

QUESTION TAKEN ON NOTICE

SUPPLEMENTARY BUDGET ESTIMATES HEARING: 1 November 2005

IMMIGRATION AND MULTICULTURAL AND INDIGENOUS AFFAIRS PORTFOLIO

(62) Output 1.3: Enforcement of Immigration Law

Senator Ludwig (L&C 55) asked:

Provide the numbers, say in the last 12 months, of compliance operations you have conducted; the nature of the operations; whether they were at a restaurant, on a campus or something along those lines; and the indicative times that the compliance operations were started. I am sure you have a lot more on file about them than that. You could also provide the procedure manual, just so that we have an idea of what you do which will either confirm or dispel people's beliefs about what you do.

Answer:

Compliance work encompasses a range of interactions with clients, other agencies and the public. This includes: field operations to places of employment and residences to locate over-stayers and people in breach of their visa conditions which are routinely conducted around the country, in metropolitan, rural and remote areas; interaction with persons who approach us voluntarily; employer awareness visits; and visits to educational institutions for awareness raising sessions. In the course of this work, DIMIA systems indicate that during 2004-05 there were some 10000 visits to residences and businesses with some 2000 search warrants issued. A search warrant may relate to more than one address and can be valid for a period of up to seven days. The addresses covered by each search warrant are identified in the search warrant application that is prepared for consideration by the delegate responsible for issuing the search warrant. The delegate must also be satisfied that the officer applying for the search warrant has reasonable cause to believe that unlawful non citizens or persons in breach of visa conditions will be located at the identified address before a warrant can be issued.

In the context of the department's response to the Palmer Report recommendations to review our information management we are looking to ensure added consistency and accuracy in the reporting of this work.

Our records show that 18341 persons were located in 2004-05, approximately half of these being voluntary approaches. Of these 18341, 5110 were students (3092 voluntary approaches).

The main industries or areas from which locations result are:

- accommodation, cafes, restaurants;
- agriculture, forestry and fishing;
- manufacturing;
- retail trade; and
- construction.

The hospitality and service industries (including restaurants, food courts, hotels, taxi fleets, security providers, wholesale and retail outlets, and the sex industry) are areas where students most often come to compliance attention.

We are not able in the timeframe available to provide details on the times operations were conducted. However, our guidelines indicate that where possible, operations should only take place between 7 in the morning and 9 in the evening. Our regional offices have advised that the majority of compliance operations are conducted during these times. It is of course necessary for some operations to occur outside normal business hours, for example, in the hospitality and other industries where work is generally undertaken at night.

Having regard to the requirement of Standing Order 26(2) for all evidence taken during estimates hearings to be made public and the fact that the National Compliance Operational Guidelines (NCOG) is an exempt document under the *Freedom of Information Act 1982*, the department has not provided a copy of the NCOG as the availability of the information to the public could prejudice future compliance operations.