



Australian Government

Department of Immigration and Multicultural and Indigenous Affairs

Deputy Secretary

Ms Louise Gell
Secretary
Senate Legal and Constitutional Legislation Committee
S1 Room 61
Parliament House
CANBERRA ACT 2600

Dear Ms Gell

I wrote to you on 19 December 2003 in relation to the questions taken on notice in respect of the arrival of the *Minasa Bone* at Melville Island on 4 November 2003 at the Budget Estimates Supplementary Hearing on 25 November 2003.

Further to that letter I now wish to advise that the Government has decided not to release to the Committee the record of meetings of the People Smuggling Task Force (PSTF) for November 2003 and the talking points prepared for Ministers by the PSTF.

The documents form the basis of regular and ongoing advice to Government. The records of PSTF meetings also routinely include reference to matters of intelligence, strategy and operations as well as issues which may impact on Australia's bilateral relationships. As such, the Government's view is that release is not appropriate.

Responses to other questions are attached.

Yours sincerely

Ed Killesteyn
13 February 2004

QUESTION TAKEN ON NOTICE

SUPPLEMENTARY BUDGET ESTIMATES HEARING: 25 November 2003

IMMIGRATION AND MULTICULTURAL AND INDIGENOUS AFFAIRS PORTFOLIO

(2) Output 1.3: Enforcement of immigration law

Senator Faulkner (L&C 11) asked:

Provide the dates on which the task force met in 2002-03 and the record of meetings for November 2003

People Smuggling Task Force High Level Group Meetings – 2002/2003

2, 9, 16, 23 and 30 July 2002

6, 13, 20 and 27 August 2002

3, 10, 11, 17, 19 and 23 September 2002

1, 8, 15, 22 and 29 October 2002

5, 12, 19 and 26 November 2002

3, 10, 14, 16 and 17 December 2002

7, 14 and 28 January 2003

11, 18 and 25 February 2003

4, 11 and 25 March 2003

1, 15, 22, 24 and 29 April 2003

6, 13 and 27 May 2003

3 and 17 June 2003

1, 2, 3, 8, 15, 22 and 29 July 2003

5, 12, 19 and 26 August 2003

2, 9, 12, 15, 16, 17, 18, 19, 22, 23, 24, 25, 29, and 30 September 2003

1, 7, 9, 14, 21 and 28 October 2003

4, 5 (0800, 1200, 1700), 6 (0915, 1630), 7, 8, 11, 12 (0915, 1710), 13, 18, 20 and 25 November 2003

QUESTION TAKEN ON NOTICE

SUPPLEMENTARY BUDGET ESTIMATES HEARING: 25 November 2003

IMMIGRATION AND MULTICULTURAL AND INDIGENOUS AFFAIRS PORTFOLIO

(3) Output 1.3: Enforcement of immigration law

Senator Faulkner (L&C 15) asked:

Can you tell us what agencies the interpreters were attached to?

Answer: The interpreters were contracted by AFP through the Translator Interpreter Service (TIS).

QUESTION TAKEN ON NOTICE

SUPPLEMENTARY BUDGET ESTIMATES HEARING: 25 November 2003

IMMIGRATION AND MULTICULTURAL AND INDIGENOUS AFFAIRS PORTFOLIO

(4) Output 1.5: Offshore Asylum Seeker Management

Senator Bartlett (L&C 28-29) asked:

Confirm the breakdown of the figures provided in relation to the people being processed in Indonesia under the regional cooperation arrangements and clarify if those people who have gone through IOM have all been assessed by the UNHCR.

Answer:

[Note: The figures provided at Senate Estimates on 25 November 2003 were current to 15 and 30 October 2003. Figures updated to 30 November 2003 are provided in response to the above question. *Unless otherwise indicated, these figures are cumulative since the inception of regional cooperation arrangements in late 1999.*]

Not all people who come under IOM care are brought to the attention of UNHCR. Only those individuals who signal a potential protection need are referred by the IOM to UNHCR for assessment.

According to IOM statistics updated to 30 November 2003, a total of 3926 irregular migrants have been handled by the IOM in Indonesia, of whom:

462 are currently under the care of the IOM
703 have voluntarily returned
795 refugees have been resettled to 3rd countries
241 have been found to be refugees and are waiting resettlement

The number of irregular migrants who have been under the care of IOM since late 1999 and cannot be accounted for is 1725.

