

Outcome 1: Key Issues for Visa and Migration Services

Globally, people mobility is on the rise

In the 21st century global power is shifting towards South and East Asia. Australia is very well positioned to gain from this geo-political realignment, with highly-developed trading and people links with many nations in the region, including the two emerging powers of China and India. Seven of our top ten source countries for immigrants are in this region.

Across the world, there are an estimated 214 million people living outside their home country, equivalent to 3.1 per cent of the world's population. Both figures are on the rise. Most migration involves movement from one developing country to another, but there is increasing movement from developing to developed countries. In Australia just over half the permanent and long-stay arrivals in 2008-09 came from countries of "medium" development on the United Nation's Human Development Index.

Almost all developed countries have ageing populations, a result of sustained, below-replacement-level fertility rates. The proportion of the population beyond working age is increasing, pushing up the aged dependency ratio and reducing the income tax base. Japan and Germany are contending with a double whammy: their aged population is increasing as their total population shrinks. Italy and South Korea face the same scenario later this decade.

In contrast, many developing countries have steadily growing populations, most notably India which will surpass China as the world's most populous nation sometime around 2030. Many developed countries are looking to immigration as a source of future labour supply to partially offset some of the economic impact of ageing. Increasingly, they will be forced to look to developing countries to attract this labour.

While some commentators describe this demographic outlook as constituting a "global war for talent", from Australia's perspective the problem is, in fact, the reverse: there are far more people seeking to migrate to Australia than the country wishes to absorb, even in the selective General Skilled Migration program. This places integrity stress on policy settings and administration of the migration programs, as would-be migrants seek to exploit loopholes and low entry barriers where they exist.

Australia reaches record-high migration levels

Australia remains a traditional settlement country, with high permanent migration levels. This is now overlaid with temporary migration programs that enable Australian employers to source shortfalls in domestic skilled labour from global labour markets, international students to access an Australian education, and working holiday makers from all over the globe to develop links with Australia that persist well beyond their stay. The interaction between the temporary and permanent programs has considerably added to integrity stress.

Australia's permanent and temporary migration programs are operating at historically high volumes. The permanent program, encompassing the skill and family streams (but not humanitarian migrants), has averaged 131 000 places per annum over the past decade, with the three most recent program years being the highest on record. The main categories of temporary entrants (skilled workers, students, working holiday makers) have averaged 396 000 grants per year with, again, the last three years being the highest on record.

IN-CONFIDENCE

Two factors are behind this growth. The first has been the very strong performance of the Australian labour market. From 2000 through to the onset of the Global Financial Crisis in late 2008, employment grew rapidly, pushing the unemployment rate down to a 30 year low. This tightening labour market saw the emergence of sustained skill shortages in many professions and trades across many parts of Australia, acute in some cases. In response, a series of changes to liberalise migration policy settings were made. Second, the opening of onshore pathways to permanent residence from 2001 onwards, aligned with relatively low entry barriers in some permanent visa sub-classes, created a tremendous “pull” incentive, especially to people in developing countries keen to access working rights in Australia and the rewards that offers.

Overall migration levels, permanent and temporary, reached a record high in 2009. The best summary measure is Net Overseas Migration (NOM), the balance of permanent and long-term arrivals into, and departures from, Australia. This peaked at 305 900 in the year ending March 2009, adding 1.4 per cent to Australia’s population. Seven in ten of these net additions were temporary migrants, and four in ten were international students (refer also to *Briefs A02 to A04*).

International students on the pathway to permanent residence

The international student phenomena illustrates the challenges of managing migration programs over the ups and downs of an economic cycle, with the articulation between temporary and permanent visa policy settings causing downstream consequences.

In 2001, in response to a then shortage of IT specialists, an onshore pathway was introduced, enabling international students to remain in Australia and apply for General Skilled Migration. The number of student visa grants grew at a compound rate of over 10 per cent per year between 2001 and 2009. The international education industry grew rapidly on the back of this enrolment expansion to become Australia’s third largest export industry, but one characterised by many low quality and fraudulent operators with many students seeking permanent residence rather than an Australian qualification.

The reforms undertaken by the previous Government from 2007 to 2010 can be seen as a partial unwinding of the liberalised policy settings, prompted in part by the downturn in the labour market in 2008, but more so by evident problems: record high migration levels fuelled by growth in temporary visas, exploitation of temporary migrant workers, the rise of fraud and regulatory abuse in both the education and migration spheres, and a growing pipeline of applications for permanent migration.

s.36(1)

These changes make it harder for many international students to attain permanent residence and in combination with other events (assault of students, enhanced integrity measures, quality audits of education providers, greater global competition, an increase in the value of the Australian dollar) has led to a substantial decline in offshore student visa grants (refer also to *Brief A04* and *Brief A05*). These fell by 31 per cent in 2009-10 compared with the previous year.

