

## QUESTION TAKEN ON NOTICE

Parliamentary Inquiry : 27 January 2016

IMMIGRATION AND BORDER PROTECTION PORTFOLIO

### **(CVL/001) – Parliamentary Inquiry - Evidence of visa status in the event of police questioning**

Asked:

In its submission, Legal Aid NSW raised a concern regarding a person's ability to produce evidence of their immigration status when being questioned by police.<sup>1</sup> In particular, there may be circumstances where an individual does not have a copy of a visa grant letter because it is lost or damaged, and may not have access to an email account or an electronic copy of their visa when questioned by police. Legal Aid NSW has argued that a visa label is a more enduring form of evidence of an individual's visa status and recommended that police should have access to technology that would allow for 'swift confirmation of a person's visa status' to prevent occurrences of prolonged detention while a person's immigration status is verified.

How does the department respond to this concern?

Do police currently have access to an individual's visa status?

If so, how do police access that information, using what technology and in what timeframe?

If not, has the department considered giving police access to this information to enable the swift confirmation of an individual's visa status?

How (using what technology) could police be given such access (for example, a system similar to an employer's ability to access the Visa Entitlement Verification Online (VEVO) system to check an employee's visa status)?

Answer:

The Department of Immigration and Border Protection provides an Immigration Status Service (ISS) for State and Territory Police to confirm or query an individual's immigration status. The ISS is a telephone service managed 24 hours a day, seven days a week, providing Police Officers with the information they require on the spot. If an email is sent to the ISS, a response is provided within three to five minutes.

The Department's online system, Visa Entitlement Verification Online (VEVO), is also available to State/Territory Police to check if a person has a valid visa to remain in Australia. The checking process through VEVO would normally only take a few minutes.

The Department provides both of the above options to ensure State and Territory Police have access to the most up to date visa status information, reflecting any changes that may have occurred over time, including where a visa may have ceased or been cancelled, or a person may have moved to a different visa type.