

Management of International Travel Restrictions during COVID-19

Across Entities

© Commonwealth of Australia 2021

ISSN 1036–7632 (Print)

ISSN 2203–0352 (Online)

ISBN 978-1-76033-692-9 (Print)

ISBN 978-1-76033-694-3 (Online)

Except for the content in this document supplied by third parties, the Australian National Audit Office logo, the Commonwealth Coat of Arms, and any material protected by a trade mark, this document is licensed by the Australian National Audit Office for use under the terms of a Creative Commons Attribution-NonCommercial-NoDerivatives 3.0 Australia licence. To view a copy of this licence, visit <http://creativecommons.org/licenses/by-nc-nd/3.0/au/>.

You are free to copy and communicate the document in its current form for non-commercial purposes, as long as you attribute the document to the Australian National Audit Office and abide by the other licence terms. You may not alter or adapt the work in any way.

Permission to use material for which the copyright is owned by a third party must be sought from the relevant copyright owner. As far as practicable, such material will be clearly labelled.

For terms of use of the Commonwealth Coat of Arms, visit the *It's an Honour* website at <https://www.pmc.gov.au/government/its-honour>.

Requests and inquiries concerning reproduction and rights should be addressed to:

Senior Executive Director
Corporate Management Group
Australian National Audit Office
GPO Box 707
Canberra ACT 2601

Or via email:

communication@anao.gov.au.





Canberra ACT
8 December 2021

Dear Mr President
Dear Mr Speaker

In accordance with the authority contained in the *Auditor-General Act 1997*, I have undertaken an independent performance audit across entities titled *Management of International Travel Restrictions during COVID-19*. Pursuant to Senate Standing Order 166 relating to the presentation of documents when the Senate is not sitting, I present the report of this audit to the Parliament.

Following its presentation and receipt, the report will be placed on the Australian National Audit Office's website — <http://www.anao.gov.au>.

Yours sincerely

A handwritten signature in black ink, reading 'Grant Hehir', is positioned below the 'Yours sincerely' text.

Grant Hehir
Auditor-General

The Honourable the President of the Senate
The Honourable the Speaker of the House of Representatives
Parliament House
Canberra ACT

AUDITING FOR AUSTRALIA

The Auditor-General is head of the Australian National Audit Office (ANAO). The ANAO assists the Auditor-General to carry out his duties under the *Auditor-General Act 1997* to undertake performance audits, financial statement audits and assurance reviews of Commonwealth public sector bodies and to provide independent reports and advice for the Parliament, the Australian Government and the community. The aim is to improve Commonwealth public sector administration and accountability.

For further information contact:
Australian National Audit Office
GPO Box 707
Canberra ACT 2601

Phone: (02) 6203 7300
Email: ag1@anao.gov.au

Auditor-General reports and information about the ANAO are available on our website:
<http://www.anao.gov.au>

Audit team

Daniel Whyte
Alicia Vaughan
Michael McGillion
Samuel Jones
William Richards
Leah Chappell
Graeme Corbett
Deborah Jackson

Contents

Summary and recommendations.....	7
Background	7
Conclusion	8
Supporting findings.....	9
Recommendations.....	10
Summary of entity response.....	11
Key messages from this audit for all Australian Government entities	13
Audit findings.....	15
1. Background	16
International travel restrictions during COVID-19.....	16
Public health emergency arrangements.....	23
Rationale for undertaking the audit	24
Audit approach	24
2. Planning and policy advice	26
Did pandemic planning include adequate consideration of travel restrictions and quarantine?	27
Was robust advice provided to the Australian Government on public health, legal and other risks to inform the initial design of travel restrictions?	32
Has subsequent advice on travel restrictions been robust and responsive to developments in the biosecurity risk environment?	45
3. Management arrangements	54
Have appropriate arrangements been established to share information and coordinate between entities?	54
Have appropriate strategies been implemented to communicate travel restrictions to stakeholders?	62
Have effective arrangements been established to manage the inward and outward travel restrictions?	66
Have effective arrangements been established to manage caps on international passenger arrivals?	72
4. Management of travel exemptions	80
Have appropriate policies, procedures and systems been established for managing inward and outward travel exemptions?	80
Have decisions about inward travel exemptions been timely and managed in accordance with policies and procedures?	85
Have decisions about outward travel exemptions been timely and managed in accordance with policies and procedures?	95
Has visa processing supported travel exemptions?	101
Appendices	105
Appendix 1 Entity responses	106
Appendix 2 Improvements observed by the ANAO	114
Appendix 3 Timeline of events related to COVID-19 international travel restrictions	115
Appendix 4 Border measures referenced in national pandemic influenza plans	120
Appendix 5 Pandemic preparedness exercises.....	121
Appendix 6 World Health Organization notifications for international travel restrictions	122
Appendix 7 Inward travel exemption outcomes by passport country	125



Audit snapshot

Auditor-General Report No.12 2021–22

Management of International Travel Restrictions during COVID-19



Why did we do this audit?

- ▶ This audit was conducted under phase two of the ANAO's multi-year strategy that focuses on the effective, efficient, economical and ethical delivery of the Australian Government's response to the COVID-19 pandemic.
- ▶ Australia's COVID-19 international travel restrictions have affected individuals and businesses, including Australia's international tourism, travel, aviation and education sectors.



What did we find?

- ▶ Management of Australia's international travel restrictions during the COVID-19 pandemic has been largely effective.
- ▶ While Australia did not have a plan to implement travel restrictions, subsequent decisions have largely been informed by robust planning and policy advice.
- ▶ Arrangements established to manage travel restrictions have been largely effective.
- ▶ Home Affairs' management of inward and outward travel exemptions has been partially effective.



Key facts

- ▶ Australia's international travel restrictions have included the: inward and outward travel restrictions; cruise ship requirement; mandatory quarantine; international arrival caps; and India travel pause.
- ▶ Most of these travel restrictions were implemented from March 2020 and remained in place in October 2021.



What did we recommend?

- ▶ The Auditor-General made six recommendations relating to: clearly communicating border clearance processes; planning for future travel restrictions; updating the response plan; obtaining data on quarantine; and better managing travel exemption refusal processes. Entities agreed to or supported all six recommendations.

458,310

Number of international arrivals to Australia from 1 April 2020 to 30 June 2021.

53,143

Number of inward exemptions approved by Home Affairs from 20 March 2020 to 30 June 2021.

814,310

Number of international departures from Australia from 1 April 2020 to 30 June 2021.

171,029

Number of outward exemptions approved by Home Affairs from 25 March 2020 to 30 June 2021.

Summary and recommendations

Background

1. Since its emergence in late 2019, coronavirus disease 2019 (COVID-19) has become a global pandemic that is impacting on human health and national economies. From January 2020 the Australian Government commenced the introduction of a range of policies and measures in response to the emergence of COVID-19 that included:

- travel restrictions, international border controls and quarantine arrangements;
- delivery of substantial economic stimulus, including financial support for affected individuals, businesses and communities; and
- support for essential services and procurement and deployment of critical medical supplies (including the national vaccine rollout).

2. After implementing initial country-specific travel restrictions in February and early-March 2020, Australian governments implemented a series of broad COVID-19 international travel restrictions from mid-March 2020 that remained in place in September 2021:

- restrictions on cruise ship arrivals to Australia (the cruise ship requirement);
- restrictions on foreign nationals entering Australia (the inward travel restrictions);
- restrictions on Australian citizens and permanent residents leaving Australia (the outward travel restrictions); and
- requirements for international arrivals to quarantine for 14 days at designated hotels or other facilities managed by state and territory governments (mandatory quarantine).

3. From April 2020 the Australian Government implemented two additional restrictions:

- caps on passenger arrival numbers at international airports from July 2020 to alleviate pressure on state hotel quarantine programs (international arrival caps); and
- restrictions on travel from India in May 2021 (the India travel pause).

4. The Department of Health has been the lead entity for managing the public health response to COVID-19. The Department of Home Affairs (Home Affairs), which includes the Australian Border Force (ABF), has managed travel restrictions at the international border, including exemptions from the inward and outward travel restrictions. Other entities involved in managing Australia's COVID-19 international travel restrictions have been: the Department of Foreign Affairs and Trade; the Department of Infrastructure, Transport, Regional Development and Communications (DITRDC); and the Department of the Prime Minister and Cabinet (PM&C).

Rationale for undertaking the audit

5. The COVID-19 pandemic and the pace and scale of the Australian Government's response impacts on the risk environment faced by the Australian public sector. This performance audit was conducted under phase two of the ANAO's multi-year strategy that focuses on the effective,

efficient, economical and ethical delivery of the Australian Government's response to the COVID-19 pandemic.¹

6. Australia's COVID-19 international travel restrictions have affected a large number of individuals and businesses, including Australia's international tourism, travel, aviation and education sectors. Accordingly, there has been significant Parliamentary and public interest in the Australian Government's management of the restrictions. The audit was conducted to provide independent assurance to Parliament that travel restrictions have been managed effectively.

Audit objective and criteria

7. The audit objective was to assess the effectiveness of the management of international travel restrictions during the COVID-19 pandemic. To form a conclusion against the objective, the following high-level criteria were adopted:

- Have Australia's COVID-19 international travel restrictions been informed by robust planning and policy advice?
- Have effective arrangements been established to manage Australia's COVID-19 international travel restrictions?
- Have inward and outward travel exemptions been managed effectively?

8. The audit focussed on policy advice to the Australian Government on international travel restrictions and the Australian Government's management of the inward and outward travel restrictions and international arrival caps to 30 June 2021.

Conclusion

9. Management of Australia's international travel restrictions during the COVID-19 pandemic has been largely effective.

10. Australia did not have a plan to implement international travel restrictions and mass quarantine in response to a pandemic as health experts had concluded that such measures were not effective. Subsequent decisions on implementing COVID-19 international travel restrictions have largely been informed by robust planning and policy advice.

11. Arrangements established to manage Australia's COVID-19 international travel restrictions have been largely effective. Adequate whole-of-government coordination and information sharing has occurred and strategies implemented to communicate travel restrictions have been appropriate. Arrangements established to manage the inward and outward travel restrictions and international arrival caps have largely been effective in achieving the Government's policy intent.

12. Home Affairs' management of inward and outward travel exemptions has been partially effective. Home Affairs has developed largely appropriate policies and procedures for managing inward and outward travel exemptions, with the quality of these improving over time. However, policies and procedures have not been consistently complied with.

1 Further details on the ANAO's COVID-19 multi-year audit strategy can be found at: <https://www.anao.gov.au/work-program/covid-19>.

Supporting findings

Planning and policy advice

13. Following a 2019 Health expert review, which concluded that the use of international travel restrictions and mass quarantine of arrivals to control a pandemic should not be attempted, at the onset of the COVID-19 pandemic Australia did not have any planning in place to support the implementation of such measures. (See paragraphs 2.4 to 2.26)

14. Expert advice on public health risks was largely provided to inform decisions on the initial design of Australia's international travel restrictions, although early advice did not recommend implementing travel restrictions. Advice on legal risks was obtained for all travel restrictions. Home Affairs informed the ANAO it provided verbal advice to the Government from February 2020 on the legal risks of the inward travel restrictions, but could not demonstrate that it provided timely written advice. (See paragraphs 2.27 to 2.88)

15. Subsequent advice to the Australian Government on COVID-19 international travel restrictions has been largely robust and responsive to developments in the biosecurity risk environment. Health has conducted regular monitoring of the biosecurity risk environment. Extensions and adjustments to international travel restrictions were not always informed by expert advice on public health risks. (See paragraphs 2.89 to 2.119)

Management arrangements

16. Arrangements established to share information and coordinate between entities in managing international COVID-19 travel restrictions have been largely appropriate. While adequate coordination and information sharing has occurred during the COVID-19 pandemic, role clarity and accountability would be enhanced through better documentation of coordination arrangements. (See paragraphs 3.3 to 3.27)

17. Appropriate strategies have been implemented to communicate travel restrictions. Entities have used existing communications channels to communicate COVID-19 travel restrictions to the public and relevant industry sectors, although the strategy of releasing public messages early led to implementation challenges. (See paragraphs 3.28 to 3.47)

18. The arrangements Home Affairs implemented to manage the inward and outward travel restrictions have been effective in achieving the Government's policy intent of restricting international travel for specific cohorts. (See paragraphs 3.48 to 3.63)

19. PM&C and DITRDC have established largely effective arrangements to manage caps on international passenger arrivals. There is scope for better monitoring of quarantine capacity and use, and for increased use of agreed over-allocation processes in order to achieve full utilisation of quarantine capacity. (See paragraphs 3.64 to 3.88)

Management of travel exemptions

20. Appropriate policies and procedures have been established for travel exemption decision-making. Home Affairs has progressively enhanced its exemption case management arrangements, including developing an online exemption portal. While Home Affairs has established processes to obtain assurance over exemption decision-making, its analysis of and reporting on quality assurance results could be strengthened. (See paragraphs 4.4 to 4.29)

21. Decisions about inward travel exemptions have not consistently been managed in accordance with policies and procedures. There were also cases where inconsistent decisions were made even where there was conformance with policy. Insufficient feedback has been provided to unsuccessful applicants and mechanisms for seeking a review of an exemption decision should be improved. Since August 2020 Home Affairs' processing of inward travel exemptions has been reasonably timely. (See paragraphs 4.30 to 4.66)

22. Decisions about outward travel exemptions have not consistently complied with policies and procedures, and there are indications that decision-making has not always been consistent even when in conformance with policy. The timeliness of outward travel exemptions has declined in 2021. (See paragraphs 4.67 to 4.86)

23. Visa processing has supported travel restrictions. Visa processing has continued during the COVID-19 pandemic and a number of temporary policy changes were made to support essential travel and existing visa holders. Efforts have been made to align decision-making and processing of applications in the travel exemption and visa programs. (See paragraphs 4.87 to 4.97)

Recommendations

Recommendation no. 1 Department of Home Affairs update its current advice to industry on border clearance processes, and develop guidance for departmental officers for future advice, to ensure that it clearly outlines, where relevant and appropriate:

Paragraph 2.57

- (a) legislative basis;
- (b) responsible decision-maker; and
- (c) potential consequences of not following the advice.

Department of Home Affairs response: *Agreed.*

Recommendation no. 2 Department of Health conduct a post-pandemic review to assess:

Paragraph 2.120

- (a) when and how international travel restrictions and mass quarantine of arrivals should be applied for future pandemics, including roles and responsibilities; and
- (b) the adequacy of the legal framework under which these measures operate.

Department of Health response: *Agreed.*

Recommendation no. 3 Department of Health ensure that *the Australian Health Sector Emergency Response Plan for Novel Coronavirus* remains up to date and documents current governance and coordination arrangements, response measures and entity roles and responsibilities.

Paragraph 3.10

Department of Health response: *Agreed.*

**Recommendation no. 4
Paragraph 3.72** Department of the Prime Minister and Cabinet work with states and territories to obtain robust data on quarantine capacity and use, including international passenger admissions to quarantine, and report the data publicly.

Department of the Prime Minister and Cabinet response:
Supported.

**Recommendation no. 5
Paragraph 4.41** Department of Home Affairs ensure, where exemption requests are refused, applicants receive specific feedback on the reasons for refusal.

Department of Home Affairs response: *Agreed.*

**Recommendation no. 6
Paragraph 4.51** Department of Home Affairs ensure that its review mechanisms for travel exemption decisions:

- (a) are communicated and readily accessible to applicants;
- (b) facilitate adequate review of any issues raised; and
- (c) provide clear and tailored communication to applicants about the outcome of the review.

Department of Home Affairs response: *Agreed.*

Summary of entity response

24. Entities' summary responses to the report are provided below and their full responses are at Appendix 1. The Department of the Prime Minister and Cabinet did not provide a summary response.

Department of Foreign Affairs and Trade

The Department of Foreign Affairs and Trade (the department) welcomes the findings and recommendations of the audit, specifically the Australian National Audit Office's (ANAO's) conclusion that the management of Australia's international travel restrictions during the COVID-19 pandemic has been largely effective. DFAT continues to work closely with agencies on the Australian Government's COVID-19 response. The department thanks the ANAO for the opportunity to comment.

Department of Health

The Department of Health (department) welcomes the findings in the report and accepts the recommendations directed to the department.

The COVID-19 pandemic is undoubtedly the most challenging and rapidly evolving global health crisis of our time. Many difficult decisions such as implementing travel restrictions, have been made to protect the health of all Australians – to minimise morbidity, mortality and the burden to the health system.

It was pleasing to note the ANAO considers the arrangements for and the management of Australia's international travel restrictions have been largely effective. While it was noted that there was not a specific plan to guide the implementation of travel restrictions, it was gratifying

for the ANAO to acknowledge that decisions made around travel restrictions have largely been informed by robust planning and expert policy advice that was responsive to developments in the biosecurity risk environment.

The effective cross agency collaboration and response partnerships with the states/territories and industry were reaffirmed by ANAO's findings that there was adequate whole-of-government coordination and information sharing, and appropriate strategies were implemented to communicate travel restrictions, using existing communications channels. It was also noted that the arrangements established to manage inward and outward travel restrictions and international arrival caps were effective in achieving the Government's policy intent.

Department of Home Affairs

The Department of Home Affairs welcomes this ANAO performance audit and acknowledges the valuable role it plays in providing independent insights into potential areas of further improvement.

Since the beginning of the pandemic in 2020, the Department played a key role in advising Government on border impacts and risks associated with proposed crisis management responses and giving practical effect to Government's policy decisions in relation to Australia's travel restrictions.

The travel exemption program aims at reducing the instance of COVID-19 crossing the border and entering Australia while maintaining a level of ongoing international travel arrangements despite the ongoing pandemic and consequent severe public health risk. The travel exemptions process is unprecedented, with unquantifiable predictions of volume. While the Department accepts that travel exemptions outcomes in a small number of cases may not have been consistent with policy guidance, this must be considered in the context of the large volume of rapid exemption decisions (over 900,000) that were made.

The Department welcomes the audit's lead finding that the management of Australia's international travel restrictions during the COVID-19 pandemic has been largely effective. The Department also agrees with the audit's three findings that identify areas where border management processes can be improved.

Department of Infrastructure, Transport, Regional Development and Communications

The Department acknowledges the ANAO's conclusions and findings relevant to our operations, particularly the management of international passenger arrival caps. The Department notes there were no specific recommendations related to the Department arising out of the report.

With respect to the ANAO's suggestion that there is scope for greater use of its ability to over-allocate capacity to maximise use of available quarantine, the Department does seek to over allocate to improve utilisation rates. However, in recent months some States have required the Department to maintain tight control over inbound passenger arrival caps without over allocations.

Key messages from this audit for all Australian Government entities

25. Below is a summary of key messages, including instances of good practice, which have been identified in this audit and may be relevant for the operations of other Australian Government entities.

Governance and risk management

- Crisis planning should include consideration of different scenarios, including worst-case scenarios, with scalable response plans developed that can be applied to emergencies of different magnitudes. A key learning from the COVID-19 response is that some public health emergencies necessitate temporary international border closures.
- When establishing emergency measures, entities should:
 - clearly communicate the legislative basis for the measures; and
 - establish mechanisms to monitor the effectiveness and continuing need of the measures.
- When special purpose arrangements are established to coordinate an emergency response that depart from standing arrangements, it is important that entities establish:
 - clear understanding of roles and responsibilities, which should be documented in terms of reference;
 - clear lines of information sharing, decision making and accountability; and
 - arrangements to promptly ‘back brief’ relevant teams, including efficiently circulating minutes of meetings and agreed actions.

Policy/program design

- As noted in Australian Public Service Commission’s 2015 *Learning from Failure* report, good policy advice should be: responsive and timely; factually accurate; supported by evidence; shaped by experience; and written down. Informed decision making also requires assessment of specific risks being accepted and the broader context.

Policy/program implementation

- Establishing appropriate policies, procedures and systems supports effective decision-making, particularly where a high degree of discretion is required. In addition, establishing assurance arrangements (such as reviewing a sample of assessments to test conformance with policies and procedures) can foster continuous improvement in the quality and consistency of decisions.
- Where quality assurance activities are undertaken, reporting of non-compliance or error rates can support oversight of decision-making processes and ensure systemic issues are detected and addressed in a timely manner.
- A good complaints system should actively encourage complaints, support early resolution, and communicate outcomes, including reasons for any decisions, findings or conclusions.

Audit findings

1. Background

1.1 Since its emergence in late 2019, coronavirus disease 2019 (COVID-19) has become a global pandemic that is impacting on human health and national economies. On 21 January 2020 the Australian Government declared COVID-19 as a listed human disease under the *Biosecurity Act 2015* (Biosecurity Act).² The World Health Organization (WHO) declared COVID-19 to be a ‘public health emergency of international concern’ on 30 January 2020.

1.2 From January 2020 the Australian Government commenced the introduction of a range of policies and measures in response to the emergence of COVID-19. On 18 March 2020, in response to the pandemic in Australia, the Governor-General of the Commonwealth of Australia declared that a human biosecurity emergency exists.³

1.3 The Australian Government’s health and economic response has included:

- travel restrictions, international border controls and quarantine arrangements;
- delivery of substantial economic stimulus, including financial support for affected individuals, businesses and communities; and
- support for essential services and procurement and deployment of critical medical supplies (including the national vaccine rollout).

1.4 With the release of the 2021–22 Budget on 11 May 2021, the Australian Government reported that it had committed \$20 billion to COVID-19 health support measures and \$291 billion to economic response measures.⁴

International travel restrictions during COVID-19

International travel restrictions introduced from February 2020 to June 2021

1.5 On 21 January 2020 the Department of Foreign Affairs and Trade (DFAT) raised its travel advice for the city of Wuhan in China to ‘Level 2 – Exercise a high degree of caution’.⁵ Over following days travel advice levels for Wuhan, Hubei Province and mainland China were raised several times.

1.6 Based on advice from the Chief Medical Officer (CMO) within the Department of Health (Health) and the Australian Health Protection Principal Committee (AHPPC)⁶, on 1 February 2020

2 Biosecurity (Listed Human Diseases) Amendment Determination 2020, 21 January 2020, available from <https://www.legislation.gov.au/Details/F2020L00037> [accessed 25 June 2021].

3 Biosecurity (Human Biosecurity Emergency) (Human Coronavirus with Pandemic Potential) Declaration 2020, 18 March 2020, available from <https://www.legislation.gov.au/Details/F2020L00266> [accessed 25 June 2021]. The emergency declaration was extended on 15 May 2020, 4 September 2020, 11 December 2020, 3 March 2021 and 11 June 2021.

4 Commonwealth of Australia, *Recovery and response support*, Budget 2021–22 factsheet, available at: https://budget.gov.au/2021-22/content/factsheets/download/factsheet_recovery_response.pdf [accessed 12 May 2021].

5 DFAT assigns each destination an official advice level reflecting the risk for average Australian travellers to the country. A higher level means higher risk. The levels are: ‘Level 1 – Exercise normal safety precautions’; ‘Level 2 – Exercise a high degree of caution’; ‘Level 3 – Reconsider your need to travel’; and ‘Level 4 – Do not travel’.

6 The CMO is the principal medical adviser to the Minister for Health and the Department of Health. AHPPC is the key advisory committee for health emergencies. It is comprised of all state and territory Chief Health Officers and is chaired by the CMO.

the Australian Government agreed to: implement a 14 day ban on foreign nationals entering Australia from China; and require Australian citizens, permanent residents and their immediate families returning from China to self-isolate for 14 days. These were Australia's first international travel restrictions in response to the COVID-19 pandemic.

1.7 The Australian Government subsequently decided to extend the China travel restrictions (on 13 February 2020) and implement additional restrictions for Iran (on 29 February 2020), South Korea (on 5 March 2020) and Italy (on 11 March 2020). In addition, on 3 and 7 February 2020 the CMO, in his capacity as Director of Human Biosecurity, made three determinations under section 113 of the Biosecurity Act to declare 'human health response zones' to support the quarantine of Australians returning from China and the Diamond Princess cruise ship in Japan.⁷

1.8 From mid-March 2020, as the public health risks of the COVID-19 pandemic became more apparent, Australian governments replaced these initial country-specific travel restrictions with four broad COVID-19 international travel restrictions, which remained in place in September 2021.

- *Cruise ship requirement* — Following COVID-19 outbreaks on international cruises, the Australian Government decided on 15 March 2020 to introduce a requirement using subsection 15(3) of the *Customs Act 1901* that international cruise ships not enter Australian ports. On 18 March 2020 the cruise ship requirement was brought under a human biosecurity emergency determination made by the Minister of Health under section 477 of the Biosecurity Act.⁸
- *Inward travel restrictions* — On 19 March 2020, due to around 80 per cent of COVID-19 cases in Australia having caught the virus overseas, the Prime Minister announced Australia was 'closing its borders to all non-citizens and non-residents' from 9pm on 20 March 2020.⁹
- *Outward travel restrictions* — To avoid 'travellers returning to Australia with coronavirus and the risks of spreading coronavirus to other countries', on 24 March 2020 the Prime Minister announced a ban on Australians travelling overseas.¹⁰ The outward travel

7 Biosecurity (Human Health Response Zone) (North West Point Immigration Detention Centre) Determination 2020, 3 February 2020, available from <https://www.legislation.gov.au/Details/F2020L00087>; Biosecurity (Human Health Response Zone) (Royal Australian Air Force Base Learmonth) Determination 2020, 3 February 2020, available from <https://www.legislation.gov.au/Details/F2020L00086>; and Biosecurity (Human Health Response Zone) (Howard Springs Accommodation Village) Determination 2020, 7 February 2020, available from <https://www.legislation.gov.au/Details/F2020L00107> [accessed 25 June 2021]. The determinations were repealed on 20 March 2020.

8 Biosecurity (Human Biosecurity Emergency) (Human Coronavirus with Pandemic Potential) (Emergency Requirements) Determination 2020, 18 March 2020, available from <https://www.legislation.gov.au/Details/F2020L00267> [accessed 25 June 2021]. The determination was extended on 27 March 2020, 21 May 2020 and 2 September 2020.

9 Prime Minister, Minister for Foreign Affairs, Minister for Women, Minister for Home Affairs, *Border Restrictions* [Internet], media release, 19 March 2020, available from <https://www.pm.gov.au/media/border-restrictions> [accessed 25 June 2021].

10 Prime Minister, *Update on coronavirus measures* [Internet], media release, 24 March 2020, available from <https://www.pm.gov.au/media/update-coronavirus-measures-24-March-2020> [accessed 25 June 2021].

restrictions were enacted by the Minister of Health the following day through a section 477 Biosecurity Act determination.¹¹

- **Mandatory quarantine** — Australian governments agreed on 15 March 2020 that international travellers arriving in Australia be required to self-isolate for 14 days, and on 27 March 2020 that all international arrivals be required to quarantine for 14 days at designated hotels or other facilities.¹² The latter announcement noted the quarantine arrangements would be ‘implemented under state and territory legislation’ and ‘enforced by state and territory governments, with the support of the Australian Defence Force (ADF) and the Australian Border Force (ABF) where necessary’.¹³

1.9 For the inward and outward travel restrictions, the Australian Government established a range of automatic exemptions (outlined in Table 1.1). There were changes to exemption categories over time, including changes relating to the implementation of an Australia–New Zealand quarantine free travel zone (in place for one-way travel from New Zealand to Australia from October 2020 and two-way travel from April 2021, except when suspended due to COVID-19 outbreaks).

Table 1.1: Automatic exemptions from the inward and outward travel restrictions

Inward travel restrictions	Outward travel restrictions
<ul style="list-style-type: none"> • Australian citizens or permanent residents and their immediate family members (spouse, de facto partner, child or legal guardian) • New Zealand citizens usually resident in Australia and their immediate family members • Airline crew, maritime crew and associated safety workers • Foreign diplomats, including their immediate family members • People transiting Australia for 72 hours or less [added July 2020] • Seasonal Worker Program or Pacific Labour Scheme participants [added August 2020] • Business Innovation and Investment (Provisional) (sub-class 188) visa holders [added September 2020] 	<ul style="list-style-type: none"> • Temporary visa holders • Australian citizens or permanent residents usually resident in a country other than Australia [removed August 2021] • New Zealand citizens holding a Special Category (sub-class 444) visa, even if usually resident • Airline crew, maritime crew and associated safety workers • People engaged in the day-to-day conduct of inbound and outbound freight • People travelling on official government business (including members of the ADF) • People travelling in association with essential work at an offshore facility in Australian waters • People travelling directly to New Zealand and who have been in Australia or New Zealand for

11 Biosecurity (Human Biosecurity Emergency) (Human Coronavirus with Pandemic Potential) (Overseas Travel Ban Emergency Requirements) Determination 2020, 25 March 2020, available from <https://www.legislation.gov.au/Details/F2020L00306> [accessed 25 June 2021]. The determination was amended on 18 September 2020, 22 March 2021 and 15 April 2021.

12 During the COVID-19 pandemic Australian governments have met regularly through a mechanism called ‘national cabinet’. These meetings have comprised the Prime Minister, state premiers and territory chief ministers. On 29 May 2020 the Prime Minister announced that national cabinet would replace the Council of Australian Governments (COAG). In August 2021 the Administrative Appeals Tribunal found national cabinet was not a committee of the Cabinet, and its deliberations and decisions were not subject to Cabinet confidentiality. The Government introduced a Bill in September 2021 to amend existing legislation to extend Cabinet confidentiality to deliberations and decisions of national cabinet and its sub-committees. This report refers to national cabinet as a meeting of Australian governments.

13 Prime Minister, *Update on coronavirus measures* [Internet], media release, 27 March 2020, available from <https://www.pm.gov.au/media/update-coronavirus-measures-270320> [accessed 25 June 2021].

Inward travel restrictions	Outward travel restrictions
<ul style="list-style-type: none"> People who have been in New Zealand or Australia for 14 days or more immediately prior to arrival by air [added October 2020] 	14 days or more immediately before their travel date [added April 2021]

Source: Home Affairs and ABF, 'Inwards Travel Restrictions Operation Directive' v.3 and 'Outward Travel Restrictions Operation Directive' v.8, no date, available from <https://covid19.homeaffairs.gov.au/travel-restrictions> [accessed 25 June 2021].

1.10 In addition to automatic exemptions, the Australian Government agreed to allow the ABF Commissioner and delegated officers within the Department of Home Affairs (Home Affairs), including the ABF, to grant discretionary exemptions from the inward and outward travel restrictions (outlined in Table 1.2). As at 30 June 2021, 171,029 outward discretionary exemptions and 53,143 inward discretionary exemptions had been approved.

Table 1.2: Discretionary exemptions from the inward and outward travel restrictions

Inward travel restrictions	Outward travel restrictions
<ul style="list-style-type: none"> Family members accompanying an Australian citizen or permanent resident minor returning to Australia Invited by Australian Government to assist the COVID-19 response Travel in the national interest (including military personnel from certain countries) Critical skills to Australia's COVID-19 response or economic recovery (such as medical, essential goods and services, religion and theology, and entertainment) Urgent medical treatment or evacuation Other compassionate or compelling reasons (such as attending a funeral of a close family member or participating in elite sports events) 	<ul style="list-style-type: none"> Travel outside Australia for three months or longer [compelling reason required from January 2021] Attend funeral of close family member Critical or serious illness of close family member Pick up minor child and return to Australia Complete existing work contract Medical treatment not available in Australia Travel in the national interest Response to COVID-19, including provision of aid Other compassionate or compelling reason Business travel [added September 2020] Australian citizens or permanent residents usually resident in a country other than Australia [added August 2021]

Source: Home Affairs and ABF, 'Commissioner's Guidelines: Decision making about individual exemptions from Australia's inwards travel restriction policy' v.3 and 'Outward Travel Restrictions Operation Directive' v.8, no date, available from <https://covid19.homeaffairs.gov.au/travel-restrictions> [accessed 25 June 2021].

1.11 From April 2020 the Australian Government implemented two additional COVID-19 international travel restrictions in response to public health risks.

- International arrival caps* — Following discussion between Australian governments on 10 July 2020, the Australian Government introduced caps on passenger arrival numbers at certain international airports to alleviate pressure on state hotel quarantine programs. The Department of Infrastructure, Transport, Regional Development and Communications (DITRDC) has facilitated the caps by placing conditions on airline timetables under the Air Navigation Regulation 2016 to limit the number of passengers airlines can carry each flight in order to not exceed quarantine caps. As at September 2021, arrival caps were in place for Sydney, Melbourne, Brisbane, Perth and Adelaide airports.¹⁴

¹⁴ Other international airports do not have caps as they have not received regular scheduled international flights during the COVID-19 pandemic, other than quarantine-free flights from New Zealand.

- *India travel pause* — On 30 April 2021, after a steep rise in COVID-19 cases in India, the Minister for Health made a section 477 Biosecurity Act determination to prevent travellers entering Australia by air if they had been in India within 14 days of their flight.¹⁵ The ‘India travel pause’ applied to all travellers including Australian citizens, with limited exemptions for crew, diplomats and medical teams, and was in place from 3 to 15 May 2021.

1.12 On 6 August 2021 Australian governments agreed on a plan to transition Australia’s COVID-19 response, which included a commitment to start lifting travel restrictions when 80 per cent of people aged 16 or over were fully vaccinated. On 1 October 2021 the Australian Government announced its intention to begin lifting travel restrictions from November 2021 in line with this plan.

Other COVID-19 international travel measures

Human biosecurity measures at the border

1.13 As the Director of Human Biosecurity under the Biosecurity Act, the CMO has various responsibilities for managing the risk of listed human diseases entering Australia. Department of Agriculture, Water and the Environment biosecurity officers and state and territory human biosecurity officers have operational responsibility for human biosecurity measures at the international border. These officers work in partnership with ABF officers, who are responsible for passenger clearance and facilitation.

1.14 Over the course of the COVID-19 pandemic, additional emergency human biosecurity measures have been introduced to control the risk of COVID-19 transmission through international air travel. In particular, in response to increasing COVID-19 cases in hotel quarantine and the identification of more transmissible COVID-19 strains, on 21 January 2021 the Minister for Health made a section 477 Biosecurity Act determination to require: passengers and crew on incoming international flights to wear face masks; and passengers to provide evidence of a negative COVID-19 test 72 hours prior to flying to Australia.¹⁶

1.15 The ANAO is conducting a separate audit examining human biosecurity for international air travel during COVID-19, which is due to table in 2022.

Managing the return of overseas Australians

1.16 Australia’s COVID-19 international travel restrictions have constrained the availability and capacity of international flights. On 17 March 2020 DFAT advised overseas Australians that: ‘If you decide to return to Australia, do so as soon as possible. Commercial options may become less available.’¹⁷ During the COVID-19 pandemic, DFAT has been responsible for:

15 Biosecurity (Human Biosecurity Emergency) (Human Coronavirus with Pandemic Potential) (Emergency Requirements—High Risk Country Travel Pause) Determination 2021, 30 April 2021, available from <https://www.legislation.gov.au/Details/F2021L00533> [accessed 25 June 2021].

16 Biosecurity (Human Biosecurity Emergency) (Human Coronavirus with Pandemic Potential) (Emergency Requirements—Incoming International Flights) Determination 2021, 21 January 2021, available from <https://www.legislation.gov.au/Details/F2021L00061> [accessed 25 June 2021]. Other human biosecurity measures have included restrictions on retail outlets at international airports and requirements to provide contact details and other information when travelling.

17 DFAT, *Coronavirus (COVID-19)* [Internet], 18 March 2020, available from <https://webarchive.nla.gov.au/awa/20200324130328/https://www.smartraveller.gov.au/news-and-updates/coronavirus-covid-19> [accessed 21 July 2021].

