

Integrity Case Study: Australian Customs and Border Protection Service

Marion Grant

Introduction

In recent times the Australian Customs and Border Protection Service (ACBPS) has been faced with significant issues regarding corruption that have resulted in the arrest of six officers involved in importing border controlled substances.

ACBPS takes very seriously the threat of corruption and criminal infiltration.

We are committed to putting in place reforms to strengthen our integrity framework and to harden our Service against the potential for corruption and criminal infiltration. The objective of this paper is to share lessons learned as this is a challenge and a risk that all customs administrations face.

Impact of corruption on the ACBPS

On Saturday 22 June 2013 the Australian Commission for Law Enforcement Integrity released its first report into alleged corrupt conduct among some of our officers at Sydney International Airport.

This report followed a joint investigation between the Australian Commission for Law Enforcement Integrity, the Australian Federal Police, and ACBPS.

The investigation found that a culture had been allowed to develop in Sydney International Airport that accepted poor standards and allowed the flouting of rules and regulations as the norm.

The corrupt conduct occurred as a result of long term collusion between a small number of customs officers at Sydney International Airport using their inside knowledge to defeat surveillance and interdiction systems, including information about law enforcement techniques and systemic vulnerabilities. They had privileged access to databases and to the secure border environment. By working together, they exploited weaknesses in the supervision system and manipulated rosters and job placements. They used their official positions and made use of friendships and other connections that they had developed in the workplace to gather information, and to cover their tracks.

We had introduced a 'whole of airport' operating model to address peak workloads but this resulted in exposing more staff to sensitive information. This created an increase in opportunity for corrupt conduct.

Some individuals became compromised because of their use of illicit drugs and links to criminal networks, including outlawed motorcycle gangs.

Evidence also suggests there was a risk that any supervisor who took action about misconduct would be open to reprisal from certain staff.

Identification of corruption was a wake-up call to our organisation. It highlighted our vulnerabilities and our challenge now is to address these vulnerabilities. The World Customs Organization (WCO) Integrity Development Guide provides sound advice to organisations such as ours on how to fight corruption. For us, we need to focus particularly on the elements of human resource management and morale, and organisation culture.

For example, we must ensure that decisions on the deployment, rotation and relocation of staff take account of the need to remove opportunities for officials to hold vulnerable positions for long periods.

We must provide adequate training and professional development to customs personnel upon recruitment and throughout their career to continually promote and reinforce the importance of maintaining high levels of ethical and professional standards.

We must maintain appropriate performance appraisal and management systems, which will reinforce sound practices and foster high levels of personal and professional integrity.

We need to provide reasonable opportunity for career development and progression.

Integrity measures

We have strong support from the government and our Minister at the time to progress a reform agenda for ACBPS. We have focused initially on specific integrity measures to maintain public confidence in our role at the border and to align ACBPS with the same levels of assurance as other Australian law enforcement agencies.

The Australian Parliament in 2012 passed legislation to provide our Service with stronger powers to fight corruption. These additional powers include:

- the ability to conduct integrity testing of Customs and Border Protection officers
- the power for the CEO to make a declaration that an officer's employment has been terminated as a result of serious misconduct
- mandatory reporting requirements under which officers will be required to report misconduct, corrupt or criminal activity
- drug and alcohol testing for all Customs and Border Protection officers.

In relation to the mandatory reporting requirements, our CEO issued an Order making it a legal requirement for all employees of ACBPS to report serious misconduct, corrupt conduct and/or criminal behaviour to our Integrity and Professional Standards Branch – even if they themselves were involved in the activity.

Supporting our officers in their integrity obligations is an important element of our program of integrity reform.

To support our officers in their obligations related to mandatory reporting, an Integrity Support and Referral Network has been established to provide a trusted network of officers available to their colleagues to provide support and advice on options regarding reporting obligations, or as another avenue to report concerns regarding serious misconduct, corruption and/or criminal behaviour.

