

ESTIMATES 2008-09 – SUPPLEMENTARY BUDGET ESTIMATES, OCTOBER 2008

QUESTIONS ON NOTICE INDEX – IMMIGRATION AND CITIZENSHIP PORTFOLIO

QON No.	Hansard Reference/Written	Senator	Output	Question	Department branch/agency
Questions Taken on Notice					
1.	6	Barnett	1.1	How many complaints has the Department received involving unregistered migration agents?	Migration Agents Branch
2.	6	Barnett	MARA	With respect to the four agents that were barred from return to the profession, why were they barred? What were the circumstances?	Migration Agents Registration Authority
3.	7	Barnett	MARA	Provide details regarding the 310 formal complaints and the further 39 matters MARA opened for itself.	Migration Agents Registration Authority
4.	7	Barnett	MARA	What was the longest time period taken to deal with a complaint?	Migration Agents Registration Authority
5.	7	Barnett	MARA	Provide the details of the 21 sanctions.	Migration Agents Registration Authority
6.	11	Barnett	MARA	Provide a breakdown by state and territory as to the location of migration agents and for Tasmania provide a further breakdown by cities and regions.	Migration Agents Registration Authority
7.	14	Barnett	Internal Product	Provide a copy of the new procedures to be followed for the merit selection of all senior public service positions.	People Services Branch
8.	15-16	Barnett	MRT/RRT	Provide an update to the response to question number 1 from the Budget Estimates hearings of May 2008 relating to complaints upheld in the MRT and RRT.	Migration Review Tribunal/Refugee Review Tribunal
9.	17	Barnett	MRT/RRT	What is the average duration for the 2,908 unconstituted cases?	Migration Review Tribunal/Refugee Review Tribunal
10.	17	Barnett	MRT/RRT	What sort of cases are the 2,908 cases?	Migration Review Tribunal/Refugee Review Tribunal
11.	17	Barnett	MRT/RRT	Provide the number of unconstituted cases for the last two years.	Migration Review Tribunal/Refugee Review Tribunal
12.	22	Fierravanti-Wells	MRT/RRT	How many clients fail to appear in support of their applications to the MRT and RRT? Provide a breakdown.	Migration Review Tribunal/Refugee Review Tribunal

QON No.	Hansard Reference/Written	Senator	Output	Question	Department branch/agency
13.	31	Fierravanti-Wells	1.1	Minister Evans, at the last set of estimates, in the Prime Minister and Cabinet portfolio, Senator Minchin asked some questions in relation to the revenue effects of immigration decisions. I think that that dovetails into the comments that you have just made. I suspect the response has now been overtaken. The response that we got was that the budget costings only included the first-round effects on expenses and revenue. I suspect that, in light of your comments, Minister, those estimates of costings would have to be reassessed. In other words, does it follow that the costs that were include in the last budget, particularly going to revenue from immigration and increased immigration, are now going to be offset by some of the changes that you have advised the committee of today? I want to put that answer into context now.	Program Analysis and Support Branch
14.	39	Ellison	Internal Product	Regarding the 136 voluntary redundancies, can you give us an idea of the classification of the officers who took those redundancies? What sort of work were they doing?	People Services Branch
15.	41	Barnett	Internal Product	We are interested to know which contractors you have and which programs they were working on have concluded. We know there has been a reduction in staff since the May 2008 budget estimates. We are interested to know where those reductions have been made. I know you have answered questions from Senator Ellison on that particular point, but the information you have given is not comprehensive. You must have done some analysis about which you can advise the committee.	People Services Branch
16.	43	Fierravanti-Wells	Internal Product	What is the pool of unpaid costs now?	Financial Operations Branch
17.	44	Barnett	Internal Product	Could you advise the committee, since May budget estimates, the latest spend in terms of advertising?	National Communications
18.	44	Barnett	Internal Product	In relation to the Minister's office media monitoring spend for August 2008, what is the reason for the spike?	National Communications
19.	45	Barnett	Internal Product	What was the cost of media monitoring to the department, Minister and Parliamentary Secretary for 2007-08?	National Communications
20.	45	Barnett	Internal Product	What ministerial overseas travel has been undertaken since the May budget estimates hearings? Provide the total cost of (1) the travel, (2) accommodation and (3) any other expenses. How many ministerial staff and/or family attended with the Minister and/or Parliamentary Secretary? Likewise for the staff member, could you itemise the travel cost, accommodation and any other expenses, and the total cost for all those involved in that travel?	Ministerial and Executive Services Branch
21.	45-46	Barnett	Internal Product	Since the May 2008 estimates hearings, have there been any new external reviews involving external, expert bodies?	Ministerial and Executive Services Branch
22.	47	Barnett	Internal Product	Since the May 2008 Budget Estimates, can you advise if there have been any further regulation 10 delegations?	Financial Strategy and Budgets Branch