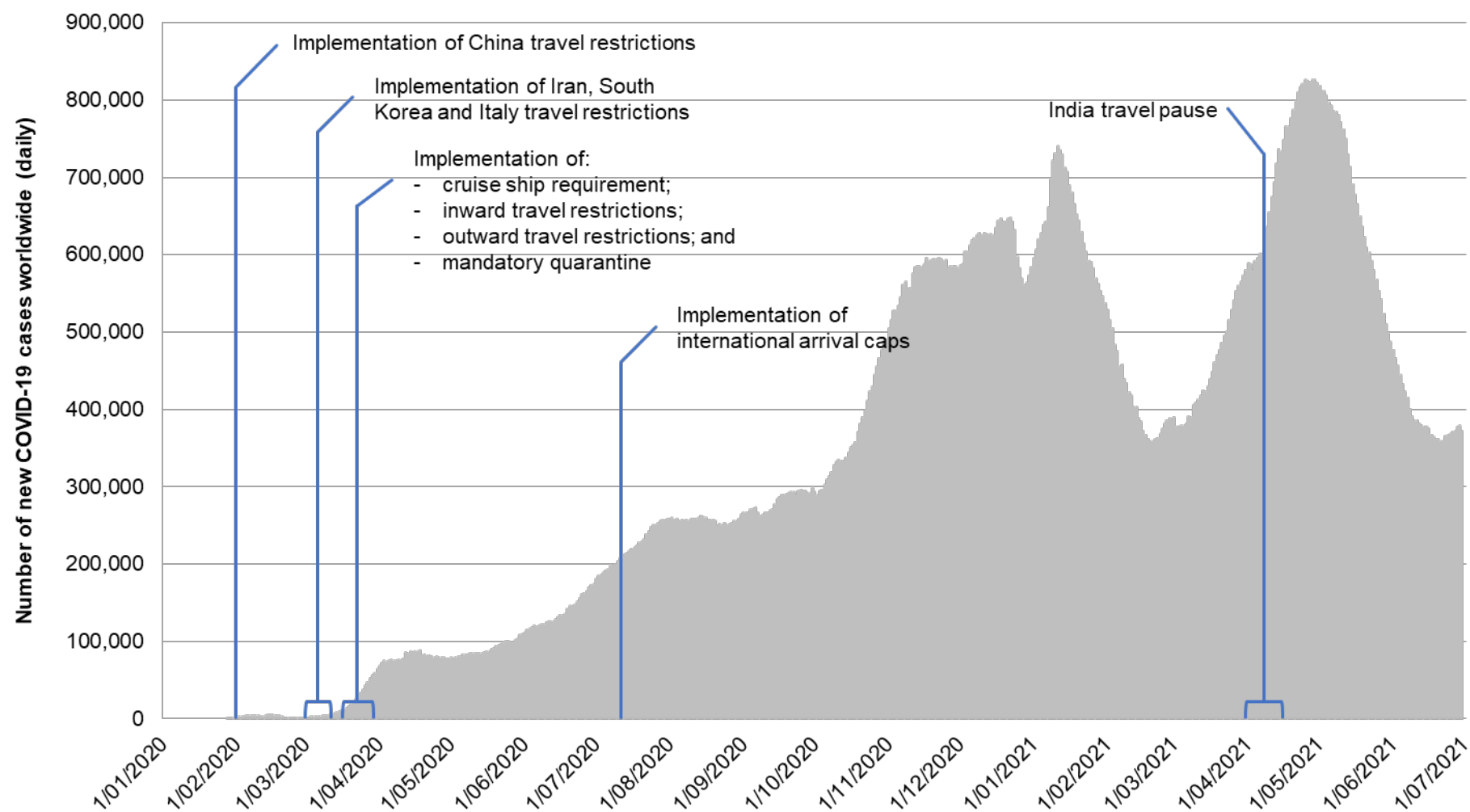
- communicating the risks of overseas travel through its *Smarttraveller* website (<https://www.smarttraveller.gov.au/>);
- providing consular assistance to overseas Australians; and
- assisting Australians to return through facilitated flights.

1.17 The ANAO is conducting a separate audit examining DFAT's management of the return of overseas Australians in response to COVID-19, which is due to table in 2022.

Timeline of COVID-19 international travel restrictions

1.18 Figure 1.1 provides a timeline of COVID-19 international travel restrictions, set against a graph of worldwide daily new COVID-19 case numbers. More detail on key events is at Appendix 3.

Figure 1.1: Timeline of COVID-19 international travel restrictions (1 January 2020–30 June 2021)



Source: ANAO analysis. COVID-19 case data from <https://ourworldindata.org/covid-cases> [accessed 6 August 2021].

Public health emergency arrangements

Human biosecurity emergency powers

1.19 Under the Biosecurity Act, after the Governor-General has declared that a human biosecurity emergency exists (section 475), the Minister for Health has broad emergency powers, which cannot be delegated, to determine requirements (section 477) and issue directions (section 478) to control a listed human disease. While there is no requirement for consultation in exercising these powers, the explanatory statement for the human biosecurity emergency declaration stated that the Australian Government had established a protocol that the Minister's exercise of the powers would be supported by: medical advice from the CMO or AHPPC; consultation with relevant ministers; and, as appropriate, consultation with states and territories.

1.20 Determinations made under section 477 are non-disallowable legislative instruments. As discussed above, during the COVID-19 pandemic the Minister has made several section 477 determinations relating to international travel, including to establish the outward travel restrictions, cruise ship requirement and India travel pause. Before imposing a requirement under section 477, the Minister must be satisfied that:

- it is likely to be effective in, or contribute to, achieving its intended purpose;
- it is appropriate and adapted to achieving the purpose;
- it, and the manner in which it is applied, are no more restrictive or intrusive than required in the circumstances; and
- the period during which it applies is only as long as necessary.¹⁸

1.21 Further, the CMO, as Director of Human Biosecurity, has the power to declare a human health response zone under section 113, to which entry and exit requirements apply.

International Health Regulations

1.22 WHO, of which Australia is a member state, has put in place *International Health Regulations (2005)* (IHRs), which include several articles relevant to international travel:

- *Article 20* — which requires member states to develop and maintain capacities at airports and ports to undertake appropriate human biosecurity measures;
- *Articles 23 and 30 to 32* — which outline the scope of health measures that can be applied by member states to travellers upon entry;
- *Articles 25 and 28* — which prohibit member states from preventing the arrival of ships and aircraft due to public health concerns; and
- *Article 40* — which prohibits member states from charging travellers (except for travellers seeking temporary or permanent residence) for health measures such as vaccination, isolation and quarantine.

1.23 Article 43 of the IHRs allows member states to implement additional health measures during a public health emergency of international concern that equal or go beyond WHO

18 *Biosecurity Act 2015*, s477(4), available from <https://www.legislation.gov.au/Details/C2020C00127> [accessed 25 June 2021].

recommendations and which would otherwise be prohibited under the IHRs (including under Articles 25 and 28). Any such additional measures must be:

- applied in a transparent and non-discriminatory manner;
- implemented in accordance with the member state's national law and international law obligations;
- no more restrictive of international traffic, invasive or intrusive than reasonable alternatives;
- based on scientific principles and scientific evidence of health risk; and
- reviewed within three months of implementation.¹⁹

Whole-of-government emergency management arrangements

1.24 The Australian Government Crisis Management Framework (AGCMF), published by the Department of the Prime Minister and Cabinet (PM&C), sets out standing arrangements for coordinating whole-of-government emergency responses within the Australian Government. Under the AGCMF, the Minister for Health is the lead minister for a domestic public health incident that requires a whole-of-government response, Health is the lead entity and the CMO is the lead senior official.

1.25 Health developed a disease-specific plan in February 2020, the *Australian Health Sector Emergency Response Plan for Novel Coronavirus*, to guide the Australian health sector response, which refers to the governance and coordination arrangements in the AGCMF.

Rationale for undertaking the audit

1.26 The COVID-19 pandemic and the pace and scale of the Australian Government's response impacts on the risk environment faced by the Australian public sector. This performance audit was conducted under phase two of the ANAO's multi-year strategy that focuses on the effective, efficient, economical and ethical delivery of the Australian Government's response to the COVID-19 pandemic.²⁰

1.27 Australia's COVID-19 international travel restrictions have affected individuals and businesses, including Australia's international tourism, travel, aviation and education sectors. Accordingly, there has been significant Parliamentary and public interest in the Australian Government's management of travel restrictions. The audit was conducted to provide independent assurance to Parliament that travel restrictions have been managed effectively.

Audit approach

Audit objective, criteria and scope

1.28 The audit objective was to assess the effectiveness of the management of international travel restrictions during the COVID-19 pandemic.

19 WHO, *International Health Regulations*, third edition, 2005, Articles 42 & 43, pp. 28-29, available from <https://www.who.int/publications/i/item/9789241580496> [accessed 8 October 2021].

20 Further details on the ANAO's COVID-19 multi-year audit strategy can be found at: <https://www.anao.gov.au/work-program/covid-19>.

1.29 To form a conclusion against the objective, the following high-level criteria were adopted:

- Have Australia's COVID-19 international travel restrictions been informed by robust planning and policy advice? (Chapter 2)
- Have effective arrangements been established to manage Australia's COVID-19 international travel restrictions? (Chapter 3)
- Have inward and outward travel exemptions been managed effectively? (Chapter 4)

1.30 The audit focussed on policy advice to the Australian Government on international travel restrictions and the Australian Government's management of the inward and outward travel restrictions and international arrival caps to 30 June 2021. The audit did not examine: the management of human biosecurity at the border or the return of Australians from overseas, as these topics are being examined in separate ANAO audits; the management of state and territory quarantine programs or domestic border closures; or the management of the reopening of international borders.

Audit methodology

1.31 The audit involved:

- reviewing submissions and briefings to government;
- reviewing other entity documentation, including meeting papers and minutes, policies and procedures, and correspondence;
- analysing administrative data held in entity systems, including international travel movement records and travel exemption requests;
- testing exemption decisions and border controls for the inward and outward travel restrictions;
- discussions with officers from relevant business areas within DFAT, DITRDC, Health, Home Affairs and PM&C;
- discussions with officers from state and territory government entities; and
- reviewing 1475 contributions received by the ANAO from organisations and individuals.

1.32 The audit was conducted in accordance with ANAO Auditing Standards at a cost to the ANAO of approximately \$652,000.

1.33 The team members for this audit were Daniel Whyte, Alicia Vaughan, Michael McGillion, Samuel Jones, William Richards, Leah Chappell, Graeme Corbett and Deborah Jackson.

2. Planning and policy advice

Areas examined

This chapter examines whether Australia's COVID-19 international travel restrictions have been informed by robust planning and policy advice.

Summary of key findings

Australia did not have a plan to implement international travel restrictions and mass quarantine in response to a pandemic as health experts had concluded that such measures were not effective. Subsequent decisions on implementing COVID-19 international travel restrictions have largely been informed by robust planning and policy advice.

Areas for improvement

The ANAO made two recommendations aimed at: clearly communicating border clearance processes; and conducting appropriate planning relating to implementing international travel restrictions and mass quarantine in a future pandemic.

2.1 Robust policy-making processes and advice support effective government decision-making. The *Cabinet Handbook* states that in upholding the Cabinet guiding principles and operational values, ministers must 'ensure that proposals prepared for Cabinet consideration have involved thorough consultation across Government, are timely and of high quality, and provide concise and robust advice on implementation challenges and risk mitigation strategies'.²¹ The Australian Public Service (APS) has traditionally played a key role in support of ministerial decision-making, with subsection 10(5) of the *Public Service Act 1999* providing that: 'The APS is apolitical and provides the Government with advice that is frank, honest, timely and based on the best available evidence.'²² These are the general characteristics of impartial and robust policy advice.

2.2 Drawing on the lessons of past APS experience, the Australian Public Service Commission's 2015 *Learning from Failure* report observed that good advice should be: responsive and timely; factually accurate, supported by evidence and shaped by experience; informed by a range of perspectives; and written down. On the question of ministerial decision-making, it highlighted that 'Cabinet decisions must be made with eyes wide open to risk' and that 'informed decision making requires assessment of the specific risks being accepted and the broader context'.²³

2.3 This chapter examines whether sufficient planning was undertaken prior to the introduction of Australia's COVID-19 travel restrictions, and whether the Australian Government received frank, honest, timely and evidence-based policy advice on these measures over the course of the COVID-19 pandemic to 30 June 2021. The chapter focusses primarily on the roles of:

- the Department of Health (Health), as the lead entity for human biosecurity management; and
- the Department of Home Affairs (Home Affairs), as the lead entity for emergency management and border control.

21 Department of the Prime Minister and Cabinet, *Cabinet Handbook*, 14th Edition, 2020, p. 11.

22 Section 10 sets out the APS Values. Subsection 10(5) relates to the APS Value of 'Impartial'.

23 Professor Peter Shergold AC, *Learning from Failure — Why large government policy initiatives have gone so badly wrong in the past and how the chances of success in the future can be improved*, Australian Public Service Commission, 2015, pp. 16-19 & 38-39.

Did pandemic planning include adequate consideration of travel restrictions and quarantine?

Following a 2019 Health expert review, which concluded that the use of international travel restrictions and mass quarantine of arrivals to control a pandemic should not be attempted, at the onset of the COVID-19 pandemic Australia did not have any planning in place to support the implementation of such measures.

2.4 Article 13 of the *International Health Regulations (2005)* (IHRs) requires Australia to develop and maintain ‘the capacity to respond promptly and effectively to public health risks and public health emergencies of international concern’.²⁴ The World Health Organization (WHO) has stated that: ‘Advance planning and preparedness to ensure the capacities for pandemic response are critical for countries to mitigate the risk and impact of a pandemic’.²⁵ In 2017 the WHO undertook an assessment of Australia’s implementation of the IHRs and found Australia had a ‘comprehensive system of capabilities and functions to prepare, detect and respond to health security threats’.²⁶

2.5 Under the *Australian Government Crisis Management Framework* (AGCMF), Health is the lead entity for a domestic public health emergency response, and Home Affairs is responsible for coordinating whole-of-government crisis planning and maintaining a national exercise program.²⁷

2.6 The Senate Select Committee on COVID-19’s *First Interim Report*, published in December 2020, found that ‘pandemic planning pre-COVID-19 was inadequate’ and Health’s February 2020 *Australian Health Sector Emergency Response Plan for Novel Coronavirus* (COVID-19 Plan) ‘contained key gaps, including failures to contemplate the closure of international borders’.²⁸

Department of Health’s pandemic planning prior to COVID-19

2.7 Health’s responsibilities in relation to communicable disease emergencies are established in legislation and agreements. National plans have also been developed to coordinate responses to communicable disease emergencies. These arrangements are summarised in Figure 2.1.

24 WHO, *International Health Regulations*, third edition, 2005, Article 13, p. 15.

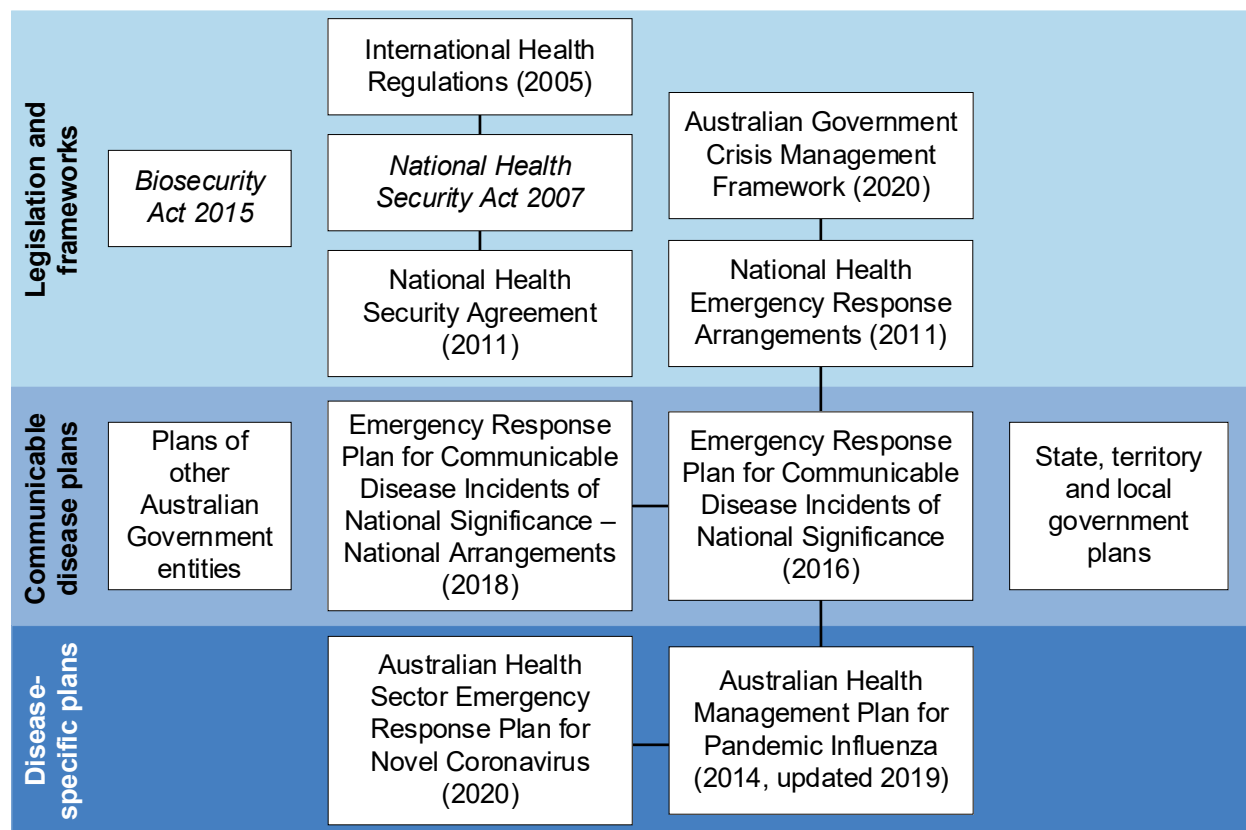
25 WHO, *Essential steps for developing or updating a national pandemic influenza preparedness plan*, 2018, p. 3.

26 WHO, *Joint External Evaluation of IHR Core Capacities of Australia*, 2018, p. 1.

27 Exercises are controlled activities, often involving hypothetical scenarios or case studies, that are conducted to test, practise or evaluate crisis response processes or capabilities.

28 Senate Select Committee on COVID-19, *First interim report*, December 2020, p. 9.

Figure 2.1: Legislation, frameworks and plans relevant to COVID-19



Source: Updated from Auditor-General Report No.57 2016–17 *Department of Health's coordination of communicable disease emergencies*, p. 18.

2.8 At the highest level, legislation and frameworks establish governance, coordination and information sharing arrangements for responding to public health emergencies and include some sections of relevance to travel restrictions and quarantine.

- As discussed at paragraphs 1.19 to 1.23, the *Biosecurity Act 2015* (Biosecurity Act) contains broad human biosecurity emergency powers that can be used to control a listed human disease and the IHRs include articles relevant to international travel restrictions and quarantine.
- The *National Health Security Agreement* (2011) states that ‘quarantine activities... are the responsibility of the Commonwealth’ and ‘the Commonwealth has primary responsibility for... responding to public health events occurring at international borders’.²⁹
- The *National Health Emergency Response Arrangements* (2011) state that ‘the Commonwealth Government will assume costs for a national border health response’ and notes that ‘states and territories have concurrent legislative powers with the Commonwealth with respect to quarantine’.³⁰

29 Health, *National Health Security Agreement* [Internet], 2011, paragraphs 4 and 22, available from <https://www1.health.gov.au/internet/main/publishing.nsf/Content/ohp-nhs-agreement.htm> [accessed 17 July 2021].

30 Health, *National Health Emergency Response Arrangements*, November 2011, pp. 9 & 11.

2.9 At the next level there are two ‘all hazards’ communicable disease plans that operate in parallel to guide the health sector response and national response. Neither plan includes detailed consideration of travel restrictions or mass quarantine, although the *Emergency Response Plan for Communicable Disease Incidents of National Significance* (September 2016) notes that measures available under the Biosecurity Act include travel restrictions and isolation measures.

2.10 Sitting beneath the communicable disease plans are disease-specific plans. Of the disease-specific plans in place prior to the onset of COVID-19, the *Australian Health Management Plan for Pandemic Influenza* (2019) (AHMPPI) was relevant to the COVID-19 pandemic response. It was used as the basis for the COVID-19 Plan, as ‘key committees and expert groups... agreed the approach and activities of the AHMPPI are relevant and broadly applicable to the novel coronavirus outbreak’.³¹ Health informed the ANAO that influenza was considered the communicable disease most likely to cause a public health emergency of national significance, so much of its pandemic planning activities prior to COVID-19 had been devoted to it.

Planning for an influenza pandemic

2.11 Since 1999 the Australian, state and territory governments have developed a series of pandemic plans to guide a national response to an influenza pandemic. Appendix 4 shows national plans that have been in operation since 2005 and border measures that were referenced within them.

2.12 The *Australian Management Plan for Pandemic Influenza* (June 2005) states that:

Australia, being an island nation, has a greater opportunity than other countries to prevent or delay the entry of pandemic influenza into Australia, as it did in 1918. Accordingly, the Government is prepared to implement border measures with this objective.³²

This statement was included in the *National Action Plan for Human Influenza Pandemic* (July 2006, updated April 2009), which also states that: ‘In some situations, large numbers of people arriving at the border may need to be quarantined to prevent transmission of pandemic influenza.’³³

2.13 The *FLUBORDERPLAN — National Pandemic Influenza Airport Border Operations Plan* (February 2009) discussed the potential use of inward and outward travel restrictions, stating that: ‘The decision to close borders is a major one which will be made by the Prime Minister taking into account a wide range of economic, political and social factors.’³⁴ The plan noted that the purpose of border control measures was to delay the arrival or minimise transmission of the pandemic virus and any such measures would only be implemented for a limited duration.

2.14 During 2009, shortly after the *FLUBORDERPLAN* was published, Australia’s preparedness for an influenza pandemic was tested by the 2009 ‘swine flu’ (H1N1) pandemic. Border measures implemented during the H1N1 pandemic included inflight announcements, border nurses, non-automatic pratique³⁵, health declaration cards, thermal scanners, public health messages and

31 Health, *Australian Health Sector Emergency Response Plan for Novel Coronavirus (COVID-19)*, 2020, p. 5.

32 Health, *Australian Management Plan for Pandemic Influenza*, June 2005, p. 40.

33 Council of Australian Governments, *National Action Plan for Human Influenza Pandemic*, April 2009, p. 20.

34 Health, *FLUBORDERPLAN — National Pandemic Influenza Airport Border Operations Plan*, February 2009, p. 19.

35 Requiring aircraft and vessels to declare the health of all passengers, rather than just ill passengers, before permission to disembark is provided.

quarantine of symptomatic non-residents identified at the border, but did not include mass quarantine of arrivals or travel restrictions.

2.15 In 2011 Health published the *Review of Australia's Health Sector Response to Pandemic (H1N1) 2009 – Lessons Identified* (H1N1 Review), which contained findings relating to border measures, including that:

- border measures continued beyond the establishment of local transmission in Australia and it was not clear when to discontinue border interventions;
- maintaining border measures and undertaking consequent contact-tracing activities placed a heavy burden on jurisdictional public health resources;
- the effectiveness and rationale for border measures needed further consideration;
- policy and operational plans for managing quarantine had not been finalised, both at state and territory and national level, when the pandemic emerged; and
- roles and responsibilities of all governments for quarantine during a pandemic needed to be clarified.

2.16 In October 2012, in response to the H1N1 Review, Health commissioned a series of literature reviews to consolidate evidence on the effectiveness of response measures to inform future pandemic preparedness planning. The review of border measures found:

Border measures—either travel restrictions, or quarantine and isolation—can theoretically delay the peak of the epidemic curve, but in most simulations, only by a maximum of a few weeks. The objective of controlling transmission by delaying introduction, delaying the peak incidence, reducing the peak incidence or increasing the time course of an epidemic are not feasible using currently available methods. Considering this evidence, using border measures to achieve such an objective should not be attempted.³⁶

2.17 While the overall conclusion was that travel restrictions should not be attempted, the literature review noted that they 'could be considered' for a disease with high severity and moderate transmissibility that is infectious when asymptomatic.³⁷

2.18 The AHMPPI was last updated in August 2019, after the literature review findings, and does not include any reference to travel restrictions or mass quarantine of arrivals. The *FLUBORDERPLAN*, which included reference to such measures but had become out of date, was decommissioned in 2019. Consequently, at the onset of the COVID-19 pandemic, Australia did not have any current planning in place to support the implementation of travel restrictions or mass quarantine of arrivals in response to a communicable disease pandemic.

Pandemic exercises

2.19 Pandemic exercises involve simulating a pandemic incident to train staff, test roles and responsibilities, confirm capabilities and identify and address any gaps in preparedness. In 2006 Health commenced its first major exercise (Exercise Cumpston) to test the capacity of the Australian health system to prevent, detect and respond to an influenza pandemic in accordance with the 2005

36 Health, *Border measures – Evidence summary* [Internet], 2019, p. 4, available from <https://www1.health.gov.au/internet/main/publishing.nsf/Content/ohp-ahmppt.htm> [accessed 17 July 2021].

37 L Selvey, R Hall & C Antão, 'Development of an evidence compendium and advice on travel related measures for response to an influenza pandemic and other communicable diseases', Part B, Curtin University, no date, p. 69.

Australian Management Plan for Pandemic Influenza.³⁸ Since then Health has led or been involved in eight additional pandemic exercises (see Appendix 5). While these exercises have considered pandemic response arrangements at a high level, no exercise since Cumpston has tested implementation of border measures.³⁹

2.20 In 2013 the House of Representatives Standing Committee on Health and Ageing's *Diseases have no borders* inquiry report found Australian governments had comprehensively prepared for pandemic influenza, but noted a concern about the extent to which influenza pandemic plans could be used for a non-influenza pandemic. It recommended the Australian Government undertake pandemic exercises to test the response to an infectious disease other than influenza. In 2018 the Australian Government noted the recommendation, stating in its response that recent outbreaks of Ebola, Middle Eastern Respiratory Syndrome and Zika had provided 'real-life tests' of pandemic response plans.

Department of Home Affairs' pandemic planning prior to COVID-19

2.21 Following the creation of the Home Affairs Portfolio in December 2017, the Secretary of Home Affairs requested a 'stress test' be conducted to explore how Home Affairs would support Health during a national health crisis. Home Affairs led the stress test in February 2018, which included participants from Home Affairs, Health, Attorney-General's Department, Australian Federal Police, Department of Agriculture, Water and the Environment, Department of Defence, Department of Foreign Affairs and Trade (DFAT) and Department of the Prime Minister and Cabinet (PM&C).

2.22 The stress test was designed to clarify the role of Home Affairs in a health pandemic and was based on a scenario involving a pandemic-scale outbreak of H7N9 influenza virus commencing in China with escalating severity over a nine-month period. Home Affairs' report on the stress test concluded:

... current systems and arrangements sufficiently manage and mitigate the impact of ordinary crises, however, a very significant or near-existential crisis would push current arrangements beyond their limits.

2.23 The report noted that caution was needed when considering entry screening and quarantine, stating:

Australia's reliance on trade means that the economic and social costs of closing the border during an influenza pandemic would most likely outweigh its benefits...

The scenario used in the Stress Test, which focused on border closure and metropolitan quarantine elicited vigorous discussions among participants, with Health advising strongly against border closures and quarantines during a large-scale influenza pandemic. Since the enactment of the [Biosecurity] Act in 2016, relevant provisions have not yet been used.

2.24 In late February 2018 the Home Affairs Secretary requested that the Minister for Home Affairs be briefed on the outcome of the stress test. While a draft ministerial submission was

38 Prior to Exercise Cumpston, the Australian Government had conducted exercises such as Exercise Minotaur (2002) and Exercise Eleusis (2005). However, these exercises were designed to test Australia's arrangements for responding to large-scale animal disease emergencies.

39 Border measures implemented during the exercise included passenger screening, deployment of antiviral drugs and personal protective equipment to the border, and quarantine of passengers.

prepared, it was not provided to the Secretary or Minister. Annotation on the draft submission indicates the Deputy Secretary responsible for its clearance was concerned it highlighted ‘significant concerns not being, or not able to be, addressed’. Home Affairs provided a submission to the Minister on the pandemic stress test in April 2020, after the onset of COVID-19, which outlined its key findings and actions that had been undertaken to address them.

Pandemic planning conducted in early 2020

2.25 On 1 February 2020, in correspondence with the Prime Minister, Home Affairs Minister and Cabinet Secretary, the Home Affairs Secretary stated Australia’s whole-of-government civil contingency planning was ‘outdated and not fit for purpose’. The next day Home Affairs began working with Health on planning for ‘an extreme national catastrophic pandemic disaster’. The resulting plan was domestically focussed and did not include planning for travel restrictions or mass quarantine of arrivals. Scenario planning conducted by Home Affairs and Health was consistent with the Health literature review finding (discussed at paragraph 2.16) that border controls would not be effective in preventing importation to Australia.

2.26 In February 2020 Health published the disease-specific COVID-19 Plan, which was largely based on the 2019 AHMPPI. Despite having been developed after the Australian Government had introduced the China travel restrictions, the plan does not include any specific reference to travel restrictions. The plan includes border measures such as ‘enhanced entry screening, non-automatic pratique, [and] preventative biosecurity measures’ as a category of action that could be considered during the ‘initial action’ phase. It also includes reference to ‘quarantine of repatriated nationals and approved foreign nationals as required’ in the initial and targeted action phases, but does not outline which level of government would be responsible.⁴⁰

Was robust advice provided to the Australian Government on public health, legal and other risks to inform the initial design of travel restrictions?

Expert advice on public health risks was largely provided to inform decisions on the initial design of Australia’s international travel restrictions, although early advice did not recommend implementing travel restrictions. Advice on legal risks was obtained for all travel restrictions. Home Affairs informed the ANAO it provided verbal advice to the Government from February 2020 on the legal risks of the inward travel restrictions, but could not demonstrate that it provided timely written advice.

2.27 In early March 2020, after noting that the extraordinary human biosecurity powers in the Biosecurity Act had never been used, the Australian Government agreed a protocol outlining steps the Minister for Health would take before making a determination, including receiving expert health advice from the CMO or Australian Health Protection Principal Committee (AHPPC).

Advice on public health risks

2.28 Table 2.1 summarises the sources of advice on public health risks to Australian Government decision makers for travel restriction decisions. The main sources of advice were the CMO, AHPPC,

40 Health, *Australian Health Sector Emergency Response Plan for Novel Coronavirus*, 7 February 2020, pp. 38, 40 & 43.

Communicable Disease Network of Australia (CDNA, a subcommittee of AHPPC), Health and Home Affairs. Advice on public health risks is discussed in more detail below. Health's notifications to the WHO on the public health rationale for border measures is outlined in Appendix 6.

Table 2.1: Sources of public health advice to the Australian Government for Australia's COVID-19 travel restrictions (introduced before October 2021)

Travel restriction	Source of public health advice	Date of advice	Decision maker	Date of decision
Inward travel restrictions (Australian Government)				
China	AHPPC	1 February 2020	Australian Government	1 February 2020
Iran	AHPPC	29 February 2020	Australian Government	29 February 2020
South Korea	CDNA & AHPPC	4 March 2020	Australian Government	5 March 2020
Italy	AHPPC	10 March 2020	Australian Government	11 March 2020
All country inward restrictions	CDNA & AHPPC	18 March 2020	Australian Government	19 March 2020
Cruise ship requirement (Australian Government)				
Initial cruise ship requirement	Home Affairs, with input from AHPPC	15 March 2020	Australian Government	15 March 2020
Cruise ship requirement (Biosecurity Act)	CMO	16 March 2020	Minister for Health	18 March 2020
Other Australian Government travel restrictions				
Outward travel restrictions	CMO & Home Affairs Secretary	25 March 2020	Minister for Health	25 March 2020
International arrival caps	a	a	Prime Minister	10 July 2020
India travel pause	CMO, Health	30 April 2021	Minister for Health	3 May 2021
Mandatory self-isolation and quarantine (state and territory governments)				
Mandatory self-isolation	b	b	States & territories governments	15 March 2020
Mandatory quarantine	CMO	27 March 2020	States & territories governments	27 March 2020

Note a: Health's notification to the WHO noted that the decision was 'based on the advice of health and policing officials' in four states (NSW, Queensland, Victoria and WA).

Note b: While there is no evidence of public health advice to the Australian Government for this decision, AHPPC issued a statement on 18 March 2020 that stated mandatory self-isolation was 'the most important public health measure in relation to case importation'.

Source: ANAO analysis.

Inward travel restrictions (Australian Government)

2.29 On 31 January 2020 the CMO provided advice to the Australian Government that current evidence did not support ceasing flights from China. Later that day the United States introduced an inward travel ban for foreign nationals who had been in China in the past 14 days.

2.30 On 1 February 2020 AHPPC met and recommended that ‘additional border measures be implemented to deny entry to Australia to people who have left or transited through mainland China’. The CMO provided this advice directly to the Australian Government, which agreed to implement the recommendation with immediate effect.

2.31 The implementation of subsequent inward travel restrictions for Iran, South Korea and Italy was partially supported by AHPPC and CDNA advice.

- On 29 February 2020 AHPPC indicated in its advice to the Australian Government that Iran presented ‘a materially greater risk of COVID-19 importation than any other country outside mainland China’. However, it did not recommend travel restrictions as it ‘was concerned that this may set an unrealistic expectation that such measures are of ongoing value for further countries’.⁴¹ On the same day the Australian Government decided to implement the Iran travel restrictions based on AHPPC’s risk advice, while noting that AHPPC did not support extending travel restrictions to additional countries at that stage.
- On 3 March 2020 CDNA provided risk analysis to AHPPC that identified China, Iran, South Korea and Italy as high risk countries. On 4 March 2020 AHPPC issued a statement that ‘border measures can no longer prevent importation of COVID-19 and [AHPPC] does not support the further widespread application of travel restrictions to the large number of countries that have community transmission’.⁴² The Australian Government considered AHPPC’s advice on 5 March 2020 and decided to introduce the South Korea travel restrictions and enhanced screening for Italy.
- On 10 March 2020 AHPPC provided advice to the Australian Government noting that further border restrictions had limited utility but travel restrictions for Italy would be consistent with the recent South Korea travel restrictions decision, given the rapidly increasing case numbers and deaths in Italy. This advice informed the Government’s decision on 11 March 2020 to implement the Italy travel restrictions.

2.32 On 11 March 2020 AHPPC asked CDNA to provide it with further advice on travel restrictions. CDNA met on 16 and 18 March 2020 and agreed on three options to present to AHPPC:

- (a) remove all individual country travel restrictions, noting the implementation of mandatory self-isolation for international arrivals;
- (b) implement travel restrictions for all incoming foreign nationals; or

41 Health, *Australian Health Protection Principal Committee (AHPPC) coronavirus (COVID-19) statement on 29 February 2020* [Internet], 1 March 2020, available from <https://www.health.gov.au/news/australian-health-protection-principal-committee-ahppc-coronavirus-covid-19-statement-on-29-february-2020-0> [accessed 6 July 2021].

42 Health, *Australian Health Protection Principal Committee (AHPPC) coronavirus (COVID-19) statement on 4 March 2020* [Internet], 6 March 2020, available from <https://www.health.gov.au/news/australian-health-protection-principal-committee-ahppc-coronavirus-covid-19-statement-on-4-march-2020-0> [accessed 6 July 2021].

(c) implement travel restrictions for the United States and Europe (including the United Kingdom) and consider removing the South Korea travel restrictions.

2.33 On 18 March 2020 AHPPC considered CDNA's advice and issued the following statement:

AHPPC noted that there is no longer a strong basis for having travel restrictions on only four countries and that Government should consider aligning these restrictions with the risk. This could involve consideration of lifting all travel restrictions, noting the imposition of universal quarantine and a decline in foreign nationals travel, or consideration of the imposition of restrictions on all countries, while small numbers of foreign nationals continue to arrive.⁴³

2.34 On 19 March 2020 the Australian Government was briefed on the AHPPC advice. Later that day, after New Zealand announced it was closing its border to foreign nationals, the Prime Minister, Minister for Foreign Affairs and Minister for Home Affairs announced the decision to implement inward travel restrictions for foreign nationals.

Cruise ship requirement (Australian Government)

2.35 On 9 March 2020 Home Affairs requested advice from AHPPC on the health risks posed by cruise ships and the ability of states and territories to quarantine arrivals. Later that day AHPPC provided advice to Home Affairs, noting that:

- it supported some restrictions on cruise ship arrivals, where applied with enough advance notice for companies to change their itineraries and travellers to change their plans;
- in no case was it advisable to leave people at risk of COVID-19 infection on board a ship, with the preferred option being to disembark people into quarantine or self-isolation; and
- while smaller ships were within the capacity of most jurisdictions to manage, large ships of greater than 1,000 passengers would be beyond the capacity of all jurisdictions without assistance from other states or the Australian Government.

2.36 On 15 March 2020 the Australian Government decided to require international cruise ships to not enter Australian ports for 30 days from midnight on 16 March 2020. Home Affairs' briefing to government outlined the health risks posed by cruise ships, noting the experience of the Diamond Princess in Japan and Grand Princess in the United States, and referenced AHPPC's advice.

2.37 On 17 March 2020, in accordance with the Australian Government's protocol, the Minister for Health received public health advice from the CMO on outlining the risk of transmission on cruise ships seeding widespread onshore transmission. On 18 March 2020 the Minister made an emergency determination under section 477 of the Biosecurity Act to enact the cruise ship requirement.

