

Report by the Minister for Home Affairs

The Hon Brendan O'Connor MP

Conduct of Customs and Border Protection Officers under Subsection 233BABA required to be tabled in the Parliament pursuant to the *Customs Act 1901*

This report is provided in accordance with Subsection 233(6) of the *Customs Act 1901*.

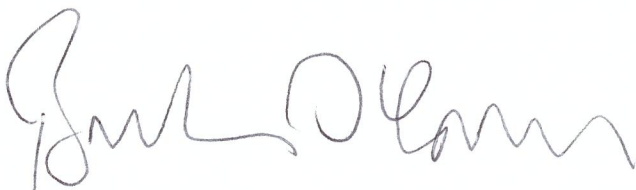
Under that provision the Minister for Home Affairs must lay before each House of the Parliament a report about any conduct by Customs and Border Protection officers that apart from subsection 233BABA(1) would constitute an offence against a law of the Commonwealth or of a State or Territory relating to the possession or conveyance, or facilitation of the conveyance, of prohibited imports, prohibited exports or smuggled goods.

In the course of investigating alleged offences, Customs and Border Protection officers sometimes permit prohibited imports, prohibited exports or smuggled goods to move within Australia. This is authorised by section 233BABA of the *Customs Act 1901*. The report concerns instances where Customs and Border Protection officers engage in “managed deliveries”. That is, arranging for the delivery of any quantity of prohibited goods or smuggled goods into the possession of a person suspected to have committed an offence and who is expecting delivery of those goods.

In the financial year 2009 – 2010 Customs and Border Protection officers arranged and completed 50 managed deliveries in relation to the illegal import of prohibited or regulated goods. Thirty-three (33) matters involved importation of precursor drugs or chemicals, nine (9) matters were in relation to the smuggling of cigarettes or tobacco, another six (6) matters involved the importation of performance and image enhancing

drugs, with the remaining matters involving the importation of drug manufacturing paraphernalia and other drugs.

Without the authorisation provided by Subsection 233BABA of the Customs Act, it may have been an offence to engage in the movement or possession of those goods.

A handwritten signature in black ink, appearing to read 'Brendan O'Connor', written in a cursive style.

Brendan O'Connor

Minister for Home Affairs