

QUESTION TAKEN ON NOTICE

ADDITIONAL ESTIMATES HEARINGS: 11 February 2013

IMMIGRATION AND CITIZENSHIP PORTFOLIO

(AE13/0330) PROGRAM – 4.3: Offshore Asylum Seeker Management

Senator Cash (Written) asked:

Have any of the individuals involved in the riots in March 2011 been charged? Has anyone been convicted? Have any of them had their visas refused or cancelled on the basis of the general character provisions of the Act? Why not? Where are they now? Have any been released into the community? On what basis? Have any been removed from Australia?

Answer:

As advised in the department's previous responses to BE12/0380 and SE12/0628, as of 11 February 2013:

Yes, 22 persons were charged.

Yes, seven persons were convicted.

Yes, the Minister has refused the visa of one of the convicted persons.

Of the seven persons convicted, two people have not been considered under the character provisions as they were found not to be refugees. Four persons had their Protection visa applications considered under the character provisions, three were issued a warning notice under s501 before all four were granted a Protection visa. One person had his Protection visa refused by the Minister under the character provisions.

Of the seven persons convicted:

- four are in the community having been granted a Protection visa;
- one is in the community on a Bridging Visa E;
- one is in the community on a Removal Pending Bridging Visa; and
- one has been removed from Australia.