Outward travel restrictions (Australian Government)

2.38 On 24 March 2020 the Australian Government decided to develop a proposal to prohibit Australian citizens and permanent residents from travelling overseas, with some exceptions for compassionate and essential travel. The Prime Minister announced the outward travel restrictions

43 Health, *Australian Health Protection Principal Committee (AHPPC) coronavirus (COVID-19) statement regarding travel restrictions on 18 March 2020* [Internet], 18 March 2020, available from <https://www.health.gov.au/news/australian-health-protection-principal-committee-ahppc-coronavirus-covid-19-statement-regarding-travel-restrictions-on-18-march-2020-0> [accessed 7 July 2021].

later that day, noting it would ‘help avoid travellers returning to Australia with coronavirus and the risks of spreading coronavirus to other countries’.⁴⁴

2.39 On 25 March 2020 the Secretary of Home Affairs and the CMO wrote to the Minister for Health recommending making a section 477 determination under the Biosecurity Act, to prevent overseas travel by Australian citizens and permanent residents. The public health rationale outlined in the CMO’s letter was that:

The increases in Australia’s case numbers continue to be significantly impacted by imported cases as a result of international travel. As worldwide case numbers increase, and the countries reaching the peak of their epidemic curve change, it is impossible to manage the risk of imported case through targeting specific countries.

Further, the Secretary of Home Affairs advised that:

Travel between countries places Australians at risk of exposure to COVID-19 and could then contribute to the spread of COVID-19, including by placing additional pressure on Australia’s health system by travellers upon return to Australia who have COVID-19.

2.40 The Minister made the outward travel determination on the same day.

International arrival caps (Australian Government)

2.41 On 10 July 2020 the Prime Minister agreed at a meeting of Australian governments to introduce a national approach to managing incoming international passengers, based on jurisdictional quarantine capability and the number of incoming passengers. Health’s subsequent notification to the WHO on 21 July 2020 stated that the measure was introduced in response to requests from states and was based on the advice of health and policing officials in those jurisdictions. There is no evidence that the CMO or AHPPC provided advice to inform the Prime Minister’s decision.

India travel pause (Australian Government)

2.42 After AHPPC members noted a significant increase in overseas acquired cases considered to have originated from India, at a meeting on 22 April 2021 Australian governments agreed that action be taken to reduce the number of passengers arriving from India. On 27 April 2021 the Prime Minister and Minister for Foreign Affairs announced a two-week pause on flights between Australia and India.⁴⁵ On 30 April 2021 the CMO wrote to the Minister for Health to inform the minister’s decision on a section 477 determination under the Biosecurity Act requiring that people not enter Australia if they had been in India in the preceding 14 days. The CMO’s advice noted:

- COVID-19 case numbers in India were increasing rapidly and were likely under-reported;
- over 50 per cent of overseas acquired cases in international arrivals since mid-April 2021 were acquired in India, with a high proportion of variants of concern and variants of interest among those cases; and
- community transmission was occurring within hotel quarantine.

44 Prime Minister, *Update on coronavirus measures* [Internet], media release, 24 March 2020, available from <https://www.pm.gov.au/media/update-coronavirus-measures-24-March-2020> [accessed 25 June 2021].

45 Prime Minister and Minister for Foreign Affairs and Women, *Flights from India now paused as Australia sends emergency medical supplies* [Internet], 27 April 2021, available from <https://www.pm.gov.au/media/flights-india-now-paused-australia-sends-emergency-medical-supplies> [accessed 8 July 2021].

2.43 In addition, the CMO's advice stated that:

Each new case identified in quarantine increases the risk of leakage into the Australian community through transmission to quarantine workers or other quarantined returnees and subsequently into the Australian community more broadly. This quarantine 'leakage' presents a significant risk to the Australian community.

Mandatory self-isolation and quarantine (state and territory governments)

2.44 Quarantine and self-isolation requirements were introduced for passengers arriving from China, Iran, South Korea and Italy when implementing inward travel restrictions for these countries. On 11 March 2020 AHPPC stated that 'travel restrictions and self-quarantine measures implemented by the Australian Government have been successful in reducing the number of cases detected in Australia and delaying the onset of community transmission'.⁴⁶

2.45 On 15 March 2020 Australian governments agreed to impose universal self-isolation for all passenger arrivals to Australia. While this decision was not directly informed by AHPPC or CMO advice on public health risks, on 18 March 2020 AHPPC stated that it 'strongly supported the continuation of a 14-day quarantine requirement for all returning travellers, as the most important public health measure in relation to case importation'.⁴⁷ On 22 March 2020 AHPPC also stated that:

The continued growth of cases in returned travellers (including the Ruby Princess) necessitates even stronger action on enforcing the quarantine of any returned traveller, with phone checks, mobile phone tracking and other measures.⁴⁸

2.46 On 26 March 2020 the CMO emailed the Secretary of Home Affairs and the Australian Border Force (ABF) Commissioner noting a concern that the 'great majority of our new COVID-19 cases are still returned travellers' and stating he was 'seriously considering whether we should be formally quarantining ALL returned travellers'. The CMO also noted that: 'There must be a lot of empty airport hotels and we could take everyone straight to a designated hotel and keep them there for 2 weeks. States and Territories would have to provide the Health services to them'.

2.47 The CMO conveyed this proposal to AHPPC by email on 26 March 2020, noting that mandatory quarantine would take returning travellers out of circulation and allow social distancing to manage the small amount of community transmission within Australia. AHPPC met later that day to discuss the matter, with the meeting outcome noting that each jurisdiction had agreed to quarantine returning travellers where they land. After the meeting the CMO emailed the Secretary of Home Affairs and the Acting Secretary of Health describing AHPPC as strongly supportive of the measure.

46 Health, *Australian Health Protection Principal Committee (AHPPC) coronavirus (COVID-19) statement on 11 March 2020* [Internet], 12 March 2020, available from <https://www.health.gov.au/news/australian-health-protection-principal-committee-ahppc-coronavirus-covid-19-statement-on-11-march-2020-0> [accessed 7 July 2021].

47 Health, *Australian Health Protection Principal Committee (AHPPC) coronavirus (COVID-19) statement regarding travel restrictions on 18 March 2020* [Internet], 19 March 2020, available from <https://www.health.gov.au/news/australian-health-protection-principal-committee-ahppc-coronavirus-covid-19-statement-regarding-travel-restrictions-on-18-march-2020-0> [accessed 8 July 2021].

48 Health, *Australian Health Protection Principal Committee (AHPPC) coronavirus (COVID-19) statement on 22 March 2020* [Internet], 23 March 2020, available from <https://www.health.gov.au/news/australian-health-protection-principal-committee-ahppc-coronavirus-covid-19-statement-on-22-march-2020-0> [accessed 8 July 2021].

2.48 On 27 March 2020 the CMO advised Australian governments that international travellers remained the most significant vector for the spread of COVID-19 in Australia. On this basis, Australian governments agreed that international arrivals be required to undertake mandatory quarantine for 14 days at hotels or other designated facilities from 11:59pm on 28 March 2020.

Advice on legal risk

2.49 Table 2.2 provides an overview of the legal basis for Australia's COVID-19 travel restrictions as identified in entity records. Measures implemented by the Australian Government relied upon the *Migration Act 1958* (Migration Act), *Biosecurity Act*, *Air Navigation Act 1920* (Air Navigation Act) and *Air Navigation Regulation 2016* (Air Navigation Regulation). Self-isolation and quarantine requirements have been implemented under state and territory public health legislation.

Table 2.2: Summary of legislative basis for Australia's COVID-19 travel restrictions (introduced before October 2021)

Travel restriction	Period (to October 2021)	Legislative basis	Affected parties	Exemptions
China restrictions	1 February–20 March 2020	No specific legislative authority (visas may be cancelled under the Migration Act due to health risks)	Foreign nationals who hold a valid travel authority to enter Australia	Automatic and discretionary exemptions outlined in policy guidance (see Table 1.1 and Table 1.2)
Iran restrictions	1–20 March 2020			
South Korea restrictions	5–20 March 2020			
Italy restrictions	11–20 March 2020			
Inward travel restrictions	20 March 2020–present			
Outward travel restrictions	25 March 2020–present	Emergency determination under the Biosecurity Act	Australian citizens and permanent residents ordinarily resident in Australia	Automatic and discretionary exemptions provided in determination and associated policy guidance (see Table 1.1 and Table 1.2)
Cruise ship requirement	16 March 2020–present		Cruise ship operators (by extension, cruise ship passengers)	Automatic and discretionary exemptions provided in determination
India travel pause	3–15 May 2021		Travellers from India during period, including citizens	Automatic exemptions provided in determination
International arrival caps	13 July 2020–present	Regulatory provisions of the Air Navigation Act	Airlines flying to Australia (by extension, arriving travellers)	Additional arrivals may be negotiated outside the caps

Travel restriction	Period (to October 2021)	Legislative basis	Affected parties	Exemptions
Mandatory quarantine	29 March 2020–present (Note: mandatory self-isolation in place from 16 March 2020)	State and territory public health legislation	Arriving travellers, including citizens	Automatic exemptions agreed by Australian governments Discretionary exemptions administered by states and territories

Source: ANAO analysis.

Inward travel restrictions

2.50 Home Affairs has identified the basis for the inward travel restrictions in its advice to the Minister for Immigration as follows:

Inwards travel restrictions are implemented through policy, and relate to people who are neither citizens nor permanent residents (or their immediate family). Non-citizens travelling to Australia who are not exempt may be considered for visa cancellation under s116(1)(e) of the *Migration Act 1958* (the Act) on the basis that they may present a health risk.

2.51 In a letter to the Prime Minister dated 5 October 2020, the Minister for Home Affairs provided further detail on the basis for the inward travel restrictions, indicating it relies upon:

- public messaging by Government;
- practical impediments (reduced number of international flights and restrictions on arrivals and departures);
- risk for airlines of carrying passengers who they might need to return at their expense if the passenger is not allowed entry to Australia; and
- possible visa cancellation on the basis that the person's presence in Australia, may be, or would be a risk to the health, safety or good order of the Australian community or a segment of the Australian community.

2.52 In February 2020 Home Affairs cancelled the visas of 173 individuals subject to the China travel restriction policy. Home Affairs received 119 requests from visa holders to review these cancellation decisions and 117 of the cancelled visas were subsequently reinstated. Since that time, Home Affairs has not cancelled the visas of travellers attempting to enter Australia without an exemption. Instead, ABF has enforced the inward travel restriction policy by using the Advance Passenger Processing (APP) system to communicate the exemption status of passengers to airlines.

2.53 Prior to the COVID-19 pandemic, airlines used the APP system to confirm that travellers had legal authority to travel to or from Australia.⁴⁹ ABF's guidance to airlines states that:

⁴⁹ Australian citizens and most New Zealand citizens have authority to travel to Australia without a visa. Other travellers are required to hold a valid visa. Under the Migration Act, a visa provides a non-citizen a right to enter into and remain in Australia.

Airlines must check a passenger's authority to enter Australia using APP. Where a carrier brings an inadequately documented passenger or an undocumented passenger to Australia, they may be liable, upon conviction, to a fine of AUD22,200.⁵⁰

During the COVID-19 pandemic the ABF has also used APP to enforce the inward and outward restrictions (ABF's management of the inward and outward travel restrictions is discussed further in chapter 3 at paragraphs 3.48 to 3.63).

2.54 Between 1 February 2020 and 30 June 2021 ABF used APP to prevent the uplift of close to 4000 foreign nationals attempting to enter Australia without an exemption from the inward travel restrictions. In situations where a non-exempt traveller has mistakenly been authorised uplift, Home Affairs has adopted a policy of granting the traveller an inward travel exemption after the fact.

2.55 Home Affairs informed the ANAO that:

- using APP in this way 'front end loads' a judgement about whether foreign nationals can travel to Australia without having their visa cancelled, providing certainty to potential travellers and avoiding the COVID-19 transmission risks of non-exempt travellers presenting at the Australian border;
- ABF only provides advice to airlines about exemption status through APP, and airlines make the decision about whether to board travellers based on a number of factors including ABF advice;
- the Australian Government is not required to afford procedural fairness to non-exempt travellers whose uplift is prevented; and
- while an airline would not face penalties for boarding a non-exempt traveller with a valid visa, it could be required to remove the traveller from Australia and could be liable for the cost of removal if the traveller's visa was subsequently cancelled.

2.56 However, Home Affairs' advice to airlines on its website about the inward travel restrictions does not articulate the legislative basis for the inward travel restriction policy and indicates that ABF makes the decision to deny uplift to non-exempt travellers. It states:

From 2100 AEDT 20 March 2020, airline staff should ensure that only exempt travellers board a flight to Australia. Where possible, the Australian Advanced Passenger Processing will be used to deny uplift for all other travellers.⁵¹

Home Affairs needs to update its communication to airlines to more clearly outline airlines' responsibilities under the inward travel restriction policy.

50 ABF, *Advance Passenger Processing* [Internet], 4 September 2020, available from <https://www.abf.gov.au/entering-and-leaving-australia/crossing-the-border/passenger-movement/advance-passenger-processing> [accessed 22 July 2021].

51 Home Affairs, *Air industry* [Website], last updated 28 January 2021, available at: <https://covid19.homeaffairs.gov.au/air-industry> [accessed 16 July 2021]. The same message was included in an 'Aviation Advice' notice issued to airlines by ABF on 20 March 2020.

Recommendation no. 1

2.57 Department of Home Affairs update its current advice to industry on border clearance processes, and develop guidance for departmental officers for future advice, to ensure that it clearly outlines, where relevant and appropriate:

- (a) legislative basis;
- (b) responsible decision-maker; and
- (c) potential consequences of not following the advice.

Department of Home Affairs response: *Agreed.*

2.58 Home Affairs was aware that the Migration Act provides a limited legal basis for inward travel restrictions as, although visas may be cancelled on the grounds of health risk to the Australian community, there is no power for bulk visa suspension during a crisis and visa cancellation decisions need to take an individual visa holder's circumstances into account. Home Affairs informed the ANAO that the Minister for Home Affairs and the Australian Government were advised of these issues from February 2020 onwards, and 'government decisions were made fully conscious of any legal risks involved', but it could only provide documentary evidence from July 2020 onwards that risks were explicitly communicated to the Government.

2.59 From May 2020 Home Affairs, in consultation with Health, PM&C and the Attorney-General's Department, considered the feasibility of replacing the inward travel restriction policy with a section 477 determination under of the Biosecurity Act similar to that used for the outward travel restrictions. Entity records indicate that the Minister for Home Affairs was advised of the legal basis for the inward travel restriction policy in early July 2020. Home Affairs did not pursue the Biosecurity Act determination option because it formed the view that a determination could not support the Australian Government's preferred exemption categories.

2.60 In August 2020 the Australian Government agreed to restart the Pacific Labour Scheme and Seasonal Worker Programme. The Government received a briefing at this time that included consideration of inward travel restriction legal risks. This was the first time that the Australian Government received such documented advice.

2.61 On 11 September 2020 Home Affairs provided detailed advice to the Minister for Home Affairs proposing that legislation be developed to provide a stronger statutory basis for the restrictions. The Minister for Home Affairs wrote to the Prime Minister on 5 October 2020 outlining risks of the inward travel restrictions and seeking agreement to repurpose a proposed Migration Act Amendment Bill to address the issues. On 3 November 2020 the Prime Minister responded asking the Minister for Home Affairs, in consultation with the Attorney-General and Minister for Health, to develop a proposal for government consideration.

2.62 On 24 May 2021 the Government considered a proposal to amend the Migration Act to provide the Minister for Home Affairs with a power to manage the entry of non-citizens to Australia during a global health emergency. Advice to the Government described risks associated with the existing inward travel restrictions. The Government decided that class exemptions from the inward travel restrictions (such as for international students) be agreed through an exchange of letters between the Minister for Home Affairs and the Prime Minister.

Emergency determinations under the Biosecurity Act (cruise ship requirement, outward travel restrictions and India travel pause)

Cruise ship requirement

2.63 Home Affairs began developing a proposal to implement a cruise ship requirement in early March 2020, and sought urgent advice on prohibiting cruise ships from disembarking passengers at Australian ports.

2.64 On 15 March 2020 the Australian Government decided to implement a cruise ship requirement using powers under the *Customs Act 1901*. On the same day, the Home Affairs Secretary wrote to the Acting Secretary of Health requesting that the Minister for Health consider advising the Governor-General to declare a human biosecurity emergency under section 475 of the Biosecurity Act. The Home Affairs Secretary also requested that the Minister for Health subsequently consider making a section 477 determination to enact the cruise ship requirement, on the basis that it presented ‘less risk of legal challenge’.⁵²

2.65 The Minister for Health made the Biosecurity (Human Biosecurity Emergency) (Human Coronavirus with Pandemic Potential) (Emergency Requirements) Determination 2020 on 18 March 2020.⁵³ The accompanying submission from Health explained the legal application of the determination and outlined the grounds on which it was founded.

Outward travel restrictions

2.66 On 24 March 2020 the Australian Government decided to impose the outward travel restrictions. The Minister for Health issued an interim direction at 11:54pm on 24 March 2020 and a revised interim direction at 7:53am on 25 March 2020 via a messaging application. Health did not make a record of these directions until after records were requested by the ANAO in June 2021.⁵⁴

2.67 The Minister subsequently signed the Biosecurity (Human Biosecurity Emergency) (Human Coronavirus with Pandemic Potential) (Overseas Travel Ban Emergency Requirements) Determination 2020 at 11:44am on 25 March 2020.⁵⁵ The accompanying submission explained the legal application of the determination and the grounds on which it was founded. The determination was registered immediately before the commencement of the restrictions at 12:00pm on 25 March 2020.

52 The Secretary’s letter of 15 March 2020 was attached to Home Affairs’ answers to questions on notice from the Senate Select Committee on COVID-19 Inquiry, 5 May 2020, p. 26. available from <https://www.aph.gov.au/DocumentStore.ashx?id=2e636c8c-e131-4d3b-92c4-234a9b517db2> [accessed 22 November 2021].

53 Biosecurity (Human Biosecurity Emergency) (Human Coronavirus with Pandemic Potential) (Emergency Requirements) Determination 2020, 18 March 2020, available from <https://www.legislation.gov.au/Details/F2020L00267> [accessed 25 June 2021]. The determination was extended on 27 March 2020, 21 May 2020 and 2 September 2020.

54 The ANAO obtained records of these interim directions from a corporate record of the messaging application transcript made by Home Affairs in March 2020. The National Archives of Australia requires records of significant correspondence with a portfolio minister and other entities to be retained permanently. Failure to retain records without approval from the National Archives of Australia can be an offence under section 24 of the *Archives Act 1983*. Health advised the ANAO that the interim directions had no legal effect, as a section 477 determination cannot be enforceable unless registered on the Federal Register of Legislation.

55 Biosecurity (Human Biosecurity Emergency) (Human Coronavirus with Pandemic Potential) (Overseas Travel Ban Emergency Requirements) Determination 2020, 25 March 2020, available from <https://www.legislation.gov.au/Details/F2020L00306> [accessed 25 June 2021]. The determination was amended on 18 September 2020, 22 March 2021 and 15 April 2021.

2.68 The determination provides that the ABF Commissioner or an officer of Home Affairs (including ABF) may grant individual discretionary exemptions to travel out of Australia. As discussed at paragraph 2.59, Home Affairs formed the view in July 2020 that a section 477 determination could not support certain exemption categories. This view was discussed with Health and email correspondence shows Health was aware of the need for determinations under the Biosecurity Act to be founded solely on health grounds.

2.69 The Ministers for Foreign Affairs, Home Affairs and Health wrote to the Prime Minister on 11 September 2020 seeking approval to ease outbound travel exemption criteria to allow business-related travel and any outbound travel of three months or more. The Prime Minister responded on 28 September 2020 agreeing to the proposed changes. The correspondence from ministers did not outline any legal risks relating to the proposed changes, and no evidence was found in entity records that the ministers were advised of legal risks in relation to this proposal.

2.70 On the basis of the September 2020 exchange of letters between ministers and the Prime Minister, Home Affairs began granting discretionary outward exemptions to travellers who could provide evidence they were travelling for business. Home Affairs' *Outward Travel Restrictions Operational Directive* was updated in October 2020 to include 'travelling on business, regardless of length of intended travel' as an outward discretionary exemption category.

2.71 The outward travel determination has been considered in two Federal Court cases:

- in June 2020 it upheld an exemption decision ABF made under the determination⁵⁶; and
- in June 2021 it dismissed a challenge to the validity of the determination.⁵⁷

India travel pause

2.72 On 30 April 2021 the Australian Government outlined to state and territory governments its proposed approach to imposing inward travel restrictions on travellers from India and possible legal risks if citizens were prioritised over permanent residents.

2.73 The Biosecurity (Human Biosecurity Emergency) (Human Coronavirus with Pandemic Potential) (Emergency Requirements—High Risk Country Travel Pause) Determination 2021 was made on 30 April 2021 and commenced on 1 May 2021.⁵⁸ The ministerial submission addressed the legal grounds upon which the travel pause was based.

2.74 On 10 May 2021 the Federal Court dismissed a challenge to the India travel pause.⁵⁹ The determination ceased on 15 May 2021.

International arrival caps

2.75 The Department of Infrastructure, Transport, Regional Development and Communications (DITRDC) prepared a briefing for PM&C on 8 July 2020 that discussed the legal risks associated with four options to reduce the number of arrivals in Australia. It recommended capping arrival numbers

56 Federal Court, *Baker v Commissioner of the Australian Border Force* [2020] FCA 836, June 2020.

57 Federal Court, *LibertyWorks Inc v Commonwealth of Australia* [2021] FCAFC 90, June 2021.

58 Biosecurity (Human Biosecurity Emergency) (Human Coronavirus with Pandemic Potential) (Emergency Requirements—High Risk Country Travel Pause) Determination 2021, 30 April 2021, available from <https://www.legislation.gov.au/Details/F2021L00533> [accessed 25 June 2021].

59 Federal Court, *Newman v Minister for Health and Aged Care* [2021] FCA 517, May 2021.

by placing conditions on airline timetables under the Air Navigation Regulations as the option with least legal risk.

2.76 On 10 July 2020 the Prime Minister agreed at a meeting of Australian governments to impose caps on arrivals. DITRDC subsequently received revised advice outlining that arrival caps could be implemented consistently with Australia's international legal obligations provided they were closely linked with managing the capacity of government-operated quarantine facilities and applied in a transparent and non-discriminatory manner. To mitigate legal risks, any additional international arrivals outside the caps (such as diplomats or crew) needed to be exempt from mandatory quarantine at a government-operated facility.

2.77 The Australian Government was briefed in October and December 2020 on: legal risks associated with passengers being processed outside the arrival caps (such as Australians returning on assisted flights and participants in major sporting events like the Australian Open); and how quarantine arrangements should be structured to reduce those risks. State and territory governments were briefed in December 2020 that quarantine arrangements for 'outside cap' arrivals would need to be separate and additional to quarantine arrangements for arrivals under the caps to retain the legal integrity of the caps.

2.78 Briefing to Australian governments in March 2021 indicated that several states were quarantining outside cap arrivals under the Pacific Labour Scheme and Seasonal Worker Programme through their hotel quarantine programs. Minutes of National Coordination Mechanism⁶⁰ meetings between the Australian Government and states and territories indicate that on-farm quarantine approaches were trialled by some jurisdictions, but other jurisdictions chose to place arrivals for these programs in hotel quarantine.

2.79 In April 2021 Australian governments were advised that airlines must be treated equitably under the arrival caps and that the Australian Government could not reserve places within the caps for cohorts of travellers other than on health grounds.

Mandatory self-isolation and quarantine

2.80 At teleconferences with state and territory Chief Human Biosecurity Officers⁶¹ in February 2020 and March 2020, Health confirmed there was a preference to use state or territory public health orders for managing isolation and quarantine of international arrivals, rather than human biosecurity control orders under the Commonwealth Biosecurity Act, due to greater familiarity with these powers and a lower administrative burden associated with exercising them.

2.81 On 15 March 2020 Australian governments agreed to impose 14-day self-isolation for incoming air passengers, implemented by states and territories using public health emergency powers.

2.82 In anticipation of government consideration of mandatory quarantine, Home Affairs and Health on 26 March 2020 considered how mandatory hotel quarantine might be implemented by

60 Home Affairs established the National Coordination Mechanism from 5 March 2020 to provide a consultative forum for coordination with state and territory governments, non-government organisations and industry.

61 A Chief Human Biosecurity Officer is a senior medical official employed by the health department of a state or territory, appointed under section 562 of the Commonwealth Biosecurity Act to assist the Australian Government Director of Human Biosecurity (the CMO). These officers represent their state or territory in meetings with the Director of Human Biosecurity.

the Australian Government. This confirmed mandatory quarantine could only be ordered by issuing a human biosecurity control order individually to each arriving traveller and raised issues regarding their potential implications for existing state and territory public health orders.

2.83 On 27 March 2020 Australian governments agreed that mandatory quarantine would be implemented under state and territory legislation.

Charging for mandatory quarantine

2.84 Australian governments agreed in principle on 15 May 2020 that the cost of mandatory quarantine could be recovered from passengers subject to it.

2.85 Health considered whether the Australian Government could recover the cost of mandatory quarantine on behalf of states and territories in late May 2020. Two options were considered:

- (a) amending the Biosecurity Act to enable the Australian Government to assume responsibility for mandatory quarantine and impose fees to cover the costs; or
- (b) imposing a tax on travellers required to quarantine under state or territory law and passing the money collected to states and territories through an appropriation bill.

2.86 This was reflected in a brief to the Prime Minister in advance of a 29 May 2020 meeting with states and territories, at which it was agreed that states and territories would implement their own cost recovery arrangements at their discretion.

2.87 Health informed the ANAO that it had not sought advice on whether charging for mandatory quarantine was consistent with Article 40 of the IHRs (discussed at paragraph 1.22 in chapter 1).

Advice on other risks

2.88 Due to the need to make fast-paced decisions in an emergency, opportunities for broad consultation and advice on other risks (such as the economic and social impacts of international travel restrictions) were limited. Most travel restrictions were conceived and implemented at very short notice (sometimes within 24 hours). In many cases the CMO would take a proposal directly from AHPPC to meetings of Australian governments, which meant there was limited capacity for whole-of-government consultation and advice.

Has subsequent advice on travel restrictions been robust and responsive to developments in the biosecurity risk environment?

Subsequent advice to the Australian Government on COVID-19 international travel restrictions has been largely robust and responsive to developments in the biosecurity risk environment. Health has conducted regular monitoring of the biosecurity risk environment. Extensions and adjustments to international travel restrictions were not always informed by expert advice on public health risks.

2.89 In line with Article 43 of the IHRs and section 477 of the Biosecurity Act, Australia's COVID-19 travel restrictions should be reviewed on a regular basis, in light of developments in the biosecurity risk environment, to ensure they remain appropriate.

Monitoring the biosecurity risk environment

2.90 Until October 2021, four main approaches to monitoring the biosecurity risk environment that relate to the international travel restrictions were used:

- the Pandemic Health Intelligence Plan (PHIP) (May to September 2020);
- the Common Operating Picture (COP) (since August 2020);
- country risk assessments (since November 2020); and
- high COVID-19 risk country assessments (since April 2021).

Pandemic Health Intelligence Plan

2.91 AHPPC's PHIP, published on 6 May 2020, states that it 'provides a framework for collecting the information required to support decision-making about COVID-19'. The PHIP defines a series of indicators (comprising one or more 'thresholds') to inform adjustments to COVID-19 public health measures. Over the period the PHIP was in place (May to September 2020) three indicators were used that relate to international travel restrictions (see Box 1).

Box 1: PHIP indicators and thresholds related to international travel restrictions

Risk of disease introduction from international travel (May–July 2020)

- All international travellers are required to complete the required quarantine at their first port of entry.
- No cases are detected in international travellers released at the end of quarantine.

Effectiveness of quarantine in managing importation risk (July–September 2020)

- At least 95% compliance with the late (day 10–14) in-quarantine COVID-19 test.
- No community cases (including cases in hotel staff, clinicians, etc.) attributed to cases in international travellers in hotel quarantine within the last two weeks.
- No community cases (including household transmission) attributed to cases in international travellers exempt from hotel quarantine within the last two weeks.

Capacity to manage risk of disease introduction to Australia (August–September 2020)

- All states and territories have the capacity to manage hotel quarantine: public health workforce; enablers such as security and logistics; and accommodation.

2.92 Health published status update reports for PHIP indicators every two weeks from May to September 2020, with each indicator receiving a rating of green (within threshold), amber (partially within threshold or inadequate data) or red (threshold exceeded). Table 2.3 shows the status of indicators related to international travel restrictions over that period. The PHIP was discontinued in early September 2020 as the COP duplicated some of its reporting and was more streamlined and regular.

Table 2.3: Status of PHIP travel restriction indicators, May to September 2020

Date of update	25/05	10/06	24/06	8/07	22/07	5/08	19/08	2/09
Risk of disease introduction from international travel	◆	◆	◆	◆	—	—	—	—
Effectiveness of quarantine in managing importation risk	—	—	—	—	▲	◆	▲	▲
Capacity to manage risk of disease introduction to Australia	—	—	—	—	—	—	▲	▲

Key: ◆ Within threshold

▲ Partially within threshold or inadequate data

Source: Health, *Coronavirus (COVID-19) in Australia – Pandemic Health Intelligence Plan* [Internet], updated 4 September 2020, available from <https://www.health.gov.au/resources/publications/coronavirus-covid-19-in-australia-pandemic-health-intelligence-plan> [accessed 19 July 2021].

2.93 Reporting against PHIP indicators did not lead to any decisions to change Australia's COVID-19 international travel restrictions.

Common Operating Picture

2.94 PM&C and Health developed the COP infographic between July and August 2020, in consultation with CDNA and AHPPC. The COP includes 20 indicators across five categories: cases; testing; priority populations; capacity; and transmission potential. COP indicators have three traffic light ratings: green (maintain, monitor and report); amber (targeted adjustments needed); and red (harder, wider, different response).

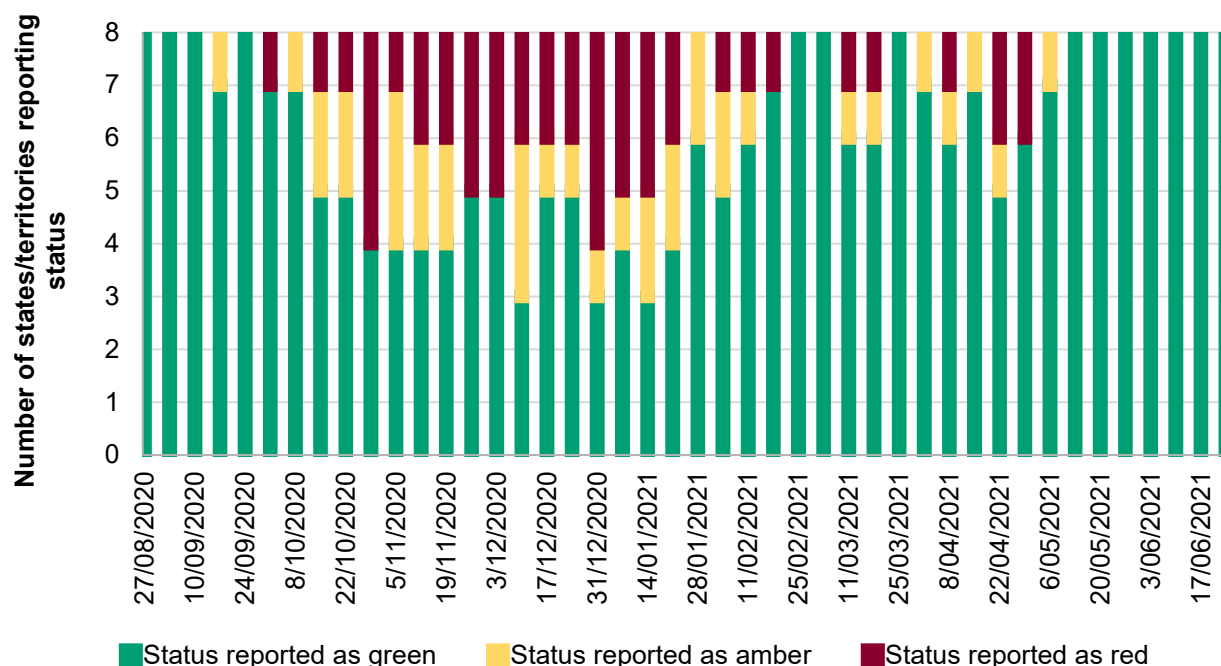
2.95 The COP includes one indicator related to international travel restrictions: new overseas acquired cases in the past seven days compared to the week prior. Initially the indicator was based on number of cases, but it was adjusted to a percentage measure from 25 February 2021. The rationale for the indicator is that: 'Seeding of cases is more likely with a higher rate of importation'. As at 30 June 2021 the relevant thresholds for the indicator's traffic light ratings (based on data for the past seven days) were:

- red — number of overseas acquired cases is greater than two per cent of arrivals;
- amber — number of overseas acquired cases is one to two per cent of arrivals; and
- green — number of overseas acquired cases is less than one per cent of arrivals.

2.96 Health has published COP infographics every week since August 2020. Figure 2.2 shows the number of states and territories reporting green, amber or red status for the overseas acquired cases indicator from August 2020 to the end of June 2021.

2.97 As at 30 June 2021 reporting against COP indicators had not led to any decisions to change Australia's COVID-19 international travel restrictions. However, COP reporting was used as the basis for the high COVID-19 risk country assessment methodology (discussed at paragraphs 2.101 to 2.105).

Figure 2.2: Status of COP overseas acquired cases indicators^a, August 2020 to June 2021



Note a: From 27 August 2020 to 17 February 2021 the indicator was 'number of new overseas acquired cases in the past 7 days compared to the week prior'. From 25 February 2021 the indicator has been 'percent of overseas acquired cases among international air arrivals in the past 7 days compared with the prior week'.

Note: From 1 July 2021 the indicator was amended to exclude quarantine-free arrivals from New Zealand.

Source: Health, *Coronavirus (COVID-19) common operating picture* [Internet], updated 16 July 2021, available from <https://www.health.gov.au/resources/collections/coronavirus-covid-19-common-operating-picture> [accessed 19 July 2021].

Country risk assessments

2.98 Australia established a one-way quarantine-free travel zone with New Zealand from October 2020, allowing travellers who have been in New Zealand for the previous 14 days to enter Australia without undergoing mandatory quarantine. In November 2020 the Australian Government agreed to establish a country risk assessment (CRA) process through which additional quarantine-free travel zones could be prioritised, assessed and established with low COVID-19 risk countries.

2.99 The process established is as follows:

- DFAT prioritises countries for CRAs based on economic, social and geopolitical factors and an initial assessment of COVID-19 risk;
- Health conducts CRAs for priority countries considering the risk posed by the country across three criteria: spread of cases (local epidemiology), ability to detect cases and ability to manage cases; and
- completed CRAs are provided to the Jurisdictional Executive Group of CDNA for endorsement and the CMO for final approval.

2.100 As at 30 June 2021, 16 CRAs had been approved by the CMO, New Zealand was the only country with a 'low' risk rating, and the Australian Government had not entered into quarantine-free travel arrangements with other countries.

High COVID-19 risk country assessments

2.101 In response to a significant increase in positive COVID-19 cases in travellers returning from India, when Australian governments met on 22 April 2021 they designated India as a 'high COVID-19 risk country', agreed action should be taken to reduce the number of passengers arriving from India and asked AHPPC to provide advice on a methodology to inform future high COVID-19 risk country assessments.

2.102 Health subsequently developed a high COVID-19 risk country assessment methodology and presented it to Australian governments on 30 April 2021. The methodology utilises data from COP reporting and initially had two ratings (high and medium risk), with an additional rating (Alert) added in June 2021 to inform ABF's outward travel exemptions decision-making:

- High risk (red) — more than 100 overseas acquired cases in preceding 28 days;
- Moderate risk (amber) — 51 to 100 overseas acquired cases in preceding 28 days; and
- Alert — 25 to 50 overseas acquired cases in preceding 28 days.

2.103 The high COVID-19 risk country assessment process differs in methodology and purpose from the CRA process, as it is intended to inform decisions about strengthening travel restrictions rather than removing quarantine requirements. Consequently, a 'high' CRA risk rating does not correspond to a 'high' rating in the high COVID-19 risk country assessment.

2.104 Table 2.4 shows overseas acquired cases by country from the first high risk country report (30 April 2021). Based on the risk rating scale, the United States and Papua New Guinea recorded moderate ratings in early 2021 and India recorded a high rating in April 2021.

