10:22 AM
 To: S. 47F(1) [REDACTED] <[\[REDACTED\]@babelstreet.com](mailto:[REDACTED]@babelstreet.com)>
 Cc: S. 22(1)(a)(ii) [REDACTED] <[\[REDACTED\]@ABF.GOV.AU](mailto:[REDACTED]@ABF.GOV.AU)>; S. 22(1)(a)(ii) [REDACTED] <[\[REDACTED\]@ABF.GOV.AU](mailto:[REDACTED]@ABF.GOV.AU)>; S. 47F(1) [REDACTED] <[\[REDACTED\]@babelstreet.com.au](mailto:[REDACTED]@babelstreet.com.au)>
 Subject: RE: [External] FW: Babel Street Contract Renewal - [REDACTED] data [SEC=OFFICIAL]

OFFICIAL

Thanks S. 47F(1) [REDACTED],

Yes sorry my initial email was incorrect.. renewed with S. 47G(1)(a) [REDACTED] and we want to transfer to S. 47G(1)(a) [REDACTED] when possible.

Thanks

Regards,

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

Assistant Director Geospatial Intelligence Unit
Online and Geospatial Intelligence | ABF Intelligence
Targeting and Intelligence Operations | National Operations Group
Australian Border Force
M | s. 22(1)(a)(ii) Email | s. 22(1)(a)(ii) [@abf.gov.au](mailto:s.22(1)(a)(ii)@abf.gov.au)

OFFICIAL

From: S. 47F(1) [@babelstreet.com](mailto:s.47f(1)@babelstreet.com)>
Sent: Wednesday, 15 October 2025 9:20 AM
To: S. 22(1)(a)(ii) [@ABF.GOV.AU](mailto:s.22(1)(a)(ii)@ABF.GOV.AU)>
Cc: S. 22(1)(a)(ii) [@ABF.GOV.AU](mailto:s.22(1)(a)(ii)@ABF.GOV.AU)>; S. 22(1)(a)(ii) [@ABF.GOV.AU](mailto:s.22(1)(a)(ii)@ABF.GOV.AU)>; s. 47F(1) [@babelstreet.com.au](mailto:s.47f(1)@babelstreet.com.au)>
Subject: Re: [External] FW: Babel Street Contract Renewal - s. 47G(1)(a) data [SEC=OFFICIAL]

Morning s. 47F(1),

I believe this may have been the other way around.

At the time of renewal, s. 47G(1)(a) was s. 47G(1)(a) going on in the background and you renewed with s. 47G(1)(a).

The s. 47G(1)(a) stuff has now been resolved, so in theory there is potential for a switch, but how this works in practice internally is beyond me, so will need to discuss further with s. 47G(1)(a).

He's current in Singapore so running a few hours behind - will discuss and reach back out when we know what's possible.

Thanks, s. 47F(1)

From: S. 22(1)(a)(ii) [@ABF.GOV.AU](mailto:s.22(1)(a)(ii)@ABF.GOV.AU)>
Date: Wednesday, 15 October 2025 at 10:11
To: S. 47F(1) [@babelstreet.com](mailto:s.47f(1)@babelstreet.com)>
Cc: S. 22(1)(a)(ii) [@ABF.GOV.AU](mailto:s.22(1)(a)(ii)@ABF.GOV.AU)>; s. 22(1)(a)(ii) [@ABF.GOV.AU](mailto:s.22(1)(a)(ii)@ABF.GOV.AU)>
Subject: [External] FW: Babel Street Contract Renewal - s. 47G(1)(a) data [SEC=OFFICIAL]

OFFICIAL

Hi s. 47F(1),

Forwarding to you based on s. 47F(1)'s out of office reply. Are you able to advise on the below?

Cheers

Regards,

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

Assistant Director Geospatial Intelligence Unit
Online and Geospatial Intelligence | ABF Intelligence
Targeting and Intelligence Operations | National Operations Group
Australian Border Force
M | s. 22(1)(a)(ii) Email | s. 22(1)(a)(ii) [@abf.gov.au](mailto:s.22(1)(a)(ii)@abf.gov.au)

OFFICIAL

From: s. 22(1)(a)(ii)
Sent: Wednesday, 15 October 2025 9:09 AM
To: s. 47F(1) [@babelstreet.com.au](mailto:s.47F(1)@babelstreet.com.au)>
Cc: s. 22(1)(a)(ii) [@ABF.GOV.AU](mailto:s.22(1)(a)(ii)@ABF.GOV.AU); s. 22(1)(a)(ii) [@ABF.GOV.AU](mailto:s.22(1)(a)(ii)@ABF.GOV.AU)>
Subject: Babel Street Contract Renewal - s. 47G(1)(a) data [SEC=OFFICIAL]
Importance: High

OFFICIAL

Hi s. 47F(1),

When we renewed the contract for s. 47G(1)(a)

Are we able to switch to s. 47G(1)(a) at this stage? If not do you have an indicative timeline as to when this will occur?

Thank you.

Regards,

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

Assistant Director Geospatial Intelligence Unit
Online and Geospatial Intelligence | ABF Intelligence
Targeting and Intelligence Operations | National Operations Group
Australian Border Force
M | s. 22(1)(a)(ii) Email | s. 22(1)(a)(ii) [@abf.gov.au](mailto:s.22(1)(a)(ii)@abf.gov.au)

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PROTECTED

s. 37(2)(b) Procedural Instruction Online and Geospatial Intelligence (OGI)

1. Introduction

s. 37(2)(b) is an overarching term that describes the tools and software s. 37(2)(b)

when a user interacts with certain s. 37(2)(b) and this data is collected by s. 37(2)(b) tools and software. Data collected is anonymised by vendors and s. 37(2)(b) are not attributed to any personal information. s. 37(2)(b) is an emerging technology and was scrutinised as part of a Freedom of Information (FOI) request within Department of Home Affairs. To utilise s. 37(2)(b) for geospatial intelligence, a permitted purpose under the Australian Privacy Principles is required.

The Online and Geospatial Intelligence Section have access to [Babel Street](#) which includes a tool known as Locate X, a platform which visualises s. 37(2)(b) We can utilise this platform to identify and enable intelligence insights. Extracted data can form the basis of a static product or geospatial dashboard. Operational areas that may request support with s. 37(2)(b) include:

s. 37(2)(b)

2. Legal Advice and Considerations of Use

2.1. Legal Advice

s. 11C(1)(b) s. 37(2)(b) s. 11C(1)(b)
s. 11C(1)(b)

s. 37(2)(b) s. 11C(1)(b) s. 37(2)(b) s. 11C(1)(b)
s. 11C(1)(b) s. 37(2)(b) s. 11C(1)(b)

s. 11C(1)(b)

s. 11C(1)(b) s. 37(2)(b) s. 11C(1)(b)
s. 11C(1)(b) s. 37(2)(b) s. 11C(1)(b)

s. 11C(1)(b)

PROTECTED

s. 11C(1)(b)

s. 11C(1)(b)

s. 11C(1)(b)

s. 37(2)(b)

s. 11C(1)(b)

2.2. Considerations of Use

Home Affairs' use of s. 37(2)(b) data has previously been reviewed in response to a Freedom of Information (FOI) request and public media scrutiny. Analysts should be conscious that this is an emerging technology with privacy implications. There must be a legal permitted purpose to collect, use and disseminate s. 37(2)(b) data. When accepting a request for advanced geospatial support form, the form must include a legislative remit before commencing any s. 37(2)(b) research.

Given the scrutiny associated with this technology, as an addition to standard record keeping practices analysts should also record addresses searched, details of the request number and a brief summary of the results into the OGI s. 37(2)(b) spreadsheet at: **ADD2024/100572704**

Under no circumstances should an s. 37(2)(b) be sent to the software vendor (Babel Street) for clarification on issues with the data or specific questions to do with the s. 37(2)(b)

Article: [Revealed: Home Affairs paying to access controversial tool tracking mobile phone movements | Australian security and counter-terrorism | The Guardian](#)

3. Caveat, Classification and Dissemination

The below caveat is to be added to any products containing s. 37(2)(b) data:

"The location-based information in these files has not been verified. The reliability and credibility of the source of these locations is not known. This information is provided for intelligence purposes only and any hypotheses or conclusions derived from these locations (as a single source) should acknowledge this caveat."

Products should generally be classified as **PROTECTED**. s. 11C(1)(b) s. 37(2)(b) s. 11C(1)(b)

s. 11C(1)(b)

s. 11C(1)(b)

s. 37(2)(b)

s. 11C(1)(b).

s. 11C(1)(b)

s. 37(2)(b)

s. 11C(1)(b)

s. 37(2)(b) s. 11C(1)(b)

s. 37(2)(b)

s. 11C(1)(b)

Please consider reviewing the [Handling Protectively Marked Material PI](#) if required.

February 3, 2022

S. 47G(1)(a)

Respectfully,

BABEL STREET, INC.

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under the *Freedom of Information Act 1982*



Australian Government

Offshore Cloud Computing – SaaS Subscription Contract – Commercial

Commonwealth of Australia (**Customer**)

Babel Street, Inc. (**Contractor**)

Offshore Cloud Computing – SaaS Subscription Contract – Commercial

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Contract Information

Date 16 February 2021

Contract
Number BAST-040321

Parties

Name Commonwealth of Australia
Short form name Customer

Name Babel Street, Inc.
Short form name Contractor

Background

- A The Customer requires the provision of certain software and other services.
- B The Customer has agreed to engage the Contractor to provide the software and other services on the terms and conditions contained in this Contract.

Schedule 4 –Fees and Payment

1. Subscription Fees (clauses 1.1 and 11)

The following is a full list of products that may be ordered by the Customer under this Contract. The Customer may order such products by issuing an Agency Order Form substantially in the form set out at Schedule 5 to this Contract

Annual Subscription Fees s. 47G(1)(a) [Formerly

s. 47G(1)(a) In accordance with clause 11.2, the Annual Subscription fee will be paid by the Customer in quarterly instalments, paid in advance prior to the commencement of each quarter. Annual Subscription may also be paid annually in advance. Volume discounts are built into the pricing below.

Product Description: Babel X is a robust, open source, intelligence-monitoring platform designed specifically to meet the needs of developing Open Source Intelligence (OSINT). Babel X is a cloud services offering. Currently, a Babel X subscription provides access to thousands of social and traditional media sources, millions of URLs, and other public sources. Data collected by Babel X is publicly and/or commercially available. Other premium third-party and customer data can also be added.

s. 47G(1)(a)

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More than 500 Users

US \$9,740/User

s. 47G(1)(a)

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Signing page

EXECUTED as an agreement.

Signed for and on behalf of the *Commonwealth of Australia* represented by its duly authorised delegate in the presence of

s. 47F(1)

Name of witness

Date

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

Name of delegate

Commonwealth Officer

Executive Officer
Position of delegate

10/03/21
Date

Executed by Babel Street, by its authorised representative in the presence of

s. 47F(1)

Name of witness

Date

s. 47F(1)

Name of authorised representative

Date

March 10, 2021

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

From: s. 22(1)(a)(ii)
Sent: Monday, 6 November 2023 3:09 PM
To: s. 22(1)(a)(ii)
Cc:
Subject: FW: Home Affairs Portfolio Daily Briefing - Monday 6 November 2023[SEC=OFFICIAL]

OFFICIAL

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

Thank for you input, please see below cleared. For TRIM/records please.

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

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

Director Online and Geospatial Intelligence
 Assessments and Services Branch | Intelligence Division
 Executive Group
 Department of Home Affairs
P: s. 22(1)(a)(ii) | **M:** s. 22(1)(a)(ii)
E: s. 22(1)(a)(ii) [@homeaffairs.gov.au](mailto:s.22(1)(a)(ii)@homeaffairs.gov.au)

OFFICIAL

From: s. 22(1)(a)(ii) [@homeaffairs.gov.au](mailto:s.22(1)(a)(ii)@homeaffairs.gov.au)>
Sent: Monday, 6 November 2023 15:03
To: S. 47F(1) [s. 22\(1\)\(a\)\(ii\)@homeaffairs.gov.au](mailto:s.22(1)(a)(ii)@homeaffairs.gov.au)>; Craig BICKELL [s. 22\(1\)\(a\)\(ii\)@homeaffairs.gov.au](mailto:s.22(1)(a)(ii)@homeaffairs.gov.au)>
Cc: S. 22(1)(a)(ii) [s. 22\(1\)\(a\)\(ii\)@homeaffairs.gov.au](mailto:s.22(1)(a)(ii)@homeaffairs.gov.au)>
Subject: RE: Home Affairs Portfolio Daily Briefing - Monday 6 November 2023[SEC=OFFICIAL]

OFFICIAL

Hi s. 47F(1)

As requested – please see below from s. 22(1)(a)(ii) and his OGI team (thanks team).

If you need anything further or would like it in a different format – please let me know.

