

QUESTION TAKEN ON NOTICE

SUPPLEMENTARY BUDGET ESTIMATES HEARING: 30 October 2006

IMMIGRATION AND MULTICULTURAL AFFAIRS PORTFOLIO

(216) Output 1.3: Enforcement of Immigration Law

Senator Bartlett asked:

Can a breakdown be provided of cases of visas that have been cancelled by s501 according to the:

- a. Crime/s each person was convicted of,
- b. Length of time they had been permanent residents or in Australia,
- c. Countries they were originally from,
- d. Length of time they have been in detention.

Answer:

a. Each person whose visa is cancelled under section 501 of the *Migration Act 1958* (the Act) has had his or her case considered on its merits, and the reasons are held on the individual's records.

However, there is a very large variety of reasons - not all of them 'crimes' - for cancellation under section 501, and the Department does not collate these in statistical form.

b. The Department's database does not record information on how long each person whose visa is cancelled under section 501 has been residing in Australia. Each case is different, and individuals may spend considerable periods outside Australia. Such information can only be obtained by manually checking each individual's records and this would require a substantial diversion of resources.

c. Statistics that record country of birth for section 501 clients who have been removed from Australia are as follows:

Year removed after s501 cancellation	Country of Birth
2001	China x3, Fiji x1, Indonesia x1, Japan x1, Korea x1, Mozambique x1, New Zealand x14, Pakistan x1, Romania x1, Saudi Arabia x1, Singapore x1, Spain x1, Syria x1, UK x8, Uruguay x1, Vietnam x1, not stated x18
2002	China x1, Cook Islands x1, Fiji x1, Israel x1, Korea x1, Netherlands x1, New Zealand x17, Philippines x1, Portugal x1, Samoa x2, Singapore x2, Sri Lanka x1, Thailand x1, Tonga x1, UK x9, USA x8, Vietnam x2, Yugoslavia x1, not stated x14

2003	Afghanistan x1, Chile x1, China x2, Colombia x1, Cook Islands x1, Germany x3, Fiji x4, Hungary x1, Ireland x2, Italy x1, Malaysia x2, New Zealand x33, Pakistan x1, Papua New Guinea x1, Philippines x2, Romania x2, Samoa x4, South Africa x1, Sri Lanka x1, Thailand x1, Tonga x1, UK x6, USA x2, Vietnam x1, not stated x12
2004	Afghanistan x1, Austria x1, Brunei x1, China x2, Germany x2, Hong Kong x1, Iran x1, Japan x12, Korea x3, Malaysia x1, New Zealand x18, Sri Lanka x3, Turkey x1, UK x5, USA x2, USSR x1, Vietnam x1, Yugoslavia x1, not stated x5
2005	Chile x1, China x3, Fiji x2, Greece x1, Ireland x1, Korea x4, Malaysia x2, Netherlands x1, New Zealand x32, Pakistan x1, Romania x1, Thailand x1, Tonga x2, UK x14, USA x2, USSR x1, Vietnam x2, not stated x9
2006 (January-August)	Canada x1, Indonesia x1, Iraq x1, Korea x1, Laos x1, New Zealand x1, UK x1, Vietnam x2, not stated x1

d. Information linking section 501 cancellation with time in detention is not held in the Department's collations of statistics. Some clients may spend very little time in immigration detention as cancellation can occur whilst a client is serving a custodial sentence. To check each individual case would require a substantial diversion of resources.