Table 2.4: Overseas acquired cases by country, 30 April 2021

Country	1/01/2021– 28/01/2021	29/01/2021– 25/02/2021	26/02/2021– 25/03/2021	26/03/2021– 22/04/2021
India	35	11	27	137 ^a
United States of America	59 ^b	19	14	27
Papua New Guinea	2	3	55 ^b	25
Lebanon	16	10	29	12
Pakistan	6	5	21	29
United Kingdom, Channel Islands and Isle of Man	31	7	9	2
United Arab Emirates	15	7	9	6
Philippines	1	1	19	8
Bangladesh	4	1	2	19
South Africa	15	1	5	1
Other countries	109	62	76	81
Overseas – country unknown	32	19	29	27
Total	325	146	295	374

Note a: High risk.

Note b: Moderate risk.

Source: Health, 'Identifying countries of high-risk to inform international arrival arrangements', 30 April 2021.

2.105 Since the first report, Health has produced reports on a weekly basis with no countries recording high or moderate ratings since India (which returned to low risk status in June 2021). As at September 2021 the Australian Government had not introduced additional travel restrictions for high COVID-19 risk countries since the India travel pause.

Reviewing the ongoing need for international travel restrictions

Reviews of travel restrictions implemented under Biosecurity Act determinations

2.106 Before the Minister for Health can make a section 477 determination under the Biosecurity Act, the Governor-General must declare that a human biosecurity exists (section 477). A human biosecurity emergency period must be no longer than three months, but can be extended if the Minister for Health is satisfied that a listed human disease continues to pose a severe and immediate threat and the extension is necessary to prevent or control its entry, emergence, establishment or spread. The initial COVID-19 emergency period was from 18 March 2020 to 17 May 2020, with subsequent declarations extending the period six times (to end on 17 September 2020, 17 December 2020, 17 March 2021, 17 June 2021, 17 September 2021 and 17 December 2021).⁶²

2.107 As at September 2021, the Minister for Health had made three section 477 determinations relating to COVID-19 international travel restrictions, to implement the cruise ship requirement, outward travel restrictions and India travel pause. The periods of application for the cruise ship and outward travel determinations have been linked to the human biosecurity emergency period, while the India travel pause determination applied for two weeks.⁶³

2.108 The CMO provided advice to the Minister for Health in March, May and August 2020 on the ongoing need for the cruise ship requirement to support the Minister's decisions to extend the determination.

2.109 AHPPC reviewed the ongoing need for the outward travel determination every four weeks from April to June 2020. In June 2020 AHPPC advised that the international public health risk had not substantially changed and suggested regular reviews were no longer needed. In August 2020 the Australian Government noted that AHPPC would provide advice to the Prime Minister and Minister for Health when the global situation had improved to the extent that the public health risk of international travel was acceptably low.

2.110 When considering the need to extend the human biosecurity emergency period in September 2020, December 2020, February 2021, June 2021 and September 2021, the Minister for Health received advice from the CMO that an extension was necessary to support current section 477 determinations. For the first three extensions the CMO's advice did not outline any public health grounds for continuing the cruise ship and outward travel determinations. In late May 2021 the CMO provided more detail on the public health grounds for section 477 determinations, stating:

62 Biosecurity (Human Biosecurity Emergency) (Human Coronavirus with Pandemic Potential) Declaration 2020, <https://www.legislation.gov.au/Series/F2020L00266> [accessed 19 July 2021].

63 The initial cruise ship determination applied until 15 April 2020. It was subsequently extended until 15 June 2020 and 17 September 2020 (the end date for the second human biosecurity emergency period). In September 2020 the determination was amended to remove the cessation date, which meant it remains in effect for the duration of the human biosecurity emergency period unless revoked earlier. The outward travel determination was established with no cessation date, so it remains in effect for the duration of the human biosecurity emergency period unless revoked earlier.

The CDNA considers cruise ships as a high-risk environment for outbreaks of COVID-19, estimating a higher virus reproductive rate in this setting compared to non-confined settings. [The cruise ship determination] protects Australia's health system capacity from the particular challenges and risk profile of cruise vessels, which have previously been vehicles for the entry and spread of COVID-19 in the Australian community (for example, Ruby Princess, which contributed to more than 600 cases of COVID-19 identified in Australia).

[The outward travel determination] moderates the volume of Australians traveling overseas and thus seeking to return home, reducing the risk posed to our quarantine capacity, health systems, and the Australian community, as well as the risks to those individuals who may otherwise be in a country with high COVID-19 prevalence.

Returning Australians from overseas is still challenging, with the highest priority at this time being helping vulnerable Australians overseas return to Australia. As the government increases the volume of repatriation flights, it will be critical to manage the numbers of people leaving Australia with the intention of returning in the near future to ensure flight and quarantine availability is prioritised for individuals who have been stranded overseas for some time. Australia's quarantine and health resources needed to prevent and control the COVID-19 introduced into Australia from international arrivals is limited.

The CMO reiterated this advice on the public health grounds for section 477 determinations in late August 2021.

2.111 On 19 April 2021 the Prime Minister announced that a two-way quarantine free travel zone would be established with New Zealand. The outward travel determination was amended on the same day to allow Australian citizens and permanent residents to travel to New Zealand in certain circumstances.⁶⁴ To inform this decision, the CMO wrote to the Health Minister in March 2021 outlining public health grounds for the amendment.

2.112 The India travel pause determination commenced on 1 May 2021, with a cessation date of 15 May 2021 in line with the CMO's recommendation. On 6 May 2021 the Australian Government was briefed on the continuing situation in India and the Minister for Health and CMO advised that the travel pause did not need to be extended beyond 15 May 2021. In line with this advice, the Government agreed to recommence repatriation flights from India.

Reviews of other international travel restrictions

2.113 Other COVID-19 international travel restrictions, which were not implemented under section 477 determinations, include: the inward travel restrictions; mandatory quarantine; and international arrival caps. These travel restrictions have been subject to regular consideration by Australian governments, informed by advice from AHPPC and Australian Government entities.

2.114 In June 2020 the Australian Government agreed to an incremental approach to easing border restrictions based on health advice to stimulate economic recovery, and agreed New Zealand would be the first country for which travel restrictions would be relaxed. Home Affairs' advice to the Government identified potential cohorts for early consideration, including: Pacific workers; international students; and business people and investors. Since that time the

64 Biosecurity Legislation (Human Coronavirus with Pandemic Potential) Amendment (No. 1) Determination 2021, 18 April 2021, available at <https://www.legislation.gov.au/Details/F2021L00456> [accessed 19 July 2021].

Government has made a series of adjustments to the inward travel restrictions, on the basis of advice from entities and AHPPC, including:

- restarting the Seasonal Worker Programme and Pacific Labour Scheme in August 2020;
- agreeing to states and territories conducting controlled pilots of international students returning to Australian education institutions; and
- establishing a one-way quarantine-free travel zone with New Zealand from October 2020.

2.115 After implementing international arrival caps in July 2020, DITRDC conducted a review of the mechanisms used to facilitate the caps, which was provided to the Prime Minister in August 2020. The review found caps were ‘necessary to protect the integrity of the national quarantine system’ but ‘had significant impact on returning Australians, the entry of skilled workers and the aviation industry’. Its recommendations included: extending caps until October 2020; setting caps at levels requested by states and territories; and exempting travellers from New Zealand from mandatory quarantine to free up additional capacity. DITRDC conducted a subsequent review of systems and processes used to administer the caps from February to March 2021. The review was provided to an internal governance board for consideration in August 2021.

2.116 In October 2020 Health published the *National Review of Hotel Quarantine*, which found mandatory quarantine had ‘proven largely effective as a first line of defence against the importation of COVID-19’.⁶⁵ Noting that some form of quarantine of international arrivals would be needed for some time, the review made suggestions for improvement, including a recommendation that the Australian Government ‘consider a national facility for quarantine to be used for emergency situations, emergency evacuations or urgent scalability’. In response to the recommendation, the Australian Government entered an agreement with the Northern Territory Government to establish the Centre for National Resilience at Howard Springs, initially committing \$54.7 million to increase quarantine capacity to 500 individuals a fortnight. The agreement with the Northern Territory Government has subsequently been varied twice, in December 2020 and March 2021, to increase Australian Government funding to \$513.5 million and capacity to 2000 individuals a fortnight.

Reviewing the future need for travel restrictions

2.117 As noted at paragraph 1.12, on 6 August 2021 Australian governments agreed on a plan to transition Australia’s COVID-19 response. The plan, which was informed by epidemiological modelling by the Doherty Institute, outlined four phases. Phases C and D included potential measures related to international travel restrictions:

- phase C (triggered when 80 per cent of people aged 16 or over are fully vaccinated) may include abolishing caps on returning vaccinated Australians and lifting outward travel restrictions for vaccinated Australians; and
- phase D (the ‘post-vaccination phase’) may include opening international borders and allowing inbound arrivals for all vaccinated people, without quarantine.⁶⁶

65 Health, *National Review of Hotel Quarantine* [Internet], 23 October 2020, p. 28, available from <https://www.health.gov.au/resources/publications/national-review-of-hotel-quarantine> [accessed 20 July 2021].

66 Australian Government, *National Plan to transition Australia’s National COVID-19 Response* [Internet], 6 August 2021, available from <https://www.australia.gov.au/national-plan> [accessed 8 October 2021].

2.118 On 1 October 2021 the Australian Government announced its intention to remove the outward travel restrictions for vaccinated Australians from November 2021 and work with states to introduce 7-day home quarantine arrangements for returning Australians fully vaccinated with a vaccine approved for use or 'recognised' in Australia. The CMO wrote to the Minister for Health in late October 2021 to provide advice on the public health grounds for maintaining the outward travel restrictions for unvaccinated Australians.

2.119 A key learning from Australia's COVID-19 response has been that some public health emergencies necessitate temporary international border closures. Accordingly, Health should ensure that its planning for future pandemics includes an assessment of: when and how international travel restrictions and mass quarantine of arrivals should be applied, including roles and responsibilities; and the adequacy of the legal framework under which they operate. Consideration should also be given to developing a high-level operational plan for managing international border closures in an emergency and conducting exercises to test preparedness.

Recommendation no. 2

2.120 Department of Health conduct a post-pandemic review to assess:

- (a) when and how international travel restrictions and mass quarantine of arrivals should be applied for future pandemics, including roles and responsibilities; and
- (b) the adequacy of the legal framework under which these measures operate.

Department of Health response: *Agreed.*

2.121 *As is usual practice post a national health sector response of this magnitude and national significance, the Department of Health intends to commission independent reviews of the:*

- *Department of Health's performance in the national coordination of the response to the COVID-19 pandemic; and*
- *National Health Sector response to the COVID-19 pandemic.*

2.122 *Both reviews will take account of the preparedness, planning, response and implementation and management of key measures such as travel restrictions and quarantine of arrivals.*

3. Management arrangements

Areas examined

This chapter examines whether effective arrangements have been established to manage Australia's COVID-19 international travel restrictions to June 2021.

Summary of key findings

Arrangements established to manage Australia's COVID-19 international travel restrictions have been largely effective. Adequate whole-of-government coordination and information sharing has occurred and strategies implemented to communicate travel restrictions have been appropriate. Arrangements established to manage the inward and outward travel restrictions and international arrival caps have largely been effective in achieving the Government's policy intent. There is scope for better management of international arrival caps to ensure quarantine capacity is fully utilised.

Areas for improvement

The ANAO made two potential recommendations: one aimed at ensuring whole-of-government roles and responsibilities and coordination arrangements are properly documented; and one on ensuring accurate data is collected and reported on quarantine capacity and use.

3.1 The Australian Government Crisis Management Framework (AGCMF) in place at the onset of the COVID-19 pandemic outlined principles that should underpin a crisis response, including:

- coordination — effective coordination and communication facilitates information sharing;
- continuity — responses to crises should be grounded in the existing functions of organisations and familiar ways of working; and
- accountability — decision-making and actions must be transparent and accountable.⁶⁷

3.2 This chapter examines whether appropriate coordination, information sharing and communication arrangements were established for Australia's COVID-19 international travel restrictions. It also assesses the effectiveness of arrangements established for managing two key components of Australia's COVID-19 travel restrictions: the inward and outward travel restrictions; and international arrival caps.

Have appropriate arrangements been established to share information and coordinate between entities?

Arrangements established to share information and coordinate between entities in managing international COVID-19 travel restrictions have been largely appropriate. While adequate coordination and information sharing has occurred during the COVID-19 pandemic, role clarity and accountability would be enhanced through better documentation of coordination arrangements.

3.3 Standing arrangements for coordinating whole-of-government crisis responses are outlined in the AGCMF. Table 3.1 provides an overview of responsibilities for relevant aspects of a domestic

⁶⁷ Department of the Prime Minister and Cabinet (PM&C), *Australian Government Crisis Management Framework*, version 2.2, December 2017, p. 9.

public health emergency response at the onset of the COVID-19 pandemic, as outlined in the version of the AGCMF that was in place at that time.

Table 3.1: AGCMF responsibilities for a domestic public health emergency response, as at January 2020

Position, entity or mechanism	Relevant responsibilities
Governor-General	<ul style="list-style-type: none"> • Declaring that a human biosecurity emergency exists (on advice from Minister for Health)
Minister for Health	<ul style="list-style-type: none"> • Lead minister for the response • Issuing human biosecurity emergency determinations or directions • Shaping the direction of the response to a health incident of national significance • Implementing health measures
Minister for Emergency Management	<ul style="list-style-type: none"> • Responding to requests from states and territories for Australian Government non-financial assistance • Supporting the lead minister in coordinating non-health action
Chief Medical Officer (CMO)	<ul style="list-style-type: none"> • Lead senior official for the response
Department of Health (Health)	<ul style="list-style-type: none"> • Lead entity for the response
Department of Home Affairs (Home Affairs)	<ul style="list-style-type: none"> • Supporting a coordinated whole-of-government domestic response
Australian Government Crisis Committee (AGCC)	<ul style="list-style-type: none"> • Coordinating the Australian Government domestic response
National Crisis Committee (NCC)	<ul style="list-style-type: none"> • Facilitating cooperation and coordination between the Australian Government and states and territories
Australian Health Protection Principal Committee (AHPPC)	<ul style="list-style-type: none"> • Health sector coordination • Providing advice to whole-of-government crisis committees

Source: PM&C, *Australian Government Crisis Management Framework*, version 2.2, December 2017, pp. 23-24 & 46-47. (This was the version in place at the onset of the COVID-19 pandemic.)

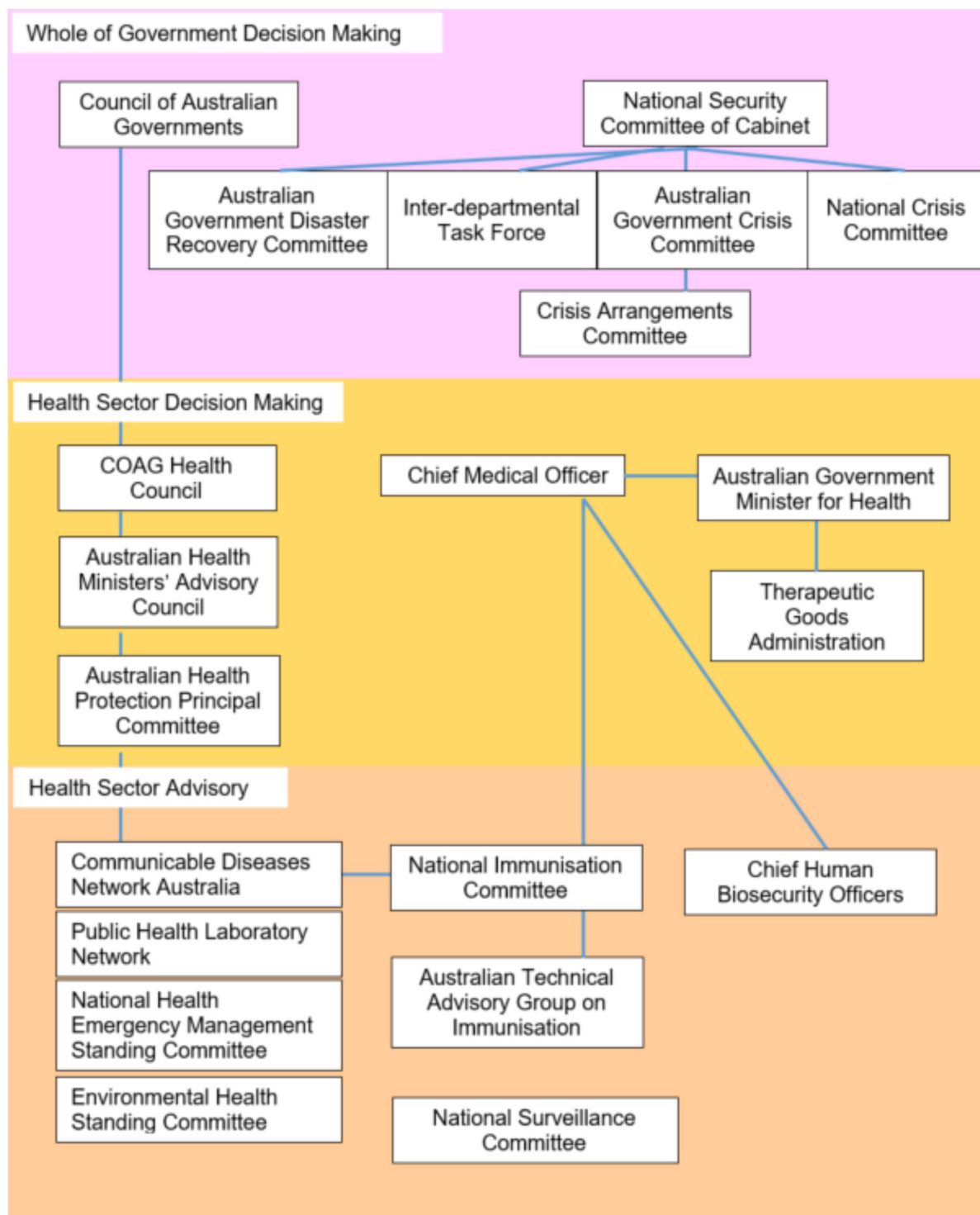
3.4 The AGCMF also stated that where special purpose or temporary response mechanisms are established: they should be guided by existing arrangements; arrangements should be in place for attendees to provide briefing back to (or 'back brief') their entities; and there should be clear roles, responsibilities and functions and clear lines for information sharing, decision-making and accountability.⁶⁸

Arrangements outlined in the COVID-19 Plan

3.5 Governance and coordination arrangements outlined in the *Australian Health Sector Emergency Response Plan for Novel Coronavirus* (COVID-19 Plan) aligned with the AGCMF arrangements that were in place at the time (see Figure 3.1).

⁶⁸ PM&C, *Australian Government Crisis Management Framework*, version 2.2, December 2017, pp. 26-27. (This was the version in place at the onset of the COVID-19 pandemic.)

Figure 3.1: Decision making and advisory arrangements for COVID-19 response



Source: Health, *Australian Health Sector Emergency Response Plan for Novel Coronavirus*, 7 February 2020, p. 20. [Note that the original figure has been truncated to exclude health consultative fora.]

3.6 The COVID-19 Plan states that it ‘should be considered a living document that will be periodically updated’.⁶⁹ However, as at September 2021 it had not been updated since it was first published in February 2020. Consequently, much of the information on governance and

⁶⁹ Health, *Australian Health Sector Emergency Response Plan for Novel Coronavirus*, 7 February 2020, p.2.

coordination arrangements outlined in the plan was out of date. Since February 2020 a number of mechanisms outlined in Figure 3.1 have ceased (such as the Council of Australian Governments and COAG Health Council) and new mechanisms have been established — notably, the ‘national cabinet’ and the National Coordination Mechanism (NCM), which were established in March 2020 to manage the national COVID-19 response). Lines of reporting have also changed, with Health stating in September 2020:

At the time the National Cabinet was established, the Australian Health Protection Principal Committee (AHPPC) and National Coordination Mechanism (NCM) were identified as the National Cabinet’s primary advisory bodies.⁷⁰

3.7 In addition, the COVID-19 Plan does not include reference to Australia’s COVID-19 international travel restrictions, which were largely introduced from March 2020, so it does not outline entity roles and responsibilities for managing travel restrictions. While the COVID-19 Plan includes reference to ‘quarantine of repatriated nationals and approved foreign nationals as required’ in its initial and targeted action phases, it does not outline which level of government would be responsible.⁷¹

3.8 Not having an up-to-date emergency response plan that documents governance and coordination arrangements and entity roles and responsibilities diminishes accountability (one of the principles of the AGCMF).

3.9 Health began updating the COVID-19 Plan in May 2020 and a draft ‘version 1.1’ was prepared for internal consultation. However, Health advised the ANAO that it subsequently decided not to update the plan.

Recommendation no. 3

3.10 Department of Health ensure that the *Australian Health Sector Emergency Response Plan for Novel Coronavirus* remains up to date and documents current governance and coordination arrangements, response measures and entity roles and responsibilities.

Department of Health response: *Agreed.*

3.11 *The Department of Health will update the Australian Health Sector Emergency Response Plan for Novel Coronavirus to ensure that the core elements of the plan reflect the current health governance and coordination arrangements, public health response measures and national health sector roles and responsibilities.*

3.12 *The Department of Health will also ensure that there is a consolidated repository of all COVID-19 related plans (Aged Care, Aboriginal and Torres Strait Islander to name a few) in a ‘one stop shop’ area of the Department of Health’s website.*

70 Health, ‘Decision to appoint AHPPC as a subcommittee of the National Cabinet’, Parliamentary Inquiry Question on Notice, Senate Select Committee on COVID-19, 29 September 2020, reference IQ20-000687.

71 Health, *Australian Health Sector Emergency Response Plan for Novel Coronavirus*, 7 February 2020, pp. 38 & 43.

Whole-of-Australian Government coordination and information sharing

3.13 Several Australian Government entities have been involved in managing Australia's COVID-19 international travel restrictions. In addition to Health and Home Affairs (including the Australian Border Force, ABF), Department of the Prime Minister and Cabinet (PM&C), Department of Foreign Affairs and Trade (DFAT) and Department of Infrastructure, Transport, Regional Development and Communications (DITRDC) have had key roles. As outlined in Table 3.2, in line with the 'continuity' principle of the AGCMF, entity roles in relation to international travel restrictions have been consistent with their functions under the Administrative Arrangements Order.

Table 3.2: Entity roles for Australia's COVID-19 international travel restrictions

Entity	Roles	Relevant functions from Administrative Arrangements Order
DFAT	<ul style="list-style-type: none"> Negotiating quarantine free travel zones Advice on cohort exemptions from travel restrictions (Pacific seasonal workers) Providing consular support to overseas Australians and assistance to return through facilitated flights^a 	<ul style="list-style-type: none"> External affairs International development and aid Provision of consular services to Australian citizens abroad
DITRDC	<ul style="list-style-type: none"> Managing international arrival caps and facilitating 'outside cap' arrangements 	<ul style="list-style-type: none"> Civil aviation and airports
Health	<ul style="list-style-type: none"> Coordinating public health emergency response Advice on travel restrictions and quarantine Developing human biosecurity emergency determinations to legislate travel restrictions 	<ul style="list-style-type: none"> Specific health services, including human quarantine Biosecurity, in relation to human health
Home Affairs, including ABF	<ul style="list-style-type: none"> Coordinating non-health emergency response Managing exemptions from the inward and outward travel restrictions Managing travel restrictions at the international border Operational support for state and territory quarantine Facilitating quarantine free travel zones 	<ul style="list-style-type: none"> Immigration and migration, including: <ul style="list-style-type: none"> entry, stay and departure arrangements for non-citizens; and customs and border control other than quarantine and inspection National security policy and operations Commonwealth emergency management
PM&C	<ul style="list-style-type: none"> Coordinating advice to Australian governments Negotiating international arrival caps with states and territories (based on quarantine capacity) 	<ul style="list-style-type: none"> Whole of Government national security and intelligence policy co-ordination Intergovernmental relations and communications with state and territory governments

Note a: The ANAO is conducting a separate audit examining DFAT's management of the return of overseas Australians in response to COVID-19, which is due to table in 2022.

Source: ANAO analysis and Commonwealth of Australia, *Administrative Arrangements Order*, 18 March 2021, available from <https://www.legislation.gov.au/Details/C2021Q00014> [accessed 16 July 2021].

3.14 Health activated the National Incident Room within its Office of Health Protection on 22 January 2020 to coordinate health actions in response to COVID-19 across government. In accordance with its role under the *National Health Emergency Response Arrangements* (2011), Health has produced regular situation reports, which contain detailed reporting on key COVID-19 statistics (such as testing, case and vaccination numbers) and national COVID-19 response actions, including international travel restrictions. Health circulated 336 whole-of-government COVID-19 situation reports between January 2020 and March 2021.

3.15 ABF established two operations after the onset of COVID-19 to coordinate its response:

- Operation Pincer — established on 25 January 2020 to manage the border response with a focus on assisted departures⁷²; and
- Operation Bandora — established on 4 February 2020 to coordinate the implementation of Australia's COVID-19 international travel restrictions at the border.

The two operations were combined under Operation Bandora on 11 March 2020, which continued until 29 March 2021 when its functions transitioned to 'business as usual'. Operation Bandora played a coordination role within ABF and across government in relation to cruise ship reception, incident response, repatriation, border processes and quarantine. It circulated situation reports and provided data to other entities on international flights and passenger movements.

3.16 Other entities involved in the management of international travel restrictions, such as DFAT and PM&C, established COVID-19 taskforces to coordinate their input to the whole-of-government response. Entities also deployed liaison officers to other entities' COVID-19 response teams to promote coordination and information sharing.

3.17 The AGCC, co-chaired by Deputy Secretaries from Home Affairs and PM&C, was responsible under the AGCMF for coordinating the Australian Government's response to domestic crises, including public health emergencies.⁷³ The AGCC met nine times in January and February 2020 to discuss the Australian Government response to COVID-19, with a primary focus on coordinating early international border measures. After the establishment of the NCM in March 2020, the AGCC took no further part in coordinating the Australian Government's response.

3.18 From March 2020 various inter-departmental committees (IDCs), working groups and regular meetings were established at different levels to promote coordination and information sharing across the Australian Government. In May 2020 a senior official in Health noted in internal email correspondence that: 'there's a lot underway in the Border space with I think almost 10 different working groups and IDCs'. Based on a review of entity records, these arrangements did not have terms of reference, reporting lines between them were unclear, and in most cases meeting minutes and action items were not consistently recorded.

3.19 In September 2020 PM&C established the COVID-19 Deputies IDC, chaired by a PM&C Deputy Secretary, which assumed a lead role in coordinating the COVID-19 response across the Australian Government with a focus on international travel restrictions. While the COVID-19

72 Assisted departures involve assisting people to leave a crisis location through a government-contracted charter flight. In January and February 2020 the Australian Government provided assistance to support the return of Australians in Wuhan, China.

73 When the AGCMF was revised in July 2021, the AGCC was replaced by the Australian Government Crisis and Recovery Committee.

Deputies IDC does not have terms of reference, action items are recorded and circulated to attendees.

Reviews of coordination and information sharing arrangements

3.20 PM&C commenced a 'lessons learnt' exercise in mid-2020, which involved interviewing officers that had worked on the COVID-19 response. Observations from interviews included that:

- capacity for informed decision-making was impacted by the pace of the response, with limited ability to consider and brief on broader consequences;
- information from the AHPPC was not shared promptly enough;
- information dissemination was hindered by Cabinet protocols and too much responsibility lying with a small number of senior officials;
- there was a lack of whole-of-government planning or arrangements; and
- data sharing between entities, especially with states and territories, was an issue.

3.21 A March 2021 internal audit of ABF's COVID-19 response found a lack of operational planning affected preparedness. The internal audit report included two findings relating to coordination and information sharing:

- there was no formal 'back-brief' following government meetings where decisions were made that affected ABF operations, which meant it could take up to three days for frontline staff to be informed of new or revised directives; and
- while ABF was the lead operational agency for COVID-19 border control, there was a lack of clarity regarding the roles of ABF and other entities that impacted on effective and timely collaboration, cooperation and accountability.

3.22 Clarifying roles and responsibilities and keeping sufficient records of decision-making processes and outcomes is fundamental to effective governance, accountability and transparency and enables entities to learn from experience. When rapid implementation is required, balancing a focus on achieving results with maintaining appropriate records can be a challenge. Accordingly, entities should adopt a fit-for-purpose approach to documenting whole-of-government coordination arrangements during an emergency response. As the emergency response progresses, entities should formalise these arrangements and ensure roles and responsibilities are clear. As the entity leading the whole-of-government COVID-19 response, PM&C should ensure reporting arrangements for COVID-19 international travel restrictions are clear and a disciplined approach is adopted to documenting the purpose and outcomes of IDCs, working groups and regular meetings.

National coordination and information sharing

3.23 The NCC, co-chaired by Deputy Secretaries from Home Affairs and the PM&C, was responsible under the AGCMF for facilitating cooperation and coordination between the Australian Government and states and territories in response to domestic crises, including public health emergencies. The NCC met five times in January and February 2020 to discuss the national response to COVID-19, with a focus on information sharing regarding international travel restrictions.

3.24 From 5 March 2020 Home Affairs established the NCM to function in place of the NCC and provide a broader consultative forum for coordination with state and territory governments, non-

government organisations and industry.⁷⁴ NCM meetings were convened on 36 topics, with minutes taken by a secretariat within Home Affairs and action items recorded and monitored. NCM meetings of relevance to international travel restrictions included:

- NCM First Ministers' Departments — which met 41 times from March to October 2020;
- NCM Managing International Arrivals — which met nine times from April to September 2020; and
- NCM Managing Returns to Australia Working Group — which met 86 times from May 2020 to April 2021.⁷⁵

3.25 In addition to the NCM, PM&C chairs two national meetings with states and territories:

- First Secretaries Group (FSG, previously Senior Officials Meeting) — which met 54 times from February 2020 to June 2021; and
- First Deputies Group (FDG, previously Deputy Senior Officials Meeting) — which met 54 times from January 2020 to June 2021.⁷⁶

While entity records indicate FSG and FDG have considered matters relating to international travel restrictions, PM&C does not record minutes for these meetings. FSG was tasked with establishing a COVID-19 Risk and Recovery Taskforce, which has provided regular reporting to Australian governments, including on developing a staged approach to reopening international borders.

3.26 Officials from state and territory government entities raised issues about national coordination and information sharing in discussions with the ANAO, including that:

- insufficient information has been provided to state and territory entities managing mandatory quarantine about arriving travellers⁷⁷; and
- there was a lack of national coordination for issues relating to mandatory quarantine (with some states establishing quarantine agencies that do not participate in national coordination meetings).

3.27 The NCM did not convene any meetings directly on managing quarantine and there are no other national bodies that provide a mechanism for coordination and information sharing between state and territory entities responsible for managing quarantine. AHPPC involves representatives from state and territory health departments, but these departments are not always responsible for managing mandatory quarantine within their jurisdiction. State and territory officials informed the ANAO that, in lieu of a formal meeting, they had established an informal arrangement not involving the Australian Government to facilitate coordination and information sharing on quarantine.

74 When the AGCMF was updated in July 2021, the NCM replaced the NCC as the primary committee for national coordination, communication and collaboration during a crisis response and recovery.

75 Responsibility for the Managing Returns to Australia Working Group transferred from NCM to ABF in March 2021 and meetings have continued to be held on an 'as-needs' basis.

76 FSG comprises Secretaries or equivalent from PM&C and state and territory first ministers' departments, and FDG comprises Deputy Secretaries or equivalent from the same entities.

77 The ANAO is conducting a separate audit examining human biosecurity for international air travellers during COVID-19, which is due to table in 2022. The audit will consider mechanisms for sharing information on arriving travellers between the Australian Government and states and territories.

Have appropriate strategies been implemented to communicate travel restrictions to stakeholders?

Appropriate strategies have been implemented to communicate travel restrictions. Entities have used existing communications channels to communicate COVID-19 travel restrictions to the public and relevant industry sectors, although the strategy of releasing public messages early led to implementation challenges.

3.28 Health's February 2020 COVID-19 Plan states that 'a comprehensive communications strategy, implemented across all stages of the outbreak, is a key component of a successful response to a novel coronavirus outbreak'.⁷⁸

3.29 This section focusses on two strategies that have characterised the Government's communication on travel restrictions: early release of public messages; and use of existing communication channels and protocols. It also examines methods used to: promote consistent and clear messages; and facilitate communication with vulnerable populations.

Early release of public messages

3.30 The 'early release of public messages' is a key principle of the COVID-19 Plan. This has been a consistent strategy during the COVID-19 pandemic, with key government spokespeople frequently addressing the media to announce policy changes shortly after decisions were made.

3.31 As a result of this strategy, policy changes relating to international travel restrictions have been announced publicly before operational staff in entities responsible for implementing them were informed of decisions. In addition, due to the absence of prior planning for implementing international travel restrictions as part of a pandemic response (discussed at paragraphs 2.4 to 2.18 in chapter 2), entities had not undertaken operational planning or exercises to prepare for the rapid implementation of such policies.

3.32 A March 2021 internal audit of ABF's COVID-19 response noted:

During the COVID-19 pandemic, changes to the [whole-of-Australian Government] directive would be decided within meetings of the Government and announced to the public shortly following the meetings... [and] it was not uncommon for the operation to receive notification of government changes through the media.

3.33 Contributions received for this audit from industry bodies outlined challenges experienced by airlines and airports resulting from changes to international travel restrictions being announced before implementation details had been settled (see Box 2).

Box 2: Communication issues raised by airline and airport industry bodies

Airline industry

An airline industry body noted in contributions to the audit that other countries had communicated proposed travel restrictions to airlines in advance of publicly announcing them, allowing airlines time to provide feedback on the proposal and plan for its implementation. The industry body characterised the process followed in Australia as:

⁷⁸ Health, *Australian Health Sector Emergency Response Plan for Novel Coronavirus*, 7 February 2020, p. 29.

- (a) publicly announce the travel restriction or requirement;
- (b) provide draft regulations or information to airlines with limited time for response;
- (c) issue implementation requirements; and
- (d) refine requirements as implementation issues arise.

It stated that: '[this approach] was a source of concern and confusion for airlines and passengers'; and 'it has highlighted the need for the development of structured plans and clear communication guidelines'.

Airport industry

Airport industry bodies noted in contributions that policy changes relating to international travel restrictions, which had significant operational implications for international airports, were communicated at short notice and with little or no consultation. Contributions stated:

... it should be expected that an Emergency/Crisis Management and Communications approach would have been immediately instituted by Government, with clear lines of communication and responsibility, information flows in both directions, recognition of external expertise (such as within airports) and the seeking of counsel. That such an approach has still not been adopted, 18 months into the crisis, is disappointing.

International travel restrictions have generally operated well, but that is largely due to improvements as day-to-day operational matters are streamlined and modified following restrictions being implemented... many of these issues could have been resolved upfront if proper consultation processes were undertaken prior to restrictions being announced.

... one of the main difficulties encountered by airports is that policy on public health measures and travel restrictions affecting airports has been largely developed and implemented by the Federal, State and Territory Departments of Health, well beyond the main departments (Infrastructure and Home Affairs) that usually generate an airport's policy and operating environment. This was an issue at the operational level with individual airports, who sought advice on many occasions to work out decision-making structures, lines of authority and responsibility but were unable to find definitive answers.

3.34 As discussed at paragraph 2.88, most international travel restrictions were conceived and implemented at very short notice (sometimes within 24 hours), which made undertaking adequate consultation with industry difficult.

3.35 In considering the use of travel restrictions and mass quarantine for future pandemics (in line with Recommendation no. 2), Health and Home Affairs should ensure they conduct adequate consultation with industry bodies on the practicalities of any planned approaches. Further, the future relaxation of COVID-19 travel restrictions presents an opportunity for more proactive consultation with industry bodies, as it should be possible to make decisions about relaxing restrictions with more advanced notice than decisions about imposing restrictions.

Use of existing communication channels and protocols

3.36 The 'use of existing communication channels and protocols, where possible' is another key principle of the COVID-19 Plan. In line with this (and with the 'continuity' principle of the AGCMF), entities have used their websites as a primary mechanism for communicating information about international travel restrictions throughout the COVID-19 pandemic.

