



Australian Government
Department of Immigration and Citizenship

Opening statement to Legal and Constitutional Committee

Additional Budget Estimates hearing
Parliament House, Canberra

11 February 2013

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Madam Chair, Senators. Thank you for the opportunity to deliver an opening statement on behalf of the department.

Chair, I would like to briefly update you on significant developments in the portfolio since I last updated the Committee on 15 October 2012.

The Department is working hard to deliver the largest permanent Migration Program on record of 190 000 places for 2012-13. The 2012-13 program is made up of 129 250 Skill Stream places, 60 185 Family places and 565 special eligibility places.

We will also be delivering an additional 4 000 family places as part of the implementation of the Expert Panel on Asylum Seekers report.

The first six months of SkillSelect, our new on-line system for selecting independent skilled migrants, has been successful. More than 25 000 individuals have completed expressions of interest in skilled migration to Australia. More than 13 000 people have then been invited to make a skilled migration application stemming from their expression of interest through SkillSelect.

This landmark reform means that the Government has greater control of the queue for independent skilled migration in Australia, unlike the previous system where large queues of people able to meet minimum requirements were allowed to apply.

Since the last meeting of this Committee, we have seen a number of activities designed to enhance our offerings:

people our business

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Senate Legal and Constitutional Affairs Committee
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DIAC

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- a Significant Investor visa designed to provide a boost to the Australian economy;
- in the temporary visa space, a new Work and Holiday visa program arrangement between Australia and Uruguay was signed in late November 2012;
- we are also progressing negotiations for new reciprocal Work and Holiday arrangements with key partner countries, with the recent announcement of the commencement of new negotiations with the Czech Republic, Greece, Hungary, Israel, Latvia, Poland, and the Slovak Republic;
- in November 2012, the department implemented changes to facilitate longer Tourist visas for parents of Australian citizens and permanent residents;
- we continue to make progress in implementing the recommendations arising from the Government's response to the Hon Michael Knight AO's Strategic Review of the Student Visa Program. 22 of the 41 recommendations have been implemented and the remainder are underway;
- the response to the Joint Standing Committee report into Migration and Disability was delivered on the 31 October 2012 and was underpinned by the development of a new 'net benefit' approach;
- as part of the government's deregulation agenda, on 24 November the department implemented a simplified Temporary Work group of visas and consolidated 17 visa subclasses down to 8 subclasses;
- new measures to support family violence victims began on 24 November 2012;
- in December 2012, the then Minister for Immigration and Citizenship announced a private sponsorship pilot of up to 500 places under the 20 000 place Humanitarian Program. The pilot will allow community organisations to propose people under the Humanitarian Program and is expected to commence in the coming months;
- we continue to expand Service Delivery Partner (SDP) arrangements across the globe. SDP arrangements outsource low value administrative tasks to third parties (such as commercial companies and non-government organisations).

- we have successfully negotiated Service Delivery Partner arrangements in China and Mongolia including the implementation of Visa Application Centres (VACs) in Beijing and Shanghai, with plans to open in Guangzhou. MOUs have also been signed to share VACs: one between Australia and New Zealand in the South Pacific, and others between Australia, New Zealand and the United Kingdom in Indonesia and Singapore; and
- progress continues with the implementation of the Visa Pricing Transformation (VPT). One component of the VPT program was the introduction of the Visa Evidencing Charge on 24 November 2012. Early indications are that there has been a global label reduction of 87 per cent compared to the same period in the previous year (from 257,229 to 33,062 labels printed).

Citizenship Program

Let me briefly turn to citizenship. Australia Day 2013 saw a record number of more than 17 000 people become citizens in ceremonies held around the country. This record reflects the continued success and importance of the citizenship program and is a terrific example of the culmination of many diverse settlement journeys. On Australia Day, 430 citizenship ceremonies were hosted across the nation. The number of people applying for Australian citizenship continues to increase. We expect that by the end of the current program year, around 150 000 will become Australian citizens, 40 000 more than last year. This equates to over 400 people becoming Australian citizens every day.

Expert Panel on Asylum Seekers

The Department continues to implement the recommendations of the Expert Panel on Asylum Seekers. As you know the Government is implementing all 22 recommendations of the Expert Panel's Report as an integrated package, including incentives to encourage use of regular migration pathways and disincentives to irregular boat journeys.

The Expert Panel recognised that aspects of the integrated approach would take time to establish and recommended more immediate measures. These measures have been implemented and include:

- legislation to support the transfer of irregular maritime arrivals (IMAs) to regional processing countries and the establishment of capacity in Nauru and Papua New Guinea (PNG);
- an immediate increase to Australia's Humanitarian Program to 20 000 per annum to encourage greater use of regular pathways; and
- the removal of family reunion concessions for IMAs.

