

**QUESTION TAKEN ON NOTICE – LEGAL AND CONSTITUTIONAL AFFAIRS  
REFERENCES COMMITTEE**

**INQUIRY INTO AUSTRALIA'S AGREEMENT WITH MALAYSIA IN RELATION TO  
ASYLUM SEEKERS: 23 SEPTEMBER 2011**

**IMMIGRATION AND CITIZENSHIP PORTFOLIO**

**(QON 15)**

Senator Cash (L&CA 44) asked:

Would you also inform the committee (a) where the advice actually came from via Malaysia; (b) what the advice was; (c) to whom it was provided here; and (d) why you say that, based on a report in a Malaysian newspaper and a conversation with someone in Malaysia, you were satisfied that RELA will no longer conduct the absolutely atrocious acts that they are reported to have committed in the past on people who do not have lawful status in Malaysia?

*Answer:*

- (a) The advice was provided by the Undersecretary International Division, Malaysian Ministry of Home Affairs.
- (b) He indicated that the RELA would no longer be involved in operations regarding illegal immigrants, and that the RELA was now focussing on a new direction for the agency.
- (c) The advice was provided to the Australian negotiating team during the course of negotiations.
- (d) The Undersecretary provided this advice in the course of negotiations regarding the Arrangement. Given his seniority in the Malaysian government, the veracity of his advice was accepted. This advice was subsequently reported in several Malaysian newspapers and confirmed in writing by the Ministry of Home Affairs on 9 August 2011.