3.37 Public information on travel restrictions has been primarily communicated on the following Australian Government websites:

- *Australia.gov.au / International and travel* (Digital Transformation Agency) — which provides a landing page with links to information on entity websites⁷⁹;
- *COVID-19 and the border* (Home Affairs) — which includes sub-sites on leaving and coming to Australia (including information on the inward and outward travel restrictions, how to apply for an exemption from the restrictions, and the Australia Travel Declaration) and the Australia-New Zealand quarantine-free travel zone⁸⁰;
- *COVID-19 advice for international travellers* (Health) — which covers requirements relating to travel into and out of Australia (such as pre-departure testing and mask requirements) and quarantine arrangements (including exemptions from quarantine and information about quarantine-free travel zones)⁸¹; and
- *Smartraveller / COVID-19* (DFAT) — which includes sub-sites on leaving Australia, trying to get home, re-entry and quarantine, and quarantine-free travel zones.⁸²

3.38 The websites link to each other, as well as to state and territory health department websites, and have been updated regularly to reflect policy changes.

3.39 Communication with relevant industry sectors has also been conducted through existing channels.

- Home Affairs' website includes a sub-site with information on international travel restrictions for industry and employers.
- Health's website includes a page with detailed information for international airlines.
- Entities have communicated with industry groups through industry-specific notices and consultative forums.

Consistent and clear messages

3.40 The COVID-19 Plan also included 'consistent, clear messages' as a key principle and noted Health's Communication Branch would work with relevant entities to ensure a consistent, whole-of-government message. In line with this, Health circulated 672 versions of whole-of-government talking points to other entities between January 2020 and March 2021. The talking points provided detailed facts and figures on the COVID-19 response, including coverage of travel restrictions, with any changes to content highlighted.

3.41 Issues with the consistency and clarity of messages have been identified in relation to information on: exemptions from the inward and outward travel restrictions; and mandatory quarantine.

79 Available from <https://www.australia.gov.au/travel-and-consumers> [accessed 27 July 2021].

80 Available from <https://covid19.homeaffairs.gov.au/> [accessed 27 July 2021].

81 Available from <https://www.health.gov.au/news/health-alerts/novel-coronavirus-2019-ncov-health-alert/coronavirus-covid-19-restrictions/coronavirus-covid-19-advice-for-international-travellers> [accessed 27 July 2021].

82 Available from <https://www.smartraveller.gov.au/COVID-19> [accessed 27 July 2021].

Information on exemptions from the inward and outward travel restrictions

3.42 A March 2021 internal audit of Home Affairs' management of travel exemptions found there were 'opportunities to improve both the clarity of information and level of detail provided on [its] travel exemptions website'.⁸³ The internal audit made a recommendation, which was accepted by Home Affairs, that website content be updated, including:

- directing travel exemption applicants to read website attachments prior to applying;
- more clearly communicating that the Australian border was closed;
- providing additional information on what constitutes 'compassionate and compelling' circumstances; and
- clarifying assessment criteria for the 'immediate family member' exemption category, particularly for de facto couples.

3.43 Home Affairs updated its website content in response to the internal audit finding, including:

- explicitly stating that Australia's borders are closed;
- amending the presentation of information to incorporate clear headings, remove out-of-date language and streamline content; and
- clarifying evidence requirements for the 'immediate family member' category.⁸⁴

Information on mandatory quarantine

3.44 The *National Review of Hotel Quarantine*, published by Health in October 2020, noted that feedback from participants in mandatory quarantine indicated 'a lack of information about quarantine, specifically that participants found navigating government websites challenging'.⁸⁵ The review recommended that:

Information on the quarantine system should be easy to access by travelers in order to ensure their understanding of quarantine and to better psychologically prepare them for the experience. This should be provided across relevant Commonwealth/State and Territory websites.⁸⁶

3.45 In response to this recommendation, in December 2020 Health published two fact sheets titled 'Getting ready for quarantine', which provide advice and guidance on undertaking mandatory quarantine.⁸⁷ The fact sheets were accessible from Health's *Coronavirus (COVID-19) advice for international travellers* website.

83 Contributions received for this audit from a migration industry body and individuals affected by the inward and outward travel restrictions also commented that there was insufficient guidance on the application of travel exemption criteria on Home Affairs' website.

84 Home Affairs, *Immediate family of Australian citizens or permanent residents or New Zealand citizens usually resident in Australia* [Internet], 14 July 2021, available from <https://covid19.homeaffairs.gov.au/immediate-family-australian-citizens-or-permanent-residents-or-new-zealand-citizens-usually-resident-australia> [accessed 28 July 2021].

85 Health, *National Review of Hotel Quarantine* [Internet], 23 October 2020, p. 17, available from <https://www.health.gov.au/resources/publications/national-review-of-hotel-quarantine> [accessed 20 July 2021].

86 *ibid.*, p. 32.

87 Health, *Getting ready for quarantine – A guide to the final step in coming home* [Internet], 1 December 2020, available from <https://www.health.gov.au/resources/publications/getting-ready-for-quarantine-a-guide> [accessed 27 July 2021].

Communication with vulnerable populations

3.46 Another key principle of the COVID-19 Plan is ‘use of specific communication methods to facilitate communication with vulnerable populations’. Ensuring communication is accessible is also supported by Australian Government policies.

- Digital Transformation Agency’s *Digital Service Standard* outlines best-practice principles for designing and delivering government services. Standard 9 (‘Make it accessible’) states that entities need to make sure everyone who needs the service can use it, including people with disability, older people and people who cannot use, or struggle with, digital services.
- The *Multicultural Access and Equity Policy* requires entities to identify and strategically engage with culturally and linguistically diverse clients, stakeholders and communities, and suggests using a range of communication techniques including providing information in languages other than English.

3.47 Entities have taken measures to ensure their communication on international travel restrictions is accessible.

- Information on international travel restrictions on entity websites is generally presented in simple language, broken up with headings and subheadings, and with limited use of graphics, which makes it easier for screen readers to process the content.
- Home Affairs provides information in 18 languages other than English.

Have effective arrangements been established to manage the inward and outward travel restrictions?

The arrangements Home Affairs implemented to manage the inward and outward travel restrictions have been effective in achieving the Government’s policy intent of restricting international travel for specific cohorts.

3.48 To ensure the integrity of Australia’s inward and outward travel restrictions, it is important that robust arrangements are in place to enforce the restrictions at the border. Between 1 April 2020 and 30 June 2021, excluding crew and transit passengers, there were 458,310 international arrivals to Australia and 814,310 international departures from Australia.

3.49 As discussed at paragraphs 2.52 to 2.54 in chapter 2, during the COVID-19 pandemic Home Affairs has largely used a pre-existing mechanism, the Advance Passenger Processing (APP) system, to enforce the inward and outward restrictions.⁸⁸ Use of APP for the outward travel restrictions has been supported by a section 477 determination under the *Biosecurity Act 2015*, which prevents Australian citizens and permanent residents from leaving Australia without an exemption (unless

88 The APP system provides a mechanism for airlines to confirm with ABF’s Border Operations Centre (BOC) that travellers have authority to travel to or from Australia and have appropriate visas or travel documents. Australian citizens and most New Zealand citizens have authority to travel to Australia without a visa. Other travellers are required to hold a valid visa. The APP system provides three messages to airlines: ‘OK TO BOARD’, ‘DO NOT BOARD’ and ‘CONTACT BOC’ (‘DO NOT BOARD’ has not been used during the COVID-19 pandemic as airlines are able to manually override this message). ABF, *Advance Passenger Processing* [Internet], 4 September 2020, available from <https://www.abf.gov.au/entering-and-leaving-australia/crossing-the-border/passenger-movement/advance-passenger-processing> [accessed 22 July 2021].

travelling to New Zealand under quarantine-free travel zone arrangements).⁸⁹ For the inward travel restrictions, use of APP to prevent the entry of non-exempt foreign nationals has been based on the possibility of visa cancellation on public health grounds under the *Migration Act 1958*.

Arrangements established to manage the restrictions

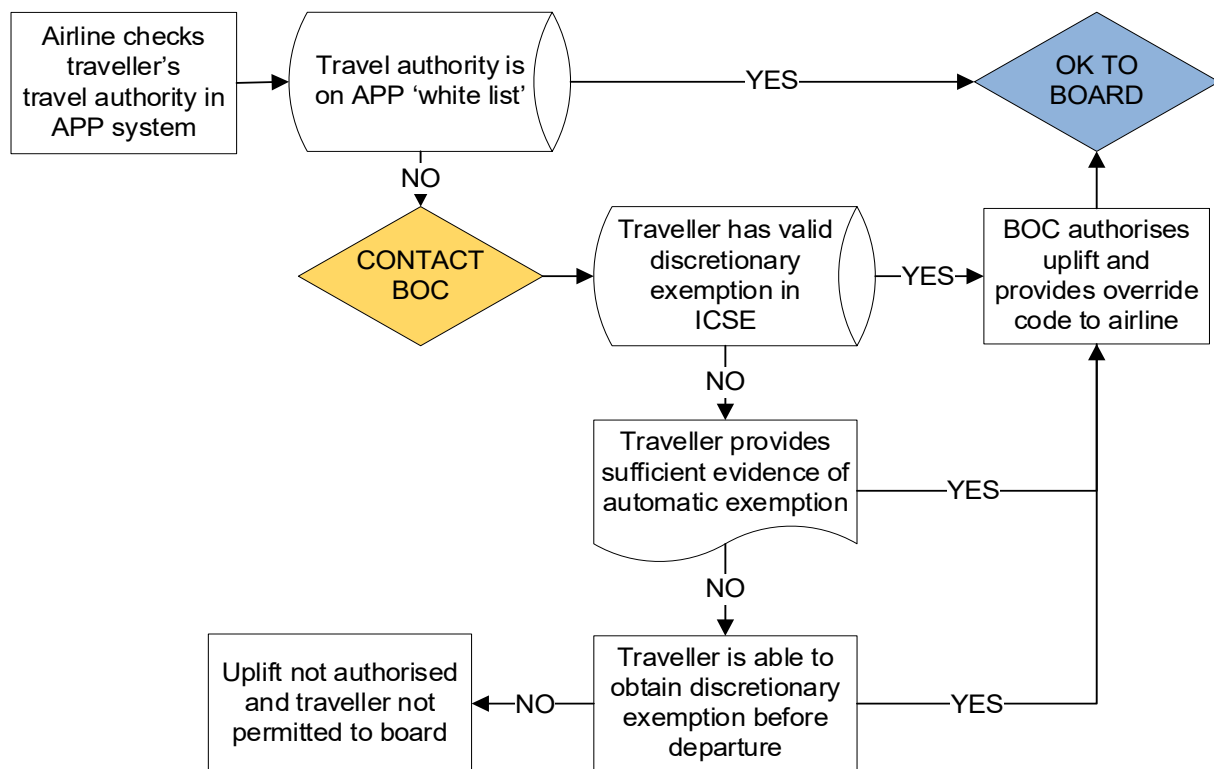
3.50 The process of using APP to check travellers' exemption status prior to boarding is described below and depicted in Figure 3.2. (Exemption categories for the inward and outward travel restrictions are outlined at Table 1.1 and Table 1.2 in chapter 1.)

- Prior to departure, airlines verify passengers' authority to travel to Australia by sighting travel documentation and entering passenger details into the APP system. If a passenger is within a 'whitelisted' auto-exempt category based on their nationality or visa subclass, APP displays an 'OK TO BOARD' message.⁹⁰ Otherwise the airline receives a 'CONTACT BOC' message.
- When airlines contact ABF's Border Operations Centre (BOC), BOC checks travellers' exemption status using Home Affairs' Integrated Client Service Environment (ICSE) system, considers other evidence supplied by the traveller and decides whether to approve uplift. If a traveller has a valid exemption prior to boarding, BOC authorises uplift and provides an override code to the airline.

89 Biosecurity (Human Biosecurity Emergency) (Human Coronavirus with Pandemic Potential) (Overseas Travel Ban Emergency Requirements) Determination 2020, available from <https://www.legislation.gov.au/Details/F2021C00358> [accessed 22 July 2021].

90 For the inward travel restrictions, Australian passport holders, permanent visa holders and certain temporary visa holders (crew, family, transit and some business visas) are on the whitelist. For the outward travel restrictions, all temporary visa holders are on the whitelist.

Figure 3.2: APP process for checking travellers' exemption status

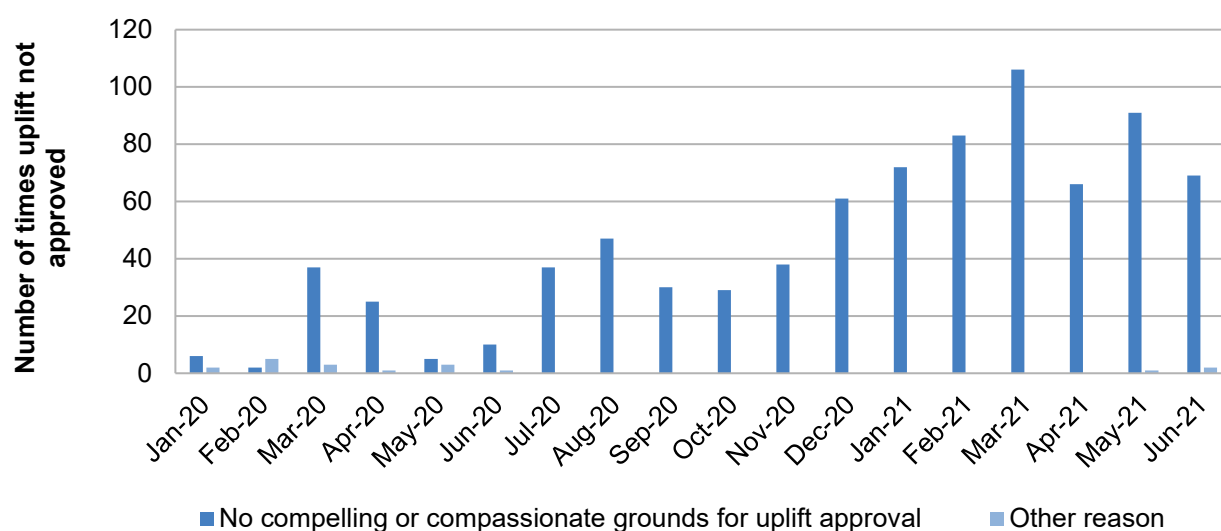


Source: ANAO analysis.

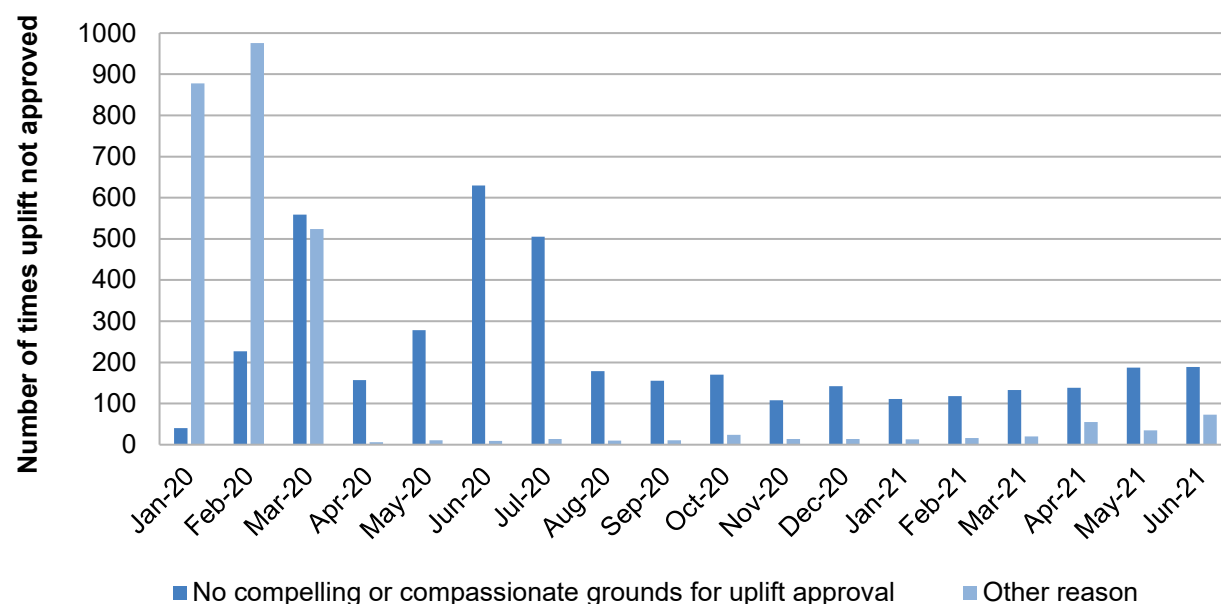
3.51 After airlines have completed APP checks, ABF officers at international airports facilitate immigration clearance for arriving and departing travellers at the primary line, including re-assessing whether travellers are approved to travel.

Data on reasons for not approving uplift

3.52 ABF records reasons for uplift decisions in its Travel and Immigration Processing System. Since ABF began using APP to enforce the China travel restrictions on 1 February 2020, it has used a pre-existing reason code ('NC – No compassionate or compelling grounds for uplift approval') to record cases where uplift was not approved due to the COVID-19 travel restrictions. Data on reasons for not approving outward and inward travel are presented in Figure 3.3 and Figure 3.4.

Figure 3.3: Reasons for not approving uplift^a, outward, 1 January 2020–30 June 2021

Note a: 'Other reason' includes various codes for passengers that trigger security alerts or do not hold a valid visa.
Source: ANAO analysis of ABF data.

Figure 3.4: Reasons for not approving uplift^a, inward, 1 January 2020–30 June 2021

Note a: 'Other reason' includes various codes for passengers that trigger security alerts or do not hold a valid visa.
Source: ANAO analysis of ABF data.

3.53 Prior to the implementation of the outward travel restrictions on 25 March 2020, ABF used the NC code 11 times in early 2020. From 25 March 2020 to 30 June 2021 ABF used the NC code for 803 outward travellers, the majority of whom were Australian citizens or permanent residents attempting to leave Australia without an exemption from the outward travel restrictions.

3.54 From March 2020, as inward passenger numbers declined due to COVID-19 travel restrictions, NC became the principal reason code used for not approving inward travel. Between 1 February 2020 and 30 June 2021 ABF used the NC code to prevent the uplift of 3986 inward travellers. ABF reporting indicates that the majority of the uplifts that were not approved were for

foreign nationals attempting to enter Australia without an exemption from the inward travel restrictions.

Effectiveness of inward and outward travel restriction arrangements

3.55 Prior to February 2021 ABF did not have any specific assurance arrangements in place for the inward and outward travel restrictions.

3.56 From February to June 2021, for the inward travel restrictions, Home Affairs reconciled inward travel exemption records with international passenger movements data for reporting to meetings of Australian governments. Home Affairs advised the ANAO that all inward traveller movements examined were exempt from the restrictions.

3.57 Home Affairs has also reconciled outward travel exemption records with international passenger movements data in relation to the discretionary category for travel outside Australia for three months or longer. In December 2020 and January 2021 Home Affairs examined whether individuals granted an exemption under this category had remained outside Australia for three months or longer. The analysis found:

- of the 82,742 Australian citizens or permanent residents who returned to Australia between 1 October 2020 and 17 January 2021, 1604 had left Australia with an exemption under the 'travel outside Australia for three months or longer' category; and
- 762 within this category (47.5 per cent) had been overseas for less than three months.

3.58 In response to this finding, Home Affairs introduced additional requirements for exemptions under this category to: complete a statutory declaration stating the length and purpose of travel; and provide additional supporting evidence.

3.59 The ANAO reviewed ABF records of international traveller movements over one year (1 April 2020 to 31 March 2021) to test whether arrangements for the inward and outward travel restrictions were operating effectively. The results of this testing indicate ABF's enforcement approach for the inward and outward restrictions has been effective in achieving the Government's policy intent of restricting inward and outward international travel for specific cohorts.

Inward travel restrictions

3.60 Between 1 April 2020 and 31 March 2021, 456,394 travellers arrived by air and 386,189 travellers arrived by sea. Of these travellers 82,524 (9.8 per cent of arrivals) were not automatically exempt from the inward travel restrictions based on their citizenship or visa status (see Table 3.3). Of travellers who were not automatically exempt (or whose 'automatic exemption' cannot be automated through APP⁹¹), 22,569 had arrived on a quarantine-free travel zone flight from New Zealand, leaving 59,955 travellers (7.1 per cent of arrivals) for whom airlines needed to confirm exemption status with ABF prior to uplift.

91 For some 'automatic exemption' categories for the inward travel restrictions, exemption status cannot be determined based on citizenship or visa status (for example, foreign nationals who are immediate family members of Australian citizens and permanent residents and New Zealand citizens who usually reside in Australia). Airlines need to contact BOC to confirm the exemption status for these travellers.

Table 3.3: Inward international travel, exemption status, 1 April 2020–31 March 2021

Category	Air		Sea ^a	
	Number	Percentage of arrivals	Number	Percentage of arrivals
Australian citizens	154,025	18.2%	296	0.0%
Australian permanent residents	47,920	5.7%	18	0.0%
Business Innovation and Investment visa	2,044	0.2%	0	0.0%
Crew	159,751	19.0%	385,528	45.8%
Immediate family (temporary visa)	4,867	0.6%	1	0.0%
Transit visa	3,917	0.5%	0	0.0%
Other automatically exempt visa	1,692	0.2%	0	0.0%
Automatically exempt sub-total	374,216	44.4%	385,843	45.8%
Not automatically exempt	82,178	9.8%	346	0.0%
Total	456,394	54.2%	386,189	45.8%

Note a: Sea arrivals quarantine on arrival or remain on board their vessel. ABF has facilitated the immigration clearance of sea arrivals during the pandemic in line with the Government's inward travel restriction policy.

Source: ANAO analysis of ABF data.

3.61 Based on testing for a representative sample of 52 inward travel movements for which confirmation of exemption status was required, there was evidence that 50 travellers fell within automatic or discretionary exemption categories. For two travel movements, ABF informed the ANAO the travellers were granted discretionary exemptions for engaging in Defence activities. Both of these travellers arrived in Australia on military flights and APP was not used to confirm their exemption status.

Outward travel restrictions

3.62 Between 1 April 2020 and 31 March 2021, 714,538 travellers departed by air and 391,203 travellers departed by sea. Of these travellers, 163,928 (14.8 per cent of departures) were not automatically exempt from the outward travel restrictions based on their citizenship or visa status (see Table 3.4). For travellers who were not automatically exempt (or whose 'automatic exemption' cannot be automated through APP⁹²) airlines needed to confirm their exemption status with ABF prior to uplift.

92 For some 'automatic' exemption categories for the outward travel restrictions, exemption status cannot be determined based on citizenship or visa status (for example, people travelling on official government business, people travelling in association with essential work at an offshore facility in Australian waters, and Australian citizens usually resident outside Australia). Airlines need to contact BOC to confirm the exemption status for these travellers.

Table 3.4: Outward international travel, exemption status, 1 April 2020–31 March 2021

Category	Air		Sea	
	Number	Percentage of arrivals	Number	Percentage of arrivals
Crew	166,488	14.1%	390,707	35.3%
Foreign nationals	381,979	34.5%	261	0.0%
Transit visa	2,378	0.2%	0	0.0%
Automatically exempt sub-total	550,845	49.8%	390,968	35.4%
Australian citizens	120,877	10.9%	210	0.0%
Australian permanent residents	36,382	3.3%	12	0.0%
Other (visa status not recorded) ^a	6,434	0.6%	13	0.0%
Not automatically exempt sub-total	163,693	14.8%	235	0.0%
Total	714,538	64.6%	391,203	35.4%

Note a: This category includes military personnel and Australian citizens travelling on a foreign passport.

Source: ANAO analysis of ABF data.

3.63 Based on testing for a representative sample of 52 outward travel movements for which confirmation of exemption status was required, there was evidence that 46 travellers fell within automatic or discretionary exemption categories. For six travel movements, ABF informed the ANAO that the travellers fell within automatic exemption categories and approval to travel was granted at the airport. Home Affairs' policies and procedures for the outward travel restrictions require ABF officers to sight evidence that travellers fall within an automatic exemption category, but do not require them to document their decisions in departmental systems.⁹³

Have effective arrangements been established to manage caps on international passenger arrivals?

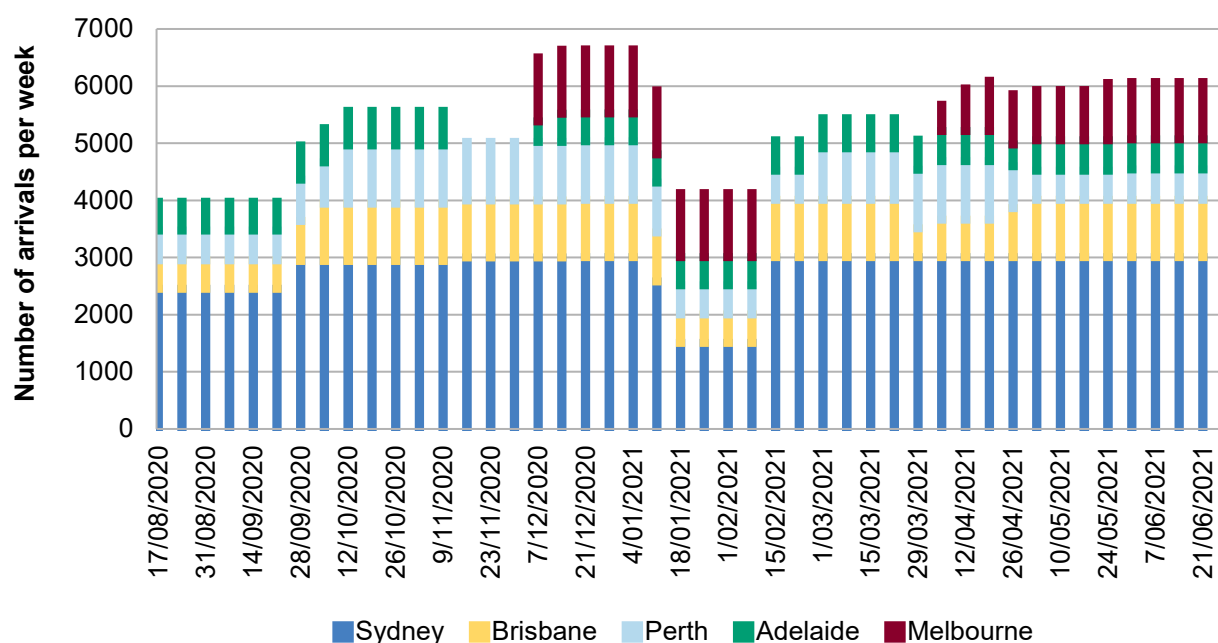
PM&C and DITRDC have established largely effective arrangements to manage caps on international passenger arrivals. There is scope for better monitoring of quarantine capacity and use, and for increased use of agreed over-allocation processes in order to achieve full utilisation of quarantine capacity.

3.64 On 30 June 2020 the Victorian Premier wrote to the Prime Minister to request a suspension of international arrivals into Melbourne to enable Victoria to reset its hotel quarantine program. This suspension, along with domestic travel restrictions imposed by other states and territories in response to Victoria's mid-2020 COVID-19 outbreak (which meant domestic travellers from Victoria were also placed into quarantine), had a cascading effect on mandatory quarantine capacity.

93 Home Affairs' 'Outward Travel Restrictions Operation Directive' refers to a document titled 'ABF Decision Maker Process Guide' for information on recording exemption decisions made at the border. However, the file reference for the document is redacted, which means staff are not able to readily access the document. Further, the document referred to in the operation directive does not contain any information on recording exemption decisions made at the border.

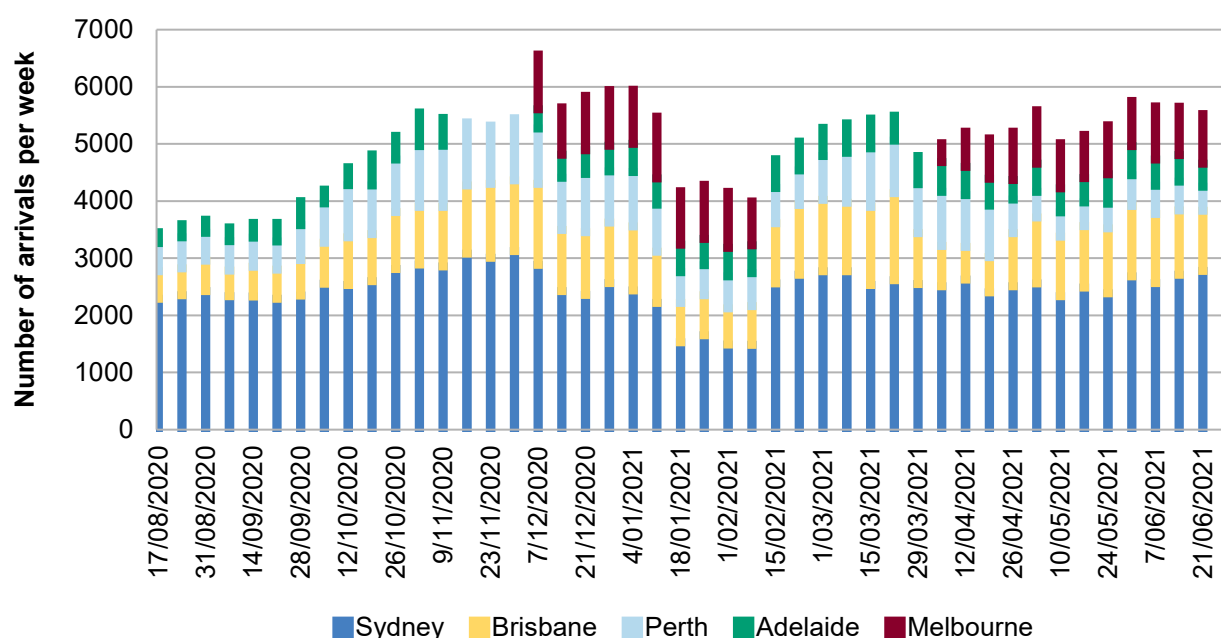
3.65 To address the emerging pressures on mandatory quarantine, on 10 July 2020 the Australian Government agreed at a meeting of Australian governments to caps on international passenger arrivals at major international airports from 13 July 2020. Figure 3.5 shows the arrival caps that have been in place for Adelaide, Brisbane, Melbourne, Perth and Sydney from 17 August 2020 (when DITRDC began monitoring caps on a weekly basis) to 4 July 2021, and Figure 3.6 shows actual arrivals under the caps over the same period. Over this period Sydney airport had the highest caps (with an average cap level of 2785 passengers each week), followed by Brisbane (average 845 passengers each week), Perth (average 761 passengers each week), Melbourne (average 496 passengers each week) and Adelaide (average 487 passengers each week).

Figure 3.5: Total weekly international arrival caps, 17 August 2020–4 July 2021



Source: DITRDC.

Figure 3.6: Total weekly international arrivals under caps, 17 August 2020–4 July 2021



Source: DITRDC and ABF.

Arrangements established to manage arrival caps

3.66 Key entities involved in managing international arrival caps have been:

- PM&C — which coordinates incoming passenger arrival caps with relevant states;
- state governments (New South Wales, Queensland, South Australia, Victoria and Western Australia) — which provide advice on their quarantine capacity; and
- DITRDC — which facilitates the caps through its regulation of international flight timetables.

3.67 In addition, DFAT has worked with DITRDC to support the return of overseas Australians both under the caps and on facilitated flights into non-capped airports (principally into Darwin). The ANAO is conducting a separate audit examining DFAT's management of the return of overseas Australians in response to COVID-19, which is due to table in 2022.

Negotiating arrival caps

3.68 Since July 2020 PM&C has been responsible for coordinating international arrival caps with state governments. The Australian Government has agreed to all state requests to vary caps.

3.69 As the legal basis for caps relies on them being closely linked with managing the capacity of government-operated quarantine facilities (see paragraph 2.76), the Australian Government requires information from states about their quarantine capacity. On 10 July 2020 Australian governments agreed that cap requests must be based on transparent and accurate data about quarantine capacity. On 6 August 2020 the Australian Government communicated to states and territories that it needed transparent and up-to-date data on quarantine capacity to reduce the risk of legal challenge to caps.

3.70 PM&C included state reported data on quarantine capacity and use (obtained through Home Affairs' NCM) in its reporting to Australian governments from September to November 2020, noting that the quality of the data was limited as it did not distinguish between domestic and international travellers. PM&C advised the ANAO that it stopped reporting this data from January 2021 as some jurisdictions were not providing data.

3.71 Neither the Australian Government nor state and territory governments have regularly published data on mandatory quarantine capacity and use.⁹⁴ To support the integrity of international arrival caps, the Australian Government needs to obtain accurate data from states and territories on quarantine capacity and use, which distinguishes between international and domestic quarantine places. To improve the transparency and accountability of mandatory quarantine and international arrival caps, data on quarantine capacity and use should be reported publicly.

Recommendation no. 4

3.72 Department of the Prime Minister and Cabinet work with states and territories to obtain robust data on quarantine capacity and use, including international passenger admissions to quarantine, and report the data publicly.

Department of the Prime Minister and Cabinet response: *Supported.*

3.73 *The Department supports this recommendation, noting that data would be required from states and territories and their approval would be required for publication of their data.*

3.74 *We note that responsibility for the management of quarantine data rests primarily with the relevant state and territory. The Department proposes to collate and release this data until December 2023, with a review after 12 months, or until such time as the collection and publication of this data is no longer required. Responsibility for the accuracy and completeness of quarantine data would continue to rest with the relevant state or territory.*

Facilitating arrival caps

3.75 DITRDC gives effect to international arrival caps by setting capacity limits for scheduled international flights as a condition of its timetable approvals under the Air Navigation Regulation 2016. DITRDC has developed policies and processes for managing the allocation of passenger capacity limits to individual airlines.

3.76 The process of allocating capacity based on agreed caps is outlined below.

- DITRDC writes to airlines requesting confirmation of their proposed passenger flights into Australia's international airports.

94 The New Zealand Government, which has implemented a similar mandatory quarantine requirement for overseas arrivals, has regularly published data on its managed isolation and quarantine program. Ministry of Business, Innovation and Employment, *Managed isolation and quarantine data* [Internet], 29 July 2021, available from <https://www.mbie.govt.nz/business-and-employment/economic-development/covid-19-data-resources/managed-isolation-and-quarantine-data/> [accessed 2 August 2021].

- Based on the agreed caps that are in place at the time, DITRDC seeks to equitably allocate capacity across scheduled flights, while also maintaining connectivity and achieving a minimum of 25 passengers each flight where possible.⁹⁵
- After DITRDC has determined the allocations, it writes to airlines notifying them of its intention to impose passenger limit conditions on timetable approvals.

3.77 Airlines are not always able to fully utilise their allocated capacity for a variety of reasons (for example, not being able to sell enough tickets, passengers cancelling their ticket, or passengers being unable to fly due to missed connections or receiving positive pre-departure COVID-19 test results). To maximise utilisation of quarantine capacity, state governments agreed to DITRDC over-allocating capacity on flights by up to 10 per cent. DITRDC also encourages airlines to ‘hand back’ allocations if they are unable to meet their assigned capacity due to cancellations, which DITRDC then reallocates to other scheduled flights.

3.78 In addition to arrivals under the caps, some international travellers are not required to enter mandatory quarantine at government-managed facilities. Airline and maritime crew have separate quarantine arrangements that are outside arrival caps. Arrivals on Australia–New Zealand quarantine-free travel zone flights do not need to enter quarantine. Separate arrangements can also be negotiated between the Australian Government and relevant states for international arrivals ‘outside’ of caps. DITRDC advised the ANAO that such ‘outside cap’ arrivals are either:

- minor and ad hoc arrangements based on states’ assessment that travellers can be accommodated without impacting on government-managed quarantine capacity; or
- programs that support larger numbers of international arrivals (for example, Pacific seasonal workers and sporting events such as the Australian Open).

3.79 DITRDC advised that quarantine arrangements to support larger programs of outside cap arrivals are generally separate and distinct from government-managed quarantine (which may include home quarantine or industry-managed quarantine). However, as noted at paragraph 2.77, this is not always the case, with briefing to government indicating some states place ‘outside cap’ arrivals in their hotel quarantine facilities.

Effectiveness of arrival cap arrangements

3.80 On 10 July 2020 Australian governments agreed that: Australian citizens and permanent residents would be prioritised for returning to Australia; and international arrival caps must seek to maximise the use of existing quarantine capacity.

Prioritising Australian citizens and permanent residents

3.81 To determine the extent to which Australian citizens and permanent residents are being prioritised, ABF analysed a one-week ‘snapshot’ of arrivals data each month from February to June 2021 for reporting to Australian governments (see Table 3.5). ABF’s analysis shows that returning Australians (including citizens, permanent residents and immediate family members) have comprised between 81 per cent and 85 per cent of arrivals required to enter government-managed mandatory quarantine.

⁹⁵ This target is based on air industry advice that 25 passengers is an indicative minimum threshold for viability of a service in the COVID-19 pandemic environment.