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1. Locate X is software that uses a commercial data set of s. 37(2)(b) s. 37(2)(b).
2. The information does not include s. 37(2)(b).
Rather, it s. 37(2)(b).
Commercially, the s. 37(2)(b) purposes.
3. The Locate X software allows a user to s. 37(2)(b).
4. Intelligence Division (through Online & Geospatial Intelligence section) use the locations of s. 37(2)(b) of interest. For example,

• s. 37(2)(b)

•

5. s. 11C(1)(b) s. 11C(1)(b)

Below are some additional legal points if required:

1. The Department collects commercially available and publicly available online information where it is necessary to support the Department's and Australian Border Force's (ABF) specific functions and activities, and where it is proportionate and in accordance with the law. This includes through services provided by commercial vendors.
2. The Department does not collect or monitor online information, including social media, where it is not necessary for a specific purpose under the Department's or ABF's functions.
3. The Department does not collect information from online sources by gaining any unauthorised access.
4. Commercially available and publicly available online information is lawfully obtained by the Department, in accordance with Australian legislation such as the Privacy Act 1988 (the Privacy Act) and governed by internal policy which is regularly reviewed.
5. Information about individuals collected from online sources – regardless of whether that information is anonymised – may be considered personal information or sensitive information, depending on the nature of the information.

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

A/g Senior Director

Assessments and Services Branch

Intelligence Division

Department of Home Affairs

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

E: s. 22(1)(a)(ii) [@homeaffairs.gov.au](mailto:s.22(1)(a)(ii)@homeaffairs.gov.au)

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OFFICIAL

From: S. 47F(1) [redacted] <[\[redacted\]@homeaffairs.gov.au](mailto:[redacted]@homeaffairs.gov.au)>
 Sent: Monday, 6 November 2023 2:40 PM
 To: Craig BICKELL <[\[redacted\]@homeaffairs.gov.au](mailto:[redacted]@homeaffairs.gov.au)>; S. 22(1)(a)(ii) [redacted] <[\[redacted\]@homeaffairs.gov.au](mailto:[redacted]@homeaffairs.gov.au)>
 Subject: Re: Home Affairs Portfolio Daily Briefing - Monday 6 November 2023[SEC=OFFICIAL]

OFFICIAL

Hey [redacted]

Without wanting to be a pest, could I check how we're going with this one?

I'm going to be in meetings from 1500-1700 and just mindful of [redacted] requested timing.

Thanks,

S. 47F(1) [redacted]

First Assistant Secretary
 Intelligence Division
 Department of Home Affairs

OFFICIAL

From: "Craig BICKELL" <[\[redacted\]@homeaffairs.gov.au](mailto:[redacted]@homeaffairs.gov.au)>
 Date: Monday, 6 November 2023 at 11:06:13 am
 To: "S. 22(1)(a)(ii) [redacted] <[\[redacted\]@homeaffairs.gov.au](mailto:[redacted]@homeaffairs.gov.au)>, "S. 47F(1) [redacted] <[\[redacted\]@homeaffairs.gov.au](mailto:[redacted]@homeaffairs.gov.au)>
 Subject: RE: Home Affairs Portfolio Daily Briefing - Monday 6 November 2023[SEC=OFFICIAL]

OFFICIAL

S. 47F(1) [redacted]

S. 22(1)(a)(ii) [redacted] and OGI have lead with [redacted] in support if required.

Craig Bickell, CSM
 Assistant Secretary
 Mission Management | Intelligence Division
 Executive Group

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Department of Home Affairs

s. 22(1)(a)(ii) [@homeaffairs.gov.au](mailto: @homeaffairs.gov.au)

Ph s. 22(1)(a)(ii) m: s. 22(1)(a)(ii)

Executive Assistant:

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

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

s. 22(1)(a)(ii) [@homeaffairs.gov.au](mailto: @homeaffairs.gov.au)

OFFICIAL

From: s. 22(1)(a)(ii) [@homeaffairs.gov.au](mailto: @homeaffairs.gov.au)>
 Sent: Monday, 6 November 2023 11:04 AM
 To: S. 47F(1) [@homeaffairs.gov.au](mailto: @homeaffairs.gov.au)>
 Cc: Craig BICKELL s. 22(1)(a)(ii) [@homeaffairs.gov.au](mailto: @homeaffairs.gov.au)>
 Subject: RE: Home Affairs Portfolio Daily Briefing - Monday 6 November 2023[SEC=OFFICIAL]

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Copy that

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

Assessments and Services Branch

Intelligence Division

Department of Home Affairs

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

E: s. 22(1)(a)(ii) [@homeaffairs.gov.au](mailto: @homeaffairs.gov.au)

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From: S. 47F(1) [@homeaffairs.gov.au](mailto: @homeaffairs.gov.au)>
 Sent: Monday, 6 November 2023 11:03 AM
 To: S. 22(1)(a)(ii) [@homeaffairs.gov.au](mailto: @homeaffairs.gov.au)>; Sophie SHARPE s. 22(1)(a)(ii) [@homeaffairs.gov.au](mailto: @homeaffairs.gov.au)>
 Cc: S. 22(1)(a)(ii) [@homeaffairs.gov.au](mailto: @homeaffairs.gov.au)>; S. 22(1)(a)(ii) [@homeaffairs.gov.au](mailto: @homeaffairs.gov.au)>; S. 22(1)(a)(ii) [@homeaffairs.gov.au](mailto: @homeaffairs.gov.au)>; S. 22(1)(a)(ii) [@homeaffairs.gov.au](mailto: @homeaffairs.gov.au)>; S. 22(1)(a)(ii) [@homeaffairs.gov.au](mailto: @homeaffairs.gov.au)>; S. 22(1)(a)(ii) [@homeaffairs.gov.au](mailto: @homeaffairs.gov.au)>; S. 22(1)(a)(ii) [@homeaffairs.gov.au](mailto: @homeaffairs.gov.au)>; S. 22(1)(a)(ii) [@homeaffairs.gov.au](mailto: @homeaffairs.gov.au)>
 Subject: RE: Home Affairs Portfolio Daily Briefing - Monday 6 November 2023[SEC=OFFICIAL]

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Ack.

Craig [REDACTED] – for action please.

S. 47F(1)

First Assistant Secretary
Intelligence Division
Executive Group

Department of Home Affairs

Ph: S. 22(1)(a)(ii) **M:** S. 22(1)(a)(ii)

E: S. 47F(1) [\[REDACTED\]@homeaffairs.gov.au](mailto:[REDACTED]@homeaffairs.gov.au)

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From: S. 22(1)(a)(ii) [\[REDACTED\]@homeaffairs.gov.au](mailto:[REDACTED]@homeaffairs.gov.au)>

Sent: Monday, 6 November 2023 11:00 AM

To: S. 47F(1) [\[REDACTED\]@homeaffairs.gov.au](mailto:[REDACTED]@homeaffairs.gov.au)>; Sophie SHARPE S. 22(1)(a)(ii) [\[REDACTED\]@homeaffairs.gov.au](mailto:[REDACTED]@homeaffairs.gov.au)>

Cc: S. 22(1)(a)(ii) [\[REDACTED\]@homeaffairs.gov.au](mailto:[REDACTED]@homeaffairs.gov.au)>; S. 22(1)(a)(ii) [\[REDACTED\]@homeaffairs.gov.au](mailto:[REDACTED]@homeaffairs.gov.au)>;

S. 22(1)(a)(ii) [\[REDACTED\]@homeaffairs.gov.au](mailto:[REDACTED]@homeaffairs.gov.au)>; S. 22(1)(a)(ii) [\[REDACTED\]@homeaffairs.gov.au](mailto:[REDACTED]@homeaffairs.gov.au)>; Craig

BICKELL S. 22(1)(a)(ii) [\[REDACTED\]@homeaffairs.gov.au](mailto:[REDACTED]@homeaffairs.gov.au)>; S. 22(1)(a)(ii) [\[REDACTED\]@homeaffairs.gov.au](mailto:[REDACTED]@homeaffairs.gov.au)>

Subject: RE: Home Affairs Portfolio Daily Briefing - Monday 6 November 2023[SEC=OFFICIAL]

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Probably quicker than that as she wants to understand how we use it given it's in the media today. Just a one-pager of dot points would do the job

S. 22(1)(a)(ii)

Acting Deputy Secretary

Executive Group

Department of Home Affairs

P: S. 22(1)(a)(ii) | **M:** S. 22(1)(a)(ii)

E: S. 22(1)(a)(ii) [\[REDACTED\]@homeaffairs.gov.au](mailto:[REDACTED]@homeaffairs.gov.au)

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From: S. 47F(1) [\[REDACTED\]@homeaffairs.gov.au](mailto:[REDACTED]@homeaffairs.gov.au)>

Sent: Monday, 6 November 2023 10:59 AM

To: S. 22(1)(a)(ii) [\[REDACTED\]@homeaffairs.gov.au](mailto:[REDACTED]@homeaffairs.gov.au)>; Sophie SHARPE S. 22(1)(a)(ii) [\[REDACTED\]@homeaffairs.gov.au](mailto:[REDACTED]@homeaffairs.gov.au)>

Cc: S. 22(1)(a)(ii) [\[REDACTED\]@homeaffairs.gov.au](mailto:[REDACTED]@homeaffairs.gov.au)>; S. 22(1)(a)(ii) [\[REDACTED\]@homeaffairs.gov.au](mailto:[REDACTED]@homeaffairs.gov.au)>;

S. 22(1)(a)(ii) [\[REDACTED\]@homeaffairs.gov.au](mailto:[REDACTED]@homeaffairs.gov.au)>; S. 22(1)(a)(ii) [\[REDACTED\]@homeaffairs.gov.au](mailto:[REDACTED]@homeaffairs.gov.au)>; Craig

BICKELL S. 22(1)(a)(ii) [\[REDACTED\]@homeaffairs.gov.au](mailto:[REDACTED]@homeaffairs.gov.au)>; S. 22(1)(a)(ii) [\[REDACTED\]@homeaffairs.gov.au](mailto:[REDACTED]@homeaffairs.gov.au)>

Subject: RE: Home Affairs Portfolio Daily Briefing - Monday 6 November 2023[SEC=OFFICIAL]

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under the Freedom of Information Act 1982

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Can do [REDACTED] – I'll get the team onto it now.

[REDACTED] – could I just check when you require this one – CoB today?

Thanks,
Ad

S. 47F(1)

First Assistant Secretary

Intelligence Division

Executive Group

Department of Home Affairs

Ph: S. 22(1)(a)(ii) **M:** S. 22(1)(a)(ii)

E: S. 47F(1) [\[REDACTED\]@homeaffairs.gov.au](mailto:[REDACTED]@homeaffairs.gov.au)

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From: S. 22(1)(a)(ii) [\[REDACTED\]@homeaffairs.gov.au](mailto:[REDACTED]@homeaffairs.gov.au)>

Sent: Monday, 6 November 2023 10:53 AM

To: S. 47F(1) [\[REDACTED\]@homeaffairs.gov.au](mailto:[REDACTED]@homeaffairs.gov.au)>; Sophie SHARPE S. 22(1)(a)(ii) [\[REDACTED\]@homeaffairs.gov.au](mailto:[REDACTED]@homeaffairs.gov.au)>

Cc: S. 22(1)(a)(ii) [\[REDACTED\]@homeaffairs.gov.au](mailto:[REDACTED]@homeaffairs.gov.au)>; S. 22(1)(a)(ii) [\[REDACTED\]@homeaffairs.gov.au](mailto:[REDACTED]@homeaffairs.gov.au)>;

[\[REDACTED\]@homeaffairs.gov.au](mailto:[REDACTED]@homeaffairs.gov.au)>; S. 22(1)(a)(ii) [\[REDACTED\]@homeaffairs.gov.au](mailto:[REDACTED]@homeaffairs.gov.au)>; Craig

BICKELL S. 22(1)(a)(ii) [\[REDACTED\]@homeaffairs.gov.au](mailto:[REDACTED]@homeaffairs.gov.au)>; S. 22(1)(a)(ii) [\[REDACTED\]@homeaffairs.gov.au](mailto:[REDACTED]@homeaffairs.gov.au)>

Subject: RE: Home Affairs Portfolio Daily Briefing - Monday 6 November 2023[SEC=OFFICIAL]

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Hi [REDACTED] S. 47F(1)

Stephanie asked if you could do her a short brief on this one

Thanks

S. 22(1)(a)(ii)

Acting Deputy Secretary

Executive Group

Department of Home Affairs

P: S. 22(1)(a)(ii) | **M:** S. 22(1)(a)(ii)

E: S. 22(1)(a)(ii) [\[REDACTED\]@homeaffairs.gov.au](mailto:[REDACTED]@homeaffairs.gov.au)

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From: S. 47F(1) [redacted] <[redacted]@homeaffairs.gov.au>
Sent: Monday, 6 November 2023 10:11 AM
To: Sophie SHARPE S. 22(1)(a)(ii) <[redacted]@homeaffairs.gov.au>
Cc: S. 22(1)(a)(ii) [redacted] <[redacted]@homeaffairs.gov.au>; S. 22(1)(a)(ii) [redacted] <[redacted]@homeaffairs.gov.au>; S. 22(1)(a)(ii) [redacted] <[redacted]@homeaffairs.gov.au>; S. 22(1)(a)(ii) [redacted] <[redacted]@homeaffairs.gov.au>; Craig BICKELL S. 22(1)(a)(ii) <[redacted]@homeaffairs.gov.au>
Subject: RE: Home Affairs Portfolio Daily Briefing - Monday 6 November 2023[SEC=OFFICIAL]

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Hi Soph,

Following on from my earlier email, attached is the response to the related media request which we developed with media ops.