QUESTION TAKEN ON NOTICE

SUPPLEMENTARY BUDGET ESTIMATES HEARING: 25 November 2003

IMMIGRATION AND MULTICULTURAL AND INDIGENOUS AFFAIRS PORTFOLIO

(5) Output 1.3: Enforcement of immigration law

Senator Ludwig (L&C 35-36) asked:

Provide a copy of the Defence and DIMIA reports.

Answer: A copy of the DIMIA report is attached. Access to Defence reports is a matter for the Minister of Defence.

E-Mail Report from DIMIA Office Darwin

To: [REDACTED]/ACT/IMMI/AU@IMMI
cc: [REDACTED]/NT/IMMI/AU@IMMI, [REDACTED]/NT/IMMI/AU@IMMI, [REDACTED]
[REDACTED]/NT/IMMI/AU@IMMI

Subject: URGENT: Alleged Asylum Claims

[REDACTED],

[REDACTED] is the only DIMIA Darwin officer who had contact with the passengers. I've provided details of his movements, and contact with the vessel and its passengers below. **Response to your query is in bold.**

Tuesday 5th November

[REDACTED] was the DIMIA officer in the interagency initial response group that flew to Melville Island on the afternoon of Tuesday 5th November. ACS was the lead agent in this group, which had representation from DIMIA, ACS, AFP and AQIS. NT Police were also present at Melville Island.

On the Tuesday [REDACTED] had no contact with the vessel or its passengers, and he is not aware of any claims/comments as per your inquiry made to other Commonwealth officers on the day.

(The following information may be of interest to you in establishing other agencies contact with passengers/exposure to info on the day:

- AFP interviewed [REDACTED] (who initially sighted the vessel and reported it to Coastwatch) on Tuesday 5/11 and prepared a written signed statement. [REDACTED]
- Officers from HMAS Geelong boarded the vessel on Tuesday evening about 7:15pm

Wednesday 6th November and Thursday 7th November

[REDACTED], 5 AFP officers, and two interpreters went out to the vessel's location on the ACS Corio Bay on Wednesday 6/11 and Thursday 7/11.

On the Wednesday they had no contact with passengers.

[REDACTED] advises that on the Wednesday AFP had discussions with HMAS Geelong. [REDACTED] was not party to these discussions, but he is aware that AFP obtained a written report from the HMAS Geelong which contained information the Geelong had obtained from persons on the vessel.)

On the Thursday morning the AFP conducted interviews on the vessel. [REDACTED] was not present. He understands that 4 passengers and a number of crew members were interviewed.

On the Thursday afternoon [REDACTED] boarded the vessel with AFP officers.

[REDACTED] was present when AFP conducted two interviews, [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

The AFP officer took detailed notes of the interview, and I understood that AFP also attempted to record interviews.

██████ also interviewed one passenger. The interview concerned details of his journey to Australia only. ██████ did not ask any questions and nor did the interviewee offer any comment re why they came to Australia.

Pls let me know if you require anything further.

████████████████████
████████████████████
████████████████████

----- Forwarded by ██████/NT/IMMI/AU on 11/11/2003 09:21 AM -----

To: ██████/NT/IMMI/AU@IMMI
cc: ██████/NT/IMMI/AU@IMMI

Subject: URGENT: Alleged Asylum Claims

██████, ██████ wants **urgent** response in writing to the matters below. As you are key contact in this matter, can you coordinate response on behalf of NT office. I understand that ██████ was only person to have contact.

Thx,

██████

QUESTION TAKEN ON NOTICE

SUPPLEMENTARY BUDGET ESTIMATES HEARING: 25 November 2003

IMMIGRATION AND MULTICULTURAL AND INDIGENOUS AFFAIRS PORTFOLIO

(6) Output 1.3: Enforcement of immigration law

Senator Scullion (L&C 36) asked:

At what stage were the Northern Territory police informed or aware of the goings-on on Melville Island?

Answer: A witness to the arrival of the Minasa Bone II at Snake Bay reportedly advised the officer in charge of the local Northern Territory police station (Garden Point) of the arrival several minutes before the boat reached the shore at approximately 1354 (Canberra time). DIMIA's Darwin office received a call from the Northern Territory police at about 1415 (Canberra time) advising them that they have received notification of the vessel's arrival via the NT Police Information Line.