QON No.	Hansard Reference/Written	Senator	Output	Question	Department branch/agency
23.	50	Ellison	1.1	Still on labour agreements, the answer to question on notice No. 12 from the February estimates stated that, in 2006-07, 7.4 per cent of 457 visas were held by persons working under labour agreements. Can you give us the figures now for 2007-08? Can you give us an idea of whether or not it has increased?	Labour Market Branch
24.	50	Ellison	1.1	Do any of the labour agreements involve construction?	Labour Market Branch
25.	51	Ellison	1.1	How does DEEWR assess the skills shortages in the local labour market?	Labour Market Branch
26.	54	Hanson-Young	1.1	Provide a copy of the discussion paper on sponsorship obligations.	Migration Strategies Branch
27.	56	Hanson-Young	1.1	In relation to the Pacific Islander worker pilot scheme, is there any way we could have something given to the committee that clearly identifies what the roles and responsibilities are of the departments?	Special Labour Market Initiatives Branch
28.	56	Fierravanti-Wells	1.1	Which state departments are involved in the Pacific Islander worker pilot scheme?	Special Labour Market Initiatives Branch
29.	65	Fierravanti-Wells	1.1	This is really important as you can appreciate, particularly in some countries. Could you please think about the monitoring of the performance and in particular the responsibilities for monitoring? In particular, I would like to know their roles and responsibilities and who is going to be responsible for monitoring each aspect of that. Please do take it on notice because I think it probably requires that.	Special Labour Market Initiatives Branch
30.	65	Fierravanti-Wells	1.1	Can you please tell me what are your priorities in terms of the criteria you are pushing for? Can you assist me with that? What sort of assurances are you seeking? Are we going to have instances where somebody is brokering the arrival of 10 cousins into Australia for a fee? That is potentially an issue.	Special Labour Market Initiatives Branch
31.	68	Fierravanti-Wells	1.1	What measures will be implemented to ensure that the guest workers return home at the conclusion of their employment? I think you have partly addressed that, but who pays the costs incurred in overstaying and the non-compliance component of that? Who is actually going to bear the cost of that?	Special Labour Market Initiatives Branch
32.	70	Marshall	1.4	Provide a breakdown of the nationalities of the 31 people who overstayed their visas after World Youth Day.	Compliance and Integrity Policy Branch
33.	72	Ellison	1.1	What is the percentage of 457s who have converted to permanent residency?	Migration Strategies Branch
34.	73	Ellison	1.1	Is there any prohibition on a 457 visa holder from applying for permanent migration?	Labour Market Branch
35.	74	Ellison	1.1	In relation to 457s, do you have statistics on those people who enter Australia without the skills they purport to have? Someone says that they are a welder and they come under that guise, if you like, and basically they are frauds. They might have done it on the basis that they thought they were qualified, but they were not by our standards. Do you have any statistics on that?	Labour Market Branch

