



Appendix E—Article which appeared in *About the House*

Coastwatch inspection turns to surveillance

“Suspicious contact. Bearing 230 at 8 miles. I think we’ve got a probable SIEV out here.”

When, as part of their review of Coastwatch, members of Parliament’s Joint Committee of Public Accounts and Audit participated in a routine coastal surveillance flight north-west of Australia, they had no idea that they would become involved in a real life surveillance and detention operation. But after hearing that a ‘suspect illegal entry vessel’ or SIEV had been sighted near Australia’s waters, Committee members soon realised that they had a valuable opportunity to see Coastwatch in action.

“Parliamentary committees often conduct inspections as part of their investigations,” said Public Accounts and Audit Committee Chair, Bob Charles (Member for La Trobe, Victoria). “But you don’t usually get to see a real life situation played out in front of you. What better way for our Committee to conduct its review of Coastwatch than to witness first hand its detection methods, surveillance procedures and coordination of resources?”

The real life drama began on the morning of 12 September 2000, when a Coastwatch Dash-8 aircraft sighted a suspect vessel about 110 nautical miles east of the Ashmore Islands (outside Australian territorial waters). Around 50 people were reported to be on the deck of what appeared to be a motorised Indonesian fishing vessel.

The sighting triggered an immediate response at the Coastwatch National Surveillance Centre in Canberra. Arrangements were made for Customs and Navy vessels (the *Wauri* and *HMAS Dubbo*) to intercept the suspect vessel. All relevant Commonwealth agencies, including the Immigration Department, were alerted.

After tracking the suspect vessel throughout the morning of 12 September, the original surveillance aircraft was replaced with another Coastwatch aircraft flying out of Broome. With Public Accounts and Audit Committee members on board, the new surveillance aircraft continued tracking the suspect vessel on its eastward journey and directed the Customs and Navy vessels to the area where an interception could take place. Once *HMAS Dubbo* made radar contact with the suspect vessel, the surveillance aircraft was able to continue on to Darwin.

Crew from the *Dubbo* boarded the suspect vessel in the early hours of 13 September. By then the vessel had been identified as a motorised Indonesian fishing vessel known as the *Darimun Badi*. At the time, the vessel remained outside Australian territorial waters, in the Exclusive Economic Zone—an area where authorities could legally board, but not apprehend, the fishing boat.

The passengers and crew, totalling over 100 people, were warned that they would be detained if they entered Australian territorial waters without proper authority. The crew also was told that they would face prosecution. At this point the master of the vessel claimed to be bypassing Australia and as such had a legal right to be in those waters under the rules of innocent passage.

The *Darimun Badi* was boarded twice more as it continued its easterly heading, with warnings re-issued. After the third warning, and after receiving fresh water supplies from *HMAS Dubbo*, the vessel turned north. Soon after it resumed its easterly passage, remaining outside Australian territorial waters.

Given concerns for the seaworthiness of the vessel, Coastwatch requested further Defence Force assistance with the escort task. *HMAS Geelong*, which had arrived in Broome late that evening delivering an illegal fishing vessel, was speedily refuelled and sailed soon after midnight to provide support to *HMAS Dubbo*.

HMAS Dubbo shadowed the *Darimun Badi* as it slowly headed east. Late on 13 September Coastwatch estimated that, if it continued its easterly heading, the suspect vessel was likely to enter Australian waters near Darwin on the afternoon of 14 September.

Shortly before 3pm on 14 September—two and a half days after it was first sighted—the vessel entered Australian waters, at which time authorities could board and legally detain it and all the people on board. As the *Darimun Badi* neared Bathurst Island, *HMAS Dubbo* issued a notice of detention and the boat was towed to Darwin. The vessel was checked by fisheries and quarantine officers for black striped mussel, which is a threat to Australia's marine life.

On arrival at Darwin Naval Base 101 passengers and three crew were taken into custody by Immigration officials and the Australian Federal Police.¹ Customs officers conducted a search of the vessel for prohibited imports and dangerous goods.

During the surveillance, and subsequent response, six government agencies worked together to ensure compliance with Australia's laws. About 120 people, in the air, at sea and ashore, were involved in the surveillance and response activities coordinated from the Coastwatch National Surveillance Centre.

The *Darimun Badi* was the 28th vessel successfully detected and apprehended by Australian authorities since January 2000. Over 1,600 suspected unlawful non-citizens attempting to arrive by boat have been handed over to the Immigration Department in that time.

According to Public Accounts and Audit Committee Chair, Bob Charles, the whole operation gave an important insight into the way in which Australia's coastal surveillance authorities respond to illegal boat arrivals in Australia's waters. "You can be told these things are being dealt with, but until you get to see the operations first hand you don't get a complete understanding of what is involved."

"The Committee will use the experience it gained during this inspection, or should I say surveillance, in preparing its recommendations on Coastwatch for presentation to Parliament," Mr Charles said.

For more information on the Coastwatch inquiry

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1 Two of the three crew members were sentenced to 30 months imprisonment, to serve 15 months. The third member was sentenced to 4 years imprisonment to serve 2 years (100 Indonesian rupiah and US\$300 were also forfeited from this crew member). DIMA, *Submission No. 59*, Volume 4, p. S689; *Submission No. 61*, Volume 4, p. S710.

