

## QUESTION TAKEN ON NOTICE

### ADDITIONAL ESTIMATES HEARING: 13 FEBRUARY 2012

#### IMMIGRATION AND CITIZENSHIP PORTFOLIO

#### (AE12/0301) Program 3.1: Border management

Senator Cash asked:

Provide an update of the status of the 47-year-old Cairns man who was charged with 97 offences against the Migration Act 1958 in relation to the provision of false information in visa applications and was due to appear in the Cairns Magistrates Court on 24 March 2011. Have any of the 120 people that were involved in this fraud had their visas cancelled? If not, why not? Have any been removed from Australia? Will the department be recommending to the Minister that anyone involved in this fraud be refused a visa under the provisions of s501?

*Answer:*

As advised in response to a question taken on notice during the Supplementary Budget Estimates session on 17 October 2011, the 47-year-old Cairns man charged in relation to this matter now faces a total of 111 charges. These charges relate to the provision of unregistered migration assistance for a fee, receiving a fee for providing immigration representations, and providing false and/or misleading information and/or documents in relation to a visa application. This man will next appear in the Cairns Magistrates Court on 5 April 2012.

A second man arrested and charged in relation to this matter is due to appear in court on 26 March 2012.

As at 24 January 2012, 37 visa applications associated with the alleged conduct have now been refused by the department, and 2 onshore applicants have been removed from Australia.

Visas which have been granted may be subject to the cancellation provisions under the *Migration Act* 1958. Each client whose visa may be subject to cancellation will be afforded procedural fairness by the department and a decision with respect to each case will be made in line with the department's policy and legislative responsibilities.