

## QUESTION TAKEN ON NOTICE

**SUPPLEMENTARY BUDGET ESTIMATES HEARING: 30 October 2006**

IMMIGRATION AND MULTICULTURAL AFFAIRS PORTFOLIO

### **(191) Output 1.3: Enforcement of Immigration Law**

Senator Crossin (L&CA 49) asked:

There is some very limited scope for employers committing criminal offences arising under the migration legislation. It is possible that an employer may be penalised under section 11.2 of the Criminal Code Act. This section can lead to criminal liability where the employer is found guilty of aiding or abetting the commission of a so-called section 235 offence by breaching section 235 of the Migration Act. A section 235 offence is committed by an unlawful citizen who works illegally or by a non-citizen who breaches the work conditions. Have you taken action against any employers who have assisted that?

*Answer:*

Since July 2000 one employer has been prosecuted for aiding and abetting offences under section 235 of the *Migration Act 1958*. As a result of same investigation, two co-offenders who were not employers were also convicted of offences relating to the employment of illegal workers.