The decline has prompted the education industry to lobby Government for redress. Many providers, especially smaller private providers, are financially vulnerable as they are highly reliant on cash flow from growing student enrolments. It remains the case, however, that the onshore pathway is fully open, and the student visa program continues to be subject to considerable integrity stress, as do some of the permanent

IN-CONFIDENCE

IN-CONFIDENCE

visa options open to students, notably the Employer Nomination Scheme (ENS), the Regional Sponsored Migration Scheme (RSMS) and State-Territory sponsored skilled migration, all of which have tripled in size since 2006-07. The first two of these are under departmental review.

The Government must also grapple with the large number of former and current students who are onshore seeking permanent residence. There are around 106 000 former students on temporary or bridging visas awaiting resolution of their permanent residence status. This group is fully grandfathered against the changes from earlier this year, but many are likely to be in limbo for some time, as under current priority processing directions they are last in the queue (as their nominated occupation is not on the new Skilled Occupations List).

There are a further 455 000 persons who were students when the new arrangements took effect, about one-third of whom (based on past trends) had been expecting to attain permanent residence. Despite partial grandfathering arrangements for these persons, the General Skilled Migration reforms will render a majority of them ineligible, severely foreclosing their permanent residence options. Even if their expectations of permanent residence had been unreasonably formed, this group is sizeable, many are aggrieved and they are beginning to mobilise.

s.33

s.30(1)

Managing the demand for migration

The student caseload points to a wider problem. Although the permanent migration program has been operating at historically high levels, there is a processing backlog of 140 000 applicants for general skilled migration (equivalent to 2.3 program years on current planning levels) and 29 000 for partner places (equivalent to 0.7 program years, and likely to increase in coming years given the level of latent demand).

Under the *Migration Act 1958* (the Act), a person who lodges a valid application is entitled to a decision. The use of priority processing directions in recent years, so as to selectively target applicants for skilled migration, in combination with high applicant numbers, has meant that some people are persistently at the bottom of the queue with their application unprocessed. It is possible that legal action may be launched by disaffected people in this group.

s.36(1)

IN-CONFIDENCE

Planning for a growing population

NOM is now falling steeply on the back of the sharp decline in arrivals of students, temporary skilled workers, and New Zealand citizens in 2009-10 (refer also to *Brief A02*). This decline in arrivals is due to policy reforms beginning to bite, and to the impact of the Global Financial Crisis which, world-wide, slowed the movement of people.

The department forecasts that NOM will continue to fall through to 2012, before reaching a plateau at around 190 000. That is a level slightly higher than the long-run average migration rate of 0.6 per cent. NOM around this level would enable the labour force to continue to grow at just over 1 per cent per annum through to 2030, partly offsetting the impact of Australia's ageing population, and meeting anticipated increases in labour demand arising from the resources boom and its flow-on consequences as well as underlying structural changes towards labour-intensive service industries, such as personal care and hospitality.

Migration will be the main determinant of Australia's population growth in coming decades, but natural increase will remain sizeable. Independent of migration, natural increase is projected to add up to 3 million people by 2030. If we overlay that natural increase with a NOM intake of 140 000 per year, the population could increase by a further 4 million people in the same period, while a NOM intake of 180 000 per year would add an additional 1 million people. A growing population is something for which Australia needs to plan.

s.36(1)



Title	Sustainable Population Strategy
Required or recommended action	That you provide direction on key immigration related issues in relation to the election commitment to develop a sustainable population strategy.
Timeframe	For your direction by October 2010, given the planning timeframe for the 2011-12 Migration Program Budget submission.
Expected further detailed briefing/handling	We will provide you with further detailed briefing on this matter in coming weeks and seek to discuss with you the immigration issues identified.
Key issue/s	<ul style="list-style-type: none"> • The Government, on 6 July 2010, tasked the Sustainable Population Minister with the development of a Sustainable Population Strategy by mid-2011. There are a number of immigration related issues set out in this brief. <p>Population should grow at a sustainable level</p> <ul style="list-style-type: none"> • Net Overseas Migration (NOM) spiked in early 2009 at over 305 000 persons, a record high, outstripping natural growth (births minus deaths) by two to one. • Australian Bureau of Statistics (ABS) data show NOM began to fall during 2009. The department's NOM forecast for the year ending June 2010 is 231 500 persons. • Immigration is the only factor in the population growth equation that Government can alter in the short to medium term. <ul style="list-style-type: none"> – All other factors (births, deaths, emigration) are primarily determined by broader economic and social forces. • The department forecasts that NOM will continue to fall through to June 2012, then plateau at around 190 000 persons per annum: <ul style="list-style-type: none"> – this factors in all first-term reforms, including the General Skilled Migration points test review decision of 17 July 2010; and – this is above the 180 000 per annum level used by the Treasury in the 2010 Inter-Generational Report to project a population of 35.9 million by 2050, a figure that prompted community concern about a "big" Australia. • It is unclear what level or range of NOM is compatible with sustainable population growth: <ul style="list-style-type: none"> – a NOM of around 180 000 persons per year will enable the labour force to continue to grow at around 1 per cent per annum, offsetting the impact of population ageing, and is in line with the historical average net migration rate;