Table 3.5: International air arrivals composition, selected weeks, February–June 2021

Category	20/02/2021– 26/02/2021	20/03/2021– 26/03/2021	20/04/2021– 26/04/2021	14/05/2021– 20/05/2021	17/06/2021– 23/06/2021 ^a
Returning Australians	4,715	4,746	4,180	4,536	4,039
Exempt foreign nationals	846	1,078	924	813	775
Total mandatory quarantine arrivals	5,561	5,824	5,104	5,349	4,814
Crew	3,698	3,753	5,206	5,229	4,390
Australia–New Zealand quarantine-free travel zone	1,093	1,612	13,383	20,689	15,241
‘Outside cap’ arrivals ^b	283	897	367	340	637
Total arrivals outside mandatory quarantine	5,074	6,262	18,956	26,258	20,268
Total arrivals	10,635	12,086	24,060	31,607	25,082

Note a: ABF’s June analysis examined data for six days to 22/06/2021, rather than the stated seven-day period.

Note b: Such as diplomats, military, transit passengers, Pacific seasonal workers and participants in elite sporting events.

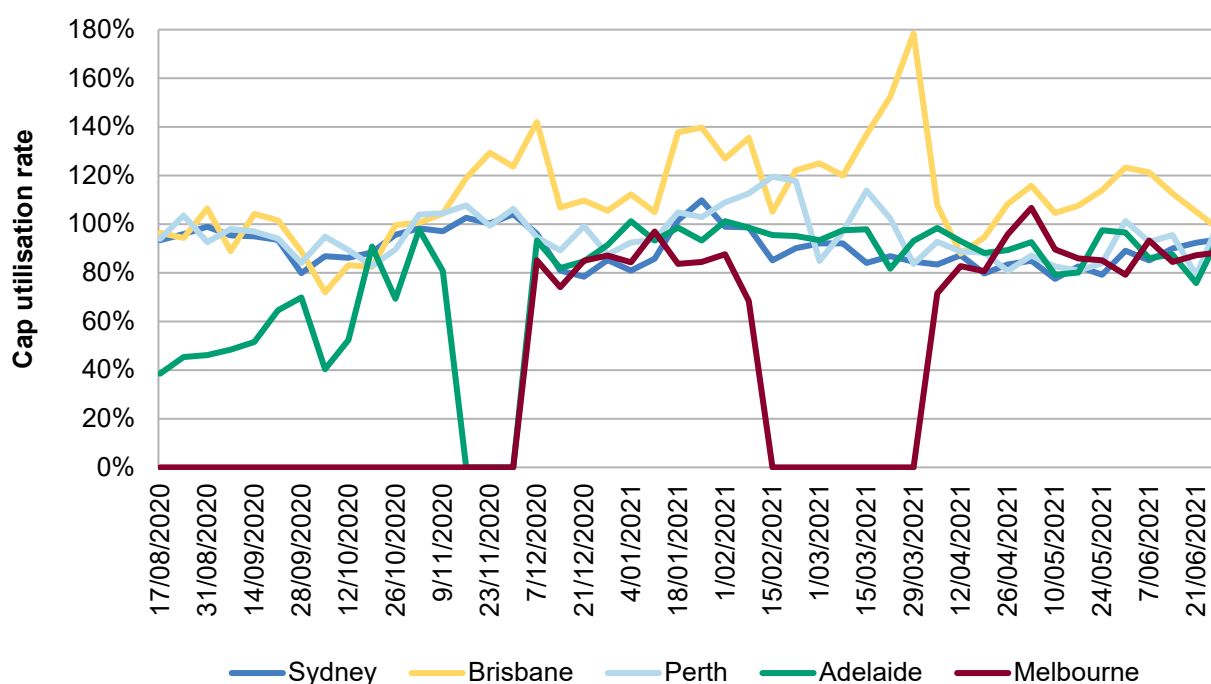
Source: ABF.

Maximising the use of existing quarantine

3.82 As noted at paragraphs 3.69 to 3.71, accurate and transparent data is not available on state quarantine capacity and use, so it is difficult to assess the effectiveness of international arrival caps in maximising the use of existing quarantine.

3.83 DITRDC has monitored international arrival cap ‘utilisation’ using data provided by ABF and provided reporting to Australian governments. Figure 3.7 shows utilisation rates calculated by DITRDC for the five capped international airports between 17 August 2020 and 4 July 2021.

Figure 3.7: Arrival cap utilisation by international airport, 17 August 2020–4 July 2021^a



Note a: Adelaide and Melbourne airports both had periods where international flights were suspended due to local COVID-19 outbreaks, shown as 0 per cent utilisation in this figure.

Source: DITRDC.

3.84 DITRDC's monitoring suggests utilisation rates have varied between airports but have generally been greater than 80 per cent over the periods in which arrival caps have been in place. From 12 April 2021 to 4 July 2021, after Victoria began accepting international arrivals into its quarantine program again, the average utilisation across the five capped airports was 90 per cent in DITRDC's analysis. Utilisation rates for Brisbane Airport were generally higher because, over most of the period, the Queensland Government agreed to allocate an additional 30 per cent 'surge capacity' for vulnerable Australians returning from overseas, which DITRDC did not count as part of the cap.

3.85 To gain assurance over DITRDC's utilisation rates, the ANAO obtained the data underpinning DITRDC's analysis of cap utilisation and ABF's analysis of the composition of international air arrivals. Using this data, the ANAO calculated two utilisation rates for three of ABF's sample weeks (in April, May and June 2021):

- one using the same method as DITRDC's analysis but over a different date range (to match the ABF analysis period); and
- one using ABF's data on 'mandatory quarantine arrivals' and limiting the analysis to capped airports (that is, excluding international arrivals at non-capped airports).

3.86 The analysis showed a discrepancy between the two utilisation rates of around 3 per cent (see Table 3.6). The reason for this discrepancy is that DITRDC includes 'outside cap' arrivals on scheduled passenger flights in its numbers of arrivals under the caps, leading to slightly inflated cap utilisation rates.

Table 3.6: Comparison of DITRDC and ABF data on cap utilisation, April & June 2021

	20/04/2021– 26/04/2021	14/05/2021– 20/05/2021	17/06/2021– 22/06/2021
Total arrival numbers for capped airports (DITRDC method)	5,086	5,151	4,770
Total 'mandatory quarantine arrivals' for capped airports (from ABF data on air arrival composition)	4,981	5,000	4,606
Combined arrival cap for period	5,909	5,932	5,203
Utilisation rate based on DITRDC method	86.1%	86.8%	91.7%
Utilisation rate based on ABF data	84.3%	84.3%	88.5%
Difference between rates	2.1%	2.9%	3.4%

Source: ANAO analysis of DITRDC and ABF data.

3.87 As noted at paragraph 3.77, state governments agreed to the Australian Government's proposal to allow DITRDC to over-allocate capacity by up to 10 per cent to maximise utilisation of mandatory quarantine. The ANAO analysed DITRDC's allocation of capacity by capped airport for selected weeks during 2021 and found its allocations were in line with or only marginally above agreed caps, rather than over-allocating by 10 per cent. DITRDC advised the ANAO that it had taken a 'prudent approach' to over-allocation, given the 'serious adverse health consequences of exceeding the various State quarantine capacity and support systems'.

3.88 The ANAO's analysis suggests there is scope for DITRDC to make greater use of its ability to over-allocate capacity to maximise the use of available quarantine. Increasing the accuracy and transparency of state and territory quarantine capacity and use (in line with Recommendation no. 4) should also enable better monitoring of the effectiveness of arrival caps in meeting their policy intent.

4. Management of travel exemptions

Areas examined

This chapter examines whether the Department of Home Affairs (Home Affairs) has managed inward and outward travel exemptions effectively.

Summary of key findings

Home Affairs' management of inward and outward travel exemptions has been partially effective. Home Affairs has developed largely appropriate policies and procedures for managing inward and outward travel exemptions, with the quality of these improving over time. However, policies and procedures have not been consistently complied with.

Areas for improvement

The ANAO made two recommendations aimed at: ensuring applicants receive sufficient feedback when requests are refused; and establishing an adequate mechanism for applicants to seek reviews of refusal decisions.

4.1 Since 20 March 2020 there have been restrictions on foreign nationals entering Australia unless they meet an automatic exemption category or have a discretionary exemption approved (the inward travel restrictions). Since 25 March 2020 there have also been restrictions on Australian citizens and permanent residents leaving Australia unless they meet an automatic exemption category or have a discretionary exemption approved (the outward travel restrictions). Exemption categories for the inward and outward travel restrictions are outlined at Table 1.1 and Table 1.2.

4.2 Home Affairs is responsible for assessing automatic and discretionary exemptions. If travel restrictions are not managed effectively, there is a risk that incorrect or inconsistent decisions are made.

4.3 This chapter examines whether Home Affairs has established appropriate policies, procedures and systems for managing travel exemptions, and whether its exemption decisions have been made in accordance with policies and procedures to June 2021. It also examines whether Home Affairs' visa processing system has supported travel restrictions.

Have appropriate policies, procedures and systems been established for managing inward and outward travel exemptions?

Appropriate policies and procedures have been established for travel exemption decision-making. Home Affairs has progressively enhanced its exemption case management arrangements, including developing an online exemption portal. While Home Affairs has established processes to obtain assurance over exemption decision-making, its analysis of and reporting on quality assurance results could be strengthened.

4.4 Appropriate policies and procedures support effective decision-making by providing officers exercising regulatory authority sufficient guidance in how to conduct their role. Establishing effective processes can help to ensure cases are managed efficiently and service standards are met. In addition, appropriate assurance arrangements (such as reviewing a sample of assessments to test conformance with policies and procedures) can foster continuous improvement in the quality and consistency of regulatory decisions.

4.5 This section reviews whether, in support of its COVID-19 travel exemption program, Home Affairs has established appropriate: case management processes; policies, procedures and other guidance; and assurance arrangements.

Case management processes

Initial case management process (March-July 2020)

4.6 In late March 2020 Home Affairs rapidly stood up a travel exemptions function to manage requests for exemptions from the inward and outward travel restrictions. Home Affairs internal briefing indicates that it had less than 24 hours to establish its exemption case management process after the travel restrictions were introduced. Until 7 July 2020 the Australian Border Force (ABF) Commissioner personally approved all inward exemption requests. Outward exemption requests were approved by delegated senior officials within ABF.⁹⁶

4.7 Requests were initially received through an online web form, which generated an email to a shared mailbox within Home Affairs. Requests were then triaged and processed by email, passing through various areas of Home Affairs for components of the assessment and subsequent approval. Home Affairs maintained spreadsheets to track exemption requests and supporting records, but there were issues with the completeness and accuracy of the data recorded. In June 2020 Home Affairs noted in internal briefing that:

The current solution is highly manual, does not support an end to end process, does not allow ready or accurate reporting, and leads to considerable follow-up to track individual cases. There are multiple handoff points. This creates significant risks and inefficiencies. We are increasingly seeing complaints and case escalations as persons who have lodged requests are not being responded to in a timely manner.

4.8 ANAO analysis of 330 travel exemption complaints received by Home Affairs to 31 July 2020 identified various issues stemming from Home Affairs' initial case management process. Complaints referenced: extensive wait times (in some cases up to four weeks); not receiving a response to a request; upload limits restricting the provision of evidence; and inability to determine the status of an open exemption request.

Travel Exemption Portal (July 2020–present)

4.9 In July 2020 Home Affairs identified that business processes and supporting ICT systems needed to be 'regularised and industrialised'. To achieve this, Home Affairs developed a case management system, the Travel Exemption Portal (TEP). In addition, decision-making authority was delegated to lower levels from 7 July 2020, with the ABF Commissioner retaining responsibility for more significant requests, such as elite sporting teams, travel considered to be of 'social or cultural benefit' and other 'novel, unusual or high risk requests'.⁹⁷

4.10 TEP was developed using an existing customer relationship management platform (ServiceNow) and deployed on 17 July 2020. TEP enabled Home Affairs to: triage and track

96 Home Affairs' reporting indicates that 87,672 inward exemption requests and 91,956 outward exemption requests were received to 31 July 2020. Some of these requests were refused before referral to the ABF Commissioner or delegated senior officials for not providing sufficient evidence or being clearly ineligible.

97 ABF, 'Commissioner's Guidelines: Decision making about individual exemptions from Australia's inwards travel restriction policy' v.5, no date, pp. 4-5, available from <https://covid19.homeaffairs.gov.au/travel-restrictions> [accessed 4 August 2021].

exemption cases through largely automated workflows; identify previous cases from an applicant and consolidate concurrent cases; and conduct more comprehensive reporting on travel exemption processing, including the ability to report on timeliness. TEP allowed applicants to upload a greater volume of evidence and monitor the progress of their requests.

4.11 Home Affairs considered the system deployed in July 2020 to be a ‘minimum viable product’ to address the deficiencies with the earlier case management process. Home Affairs subsequently made enhancements to TEP in December 2020 to improve its efficiency and functionality, including:

- the ability to place applications on hold while requesting further information from applicants, and
- functionality for group requests (for example, for business delegations or elite sporting teams).

4.12 Home Affairs informed the ANAO that total expenditure on TEP as at June 2021 was approximately \$2.85 million.

Policies, procedures and other guidance

Policies and procedures

4.13 Noting that decision-making authority was restricted to relatively few senior ABF officials until July 2020, limited guidance was developed to support travel exemptions processing and decision-making in the early stages of the COVID-19 travel exemption program.

4.14 In September 2020 Home Affairs developed overarching policy and procedural documents for managing travel exemptions (the Commissioner’s guidelines and operational directives outlined in Table 4.1) and published them on its website. Home Affairs progressively developed additional internal guidance from September 2020, including general guidance on procedural instructions for specific categories of inward exemptions and technical guidance on using TEP (see Table 4.1). From November 2020 guidance materials and other resources were consolidated on a COVID-19 Border Measures intranet site accessible to exemption processing staff. By late 2020 the overall guidance framework for decision-making was well-structured and cohesive. Documents were standardised through the use of templates and grouped logically, enabling assessing officers to readily identify guidance for different processes and exemption categories.

Table 4.1: Home Affairs guidance on travel exemptions

Guidance type	First issued	Description
Commissioner’s guidelines	Sep 2020	Sets out the ABF Commissioner’s decision-making principles for discretionary inward travel exemptions
Operation directives – inward and outward	Sep 2020	Separate directives for the inward and outward travel restrictions providing information on policy settings for automatic and discretionary exemption categories, decision-making authority and examples of acceptable evidence.

Guidance type	First issued	Description
Procedural instructions	Sep 2020–Mar 2021	As at June 2021, 14 procedural instructions had been developed to support decision-making for the following categories: <ul style="list-style-type: none"> • 'General – Inwards', 'New Zealand Citizens', 'Maritime Crew', 'Military Personnel' and 'Critical Skills' (Sep 2020); • 'Students', 'Vessels Seeking Safe Haven' and 'Outward' (Nov 2020); • 'Immediate Family' and 'Religious or Theology' (Dec 2020); • 'Separation of Family', 'Large Passenger Vessels' and 'Humanitarian' (Feb 2021); and • 'Elite Sportsperson' (Mar 2021).
TEP system guidance	Nov 2020–Feb 2021	Technical guidance on using TEP, including a general user guide and specific guidance on recording exemption assessments
Process guides	Feb 2021	Two guides on inward and outward exemptions outlining workflows and operational steps in the assessment process

Source: ANAO analysis.

4.15 Home Affairs' policy and procedural documentation is largely non-prescriptive. Examples are provided to guide assessment decisions, but they are not exhaustive or absolute. Guidance documents often indicate when travellers are 'generally eligible' or what sufficient evidence 'may include'. Consequently, the decision-making framework affords considerable discretion to officers assessing exemption requests, in terms of application of discretionary categories and determination of evidentiary standards.

4.16 A number of factors need to be considered for most discretionary exemption categories and the weighting of factors is not always clear. Home Affairs could improve the clarity of its policies and procedures through the use of decision support tools that outline and prioritise relevant considerations and clearly identify factors that would exclude an application from further assessment. This would be of most benefit to new staff who have not previously conducted exemption assessments or when new requirements are introduced.

Training

4.17 The number of staff within Home Affairs supporting travel exemption processing has varied over time. Home Affairs could not provide precise figures on the resourcing for the travel exemption program over the course of the COVID-19 pandemic. Using TEP user account numbers as a proxy measure, there has been a decline in resourcing for exemption processing since mid-2020, with records showing (excluding airport staff) there were 302 accounts in August 2020 and 240 accounts in June 2021.

4.18 Home Affairs advised the ANAO that training for exemption processing staff is largely delivered in the form of supervised on-the-job learning and focused on understanding travel exemption policies and procedures and learning to use TEP. In late July and early August 2020 decision-maker training for inward exemptions was provided to some staff. An induction pack was developed in October 2020 and updated in March 2021. In February and March 2021 Home Affairs delivered more targeted training on the use of TEP and assessing critical skills exemption requests.

4.19 Home Affairs did not develop a register to record staff completion of training until January 2021, in response to an internal audit recommendation. Home Affairs' training register does not

record the details of training conducted prior to February 2021. As at June 2021, the register recorded that training had been provided to 77 individuals, including TEP refresher training for 45 individuals and onboarding training for one staff member.

Other support

4.20 From September 2020 Home Affairs commenced 'community of practice' meetings for exemption processing team leaders, which served as a forum to disseminate information about policy changes, clarify existing policy and facilitate discussion about any complex or challenging issues encountered. Information about policy changes and other updates was also posted in the 'Announcements' section of the COVID-19 Border Measures intranet site. In November 2020 the COVID-19 Border Measures Branch established a policy advice mailbox to support decision-makers with case-specific enquiries and complex policy considerations.

Assurance arrangements

Assurance over decision-making quality

4.21 Home Affairs began trialling quality assurance reviews of finalised exemption cases in late June 2020. In July 2020, when decision-making on travel exemptions was devolved to lower levels, Home Affairs undertook to provide regular reporting to the ABF Commissioner 'including on assurance and alignment of decision making with [the Commissioner's] guidelines.'

4.22 Home Affairs developed a quality assurance methodology and commenced weekly reviews from late August 2020. It set a target of testing at least two per cent of exemption cases finalised each week, which it has typically exceeded.

4.23 In early 2021 Home Affairs commenced drafting a Quality Management Plan, which aimed to develop a consistent approach to quality assurance reviews and formalise reporting. As at September 2021, the plan had not been finalised. The draft plan noted that exemption cases subject to review must be randomly selected from datasets extracted weekly from TEP. In practice, case selection is not fully randomised and Home Affairs advised the ANAO that the selection aims to ensure a mix of approvals and denials, as well as coverage across teams and assessors.

4.24 A weekly summary of results has been provided to the responsible Assistant Secretary from mid-February 2021 (prior to that reports were provided to lower-level staff). Weekly summaries outline the number of quality assurance reviews undertaken, sample rates achieved and key issues identified. Some summaries included qualitative discussion of trends. Remediation actions have also been identified, which usually consist of feedback being provided directly to relevant exemption decision-makers. Reports do not distinguish between error types or quantify rates of non-compliance detected, so they do not allow for robust quantitative analysis of trends to identify systemic issues.

4.25 Home Affairs has not reported quality assurance results beyond these weekly summaries and there was no evidence that the ABF Commissioner had been briefed, as originally agreed, on the alignment of decision-making with guidelines. In October 2020 Home Affairs commenced work to calculate the rates of non-compliance with policies and procedures identified through its quality assurance activities. This work was suspended in January 2021 and had not resumed as at September 2021.

4.26 Where quality assurance activities are undertaken, reporting of non-compliance rates can support oversight of decision-making processes and ensure systemic issues are detected and addressed in a timely manner. Accordingly, Home Affairs could strengthen its assurance arrangements by finalising processes to report on non-compliance rates for travel exemption decision-making.

Assurance over data quality and integrity

4.27 Prior to August 2020 Home Affairs collated data on travel exemptions from multiple systems and manually entered it into a tracking spreadsheet. Detailed reporting on exemption decisions by category was not possible, as limited details were recorded and the dataset was incomplete.

4.28 The introduction of TEP from July 2020 enabled reporting on: exemption requests received, approved and refused by category; processing times; and the number of exemption requests received from individual applicants. However, the ANAO identified weaknesses in TEP system controls, which mean that Home Affairs cannot have assurance over the completeness and accuracy of its travel exemption data. Identified weaknesses included: indications that cases have been deleted from TEP⁹⁸; retention of test cases within TEP; and ability to submit information without completing necessary fields (for example, passport number and assessment case notes are not mandatory fields).

4.29 In addition, a number of exemption requests have been processed outside TEP. Home Affairs' records indicate that these have included:

- 64 inward requests for travel in November 2020 in relation to a Northern Territory international student pilot program; and
- 1087 inward requests relating to the Australian Open (held in February 2021).

Have decisions about inward travel exemptions been timely and managed in accordance with policies and procedures?

Decisions about inward travel exemptions have not consistently been managed in accordance with policies and procedures. There were also cases where inconsistent decisions were made even where there was conformance with policy. Insufficient feedback has been provided to unsuccessful applicants and mechanisms for seeking a review of an exemption decision should be improved. Since August 2020 Home Affairs' processing of inward travel exemptions has been reasonably timely.

4.30 Australian citizens and permanent residents, their immediate family members and certain other cohorts (for example, New Zealand citizens usually resident in Australia, airline and maritime crew, and foreign diplomats) are automatically exempt from the inward travel restrictions. These individuals generally do not need to apply for an exemption to travel to Australia. However, Home Affairs encourages New Zealand citizens to check their eligibility for an automatic exemption if they have any doubt by lodging an exemption request in TEP prior to travel. In addition, Home Affairs

98 The ANAO identified over 1000 missing records in TEP data for requests received between 17 July 2020 and 29 April 2021. Home Affairs informed the ANAO that this was likely attributable to user acceptance testing, with missing records potentially representing test cases, or records being created without being saved.

states that immediate family members who do not hold certain temporary partner and child visas 'must apply for a travel exemption' through the TEP before they travel.⁹⁹

4.31 Table 4.2 shows the number of discretionary inward travel exemptions that Home Affairs approved or refused from 20 March 2020 to 30 June 2021. In total Home Affairs made 169,507 discretionary inward decisions over this period. Over the same period, an additional 157,399 cases were 'otherwise finalised', which includes: automatic exemption decisions; cases withdrawn by applicants; and cases closed by Home Affairs for being duplicates or providing incomplete information. Analysis of inward exemption outcomes by passport country is at Appendix 7.

Table 4.2: Discretionary inward exemption decisions, 20 March 2020–30 June 2021^a

Discretionary exemption category	Approved	Refused	Approval rate
Compassionate and compelling	11,523	86,031	11.8%
Critical skills (medical)	1,778	199	89.9%
Critical skills (other)	28,947	29,688	49.4%
National interest (including diplomatic)	2,426	27	98.9%
Transit ^b	7,777	9	99.9%
Urgent medical treatment	692	410	62.8%
Total	53,143	116,364	31.4%

Note a: Due to issues with exemption data quality and integrity discussed at paragraphs 4.28 and 4.29, figures in this table should be considered indicative.

Note b: People transiting Australia for 72 hours or less became an automatic exemption category from July 2020.

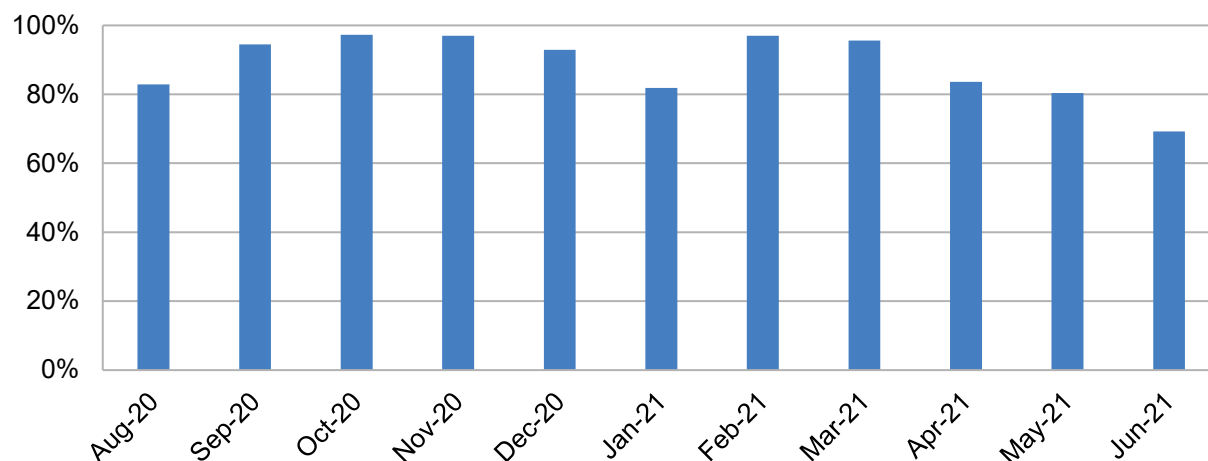
Source: Home Affairs.

Timeliness of exemption processing

4.32 Home Affairs has not retained sufficient data to assess the timeliness of inward exemption processing prior to August 2020. In July 2020 the Minister for Home Affairs set a service standard that inward travel exemptions be finalised within seven days. Home Affairs' internal reporting indicates timeliness against this standard has varied from month to month (see Figure 4.1), with more than 80 per cent of cases finalised within the service standard from August 2020 to May 2021.

99 Home Affairs, *Immediate family of Australian citizens or permanent residents or New Zealand citizens usually resident in Australia* [Internet], 14 July 2021, available from <https://covid19.homeaffairs.gov.au/immediate-family-australian-citizens-or-permanent-residents-or-new-zealand-citizens-usually-resident-australia> [accessed 5 August 2021].

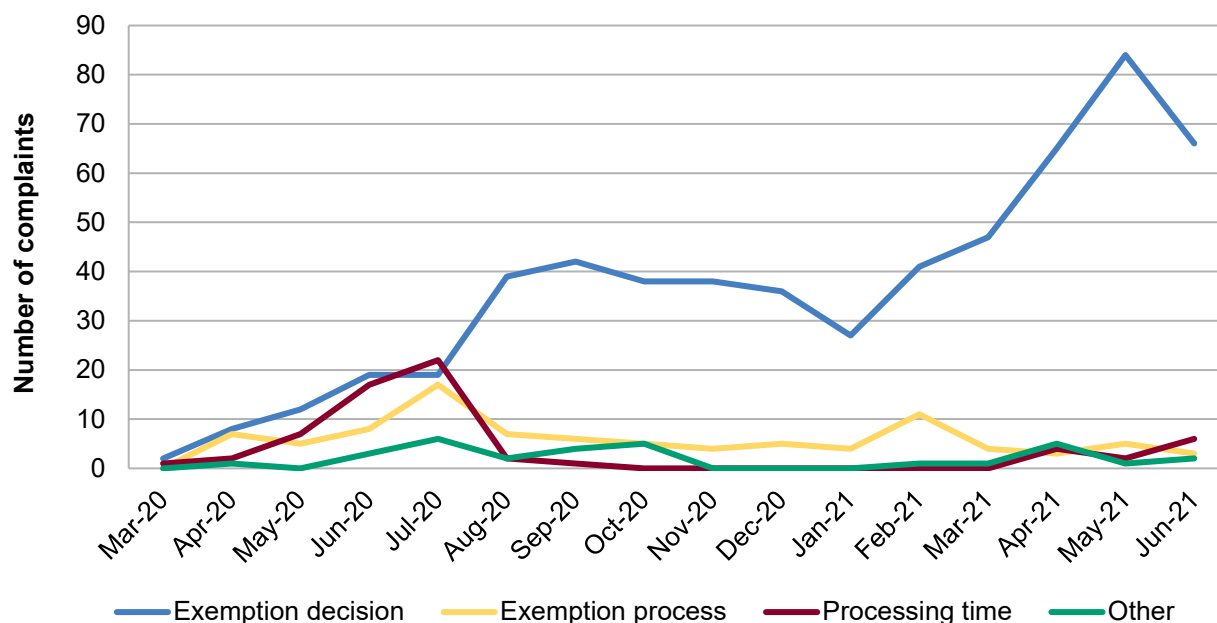
Figure 4.1: Percentage of inward exemption cases finalised within the service standard, August 2020–May 2021



Source: ANAO analysis of Home Affairs data.

4.33 Based on analysis of complaints received by Home Affairs' Global Feedback Unit (GFU) relating to inward travel exemptions¹⁰⁰, the number of complaints about processing times increased from March 2020 to July 2020, then decreased in August 2020, after Home Affairs adopted the seven-day service standard and deployed TEP as its case management system (see Figure 4.2). In comparison, the number of GFU complaints about exemption decisions has continued to rise and peaked at 84 complaints in May 2021.

Figure 4.2: Inward exemption complaints received by Home Affairs' Global Feedback Unit, March 2020–June 2021



Source: ANAO analysis of Home Affairs data.

¹⁰⁰ Home Affairs has also received complaints about inward travel exemptions through other channels (such as ministerial correspondence and direct email correspondence), but it has not compiled data on these other complaints.

Compliance with policies and procedures

4.34 To assess compliance with policies and procedures, the ANAO reviewed a sample of 71 inward travel exemption cases finalised between 1 August 2020 and 31 March 2021¹⁰¹, of which 20 cases (28 per cent) were approved and 51 cases (72 per cent) were refused. The results of the ANAO's assessment are shown in Table 4.3.

Table 4.3: Results of ANAO testing of a sample of inward exemption cases

Exemption category	Number of exemption cases tested	Basis for decision adequately documented	Decision consistent with policy requirements
Discretionary exemption decisions			
Compelling or compassionate	27	26	26
Critical skills	26	23	16
Urgent medical treatment or evacuation	1	1	1
Automatic exemption finalisations			
Immediate family	14	14	13
New Zealand citizen usually resident in Australia	3	3	3
Total	71	67	59

Source: ANAO.

4.35 For four cases (5.6 per cent), all of which were refusals, the basis for the decision was inadequately documented in the case notes (for example, no case notes were recorded or case notes did not explain why the decision was made).

4.36 For 12 cases (16.9 per cent), decisions were inconsistent with policy requirements regarding eligibility and/or evidence. Of these, nine were refusals and three were approvals.

- For the three inconsistent approvals, minimum evidence standards were not met. In all three cases this was because applicants for critical skills exemptions had not provided evidence that their employment was on a full-time basis, although sufficient evidence was provided to demonstrate the critical nature of the work.
- For the nine inconsistent refusals, assessors' decisions were inconsistent with policy requirements regarding eligibility or evidence. That is, requests were refused as ineligible when eligibility criteria had been met, or refused for providing insufficient evidence when sufficient evidence had been provided.

4.37 Of the nine individuals who received refusals that did not meet policy requirements, eight reapplied and seven were subsequently granted exemptions. Subsequent approvals were for

101 178,863 inward exemption cases were finalised within this period. The ANAO selected a random sample of 71 cases that involved discretionary or automatic exemption decisions for testing. Based on the sample tested, the ANAO has 90 per cent confidence that: the error rate for documentation of inward exemption decisions was between 1.1 and 10.1 per cent (4.5 per cent confidence interval); and the error rate for consistency of inward exemption decisions with policy requirements was between 9.6 and 24.2 per cent (7.3 per cent confidence interval).

various reasons, including reconsideration of the original evidence, provision of additional evidence and policy changes or clarifications. The one individual who did not reapply was able to enter Australia on an automatic exemption for the purpose of transiting for less than 72 hours, although the individual remained in Australia for four days.

4.38 A common reason for refusal was applicants' failure to provide evidence to support their claims. Home Affairs' internal guidance states that requests for information are only to be issued when there is already 'sufficient evidence to demonstrate that the individual meets current travel exemption policy guidelines'. For the 71 inward exemption cases examined by the ANAO, requests for information were issued for four cases prior to finalisation.

Communicating reasons for refusals

4.39 Of the 51 inward refusals reviewed by the ANAO, 44 refusal notifications did not include information to indicate the reason for refusal. Three of these cases had involved earlier requests for information, to which no response was received from the applicant. For the seven cases where some information was provided: three were requests from international students, who were advised 'International students are unable to travel to Australia at this time except in very limited circumstances, which are outlined on the Department's website'; and four included instructions on the types of evidence that should be supplied, should the individuals reapply.

4.40 Home Affairs' 'Inward – General' procedural instruction directs staff to 'clearly articulate all the outstanding documentation required for a different outcome' in refusal notifications when 'an individual may be eligible for a travel exemption'. The ANAO's testing shows Home Affairs staff are not consistently complying with this requirement. Entity records did not indicate that staff had received training on this requirement and it had not been specifically addressed in quality assurance reviews.

Recommendation no. 5

4.41 Department of Home Affairs ensure, where exemption requests are refused, applicants receive specific feedback on the reasons for refusal.

Department of Home Affairs response: *Agreed.*

Review mechanisms for decisions

4.42 If applicants are not satisfied with the outcomes of travel exemption requests, Home Affairs encourages them to reapply with additional information (noting that there is no fee for lodging exemption requests and no limit on the number of requests that can be lodged). Individuals may also lodge complaints through Home Affairs' GFU, which added a specific category for travel exemptions complaints to its online form from January 2021. In addition, complaints have been received by the ABF Commissioner, Minister for Home Affairs and other members of Parliament.

4.43 If Home Affairs determines a refusal to be incorrect, through a complaint, quality assurance review or another mechanism (such as media inquiries), the case may be re-opened. Home Affairs' records indicated 243 inward exemption requests were re-opened between August 2020 and July 2021.

4.44 Unlike various decisions made under the Migration Act and Migration Regulations, there is no avenue for independent merits review and appeal of exemption decisions. However, unsuccessful applicants may submit complaints to the Commonwealth Ombudsman, which can independently investigate the process, or the Australian Human Rights Commission, which can facilitate conciliation. Neither body has the power to vary a decision made in relation to travel exemptions.

4.45 In April 2021, after receiving ‘over 80 complaints’ regarding COVID-19 international travel exemptions since October 2020 and conducting an investigation, the Commonwealth Ombudsman wrote to Home Affairs with suggestions for improving the travel exemption processes.¹⁰² The Ombudsman noted concerns in relation to the adequacy of information provided in decision correspondence and weaknesses in escalation arrangements.

4.46 While Home Affairs had developed templates to provide further explanation and information to unsuccessful applicants, the Ombudsman observed that these were rarely being used. To support the provision of improved information, the Ombudsman made the following suggestions, which Home Affairs agreed to implement:

- Decision letters should provide adequate information for people to understand which aspect of the eligibility criteria they failed to meet and why.
- Decision makers should be trained to use their discretion to suggest what information applicants might like to provide next time.

4.47 In relation to complaints and escalation processes, the Ombudsman found that the ‘lack of access to an effective complaint mechanism’ was a ‘recurring theme in the complaints’ it had received. While the Ombudsman acknowledged that the GFU complaints mechanism was in place, it found the GFU was ‘not effective in providing or facilitating a better explanation of decisions’, suggesting that:

- GFU should consistently refer to the Business Area for a better explanation where a person is complaining about lack of reasons for a [travel restriction exemption] decision or is seeking specific information about what further information they could provide (if any) to support a future application.
- The business area should provide a better explanation about the reasons for [travel restriction exemption] decisions.
- Where a person lodges a threshold number of applications, the decision letter should invite the person to contact the GFU if they wish to complain or seek a better explanation.

4.48 Home Affairs noted the first two suggestions and disagreed with the third, noting that its website includes information on how to contact the GFU and expressing concern about the ‘volume of complaints that may be received should this suggestion be adopted’.

4.49 In May 2021 Home Affairs advised the Commonwealth Ombudsman that work was underway to ‘improve case assessment notes and decision notifications to ensure consistency and compliance with [Home Affairs’] Good Decision Making principles’. This work was to be finalised by the end of October 2021.

102 The investigation was conducted under section 8 of the *Ombudsman Act 1976* and did not result in a public report.

4.50 The Ombudsman's *Better Practice Complaint Handling Guide* notes that a good complaints system should actively encourage complaints, support early resolution, and communicate outcomes including 'reasons for any decisions, findings or conclusions'.¹⁰³

Recommendation no. 6

4.51 Department of Home Affairs ensure that its review mechanisms for travel exemption decisions:

- (a) are communicated and readily accessible to applicants;
- (b) facilitate adequate review of any issues raised; and
- (c) provide clear and tailored communication to applicants about the outcome of the review.

