

## **QUESTION TAKEN ON NOTICE**

**ADDITIONAL ESTIMATES HEARING: 13 February 2006**

IMMIGRATION AND MULTICULTURAL AFFAIRS PORTFOLIO

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

Senator Ludwig (L&C 47) asked:

Provide the instructions and how DIMA manages the arrangements with Customs in relation to illegal fishers or other unlawful boat arrivals.

*Answer:*

DIMA's arrangements with the Australian Customs Service (ACS) in respect of illegal foreign fishers (IFFs) are managed through coordination and a close working relationship between operational areas of both organisations, at a National Office and State/Territory level. Furthermore, an umbrella Memorandum of Understanding (MOU) between DIMA, ACS, Department of Agriculture, Fisheries and Forestry (DAFF) and the Australian Fisheries Management Authority (AFMA) is near finalisation, which would formalise current operating procedures.

ACS apprehends illegal foreign fishing vessels and manages the initial processing of illegal foreign fishers. DIMA provides detention and removal services in relation to IFFs. AFMA manages any IFF prosecution process, in consultation with the Commonwealth Director of Public Prosecutions. DAFF has policy responsibility and is the lead agency responsible for the IFF program at a whole of Government level.

Further to this close working relationship, operational responses to illegal boat arrivals are underpinned at the Commonwealth and State/Territory levels through a MOU. The operational protocols for the MOU are promulgated in 'Guidelines for the Response by Commonwealth and State/Territory Police to an Illegal Landing of a Suspect Illegal Entrant Vessel on Australian Territory'. A copy of the MOU is attached and reflects the significant level of cooperation across Commonwealth agencies and State and Territories. The associated guidelines are not intended for public release.