- higher levels of immigration lead to higher economic growth and higher living standards (as measured by GDP per capita), but the gains diminish in scale as NOM increases;
- GDP per capita is only a partial measure of living standards;
- for any value of NOM above zero, there is an implied trade-off between growth in GDP per capita and other measures of well-being, such as environmental preservation and reduced congestion;
- this is a false dichotomy, however, as it is possible to mitigate environmental impacts and congestion through effective planning and provision of new infrastructure; and
- development of the Sustainable Population Strategy will guide consideration of an optimal NOM range.

Reducing NOM below its forecast level

s.36(1)



	<p>s.36(1)</p> <p>Matching people to opportunities across all regions of Australia</p> <ul style="list-style-type: none">• Around nine in ten migrants settle in the major Australian cities, and almost all remain there.• Migrants settle in areas where jobs are available and there are social and community networks that enable quick integration (eg 37 per cent of recent family stream migrants have settled in Sydney while 15 per cent of recent skilled migrants have settled in Perth).• Provisional visas and regional concessions can be used to direct some skilled migrants to regional and rural areas, but the overall impact on where migrants settle is likely to be marginal.• Similarly, it is possible to settle more refugees and humanitarian migrants in regional areas, though this group makes up a very small component of population growth. This group would also require intensive settlement planning and support for successful integration to occur.
<p>Implications</p>	<ul style="list-style-type: none">• Commonwealth Budget: changes to the Migration Program have a direct Budget impact through revenue lost from visa application charges and an indirect effect through migrants' net revenue contributions. This indirect effect is large and positively associated with the size of the Migration Program. <p>s.36(1)</p> <ul style="list-style-type: none">• Departmental: changes in the Migration Program are likely to have associated IT and client service delivery implications.• Other: changes in the Migration Program or to policy settings may impact on other portfolios and in some sectors of the economy.

IN-CONFIDENCE

Background	<ul style="list-style-type: none">• Net Overseas Migration (NOM) is the difference between arrivals and departures on a permanent and temporary long-term basis. Persons are counted into (or out of) NOM if their total period of stay in Australia (or departure from Australia) covers 12 months out of a 16 month period.• The main temporary visa categories (uncapped) that contribute to NOM are students, temporary long-stay business, and working holiday makers.• The 2010–11 Migration Program is currently set at 168 700 places. This includes 54 550 places for family migrants who are sponsored by family members already in Australia and 113 850 places for skilled migrants who gain entry essentially because of their work or business skills.• Migration Program planning levels are set annually as part of the Budget process, and in consultation with government agencies, key representative bodies and state, territory, and local governments.
Contact details (Deputy Secretary)	Peter Hughes (w) (02) 6264 1234 (m) s.41(1)
Lead Division and relevant Branch	Migration and Visa Policy Division Principal Advisor, Migration Strategies
Other divisions/ agencies	Department of the Treasury

