

## **QUESTION TAKEN ON NOTICE**

### **BUDGET ESTIMATES HEARING: 24 MAY 2011**

#### **IMMIGRATION AND CITIZENSHIP PORTFOLIO**

#### **(BE11/0305) Program 4.1: Visa Compliance and Status Resolution**

Senator Cash asked:

I refer to a complaint made by Mr Henry McElligott, approximately three months ago, to the Department of Immigration and Citizenship regarding a Sydney company with its operations in Leichhardt. The complaint concerns the alleged employment by the Company of Irish backpackers on holiday visas. Mr McElligott advises that he has not received a response from the Department to his complaint. Please advise of the status of Mr McElligott's complaint.

*Answer:*

In February 2011, Mr McElligott made certain allegations to the Department. On 15 March 2011, an officer from the Department contacted Mr McElligott by phone to discuss the nature of his concerns.

Following Mr McElligott's further input, two Departmental officers conducted a site visit at the relevant business premises on 18 March, 2011. During the visit, no breaches of migration legislation were detected.

It should be noted that it is not uncommon for businesses to employ working holiday makers on a casual basis before committing to sponsor them under another visa subclass.

In accordance with relevant privacy legislation, the Department is not able to discuss the details of any investigation with Mr McElligott. Therefore, Mr McElligott was not advised of the follow up action that was taken by the Department and would not be advised of any further investigations that might be conducted in the future as a result of any further information Mr McElligott provides.