

## **QUESTION TAKEN ON NOTICE**

**ADDITIONAL ESTIMATES HEARING : 08 February 2016**

IMMIGRATION AND BORDER PROTECTION PORTFOLIO

**(AE16/035) - s501 Mandatory cancellation - Programme 1.3: Compliance and Detention**

Senator Carr, Kim (L&CA 63) asked:

Senator KIM CARR: Is the 30 people coming out a month the number that we could assume is appropriate for this 501 cancellation? Is that 30 people in total in Australia leaving jail every month, roughly.

Mr Pezzullo: Roughly, yes. We have already taken on notice how many are held in detention as of today, the day that you are asking the question, effectively going back to 30 September; we have already taken on notice how many New Zealand citizens have been removed, so that is the other part of the question that we have taken on notice; and in terms of as best as we can advise on notice, and I hate to use this term, there is stock of the population if you like that we know to be in prison who will trigger a mandatory cancellation upon serving their 12 months. We will also take that on notice and come back to you.

*Answer:*

As at 21 February 2016, the Department has identified 850 non-citizens in prison that will undergo assessment to determine if they are liable for mandatory cancellation under section 501(3A).

Mandatory character cancellation provides that a person's visa must be cancelled if they are serving a full-time term of imprisonment in Australia and they have, at any time in the past, been sentenced to a period of 12 months or more in prison; or have had a charge proven for, or have been found guilty of, a sexually based crime involving a child.