Title	General Skilled Migration – Points Test and Other Reforms
Required or recommended action	<p>That you provide direction on:</p> <ul style="list-style-type: none"> • whether to re-introduce the Visa Capping Bill; and • timing of the announcement of the revised Points Test.
Timeframe	<p>For early consideration by mid September 2010, given:</p> <ul style="list-style-type: none"> • should you wish to re-introduce the <i>Migration Amendment (Visa Capping) Bill 2010</i>, the expected timetable bids for the Spring 2010 legislation program; and • the proposed implementation date of 1 July 2011 for the revised Points Test.
Expected further detailed briefing/handling	<p>Further briefing on this matter can be provided.</p>
Key issue/s	<ul style="list-style-type: none"> • A separate brief (refer to <i>Brief A02</i>) provides an overview of the key immigration related issues that affect the growth of Australia's population. • The Skilled Migration Program is one such issue. Demand for permanent skilled migration visas far exceeds the available supply of these visas, even with the Skilled Migration Program at historical highs for the past few years. <p>Skilled migration reform agenda summary</p> <ul style="list-style-type: none"> • Ongoing reforms are aimed at ensuring the skilled migrant intake is driven by the demands of the labour market, not by the supply of migrants. • The interface between skilled migration and international education is a key issue here. If left unbalanced, the interface risks devaluing two programs that otherwise bring immense benefits to Australia. The risk is that low quality education providers become 'visa factories', selling a migration outcome they had no right to offer, gaining an advantage over genuine educators. • From the large pool of people seeking a skilled migration visa, the Skilled Migration Program reforms seek to: <ul style="list-style-type: none"> - focus students on educational outcomes; and - deliver migrants with skills that will be of the greatest benefit to Australia. • The reforms do not support those education providers and students focussed simply on attaining a migration outcome ahead of a quality education.

- In recent years the demand from applicants for skilled migrant visas has far exceeded the supply of places available in the program.
- The aim of the Skilled Migration Program is to deliver, from the pool of people seeking a skilled migration visa, migrants with the optimal mix of skills and attributes that will be of greatest benefit to Australia.
- In February 2010, the former Minister announced a suite of reforms to the Skilled Migration Program which have been successively implemented over the past 6 months, including:
 - revoking the Migration Occupation in Demand List (MODL);
 - introducing a more targeted list of occupations on the Skilled Occupations List (SOL);
 - capping and cessation of certain unfinalised pre 1 September 2007 skilled migration visas;
 - introducing the *Migration Amendment (Visa Capping) Bill 2010*;
 - implementing a new Priority Processing Direction;
 - reviewing the General Skilled Migration (GSM) Points Test; and
 - development of a new Skilled Migrant Selection Model.
- Reaction to the reforms has been mixed. There is general acceptance that tightening the program was warranted to ensure the program delivers the optimal mix of skills the Australian economy needs. There has been criticism, particularly from the education sector and current overseas students who hold an expectation of permanent residence, who view the reforms as unfair and lacking in substantive transitional arrangements.

Visa capping

- The *Migration Amendment (Visa Capping) Bill 2010*, introduced into Parliament on 26 May 2010 and referred to Senate Committee, has drawn criticism from the Federal Opposition, students and the education sector due to concerns about how the proposed powers may be used and lack of transitional arrangements for current visa applicants and students. The Bill has now lapsed and its reintroduction to Parliament, in its existing or an amended form, is the subject of a separate brief (refer to *Brief A28*, Spring legislation program).

General Skilled Migration Points Test review

- A new Points Test was agreed by Government on 17 July 2010. The new test is a key step towards delivering migrants who offer the most human capital and will therefore make the optimal contribution to Australia's demographic and economic future. The new test is proposed for implementation on 1 July 2011. No announcement has been made.
- The only aspect to be resolved is how overseas qualifications will be recognised for the award of points.

	<p>Student and skilled migration interface</p> <ul style="list-style-type: none"> • These reforms reaffirm the policy settings which underpin the interface between student visas and skilled migration. Australia benefits where high quality education providers produce graduates with skills in demand. However, there has never been a guarantee that a student visa provides access to a permanent visa. • Transitional arrangements apply to GSM applicants who held a student visa as at 8 February 2010 but they must prove their employability before achieving permanent residence. <p>General Skilled Migration pipeline</p> <ul style="list-style-type: none"> • The on-hand GSM pipeline is around 140 000, which is equivalent to 2.3 program years at current planning levels. • There are currently around 50 000 onshore applicants in the pipeline, 70 per cent of whom do not have a nominated occupation on the new SOL. Management of this increasingly disaffected group is a challenge as they have the lowest processing priority and face long waiting periods. • Additionally, some 455 000 student visa holders have access to a temporary graduate visa until the end of 2012 under transitional arrangements. While only a small proportion of this group is likely to take advantage of these arrangements, they remain a significant caseload and require careful management. <p>Skilled Migrant Selection Model</p> <p style="text-align: right;">s.36(1)</p>
<p>Background</p>	<p>New list of occupations on the SOL effective 1 July 2010</p> <ul style="list-style-type: none"> • The new list includes 183 occupations, significantly less than the pre 1 July 2010 SOL which had more than 400 occupations. The list is based on advice from Skills Australia and aligns with Australia's overall workforce development strategy. • People who, on 8 February 2010, held or had applied for a subclass 485 (skilled graduate) visa will be able to apply for an onshore GSM visa using the old SOL until 31 December 2012. • In addition, subclass 572, 573 and 574 Student visa holders will be able to apply for a subclass 485 visa using the old SOL until 31 December 2012.

