

QUESTION TAKEN ON NOTICE

SUPPLEMENTARY BUDGET ESTIMATES HEARING: 1 November 2005

IMMIGRATION AND MULTICULTURAL AND INDIGENOUS AFFAIRS PORTFOLIO

(153) Output 1.3: Enforcement of Immigration Law

Senator Barlett asked:

International Students

In 2004-05, DIMIA nationally conducted 5110 compliance field operations, or an average of 14 raids per day, specifically to locate student visa breaches and over-stayers. People offering information to DIMIA (voluntary approaches) contributed to 3092 of these operations.

- Are particular business locations specifically targeted?
- In what circumstances are warrants necessary for these raids, or field operations, to locate students?
- What is the percentage of compliance field operations on students are conducted with a warrant?
- What are the annual costs of conducting these operations?
- Have any people offering voluntary information to DIMIA ever received remuneration?

Answer:

Please refer to Question 62 on compliance operations.

Please note that the number 5110 is the sum of students located for the 2004-05 year, as distinct from the number of operations. Of these, 3092 were voluntary approaches.

Business Locations

Business locations are the subject of compliance action if there is reasonable cause to believe that an unlawful non citizen or person in breach of visa conditions may be located there. Business locations may be visited on a more regular basis if a pattern emerges that indicates ongoing breaches of immigration law.

Search Warrants

Search warrants issued under s 251 of the *Migration Act 1958* provide the basis for officers to lawfully enter and search any building, premises, vessel, vehicle or place in which an officer has reasonable cause to believe there may be found:

- an unlawful non-citizen;
- removee or deportee;
- a visa holder in breach of a visa condition; or
- documents relating to the entry and exit of persons who would have become, or is an unlawful non-citizen, removee or deportee.

Percentage/Cost of Field Operations

To provide data on the percentage of compliance field operations involving students conducted with a warrant, or the annual costs of such operations would be particularly resource intensive. Our response to Question 62 notes that during 2004-05 some 2000 search warrants were issued in total.

Voluntary Information

Persons who provide voluntary information on alleged unlawful non-citizens or persons in breach of visa conditions are not remunerated for providing that information.