We have also received and responded to two separate, but related, media enquires:

1. S. 47F(1) [redacted] (which we have)
2. S. 47F(1) [redacted] (which we do not have)

We have not received any enquiries at this stage from other major media outlets.

We responded to the FOI request referenced in today's media article on 17 October. The response included 29 documents with redactions.

Following on from the media enquiry and the response re S. 47F(1) [redacted]
 [redacted]

We'll be updating our BPB on open source capabilities for next estimates to cover off on these and any other queries which emerge.

Let me know if you'd like to discuss further.

Best,

S. 47F(1) [redacted]

First Assistant Secretary
 Intelligence Division
 Executive Group

Department of Home Affairs

Ph: S. 22(1)(a)(ii) **M:** S. 22(1)(a)(ii)

E: S. 47F(1) <[redacted]@homeaffairs.gov.au>

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From: Sophie SHARPE S. 22(1)(a)(ii) <[S.22\(1\)\(a\)\(ii\)@homeaffairs.gov.au](mailto:S.22(1)(a)(ii)@homeaffairs.gov.au)>
Sent: Monday, 6 November 2023 6:41 AM
To: S. 47F(1) <[S.47F\(1\)@homeaffairs.gov.au](mailto:S.47F(1)@homeaffairs.gov.au)>
Cc: S. 22(1)(a)(ii) <[S.22\(1\)\(a\)\(ii\)@homeaffairs.gov.au](mailto:S.22(1)(a)(ii)@homeaffairs.gov.au)>; S. 22(1)(a)(ii) <[S.22\(1\)\(a\)\(ii\)@homeaffairs.gov.au](mailto:S.22(1)(a)(ii)@homeaffairs.gov.au)>
Subject: Fwd: Home Affairs Portfolio Daily Briefing - Monday 6 November 2023[SEC=OFFICIAL]

OFFICIAL

Hi S. 47F(1)

Is the Locate X FOI ours? Grateful for any advice.

Regards
 Soph

Sophie Sharpe
 Deputy Secretary Executive
 Department of Home Affairs
 Ph: S. 22(1)(a)(ii)

OFFICIAL

From: "Home Affairs via Stroom" <noreply@stroom.com.au>
Date: Monday, 6 November 2023 at 5:46:15 am
To: S. 22(1)(a)(ii)
Subject: Home Affairs Portfolio Daily Briefing - Monday 6 November 2023

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Home Affairs Portfolio Daily Media Briefing

Monday 6 November 2023



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To access National and Metro **front pages** click [here](#).

Front Pages

The **Australian Financial Review** reports that Anthony Albanese said China has a duty to itself and the region to practise free and fair trade, and expressed confidence Beijing's remaining sanctions on Australian exports will be lifted as a result of the historic visit. Addressing China's largest trade fair, Mr Albanese noted, pointedly, that despite Beijing imposing \$20 billion in coercive trade sanctions over the past three years, Australia's trade in goods and services reached a record level in 2022-23. However, Australia and everyone else in the region would benefit more if all players agreed to uphold a rules-based trade system, the prime minister said at the China International Import Expo in Shanghai.

The Australian reports that Anthony Albanese's approval ratings have fallen sharply in the wake of the referendum defeat and the decline in living standards as the political contest between Labor and the Coalition narrows to the closest margin since the 2022 election. An exclusive Newspoll conducted for The Australian shows the gap between the Prime Minister and Liberal leader Peter Dutton has also tightened significantly, with only 10 points now separating the two leaders. The first major poll since the defeat of the Indigenous voice referendum on October 14 shows the Coalition now leading Labor on the primary vote, 37 per cent to 35 per cent. This marks a two-point gain for the Liberal/Nationals parties in the past three weeks and a one-point fall for the government.

The Sydney Morning Herald reports that Transport Minister Jo Haylen has declared she won't resign over a staffing scandal in her office even if a departmental investigation delivers adverse findings, saying voters are more concerned about trains and buses running on time. Haylen fronted the media yesterday for the first time since her chief of staff Scott Gartrell quit over revelations a Labor-linked staffer seconded from her department had engaged in political work, despite his being a strictly non-partisan role. The revelations prompted Haylen to launch an investigation into a tranche of emails that showed well-known Labor figure Kieren Ash had strayed well outside the scope of work expected of department liaison officers.

The Daily Telegraph writes that thousands of mid-size apartment blocks are set to be built along key bus routes and on ageing local shopping villages by the end of the decade as the state government embarks on a "French revolution" in housing to dramatically increase density and supply in Sydney and regional centres. Tackling the crisis in affordability and availability is the self-described top priority for Premier Chris Minns, who has signed a national agreement setting NSW a target of about 75,000 new homes annually, double the Department of Planning's forecast last year. While a big chunk of that will be high-rises near new metro train stations and freestanding houses, the intent is for 10-20,000 a year to be in blocks of up to six storeys.

The **Herald Sun** writes that a white BMW SUV crashed through the beer garden of The Royal Daylesford Hotel just after 6pm, leaving four dead and several injured. Police, paramedics and firefighters swarmed the scene, treating patrons, and a badly damaged SUV could be seen outside

the pub behind crime scene tape. There were unconfirmed reports last night that the driver had suffered a medical episode. One onlooker said they saw the car travelling at normal speed down the hill towards the roundabout when suddenly it accelerated. Four injured people were flown to Melbourne for urgent medical treatment, another was taken by ambulance to a Melbourne hospital and two others were taken by ambulance to Ballarat Hospital.

The Age reports that billions of dollars in infrastructure projects around the country are on the chopping block, and more face years-long delays in an attempt to drive down inflation as borrowers brace for the Reserve Bank to lift interest rates again on Tuesday. Ambitious state and federal road and rail projects were flagged by the International Monetary Fund last week as factors that could force the RBA to lift rates even higher. The IMF urged governments to slow down their big builds. Yesterday, Treasurer Jim Chalmers echoed earlier warnings from Infrastructure Minister Catherine King that the government would make tough decisions on some of those projects when the infrastructure review is released in the coming weeks.

The Canberra Times writes that the Canberra Liberals have promised to spend \$100 million on upgrades to ACT suburbs if they win next year's territory election. Every suburb would receive a slice of the pie with the money to be handed out based on the number of households in a suburb. Opposition Leader Elizabeth Lee said the policy was about reinvesting Canberrans' rates into their suburbs.

The Courier Mail reports that a threat to cut vital road and rail projects by Queensland-based federal Treasurer Jim Chalmers has ignited the first big breakdown in relations between the Palaszczuk and Albanese governments. Palaszczuk government ministers have warned the cuts "better not be in Queensland", ahead of the delayed release of the federal government's 90-day infrastructure audit, which has \$1 billion in Bruce Highway upgrades and the \$3.2 billion Sunshine Coast rail in its sights. Mr Chalmers said projects faced the axe to deal with cost blowouts and take the heat out of inflation, as the nation faces the prospect of another interest rate rise tomorrow.

The Advertiser reports that JK Rowling has lashed out at new gender rules set to govern SA's court system, saying they could re-traumatise women who are the victims of male violence. The Harry Potter author has taken to a social media platform to slam a ruling from Chief Justice Chris Kourakis that states "the use of preferred gender pronoun is a matter of respect and is an important component of ensuring public confidence in the proper administration of justice".

The West Australian reports that paramedics are being called out to a stabbing attack every day in WA, fuelling fears WA is in the grip of a knife-crime crisis. New figures show ambulance crews attended to almost 400 stabbing cases last year, an average of more than one a day. The State Opposition seized on the figures, claiming the "alarming" statistics showed Perth was in the midst of a violent crime "explosion". It comes as homicide squad detectives grapple with a string of sudden deaths and alleged murders across WA.

The NT News writes that Prime Minister Anthony Albanese has not committed to needs-based domestic violence funding amid Australia's largest-ever coronial inquiry into the deaths of four Territory women. For the past four months, Coroner Elisabeth Armitage has explored the systemic issues leading to the killings of four Aboriginal women, Kumarn Rubuntja, Kumanjayi Haywood, Miss Yunupingu and Ngeygo Ragurk. The Territory's domestic violence rates are seven times higher than the national average, and 94 per cent of Territory women killed by their partners were Indigenous.

The Mercury reports that the state government has fired another shot in the Macquarie Point

makeover debate, demanding more details on the alternative stadium proposal including who will own and operate the multipurpose venue when complete in about 2029. In an announcement on Sunday, the government gave Stadia Precinct Consortia until February 5 to answer key concerns on its groundbreaking stadium design and its accompanying apartments, private hospitals, hotels and convention centre, restaurants and retail space, and crucially its social and affordable housing component.

Home Affairs Portfolio Ministers 4 items

Citizenship laws require a rethink

Australian Financial Review by Kim Rubenstein

Monday 6 November 2023, 12:06am AEDT - Page 38

Constitutional rights It's troubling to treat dual citizens as more vulnerable to loss of citizenship, and for those rights to be protected only through the principle of separation of powers. Two major citizenship cases involving dual citizens convicted of criminal...

Keywords: Citizenship (19), Australia (8), Victoria (1), home affairs minister (1), Australian citizenship (4), Minister for Home Affairs' (1), minister (1), Queensland (1), Australian (1), Australia's (1)

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Migration experts call for Australia's immigration system to be made 'fairer' for women

ABC News by Olivia Ralph

Sunday 5 November 2023, 8:00am AEDT

Migrant experts say the current system gives perpetrators of family violence control over women's visa status.

Keywords: Australia's immigration (2), visa (13), Australia (8), Australian (1), Victoria (2), minister (1), Home Affairs Minister Clare O'Neil (1), "Australia's (1), visas (2), immigration (1)

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Is a terrorist's win in the High Court bad for national security?

The Australia Today

Sunday 5 November 2023, 12:45pm AEDT

A six-one majority of the court struck down a ministerial power to revoke the Australian citizenship of certain terrorist offenders.

Keywords: Australian citizenship (5), Australia's (3), citizenship (14), Australian (4), minister for home affairs (1), Australia (11), minister (4), Australia" (1), Queensland (1)

[VIEW ONLINE](#)

Emergency services across Australia brace for bushfire season as El Nino approaches

ABC News by Harrison Tippet

Sunday 5 November 2023, 7:14am AEDT

As hot and dry weather conditions approach with the onset of El Nino, emergency services in communities across Australia urge residents to be alert.

Keywords: Australia (1), Australia's (2), Queensland (9), New South Wales (4), Northern Territory (3), Minister Murray Watt (1), NSW (1), Victoria (4), Victoria's (3), Giles (1), South Australia (1), Victoria" (1), Western Australia's (1), WA (1), Australian (1), Tasmania's (1)

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Executive and Department 3 items

Police probe YouTube video

The Advertiser by Angira Bharadwaj

Monday 6 November 2023, 12:00am ACDT - Page 10

A Sydney Islamic preacher's defence of terrorists who gunned down 1400 Israeli civilians has received the attention of police amid concerns of a growing threat to Australia's national security. NSW Police revealed they were looking at a video posted to...

Keywords: Home Affairs (1)

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SYNDICATION

The Advertiser, The Courier Mail

Revealed: Home Affairs paying to access controversial tool tracking mobile phone movements

The Guardian by Ariel Bogle

Monday 6 November 2023, 1:00am AEDT

Agency has had access to Locate X since at least 2021, documents show, amid questions about use of data that may contain people's sensitive information

Keywords: Home Affairs (7), department's (1), department (2), Home Affairs' (1), Border Protection (1)

VIEW ONLINE

Mike Pezzullo: Home Affairs

The Mandarin by The Mandarin

Sunday 5 November 2023, 9:09pm AEDT

Mike Pezzullo's professional world came unstuck following alleged communications with a political operative and sloppy tradecraft.

Keywords: Operation Sovereign Borders (1), Immigration and Border Protection (1), Australian Border Force (1), Australian Customs (1)

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Australian Border Force 3 items

Lawyers welcome government's decision to settle negligence case of infant detained on Nauru

The Guardian by Mostafa Rachwani

Sunday 5 November 2023, 5:57pm AEDT

The child became sick in 2018 when two years old, but it took a court order to fly her to Australia for treatment

Keywords: Border Force (1), immigration detention (3)

VIEW ONLINE

Urgent schoolies warning as deadly drug is imported into Australia

The Daily Mail by Antoinette Milienos

Sunday 5 November 2023, 3:22pm AEDT

An urgent health warning has been issued for young Aussies celebrating at schoolies after an increase in detections of a powerful drug entering Australia.

