

QUESTION TAKEN ON NOTICE

SUPPLEMENTARY BUDGET ESTIMATES HEARING: 20 OCTOBER 2009

IMMIGRATION AND CITIZENSHIP PORTFOLIO

(93) Program 4.1: Visa Compliance and Status Resolution

Senator Fierravanti-Wells asked:

In relation to the "long term overstayers" referred to in evidence at the hearing, please define the term and provide further details including:

- a. Categories of these people;
- b. The average length of time of the long-term overstay;
- c. What proactive measures is the department undertaking to locate these long-term overstayers;
- d. What happens when they are located.

Answer:

There is no official definition of a 'long term overstay'. When considering the circumstances of people who, as at 30 June 2009, were considered overstayers and had been unlawful for 15 years or more (around 25 per cent of the overstay population), the following applies.

- a. Visa Categories:

• Visitors	86%
• Students	5%
• Temporary Residents	5%
• Other	4%
- b. The average length of overstay for this group is around 21 years.
- c. The Department has implemented a range of strategies aimed at locating people living unlawfully in Australia, including:
 - a national dob-in line to enable the public to provide information on people who may be staying in Australia without a visa or breaching their visa conditions;
 - data matching with the Australian Taxation Office, enabling the Department to receive information on where unlawful non-citizens may be working;
 - use of power provided under section 18 of the Migration Act to compel persons or organisations to provide information or documents that are relevant to ascertaining the identity or whereabouts of unlawful non-citizens;
 - Community Status Resolution outreach activities which encourage people to come forward and engage with the Department to resolve their immigration status. These activities also provide further

opportunity for the community to provide information to assist in the location of unlawful non-citizens;

- operation of the Immigration Status Service which provides a 24 hour contact point for police nationally to seek advice and assistance in relation to people who are suspected of being unlawful non-citizens; and
- compliance field activity which is conducted to locate unlawful non-citizens based on an assessment of information obtained through these various sources.

- d. Once an overstayer is located they may be either detained or granted a bridging visa. In either case they are actively case managed by the Department to ensure their status is resolved as soon as practicable.