

QUESTION TAKEN ON NOTICE

ADDITIONAL ESTIMATES HEARING: 13 February 2006

IMMIGRATION AND MULTICULTURAL AFFAIRS PORTFOLIO

(40) Output 1.3: Enforcement of Immigration Law

Senator Hurley (L&C 113) asked:

In relation to Australian citizenship, with regard to the possibility of fraud, you mentioned that cases went to the investigations area and then to prosecution if necessary. Can you tell me how many prosecutions were undertaken in the last year?

Answer:

During 2004-05 and 2005-06 financial years (as at 31 December 2005), two new matters were brought before the courts involving citizenship fraud. In both instances successful convictions occurred and fines were imposed. Refer (a) and (b) below for details.

During the same period, a third matter was finalised resulting in a successful conviction. This matter had commenced before the courts prior to the specified period above. Refer (c) below for details.

(a) Conviction details: 1 x count of s50 (1) (a) *Australian Citizenship Act 1948* - make, cause or permit false/misleading rep/statement; and 1 x count of s234 (1) (a) *Migration Act 1958*.

Convicted: 17/05/2005

Convicted and fined \$3000 + \$63 involving Court costs.

(b) Conviction details: 1 x count of s50(1) (a) *Australian Citizenship Act 1948* - make, cause or permit false/misleading rep/statement; and 6 x counts of s234 (1)(c) *Migration Act 1958*.

Convicted: 17/02/2005

Convicted and fined \$20,000 + \$135.30 disbursements + \$300 professional costs.

(c) Conviction details: 1 x count of s50 (1) (a) *Australian Citizenship Act 1948* - make, cause or permit false/misleading rep/statement

Convicted: 08/11/2004

Convicted & fined \$1000.00 + disbursement of \$35.00.