

Border Security

Introduction

9.1 The 1998 Australian National Audit Office Report on security preparations for the Olympic Games covered border management, protective security for visiting dignitaries, intelligence, and threat assessment.¹ This chapter addresses Australia's off shore activities and the handling of visitors who overstay their visas.

Unauthorised arrivals

9.2 The number of unauthorised arrivals in Australia is increasing. Seventy per cent of the 3,032 detected unauthorised arrivals in 1998-1999 came by air, and possibly three quarters of these may have had their travel arrangements facilitated by traffickers.² People-smuggling by organised groups is one of the components of transnational crime which affects Australia.

9.3 The Committee heard anecdotal information that, at the time of major events such as the Games, more people attempt to enter a country illegally. They may, for example, hope that the border controls will be less effective in the face of increased visitor numbers, or they may believe unfounded rumours of (non-existent) special amnesties for illegal

1 Australian National Audit Office, *Commonwealth Agencies' Security Preparations for the Sydney 2000 Olympic Games*, ANAO, 1998.

2 DIMA Fact Sheets: No. 81, *Unauthorised Arrivals by Air and Sea*; No. 83, *People Smuggling*.

immigrants. They may seek to disguise their intentions with an ostensibly legitimate interest in the Games.

- 9.4 The Committee was advised by a number of agencies of action taken to minimise the numbers of unauthorised arrivals through preventive action overseas.
- 9.5 DIMA currently has seven specialist immigration officers working with local police and immigration officials in countries where there is a high incidence of immigration malpractice.³ DIMA also intends sending additional staff to countries where significant tourism growth is expected, but which do not have access to ETA. The Prime Minister's Coastal Surveillance Task Force Report recommends that additional officers be stationed in Shanghai, Guangzhou, New Delhi, Colombo, Nairobi, Pretoria, and Ankara to, inter alia, strengthen information gathering.⁴
- 9.6 DIMA has also stationed an Airport Liaison Officer (ALO) at each of Hong Kong, Bangkok, Kuala Lumpur and Singapore airports, the key regional gateway airports to Australia. The ALO's primary role is to ensure that airline staff are fully trained in understanding Australia's document requirements. Their secondary role is to deal with referrals from airline check-in staff, and provide advice and recommendations concerning whether the passenger should be carried to Australia.⁵
- 9.7 Since 1995-96, ALOs in Bangkok, Singapore, Hong Kong and Kuala Lumpur have detected increasing numbers of intending passengers with inadequate travel documentation.

Table 2 Airport Liaison Officers (ALO) and Unauthorised Arrivals by Air

	Persons detected by ALO with inadequate documentation prior to embarkation	Unauthorised arrivals in Australia by air
1995-1996	302	669
1996-1997	436	1,347
1997-1998	626	1,550
1998-1999	1,580	2,106

Source DIMA, *Submissions*, p. 364; *Fact Sheet No. 81, Unauthorised Arrivals by Air and Sea*.

3 Beirut, Beijing, Guangzhou, Hong Kong, Manila, Bangkok, and Jakarta. DIMA Fact Sheet, No.83, *People Smuggling*.

4 DIMA, Fact Sheet No. 86, *Border Control*; Prime Minister's Coastal Surveillance Task Force Report, Recommendation 2.

5 DIMA, *Evidence*, pp. 235-238; *Submissions*, p. 364.

- 9.8 In a move which will expand the ALO net to cover six gateways, DIMA plans to expand the number of ALO placements in the key centres of Bangkok, Denpasar, Dubai, Kuala Lumpur and Singapore.⁶
- 9.9 However, this expansion will provide only two ALOs at the important airport hubs of Bangkok and Singapore. These ALOs will not be present for all of the day, nor for all days of the week. DIMA indicated to the Committee that additional staff could be assigned if needed at the time of the Games. Currently 24-hour coverage was not available, but the ALO was on call even when not at the airport.⁷
- 9.10 Although the ALO is required to train airline check-in staff, the high turnover of check-in personnel, and the use of staff not directly employed by the airlines indicates that the staff may not be sufficiently trained. They will therefore be reliant on advice from ALOs present at the airport, particularly at busy times.
- 9.11 These pressures on check-in staff and the limited numbers of ALOs at key airports with direct flights to Australia, are expected to be compounded by the increased volume of people wanting to visit Australia for the Games.
- 9.12 The Committee was advised that Australia's ALO resources are currently supplemented by ALOs representing other countries to cover as many flights as possible.⁸
- 9.13 The Committee identified a number of problems with the existing and proposed ALO arrangements:
- Check-in staff may be ignorant of the Australian requirements because of their high turnover and because those who are not airline employees,⁹ may not have received ALO training.
 - In the absence of an Australian ALO, the airline check-in staff may rely on the advice of other countries' ALO personnel who may not have sufficient training in Australian requirements to make fine judgements.
 - Non-Australian ALO staff have only limited capacity to investigate passengers' documentation, and have to fall back on the Australian ALO, who may not be at the airport in person.¹⁰

6 DIMA, Submissions, p. 364.

7 DIMA, Evidence, pp. 243, 238.

8 Canada, USA, UK, New Zealand. Some of these may be contractors, rather than employees of the respective governments. DIMA, Submissions, p. 364; Evidence, p. 239.