The members of our Service have embraced the need to improve our integrity framework.

This was clearly evident when the call went out across ACBPS for volunteers to be an Integrity Support Officer within the Integrity Support and Referral Network. This was met with an overwhelming response from all levels within the Service and resulted in more officers volunteering than positions available. The 30 selected officers underwent integrity screening and received training for the role of Integrity Support Officer.

To ensure we are creating the culture that is resistant to corruption, the CEO has outlined to the senior leadership of ACBPS his expectations of them as the leaders – making it clear that in setting the new direction and culture the senior leadership have a responsibility to make sure their staff understand and act upon their integrity obligations.

We are also focusing on enhancing our organisation's suitability checking processes – this is to be better able to detect and deal with officers with criminal associations.

We will do this at the recruitment stage and, as an employee of ACBPS, there will also be continual monitoring that will check for links between our staff and criminal groups. Added to this, we will be putting in place early identification and intervention systems and better integration between our integrity and Human Resources processes.

We have also instituted our drug and alcohol testing program to further strengthen our integrity framework. A pilot program commenced in March 2013 and a full program was rolled out in July this year.

Like other customs administrations around the world, we are aware that criminal organisations will seek to avoid the systems and processes we put in place. Consequently, those systems and processes need to be continually reviewed and, where necessary, improved.

In order to strengthen our systems and processes, we have recently created a new division – the Integrity, Security and Assurance Division, which includes the management of all disciplinary processes. This will give us a more integrated approach to managing professional conduct in our workplaces, fighting corruption and criminal infiltration, and dealing with misconduct.

We have also implemented an online course that will join the mandatory e-learning courses for all staff as part of our Performance Assessment and Feedback system.

This suite of integrity reforms is part of the larger Reform Program currently under way in our Service.

Reform Program – general comment

ACBPS is facing significant challenges, including the growth in volume of cargo and numbers of travellers, increasingly complex trade and travel patterns and increasingly sophisticated organised crime.

To ensure we are in the best position possible to face these future challenges we have embarked on a Reform Program covering three specific tracks:

- workforce and operating model
- modernisation of our business processes and systems
- integrity.

We will be working closely with our partners in the business and trading community, in Australia, the Asia Pacific region and through the WCO business engagement forums, as we design our future business model and supporting systems. The four pillars in the WCO Strategic Plan provide an excellent source of information and direction. Particularly relevant is the Organizational Development Package that includes the Integrity Development Guide, and the Economic Competitiveness Package that includes Globally Networked Customs and trade partnership arrangements that are of particular interest to us.

The Reform Program being undertaken will create a modern, highly effective, collaborative and adaptable agency with a unified end-to-end operating model and a high performance culture to match.

Marion Grant



Marion Grant is Deputy Chief Executive Officer Border Management and Chief Operating Officer, Australian Customs and Border Protection Service (ACBPS). She has over 38 years' experience in public administration and has spent the last 29 in the ACBPS.

Marion is accountable for delivering integrated border management and enterprise-wide support and governance functions essential to the Service's ability to deliver on its mission of facilitating legitimate travel and trade and preventing prohibited, harmful or illegal goods crossing Australia's border. ACBPS's national program is delivered through the Passengers, Cargo and Trade, Support and Integrity, Security and Assurance Divisions and the Anti-Dumping Commission and a specialised Reform Taskforce on customers and channels.

Prior to this appointment, Marion led the Border Enforcement Program where she implemented government decisions relating to maritime security and border protection. She has held senior executive positions within ACBPS since 1994, developing wide experience across the business, from areas as diverse as delivery of industry assistance to Australian manufacturers to leading work on arming Customs and Border Protection officers.

Before joining ACBPS, Marion worked in the Department of Finance and Department of Health in Brisbane, and The Treasury and the Australian Taxation Office in Canberra. She holds a Bachelor of Economics from the Australian National University.