

Woman sentenced to nine months in prison for providing unregistered migration assistance

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A 47-year-old Victorian woman has been sentenced to nine months jail after pleading guilty to a number of charges relating to providing unregistered migration assistance.

The operation commenced in April 2018 after the Australian Border Force (ABF) received allegations of unregistered immigration assistance and fraudulent conduct by a former registered migration agent whose registration was previously cancelled for breaches of the Code of Conduct.

The offences involved fraudulent conduct by the woman between December 2014 and December 2017. They indicated that she was providing false documents to her clients purporting to be from the Department of Home Affairs in order to convince clients they had been granted visas or, in some instances, to pay over \$15,000 as a security for a supposed visa grant.

The woman continued to represent herself as a registered migration agent after her registration was cancelled in April 2016.

As a result of her conduct, some of her clients became unlawful in Australia despite believing they held valid visas, some only discovering the fraud after attempting to return to Australia from offshore and being denied boarding because they did not hold a valid visa.

As part of the operation, on 14 February 2020, the woman was charged with:

- Eight counts under s145.1(5) of the *Criminal Code 1995 (Cth)*: using a document, knowing that it was a false document, being a false Commonwealth document, with the intention of dishonestly inducing another person to accept it as genuine and if so accepted, dishonestly obtain a gain.
- Two counts under s234(1)(c) of the *Migration Act 1958 (Cth)*: deliver a document in connection with a visa application to an officer exercising powers under the *Migration Act 1958* that contained a statement or information that was false or misleading in a material particular.
- Two counts under s281(1) of the *Migration Act 1958 (Cth)*: asking for, or receiving, a fee or other reward for giving immigration assistance while not a registered migration agent.

A concurrent investigation run by Victoria Police into allegations of fraud also resulted in the woman being charged with:

- 12 counts under s83A(1) of the *Crimes Act 1958 (Vic)*: make false document with the intention of inducing another person to accept it as genuine, and by reason of accepting it, do or not do some act to that other person's prejudice.

- Seven counts under s81(1) of the *Crimes Act 1958* (Vic): by deception dishonestly obtain property belonging to another person, with the intention of permanently depriving the other of it.

On 10 November 2020, the woman pleaded guilty to all 12 commonwealth charges, she subsequently also pleaded guilty to all charges laid by Victoria Police.

The woman was sentenced in Werribee Magistrates Court on 21 June 2021 to nine months imprisonment, with a 12-month community correction order to commence upon her release.

The woman was ordered to pay compensation to her victims.

ABF Commander Enforcement South, James Watson said the ABF is committed to stamping out people taking advantage of vulnerable members of the community by giving unregistered migration assistance.

“Unlawfully taking money from vulnerable and unwitting people, who are doing the right thing by trying to ensure they are lawfully in Australia, is a terrible crime. The hurt crimes of this nature cause is significant,” Cmdr Watson said

“We will not tolerate this kind of illegal activity and with our partner agencies, we will track down those involved and bring them to justice.”

People with information about those providing unregistered migration assistance should contact Border Watch at www.border.gov.au/borderwatch. By reporting suspicious activities, you help protect Australia's border. Information can be provided anonymously.

Media contact: ABF Media (02) 6264 2211

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