9 DIMA, Submissions, p. 365.

10 DIMA, Evidence, p. 245.

- These problems would be compounded at times when an ALO was unavailable and the non-Australian ALO staff were busy with their own nations' tasks.

Conclusion

- 9.14 Despite the proposed additional ALO resources, the Committee was concerned about the ability of Australia to undertake effective off shore migration checks at hub airports with flights continuing to Australia. It was also concerned at the use of personnel not specifically trained in Australian immigration requirements.

Recommendation 20

- 9.15 **There should be 24-hour on-site coverage by Australian ALOs at the hub airports of Bangkok and Singapore.**

Recommendation 21

- 9.16 **DIMA should not, as a matter of policy, rely on the assistance of ALOs from other countries to monitor travellers to Australia and assist check-in staff. Prior to the Games, DIMA should ensure that it has adequate migration coverage at key hub overseas airports.**

International crime

- 9.17 The National Crime Authority (NCA), in its submission to the Committee, anticipated that the Games will present an opportunity for transnational crime groups to expand their activities. There will consequently be increased pressure on the systems currently in place for monitoring the entry of suspected criminals and illegal goods into Australia. The NCA indicated that its main concern was that the volume of the Games traffic did not adversely affect the integrity of checking systems in place.¹¹
- 9.18 The Australian Federal Police (AFP) approach is predicated on a proactive, strategically driven response outside Australia's borders. This approach, the Committee was advised, arose from the AFP's restricted resources. It was more effective to target transnational crime before it hit

11 National Crime Authority (NCA), Submissions, pp. 46-48.

Australia's borders, rather than have it increase the demands made on AFP's on shore resources.¹²

- 9.19 The Committee was advised *in camera* of a range of practices and initiatives by Australian authorities designed to minimise the threat which transnational crime posed to Australia's immigration controls.
- 9.20 The Committee noted that preventive arrangements could not be expected to be 100 per cent effective.

Conclusion

- 9.21 The Committee concluded that the responsible authorities were sensitive to the potential opportunities which the Games offered to transnational crime, and were doing their best to counter its spread into Australia. The evidence offered reinforced the AFP's argument that it was important that any changes to immigration requirements prior to the Games did not imply that Australia was lessening its border requirements.¹³

Overstayers and the Games

- 9.22 In addition to those who attempt to come to Australia illegally, there are expected to be a number who, having arrived here legitimately, do not depart as required by their visas. DIMA routinely conducts field operations to locate foreign nationals who have breached their visa conditions, including those who overstay their visas. The proportion of visitors to Australia who do not comply with their visa requirements is calculated by DIMA to be under two percent.
- 9.23 Some depart voluntarily. Other overstayers may be subject to "supervised departure", whereby they leave at their own expense and are taken to the airport to ensure that they depart. Those unwilling or unable to arrange their own departure are removed, generally after a period of detention while arrangements are made.¹⁴
- 9.24 Currently two thirds of those breaching their visa conditions depart after their visas expire, or depart legally, having acquired a new visa, and a further one in five remains on a further visa. The balance, about 0.25 per

12 Australian Federal Police (AFP), Evidence, pp. 160-161.

13 AFP, Evidence, p. 160.

14 DIMA, Fact Sheet No. 80, *Locating Overstayers in Australia*.

cent of arrivals, remains despite expired visas and require further follow-up.¹⁵

- 9.25 Scrutiny of visa applications from non-ETA countries will minimise the numbers of overstayers, although this process can create potential problems, as was outlined in Chapter 6. Overstayers at the time of the Games will be followed up according to these established procedures.

Asylum seekers and the Games

- 9.26 Another category of individuals who may wish to stay on in Australia are those seeking asylum or recognition as a refugee.¹⁶ During 1998-99, DIMA received 8,257 applications for the relevant protection visas. DIMA assessed these applications against the United Nations definition of refugees and Australia's health and character requirements.¹⁷
- 9.27 The Games period will provide an opportunity for people who would not normally visit Australia to seek asylum here. Initial approaches for protection and asylum at the airport will be handled by DIMA and ACS. The range of established procedures to handle such applications will continue to apply.

Summary

- 9.28 The evidence presented to the Committee indicates that there is a threat to Australia's border security, which is expected to increase at the time of the Games. The evidence also indicated that the appropriate authorities have responded by working to solve this problem through preventive measures off shore. However, the Committee identified a need for more staff at key airports.

15 Proportions of all visitors: departing on new visa, 1.22%; departing after visa expiry, 0.13%; remaining on further visa, 0.37%: DIMA, Submissions, p. 329.

16 Most asylum seekers are in fact seeking recognition as refugees. The seeking of protection and the grant of asylum have different meanings under Australian law and are handled differently. DFAT, Submissions, pp. 82-83.

17 DIMA, Fact Sheet No. 41, *Seeking Asylum within Australia*.

Conclusion

- 9.29 As other major events have indicated, there is always a chance that important international events such as the Games will create problems for the host country. Australia can expect problems ranging from visa overstayers to terrorism aimed at groups participating in the Games. The relevant authorities are currently minimising the likelihood of the latter through a range of activities.

