

QUESTION TAKEN ON NOTICE

ADDITIONAL ESTIMATES HEARING : 27 February 2017

IMMIGRATION AND BORDER PROTECTION PORTFOLIO

(AE17/083) - Backpacker tax ramifications - Programme 2.3: Visas

Senator Watt, Murray (L&CA 131) asked:

Mr Manthorpe: Not to my knowledge. Two comments: one, the backpacker numbers are holding up pretty well. There are two categories. One has been going up a bit and one has been going down a bit, but they are pretty solid, so any suggestion that that is as yet having a negative impact on the labour force or the availability of that piece of the labour force is not evident to me. The second point is that explicit in the backpacker tax arrangement, as I understand it, is the requirement for tax file numbers to be provided to the tax office and so on. So that in effect brings people out of the black economy and into the real economy, if you will, or at least creates an onus, or an impetus, to achieve that, which could actually have a positive effect from the point of view of tracking the risk of migrant worker exportation.

Senator WATT: Commissioner, have you for your agency ever provided advice expressing concern about that?

Mr Quaedvlieg: No, our policy advice to the minister's office is through the conduit of the department.

Senator WATT: I think you offered to provide some more information on notice about some of the operations that you have been undertaking—

Mr Quaedvlieg: We are very happy to do that. We will take that on notice.

Answer:

Taskforce Cadena

Taskforce Cadena is a joint agency initiative between the Department of Immigration and Border Protection (DIBP) led by its operational arm the Australian Border Force (ABF) and the Fair Work Ombudsman (FWO). The Australian Government established Taskforce Cadena in June 2015 to target and disrupt the criminals organising visa fraud, illegal work and the exploitation of foreign workers.

The objective of the Taskforce is to investigate and gather evidence of organised visa fraud and the exploitation of foreign workers. While Taskforce Cadena does not undertake operational activity for the purpose of targeting and detaining unlawful non-citizens, unlawful non-citizens and others working in breach of visa conditions may be identified during investigations.

Taskforce Cadena draws on the collective powers of the ABF and the FWO particularly those contained in the Migration Act and the Fair Work Act, and intelligence from a range of sources to identify and investigate targets of interest.

Taskforce Cadena operational activity to date (since inception):

- Fourteen (14) Taskforce Cadena operations have occurred across multiple states and industry types
- Operational activity has occurred under the provision of some 36 separately issued warrants

Prosecutorial Actions:

In relation to Taskforce Cadena activity, three (3) briefs of evidence have been submitted to the Commonwealth Director of Public Prosecutions (CDPP) for consideration. These briefs are in relation to:

- Operation KALOPSIA (VIC)
- Operation IBEDIM (NSW)
- Operation VORPAL (WA)

Investigations Division is currently in the process of compiling an additional brief of evidence for submission to the CDPP in the near future. This brief is in relation to:

- Operation KIPPAGE (VIC)

Allegations and Referrals:

Taskforce Cadena receives allegations and referrals from both internal and external sources. Following initial assessment, allegations that do not fit within the Taskforce are referred to other areas of the Department or to partner agencies for assessment. The following allegations have been referred to date:

- 30 allegations to FWO
- 20 allegations to ABF Sponsor Monitoring Unit
- 15 allegations to ABF Field Compliance

An additional 30 allegations have also been referred to other stakeholders including:

- ABF Investigations (in the state where the allegation relates)
- ABF Counter Terrorism
- AFP
- State or Territory Police

If an allegation is received that does not meet the thresholds for investigation by the Taskforce, all efforts are made to ensure it is referred to the appropriate business area or partner agency for action.