

## **QUESTION TAKEN ON NOTICE**

**ADDITIONAL ESTIMATES HEARING: 13 February 2006**

IMMIGRATION AND MULTICULTURAL AFFAIRS PORTFOLIO

### **(55) Output 1.3: Enforcement of Immigration law**

Senator Ludwig asked:

1. How many criminal justice stay visas are currently issued?
  - (a) Provide a breakdown of the length of each of those criminal justice stay visas.
2. How many were issued in 04-05 and 05-06 (to date)?
3. How many criminal justice stay visas have been cancelled?
  - (a) Indicate the reasons they were cancelled.

*Answer:*

1. There are 372 Criminal Justice Stay visas currently issued to persons in Australia.
  - (a) The Department cannot calculate the length of stay for current individual Criminal Justice Stay Visas as the visas are in force until the individual Criminal Justice Certificates are cancelled. Certificates are cancelled by the issuing agency when the visa holder is no longer required in Australia for the purposes of criminal administration, and this is affected by a range of factors including the progress of litigation. The length of stay in Australia for Criminal Justice Stay Visa holders varies from 1 week to 25 years. Criminal Justice Stay Visas are maintained during an individual's prison sentence and several cases involve life sentences with non-parole periods of 30 years for convictions relating to drug importation.
2. During the Program year 2004-05 there were 163 Criminal Justice Stay visas issued. During the Program year 2005-06 (as at 22 February 2006) there were 73 Criminal Justice Stay visas issued.
3. During the period 1 July 2004 to 22 February 2006, there have been 48 Criminal Justice Stay visas cancelled.
  - (a) The visas were cancelled because the witness is no longer required for the purposes of criminal administration or the client completed their sentence and departed Australia.