

QUESTION TAKEN ON NOTICE

SUPPLEMENTARY BUDGET ESTIMATES – 20 OCTOBER 2014

IMMIGRATION AND BORDER PROTECTION PORTFOLIO

(SE14/152) PROGRAMME – Operation Sovereign Borders

Senator Carr (Written) asked:

How is the Government instructing the navy to deal with people smugglers and traffickers? What policies or guidelines are in place for the effective arrest and prosecution of people smugglers?

Answer:

This matter falls within the jurisdiction of the Deterrence and Disruption Task Group (the DDTG), led by the Australian Federal Police (AFP), within the Joint Agency Task Force. There is no navy involvement.

The DDTG mission is to disrupt and deter people smuggling organisers, facilitators, financiers and syndicates domestically and internationally to break the people smuggling chain of supply through source, transit and destination countries. The AFP has no investigative powers off-shore. Effectiveness is predicated on collaboration with foreign law enforcement, as well as across WoAG agencies, with a focus on law enforcement cooperation, intelligence gathering and exchange, and capacity enhancement.

The AFP applies its standard investigation practices, policies, procedures and guidelines in relation to the investigation of persons believed to be involved in people smuggling. The AFP investigates offences against all relevant Commonwealth legislation as they pertain to people smuggling, and other offences identified during the course of investigations. The most commonly used Commonwealth legislation includes the *Migration Act 1958*, *Criminal Code Act 1995* and the *Crimes Act 1914*. Subsequently, the AFP liaises with State and Territory law enforcement agencies to investigate domestic people smuggling offences as required.

AFP internal policies and procedures are adhered to in the course of these investigations.