

## QUESTION TAKEN ON NOTICE

### ADDITIONAL BUDGET ESTIMATES HEARING: 21 FEBRUARY 2011

#### IMMIGRATION AND CITIZENSHIP PORTFOLIO

#### **(169) Program 4.1: Visa Compliance and Status Resolution**

Senator Cash asked:

(1) How many non-Australian citizens who have been convicted of a serious crime and served more than 12 months imprisonment have been released from prison and into the community?

(2) How many have had their visas cancelled under the provisions of the Migration Act and been removed from Australia?

*Answer:*

(1) The Department does not hold statistics on prison releases of non-Australian citizens released into the community after serving sentences of 12 months or more. The Department considers the preparation of an answer to the question would involve significant diversion of departmental resources in the seeking of information from each state/territory correctional authority and, in the circumstances, does not consider that the additional work can be justified.

Currently the Department receives notifications from prisons regarding non-citizens in criminal detention. For those prisoners who are potentially liable for visa cancellation under s501, protocols are in place which aim to have consideration of cancellation, including any time for possible appeals, finalised before the prisoner is released from prison.

The Department's aim is that where the person's visa is cancelled under s501, arrangements will already be in place to enable their departure from Australia as soon as they are released from prison.

(2) During the 2010-11 program year, to 31 December, the Department cancelled 64 client visas. As of 1 March 2011, 20 of those clients have been removed from Australia.