



Our Ref: 200210377

Mr Peter Hallahan
Secretary
Legal and Constitutional References Committee
Australian Senate
Parliament House
CANBERRA ACT 2600

Dear Mr Hallahan

INQUIRY INTO MIGRATION ZONE EXCISION

I refer to your letter dated 5 July 2002 to Mr Sean Walsh, Chief of Staff to the Premier of Western Australia, inviting a State Government submission to the Legal and Constitutional References Committee's Inquiry into Migration Zone Excision. I am responding on behalf of Mr Walsh.

The relevant Western Australian Ministers have been consulted and the following comments are offered as the State Government's submission to the Inquiry.

As you are aware, the proposed Commonwealth Migration Legislation Amendment (Further Border Protection) Bill 2002 (the Bill) amends the *Migration Act 1958* by expanding the definition of "excised offshore place" to include, *inter alia*, all islands that form part of Western Australia and are north of latitude 23 degrees south. There are over 3000 islands north of latitude 23 degrees south, many of which – especially in the Kimberley region – are an integral part of the lives of Aboriginal people in Western Australia. It is vital that the activities of Aboriginal people on or near these islands and their ability to move around the islands is not adversely affected by the Bill, should it be enacted into legislation.

I note in this regard the assurances provided by the Hon Phillip Ruddock MHR, Minister for Immigration and Multicultural and Indigenous Affairs, during the second reading speech on the Bill that "there will be no impact whatsoever on the traditional movements of the inhabitants of the Torres Strait protected zone. These people will continue to be able to move about as freely as before". I assume that this applies equally to Indigenous people in Western Australia.

Thank you for the opportunity to provide a submission to the Inquiry. If you would like any further information, please contact Mr Bala Murali, Principal Policy Officer, on (08) 9222 9516 or email bmurali@dpc.wa.gov.au.

Yours sincerely



Lyn Genoni
A/DIRECTOR
OFFICE OF FEDERAL AFFAIRS

23 August 2002