Department of Home Affairs response: *Agreed.*

4.52 *Work is already underway to stand up a review option for travel exemption applicants who are not satisfied with the outcome of their travel exemption assessment. The Department is in the process of exploring system enhancements to the travel exemption portal to streamline the review process and improve case management.*

Consistency of decision-making

4.53 Home Affairs' policies and procedures for COVID-19 travel exemptions allow considerable discretion for decision-making, which has led to a range of approaches and varying degrees of strictness in the application of policy requirements. In August 2020 the ABF Commissioner advised the Senate Select Committee on COVID-19:

As you're aware, we're providing case-by-case decisions here. We're trying to be consistent, but every case is pretty unique. No two cases are exactly the same. As I said to you before, I haven't got a factor-weighted scoring model that gives an outcome here. We're seeking for decision-makers to be consistent, but there is of course, at the end of the day, in every decision-making process, an element of subjectivity.¹⁰⁴

4.54 The ANAO examined two inward exemption categories for which concerns were raised in the Parliament, the media and contributions to the audit about inconsistent treatment: immediate family members; and critical skills. In addition, the ANAO analysed outcomes for repeat exemption requests from the same applicant to gain insight into decision-making consistency.

Immediate family members

4.55 Automatic exemptions are available to travellers who are immediate family members of Australian citizens and permanent residents and New Zealand citizens usually resident in Australia. Unless immediate family members are already automatically exempt (by being a citizen or

103 Commonwealth Ombudsman, *Better Practice Complaint Handling Guide* [Internet], no date, available from <https://www.ombudsman.gov.au/publications/better-practice-guides/Better-practice-complaint-handling-guide> [accessed 12 August 2021].

104 Commonwealth, *Australian Government's response to the COVID-19 pandemic*, Senate Select Committee on COVID-19 [Hansard], 18 August 2020, Commissioner Michael Outram, p. 26.

permanent resident) or hold certain temporary partner and child visas, they need to request an 'automatic' exemption through TEP prior to travelling.

4.56 Until 1 November 2021 Home Affairs defined immediate family member as a: spouse; de facto partner; dependent child; or legal guardian.¹⁰⁵ This definition was consistent with the definition of 'immediate family' under the *Migration Act 1958* (Migration Act) for the purposes of visa processing. Home Affairs' 'Immediate Family' procedural instruction noted that:

The definition of 'immediate family member' in regulation 1.12AA has been adopted by policy to provide guidance to decision makers when considering travel exemption requests. However, it does not apply by force of law and must therefore be applied flexibly.

4.57 Between 1 August 2020 and 31 March 2021, Home Affairs approved 14,743 requests for immediate family automatic exemptions through TEP and refused 26,404 requests (an approval rate of 35.8 per cent). The ANAO identified inconsistencies in the assessment of immediate family exemption requests, particularly relating to de facto partners and other family members.

De facto partners

4.58 As the inward travel restrictions do not have a legislative basis, there is no legislative definition underpinning assessments of de facto relationship claims for the purpose of approving travel exemptions. Home Affairs made a policy decision to adopt the definition provided by the Migration Act for visa purposes (see Box 3), while allowing some flexibility for decision-making. Home Affairs' 'Immediate Family' procedural instruction states that:

[Migration Act] criteria should be used to guide assessment of the relationship, but should not be applied inflexibly as the travel exemption process is separate from any visa application assessment...

[Factors listed in the Migration Regulations 1994] should be considered and weighted flexibly according to the circumstances of the case. For example, if there is a child of the relationship, this would be given significant weight – even in the absence of other evidence.

Box 3: Migration Act definition of a de facto relationship

The Migration Act states that a person is considered to be in a de facto relationship with another person if they are not married to each other but:

- they have a mutual commitment to a shared life to the exclusion of all others;
- the relationship between them is genuine and continuing;
- they live together, or do not live separately and apart on a permanent basis; and
- they are not related by family.¹⁰⁶

105 On 1 November 2021 Home Affairs updated the definition of 'immediate family member' for travel restriction purposes to include parents of adult Australian citizens and permanent residents. Home Affairs, *Immediate family of Australian citizens or permanent residents or New Zealand citizens usually resident in Australia* [Internet], 11 November 2021, available from <https://covid19.homeaffairs.gov.au/immediate-family-australian-citizens-or-permanent-residents-or-new-zealand-citizens-usually-resident-australia> [accessed 15 November 2021].

106 *Migration Act 1958*, section 5CB, available from <https://www.legislation.gov.au/Details/C2021C00220> [accessed 6 August 2021].

Criteria to inform an assessment of whether these conditions are met are set out in the Migration Regulations 1994, which indicates consideration must be given to all of the circumstances of the relationship, including:

- the financial aspects of the relationship;
- the nature of the household;
- the social aspects of the relationship; and
- the nature of the persons' commitment to each other.¹⁰⁷

4.59 Applicants mentioned 'de facto' within the text of their request for 10,379 inward exemption cases that were finalised between 1 August 2020 and 31 March 2021. Of these, 1226 were approved (an approval rate of 11.8 per cent). In the ANAO's sample of 71 inward exemption cases, 10 related to de facto partners: two were approved and eight were refused, with one refusal decision assessed by the ANAO as inconsistent with policy requirements.

4.60 Cases involving requests from de facto partners examined by the ANAO were largely assessed against the Migration Act criteria and approvals relied heavily on evidence of cohabitation. In particular, evidence of cohabitation commencing prior to the introduction of COVID-19 travel restrictions was afforded more credibility. Within the parameters of the Migration Act criteria, assessments involved the weighting of factors, which was subject to the individual judgement of decision-makers and was not always consistent.

Other family members

4.61 Exemptions may be approved for other family members (such as overseas-based grandparents, siblings, adult children and parents of adult children) under the compelling or compassionate category if applicants can show that their Australian-based family has no other support or that they cannot reunite overseas. Applicants must also prove their relationship with their Australian family member.

4.62 The ANAO identified inconsistencies in the treatment of exemption requests for close family members to enter Australia to provide support for Australian family members. These inconsistencies included cases being approved despite not providing proof of their relationship or substantive evidence that there was no other support available in Australia, whereas other similar cases were refused.

Critical skills

4.63 Discretionary exemptions may be granted to inward travellers whose entry would support Australia's COVID-19 response or economic recovery. To qualify, applicants must demonstrate they possess skills critical to these objectives and provide evidence of full-time employment in Australia (with the exception of healthcare workers, who can be employed on a part-time or casual basis for at least 24 hours a week). Between 1 August 2020 and 31 March 2021, 21,215 out of 47,277 requests for critical skills exemptions were approved (an approval rate of 44.9 per cent).

4.64 The ANAO identified inconsistencies in the assessment of critical skills requests, with similar requests receiving different outcomes (case study 1 provides an example). A key source of

¹⁰⁷ Migration Regulations 1994, regulation 1.09A, available from <https://www.legislation.gov.au/Details/F2021C00613> [accessed 6 August 2021].

inconsistency identified by the ANAO is the varying treatment of letters of support from employers. In some cases such letters were considered sufficient evidence of the applicant's employment and skills, whereas in other cases letters containing similar information were not.

Case study 1. Inconsistent outcomes for temporary workers

From July to September 2020 Home Affairs received inward requests from 53 individuals relating to a specific project. All applicants had very similar or identical circumstances (including having been granted the same temporary work visas) and provided largely the same evidence.

The first three inward exemption requests were refused on the basis that they did 'not meet guidelines for referral'. In subsequent weeks 53 requests were approved for the project, including the three that had initially been refused (with the same evidence) and a fourth that had also been refused by mistake.

From November 2020 to February 2021, 13 of these workers applied for permission to travel overseas and re-enter Australia. The first request was refused twice due to a failure to demonstrate that the travel was for the purposes of the applicant's current employment. Against Home Affairs' policies, this request was approved on the third attempt due to the traveller having already left the country. The next 12 requests were also approved without providing the required evidence and after the travellers had left the country.

Outcomes for repeat applications

4.65 There is no limit to the number of times individuals can lodge exemption requests and Home Affairs does not charge a fee for lodging requests. Table 4.4 shows outcomes for applicants who received more than five refusals for inward exemption requests between 1 August 2020 and 31 March 2021 (over this period 178,863 inward exemption cases were finalised).

Table 4.4: Approval outcomes for inward exemption applicants^a with multiple refusals, 1 August 2020–31 March 2021

	0 approvals	1 approval	2 approvals ^b	Total
5 or more refusals	4874	923	24	5821
10 or more refusals	1935	277	9	2221
20 or more refusals	539	60	0	599
50 or more refusals	16	4	0	20

Note a: Based on unique passport numbers entered by applicants into the TEP request form. Individuals may be counted more than once if they used more than one passport or entered their passport number incorrectly.

Note b: Individuals may obtain multiple travel exemptions for various reasons (such as changes of travel plans or for multiple trips). No individuals with five or more refusals received more than two approvals.

Source: ANAO analysis of Home Affairs data.

4.66 As discussed at paragraph 4.37, changes to outcomes can be influenced by various factors including reconsideration of the original evidence, provision of additional evidence and policy changes or clarifications. In September 2020 Home Affairs introduced a requirement for cases to be escalated to an Executive Level 2 officer if a request was likely to be refused a third time. Home Affairs' records indicate that this requirement was withdrawn three weeks later due to the 'low numbers of decisions being overturned'.

Have decisions about outward travel exemptions been timely and managed in accordance with policies and procedures?

Decisions about outward travel exemptions have not consistently complied with policies and procedures, and there are indications that decision-making has not always been consistent even when in conformance with policy. The timeliness of outward travel exemptions has declined in 2021.

4.67 Under the outward travel restrictions Australian citizens and permanent residents cannot leave Australia unless they meet an automatic exemption category or have a discretionary exemption approved. Table 4.5 shows the number of discretionary outward travel exemptions that Home Affairs approved or refused from 25 March 2020 to 30 June 2021. Over this period Home Affairs made 265,207 discretionary outward decisions and an additional 92,830 cases were 'otherwise finalised', which includes: cases withdrawn by applicants; and cases closed by Home Affairs for being duplicates or providing incomplete information.

Table 4.5: Discretionary outward exemption decisions, 25 March 2020–30 June 2021^a

Discretionary exemption category	Approved	Refused	Approval rate
Compelling or compassionate grounds	44,282	51,797	46.1%
Critical industries and business	23,302	7,379	75.9%
National interest	1,552	79	95.2%
Response to the COVID-19 outbreak	746	168	81.6%
Travelling overseas for at least 3 months	86,375	25,711	77.1%
Urgent and unavoidable personal business	13,506	7,846	63.3%
Urgent medical treatment	1,266	1,198	51.4%
Total	171,029	94,178	64.5%

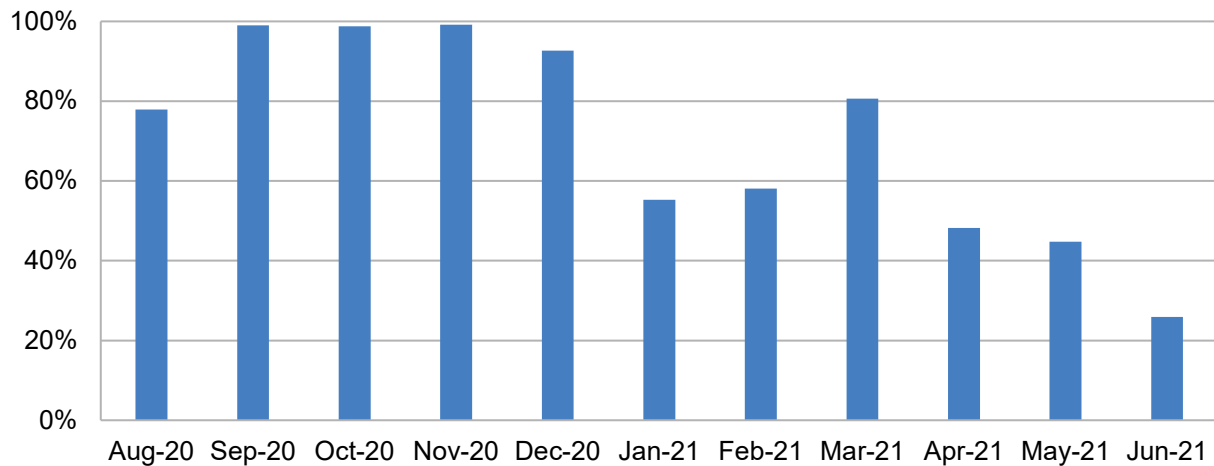
Note a: Due to issues with exemption data quality and integrity discussed at paragraphs 4.28 and 4.29, figures in this table should be considered indicative.

Source: Home Affairs.

Timeliness of exemption processing

4.68 Home Affairs has not retained sufficient data to assess the timeliness of outward exemption processing prior to August 2020. In July 2020 the Minister for Home Affairs set a service standard that outward travel exemptions be finalised within two days. Home Affairs' internal reporting indicates that compliance with this standard was relatively high in 2020 before decreasing in 2021 (see Figure 4.3). Home Affairs advised the ANAO that timeliness had been impacted by increasing volumes of travel exemption requests in 2021, which it was seeking to manage through increased resourcing.

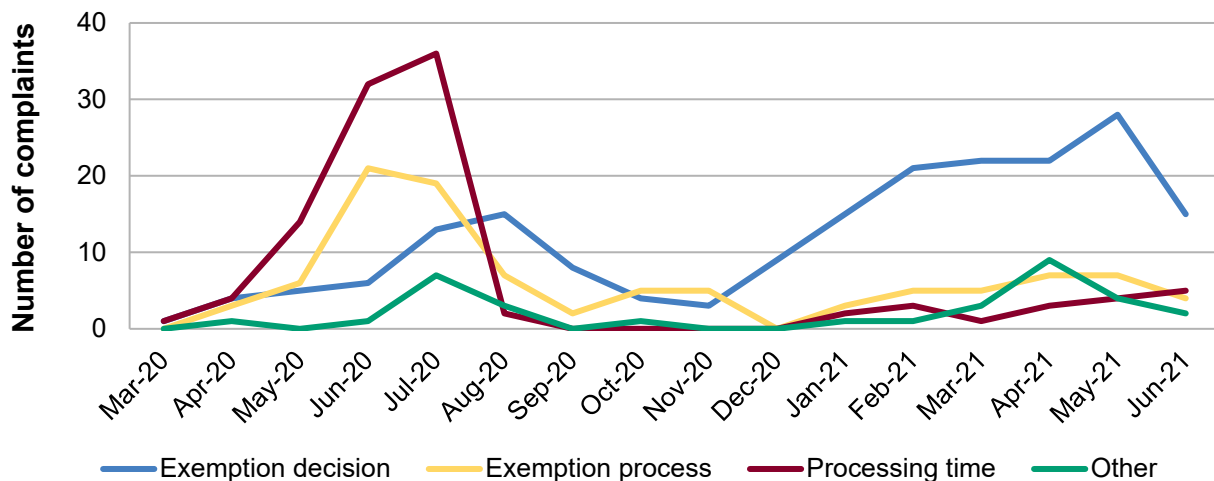
Figure 4.3: Percentage of outward exemption cases finalised within the service standard, August 2020–May 2021



Source: ANAO analysis of Home Affairs data.

4.69 Consistent with trends for inward exemptions, the number of complaints to the GFU about processing times for outward exemptions increased from March 2020 to July 2020, then decreased sharply in August 2020, after Home Affairs adopted the two-day service standard and deployed TEP as its case management system (see Figure 4.4).¹⁰⁸ In comparison, the number of complaints about outward exemption decisions increased from November 2020 to May 2021.

Figure 4.4: Outward exemption complaints received by Home Affairs' Global Feedback Unit, March 2020–June 2021



Source: ANAO analysis of Home Affairs data.

¹⁰⁸ Home Affairs has also received complaints about outward travel exemptions through other channels (such as ministerial correspondence and direct email correspondence), but it has not compiled data on these other complaints.

Compliance with policies and procedures

4.70 To assess compliance with policies and procedures, the ANAO reviewed a sample of 71 outward travel exemption cases finalised between 1 August 2020 and 31 March 2021¹⁰⁹, of which 47 cases (66 per cent) were approval decisions and 24 cases (34 per cent) were refusals. The results of the ANAO's assessment are shown in Table 4.6.

Table 4.6: Results of ANAO testing of a sample of outward exemption cases

Exemption category	Number of exemption cases tested	Basis for decision adequately documented	Decision consistent with policy requirements
Discretionary exemption decisions			
Business travel	3	3	3
Complete existing work contract	1	1	1
Critical or serious illness of close family member	10	9	10
Death / funeral of close family member	3	3	3
Travel outside Australia for three months or longer	30	26	27
Urgent and unavoidable personal business	6	6	6
Other compassionate and compelling reason	12	9	7
Automatic exemption finalisations			
New Zealand citizen holding Special Category visa	1	1	1
Usually resident in a country other than Australia	5 ^a	5	5
Total	71	63	63

Note a: A sixth request for an individual ordinarily resident outside Australia was lodged under the 'Compassionate and compelling' category.

Source: ANAO.

4.71 For eight cases (11.3 per cent), five refusals and three approvals, the basis for the decision was inadequately documented in the case notes. Two did not include any case notes, while three included notes stating that the request did not meet requirements without indicating a reason.

4.72 For eight cases (11.3 per cent), seven refusals and one approval, decisions were inconsistent with policy requirements regarding eligibility and/or evidence.

- For the one inconsistent approval, the request was made under the 'other compassionate and compelling reason' category and did not include evidence to support a compassionate or compelling reason to travel overseas.

109 195,618 outward exemption cases were finalised within this period. The ANAO selected a random sample of 71 cases that involved discretionary exemption or automatic exemption decisions for testing. Based on the sample tested, the ANAO has 90 per cent confidence that the error rates for documentation of outward exemption decisions and consistency of outward exemptions decisions with policy requirements were between 5.1 and 17.5 per cent (6.2 per cent confidence interval).

- For the seven inconsistent refusals: four were inconsistent with eligibility requirements; one was inconsistent with evidence requirements; and two did not include sufficient case notes to assess whether the reasons for refusal related to eligibility or evidence.

4.73 Of the seven individuals who received refusals that did not meet policy requirements, six reapplied and five were subsequently granted exemptions. Two of these subsequent requests were submitted and approved under a different category: 'Travel outside Australia for three months or longer'.

4.74 Compared to inward cases, a greater number of refusal notifications for outward exemption cases provided some indication of the reason for refusal — 13 were found to have provided some level of feedback to the applicant, including 11 that identified additional evidence to be supplied in a subsequent request. No requests for information were issued prior to refusal.

4.75 In relation to applications under the category of 'travel for three months or longer', the 'Outward' procedural instruction as at June 2021 states:

If you refuse an application due to a lack of sufficient information or evidence, you should provide the client with advice about evidentiary requirements in the refusal notification letter. RFI [Request for Information] and Refusal templates have been updated to support communication with clients.

Although this statement is not included in the procedural instruction for other categories, the ANAO's analysis found this information was being provided for other categories.

4.76 As discussed at paragraph 4.43, if Home Affairs determines an exemption decision to be incorrect, through a complaint, quality assurance review or another mechanism (such as media inquiries), the case may be re-opened. Home Affairs' records identified 277 outward exemption requests that were re-opened between August 2020 and July 2021.

Consistency of decision-making

4.77 As discussed at paragraph 4.53, Home Affairs' policies and procedures for COVID-19 travel exemptions allow considerable discretion for decision-making, which has led to a range of approaches and varying degrees of strictness in the application of policy requirements. Based on concerns raised in the Parliament, the media and contributions to the audit, the ANAO examined: the discretionary exemption category of travelling overseas for a compelling reason for at least three months; and repeat exemption requests from the same applicant.

Travelling overseas for a compelling reason for at least three months

4.78 One of the discretionary categories under which the ABF Commissioner may grant an exemption to Australians seeking to travel overseas is: 'travelling for a compelling reason for at least three months'. As at 30 June 2021, this option was available to any traveller who could provide: evidence that supports an intention to travel overseas for at least three months; and a Commonwealth Statutory declaration regarding the intended length and purpose of travel.

4.79 Internal guidance states:

Where an individual has proposed travel of three months or more, Government has determined that the length of travel means the public health risk has been lessened, when compared with trips of shorter duration. Therefore, proposed travel of three months or more for any purpose other than leisure or a holiday is generally considered to satisfy the definition of 'compelling' for this

category. It is therefore possible for a person to propose a family reunification activity under this category (such as a wedding or other significant life event) and this may be considered to meet 'compelling reason', provided that you are satisfied the declared travel period is genuine and relevant supporting evidence and documents have been provided.

4.80 For requests to travel for less than three months, the eligibility criteria are stricter:

Where an individual has proposed travel of a short duration (ie. less than three months), our understanding of what constitutes a 'compelling reason' has a high test. Any individual proposing an overseas journey of less than 3 months is expected to provide documents supporting strong compelling and/or compassionate circumstances, and this is captured in the requirements of the Outwards Operation Directive.

4.81 Since this category was first introduced, a number of changes have been made to the eligibility and evidence criteria, as shown in Table 4.7.

Table 4.7: Changes to exemption requirements for outward travel for at three months

Date	Policy update
17 July 2020	'Travel for at least three months' added as outward exemption category in TEP. Applicants were initially required to provide evidence that they were travelling for 'unavoidable personal business'.
17 September 2020	Outward operation directive published stating that exemption requests from travellers with 'a compelling reason and [who] will remain overseas for at least three months' would 'generally be approved'. Travellers were required to provide 'relevant documentary evidence that supports their compelling reason to remain overseas for at least three months'.
28 September 2020	'Travel for 3 months or more' endorsed as an outward travel exemption category by the Prime Minister (without the requirement for a 'compelling reason'). The Government agreed that no supporting evidence would be required for an exemption to be granted in this category.
10 November 2020	Outward operation directive updated to note that travellers 'may' provide evidence such as an itinerary or 'declaration of intent'. The category was renamed from 'compelling reason to remain overseas for at least three months' to 'travelling overseas for at least three months', in line with an Australian Government decision on 28 September 2020.
8 January 2021	After assurance activities found people were travelling for less than three months under this category, conditions were updated to require travellers to provide: <ul style="list-style-type: none"> • a Commonwealth statutory declaration regarding the intended length and purpose of travel; and • any of a number of specified documents relevant to the travel (for example, an overseas lease or confirmation of leave from employment for at least three months)
12 February 2021	Internal guidance updated to clarify that 'proposed travel of three months or more for any purpose other than leisure or a holiday is generally considered to satisfy the definition of "compelling" for this category'.
25 February 2021	Internal guidance updated to clarify that: 'Persons who seek an exemption from Australia's outbound travel restrictions on the basis that they are leaving Australia for three months or longer must present a compelling reason for travel', in line with the outward travel determination.

Date	Policy update
29 June 2021	Internal guidance updated to state that a state or territory statutory declaration would be accepted in place of Commonwealth statutory declaration if completed correctly with all the necessary information.

Source: ANAO analysis.

4.82 The ANAO identified that different evidence and eligibility standards have been applied to outward exemption requests under this category. For example, with regard to requests to travel for three months or more to reunite with family or a partner:

- one case was approved in October 2020 with a single photograph (with no explanation of what it was intended to demonstrate) accepted as 'relevant documentary evidence' supporting the reason for travelling; and
- another case was refused the following day due to a lack of evidence of the relationship and the assessor's view that a letter provided by a health professional noting evidence of depression was unable to be verified.

At the time of these assessments, the Government had agreed that no supporting evidence was required for this category.

4.83 Similarly, views as to whether visiting family represented a 'compelling' reason to travel varied between assessors. For example:

- in January 2021 a request for travel to visit family for three months or more was refused on the basis that it was 'not accompanied by exceptional circumstances'; and
- another case was approved on the same day for a family of four to travel for the purpose of visiting family overseas, on the basis that the applicants had indicated an intention to remain overseas for three months or more.

4.84 Outcomes of requests to travel for weddings also varied. For example:

- in January 2021 an application to travel overseas to get married was refused on the basis that 'weddings do not meet the criteria', despite the applicant providing evidence of their outbound and return flights scheduled for more than three months apart; and
- on the same day a separate request to travel overseas to get married was approved on the basis that the applicant had indicated they would remain overseas for at least three months, although this was not able to be verified based on the evidence provided.

Outcomes for repeat applications

4.85 Table 4.8 shows outcomes for applicants who received more than five refusals for outward exemption requests between 1 August 2020 and 31 March 2021. Over this period 622 applicants received more than 5 refusals, 305 of whom (49 per cent) also received at least one approval decision (over the same period 195,618 outward exemption cases were finalised).

Table 4.8: Approval outcomes for outward exemption applicants^a with multiple refusals, 1 August 2020–31 March 2021

	0 approvals	1 approval	2 approvals	3 or more approvals	Total
5 or more refusals	317	269	33	3	622
10 or more refusals	13	14	3	0	30
20 or more refusals	0	1	0	0	1

Note a: Based on unique passport numbers entered by applicants into the TEP request form. Individuals may be counted more than once if they used more than one passport or entered their passport number incorrectly.

Source: ANAO analysis of Home Affairs data.

4.86 There were fewer instances of applicants for outward exemptions receiving multiple refusals followed by an approval than there were for inward exemptions. As discussed at paragraph 4.37, changes to outcomes can be influenced by various factors including reconsideration of the original evidence, provision of additional evidence and policy changes or clarifications.

Has visa processing supported travel exemptions?

Visa processing has supported travel restrictions. Visa processing has continued during the COVID-19 pandemic and a number of temporary policy changes were made to support essential travel and existing visa holders. Efforts have been made to align decision-making and processing of applications in the travel exemption and visa programs.

4.87 In May 2021 Home Affairs stated that ‘Australia’s response to the COVID-19 pandemic has had an unprecedented and continuing impact on the administration of Immigration and Citizenship programs in 2020–21’.¹¹⁰ In particular, it noted there had been a significantly reduced demand for most visas.

4.88 This section reviews: temporary visa measures introduced in response to the COVID-19 pandemic; visa processing arrangements put in place by Home Affairs during COVID-19; and efforts taken to align COVID-19 travel exemptions with visa processing.

COVID-19 temporary visa measures

4.89 Temporary visa measures introduced to address the impacts of COVID-19 included:

- creation of a COVID-19 Pandemic event visa in April 2021, which allows individuals to stay in Australia if they have no other visa options and are unable to depart due to travel restrictions or if they wish to work in critical sectors (agriculture, food processing, health care, aged care, disability care, childcare, and tourism and hospitality); and

¹¹⁰ Home Affairs, *The Administration of the Immigration and Citizenship Programs* [Internet], seventh edition, May 2021, p. 5, available from <https://immi.homeaffairs.gov.au/what-we-do/the-administration-of-the-immigration-program> [accessed 12 August 2021].

- introduction of a COVID-19 Priority Migration Skilled Occupation List (PMSOL) in September 2020 to prioritise processing of work visas for occupations expected to support Australia's COVID-19 response and economic recovery from COVID-19.¹¹¹

4.90 Home Affairs also implemented a number of changes to visa eligibility criteria and conditions during the COVID-19 pandemic, including:

- relaxing the requirement to work no more than 40 hours each fortnight for international students working in critical sectors;
- exempting working holiday makers from the six-month work limitation with one employer if working in a critical sector; and
- removing the requirement for some child and partner visa applicants to be offshore when their visa is granted.

Visa processing arrangements during COVID-19

4.91 Home Affairs has continued to process visa applications during the COVID-19 pandemic.

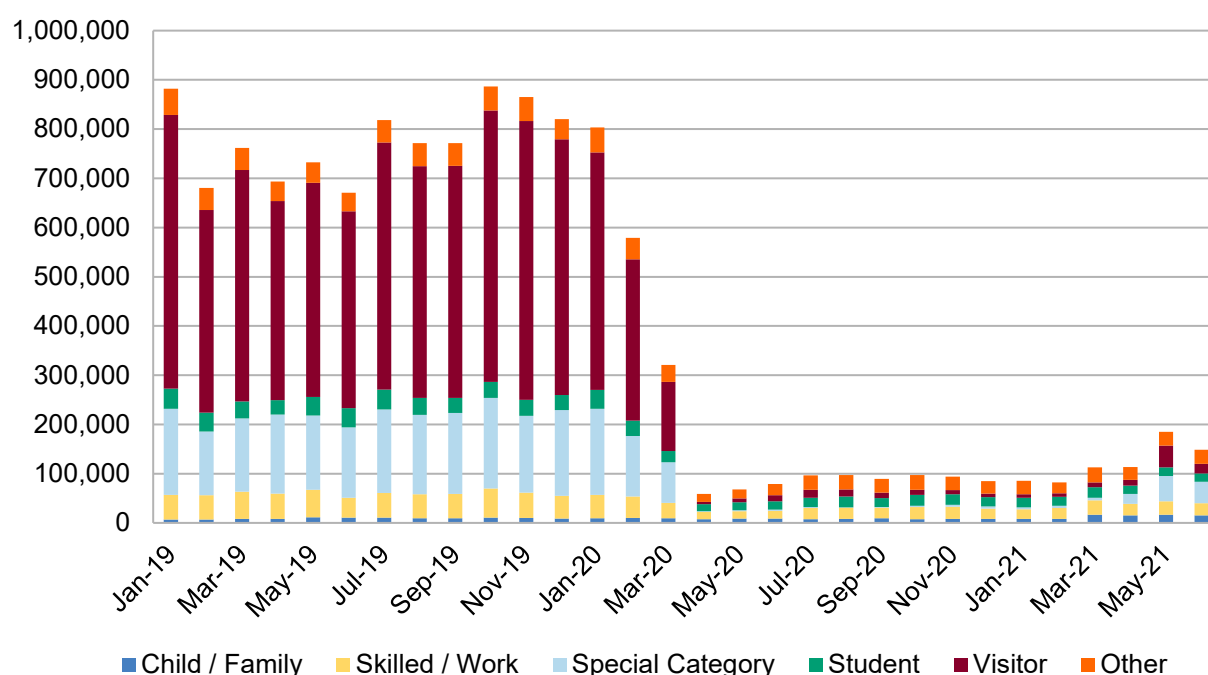
4.92 Subsection 51(1) of the Migration Act states that: 'The Minister may consider and dispose of applications for visas in such order as he or she considers appropriate'.¹¹² On 31 August 2020 the Minister issued two directions under section 499 of the Migration Act to prioritise business visa processing to focus on occupations listed on the PMSOL and other critical sectors.

4.93 Other visa types were prioritised indirectly through redeployment of processing staff. Information provided by Home Affairs indicates that the largest decrease in staff between 2019–20 and 2020–21 occurred in the areas that process visitor and working holiday maker visas, and that the largest increase was in the area that processes family visas. A significant number of visa processing staff also moved to support the COVID-19 travel exemption program.

4.94 Figure 4.5 shows the number of visas granted by category from January 2019 to June 2021. Due to the impact of COVID-19 on international travel and Australia's COVID-19 travel restrictions, between 2019–20 and 2020–21 there were substantial declines in the grant of: temporary visitor visas (95.9 per cent); 'special category' visas (89.8 per cent), which are granted to New Zealand citizens arriving in Australia; skilled and work visas (40.1 per cent); student visas (31.6 per cent); and other visas (28.5 per cent). In contrast, there was an increase in the grant of child and family visas (14.3 per cent) between 2019–20 and 2020–21.

111 A COVID-19 temporary PMSOL was first introduced in September 2020, listing 17 priority occupations. It has been amended four times since (in November 2020 and May, June and July 2021). As at July 2021 there were 44 priority occupations listed. Home Affairs, *Priority Migration Skilled Occupation List* [Internet], available from <https://immi.homeaffairs.gov.au/visas/employing-and-sponsoring-someone/sponsoring-workers/pmsol> [accessed 12 August 2021].

112 This power has also been delegated to the Secretary of Home Affairs and the ABF Commissioner.

Figure 4.5: Visa applications granted, by category^a, January 2019–June 2021

Note a: These figures do not include refugee and humanitarian visas. 'Skilled / Work' includes working holiday maker visas. 'Other' includes resident return, crew and transit visas.

Source: Source: ANAO analysis of Home Affairs data.

4.95 While there has been a substantial reduction in the overall number of visas granted, this has not led to a commensurate reduction in processing effort as the categories that have reduced the most (visitor and special category visas) require less assessment. The timeliness of processing has been impacted for some visa types, although processing times have improved slightly or remained comparable with pre-pandemic levels for permanent partner visas (subclasses 100 and 801).

Alignment of COVID-19 travel exemptions with visa processing

4.96 While visa management systems are not integrated with TEP, Home Affairs has implemented manual processes that are intended to support consistency of outcomes and information sharing between the visa and travel exemption programs. When a travel exemption applicant is assessed as eligible for a travel exemption but has not yet been granted a visa, Home Affairs' policies and procedures require the assessor contact the relevant visa processing area to request that the applicant's visa application be considered for finalisation. However, Home Affairs' exemption quality assurance reviews have identified instances of failure to comply with this process, which have impacted on the quality of exemption decisions and the timely granting of visas.

4.97 Home Affairs has also introduced some concessions where visa holders have been unable to obtain travel exemptions due to policy settings for the inward travel restrictions. For example, in December 2020 Home Affairs amended the Migration Regulations to extend the duration of prospective marriage visas, where certain criteria are met, or provide the option of cancellation and a refund.¹¹³



Grant Hehir
Auditor-General

Canberra ACT
8 December 2021

¹¹³ These amendments were backdated to October 2020. As at August 2021, the application fee for a prospective marriage visa was \$7,850. Ninety per cent of applications in this category were processed within 27 months.

Appendices

Appendix 1 Entity responses



Australian Government
Department of Foreign Affairs and Trade

Kathryn Campbell AO CSC
Secretary

Ref: EC21-000765

Mr Grant Hehir
Auditor-General of Australia
Australian National Audit Office
19 National Circuit
BARTON ACT 2600

Dear Mr Hehir

**Response to the Australian National Audit Office (ANAO) Proposed Audit Report on
Management of International Travel Restrictions during COVID-19**

Thank you for providing the Department of Foreign Affairs and Trade (the department) with the opportunity to comment on the ANAO proposed report on the *Management of International Travel Restrictions during COVID-19*. I would also like to thank ANAO staff for their cooperation in conducting the audit.

The department welcomes the report and its finding that the management of Australia's international travel restrictions during COVID-19 has been largely effective. The department continues to work closely with agencies on the Australian Government's COVID-19 response.

Supporting Australians overseas, including through consular crisis preparedness and keeping Australians overseas informed through the department's Smartraveller website, is a core responsibility of the department. I welcome the report's conclusion that strategies implemented to communicate travel restrictions have been appropriate.

If you would like further information, please contact Mr David Nethery, Assistant Secretary, COVID-19 Coordination Unit, on (02) 6261 3807, or at david.nethery@dfat.gov.au.

Yours sincerely

12 November 2021

R G Casey Building, Barton ACT 0221 www.dfat.gov.au



Australian Government
Department of Health

Secretary

Mr Grant Hehir
 Auditor-General for Australia
 Australian National Audit Office
 GPO Box 707
 CANBERRA ACT 2601

Dear Mr *Grant* Hehir

Department of Health response to the Proposed Audit Report – Management of International Travel Restrictions during COVID-19.

Thank you for providing the Australian National Audit Office's (ANAO) proposed report pursuant to Section 19 of the *Auditor-General Act 1997* on the audit of the Management of International Travel Restrictions during COVID-19. I appreciate the opportunity to respond to the report.

The Department of Health (department) welcomes the findings in the report and accepts the two recommendations directed to the department.

The success of the Australian response to the COVID-19 pandemic has been validated by the relatively low numbers of cases and deaths when compared to other countries with similar health system capacities. Part of this success is a result of the Australian Government's commitment to make the necessary tough decisions to best protect the health of all Australians.

The decision to restrict international travel was not taken lightly and has proven effective in reducing the risk of widespread disease transmission through uncontrolled importation of cases. It was gratifying that the ANAO report noted that the department's arrangements for implementing and managing travel restrictions has been largely effective and well informed by robust planning and policy advice.

The wording provided for the Summary Response can be found at [Attachment A](#) and itemised responses for each recommendation at [Attachment B](#).

I would like to thank the ANAO for its professionalism throughout the audit.

Phone: (02) 6289 8400 Email: Brendan.Murphy@health.gov.au
 Scarborough House, Level 14, Atlantic Street, Woden ACT 2606 - GPO Box 9848 Canberra ACT 2601 - www.health.gov.au

If you have any questions regarding the department's response please contact
Narelle Smith, Assistant Secretary, Corporate Assurance Branch on (02) 6289 5342.

Yours sincerely

A handwritten signature in black ink, appearing to read 'BAM', is positioned above the printed name.