Other key recommendations that are being implemented include:

- expansion of capacity-building initiatives in the region;
- passage of legislation to reduce the incentive to reach the mainland by boat (currently before a Senate Committee); and
- removals and returns strategy.

Regional facilities are now in place in Nauru and Papua New Guinea. Transfers to Nauru commenced on 14 September 2012 and as at today, a total of 415 asylum seekers are living in the regional processing centre. These include Sri Lankans, Iraqis, Iranians, Afghanis and Pakistanis. To date, 55 IMAs have been removed voluntarily from Nauru to their country of origin. This includes 48 Sri Lankans, 2 Iranians and 5 Iraqi IMAs.

Transfers to Manus Island, PNG commenced on 21 November 2012 and as at today, 274 asylum seekers are living in the regional processing centre. These include Sri Lankans, Iraqis, Iranians, Afghanis and Pakistanis.

Sri Lankan IMA returns

Over the last six months of last year, there was an unprecedented expansion of irregular movements from Sri Lanka to Australia. This increase surpassed all previous experience of Sri Lankan Irregular Maritime Arrivals (IMAs). There were more than 5 000 Sri Lankan IMA arrivals between July and December 2012.

This sudden and dramatic increase was contrary to Sri Lankan asylum seeker movements internationally, with UNHCR figures suggesting that the numbers had been fairly constant between 2010 and 2012. This was also counter intuitive as country circumstances in Sri Lanka have been improving.

Initial interviews with Sri Lankan IMAs at the beginning of this surge also suggested that a significant proportion of the cohort were coming to Australia for economic reasons.

This unprecedented expansion demanded a specific response, particularly given the risks to life for people undertaking hazardous sea voyages.

We were committed to quickly assessing the nature of the claims presented to us in a manner consistent with Australia's non-refoulement obligations, so that we could rapidly return those who clearly did not engage those obligations.

Rapid returns were part of a multi-layered approach to dealing with this issue, which also included direct engagement with the Sri Lankan Government. I have also personally visited Sri Lanka to discuss these issues with Sri Lankan officials.

736 Sri Lankans who arrived after 13 August 2012, were involuntarily removed and a further 170 have chosen to go back to Sri Lanka voluntarily, including 48 from Nauru.

Joint Select Committee Inquiry into Australia's Immigration Detention Network

The Whole-of-Government response to the Joint Select Committee Inquiry into Australia's Immigration Detention Network report was tabled in Parliament on 29 November 2012. The Government accepted (fully, in principle or partially) 26 of the 31 majority report recommendations.

The department undertook to implement the recommendations made by the JSC report as a matter of priority, and has facilitated improvements across the detention network. This includes the development of new infrastructure and improved security at immigration detention facilities; strengthened contract management and improved quality and availability of training for staff; and the review of psychological support programs in detention facilities, resulting in a significant decrease in the incidents of attempted and actual self-harm in immigration detention facilities.

The department worked productively, openly and transparently with the Committee.

Capability Review

I would also like to touch on some organisational issues. During 2012, the department participated in an APSC Capability Review with the report published on the APSC website on 29 November 2012. I was keen for this review to be conducted given our complex and often challenging operating environment.

The Capability Review provided an opportunity for the department to reflect on how we work and to assess the skills and knowledge required to achieve our outcomes. This analysis was necessarily cast against the backdrop of other reviews, such as the Expert Panel on Asylum Seekers as well as others that examined specific issues.

I was heartened by the Capability Review findings that acknowledged the hard work and dedication of DIAC staff. Their personal commitment and extra effort are often how we deal with extraordinary circumstances.

But I recognise that reliance on the personal effort of staff runs some risk and is not sustainable – so we will utilise the advice of the Capability Review to further improve our strategies and the way we manage our business to better serve our Minister, the government and the public.

Specifically, the Capability Review examined the department's capabilities in the areas of leadership, strategy and delivery, and the reviewers found that we have work to do in all of these areas.

So, we have designed an action plan to achieve measurable progress over the next 12 months.

The review acknowledges that the department has taken early steps to address some areas of concern, particularly around articulating the strategic direction of the organisation, which is conveyed through the department's Strategic Intent which articulates 'what we do' and 'how we do it'.

To support the implementation of the changes, I have established a new Strategic Policy and Innovation Division that brings together a number of teams that will work to strengthen our capability.

Against this backdrop, I was disappointed by some reports in the media that said that the Capability Review report was highly critical of the department and our staff. Those articles misconstrued the findings in the report. For example, the reviewers did not find that there was a lack of trust among staff. Instead they recognised the strong internal culture which supports the department in maintaining delivery of our high volume business-as-usual activities while still responding to urgent events.

Finally, I would also like to take this opportunity to pass on my sincere appreciation to our staff for their support and ongoing hard work, commitment and outstanding efforts in a sensitive and challenging area of public policy.

Thank you.