QON No.	Hansard Reference/Written	Senator	Output	Question	Department branch/agency
36.	75	Ellison	1.1	Going back a touch to the case load, we sorted out how many 457s are being cleared in a space of time but I am interested in how we are going for sheer numbers. Can you give us any idea how it is going? Is it increasing, dropping off or staying the same? I think question on notice 30 had some figures, but that would need updating. So if you can provide that, that would be good.	Service Delivery Network Performance Branch
37.	77-78	Ellison	1.1	(1) How many children of 457 visa holders are enrolled in English language centres? Do we have any statistics on any of that? (2) What capacity do the English language centres have to accommodate the large increase of students enrolling from this sector? Do we have anything on that?	Labour Market Branch
38.	78	Ellison	1.4	There has been some press on this over the last few months, about students not being involved in studying and working, because of the lucrative situation that we have been in with the demand for labour and skilled labour. Does the department have any statistics on this?	Compliance and Integrity Policy Branch
39.	78	Ellison	1.4	Provide statistics on the number of students (due to non-compliance) detained and removed in the last financial year.	Compliance and Integrity Policy Branch
40.	78	Ellison	1.1	In relation to data about the number of residents and citizens who re-entered Australia in 2006-07, question on notice No. 15 from May gave figures for 2006-07. Could we have an update for 2007-08?	Program Analysis and Support Branch
41.	79	Ellison	1.1	Can I have an update please on the visa applications submitted to each embassy post each year? I asked last time and we were not able to get a final figure, of course, for 2007-08. If you could give the final figure when you have it. It was question on notice No. 19.	Program Analysis and Support Branch
42.	82	Ellison	1.1	In relation to section 351 ministerial interventions, provide an update to question on notice no. 23 from the May 2008 Estimates hearings.	Program Analysis and Support Branch
43.	82	Ellison	1.2	In relation to section 417 ministerial interventions, provide an update to question on notice no. 25 from the May 2008 Estimates hearings.	Onshore Protection Branch
44.	83	Hanson-Young	1.4	In relation to people trafficking, how does this fit into our obligations under CEDAW and other similar types of conventions where we could be providing people with protection first and foremost as to their humanitarian needs as opposed to simply because they are participating in a prosecution?	Compliance and Integrity Support Branch
45.	84	Hanson Young	1.4	When is the report from the trafficking review expected?	Compliance and Integrity Support Branch
46.	84	Barnett	1.2	In relation to complementary protection, provide a copy of the framework document.	Onshore Protection Branch
47.	85	Pratt	1.2	Do you have any figures on the length of time that people were on temporary protection visas?	Onshore Protection Branch
48.	88	Ellison	1.3	How many disrupted enterprises have there been in this calendar year?	Border Intelligence Branch

QON No.	Hansard Reference/Written	Senator	Output	Question	Department branch/agency
49.	98	Fierravanti-Wells	1.4	Provide details of those 26 program initiatives that are going to be changed.	Compliance and Integrity Policy Branch
50.	102	Ellison	1.4	In relation to people trafficking, do you have any idea of the number of current prosecutions pending? Provide the number of convictions, the offences for which the convictions were incurred and continuing prosecutions.	Compliance and Integrity Support Branch
51.	102	Ellison	1.4	Provide an update of the answer to question on notice no. 24 from the February 2008 estimates hearing.	Compliance and Integrity Policy Branch
52.	103	Ellison	1.5	Provide an update of the answer to question on notice no. 56 from the May 2008 estimates hearings.	CDSD Coordination
53.	103	Ellison	1.4	In relation to section 501 cases, can you give us an update of how many visas have been cancelled and how many remain? I guess that would then add up to all those considered by the minister, I guess—those that remain and those that have been cancelled. Is that right?	Compliance and Integrity Policy Branch
54.	105	Ellison	1.5	In relation to the allegations of drug usage in Villawood that were referred to the NEW South Wales police, advise whether they have been progressed.	CDSD Coordination
55.	105-106	Ellison	1.5	How many instances of hunger strikes have there been in detention centres in the last 12 months? How many this year?	CDSD Coordination
56.	106	Ellison	1.5	How many instances of self-harm have we had in the last 12 months?	CDSD Coordination
57.	106-107	Ellison	1.4	How many people have been released from immigration detention as a result of the announcement on 29 July? Of those people released—there are two aspects to the question—there are those who have been released since 29 July and those who may have been released as a result of the new direction in policy as described by the minister. There is a third question. Of those released, are they still in Australia? If not, are they still in Australia? If the answer is yes, are they meeting reporting requirements?	Compliance and Integrity Policy Branch
58.	107	Fierravanti-Wells	1.5	Mr Metcalfe, while we are on the question of numbers in detention, I would really appreciate it if you could go back through your history books. Numbers of people in detention are always bandied around. I would appreciate it if you could provide me with a list since detention was instigated under a previous Labor government (1989). Could you give me a history of detention in this country, including of children. Could you also tell me where you cannot and for what reason you cannot.	CDSD Coordination
59.	110-111	Hanson Young	1.5	(1) Can you tell me how much it costs to run the Christmas Island centres when no-one is being detained? (2) How much has it been costing per day since the first boat arrived? Include operating costs and processing costs.	CDSD Coordination