Keywords: Australian Border Force (2), ABF (2)

VIEW ONLINE

Seventh arrest made over alleged teeth-pulling kidnap

The West Australian by Kathryn Magann

Sunday 5 November 2023, 7:10am AWST

NSW Police have arrested a 20-year-old man at Sydney International Airport and charged him over his involvement in an alleged kidnapping plot.

Keywords: border force (1)

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SYNDICATION

Albany Advertiser, Broome Advertiser, Bunbury Herald, Great Southern Herald, Harvey-Waroona Reporter, Kalgoorlie Miner, Midwest Times, Narrogin Observer, PerthNow, Pilbara News, Sound Telegraph, South Western Times, The Geraldton Guardian, The Kimberly Echo, The West Australian

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Regional Processing 0 items

No relevant coverage today.

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Customs and Border 3 items

Tassie winemakers shielded

Tasmanian Farmer by By Charmaine Manuel

Monday 6 November 2023, 12:15am AEDT - Page 12

WHILE winemakers on the mainland wait hopefully for an outcome on the possible lifting of China's tariffs on Australian wine, some Tasmanian growers are relieved that the state was insulated from the trade spat. At the low point of the...

Keywords: Australian (6), trade (2), Australia (1), export (3), exports (2), import (1)

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Wineries rejoice at tariff review

The Area News by Allan Wilson

Monday 6 November 2023, 12:11am AEDT - Page 2

GRIFFITH wineries have echoed the sentiments of the Riverina Winegrape Growers, hailing recent news that China will review the wine tariff's on Australian producers as a hopeful step forward. Last week the Riverina Winegrape Growers said while it wouldn't be...

Keywords: Australian (3), Australian exports (1), exports (1)

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Australia the world's largest exporter of chickpeas as Pulse Council pursues further growth

ABC News by Megan Hughes

Sunday 5 November 2023, 11:07am AEDT

Australia exports more chickpeas than any other country, but the industry wants us to eat more at home.

Keywords: Australia (8), exports (1), Australian (3), trade (3), imports (1), Australia's (2), export (1)

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National Security and Counter-Terrorism 6 items

PM to China: Play fair on trade

Australian Financial Review by Phillip Coorey Political Editor

Monday 6 November 2023, 12:08am AEDT - Pages 1 and 4

► Albanese confident last sanctions to end ► Says rules-based system benefits all
► Beijing pushes for place in regional pact Shanghai Anthony Albanese said China has a duty to itself and the region to practise free and fair trade,...

Keywords: home affairs (1)

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Domestic pain creates dilemma for roving PM

Herald Sun by Clare Armstrong

Monday 6 November 2023, 12:06am AEDT - Page 21

Anthony Albanese is in the middle of one of the most significant ventures in his tenure as Prime Minister, but economic woes at home will forever undercut the enormity of his China visit. Just as the PM is wrapping up...

Keywords: Albanese (8), Australia (4), Australia's (1), the Voice referendum (1), Labor's (1), election (2), government (2), Labor (2), Australian (3), ministers (1), Australians (2), The Voice (1), referendum (1), Chinese government (1), Chinese (1), Albanese government (1), the US (2), threats (1)

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Anthony Albanese arrives in China for first official visit by an Australian PM since 2016

ABC News by Kathleen Calderwood

Sunday 5 November 2023, 5:52am AEDT

The trip is expected to be heavy with symbolism, marking the 50th anniversary of Gough Whitlam's historic visit to China.

Keywords: Australian (7), Australia's (4), Australia (5), Import (2), trade (3), Australian imports (1)

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Albanese doing what 'any prime minster' would do on trade front: Paul Murray

Sky News

Sunday 5 November 2023, 7:59pm AEDT

Sky News host Paul Murray says Prime Minister Anthony Albanese is doing what "any prime minister" would do to be able to "look like a winner" on the trade front. Mr Murray criticised the Labor government's plans for reaching net...

Keywords: trade (2), solar panels (2), Australia imports (1), import (1), Australia (1)

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US public backs AUKUS, despite Congress fears

Australian Financial Review by Hans Van Leeuwen And Matthew Cranston Afr Correspondents

Monday 6 November 2023, 12:06am AEDT - Page 12

London, Washington The American public strongly backs the AUKUS pact despite Congress's bitter wrangling over whether the deal will sap US finances and defence capabilities, according to new polling research from Lynton Crosby's CT Group. CT Group's findings follow a...

Keywords: finances (1), Australia's (2), financial (3), Australia (14), Australian (1), Australia' (1), security (1), Canberra (1), Adelaide (1), national security (1), Australian Financial (1), policy (2), operations (1), senators (1)

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Maritime fleet will be crucial in disasters and for security

The West Australian by Will Tracey

Monday 6 November 2023, 12:00am AWST - Page 43

Little more than six months ago, floods in the Kimberley cut off remote and regional communities from important supply chains. With road and rail networks down, and in the absence of Australian-flagged and Australian-crewed ships, food supply left many West...

Keywords: Australian (10), Australians (2), Australia (1), constitutional recognition (1), Voice to Parliament (1), services (3), Indigenous (1), WA Government (1), WA (3), Australian Government (1), WA Government's (1), Federal Government (1), Government (1), Albanese Government (1), tensions (1), WA's (2), Australia WA (1)

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Countering Foreign Interference 1 item

The money trail that leads to high-end homes

Australian Financial Review

Monday 6 November 2023, 12:07am AEDT - Pages 36 and 37

Luxury property Cashed-up Chinese buyers are splashing out, write Andrew Clark, Bonnie Campbell, John Kehoe and Michael Read. Along-time Vaucluse resident recently set out on a Sunday stroll when she was approached by a flustered bus driver conveying a party...

Keywords: Chinese (45), Sydney's (7), Sydney (7), Melbourne (4), China's (2), Australian (14), China (8), Chinese-Australian (1), Australia (8), Hong Kong (4), Australia's (5), "China (1), NSW (1), Victoria (1), "Chinese (1), Melbourne's (1), national security (1)

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Cyber Security and Critical Infrastructure 5 items

Take action to stop AI entrenching big tech's market power

Australian Financial Review by Rod Sims

Monday 6 November 2023, 12:07am AEDT - Page 39

Technology The ACCC needs effective regulatory power to ensure all can harness the benefits of the digital revolution without innovation or competition being harmed. The digital revolution has brought huge benefits, and can bring more, but there have also been...

Keywords: AI (9), Technology (1), Australia (1), Australian (4), report (3), government (1), app (4), Australia's (1), laws (1), economy (1), the UK (1), legislation (1), reforms (1), the US (2), Google (3), Google's (1), Apple (1), Meta (2), Threads (1), social media (1), reform (1), ChatGPT (1), Amazon (1), data (2), customers (1), technologies (2), University (1)

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AI and deceit fuel the fog of Mid East war

The Australian by Charlie Parker

Monday 6 November 2023, 12:04am AEDT - Page 22

While rockets rip through the sky and fighters clash on the ground, a deluge of disinformation is fuelling an unprecedented information war between Israeli and Palestinian supporters. Online engagement in the discourse is dwarfing previous conflicts, with millions more mentions...

Keywords: AI (4), disinformation (5), social media (1), misinformation (2), Artificial intelligence (2), conspiracy theories (1), report (1), "Disinformation (1), Twitter (1), Facebook (1), Instagram (1), attack (1), TikTok (1), impact (1), hospital (1)

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AI 'once-in-a-generation force' for more creativity and business growth

The Australian by David Droga

Monday 6 November 2023, 12:03am AEDT - Page 23

All technology needs creativity to make it human, and all creativity needs technology to make it real. For evidence of this, we can look at the clay paint used by the Unghango Clan to immortalise a kangaroo in the caves...

Keywords: AI (6), technology (10), technologies' (1), data (1), customers (1), technologies (2), Law (1), energy (1)

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Mining digs innovations

Townsville Bulletin by Leighton Smith

Monday 6 November 2023, 12:00am AEST - Page 9

Much like bar code scanners transformed the supermarket checkout, AI scanning technology is revolutionising North Queensland's mining industry. Founded in 2018 by mining executive Dr Andrew Job, Plotlogic's OreSense tech enables mine operators to understand the location and material properties...

Keywords: technology (7), AI (1), Queensland's (1), artificial intelligence (1), University's (1), Australia's (1), China's (1), economy (1), Australia (1), University (1), data (1), Federal Government's (1), Australia's energy (1)

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'Scam-in-a-box': MyGov suspends thousands of accounts linked to dark web kits

The Guardian by Henry Belot

Monday 6 November 2023, 1:00am AEDT

Exclusive: Scams utilise phishing attacks on Centrelink, ATO and Medicare accounts using obtained login details

Keywords: 'Scam (1), MyGov (9), dark web (4), "scam (1), criminals (3), phishing (2), Centrelink (1), Australian (3), Medicare (4), security (1), government (5), Australia's (1), cybercriminals (1), "Statistics (1), scammers (2), hackers (2), "MyGov (1), Services Australia (1), scam (1), Albanese government (1), malicious actors (1), digital ID (1), cybercrime (1), myGovID (1), digital identity (1), Optus (1), reports (1), Australia (2), vendors (2), New South Wales (1)

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Immigration, Citizenship and Settlement Services 0 items

No relevant coverage today.

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Social Cohesion 1 item

Voters begin to voice their disapproval of PM: Newspoll

The Australian by Simon Benson

Monday 6 November 2023, 12:05am AEDT - Pages 1 and 4

Anthony Albanese's approval ratings have fallen sharply in the wake of the referendum defeat and the decline in living standards as the political contest between Labor and the Coalition narrows to the closest margin since the 2022 election. An exclusive...

Keywords: Voters (5), Albanese (9), Albanese's (3), referendum (3), Labor (7), election (8), Australian (1), Liberal (2), Indigenous (1), vote (5), government (2), Labor's (2), tensions (1), the voice referendum (1), Australia (2), Greens vote (1), ministers (1)

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Worker Exploitation 1 item

Decline in job mobility 'holds economy back'

The Sydney Morning Herald by Shane Wright Senior Economics Correspondent

Monday 6 November 2023, 12:16am AEDT - Page 2

Australians aren't moving between jobs as often as they used to and research suggests the drop-off is hurting productivity and making the entire country worse off. The non-partisan think tank e61, in a paper to be published today, found that...

Keywords: review (4), Workers (4), Australia's (2), Australian workers (1), Australian (2), migration (2), Australia (1)

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Law Enforcement and Crime 0 items

No relevant coverage today.

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Emergency Management 2 items

Probe begins into fatal Outback plane crash

The Australian by Mackenzie Scott

Monday 6 November 2023, 12:04am AEDT - Page 7

Investigators on Monday will begin examining the site of a plane crash in outback Queensland in which three aircrew helping to battle bushfires were killed - but it may be weeks before the cause is known. Early inquiries have failed...

Keywords: Queensland (7), bushfires (2), disaster (2), Australian (1), Emergency (1), NSW (1), Queensland's (1), fires (2), water bombers (1)

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Shining light in our lives

The Advertiser by Taylah Fellows

Monday 6 November 2023, 12:00am ACDT - Page 6

A mechanical engineer who died while helping fight bushfires in outback Queensland has been remembered as a "bright light extinguished too soon". US-born William Jennings, 22, and two others were killed when the plane they were on crashed near the...

Keywords: Queensland (6), bushfire (2), aerial firefighting (1), Victoria (1), NSW (1), Australian Transport (1)

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Israel-Palestine Conflict 6 items

Morrison's show of support for Israel

The Sydney Morning Herald by James Massola

Monday 6 November 2023, 12:16am AEDT - Page 8

Former prime minister Scott Morrison has landed in Israel in the first visit to the Jewish state by an Australian politician since Hamas terrorists slaughtered more 1400 Israelis on October 7. Morrison was a strong supporter of Israel in office,...

Keywords: Australian (1), terrorists (1), Australians (1), Sydney (1), terrorist (1), borders (1), Australia (1), security (1)

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Police look into 'jihad' preacher

The Australian by Alexi Demetriadi

Monday 6 November 2023, 12:07am AEDT - Pages 1 and 2

A southwest Sydney religious centre has refused to condemn a preacher who delivered a radical sermon that called on Muslims to wage jihad, declared Australia hypocritical for labelling Hamas's massacre of innocent Israelis as terrorism and claimed Anthony Albanese had...

Keywords: 'jihad' (1), jihad (5), Sydney (2), Muslims (12), Australia (5), terrorism (2), mosque (1), Australian (7), NSW (2), Islamic (5), terrorists (8), Muslim (1), Australia's Muslim (1), attack (1), mosques (1), Australia's "security (1), national security (2), ASIO (2), Australians (3), terrorist (2), ISIS (4), al-Qa'ida (3), Muslims" (1), "extremist" (1), laws (2), home affairs (1), Queensland (1), Australia's (2), mosques' (1), terrorists' (1), 'Jihad (1), Muslims' (1), TERROR (1)

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Jihad call by preacher in Sydney must be dealt with

The Australian

Monday 6 November 2023, 12:05am AEDT - Page 10

Footage from the centre in Bankstown exposes seething hatreds In the worst show of radical Islamist rhetoric seen in Australia for years, a preacher in western Sydney has urged worshippers to unleash Jihad. "Jihad is the solution ... Raise up...

