



Australian
BORDER FORCE

R E P O R T

ASSUMED IDENTITIES AUTHORISATIONS AND USE

REPORT AS PRESCRIBED IN SECTION 15LD OF THE CRIMES ACT 1914

1 July 2014 - 30 June 2015

Purpose of this Report

Part IAC of the *Crimes Act 1914* (the Act) provides a statutory scheme for Commonwealth law enforcement agencies, including the Australian Customs and Border Protection Service (ACBPS), to acquire and use assumed identities in the investigation of Commonwealth offences.

Under Part IAC, the head of each participating agency and persons within those agencies prescribed to be authorised persons may authorise the acquisition of assumed identities. The latter must also be authorised in writing by the head of the agency.

This report has been developed in accordance with the requirements of section 15LD of the Act with respect to authorisations for assumed identities acquired and used by ACBPS under Part IAC of the Act.

Under sub-section 15LD(1), ACBPS is required to provide a report to the Minister, as soon as practicable after the end of the financial year, detailing

- A: the number of authorities granted during the year
- B: a general description of the activities undertaken by authorised civilians and authorised law enforcement officers when using assumed identities under this Part during the year
- C: the number of applications for authorities that were refused during the year
- D: the number of authorities of which control was transferred by the chief officer under section 15KV during the year
- E: the number of authorities of which control was transferred to the chief officer under section 15KV during the year
- F: a statement whether or not any fraud or other unlawful activity was identified by an audit under section 15LG during the year
- G: any other information relating to authorities and assumed identities and the administration of this Part that the Minister considers appropriate.

Sub-section 15LD(3) of the Act requires the Minister for Immigration and Border Protection to table a copy of this report before each House of Parliament within 15 sitting days of that House after the day on which the Minister receives this report.

Australian Customs and Border Protection Service¹ Use of Assumed Identities

During the 2014-2015 financial year

- A: There were four new authorisations granted. All four new authorisations were individual Assumed Identities for use by Customs and Border Protection officers undertaking surveillance functions.
- B: Assumed Identities authorised under the Act were used by Customs and Border Protection officers for surveillance activities.
- C: No applications for authorities were refused.
- D: No authorities were transferred by the chief officer.
- E: No authorities were transferred to the chief officer.
- F: A review of the use of Assumed Identities was conducted and did not identify any instances of fraudulent or unlawful activity by Customs and Border Protection officers.
- G: Nil.

¹ The reporting period is for the financial year 2014/15. The reference to ACBPS reflects that the reporting period is pre the July 1 integration.