QON No.	Hansard Reference/Written	Senator	Output	Question	Department branch/agency
60.	111	Hanson-Young	1.5	In relation to the immigration centre at the Perth Airport, my understanding is we still have an eight-year lease on that. Is that right?	CDSD Coordination
61.	114-115	Hanson-Young	1.5	Can I also put on notice some questions about the break down of the daily debt from the different facilities around the country, the level of interest that is charged on these debts, the process for the debt waivers—and my understanding is that the Department of Finance and Deregulation is involved in that—the stock of debts that are still outstanding, and the standard size of a detention debt, if there is some type of medium or average? What is the level of interest that is accumulated on debt?	Financial Operations Branch
62.	115	Fierravanti-Wells	Internal Product	Could you also take on notice whether there are any contingent liabilities outstanding in relation to the detention centre contract and the contractors arising out of any court proceedings where allegations have been made about any incidents? There was a series of cases some time ago relating to incidences in detention centres where the department and the contractor were sued, alleging all sorts of things had happened. I do not know if there are any more of those cases, but I would be interested to know if there are. Could you take that on notice if there are any contingent liabilities in relation to that?	Litigation Branch
63.	115	Pratt	1.4	In relation to the review of the 72 people in immigration detention for longer than two years, how long had the 12 people who were removed been in detention?	Case Management Branch
64.	117	Ellison	2.3	Can you update question 66 on notice. That asked for a breakdown of those who failed the mandatory questions, or the rights and responsibility questions, and an answer was given in relation to that.	Citizenship Branch
65.	118	Fierravanti-Wells	2.3	Could you explain to me the basis of the appointment of each of those people to the Citizenship Test Review Committee and the reasons it was deemed appropriate that they be appointed to that committee? Why they were specifically chosen? Were there other people who were under consideration for appointment?	Citizenship Branch
66.	120	Fierravanti-Wells	2.3	In relation to citizenship ceremonies, is it appropriate for the presiding officer to also represent the minister and read the minister's message?	Citizenship Branch
				Written Questions on Notice	
67.	Written	Hanson-Young	1.2	Offshore Processing: (1) The Government announced in July that offshore entry persons processed on Christmas Island will now receive publicly funded advice and assistance and access to independent review of unfavourable decisions. Will this be provided by the Refugee Review Tribunal and the existing Immigration Advice and Application Assistance Scheme, or are new mechanisms to be introduced? (2) How much additional public money will it cost to establish and process people through these new mechanisms rather than simply granting such people immediate access to the	Onshore Protection Branch

QON No.	Hansard Reference/Written	Senator	Output	Question	Department branch/agency
				Protection visa process, which would mean they could have unfavourable decisions reviewed by the Refugee Review Tribunal and receive assistance with their Protection visa application under the existing Immigration Advice and Application Assistance Scheme? (3) Why are these new funds, which add to the existing additional expenses incurred as a result of processing in such a remote location, being spent in this way, when offshore entry persons could simply be granted access to the Protection visa application process and to existing mechanisms for advice and assistance and independent merits review?	
68.	Written	Hanson-Young	1.5	Could you explain to me how the asylum seeker assistance scheme works?	CDSD Coordination
69.	Written	Hanson-Young	1.2	I refer to the people who are being released into the community. We know that we have now done away with temporary protection visas. There is still a lot of concern by people working in a direct relationship with refugees in the community that some of the categories of bridging visas in particular are quite restrictive in terms of people's work rights, access to Medicare and other social services. Does the Minister have a plan for perhaps dealing with these restrictions into the future?	Onshore Protection Branch
70.	Written	Hanson-Young	1.1	(1) Can the Department provide a breakdown of the health and security checks that are required when processing boat people? (2) Are these the same health checks that are required when visa holders, already residing in the community, apply for permanent residency in Australia? (3) Do the health checks involve a mental health assessment?	Family and Health Policy Branch
71.	Written	Hanson-Young	1.4	I note that the Department's Budget portfolio statement states it will "work closely with the International Organization for Migration (IOM), with other international agencies and with partner countries to promote managed migration and strengthen international cooperative efforts against people smuggling, trafficking of persons and terrorism." (a) How much has been put aside to combat human trafficking in DIAC? (b) How many known victims of trafficking do we have in Australia at the present time? (c) How do we deal with such people when they actually become known? Do we keep them in detention? Do we deport them as urgently as possible? (d) Has the Government made a decision on whether to provide visas to people trafficked into Australia on the basis of their human rights and not on the basis of their willingness to assist with prosecutions? (e) I understand that victims of trafficking are allowed to remain in Australia for up to 30 days, to assist with investigations etc, does the Minister view the 30 day timeframe to be too short to enable victims to not only assist in investigations, but also apply for a visa?	Compliance and Integrity Support Branch
72.	Written	Hanson-Young	1.5	(1) What happens to the detention debt when a former detainee is provided with a permanent visa? Is this waived?	CDSD Coordination