IN-CONFIDENCE

	<ul style="list-style-type: none"> • A much wider range of occupations still remain available for applicants sponsored by an employer or a state/territory government through their State Migration Plan. <p>Cap and Cessation of pre 1 September 2007 offshore skilled migration applications</p> <ul style="list-style-type: none"> • Outstanding applications made for certain offshore GSM visa before 1 September 2007 have ceased and visa application charges are being progressively refunded. This cap was set and reached in June 2010. • The department has contacted affected applicants to notify them of the changes and action the repayment of their visa application charges. • There are about 5 400 individual applications, involving 11 500 people, from all over the world affected by this decision. <p>The Migration Amendment (Visa Capping) Bill 2010</p> <ul style="list-style-type: none"> • The Bill sought to amend the <i>Migration Act 1958</i> to give you the power to more effectively manage the Migration Program through cap and ceasing visa applications on the basis of certain objective characteristics, such as nominated occupation, rather than having to cap an entire subclass or class of visas. <p>New s 499 Direction prioritising processing</p> <ul style="list-style-type: none"> • This change was implemented on 14 July 2010. • Applications sponsored by employers or nominated by a state or territory government under a State Migration Plan have first and second priority. • Applicants who have occupations on the new SOL have next priority, with other applicants the final priority.
Contact details (Deputy Secretary)	Peter Hughes (w) (02) 6264 1234 (m) s.41(1)
Lead Division and relevant Branch	Migration and Visa Policy Division Labour Market Branch

Title	International Student Issues
Required or recommended action	That you engage with stakeholders on this matter as necessary, given the attention international student issues have received and the likelihood that media attention will continue.
Timeframe	For your attention in early September, given the public prominence of this issue.
Expected further detailed briefing/ handling	The department will provide you with further detailed briefing on these matters in due course.
Key issue/s	<p style="text-align: center;">s.33(1) and s.36(1)</p> <ul style="list-style-type: none"> • The department has actively engaged with these stakeholders to discuss both student and skilled migration policy changes (refer also to <i>Brief A03</i>). While the rationale for change is generally accepted, there is concern about the impact. • There are several ongoing areas of reform where the immigration portfolio will need to be firm to effectively manage the interface between skilled migration and international education. If left unbalanced, the interface risks devaluing two programs that otherwise bring immense benefits to Australia. <p>Australia's reputation as a safe destination for students</p> <ul style="list-style-type: none"> • The department is working with the Department of Foreign Affairs and Trade (DFAT) and the Department of Education, Employment and Workplace Relations (DEEWR) to implement measures to restore Australia's reputation. <p>Whole of government action in relation to international students</p> <ul style="list-style-type: none"> • The department is working with DEEWR on implementing recommendations of the Baird review relating to student visa policy. • The department has implemented measures included in the Council of Australian Government's (COAG's) International Student Strategy for Australia (ISSA). Refer also to background section below. <p>Visa application data</p> <ul style="list-style-type: none"> • There has been a close to 16 per cent fall in student visa grants in 2009-10 when compared with the record high of 2008-2009. Indications are that grant numbers will fall further in 2010-11 (refer <u>Attachment A</u> for further details).

