

## QUESTION TAKEN ON NOTICE

### BUDGET ESTIMATES HEARINGS: 21-22 MAY 2012

#### IMMIGRATION AND CITIZENSHIP PORTFOLIO

#### (BE12/0380) Program 4.2: Onshore Detention Network

Senator Cash asked:

Christmas Island: a) Have any of the individuals involved in the riots in March 2011 been charged? b) Has anyone been convicted? c) Have any of them had their visas refused or cancelled on the basis of the general character provisions of the Act? d) Why not? e) Where are they now? f) Have any been released into the community? g) On what basis? h) Have any been removed from Australia?

*Answer:*

- a) Yes, 22 persons were charged.
- b) Yes, 7 persons were convicted.
- c) Yes. The Minister has refused the visa of one of the convicted persons.
- d) Of the 7 persons convicted, two people have not been considered under the character provisions as they were found not to be refugees. One person is currently appealing their conviction and will be considered under the character provisions if their conviction is upheld. Three persons had their Protection Visa applications considered under the character provisions, were issued a warning notice under s501 and were subsequently granted a Protection Visa. One person had their Protection visa refused by the Minister under the character provisions.
- e) Of the 7 persons convicted:
  - 3 are in the community having been granted a protection visa;
  - 1 is in the community on a BVE;
  - 1 is in community detention;
  - 1 is in held detention; and
  - 1 has been removed from Australia.
- f) Yes, see e) above.
- g) See e) above.
- h) Yes, see e) above.