

Department of Immigration and Border Protection

Submission to the Joint Select Committee on Northern Australia

The Department of Immigration and Border Protection (DIBP) welcomes the opportunity to provide a submission to the Joint Select Committee inquiry on Northern Australia. This paper is a consolidated submission on behalf of the portfolio, which includes the Australian Customs and Border Protection Service (ACBPS). [Refer to pages three to five for ACBPS input]

In addition to this submission, DIBP is engaged on the development of the *White Paper on the Development of Northern Australia*, and related Green Paper, through intergovernmental consultations with the Northern Australia Taskforce located in the Department of the Prime Minister and Cabinet.

DIBP is a diverse organisation, with operations stretching across Australia and around the world. DIBP manages programmes for the government related to migration, humanitarian and citizenship policy, and the department also plays an important role in the protection of Australia's borders, particularly given the recent machinery of government changes and movement of the ACBPS into the portfolio.

Our operating environment is constantly changing; in 2012-13 alone, the department facilitated more than 30 million border crossings for people coming to and from Australia for reasons ranging from tourism, business, temporary migrants, students, as well as permanent residents and Australian citizens.

Migration Programme

Our work delivering the Migration Programme provides many challenges in delivering a blend of social, economic and national security goals for the government. Evolving migration trends around the world will continue to present both economic opportunities and humanitarian challenges for Australia into the future.

Specifically, DIBP manages a comprehensive skilled migration programme that enables Australian businesses to access staff on a temporary or permanent basis. Employers who are sponsors can bring in workers as either permanent or temporary visa holders to work anywhere in Australia. Employers can recruit workers to regional areas through the Regional Sponsored Migration Scheme (RSMS), which allows employers to sponsor skilled workers from overseas, or who are already living and working in Australia as temporary visa holders, in order to fill vacancies in their business. The RSMS visa facilitates skilled migration for a period of at least two years into regional, remote or low-population growth areas and applies to those areas located outside the major metropolitan centres of Brisbane, the Gold Coast, Sydney, Newcastle, Wollongong and Melbourne.

Also, under the Independent Skilled programme, there are opportunities to attract skilled migrants to regional Australia through the Regional (Provisional) visa that must be sponsored by an eligible Australian relative living in a designated area of Australia or nominated by a state or territory government agency (through their State Migration Plan).

For those employers seeking to attract staff with a range of skills, workers can be recruited to regional Australia under: a labour agreement that is industry specific; a Designated Area Migration Agreement that is geographically based; and/or a Resource Sector Labour Agreement or Enterprise Migration Agreement that are specifically designed for the resources sector.

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Immigration detention

Australia's immigration detention network responds to high priority enforcement, compliance and border protection activity, including the management of illegal maritime arrivals, visa overstayers, character test cancellations, unauthorised air arrivals, and illegal foreign fishers.

The immigration detention network currently comprises 19 active sites on the mainland and Christmas Island, with a number of these located above the tropic of Capricorn in Western Australia and the Northern Territory:

- Curtin Immigration Detention Centre (IDC), Western Australia
- Blaydin Alternative Place of Detention (APOD), Wickham Point IDC, Wickham Point APOD
- Darwin Airport Lodge APOD
- Northern IDC, Northern APOD, and Berrimah House.

The operational capacity of these sites is over 4 000 detainees.

In addition to the primary illegal maritime arrival reception point on Christmas Island, Darwin has become a fundamental hub for the immigration detention network. In June 2013, the Government took the decision to increase the capacity of the immigration detention network in northern Australia. The decision to stand-up Blaydin APOD enabled the department to ensure appropriate options were available to accommodate families and increase efficiencies, whilst managing its detention footprint in the North where there are established support arrangements for families.

The department regularly reviews the immigration detention network to ensure its size and profile continue to meet Government requirements for the management of the immigration detention population. This includes the consideration of options to scale down the onshore detention network in a strategic and staged way that provides agility and capacity to meet the needs and impact of revised Government policy under Operation Sovereign Borders and preserves an appropriate contingency buffer.