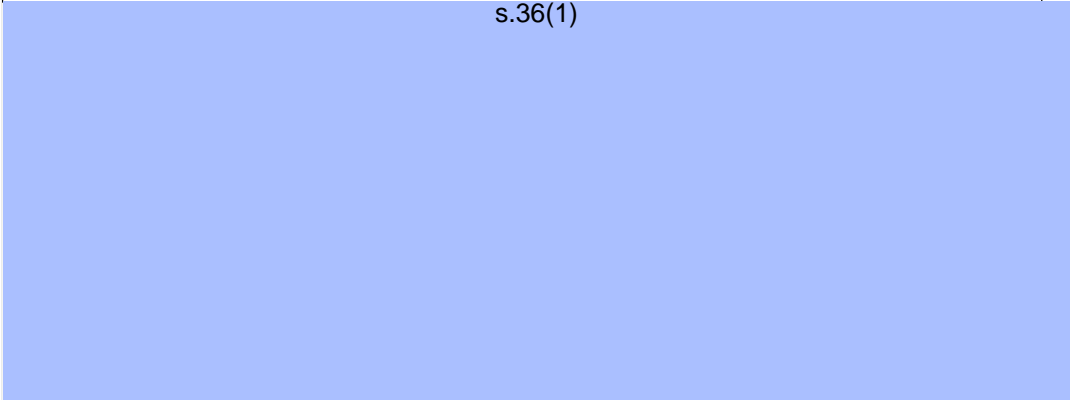
IN-CONFIDENCE

	<p>Pathways to permanent residence</p> <ul style="list-style-type: none"> • A large number of international students have come to Australia with an expectation of permanent residence. • Recent reforms to skilled migration policy mean fewer students are eligible for permanent residence. Transition arrangements have been put in place for some students. <p>Student visa program integrity</p> <ul style="list-style-type: none"> • The regular Assessment Level review is currently being undertaken to ensure that integrity efforts are directed to areas of most risk (refer also to <i>Brief A05</i>).
Implications	s.36(1)
Background	<p>Student program integrity</p> <ul style="list-style-type: none"> • On 1 July 2010, as part of the response under the International Student Strategy for Australia (ISSA), a requirement for students to maintain health insurance for the duration of a Student visa was introduced. • On 27 March 2010, changes designed to strengthen the integrity of the program and to help streamline visa application procedures for some clients were implemented. • On 1 January 2010, the 'living costs' component of the Student visa requirements increased from \$12 000 to \$18 000 per annum. <p>Transition arrangements for those affected by skilled migration changes</p> <ul style="list-style-type: none"> • Students who held a subclass 572, 573 or 574 visa on 8 February 2010 are still able to apply for Skilled – Graduate (Temporary) (Subclass 485) visas using the old Skilled Occupation List (SOL) until the end of 2012 but will only be able to apply for general skilled migration visas under the new SOL. • There are approximately 455 000 Student visa holders in this group. The department is preparing to undertake research on the intentions of this cohort of students, in an effort to better manage their expectations; and is also tracking their immigration status.
Contact details (Deputy Secretary)	Peter Hughes (w) (02) 6264 1234 (m) s.41(1)
Lead Division and relevant Branch	Migration and Visa Policy Division Education and Tourism Branch
Other divisions/agencies	Department of Foreign Affairs and Trade Department of Education, Employment and Workplace Relations

Student visa application outcomes 2007-09 to 2009-10 by client location				
Outcome Client	location	2007-2008	2008-2009	2009-2010
Granted	offshore	198 417	227 924	158 240
	onshore	79 767	92 444	111 588
Granted total		278 184	320 368	269 828
Refused	offshore	14 679	25 764	31 726
	onshore	1892	2112	4334
Refused total		16 571	27 876	36 060
Withdrawn/other	offshore	4 157	5 245	5 110
	onshore	2 217	2 762	2 899
Withdrawn/other total		6 374	8 007	8 009
Grand total		301 129	356 251	313 897

Title	State and Territory Migration Plans
Required or recommended action	That you agree to sign State and Territory Migration Plan Memoranda of Understanding with your jurisdictional counterparts.
Timeframe	For your decision by the end of September. <ul style="list-style-type: none"> • The Victorian Plan is ready to sign. • Other jurisdictions expect to submit their Plans for signature in coming weeks. Some jurisdictions have suspended State sponsorship pending finalisation of their Plan.
Expected further detailed briefing/handling	The department will provide individual submissions seeking your signature on Plans.
Key issue/s	<ul style="list-style-type: none"> • State and Territory Migration Plans (Plans) are intended to give states and territories the flexibility of sponsoring a broad range of migrants to fill their jurisdictional needs. • Plans are intended to take the form of Memoranda of Understanding (MOU) between the Minister and individual jurisdictions. • The MOU will set out a quota of migrants for each jurisdiction and specify the occupations these migrants may be sponsored to fill. Jurisdictions must provide relevant research on local skills shortages, as well as provide services to assist in matching migrants to jobs. • A template MOU for the Plans has been developed and provided to all jurisdictions. Each jurisdiction has submitted its research and is in the process of finalising their list of occupations for inclusion in the MOU. The department will brief you separately on each final MOU as they are submitted to you. • The Plans were to have been implemented on 1 July 2010 to coincide with the introduction of the Skilled Occupation List (SOL). This has been delayed due to the time taken by jurisdictions to conduct the necessary research, as well as the department's observation of caretaker conventions. The department has advised all jurisdictions that Plans are likely to be implemented in the second half of 2010, subject to your agreement. • Until Plans are introduced, states and territories can continue to sponsor applicants for occupations specified on the SOL.
Implications	<ul style="list-style-type: none"> • Information technology (IT) systems: changes are required to support the introduction of Plans. A work-around has been implemented until systems changes can be made, which is likely to be by March 2011.