QON No.	Hansard Reference/Written	Senator	Output	Question	Department branch/agency
				(2) When a former detainee has already paid the detention debt back to the Department, are they reimbursed if they have obtained a permanent visa?	
73.	Written	Hanson-Young	1.5	<p>Community Detention – Children:</p> <p>(1) I understand that there are currently 24 children being held in detention.</p> <p>(a) Could you provide a breakdown on the length of time these children have been held for?</p> <p>(b) What is the nationality of these children?</p> <p>(c) Have the children been separated from their families?</p> <p>(2) Does the department see that there is perhaps a responsibility when a child is suffering from mental health issues as a result of having been in detention even though the child is now out in the community?</p>	CDS Coordination
74.	Written	Boswell	Internal Product	<p>(1) What if any steps have been taken to estimate the costs of the government's response to climate change including the Carbon Pollution Reduction Scheme for every department, agency and program within this portfolio?</p> <p>(2) What are the costs and estimated costs identified (reported separately)?</p> <p>(3) Have any costs been included in forward estimates and if so where?</p>	Financial Strategy and Budgets Branch to coordinate with MRT/RRT
75.	Written	Fierravanti-Wells	1.3	<p>(1) Please provide a breakdown of the number of foreign officials the Department of Immigration sponsor to undertake tertiary study in document examination along with the officials' country of origin?</p> <p>(2) What proportion of the costs associated with the training of foreign officers are met by the country of origin and what proportion are met by the Australian Government?</p>	Identity Branch
76.	Written	Fierravanti-Wells	1.3	Please provide a list of the number of people detected by Australian officials using fraudulent passports based on country of origin during the 2007-08 period?	Border Intelligence Branch
77.	Written	Fierravanti-Wells	1.2	Please outline the nature of any training or exchange services operated by foreign governments which are available to Australian Immigration officials? Which, if any of these training programs have Australian officials participated in for the 2007-08 period?	International Cooperation Branch
78.	Written	Fierravanti-Wells	1.3	Further to an article in <i>The Western Australian</i> of 18 August 2008 by Tiffany Laurie, is the Australia Government aware of the warnings from the UN agency that people smuggling out of Indonesia was returning to the high levels of 2000 and 2004? If so, what is the Government's response to such warnings?	Border Intelligence Branch
79.	Written	Fierravanti-Wells	1.4	What action has the Minister or the Department undertaken in relation to allegations about a migration agent, Mr Solaiman, detailed in an article in the <i>Sun Herald</i> dated 7 September 2008? Have the matters alleged been investigated and what action has been undertaken?	Compliance and Integrity Support Branch
80.	Written	Fierravanti-Wells	1.5	In relation to the facilities at Christmas Island, please provide full details of access areas. Have there been changes in relation to areas that are regarded as "detention" areas and "community detention" areas since 24 November 2007? If so, specify when such changes occurred. If required, please provide a map of the island specifying the various levels of	CDS Coordination

QON No.	Hansard Reference/Written	Senator	Output	Question	Department branch/agency
				"detention" on each part of the facility.	
81.	Written	Fierravanti-Wells	1.5	In relation to the recent illegal arrivals, please advise why they have not been housed at the main Christmas Island detention centre which has been upgraded and is empty.	CDSD Coordination
82.	Written	Fierravanti-Wells	1.5	Since July 2008, what have been the costs associated with provision of legal advice to illegal arrivals? Please provide a breakdown of such costs including the number of arrivals who have been legally assisted and the nature of such assistance.	CDSD Coordination
83.	Written	Fierravanti-Wells	1.3	On 8 October 2008 an article in <i>The Australian</i> quoted Minister Evans stating: "I haven't ruled out the possibility that these two boats might have been launched by the one people-smuggling syndicate" and that "We don't know as yet but certainly I am of the view that there might be a connection between the two." What investigation has been undertaken by the Minister or the department to ascertain any connection between the two boat arrivals? Please provide details including copies of any report regarding the same.	Border Intelligence Branch