

Submission from the Department of Immigration and Multicultural Affairs

Coastwatch Report

4 June 1999-the Broken Bay interception. A Customs media release of 5 June 1999 noted that a 40 metre vessel was boarded with 100 SUNCs on board.

What happened to the crew?

4 June 1999 – The Broken Bay Interception

The boat referred to in Customs medial release of 5 June 1999, intercepted off Broken Bay NSW is the boat that arrived on 4 June 1999 code named "Quinn". The Quinn was carrying 108 passengers from the PRC.

Crew: There were four crew. There was insufficient evidence to prosecute three crew members for Migration Act offences and they were removed from Australia. The master was prosecuted under the previous penalty provisions and was sentenced to 18 months imprisonment to serve 12 months.

15 July 2000-the Holloways Beach incident. A Minister for Customs media release of 15 July 2000 advised of the boarding of a 40 metre fishing vessel suspected of off-loading SUNCs at Holloways Beach. There were 11 crew on board of which 2 had been charged. Were more crew charged and what sentences were handed down?

15 July 2000 Holloways beach Incident.

The boat referred to in the Minister for Customs media release of 15 July 2000 was codenamed the "Xwa" and is also referred to as the "Wing Sang 108". The Wing Sang 108 was carrying 24 unlawful PRC nationals.

All Indonesian crew were interviewed and it was determined that there was insufficient evidence to charge seven of them with Migration Act offences. Accordingly seven crew members were returned to Indonesia.

The four crew remaining the received the following sentences:

John Diaz PUNUSINGHAN. Captian. On 23 October, PUNUSINGHAN was sentenced to twelve months imprisonment with a non parole period of six months. He was released in December 2000, after serving five months imprisonment and subsequently removed from Australia by DIMA on 8 December 2000.

Alfred TAKKAKOBI. Chief engineer. On 23 October 2000, TAKKAKOBI was sentenced to twelve months imprisonment with a non parole period of six months. He was released in December 2000, after serving five months

imprisonment and subsequently removed from Australia by DIMA on 8 December 2000.

SYARIFUDIN. Chief engineer, was sentenced to twelve months imprisonment with a non parole period of six months. He was released in December 2000, after serving five months imprisonment and subsequently removed from Australia by DIMA on 8 December 2000.

Icas PRAYUDI, a crew member who landed in Australia and returned to Hongkong, was charged on 5 August 2000 with 'assisting passage of unauthorised entrants' contrary to s37D(1)(a) of the Hong Kong Immigration ordinance Cap 115. PRAYUDI was sentenced to four and a half years imprisonment.

Two onshore organisers linked to the arrival of this boat were both sentenced to two years imprisonment to be released from custody after twelve months. DIMA will ensure plans are in place to remove both persons from Australia, when their custodial sentence ends.

In your submission of 5 March 2001 at p 12 of Attachment A, you refer to the crew of the Darimun Badi and the sentences handed down to two of them. What has happened to Mr Syakban Siregar? (By way of explanation-the Committee was on the Coastwatch flight which was coordinating the interception.)

Mr Syakban Siregar

Date of offence 9/9/2000.

On 1 March 2001, Mr Siregar was sentenced to four years imprisonment to be released after two years upon entering a recognisance to be of good behaviour for 2 years. Forfeiture order s19 Proceeds of Crime Act that 4,686,100 Indonesia Rupiah and \$300 US be forfeited to the Commonwealth.