IN-CONFIDENCE

Background	<ul style="list-style-type: none">• Under priority processing arrangements introduced on 14 July 2010, State and Territory sponsored applicants will be processed under priority category 2. Applicants from the pipeline nominated outside a Plan will be processed under priority category 4.• Once Plans are introduced, pipeline applications with nominated occupations on the relevant Plan will be elevated from category 4 to category 2.• In the 2010-11 Migration Program, 23 000 places were initially allocated for State and Territory sponsored migrants. This is a 21 per cent increase on the 2009-10 Migration Program outcomes in the State and Territory sponsored visa category. <p style="text-align: center;">s.36(1)</p>  <ul style="list-style-type: none">• Applications currently on hand (pipeline) will count towards the 2010-11 quota where they contain a nominated occupation on the relevant Plan.• The quotas and number of pipeline applications are detailed at <u>Attachment A</u>.• In addition to the quotas specified, each jurisdiction will also have 240 off-list places which must relate to State and Territory SOL occupations.
Contact details (Deputy Secretary)	Peter Hughes (w) (02) 6264 1234 (m) s.41(1)
Lead Division and relevant Branch	Migration and Visa Policy Division Labour Market Branch

Pipelines and Quotas by Jurisdiction

State/Territory	Pipeline as at 30 June 2010 (primary and secondary applicants)	Proposed Sponsorship Quota 2010-11 (primary and secondary applicants)
s.36(1)		
Total	24 071	24 030

Title	Labour Agreements
Required or recommended action	That you provide direction on: <ul style="list-style-type: none"> the process for deciding Labour Agreement requests; and a policy framework for Labour Agreements for semi-skilled occupations.
Timeframe	For your direction by the end of September 2010.
Expected further detailed briefing/handling	The department will put forward separate submissions shortly seeking your decision on current Labour Agreement requests.
Key issue/s	<ul style="list-style-type: none"> Labour Agreements are contracts between employers and the Commonwealth allowing for the recruitment of skilled overseas workers on a temporary or permanent basis. Labour Agreements aim to provide a flexible response to the needs of industries, while ensuring that any overseas recruitment does not undermine employment and training opportunities for Australians. The department currently negotiates Labour Agreements on the Commonwealth's behalf and seeks your decision on each Labour Agreement request. <p>Decision making framework for Labour Agreements</p> <h1>S.36(1)</h1> <p>Current Labour Agreement requests</p> <ul style="list-style-type: none"> A number of employers are currently in negotiation for a Labour Agreement. Some of these requests have been under consideration for a number of months, including 17 requests for an on-hire Labour

	<p>Agreement and 15 requests for company-specific agreements.</p> <ul style="list-style-type: none"> • Due to the protracted time that these requests have been under consideration, the department will put forward separate submissions shortly seeking your decision on these requests. <p>Policy parameters for semi-skilled occupations</p> <ul style="list-style-type: none"> • Labour Agreements are the only option for employers to sponsor semi-skilled workers. An increasing number of requests are being received for Labour Agreements for semi-skilled occupations. Very few of these have been approved. • Clear policy parameters are required to give certainty to employers about the circumstances under which a Labour Agreement for semi-skilled occupations may be considered.
Background	<ul style="list-style-type: none"> • Labour Agreements operate where standard visa arrangements do not meet employer needs and a significant economic benefit or public interest case can be established for allowing entry. • The process to negotiate a Labour Agreement is protracted, often taking more than 12 months for a decision to be made. Employers find the lengthy timeframes frustrating and many claim that there is a detrimental impact on their business. • The Minister for Immigration and Citizenship is currently the sole decision-maker for Labour Agreements. • Template Labour Agreements are industry-specific standardised arrangements that set the conditions under which employers may recruit overseas labour. These are able to be processed and approved more quickly than individual Labour Agreements. • At 30 June 2010, there were 99 Labour Agreements in place and a further 65 agreements were under negotiation. Last financial year, 982 Subclass 457 visas were granted under Labour Agreements. As of 31 July 2010, 53 visas have been granted this financial year.
Contact details (Deputy Secretary)	<p>Peter Hughes (w) (02) 6264 1234 (m) s.41(1)</p>
Lead Division and relevant Branch	<p>Migration and Visa Policy Division Labour Market Branch</p>