Brendan Murphy
5 November 2021



Australian Government
Department of Home Affairs

Grant Hehir
 Auditor-General
 Australian National Audit Office
 GPO Box 707
 Canberra ACT 2601

Dear Mr Hehir

Thank you for the opportunity to provide comments on the Australian National Audit Office's (ANAO) report on the *Management of International Travel Restrictions during COVID-19*.

The Department of Home Affairs (the Department) welcomes this ANAO performance audit and acknowledges the valuable role the ANAO plays in providing independent insights into potential areas of further improvement.

While the Department of Health has been the lead entity for managing the public health response to COVID-19, the Department played a key role in advising Government on border impacts and risks associated with proposed crisis management responses and giving practical effect to Government's policy decisions in relation to Australia's travel restrictions. The Department welcomes the lead audit finding that the management of Australia's international travel restrictions during the COVID-19 pandemic has been largely effective. The Department also agrees with the audit's three findings that identify areas where border management processes can be improved.

Since the beginning of the COVID-19 pandemic in early 2020, growing concern of the health risks associated with COVID-19 necessitated daily Cabinet consideration. The Secretary of the Department and the Australian Border Force (ABF) Commissioner were co-opted to attend many of these meetings to advise on border impacts and risks associated with proposed crisis management responses. The evolution of the pandemic and the associated policy challenges faced by Government have led to a continuous cycle of threat assessment and policy response in relation to Australia's travel restrictions and exemption settings.

Since 1 February 2020, when Government implemented the first inwards travel restriction in relation to travellers from China, there have been in excess of 80 Government decisions that have necessitated change to Australia's travel restriction and exemption policy settings, in order to ensure Australia's response to the evolving pandemic environment remained effective and nuanced to both domestic and international influencing factors.

In March 2020, Government made a national interest decision in response to expert health advice, to limit movements across our international borders while ensuring the most urgent and compelling of situations (with the first priority being Australian expatriates and their families) continued to have an opportunity to access travel. Australia's travel restrictions and exemptions have been critical to ensuring Government is able to exercise national interest influence over who may access the very limited number of international flights into Australia, and in particular, has been an essential tool to prevent a scenario which would otherwise have seen commercial considerations and an individual's economic circumstances determine their prospects of securing a flight to Australia.

The decision to introduce a travel exemption program served to give practical effect to Government's policy decisions in relation to Australia's travel restrictions. The travel exemption program is about reducing the instance of COVID-19 crossing the border and entering Australia while maintaining a level of ongoing international travel arrangements despite the ongoing pandemic and consequent severe public health risk. The travel exemptions process is unprecedented, with unquantifiable predictions of volume. It was also unable to be tested outside of the live environment. The Department considers that the reality of the policy

6 Chan Street Belconnen ACT 2617
 PO Box 25 Belconnen ACT 2616 • Telephone: 02 6264 1111 • www.homeaffairs.gov.au

environment, the frequency of necessary policy change and the unprecedented nature of Australia's travel restrictions are to be taken into consideration along with the findings noted within chapter 4, and in this context, the program can be seen as successfully meeting the Government's policy objectives.

The Department notes that the presentation of chapter 4 'Management of travel exemptions' positions the travel exemptions program as quite separate to Australia's COVID-19 travel restrictions. However, the travel exemptions program has been a key enabling tool for Government to ensure that travel for essential purposes is able to continue, despite the travel restrictions associated with the COVID-19 pandemic. While acknowledging administrative improvements were made as the travel exemptions program evolved, we would contend that the program has been effective in achieving the Government's objective of enabling critical travel while reducing the instance of COVID 19 in the Australian community,

The Department accepts ANAO's analysis that travel exemptions outcomes in a small number of cases may not have been consistent with policy guidance. However, this must be considered in the context of the large volume of rapid exemption decisions (over 900,000), the vast majority of which were consistent with policy guidance, as well as the pace and volume of policy change in relation to travel restrictions and the impact this has had on decision-making consistency.

The Department would like to thank the ANAO for their collaborative approach throughout the audit process. We will continue to progress implementation of the recommendations as a priority.

Yours sincerely



Ryan Summerton
A/g Chief Audit Executive

11 November 2021



Australian Government
Department of Infrastructure, Transport,
Regional Development and Communications

A/g Secretary
Richard Windeyer

EC21-000816

Mr Grant Hehir
Auditor-General
Australian National Audit Office
PO Box 707
CANBERRA ACT 2601

Dear Mr Hehir

Proposed Report under s. 19 of the *Auditor-General Act 1997*
Management of International Travel Restrictions during COVID-19

Thank you for providing the Department of Infrastructure, Transport, Regional Development and Communications (the Department) with the opportunity to comment on the Australian National Audit Office (ANAO) proposed report on the *Management of International Travel Restrictions during COVID-19*.

The Department acknowledges the ANAO's conclusions and findings relevant to our operations, particularly the management of international passenger arrival caps. The Department notes there were no specific recommendations related to the Department arising out of the report.

With respect to the ANAO's suggestion that there is scope for greater use of its ability to over-allocate capacity to maximise use of available quarantine, the Department does seek to over allocate to improve utilisation rates. However, in recent months some States have required the Department to maintain tight control over inbound passenger arrival caps without over allocations.

Please contact Mr Richard Wood, First Assistant Secretary, International Aviation, Technology and Services on 02 6272 6589 if you would like to discuss this response.

Yours sincerely

Richard Windeyer

10 November 2021



Australian Government
Department of the Prime Minister and Cabinet

SECRETARY

Ref: EC21-000381

Mr Grant Hehir
Auditor-General for Australia
Australian National Audit Office
OfficeoftheAuditorGeneralPerformanceaudit@anao.gov.au

Dear Mr Hehir

Thank you for the opportunity to respond to the Management of International Travel Restrictions during COVID-19 performance audit report provided on 14 October 2021. Please see the response from the Department of the Prime Minister and Cabinet (the Department) for your preparation of the final report.

The Department has worked across Commonwealth agencies, and with the states and territories, as part of the Government's response to the COVID-19 pandemic. As noted in the report, the Department's coordination role has included several issues for which other agencies, and state and territory jurisdictions, have policy responsibility.

The Australian Health Protection Principal Committee (AHPPC) has endorsed national principles for hotel quarantine (published 24 December 2020). These remain flexible to allow quarantine programs to be tailored to local requirements. In line with COVID-19 public health best practice, all states and territories manage quarantine operations in line with AHPPC advice.

In the Australian Constitution, quarantine is not an exclusive legislative power for the Commonwealth. It is a concurrent power that can be exercised by both the states and the Commonwealth. Consistent with this concurrent power, on 27 March 2020, National Cabinet agreed that states and territories are responsible for the management of quarantine under their own public health legislation, given their primary responsibility in delivering health care.

Recommendation no. 4

Department of the Prime Minister and Cabinet work with states and territories to obtain robust data on quarantine capacity and use, including international passenger admissions to quarantine, and report the data publicly.

The Department supports this recommendation, noting that data would be required from states and territories and their approval would be required for publication of their data.

Postal Address: PO BOX 6500, CANBERRA ACT 2600
Telephone: +61 2 6271 5111 www.pmc.gov.au ABN: 18 108 001 191

We note that responsibility for the management of quarantine data rests primarily with the relevant state and territory. The Department proposes to collate and release this data until December 2023, with a review after 12 months, or until such time as the collection and publication of this data is no longer required. Responsibility for the accuracy and completeness of quarantine data would continue to rest with the relevant state or territory.

Thank you for your staff's collaborative approach to working with PM&C at this busy time.

Kind regards

A handwritten signature in black ink, appearing to be 'P. Gaetjens', written in a cursive style.

Philip Gaetjens
11 November 2021

Appendix 2 Improvements observed by the ANAO

1. The existence of independent external audit, and the accompanying potential for scrutiny improves performance. Improvements in administrative and management practices usually occur: in anticipation of ANAO audit activity; during an audit engagement; as interim findings are made; and/or after the audit has been completed and formal findings are communicated.

2. The Joint Committee of Public Accounts and Audit (JCPAA) has encouraged the ANAO to consider ways in which the ANAO could capture and describe some of these impacts. The ANAO's 2021–22 Corporate Plan states that the ANAO's annual performance statements will provide a narrative that will consider, amongst other matters, analysis of key improvements made by entities during a performance audit process based on information included in tabled performance audit reports.

3. Performance audits involve close engagement between the ANAO and the audited entity as well as other stakeholders involved in the program or activity being audited. Throughout the audit engagement, the ANAO outlines to the entity the preliminary audit findings, conclusions and potential audit recommendations. This ensures that final recommendations are appropriately targeted and encourages entities to take early remedial action on any identified matters during the course of an audit. Remedial actions entities may take during the audit include:

- strengthening governance arrangements;
- introducing or revising policies, strategies, guidelines or administrative processes; and
- initiating reviews or investigations.

4. In this context, the below actions were observed by the ANAO during the course of the audit. It is not clear whether these actions and/or the timing of these actions were planned in response to proposed or actual audit activity. The ANAO has not sought to obtain assurance over the source of these actions or whether they have been appropriately implemented.

- Detailed advice was provided to the Government in May 2021 on risks of the inward travel restrictions, along with a proposal to address these risks (paragraph 2.62).
- Detailed information on the public health grounds for continuing the cruise ship and outward travel determinations was provided to the Minister for Health in June 2021 to inform his consideration of the need to extend the human biosecurity emergency period (paragraph 2.110).
- In February 2021 Home Affairs started monitoring the composition of international arrivals and reconciling inward travel exemption records with international passenger movements data for reporting to Australian governments (paragraphs 3.56 and 3.81).
- Home Affairs conducted two internal audits that were finalised in March 2021 of: ABF's COVID-19 response; and Home Affairs' management of travel exemptions. These audits made a number of recommendations for improvement that were accepted by ABF and Home Affairs (paragraphs 3.21, 3.32, 3.42 and 3.43).
- In response to the internal audit of management of travel exemptions, Home Affairs developed a register in January 2021 to record staff completion of training and updated its website in July 2021 to provide additional information about immediate family exemptions (paragraphs 4.19 and 3.43).

Appendix 3 Timeline of events related to COVID-19 international travel restrictions

Date	Description	Entities involved
09/01/2020	World Health Organization (WHO) reports that Chinese authorities made a preliminary determination of a novel coronavirus in Wuhan	–
20/01/2020	National Incident Room activated to support national coordination of health sector emergency response	Department of Health (Health)
21/01/2020	Travel advice for Wuhan in China raised to 'Level 2 – Exercise a high degree of caution'	Department of Foreign Affairs and Trade (DFAT)
21/01/2020	COVID-19 listed as a disease of pandemic potential under the Biosecurity Act 2015 (Biosecurity Act)	Health
23/01/2020	Travel advice for Hubei Province in China is raised to 'Level 3 – Reconsider your need to travel'	DFAT
24/01/2020	Travel advice for Hubei Province raised to 'Level 4 – Do not travel'	DFAT
25/01/2020	First case of COVID-19 in Australia confirmed	–
25/01/2020	Australian Border Force (ABF) establishes Incident Control Centre and Operation Pincer to manage border response and assisted departures	Department of Home Affairs (Home Affairs)
28/01/2020	Travel advice for mainland China raised to 'Level 3 – Reconsider your need to travel'	DFAT
29/01/2020	Quarantine arrangements on Christmas Island are developed for Australians repatriated from Wuhan	Health; Home Affairs
29/01/2020	ABF establishes Operation Bandora to coordinate international travel restrictions at the border	Home Affairs
30/01/2020	The WHO declares COVID-19 to be a 'public health emergency of international concern'	–
01/02/2020	International travel restrictions are implemented for foreign nationals entering Australia from China	Home Affairs; Health
01/02/2020	Travel advice for mainland China raised to 'Level 4 – Do not travel'	DFAT
03/02/2020	The Chief Medical Officer (CMO) made two determinations declaring 'human health response zones'	Health
07/02/2020	The CMO made an additional determination declaring a 'human health response zone'	Health
13/02/2020	China restrictions extended for seven days from 15 February 2020	Home Affairs
18/02/2020	Australian Health Sector Emergency Response Plan for Novel Coronavirus (COVID-19 Plan) published	Health
20/02/2020	China restrictions extended for a further seven days	Home Affairs
22/02/2020	Exemption from China restrictions implemented for students completing year 11 and 12 in Australia	Home Affairs

Date	Description	Entities involved
23/02/2020	Travel advice for Japan and South Korea raised to 'Level 2 – Exercise a high degree of caution' and for Daegu and Cheongdo in South Korea to 'Level 3 – Reconsider your need to travel'	DFAT
25/02/2020	Travel advice for Lombardia and Veneto in Italy raised to 'Level 2 – Exercise a high degree of caution'	DFAT
27/02/2020	Prime Minister initiates implementation of COVID-19 Plan	Health
27/02/2020	China restrictions extended	Home Affairs
27/02/2020	Travel advice for Mongolia raised to 'Level 2 – Exercise a high degree of caution'	DFAT
29/02/2020	Travel advice for Iran raised to 'Level 4 – Do not travel' Travel advice for Italy raised to 'Level 2 – Exercise a high degree of caution' and for eleven towns across Lombardy and Veneto to 'Level 3 – Reconsider your need to travel'	DFAT
01/03/2020	Inward travel restrictions on foreign nationals entering Australia from Iran implemented	Home Affairs
05/03/2020	Travel advice for the South Korea raised to 'Level 3 – Reconsider your need to travel' and for Daegu to 'Level 4 – Do not travel'	DFAT
05/03/2020	Inward travel restrictions on foreign nationals entering Australia from South Korea implemented	Home Affairs
05/03/2020	The Government activates the National Coordination Mechanism (NCM) to operate in place of the National Crisis Committee	Home Affairs
10/03/2020	Travel advice for Italy raised to 'Level 3 – Reconsider your need to travel' and for Lombardy and certain Italian provinces to 'Level 4 – Do not travel'	DFAT
11/03/2020	The WHO declares the COVID-19 virus a pandemic	–
11/03/2020	Inward travel restrictions on foreign nationals entering Australia from Italy implemented	Home Affairs
13/03/2020	'National cabinet' formed to coordinate Australia's response to pandemic	Department of the Prime Minister and Cabinet (PM&C)
13/03/2020	Travel advice for all overseas countries raised to 'Level 3 – Reconsider your need to travel'	DFAT
15/03/2020	Compulsory 14-day self-isolation implemented for all international arrivals	Home Affairs; Health
15/03/2020	Cruise ships are prevented from arriving in Australia under the <i>Customs Act 1901</i>	Home Affairs
17/03/2020	DFAT provides advice to overseas Australians: 'If you decide to return to Australia, do so as soon as possible. Commercial options may become less available.'	DFAT
18/03/2020	Travel advice for all overseas countries raised to 'Level 4 – Do not travel'	DFAT

Date	Description	Entities involved
18/03/2020	Governor-General declares a human biosecurity emergency period until 17 June 2020	Health
18/03/2020	Cruise ship requirement brought under a section 477 Biosecurity Act determination	Health; Home Affairs
20/03/2020	Inward travel restrictions on foreign nationals entering Australia from any country implemented	Home Affairs
25/03/2020	Outward travel restrictions on Australians travelling overseas implemented under section 477 Biosecurity Act determination for duration of human biosecurity emergency period	Health; Home Affairs
27/03/2020	Cruise ship determination extended to 15 June 2020	Health
28/03/2020	Mandatory 14-day quarantine at designated hotels and other facilities implemented by state and territory governments	Health; Home Affairs; ADF
09/04/2020	Australian governments agree to quarantine exception for non-cruise maritime crew and revised AHPPC advice for air crew exemptions	Health; Department of Infrastructure, Transport, Regional Development and Communications (DITRDC)
15/05/2020	Governor-General extends the human biosecurity emergency period from 17 June to 17 September 2020	Health
20/05/2020	Cruise ship determination extended to 15 September 2020	Health
01/07/2020	International flights into Melbourne Airport suspended at the request of the Victorian Premier	PM&C; DITRDC
05/07/2020	Australian Government implements international arrival cap for Sydney Airport of 450 passengers each day	PM&C; DITRDC
10/07/2020	Australian Government to implement international arrival caps at major international airports	PM&C; DITRDC
11/07/2020	Passengers transiting for 72 hours or less become automatically exempt from inward travel restrictions	Home Affairs
13/07/2020	Australian Government implements international arrival caps for Adelaide (150 arrivals per flight), Brisbane (500 arrivals per week) and Perth (525 arrivals per week)	PM&C; DITRDC
17/07/2020	Home Affairs introduces an online Traveller Exemption Portal for inward and outward travel exemptions	Home Affairs
20/07/2020	Arrival cap for Sydney Airport reduced to 350 arrivals per day	PM&C; DITRDC
07/08/2020	Australian governments agree to continue international arrival caps until at least 24 October 2020 for Adelaide (500 arrivals per week), Brisbane (500 arrivals per week), Sydney (350 arrivals per day) and Perth (525 arrivals per week)	PM&C; DITRDC

Date	Description	Entities involved
20/08/2020	Pacific Labour Scheme and Seasonal Worker Programme participants become automatically exempt from inward travel restrictions	Home Affairs
28/08/2020	Cruise ship determination extended for duration of human biosecurity emergency period	Health
02/09/2020	Business Innovation and Investment visa (subclass 188) visa holders become automatically exempt from inward travel restrictions	Home Affairs
03/09/2020	Governor-General extends human biosecurity emergency period from 17 September to 17 December 2020	Health
18/09/2020	Australian governments agree to increase in international arrivals caps from 28 September for Adelaide (600 arrivals per week), Brisbane (700 arrivals per week, increasing to 1000 arrivals per week from 5 October), Sydney (2950 arrivals per week) and Perth (725 arrivals per week, increasing to 1025 from 12 October)	PM&C; DITRDC
28/09/2020	Travel overseas for three months or more endorsed as a discretionary exemption category for outward travel restrictions	Home Affairs
16/10/2020	Australia–New Zealand one-way quarantine-free travel zone commences	DFAT; Health; Home Affairs
23/10/2020	National Review of Hotel Quarantine final report presented to Australian governments	Health
16/11/2020	International flights into Adelaide Airport suspended at the request of the South Australian Premier	PM&C; DITRDC
07/12/2020	International flights resume for Adelaide and Melbourne airports with Melbourne cap set at 1120 arrivals per week	DITRDC
10/12/2020	Governor-General extends human biosecurity emergency period from 17 December 2020 to 17 March 2021	Health
08/01/2021	Travellers seeking exemption from outward travel restrictions for travel of three months or longer required to provide statutory declaration	Home Affairs
08/01/2021	Australian governments agree to halve international arrival caps from 15 January	PM&C; DITRDC
22/01/2021	Requirement introduced for passengers to provide evidence of negative COVID-19 test prior to flying to Australia, and for passengers and crew on incoming flights to wear face masks	Health; Home Affairs
25/01/2021	Australia pauses quarantine-free travel zone arrangements with New Zealand due to COVID-19 outbreak in New Zealand	Health; Home Affairs
31/01/2021	Australia resumes quarantine-free travel zone arrangements with New Zealand	Health; Home Affairs
14/02/2021	Australia pauses quarantine-free travel zone arrangements with New Zealand due to COVID-19 outbreak in New Zealand	Health; Home Affairs
14/02/2021	International flights into Melbourne Airport suspended at the request of the Victorian Premier	PM&C; DITRDC

Date	Description	Entities involved
15/02/2021	International arrival caps return to pre-15 January levels for Sydney and Brisbane	PM&C; DITRDC
24/02/2021	Australia designates Auckland COVID-19 hotspot and quarantine-free travel arrangements resume for other parts of New Zealand	Health; Home Affairs
01/03/2021	International arrival cap for Perth Airport increases to 900 arrivals per week	PM&C; DITRDC
02/03/2021	Governor-General extends the human biosecurity emergency period from 17 March 2021 to 17 June 2021	Health
05/03/2021	Australian governments confirmed continuance of international arrival caps until 30 April 2021 and staged increase in Perth Airport cap to 1025 arrivals per week from 26 March 2021	PM&C; DITRDC
10/03/2021	Australia resumes quarantine-free travel zone arrangements with New Zealand	Health; Home Affairs
17/03/2021	Flights from Papua New Guinea to Australia are suspended	PM&C; DITRDC
22/03/2021	Outward travel determination amended to allow travel to New Zealand under proposed two-way quarantine-free travel zone	Health
09/04/2021	International flights resume for Melbourne airport	PM&C; DITRDC
18/04/2021	Australia–New Zealand two-way quarantine-free travel zone commences	DFAT; Health; Home Affairs
29/04/2021	International arrival cap for Perth Airport reduced to 512 arrivals per week	PM&C; DITRDC
27/04/2021	Flights from India to Australia are suspended due to COVID-19 outbreak in India	DITRDC
30/04/2021	India travel pause implemented under section 477 Biosecurity Act determination for 14 days	Health
14/05/2021	Facilitated flights from India for returning Australians resume	DFAT
10/06/2021	Governor-General extends the human biosecurity emergency period from 17 June 2021 to 17 September 2021	Health

Source: ANAO analysis.

Appendix 4 Border measures referenced in national pandemic influenza plans

Table A.1: National pandemic influenza plans

Plan	Period of operation	Border measures referenced in plan
<i>Australian Management Plan for Pandemic Influenza</i> (June 2005)	2005–2008	<ul style="list-style-type: none"> Non-automatic pratique^a and traveller screening (including thermal scanning) Mass quarantine of arrivals
<i>National Action Plan for Human Influenza Pandemic</i> (July 2006)	2006–2009	<ul style="list-style-type: none"> Non-automatic pratique^a, information sheets for arriving travellers and traveller screening (including health declaration cards and thermal scanning) Mass quarantine of arrivals
<i>Australian Health Management Plan for Pandemic Influenza</i> (December 2008)	2008–2014	<ul style="list-style-type: none"> Travel advice on high-risk locations Non-automatic pratique^a, traveller screening and quarantine of suspected cases Refusing entry to international vessels
<i>National Action Plan for Human Influenza Pandemic</i> (April 2009)	2009–2018	<ul style="list-style-type: none"> Travel advice on high-risk locations Non-automatic pratique^a, information sheets for arriving travellers and traveller screening Refusing entry to international vessels Mass quarantine of arrivals
<i>FLUBORDERPLAN – National Pandemic Influenza Airport Border Operations Plan</i> (February 2009)	2009–2019	<ul style="list-style-type: none"> Inflight announcements, non-automatic pratique^a and traveller screening (including health declaration cards, thermal scanning and border nurses) Personal protective equipment for border workers Inward and outward travel restrictions Mass quarantine of arrivals
<i>Australian Health Management Plan for Pandemic Influenza</i> (April 2014, updated August 2019)	2014–present	<p>Recommended measures:</p> <ul style="list-style-type: none"> Communications measures (including inflight/on board announcements, communication materials for travellers, travel advice on high-risk locations and information for border staff) Identification measures (including non-automatic pratique^a and passenger locator documents when asymptomatic carriage is unlikely, and voluntary quarantine of ill travellers) <p>Measures included in plan but not recommended:</p> <ul style="list-style-type: none"> Thermal scanners, border nurses, screening cruise ship passengers prior to disembarkation, quarantine of close contacts of ill travellers, exit screening and domestic travel restrictions

Note a: Requiring aircraft and vessels to declare the health of all passengers, rather than just ill passengers, before permission to disembark is provided. Terminology changed over time, with the terms 'positive pratique' (2005), 'non-automatic pratique' (2009) and 'negative pratique' (2014) being used in plans to convey the same concept.

Source: ANAO analysis.

Appendix 5 Pandemic preparedness exercises

Table A.2: Pandemic preparedness exercises^a

Year	Exercise	Scope
2006	Cumpston	Eight separate activities addressing topics such as border control, decision making, deployment of the National Medical Stockpile and implementation of a national health emergency response – border measures implemented during the exercise included passenger screening, deployment of antiviral drugs and personal protective equipment to the border, and quarantine of passengers
2008	Sustain	Testing roles and responsibilities across Australian governments in maintaining and supporting social and economic functioning and recovery during the Sustain phase of <i>National Action Plan for Human Influenza Pandemic</i> (2006) through simulated decision-making processes and case study discussions
2014	Panda	Exploring whole-of-government decision making and coordination through inter-agency presentations and discussions
2017	Dexterous	Building Health officials' familiarity with influenza pandemic plans
	Flutopia	Role playing Health's communications during early stages of responding to an outbreak of H7N9 (Avian Influenza)
2018	Pandemic stress test	Testing the role of Home Affairs in a health crisis using an influenza outbreak scenario with escalating severity from ordinary to very significant.
	imMERSion	Testing arrangements between Home Affairs and Health using a case study of a global pandemic of Middle Eastern Respiratory Syndrome (MERS)
	Wontok	Raising awareness of and clarifying roles and responsibility for Health's internal and external communication activities during different national emergencies, including one pandemic-related scenario
2019	EmergenSEA Detour	Clarifying roles, responsibilities and priorities between Health and the Department of Agriculture, Water and the Environment ^b through two scenarios focusing on cruise ship arrivals
	Indispensable	Familiarisation with Health's roles and responsibilities during a range of scenarios, including one in which pandemic influenza had not yet reached Australia and the Home Affairs Minister proposed closing the border

Note a: In addition to the exercises listed, in 2019 Sydney Airport performed Exercise Royal Cough to test management of an aircraft with numerous sick passengers on arrival. While two Health officials were involved in the exercise, it did not include testing national health policy, quarantine or travel arrangements.

Note b: At that time it was called the Department of Agriculture and Water Resources.

Source: ANAO analysis.

Appendix 6 World Health Organization notifications for international travel restrictions

1. Under the *International Health Regulations (2005)*, where a measure significantly interferes with international traffic, member states are required to provide the public health rationale and relevant scientific information for the measure to the WHO within 48 hours of implementation.¹¹⁴ Health provided information to the WHO for twelve COVID-19 international travel restrictions, although information was not provided within 48 hours for five measures and did not include detail on the public health rationale for three measures.

Table A.3: Department of Health's notifications to the World Health Organization (WHO) regarding additional travel measures

Travel restriction	Date implemented	Date WHO notified	Public health rationale or evidence base provided to WHO
China restrictions	1/02/2020	2/02/2020	Decision made on advice of AHPPC and CDNA, based on: <ul style="list-style-type: none"> the change in epidemiology of coronavirus in China; the continuing (but still relatively small) and increasing number of cases in provinces outside of Hubei; and the resulting increased risk from travellers from outside Hubei province.
Iran restrictions	1/03/2020	3/03/2020	<ul style="list-style-type: none"> Iran has the largest reported number of deaths outside of Hubei province, China. Iran has already exported cases of COVID-19 to a number of countries including Australia and New Zealand, despite the absence of direct flights and relatively low travel volumes from Iran to these countries. There are reports of government officials with infections in Iran. Australia is of the view that there is material under-reporting of case numbers in Iran.
South Korea restrictions	5/03/2020	10/03/2020 (not reported within 48 hours)	<ul style="list-style-type: none"> The volume of reported COVID-19 cases in Korea, and the scale of travel to Australia from Korea, means the country presents a high risk of further transmission of COVID-19 in Australia. Therefore, screening measures alone would not be sufficient for the Republic of Korea.

¹¹⁴ WHO, *International Health Regulations*, third edition, 2005, Article 43, p. 29. Significant interference is defined as 'refusal of entry or departure of international travellers, baggage, cargo, containers, conveyances, goods, and the like, or their delay, for more than 24 hours.'

Travel restriction	Date implemented	Date WHO notified	Public health rationale or evidence base provided to WHO
Italy restrictions	11/03/2020	13/03/2020	<ul style="list-style-type: none"> While there has been a decreasing number of cases in mainland China and South Korea, the situation and total number of cases remains of concern. There continues to be a rapidly increasing number of cases in Iran and Italy, including exportation of cases around the world, leading to the introduction of travel restrictions for Italy.
Initial cruise ship requirement ^a	16/03/2020	21/03/2020 (not reported within 48 hours)	No rationale provided.
Mandatory self-isolation ^a	16/03/2020	21/03/2020 (not reported within 48 hours)	No rationale provided.
Inward travel restrictions ^a	20/03/2020	21/03/2020	<ul style="list-style-type: none"> The COVID-19 pandemic has continued to spread globally. The risk for importation from North America and Europe is now considered high, as is potentially the risk from other countries where ascertainment may be poor. There is no longer a strong basis for having travel restrictions on only a few selected countries.
Outward travel restrictions	25/03/2020	27/03/2020	<ul style="list-style-type: none"> COVID-19 continues to represent a severe and immediate threat to human health in Australia, and has the ability to cause a high level of morbidity and mortality and to disrupt the Australian community. The increases in Australia's case numbers continue to be significantly impacted by imported cases as a result of international travel. It is not possible to manage the risk of imported cases through targeting specific countries as worldwide case numbers increase and countries reaching the peak of their epidemic curve change.
Additional cruise ship requirement ^b	27/03/2020	28/03/2020	<ul style="list-style-type: none"> COVID-19 remains a severe and immediate threat to health in Australia, and recent events demonstrate cruise ships are a major risk to Australia's health and quarantine capacity. Non-Australian flagged cruise ships currently in Australian waters have large contingents of international crew on board which present a risk of spread of COVID-19. Requiring these ships to depart Australian waters will alleviate this risk.

Travel restriction	Date implemented	Date WHO notified	Public health rationale or evidence base provided to WHO
Mandatory quarantine ^b	28/03/2020	28/03/2020	No rationale provided.
International arrivals caps	13/07/2020	21/07/2020 (not reported within 48 hours)	<ul style="list-style-type: none"> The decision was made at the request of the state (subnational) Governments of New South Wales, Victoria, Queensland and Western Australia, in order to help manage and maintain quarantine arrangements in those jurisdictions. It is based on the advice of health and policing officials in those jurisdictions. These measures are considered to be vital to maintain the integrity of Australia's quarantine system, which is a critical intervention in managing the spread of COVID-19. Australia considers that these measures are not more restrictive of international traffic than reasonably available alternatives, and are being implemented in a transparent and non-discriminatory manner.
India travel pause	3/05/2021	7/05/2021 (not reported within 48 hours)	<ul style="list-style-type: none"> Australia has identified India as a high-risk country due to the significant increase in COVID-19 positive case numbers in returned travellers from India. Since late March 2021, there has been a sharp increase in the number and proportion of overseas acquired cases that were reported as acquiring their infection in India; over 50% of overseas acquired cases since mid-April 2021 were acquired in India. Australia's quarantine and health resources needed to prevent and control COVID-19 introduced into Australia from international arrivals are limited. Due to the high proportion of positive cases arising from arrivals from India, a pause is necessary until 15 May 2021 on arrivals from India to be an effective and proportionate measure to maintain the integrity of Australia's quarantine system. This pause will allow Australia's quarantine system to recover capacity, which is a critical intervention in preventing and managing the spread of COVID-19 in Australia.

Note a: These restrictions were advised to WHO in the same notification on 21 March 2020.

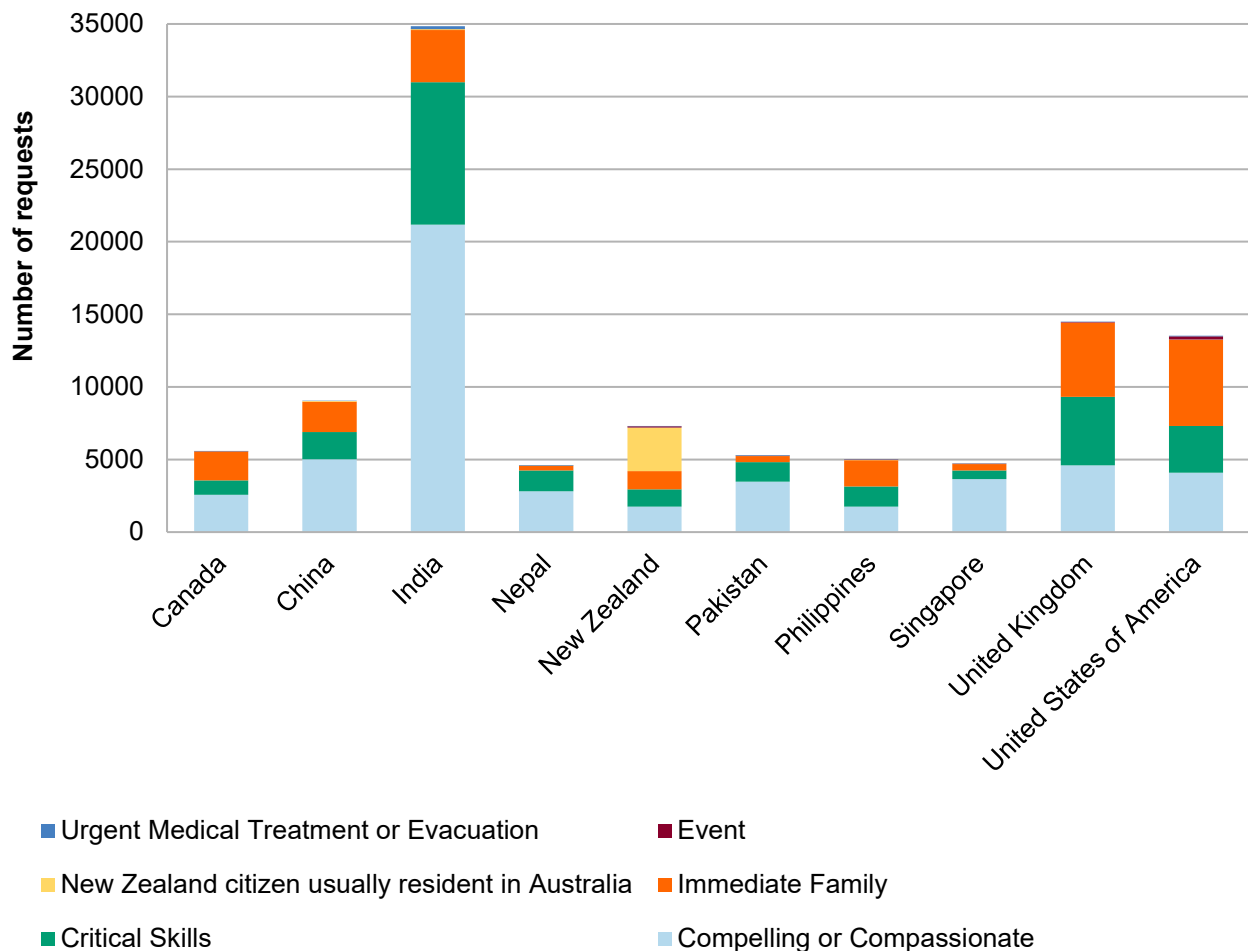
Note b: These restrictions were advised to WHO in the same notification on 28 March 2020.

Source: ANAO analysis.

Appendix 7 Inward travel exemption outcomes by passport country

1. Figure A.1 shows the number of inward exemption requests received for the top ten passport countries within TEP cases finalised between 1 August 2020 and 31 March 2021, and Table A.4 shows inward exemption approval rates for the same countries over the same period.
2. Among the top ten passport countries, Nepal, Pakistan and India had the lowest overall approval rates. This may be due to these countries having: a high proportion of cases in the compelling or compassionate category (which has a low approval rate overall); and low approval rates for critical skills exemption requests. Approval rates for these countries in the immediate family category were not markedly different from other top ten countries.
3. Home Affairs informed the ANAO that, except for Australian citizens who are exempt from the inward travel restrictions, a person's nationality is not a relevant consideration for inwards travel exemptions.

Figure A.1: Total exemption requests, top ten passport countries, 1 August 2020–31 March 2021



Source: ANAO analysis of Home Affairs data.

Table A.4: Approval rates for selected inward exemption categories and all categories, top ten passport countries^a, 1 August 2020–31 March 2021

Country	Compelling or compassionate	Critical skills	Immediate family	All categories
Canada	7.9%	64.6%	24.0%	23.9%
China	19.7%	51.3%	39.1%	30.7%
India	4.7%	20.9%	37.0%	12.7%
Nepal	3.2%	8.1%	26.0%	6.3%
New Zealand	24.9%	58.6%	51.0%	50.0%
Pakistan	3.1%	8.2%	44.6%	8.0%
Philippines	11.2%	46.9%	34.6%	30.0%
Singapore	8.8%	43.7%	34.1%	15.7%
United Kingdom	15.4%	62.3%	39.3%	39.4%
United States of America	13.1%	72.6%	29.5%	35.9%

Note a: These figures are based on information entered into the 'Passport country' field by the individual completing the travel exemption request form. For this period, 4283 inward exemption requests were from applicants who selected Australia as their passport country. Of these, 674 were finalised as 'not exempt' — in some cases because they had incorrectly claimed to be Australian citizens, and in other cases because they were Australian citizens and the cases had been incorrectly finalised as 'not exempt' (instead of 'exempt' or 'not required').

Source: ANAO analysis of Home Affairs data.