



Submission No 74

Inquiry into Slavery, Slavery-like conditions and People Trafficking

Organisation: Department of Immigration and Citizenship –
Supplementary submission

Department of Immigration and Citizenship – Additional Questions on Notice

1. Do individuals on a bridging F visa, Criminal Justice visa or Witness Protection visa have access to the Adult Migrant English Program?

Holders of a Witness Protection (Trafficking) (Permanent) visa (WPTV) (subclass 852) have access to the AMEP provided they meet other non-visa criteria, for example, level of English proficiency.

Access to the AMEP is extended by the legislative instrument for 'English Courses for Holders of Certain Temporary Visas' to a few classes of temporary resident, where the visa is granted as the first stage of a two-stage process leading to permanent residence.

Holders of a Criminal Justice Stay Visa (CJSV) (subclass 951) are not eligible for the AMEP.

The Bridging F visa (BVF) (subclass 060) is a short-term temporary visa and holders are not eligible for the AMEP.

2. Can the Department provide the following data on the bridging F visa, Criminal Justice visa and Witness Protection visa:

- How many individuals have been issued a bridging F visa, Criminal Justice visa or Witness Protection visa for each calendar year over the last 10 years?

Year	Subclass 060 Bridging F visas granted	Subclass 951 Criminal Justice Stay visas granted	Subclass 787 Witness Protection (Trafficking) (Temporary) visas granted	Subclass 852 Witness Protection (Trafficking) (Permanent) visas granted
2003-04	Visa framework not in place.			
2004-05	31	23	0	0
2005-06	11	8	0	0
2006-07	16	18	4	0
2007-08	34	18	13	0
2008-09	39	30	0	5
2009-10	33	23	Removed by legislative change from 1 July 2009	21
2010-11	24	29		42
2011-12	12	17		26
2012- (March 31)	13	17		8

**Note: A criminal justice stay visa may have been issued to the same individual more than once.*

- **How long has it taken to grant each visa?**

Each application for a visa subclass under the People Trafficking Visa Framework is finalised as quickly as possible and in accordance with Australian law.

The BVF is usually granted on the same day that a valid application is made.

The CJSV is usually granted on the same day as the Criminal Justice Stay Certificate (CJSC) is issued.

The Witness Protection (Trafficking) (Permanent) visa is usually granted within one week of the department receiving all of the documentation required for grant. As applicants are victims of trafficking the department takes a flexible approach to timeframes for provision of documents. However, some factors in processing the visa are outside the department's control and influence the processing timeframe. This includes obtaining information from overseas, such as offshore police certificates, evidence of name changes, custody documentation, health information and translation of documentation. In some countries obtaining documentation can take significant time.

3. What level of training is provided to staff of the Department working within Australian embassies or consulates on slavery, slavery-like conditions and people trafficking?

Staff being posted overseas are provided with training prior to commencement. As part of this training they receive a briefing from the department's specialised People Trafficking Unit. This briefing covers the Australian whole-of-government strategy to combating people trafficking, indicators of trafficking, and working with key stakeholders such as the Australian Federal Police.