Keywords: Jihad (2), Sydney (3), Islamist (1), Australia (3), "Jihad (1), Muslims (1), terrorists (3), Australia's (2), Australians (1), "terrorism' (1), Australian government (1), ASIO (1), Sydney's (1), Islam (1), extremism (1), Islamic State (1), al-Qa'ida (1), laws (1), extremist (1), attack (1)

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Preacher defends Hamas terrorists

The Daily Telegraph by Angira Bharadwaj

Monday 6 November 2023, 12:03am AEDT - Page 4

A Sydney Islamic preacher's defence of terrorists who gunned down 1400 Israeli civilians has received the attention of police amid concerns of a growing threat to Australia's national security. NSW Police revealed they were looking at a YouTube video of...

Keywords: terrorists (5), Sydney Islamic (1), Australia's national security (1), NSW (1), Islamic (1), terrorist attack (1), "terrorists" (2), Australian (1), attack (1), Australians' (1), Australian government (1), ASIO (1), Australia (1), Jihad (1), Muslims (2), Australia's security (1), mosques (1), terrorism (1), national security (2), Home Affairs (1), funded terrorism (1)

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Reports of Israeli strike on Gaza refugee camp while Arab world and US split on ceasefire

SBS News

Sunday 5 November 2023, 8:54pm AEDT

Foreign ministers from Middle Eastern countries are pushing the US to persuade Israel to agree to a ceasefire, but a top US diplomat has dismissed the idea, saying it would allow Hamas to regroup and attack again.

Keywords: Israeli (13), Gaza (18), Israel (8), Hamas (10), death (1), Palestinian (9), protests (2), Hamas' (1), Palestinians (4), Israelis (2), Israel's (3), Benjamin Netanyahu (1), conflict (2), Israeli-Palestinian conflict (1), Gaza" (1), Melbourne (1),

"Palestinian (1), violence (1), listed (1), terrorist organisation (4), Australia (3), lists (1), attacks (1), deaths (1), Gaza's (3), recognise Israel's (1), designated (1), list (1)

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Australian-Jewish communities accuse Teal MPs of 'unacceptable bias' against Israel

Sky News

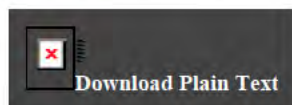
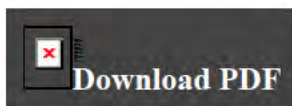
Sunday 5 November 2023, 1:09pm AEDT

Australian-Jewish communities have slammed several Teal MPs for giving "overt support" for Palestine after the horrific Hamas terrorist attacks on October 7, says Sky News host Rowan Dean. According to Mr Dean, the principal of a Melbourne Jewish school wrote...

Keywords: Australian (2), communities (2), Israel (2), Palestine (1), Hamas (2), attacks (1), Melbourne (1), death (1), Gaza (1), deaths (1), Israelis (1), Israeli (1)

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

From: s. 22(1)(a)(ii)
Sent: Wednesday, 4 October 2023 4:50 PM
To: Media Operations
Cc: s. 22(1)(a)(ii); Craig BICKELL; s. 22(1)(a)(ii)
 Bronwyn FAGAN; Rebecca AZZOPARDI; s. 22(1)(a)(ii)
 s. 22(1)(a)(ii)
Subject: Media TPs relating to FOI request: FA 23/07/00398 - s. 47F(1) [SEC=OFFICIAL:Sensitive]
Attachments: Online open source collection - Media talking points.DOCX; Online open source collection - Media talking points.tr5

OFFICIAL: Sensitive

Hi Media Operations,

Per (then) A/g FAS Intelligence email below, please find attached SD Assessments and Services Branch cleared media TPs developed in anticipation of potential media commentary of Intelligence Division's Online open source collection capability. Rebecca Azzopardi A/g AS Commercial Employment and Information Law from the Legal Division has been consulted.

Any questions, please let us know.

Cheers,

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

Director Online and Geospatial Intelligence
 Assessments and Services Branch | Intelligence Division
 Executive Group
 Department of Home Affairs
P: s. 22(1)(a)(ii)
E: s. 22(1)(a)(ii) [@homeaffairs.gov.au](mailto:s.22(1)(a)(ii)@homeaffairs.gov.au)

From: s. 22(1)(a)(ii) [@homeaffairs.gov.au](mailto:s.22(1)(a)(ii)@homeaffairs.gov.au)>
Sent: Monday, 18 September 2023 14:26
To: Craig BICKELL s. 22(1)(a)(ii) [@homeaffairs.gov.au](mailto:s.22(1)(a)(ii)@homeaffairs.gov.au)>; s. 22(1)(a)(ii) [@homeaffairs.gov.au](mailto:s.22(1)(a)(ii)@homeaffairs.gov.au)>; s. 22(1)(a)(ii) [@homeaffairs.gov.au](mailto:s.22(1)(a)(ii)@homeaffairs.gov.au)>
Cc: s. 22(1)(a)(ii) [@homeaffairs.gov.au](mailto:s.22(1)(a)(ii)@homeaffairs.gov.au)>; s. 22(1)(a)(ii) [@homeaffairs.gov.au](mailto:s.22(1)(a)(ii)@homeaffairs.gov.au)>; s. 22(1)(a)(ii) [@homeaffairs.gov.au](mailto:s.22(1)(a)(ii)@homeaffairs.gov.au)>; s. 22(1)(a)(ii) [@homeaffairs.gov.au](mailto:s.22(1)(a)(ii)@homeaffairs.gov.au)>; s. 22(1)(a)(ii) [@homeaffairs.gov.au](mailto:s.22(1)(a)(ii)@homeaffairs.gov.au)>; Bronwyn FAGAN
 s. 22(1)(a)(ii) [@homeaffairs.gov.au](mailto:s.22(1)(a)(ii)@homeaffairs.gov.au)>; s. 22(1)(a)(ii) [@homeaffairs.gov.au](mailto:s.22(1)(a)(ii)@homeaffairs.gov.au)>; s. 22(1)(a)(ii) [@homeaffairs.gov.au](mailto:s.22(1)(a)(ii)@homeaffairs.gov.au)>
Subject: Re: For action: FOI request: FA 23/07/00398 - s. 47F(1) [SEC=OFFICIAL:Sensitive]

Noted Craig and agreed.

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

and I will action media TPs as per your request.

Cheers,

s. 22(1)(a)(ii) (she/her)

Senior Director

Assessments and Services Branch | Intelligence Division

Executive Group | Department of Home Affairs

Office: s. 22(1)(a)(ii) | Mobile: s. 22(1)(a)(ii)

Email: s. 22(1)(a)(ii) [@homeaffairs.gov.au](mailto:s.22(1)(a)(ii)@homeaffairs.gov.au)

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

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

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

Email: s. 22(1)(a)(ii) [@homeaffairs.gov.au](mailto:s.22(1)(a)(ii)@homeaffairs.gov.au)

From: "Craig BICKELL" s. 22(1)(a)(ii) [@homeaffairs.gov.au](mailto:s.22(1)(a)(ii)@homeaffairs.gov.au)>

Date: Monday, 18 September 2023 at 2:22:55 pm

To: "s. 22(1)(a)(ii) [@homeaffairs.gov.au](mailto:s.22(1)(a)(ii)@homeaffairs.gov.au)>, s. 22(1)(a)(ii) [@homeaffairs.gov.au](mailto:s.22(1)(a)(ii)@homeaffairs.gov.au)>

Cc: s. 22(1)(a)(ii) [@homeaffairs.gov.au](mailto:s.22(1)(a)(ii)@homeaffairs.gov.au)>, "s. 22(1)(a)(ii) [@homeaffairs.gov.au](mailto:s.22(1)(a)(ii)@homeaffairs.gov.au)>, s. 22(1)(a)(ii) [@homeaffairs.gov.au](mailto:s.22(1)(a)(ii)@homeaffairs.gov.au)>, s. 22(1)(a)(ii) [@homeaffairs.gov.au](mailto:s.22(1)(a)(ii)@homeaffairs.gov.au)>, "s. 22(1)(a)(ii) [@homeaffairs.gov.au](mailto:s.22(1)(a)(ii)@homeaffairs.gov.au)>, s. 22(1)(a)(ii) [@homeaffairs.gov.au](mailto:s.22(1)(a)(ii)@homeaffairs.gov.au)>, "Bronwyn FAGAN" [@homeaffairs.gov.au](mailto:s.22(1)(a)(ii)@homeaffairs.gov.au)>, s. 22(1)(a)(ii) [@homeaffairs.gov.au](mailto:s.22(1)(a)(ii)@homeaffairs.gov.au)>, s. 22(1)(a)(ii) [@homeaffairs.gov.au](mailto:s.22(1)(a)(ii)@homeaffairs.gov.au)>, s. 22(1)(a)(ii) [@homeaffairs.gov.au](mailto:s.22(1)(a)(ii)@homeaffairs.gov.au)>

s. 22(1)(a)(ii) [@homeaffairs.gov.au](mailto:s.22(1)(a)(ii)@homeaffairs.gov.au)>, s. 22(1)(a)(ii) [@homeaffairs.gov.au](mailto:s.22(1)(a)(ii)@homeaffairs.gov.au)>, "Bronwyn FAGAN" [@homeaffairs.gov.au](mailto:s.22(1)(a)(ii)@homeaffairs.gov.au)>, s. 22(1)(a)(ii) [@homeaffairs.gov.au](mailto:s.22(1)(a)(ii)@homeaffairs.gov.au)>, s. 22(1)(a)(ii) [@homeaffairs.gov.au](mailto:s.22(1)(a)(ii)@homeaffairs.gov.au)>, s. 22(1)(a)(ii) [@homeaffairs.gov.au](mailto:s.22(1)(a)(ii)@homeaffairs.gov.au)>, s. 22(1)(a)(ii) [@homeaffairs.gov.au](mailto:s.22(1)(a)(ii)@homeaffairs.gov.au)>

s. 22(1)(a)(ii) [@homeaffairs.gov.au](mailto:s.22(1)(a)(ii)@homeaffairs.gov.au)>, "Bronwyn FAGAN" [@homeaffairs.gov.au](mailto:s.22(1)(a)(ii)@homeaffairs.gov.au)>, s. 22(1)(a)(ii) [@homeaffairs.gov.au](mailto:s.22(1)(a)(ii)@homeaffairs.gov.au)>, s. 22(1)(a)(ii) [@homeaffairs.gov.au](mailto:s.22(1)(a)(ii)@homeaffairs.gov.au)>, s. 22(1)(a)(ii) [@homeaffairs.gov.au](mailto:s.22(1)(a)(ii)@homeaffairs.gov.au)>, s. 22(1)(a)(ii) [@homeaffairs.gov.au](mailto:s.22(1)(a)(ii)@homeaffairs.gov.au)>, s. 22(1)(a)(ii) [@homeaffairs.gov.au](mailto:s.22(1)(a)(ii)@homeaffairs.gov.au)>

s. 22(1)(a)(ii) [@homeaffairs.gov.au](mailto:s.22(1)(a)(ii)@homeaffairs.gov.au)>, "Bronwyn FAGAN" [@homeaffairs.gov.au](mailto:s.22(1)(a)(ii)@homeaffairs.gov.au)>, s. 22(1)(a)(ii) [@homeaffairs.gov.au](mailto:s.22(1)(a)(ii)@homeaffairs.gov.au)>, s. 22(1)(a)(ii) [@homeaffairs.gov.au](mailto:s.22(1)(a)(ii)@homeaffairs.gov.au)>, s. 22(1)(a)(ii) [@homeaffairs.gov.au](mailto:s.22(1)(a)(ii)@homeaffairs.gov.au)>, s. 22(1)(a)(ii) [@homeaffairs.gov.au](mailto:s.22(1)(a)(ii)@homeaffairs.gov.au)>, s. 22(1)(a)(ii) [@homeaffairs.gov.au](mailto:s.22(1)(a)(ii)@homeaffairs.gov.au)>

s. 22(1)(a)(ii) [@homeaffairs.gov.au](mailto:s.22(1)(a)(ii)@homeaffairs.gov.au)>, s. 22(1)(a)(ii) [@homeaffairs.gov.au](mailto:s.22(1)(a)(ii)@homeaffairs.gov.au)>, s. 22(1)(a)(ii) [@homeaffairs.gov.au](mailto:s.22(1)(a)(ii)@homeaffairs.gov.au)>, s. 22(1)(a)(ii) [@homeaffairs.gov.au](mailto:s.22(1)(a)(ii)@homeaffairs.gov.au)>, s. 22(1)(a)(ii) [@homeaffairs.gov.au](mailto:s.22(1)(a)(ii)@homeaffairs.gov.au)>, s. 22(1)(a)(ii) [@homeaffairs.gov.au](mailto:s.22(1)(a)(ii)@homeaffairs.gov.au)>, s. 22(1)(a)(ii) [@homeaffairs.gov.au](mailto:s.22(1)(a)(ii)@homeaffairs.gov.au)>

s. 22(1)(a)(ii) [@homeaffairs.gov.au](mailto:s.22(1)(a)(ii)@homeaffairs.gov.au)>, s. 22(1)(a)(ii) [@homeaffairs.gov.au](mailto:s.22(1)(a)(ii)@homeaffairs.gov.au)>, s. 22(1)(a)(ii) [@homeaffairs.gov.au](mailto:s.22(1)(a)(ii)@homeaffairs.gov.au)>, s. 22(1)(a)(ii) [@homeaffairs.gov.au](mailto:s.22(1)(a)(ii)@homeaffairs.gov.au)>, s. 22(1)(a)(ii) [@homeaffairs.gov.au](mailto:s.22(1)(a)(ii)@homeaffairs.gov.au)>, s. 22(1)(a)(ii) [@homeaffairs.gov.au](mailto:s.22(1)(a)(ii)@homeaffairs.gov.au)>, s. 22(1)(a)(ii) [@homeaffairs.gov.au](mailto:s.22(1)(a)(ii)@homeaffairs.gov.au)>

s. 22(1)(a)(ii) [@homeaffairs.gov.au](mailto:s.22(1)(a)(ii)@homeaffairs.gov.au)>

Subject: FW: For action: FOI request: FA 23/07/00398 - s. 47F(1) [SEC=OFFICIAL:Sensitive]

OFFICIAL: Sensitive

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

I have reviewed and am of the view that the [Online Open Source and Social Media Access Policy](#) and the OSINT Online learning (Course 3549) falls within scope. Applying the FOI principles, while the documents and training were produced prior to January 2021, they constitute manuals/instructional materials, guideline documents, slideshows instructing staff in use procedures that include rules and guidance for use of Babel Street software by the Home Affairs Department that would be current from the point they were developed and issued and thus achieve an instructional/guidance effect for all Open Source collection by the Division, including through the use of Babel Street, in the time period in scope.

