

QUESTION TAKEN ON NOTICE

BUDGET ESTIMATES HEARING: 24 MAY 2011

IMMIGRATION AND CITIZENSHIP PORTFOLIO

(BE11/0311) Program 4.1: Visa Compliance and Status Resolution

Senator Cash asked:

(1) How many non-Australian citizens who have been convicted of a serious crime and served more than 12 months imprisonment have been released from prison and into the community?

Answer:

The Department refers to the answer provided to QoN 260 which was tabled on 10 February 2011:

The Department does not hold statistics on prison releases of non-Australian citizens released into the community after serving sentences of 12 months or more. The Department considers the preparation of an answer to the question would involve significant diversion of departmental resources in the seeking of information from each state/territory correctional authority and, in the circumstances, does not consider that the additional work can be justified.

Currently the Department receives notifications from prisons regarding non-citizens in criminal detention. For those prisoners who are potentially liable for visa cancellation under s501, protocols are in place which aim to have consideration of cancellation, including any time for possible appeals, finalised before the prisoner is released from prison.

The Department's aim is that where the person's visa is cancelled under s501, arrangements will already be in place to enable their departure from Australia as soon as they are released from prison.