There are approximately 200 DIBP staff working in Northern Australia between locations in Darwin in the Northern Territory and Derby in Western Australia . Of these staff, approximately 75 per cent are locally engaged and the remainder are deployed. Locally-engaged staff live and work in the community on an ongoing basis. Deployed staff work in the area for a period of between three to 12 months.

The department contracts service providers to provide detention services for people in detention, including but not limited to security, welfare, health and other support services. Collectively, there are approximately 1 100 service provider staff working across Northern Australia. Of these officers, approximately 70 per cent of staff are locally engaged and the remainder are deployed or seconded.

The use of locally engaged staff has been found to be highly effective in improving business outcomes, supporting a healthy workplace culture and promoting staff welfare and community relations. It is also an effective cost saving mechanism for the department, in terms of the direct costs (staff remuneration) and indirect costs, such as training and administration.

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Australian Customs and Border Protection Service

A strong border is essential for economic prosperity

A strong border is as essential to economic development in Northern Australia as it is anywhere in the country. ACBPS maintains the border as an asset in the interests of economic prosperity as well as national security, maritime security, law enforcement, community protection, industry support, revenue collection and trade statistics - without which the Government and relevant agencies would be missing a fundamental part of the evidence base required to steer the economy. Australia's border integrity is also in the interests of our neighbours and the broader international community, as others depend on our exports as well as our export controls.

Fostering rapid movement across the border adds to economic competitiveness and productivity. Conversely, inadequate design of the border control points, systems and processes can impede movement and diminish the efficiency of our national infrastructure, acting as an impediment to growth. Collaboration in designing border controls is essential, the effects of a slowing of border processing manifest as costs for traders. The ACBPS has a strong, collaborative relationship with industry, which in part creates the traveller and trader pathways that our control points sit astride. Border protection and law enforcement activities also support economic development by protecting our national assets. As an example, our role in protecting offshore infrastructure and energy resources, and in maintaining shipping communication lines and countering criminality and corruption in the seaport environment assists in maintaining Northern Australia as an attractive destination for investment. Our role in protecting marine parks and historic sites, providing inshore and coastal law enforcement and community protection assists in maintain Northern Australia's reputation as an appealing tourist destination.

The border in Northern Australia

ACBPS undertakes a full range of border activities across Northern Australia. The environment presents the full range of border risks and some also unique challenges.

Above the Tropic of Capricorn, ACBPS has offices in Dampier, Port Headland, Broome, Christmas Island, Darwin, Weipa, Gove, Thursday Island, Cairns, Townsville, Bowen and Mackay. These include remote regional posts and busy international ports and two of the eight major airports- Darwin and Cairns. The area includes a remote, poorly charted coastline, much of it characterised by changeable climatic conditions and challenging tidal forces. Small and larger vessels, fixed wing and helicopter aircraft are used for enforcement, management, intelligence and logistics, and are essential capability in what is a vast geographic area.

Our operations need to be flexible and agile to match the variability in the workload across Northern Australia. For example, the increasing popularity in the cruise ship industry is resulting in larger numbers of travellers arriving in remote locations. *Voyager of the Seas*, the eighth largest ship in the world berthed in Port Headland in late 2012 with over 4000 passengers and crew. Darwin international airport experiences both increases and decreases with passenger numbers as airlines add and detract services to meet demand.

The challenge inshore and along the remote coast is diverse, ranging from yachts and pleasure craft to merchant vessels, requiring both rapid response and sustained presence. To these, the Torres Strait adds a unique element, being the only part of Australia where both state and local

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governments' jurisdiction border those of another country. This creates a crossover in responsibilities, border and community policing tasks, including those involving drugs and firearms, are being conducted within the same area of operation, requiring both a border security and community policing approach and creating a strong relationship between Queensland Police, the Australian Federal Police, DIBP, the Department of Agriculture and ACBPS.

Australia's maritime security challenges manifest in Northern Australia do not end with illegal maritime arrivals and illegal foreign fishing. ACBPS has a role in protecting offshore energy resources and infrastructure from maritime terrorism and in responding to threats to subvert good order at sea, exploit or damage the environment or otherwise circumvent lawful controls including the trafficking of drugs and firearms.