I have reviewed the Babel Street User Guide 2.0 and on the basis of advice from Director OGI, s. 22(1)(a)(ii) that this User guide is out of date and not used by Departmental officers (confirmed by a TRIM audit) in the time period do not consider to be in scope of the FOI request.

s. 22(1)(a)(ii) please develop media TPs in anticipation of media commentary. Please also consult the TPs with Bronwyn Fagan AS Commercial Employment and Information Law from Legal Division

s. 22(1)(a)(ii), please review the Policy and Training course for any redactions that might be applicable, and involve s. 22(1)(a)(ii) and his team.

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

please provide an update to FOI and redraft the Decision correspondence informed by the above approach.

Could I also ask that you review with s. 22(1)(a)(ii) the following documents (which I can't open in TRIM) that are linked to the [Open Source Intelligence Units Sharepoint Site](#) to provide advice/and the pdf document on whether they should be in scope of the request.

Type	Name	Modified
	Procedural Instruction - s. 37(2)(b) technology v1.0	17/01/21
	Procedural Instruction - s. 37(2)(b) Usage for Online Platforms v1.0	17/01/21

Thanks,

Craig Bickell, CSM
 Acting First Assistant Secretary Intelligence
 Intelligence Division
 Executive Group
 Department of Home Affairs
 s. 22(1)(a)(ii) [@homeaffairs.gov.au](mailto:s.22(1)(a)(ii)@homeaffairs.gov.au)
 Ph s. 22(1)(a)(ii) m: s. 22(1)(a)(ii)

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From: s. 22(1)(a)(ii) [@homeaffairs.gov.au](mailto:s.22(1)(a)(ii)@homeaffairs.gov.au)
 Sent: Monday, 18 September 2023 12:40 PM
 To: Craig BICKELL s. 22(1)(a)(ii) [@homeaffairs.gov.au](mailto:s.22(1)(a)(ii)@homeaffairs.gov.au)
 Cc: S. 22(1)(a)(ii) [@homeaffairs.gov.au](mailto:s.22(1)(a)(ii)@homeaffairs.gov.au); s. 22(1)(a)(ii) [@homeaffairs.gov.au](mailto:s.22(1)(a)(ii)@homeaffairs.gov.au)
 Subject: FW: For action: FOI request: FA 23/07/00398 - Ariel Bogle [SEC=OFFICIAL:Sensitive]

OFFICIAL: Sensitive

Hello Craig,

Just a reminder that the FOI team are hoping for a response to this one today.

Kind regards

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

Released by Department of Home Affairs
 under the Freedom of Information Act 1982

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

Acting Director
Intelligence Oversight
Mission Management Branch | Intelligence Division
Executive Group
Department of Home Affairs

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

E: s. 22(1)(a)(ii) @homeaffairs.gov.au

W: www.homeaffairs.gov.au

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

Sent: Friday, 15 September 2023 12:51 PM

To: Craig BICKELL s. 22(1)(a)(ii) @HOMEAFFAIRS.GOV.AU>

Cc: s. 22(1)(a)(ii) @HOMEAFFAIRS.GOV.AU>; s. 22(1)(a)(ii) @HOMEAFFAIRS.GOV.AU>; s. 22(1)(a)(ii) @HOMEAFFAIRS.GOV.AU>; s. 22(1)(a)(ii) @homeaffairs.gov.au>

Subject: For action: FOI request: FA 23/07/00398 - s. 47F(1) [SEC=OFFICIAL:Sensitive]

OFFICIAL: Sensitive

Hello Craig,

You have been asked to perform the role of decision maker for the below FOI request. I have confirmed with the FOI time that this is a "sensitive" FOI request requiring a SES Band 1 decision maker.

The request sought privacy impact assessments, information security assessments and manuals/guidelines for Babel Street software.

Searches for relevant documents were undertaken by Intelligence Division and ICT Division, with no relevant records identified.

Specific to Intelligence Division, checks were undertaken by Intelligence Technology and Online and Geospatial Intelligence (responses attached).

The [Online Open Source and Social Media Access Policy](#) was assessed against the scope of the request, and is considered to be out of scope. However, it is open to you to re-consider this position.

The Policy was approved on 24 November 2020, outside the date range for this FOI request, but it was in effect during this time period. While it is not specific to Babel, it may be considered a 'guideline document' that includes 'rules for use' of systems including Babel Street software, specifically where from 4.1.10 onward it talks about the legislative framework for accessing online and open source information.

Please let me know if you would like to discuss.

Kind regards

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

Acting Director
Intelligence Oversight
Mission Management Branch | Intelligence Division
Executive Group
Department of Home Affairs

P: s. 22(1)(a)(ii)
E: s. 22(1)(a)(ii) @homeaffairs.gov.au
W: www.homeaffairs.gov.au

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From: FOI <foi@homeaffairs.gov.au>
Sent: Monday, 11 September 2023 12:10 PM
To: Craig BICKELL s. 22(1)(a)(ii) @homeaffairs.gov.au>
Cc: S. 22(1)(a)(ii) @homeaffairs.gov.au>; s. 22(1)(a)(ii) @homeaffairs.gov.au>
Subject: FOI request: FA 23/07/00398 - s. 47F(1) [SEC=OFFICIAL]

OFFICIAL

Good afternoon,

I refer to FOI request FA 23/07/00398 received from s. 47F(1), seeking access to the following documents:

Amended Scope

I am happy to revise the request as follows to remove 'documents' and replace with specific types:
Any privacy impact assessments conducted by the Home Affairs Department for Babel Street software, or equivalent documents.
Any information security assessments conducted by the Home Affairs Department for Babel Street software, or equivalent documents.
Any manuals/instructional materials, guideline documents, slideshows instructing staff in use procedures that include rules and guidance for use of Babel Street software by the Home Affairs Department. This may include manuals provided by the company.
The timeframe for this request is January 2021 to date.

Original Scope

I make the following document request under the Freedom of Information Act 1982:
Any privacy impact assessments conducted by the Home Affairs Department for Babel Street software, or equivalent documents.
Any information security assessments conducted by the Home Affairs Department for Babel Street software, or equivalent documents.
Any documents that include rules and guidelines for use of Babel Street software by the Home Affairs Department. This may include manuals/instructional materials, how-to guides, slideshows

*instructing staff in use procedures etc. This may also include manuals provided by the company.
The timeframe for this request is January 2021 to date.*

You are the nominated decision maker for this request.

Documents relevant to request

The Department has identified 0 documents relevant to the scope of this request.

Decision maker action required

As the decision maker for this request, could you please review the attached decision letter.

Once you are satisfied that the decision is suitable for release to the FOI applicant.

The decision will need to be signed by you as the nominated decision maker. The FOI delegation is held by all EL2 and SES officers within the Department.

Once you are satisfied that both the documents and the decision on access meet the requirements of this request, could you please return the signed decision to the FOI Section (a scanned copy will suffice).

FOI training for decision makers

FOI decision makers should complete online decision maker training. The training can be accessed on OurPeople (search for "FOI"). The decision maker should complete Module 1 promptly. We also strongly encourage decision makers to complete Module 2. Once completed, we would appreciate any feedback to s. 22(1)(a)(ii)

FOI Guidelines

Please note that when processing a request and making a decision on access, under the FOI Act, decisions makers must have regard to the FOI Guidelines published by the Information Commissioner, which can be found here <https://www.oaic.gov.au/freedom-of-information/foi-guidelines/>.

Talking Points

Any issues management (including the preparation of Talking Points) relating to the outcome of an FOI request is the responsibility of the decision maker. This process may depend on your Division's internal briefing procedures. If you assess that Talking Points are required, please liaise with Media Operations at s. 22(1)(a)(ii) as soon as possible. Media Operations have been included in this email for visibility.

The preparation of Talking Points should not delay the finalisation of this request.

Timeframe

The statutory due date for this request was Monday, 7 August 2023. As such, this request is outside statutory timeframes.

Advice of the pending decision is to be provided to relevant stakeholders prior to the decision being issued to the FOI applicant. It would assist if you could return the signed decision and final documents to be released on or before **COB Thursday, 14 September 2023**.

If you have any queries or concerns, please do not hesitate to contact me on the details below.

Kind Regards,

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

Position Number: 60100057

FOI Decision Maker | Freedom of Information Section

FOI & Records Management Branch | Legal Group

Email: foi@homeaffairs.gov.au



OFFICIAL

OFFICIAL: Sensitive

OFFICIAL: Sensitive

Released by Department of Home Affairs
under the *Freedom of Information Act 1982*



TALKING POINTS

s. 37(2)(b)

- The Department collects publicly available online information where it is necessary to support the Department's and Australian Border Force's (ABF) specific functions and activities, and where it is proportionate and in accordance with the law.
- The Department does not collect or monitor online information, including social media, where it is not necessary for a specific purpose under the Department's or ABF's functions.
- The Department only collects publicly available online information in a lawful manner.
- Such online information is publicly available and could be obtained by a member of the community – no information is obtained by the Department by gaining unauthorised access or by engaging in any means of deception.
- Online information is lawfully obtained by the Department, in accordance with Australian legislation such as the *Privacy Act* 1988 and governed by internal policy which is regularly reviewed.

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

From: s. 47F(1) @babelstreet.com.au>
Sent: Friday, 23 June 2023 2:26 PM
To: s. 22(1)(a)(ii)
Cc:
Subject: Babel Street Renewal Quote
Attachments: Quote with Australian Department of Home Affairs - Q-02230 (6478213f97).pdf

s. 47F(1)
 Good afternoon

I wanted to touch base specifically on the renewal of your Babel Street licences. I apologise if I have sent this already, I thought I had but I can't find it in my emails.

The end date for your current subscriptions is 14 September 2023. I have attached a quote for the renewal of your existing licences for a further 12 months for your information. In terms of our renewal process with Babel Street, next month I will send you an Order Form, which is a document that we need signed to secure the renewal. We require the signed Order Form to be returned before the end date of 14 September to ensure there is no gap in access to accounts. Usually from your agency, a Purchase Order is provided with the renewal Order Form. Invoicing and payment can be completed after the new subscription period begins if the signed Order Form is returned.

Is there anything that we can do to support your internal procurement process for the renewal of licences?

Regards,

s. 47F(1)
 Director, Australia Operations & Business Development – Babel Street
 Mobile: s. 47F(1)
www.babelstreet.com
 Washington, D.C. / London / Canberra / Ottawa



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S. 47G(1)(a)

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s. 47G(1)(a)

We look forward to supporting you and thank you for the opportunity to provide this quote.

Respectfully,
BABEL STREET, INC.

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under the Freedom of Information Act 1982

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

From: s. 22(1)(a)(ii)
Sent: Tuesday, 25 July 2023 3:46 PM
To: Intelligence Technology Capability
Subject: FW: Babel Street Renewal [SEC=OFFICIAL:Sensitive]

OFFICIAL: Sensitive

s. 47F(1)

Hi

Confirming that OIU wish to progress the renewal of our s. 47G(1)(a) licences s. 47G(1)(a) as per below.

