MIGRATION POLICING PROJECT

The Structure and Dynamics of Migration Policing Networks

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The Department of Immigration and Citizenship (DIAC) has the primary responsibility for the enforcement of immigration controls. However, the 13,831 'locations' of unlawful non-citizens recorded in 2010/11 were not solely attributable to the efforts of DIAC compliance officers. The Department's modest enforcement contingent is supplemented by a web of formal partnerships with federal and state police, government departments and regulatory agencies, and looser alliances with members of the wider community who are encouraged to report their suspicions about the immigration status of their neighbours, relatives, students or employees via an official 'Dob-in Service'. Collectively these alliances, whether formal or informal, ongoing or transient, based on information-sharing or joint operations, greatly extend DIAC's capacity for surveillance and monitoring, and secure an array of additional legal powers and financial resources that can be used to identify individuals who can potentially be removed from Australia

An analysis of the structure and dynamics of onshore migration policing networks revealed that, rather than acting from a sense of shared purpose, the government actors who participate in migration policing networks maintain distinct organisational objectives that sometimes converge in the identification of unlawful non-citizens as depicted in the diagram below.

OVERLAPPING TARGETS FOR MIGRATION POLICING

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Migration policing networks can be defined as 'informated' (characterised by information sharing) or 'operational' (based on joint operations), although the two categories are clearly not mutually exclusive. They may be *ad hoc*, or more enduring and strategic. Examples of strategic networks include the Cash Economy Working Group and the Police-DIAC Management Network. Many informants consulted in the study endorsed the importance of a 'whole of government' approach to immigration compliance and enforcement, although the state-federal divide was sometimes a complication. Amongst the internal migration policing practices examined, the detection and investigation of human trafficking, systematic fraud and exploitation are most likely to give rise to an international dimension, but these activities have not been explored fully in this study, with its focus on the more routine detection and apprehension of individual unlawful non citizens. On the other hand, networks involving both state and federal authorities cooperating in the detection of unlawful non citizens, might be seen to share some of the jurisdictional complexity associated with international networks. The ad hoc reporting of suspected unlawful non citizens by residents to local police is perhaps the only example of a local dimension to migration policing identified in the study, although individual acts of reporting do not qualify structurally as a 'network'.

The migration policing networks identified are overwhelmingly constituted by state and federal agencies, with the most direct role played by law enforcement agents who are 'designated officers' under the Migration Act. Corporate actors such as employers and universities have become embedded within informated networks in particular, through processes of responsibilisation backed up by the threat of legal sanctions. Non-governmental organizations are noticeably absent from migration policing networks. 'Dob-ins' from members of the public make a significant contribution to the identification of unlawful non-citizens. However, these individual informants are not formally incorporated into migration policing networks in any enduring way.

Network dynamics are not always a picture of seamless cooperation. Points of resistance within migration policing networks were most clearly discernible in relation to differences in legislation and organisational culture, sometimes coupled with personal values. Despite there being many fractures and entanglements, a web of surveillance based on immigration status is slowly being built up and extended. Certainty over identity is the lynchpin, not only for improving data quality about individual entitlements for use by individual agencies, but also, potentially, for establishing connectivity between them.

Many agencies already have mandatory requirements to check immigration status at points of access, for example for Centrelink benefits, medical services or drivers' licences. This information does not necessarily feed systematically into the identification of unlawful non citizens at present, nor do these checks necessarily leave a trace on departmental databases, especially where lack of entitlement means that individuals do not become departmental 'clients'. Building in more and more ways to detect unlawful non citizens when they seek essential services such as medical care or police protection from victimization, or try to work within licensed industries such as the taxi or security industries, or seek employment with any employer required to check immigration status, is driven by a compliance logic which may be seen as preferable to a more heavy-handed direct enforcement approach.

Embedding migration policing within a whole-of-government approach may be seen as preferable to wholesale checking of identification by police or DIAC field officers, however it has significant implications in terms of access to services and trust in public authorities for those with unlawful or uncertain immigration status. Since immigration status is not always clearcut, and individuals with unlawful status may have close ties with lawfully present residents, multi-agency involvement in migration policing may have wide-ranging impacts in terms of human security and social cohesion beyond the identification of unlawful non citizens.

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