Our Partners- interdependent capability

A valuable strategic national asset, the border is managed for a multiplicity of purposes, on behalf of Federal, State and Territory authorities and in the interests of industry and the community. A high level of cooperation between agencies and international counterparts and a high degree of information sharing, networking and systems integration is critical to managing the unique challenges the North presents for the border.

The high level of interdependence between the various federal, state and territory agencies in Northern Australia means that the capability of ACBPS has a direct impact on the capability of our partners, traders and travellers. ACBPS is reliant on technology and intelligence to stay ahead of criminal organisations wanting to circumvent our detection capabilities and to remain competitive for traders and travellers. Our ICT, detection, CCTV and radio communications technologies are as critical in Northern Australia as our vessels, aerial surveillance and the capability of our skilled officers on the ground.

Sustaining service levels in Northern Australia

ACBPS presence and ability to respond to incidents in remote areas has been challenged over the years as staffing levels and resource availability have changed. The redirection of a higher proportion of effort into processing activity to keep pace with rising activity south of the Tropic of Capricorn has reduced enforcement activity. The ability of ACBPS to support development in Northern Australia is constrained by the current tight fiscal environment and the consequent impact on service levels, on ICT and non-ICT infrastructure.

There are currently less than 300 officers managing the border in our North and these officers are stretched further than the area above the Tropic of Capricorn, they cover the area north of Perth and across to the north of Brisbane. A large proportion of these officers are concentrated in Cairns and Darwin, and include officers at the international airports. Non-ICT technology, such as CCTV and detection equipment is ageing. There has been no scope for new initiatives and ACBPS has been limited to funding the most critical replacement and maintenance projects where there is a risk of significant operational failure or major increases in operating costs. As one example, our littoral fleet while able to operate within harbours and sheltered waters is not able to patrol remote coastal environments or any distance away from the safe waters of the coast. The fleet is aging and is due for replacement over the next five years.

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ACBPS Reform Programme – enhancing border protection capability and supporting economic development

ACBPS requires a new operating model in order to continue managing the border efficiently and effectively. Since late 2012 ACBPS has been developing and implementing a root-and-branch Reform Programme, a holistic and highly integrated package which will improve key capabilities of the Service to ensure we have intelligence-led border management systems which foster legitimate trade while protecting the border against unlawful activity.

A key element of the Reform Programme that will contribute to increased border management capability in Northern Australia is the establishment of a Strategic Border Command operating model and the introduction of Regional Command. This combined with a new workforce model, will ensure our operational resources are coordinated, intelligence driven, linked up and most effectively deployed and targeted. The ACBPS is moving away from a labour intensive model to one which takes full advantage of technology, such as biometrics, analytics and automation. This approach will free up the workforce to be deployed to higher-value analytical and enforcement activity.

A key challenge is developing a workforce model that allows a stronger visible border presence, not just at the major ports of entry, but in remote and regional ports across the north and west, ensuring we have adequate coverage of our vast, remote borders. The Border Force, our future front-line officers, will be trained and equipped to perform a range of tasks. Cross-skilling will enable officers to be mobilised and deployed flexibly based on strategic priority. This priority will be overseen nationally by Strategic Border Command. To provide an effective, mobile and timely response for remote areas, ACBPS will establish ready response teams (or flying squads). ACBPS will increase patrols of these remote areas, with teams will be deployed to work more closely with Australian Defence Force Regional Force Surveillance Units, police, wildlife, and fisheries services, as well as local communities.

The establishment of a trusted trader and a reformed future traveller system will significantly contribute to the regulatory agenda in Northern Australia. Other elements of Reform that will deliver benefits to Northern Australia focus on deregulation through earlier reporting and more effective data sharing and mail modernisation. ACBPS will also work with industry to develop innovative commercial delivery models. Reform will look at how the stakeholders that benefit the most can make a contribution and share costs with Government through innovative funding models and public private partnerships.

To continue to meet the challenges of the future, ACBPS will not be able to simply scale services to demand or depend on the current level of inter-agency cooperation. Instead the ACBPS Reform Programme aims to transform the border by strengthening our operational agility, maximising the support we provide for trade and travel, and ensuring our future border systems and processes support economic competitiveness and productivity.