Cheers

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

A/g Assistant Director | Online Intelligence Unit
 Online and Geospatial Intelligence
 Assessments and Services Branch | Intelligence Division
 Executive Group
 Department of Home Affairs
 P: s. 22(1)(a)(ii)
 E: s. 22(1)(a)(ii)@homeaffairs.gov.au

OFFICIAL: Sensitive

From: s. 22(1)(a)(ii)@homeaffairs.gov.au>
Sent: Tuesday, 25 July 2023 3:13 PM
To: s. 22(1)(a)(ii)@homeaffairs.gov.au>
Subject: RE: Babel Street Renewal [SEC=OFFICIAL:Sensitive]

OFFICIAL: Sensitive

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

The below is approved, and I can confirm those requirements. Please progress renewal as detailed in your email, through Intel Tech Section.

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

Released by Department of Home Affairs
 under the Freedom of Information Act 1982

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

Director Online and Geospatial Intelligence
 Assessments and Services Branch | Intelligence Division
 Executive Group
 Department of Home Affairs
 P: s. 22(1)(a)(ii)
 E: s. 22(1)(a)(ii) [@homeaffairs.gov.au](mailto:s.22(1)(a)(ii)@homeaffairs.gov.au)

OFFICIAL: Sensitive

From: s. 22(1)(a)(ii) [@homeaffairs.gov.au](mailto:s.22(1)(a)(ii)@homeaffairs.gov.au)>
 Sent: Tuesday, 25 July 2023 15:08
 To: s. 22(1)(a)(ii) [@homeaffairs.gov.au](mailto:s.22(1)(a)(ii)@homeaffairs.gov.au)>
 Subject: FW: Babel Street Renewal [SEC=OFFICIAL:Sensitive]

OFFICIAL: Sensitive

Hi

OIU currently has s. 47G(1)(a) licences with s. 47G(1)(a) including s. 47G(1)(a). The renewal of these licences come at a s. 47G(1)(a)

I recommend renewing these s. 47G(1)(a) for the period 15SEP2023 – 14SEP2024 to support OIU BAU activities and for future project work that we are about to embark on.

Cheers

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

s. 22(1)(a)(ii)
 A/g Assistant Director | Online Intelligence Unit
 Online and Geospatial Intelligence
 Assessments and Services Branch | Intelligence Division
 Executive Group
 Department of Home Affairs
 P: s. 22(1)(a)(ii)
 E: s. 22(1)(a)(ii) [@homeaffairs.gov.au](mailto:s.22(1)(a)(ii)@homeaffairs.gov.au)

OFFICIAL: Sensitive

From: s. 22(1)(a)(ii) [@homeaffairs.gov.au](mailto:s.22(1)(a)(ii)@homeaffairs.gov.au)>
 Sent: Friday, 14 July 2023 1:47 PM

Released by Department of Home Affairs
 under the Freedom of Information Act 1982

To: S. 22(1)(a)(ii) <[S.22\(1\)\(a\)\(ii\)@homeaffairs.gov.au](mailto:S.22(1)(a)(ii)@homeaffairs.gov.au)>; S. 22(1)(a)(ii) <[S.22\(1\)\(a\)\(ii\)@homeaffairs.gov.au](mailto:S.22(1)(a)(ii)@homeaffairs.gov.au)>
 Subject: FW: Babel Street Renewal [SEC=OFFICIAL:Sensitive]

OFFICIAL: Sensitive

Hi S. 22(1)(a)(ii)

Can you please confirm your requirements for the Babel Street renewal?

Kind regards

S. 22(1)(a)(ii)

Intelligence Technology Section | Mission Management Branch

Intelligence Division | Executive Group

Department of Home Affairs

P: S. 22(1)(a)(ii)

E: S. 22(1)(a)(ii) <[S.22\(1\)\(a\)\(ii\)@homeaffairs.gov.au](mailto:S.22(1)(a)(ii)@homeaffairs.gov.au)>

G: S. 22(1)(a)(ii) <[S.22\(1\)\(a\)\(ii\)@homeaffairs.gov.au](mailto:S.22(1)(a)(ii)@homeaffairs.gov.au)>

ACCEPTING.
WELCOMING.
SAFE SPACE.
FOR EVERYONE.



The Department of Home Affairs and the Australian Border Force acknowledge the Traditional Custodians throughout Australia and their continuing connection to land, sea and the community. We pay respect to all Aboriginal and Torres Strait Islander peoples, their cultures and to their Elders past and present.

OFFICIAL: Sensitive

From: S. 47F(1) <[S.47F\(1\)@babelstreet.com.au](mailto:S.47F(1)@babelstreet.com.au)>
 Sent: Friday, 14 July 2023 1:44 PM
 To: S. 22(1)(a)(ii) <hCapability@homeaffairs.gov.au>
 Cc: S. 47F(1) <[S.47F\(1\)@babelstreet.com.au](mailto:S.47F(1)@babelstreet.com.au)>
 Subject: Babel Street Renewal

Good afternoon S. 22(1)(a)(ii)

S. 22(1)(a)(ii) asked me to coordinate with you on the renewal of your Babel Street licences. I have attached the renewal Order Form to this email. Please advise as soon as possible if you foresee any issues with this renewal. We require the return of the signed Order Form by the end of the current subscription date on 14 September 2023.

Regards,

S. 47F(1)

Released by Department of Home Affairs
under the Freedom of Information Act 1982

Director, Australia Operations & Business Development – Babel Street

Mobile: S. 47F(1)

www.babelstreet.com

Washington, D.C. / London / Canberra / Ottawa



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From: S. 22(1)(a)(ii) <[S.22\(1\)\(a\)\(ii\)@homeaffairs.gov.au](mailto:S.22(1)(a)(ii)@homeaffairs.gov.au)>
Date: Tuesday, 11 July 2023 at 12:27 pm
To: S. 47F(1) <[S.47F\(1\)@babelstreet.com.au](mailto:S.47F(1)@babelstreet.com.au)>
Cc: S. 47F(1) <[S.47F\(1\)@babelstreet.com.au](mailto:S.47F(1)@babelstreet.com.au)>
Subject: [External] RE: Babel Street Renewal Quote [SEC=OFFICIAL]

OFFICIAL

S. 47F(1)
 Hi

Thanks for your correspondence regarding the renewal of our Babel Street licences.

The renewal of these licences will be coordinated by S. 47F(1) who is now part of our Mission Management Branch – could you please send the order form through to their group inbox at S. 22(1)(a)(ii)

Cheers

S. 22(1)(a)(ii)

A/g Assistant Director | Online Intelligence Unit
 Online and Geospatial Intelligence
 Assessments and Services Branch | Intelligence Division
 Executive Group
 Department of Home Affairs
 P: S. 22(1)(a)(ii)
 E: S. 22(1)(a)(ii) <[S.22\(1\)\(a\)\(ii\)@homeaffairs.gov.au](mailto:S.22(1)(a)(ii)@homeaffairs.gov.au)>

OFFICIAL

From: S. 47F(1) <[S.47F\(1\)@babelstreet.com.au](mailto:S.47F(1)@babelstreet.com.au)>
Sent: Friday, 23 June 2023 1:56 PM

Released by Department of Home Affairs
 under the Freedom of Information Act 1982

To: S. 22(1)(a)(ii) [redacted] <[\[redacted\]@homeaffairs.gov.au](mailto:[redacted]@homeaffairs.gov.au)>
Cc: S. 47F(1) [redacted] <[\[redacted\]@babelstreet.com.au](mailto:[redacted]@babelstreet.com.au)>
Subject: Babel Street Renewal Quote

Good afternoon [redacted] s. 22(1)(a)(ii)

I wanted to touch base specifically on the renewal of your Babel Street licences. I apologise if I have sent this already, I thought I had but I can't find it in my emails.

The end date for your current subscriptions is 14 September 2023. I have attached a quote for the renewal of your existing licences for a further 12 months for your information. In terms of our renewal process with Babel Street, next month I will send you an Order Form, which is a document that we need signed to secure the renewal. We require the signed Order Form to be returned before the end date of 14 September to ensure there is no gap in access to accounts. Usually from your agency, a Purchase Order is provided with the renewal Order Form. Invoicing and payment can be completed after the new subscription period begins if the signed Order Form is returned.

Is there anything that we can do to support your internal procurement process for the renewal of licences?

Regards,

S. 47F(1) [redacted]
Director, Australia Operations & Business Development – Babel Street
Mobile: S. 47F(1) [redacted]
www.babelstreet.com
Washington, D.C. / London / Canberra / Ottawa



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

From: s. 47F(1) @babelstreet.com.au>
Sent: Tuesday, 3 October 2023 3:06 PM
To: s. 22(1)(a)(ii)
Cc: s. 22(1)(a)(ii) s. 22(1)(a)(ii)
Subject: Re: [External] Babel visit follow up [SEC=OFFICIAL]
Attachments: Babel s. 47G(1)(a) Factsheet.pdf; Babel s. 47G(1)(a) Factsheet.pdf; Babel s. 47G(1)(a).pdf

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

Thanks for following up. I would be happy to schedule another demo to focus more on the s. 47G(1)(a) product. Do you have time available between now and the 13th for a Teams meeting?

I have attached Factsheets for s. 47G(1)(a) that contain the information from the slides. The Roadmap is usually something that we can present but not send copies outside of the organisation. I will find out if there's any version that is releasable.

Regards,

s. 47F(1)
Director, Australia Operations & Business Development
Email: s. 47F(1) @babelstreet.com.au
Mobile: s. 47F(1) | www.babelstreet.com



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From: s. 22(1)(a)(ii) @homeaffairs.gov.au>
Date: Thursday, 21 September 2023 at 10:43 am
To: s. 47F(1) @babelstreet.com.au>, s. 47F(1) @babelstreet.com.au>
Cc: s. 22(1)(a)(ii) @homeaffairs.gov.au>, s. 22(1)(a)(ii) @homeaffairs.gov.au>, s. 22(1)(a)(ii) @HOMEAFFAIRS.GOV.AU>
Subject: [External] Babel visit follow up [SEC=OFFICIAL]

OFFICIAL

s. 47F(1)
Hi

Thank you for your time yesterday morning, I know we had to wrap things up quickly in the end but that was very informative and appreciate the answers to all the questions. Apologies it was a bit of an empty

room there in Canberra, a couple of others who would have attended in person were unable to make it on the day – in hindsight it would have been easier just over Teams. Given the dispersed nature of our team across the country I think it would be simpler to meet via Teams in future rather than coming in to the office.

I did have a couple of follow up questions:

- As we were saying as things were wrapping up, s. 47G(1)(a) does look interesting and something we'd be interested in hearing about with a bit more time. Can we arrange something for the near future? Are you able to give an indication of the cost for that module?
- Would it be possible to get a copy of the powerpoint slides? Particularly the road map and the section on s. 47G(1)(a) may be of interest for other areas that weren't able to make it yesterday.

I've also cc'd in our Intelligence Technology Capability mailbox. As s. 22(1)(a)(ii) mentioned in yesterday's meeting this is the new point of entry for engagement with our Division, and they are best placed to connect up the relevant areas outside of just our team that may be interested in new capabilities.

Kind regards,

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

Assistant Director, Online Intelligence Unit
Online and Geospatial Intelligence
Assessments and Services Branch | Intelligence Division
Executive Group
Department of Home Affairs
P: s. 22(1)(a)(ii)
E: s. 22(1)(a)(ii)@homeaffairs.gov.au

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

From: s. 22(1)(a)(ii)
Sent: Wednesday, 17 January 2024 12:03 PM
To: S. 47F(1)
Cc: s. 22(1)(a)(ii)
Subject: RE: Babel Product Follow Up [SEC=OFFICIAL]

S. 47F(1)

OFFICIAL

Hi

Happy new year. The festive period was good thanks, hope yours was too.

At this stage we don't have any current work within our team that we would look to deploy s. 47G(1)(a) against. We will be looking at our priorities in the first half of this year and if we can see a use for either product as a result we'll be sure to reach out and see if we can test the capability.

Kind regards,

s. 22(1)(a)(ii)
 Assistant Director, Online Intelligence Unit
 Online and Geospatial Intelligence
 Assessments and Services Branch | Intelligence Division
 Executive Group
 Department of Home Affairs
 M: s. 22(1)(a)(ii)
 E: s. 22(1)(a)(ii) [@homeaffairs.gov.au](mailto:s.22(1)(a)(ii)@homeaffairs.gov.au)

OFFICIAL

From: S. 47F(1) @babelstreet.com.au>
Sent: Wednesday, 10 January 2024 3:23 PM
To: S. 22(1)(a)(ii) @homeaffairs.gov.au>
Cc: S. 47F(1) @babelstreet.com.au>; s. 22(1)(a)(ii) @HOMEAFFAIRS.GOV.AU>
Subject: Babel Product Follow Up

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

Happy New Year. I hope you had a nice break over the holidays.

I wanted to circle back to our conversations late last year when we presented the Babel s. 47G(1)(a) products. Have you had a chance to consider applications to your use cases?

Are you available for a call during the week of the 22nd of January?

