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## Opening statement to Legal and Constitutional Committee

### Additional Budget Estimates hearing Parliament House, Canberra

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Madam Chair, Senators. Thank you for the opportunity to deliver an opening statement.

The department continues to experience a sustained high tempo of work across a range of policy and operational areas. For example, some 13 000 people from 143 countries were welcomed as Australian citizens on Australia Day. Our state and territory colleagues worked with local government councils and community organisations who hosted over 325 citizenship ceremonies across the country on this national day of celebration.

Managing irregular maritime arrivals clearly forms a significant part of our work, but it is important to recognise that the department's tasks extend well beyond the administration of policy and operational approaches to dealing with people smuggling and responding to people who arrive here by such means. Australia is also by no means the only country experiencing such challenges. This has been highlighted in recent weeks through the arrival of several thousand Tunisian asylum seekers by boat on Italy's southern islands.

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On 15 December 2010, Australians were horrified by the shocking scenes of the founding of the vessel Janga (known as SIEV 221) at Rocky Point off the coast of Christmas Island. This tragic event saw the loss of many lives including children and infants, as well as the rescue of 42 people from the sea.

On behalf of the department, I would like to formally place on the record my sympathy for the people involved in this tragedy and particularly extend my and the department's sincere condolences to the families of those who drowned. I pay tribute to the heroism of the Customs and Naval personnel who were involved in the dramatic rescue in such violent seas, and to the very brave contributions of the Christmas Island community who so selflessly responded to the sinking vessel.

I also take this opportunity to recognise my own staff who faced some very difficult and harrowing situations in response to this tragedy, and who have done so with great professionalism and sensitivity. This bears out the frequent comments I receive about the strong humane values and approaches the department's staff display in what is, as I have said many times before this committee, a particularly complex and sometimes very difficult area of public policy and administration.

There has naturally been a strong public interest in the welfare of the survivors of the SIEV 221 incident. The department has played a significant role in their care, working closely with other agencies such as the Australian Customs and Border Protection Service and the Australian Federal Police, as well as the Christmas Island community. Professional, medical and psychological advice has been key to our decision-making around these issues and to the discharge of our responsibilities.

As you would be aware, the first of the funerals for the deceased took place last Tuesday 15 February. These were organised jointly by the department with the Australian Federal Police, and in close consultation with the next-of-kin. In making such arrangements, the department's approach has been foremost to respect the privacy and wishes of the families involved.

Of course, there are also many logistical, legal and other issues which must also be considered and managed, along with the views of community advocates and others. The department has strived to achieve an appropriate balance of all such factors in dealing with this particularly sad and sensitive situation.

There have been a number of other incidents in the detention network since we last appeared before you. Very sadly, two people died while in immigration detention, on 16 November and 8 December last year. The circumstances of these deaths are currently the subject of police and coronial inquiries. I therefore do not intend to comment any further, other than to state that the department is of course fully and completely cooperating with these inquiries.

The department also continues to work on implementing the Government's response to the recent High Court case, known as 'M61 and M69', which has led to changes to the refugee determination process for irregular maritime arrivals. The new procedures announced by the minister on 7 January will commence operation on 1 March. The department's resourcing in this area and the number of independent reviewers continues to expand to ensure that the resources are up to the task at hand.

The department is now well advanced in implementing the government's decision to expand community detention arrangements for unaccompanied children and vulnerable families. Of course, no children are held in detention centres and they and family groups have been accommodated in a range of facilities such as motels, immigration transit centres and the like. We very much value the assistance of the Australian Red Cross and many community organisations in working with us to implement these new arrangements.

More broadly, the return to above-trend economic growth following the global economic crisis has resulted in an increasing focus from the business and broader community on skills availability in Australia. Australia's permanent migration program plays an important role in contributing to Australia's skills base in the medium to long term. For shorter-term needs for skilled labour, the 457 skilled temporary worker program is uncapped and, as it is demand-driven, is very responsive to business requirements where Australians are unable to fill vacancies.

The importance of a responsive skilled temporary and permanent migration program has been particularly emphasised by two recent occurrences. The first is the concern that has been raised about the lack of skilled labour required to respond to rebounding economic growth.

The second is the reconstruction effort required following the natural disasters over summer in Queensland, northern NSW, Victoria and Western Australia. I spent my childhood and youth in Toowoomba and was as shocked as anyone to see the devastation in parts of that city and the Lockyer Valley in such a short space of time.

The department is in close contact with the reconstruction authorities to ensure we support the reconstruction effort as effectively as possible. This includes establishing dedicated processing officers in Sydney, among other offices, to guarantee that subclass 457 visa applications associated with flood reconstruction work in Queensland, NSW and Victoria will be processed within five days. We have also been working with employers and local businesses to offer advice and assistance on potential sources of labour as they start the massive clean-up and rebuilding effort.

I have been delighted that the department, through our social clubs and other fundraising activities, has raised many thousands of dollars to contribute to the victims of these disasters. I am also ensuring that the department is doing all it can to support our own affected staff through these difficult times.

Chair, I promised to keep the committee updated on our overall program to enhance our service to clients and to provide Australia with the best possible immigration and citizenship services. That work continues. As I have flagged previously, the department is now structured around four groups under four deputy secretaries. Dr Wendy Southern PSM has been appointed to succeed Peter Hughes PSM who retired in January. I welcome Wendy back to the department as the deputy secretary responsible for the Policy and Program Management Group. Jackie Wilson has been appointed Deputy Secretary of the Immigration Detention Services Group and I congratulate her on that promotion. Todd Frew is currently the acting Deputy Secretary for the Client Services Group—I expect to make a permanent appointment to this position in the weeks ahead. Bob Correll PSM is of course the Deputy Secretary responsible for our Business Services Group.

In conclusion, I would like to take this opportunity to formally express the department's congratulations for our Principal Migration Officer in New Delhi, Kristine Cala, who was awarded the Public Service Medal in the recent Australia Day Honours list.

Thank you.