Released by Department of Home Affairs
 under the Freedom of Information Act 1982

Regards,

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

Director, Australia Operations & Business Development – Babel Street

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

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From: s. 22(1)(a)(ii)
To: Babel s. 47G(1) ROM
Subject: s. 22(1)(a)(ii)
Date: Tuesday, 8 February 2022 10:34:52 AM
Attachments: s. 22(1)(a)(ii)

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

Following on from our phone conversation yesterday, I have attached a ROM with three scenarios of budget for a trial of s. 47G(1)(a). This includes s. 47G(1)(a) but any of these can be adjusted depending on your requirements. I have also included some information on s. 47G(1)(a) for reference.

I have spoken to my team back in the US who have customers with experience in s. 47G(1)(a). As the searches run on s. 47G(1)(a) there are a number of existing s. 47G(1)(a) or we can work with you on developing customer s. 47G(1)(a) s. 47G(1)(a) depending on your requirements. It can take some time to put together the correct s. 47G(1)(a) so any information you can provide in advance on your topic/s will be beneficial.

Finally, I have also attached a copy of the BAST Contract, which is the Whole of Federal Government contract that we have been operating under. It is set to expire in March and the current signatory is not going to extend it. You can still begin an s. 47G(1)(a) under this contract, but we will need to either extend the existing contract under a new signatory or establish a new contract between now and your s. 47G(1)(a) renewal in September.

Regards,

s. 47F(1)
Director, Australia Operations & Business Development – Babel Street
Mobile: s. 47F(1)
www.babelstreet.com

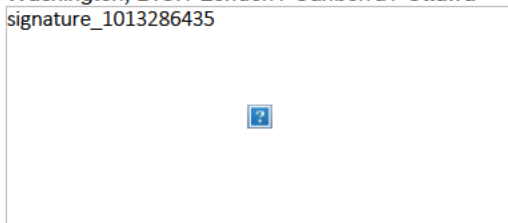


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signature_1013286435



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Australian Government

Offshore Cloud Computing – SaaS Subscription Contract – Commercial

Commonwealth of Australia (**Customer**)

Babel Street, Inc. (**Contractor**)

Offshore Cloud Computing – SaaS Subscription Contract – Commercial

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Contract Information

Date 16 February 2021

Contract
Number BAST-040321

Parties

Name Commonwealth of Australia
Short form name Customer

Name Babel Street, Inc.
Short form name Contractor

Background

- A The Customer requires the provision of certain software and other services.
- B The Customer has agreed to engage the Contractor to provide the software and other services on the terms and conditions contained in this Contract.

Schedule 5 – Agency Order Form

The Contractor has offered under clause 4 of the Contract specified at item 1 below to provide the Subscriptions, Deliverables and Services to Nominated Agencies. The Nominated Agency specified in item 3 below requests certain Subscriptions, Deliverables and/or Services, which the Contractor agrees to provide on the terms and conditions set out in the Contract and in this Agency Order Form. If there is an inconsistency between this Agency Order Form and any other provisions of the Contract, the terms and conditions in this Agency Order Form will prevail to the extent of any inconsistency.

1.	Contract No. and description	
2.	Names of Parties to the Contract	
3.	Customer	<i>[Insert Nominated Agency name]</i> A reference to <i>[insert name of the contracting Agency]</i> or the Customer in the Contract will be taken as a reference to <i>[the Nominated Agency]</i>
4.	Commencement Date	
5.	Customer's details for Notices	Postal address: Physical address: Facsimile number: Attention: <i>[insert name and title of contact details of person to whom correspondence should be addressed]</i>
6.	Subscriptions, Deliverables and/or Services required (including any changes to the Scope of Subscription)	<i>[attach additional pages if required]</i>

Signed for and on behalf of the *[insert for PGPA agency – 'Commonwealth of Australia represented by (name of agency), otherwise – (name of Customer)]* by its duly authorised delegate in the presence of

Signature of witness



Signature of delegate



Name of witness (print)

Name of delegate (print)

Position of delegate (print)

[Select one of the following execution clauses. Where the Contractor is a company with multiple directors, select the first execution block below, otherwise, select the second option.]

Executed by *[insert name of company]* in
accordance with Section 127 of the Corporations
Act 2001 in the presence of

Signature of director



Signature of director/company secretary
(Please delete as applicable)



Name of director (print)

Name of director/company secretary (print)

Signed by *[insert contracting party name]* in the
presence of

Signature of witness



Signature of Contractor



Name of witness (print)

Schedule 6 – Open-Source Licence

Note: Insert here the provisions of the Open-Source Licence which will govern the use of the Open source software provided under this Contract (if any). Note that the terms set out in this schedule will prevail over the Agreed Terms to the extent of any inconsistency.

Schedule 7- Pro-forma Work Order

(clause 4)

WORK ORDER BETWEEN THE CUSTOMER AND THE CONTRACTOR DATED [INSERT]		
	Required Information	Details
1	Work Order Number	
2	Date of Work Order	
3	Services and/or Subscriptions (including a detailed description of all services and other deliverables to be provided by the Contractor under this Work Order)	
5	Specified Personnel (if any) (including names, designated role and specific tasks to be performed)	
6	Service Fee	
7	Due date for completion	
8	Invoices	
9	Additional Performance Standards (if applicable)	
10	Other Commonwealth requirements (if applicable)	
11	Commonwealth contact (Name and contact details)	

Signing page

EXECUTED as an agreement.

Signed for and on behalf of the *Commonwealth of Australia* represented by its duly authorised delegate in the presence of

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

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under the *Freedom of Information Act 1982*

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

From: s. 22(1)(a)(ii)
Sent: Monday, 21 November 2022 4:18 PM
To: s. 47F(1)
Subject: RE: [External] RE: Babel s. 47G(1)(a) [SEC=OFFICIAL]

OFFICIAL
 Hi s. 47F(1)

That would be prefect, are you able to send an invite to myself and s. 47F(1) -
 s. 22(1)(a)(ii)

I will need to get back to you with a list for Babel University.

Thanks again 😊

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

A/g Assistant Director | Online & Geospatial Intelligence Section Intelligence Enabling & Governance | Intelligence Division Executive Group Department of Home Affairs

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

E: s. 22(1)(a)(ii)@homeaffairs.gov.au<mailto:s. 22(1)(a)(ii)@homeaffairs.gov.au>

[thumbnail]

[sig_image.jpg]

OFFICIAL

From: s. 47F(1) @babelstreet.com.au>
Sent: Monday, 21 November 2022 3:14 PM
To: s. 22(1)(a)(ii) @homeaffairs.gov.au>
Subject: Re: [External] RE: Babel s. 47G(1)(a) [SEC=OFFICIAL]

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

1330 is fine for me if it's online. I can send you an invitation to a Teams meeting for distribution.

Do you need Babel University accounts for new team members to go through the training? It can be done after the meeting but I can get some set up now since Thanksgiving has most of the US on holiday later this week.

Regards,

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

Director, Australia Operations & Business Development – Babel Street

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

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From: S. 22(1)(a)(ii) @homeaffairs.gov.au<mailto:S. 22(1)(a)(ii)@homeaffairs.gov.au>>
 Date: Monday, 21 November 2022 at 2:59 pm
 To: S. 47F(1) @babelstreet.com.au<mailto:S. 47F(1)@babelstreet.com.au>>
 Subject: RE: [External] RE: Babel S. 47G(1)(a) [SEC=OFFICIAL]

OFFICIAL

Hi S. 22(1)(a)(ii)

Online would probably be better since we have a couple of staff members in the regions. Also, are we able to push it until 13:30? Forgot our SA staff will likely be having lunch at that time noting they are 30min behind us.

Is there a meeting platform you prefer?

Kind regards

S. 22(1)(a)(ii)

A/g Assistant Director | Online & Geospatial Intelligence Section Intelligence Enabling & Governance | Intelligence Division Executive Group Department of Home Affairs

P: S. 22(1)(a)(ii)

E: S. 22(1)(a)(ii)@homeaffairs.gov.au<mailto:S. 22(1)(a)(ii)@homeaffairs.gov.au>

[thumbnail]

[cid:image004.jpg@01D8FDC4.7AD2C3C0]

OFFICIAL

From: S. 47F(1) @babelstreet.com.au<mailto:S. 47F(1)@babelstreet.com.au>>
 Sent: Monday, 21 November 2022 2:16 PM
 To: S. 22(1)(a)(ii) @homeaffairs.gov.au<mailto:S. 22(1)(a)(ii)@homeaffairs.gov.au>>
 Subject: Re: [External] RE: Babel S. 47G(1)(a) [SEC=OFFICIAL]

Hi S. 22(1)(a)(ii)

I am free on Wednesday at 1300, let's lock it in. Is it easiest if I come into your office?

Regards,

S. 47F(1)

Director, Australia Operations & Business Development – Babel Street

Mobile: S. 47F(1)

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

From: S. 22(1)(a)(ii) @homeaffairs.gov.au<mailto: [REDACTED]@homeaffairs.gov.au>>
 Date: Monday, 21 November 2022 at 10:45 am
 To: S. 47F(1) @babelstreet.com.au<mailto: [REDACTED]@babelstreet.com.au>>
 Subject: RE: [External] RE: Babel [REDACTED] [SEC=OFFICIAL]

OFFICIAL

Hi [REDACTED]

Apologies, I did miss message last week. I actual wanted to check with you to see if you were able to run our Section through Babel Street on Wednesday? We've had number of people leave the Section recently and we really want to upskill our new team members with this capability. Also, highlight the newer updates in the platform that's been rolled out recently.

Would you be at all available on Wednesday at 13:00?

Kind regards

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

A/g Assistant Director | Online & Geospatial Intelligence Section Intelligence Enabling & Governance | Intelligence Division Executive Group Department of Home Affairs

P: S. 22(1)(a)(ii)

E: S. 22(1)(a)(ii) @homeaffairs.gov.au<mailto: [REDACTED]@homeaffairs.gov.au>

[thumbnail]

[cid:image004.jpg@01D8FDC4.7AD2C3C0]

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From: S. 47F(1) @babelstreet.com.au<mailto: [REDACTED]@babelstreet.com.au>>
 Sent: Monday, 21 November 2022 10:30 AM
 To: S. 22(1)(a)(ii) @homeaffairs.gov.au<mailto: [REDACTED]@homeaffairs.gov.au>>
 Subject: Re: [External] RE: Babel [REDACTED] [SEC=OFFICIAL]

Hi [REDACTED]

I'm not sure if you received my email last week about catching up Friday. Do you have any time on Wednesday or Thursday afternoon?

Regards,

s. 47F(1)

Director, Australia Operations & Business Development – Babel Street

Mobile: S. 47F(1)

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From: S. 47F(1) @babelstreet.com.au<mailto:S. 47F(1)@babelstreet.com.au>>
 Date: Tuesday, 15 November 2022 at 3:54 pm
 To: S. 22(1)(a)(ii) @homeaffairs.gov.au<mailto:S. 22(1)(a)(ii)@homeaffairs.gov.au>>
 Subject: Re: [External] RE: Babel S. 47G(1)(a) [SEC=OFFICIAL] Hi Kyle,

I have Friday morning free at this point. What is the best time?

Regards,

S. 47F(1)

Director, Australia Operations & Business Development – Babel Street

Mobile: S. 47F(1)

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From: S. 22(1)(a)(ii) @homeaffairs.gov.au<mailto:S. 22(1)(a)(ii)@homeaffairs.gov.au>>
 Date: Tuesday, 15 November 2022 at 3:41 pm
 To: S. 47F(1) @babelstreet.com.au<mailto:S. 47F(1)@babelstreet.com.au>>
 Subject: [External] RE: Babel S. 47G(1)(a) [SEC=OFFICIAL]

OFFICIAL

Hi S. 47F(1)

Thanks for touching base. I think it would be beneficial to lock in a catch up meeting to discuss this further. Are you available either Thursday or Friday this week, or sometime early next week?

Kind regards

S. 22(1)(a)(ii)

A/g Assistant Director | Online & Geospatial Intelligence Section Intelligence Enabling & Governance | Intelligence Division Executive Group Department of Home Affairs

P: S. 22(1)(a)(ii)

E: S. 22(1)(a)(ii)@homeaffairs.gov.au<mailto:S. 22(1)(a)(ii)@homeaffairs.gov.au>

[thumbnail]

[sig_image.jpg]

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From: S. 47F(1) @babelstreet.com.au<mailto:kschearer@babelstreet.com.au>>
 Sent: Wednesday, 9 November 2022 11:51 AM
 To: S. 22(1)(a)(ii) @homeaffairs.gov.au<mailto:S. 22(1)(a)(ii)@homeaffairs.gov.au>>
 Subject: Babel S. 47G(1)(a)

Hi S. 22(1)(a)(ii)

I wanted to follow up on your Babel ^{s. 47G(1)(a)} cases after our last meeting. Have you identified a topic to use for your evaluation of this product?

As I've mentioned before, we can help with curating the right ^{s. 47G(1)(a)} for the Advanced searches. I'd be happy to meet to discuss how we can help with your requirements, particularly if you'd prefer not to discuss your use case over email.

Regards,

^{s. 22(1)(a)(ii)}

Director, Australia Operations & Business Development – Babel Street

Mobile: ^{s. 22(1)(a)(ii)}

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