Title	The Pacific Seasonal Worker Pilot Scheme: Interim Evaluation
Required or recommended action	That you consult with the Minister for Employment over the timing and detail of changes to policy parameters for the pilot scheme.
Timeframe	For your attention by the end of September 2010, ahead of the start of the new harvest season (if recommended changes are to be introduced).
Expected further detailed briefing/handling	The department will provide you with further detailed briefing on the issue, to facilitate your consultation with the Minister for Employment.
Key issue/s	<ul style="list-style-type: none"> • The Pacific Seasonal Worker Pilot Scheme (the Pilot) has demonstrated that it can meet the goal of contributing to Pacific economic development through workers' employment experience, remittances and training. However, the Pilot has not yet demonstrated benefit to the Australian economy or the growers, due to very low take-up. Sound evaluation of the pilot depends on meaningful take-up. • An interim evaluation attributes low take-up to costs, a lack of promotion and the Global Financial Crisis (see further detail below). • The interim evaluation also proposes some remedies. <p>Evaluation findings</p> <p><i>Costs</i></p> <ul style="list-style-type: none"> • The higher cost of Pacific Seasonal Workers (PSWs) is due to approved employers charging substantially more than for other workers. This is consistent with a policy setting that no Australian will be displaced. • The cost issue is exacerbated by tax law requiring employees to be in Australia for 183 days to be considered an Australian resident for tax purposes (and therefore pay a much lower rate of income tax). This is the basis of the minimum six month employment requirement. However, this increases costs as workers are moved around to ensure six months work. <p><i>Promotion</i></p> <ul style="list-style-type: none"> • There has been only sporadic promotion of the Pilot. The inability to actively and strategically promote means too few growers are aware of the Pilot and its benefits (ready, reliable and returning workers). <p><i>Global Financial Crisis</i></p> <ul style="list-style-type: none"> • As a result of Australia faring well through the crisis there has been an increase in the availability of labour from other sources (eg working holiday makers), thereby reducing opportunities for PSWs.

IN-CONFIDENCE

	<p>Proposed changes to the program</p> <p align="right">s.36(1)</p>
<p>Implications</p>	<ul style="list-style-type: none"> Continued low take-up of the Pilot may: <p align="right">s.36(1)</p>
<p>Background</p>	<ul style="list-style-type: none"> The Pilot was initiated in response to the horticulture peak bodies' claims that up to \$700 million of produce was rotting every year due to lack of ready, reliable and returning labour. The Pilot will formally evaluate whether a seasonal worker program could contribute to economic development in partner countries through workers' employment experience, remittances and training. It will also examine the benefits to the Australian economy and to horticulture employers who can demonstrate unmet demand for labour. The Pilot has now seen 123 visas granted to Tongan, i-Kiribati and ni-Vanuatu workers. This number includes 20 returning workers. Papua New Guinea (PNG) has only recently signed the Memorandum of Understanding (MoU) with the Australian Government.
<p>Contact details (Deputy Secretary)</p>	<p>Peter Hughes (w) (02) 6264 1234 (m) s.41(1)</p>
<p>Lead Division and relevant Branch</p>	<p>Migration and Visa Policy Division Principal Advisor Migration Strategies Branch</p>

IN-CONFIDENCE

IN-CONFIDENCE

Other divisions/ agencies	Department of Education, Employment and Workplace Relations Department of Foreign Affairs and Trade The Australia Government Overseas Aid Program Department of Prime Minister and Cabinet Department of the Treasury Australian Taxation Office Department of Agriculture, Fisheries and Forestry Department of Finance and Deregulation
--------------------------------------	--

s.36(1)

s.36(1)

Outcome 2: Key Issues for Refugee and Humanitarian Assistance

Australia has a proud history of resettling refugees, with more than 750 000 refugees being resettled in Australia since the Second World War. The protection, resettlement and temporary safe haven for refugees and people in humanitarian need, through partnering with international agencies, is delivered under Outcome 2. This also includes assessing humanitarian visa applications, as well as refugee and humanitarian policy advice and program design.

As a member of the international community and a signatory to the United Nations Convention on the Status of Refugees, Australia shares responsibility for protecting these refugees and resolving refugee situations. This commitment is most strongly expressed through the Humanitarian Program which:

- fulfils Australia's international obligations by offering protection to people already in Australia who are found to be refugees according to the Refugees Convention (known as the onshore protection/asylum component); and
- goes beyond these obligations by offering resettlement to people overseas for whom this is the most appropriate option (known as the offshore resettlement component).

The onshore and offshore components of the Humanitarian Program are linked through the Special Humanitarian Program (SHP) and onshore protection component of the program. Where the number of people offered protection in Australia is larger than originally planned for, places are taken from the SHP to accommodate this, resulting in fewer places to resettle people from overseas.

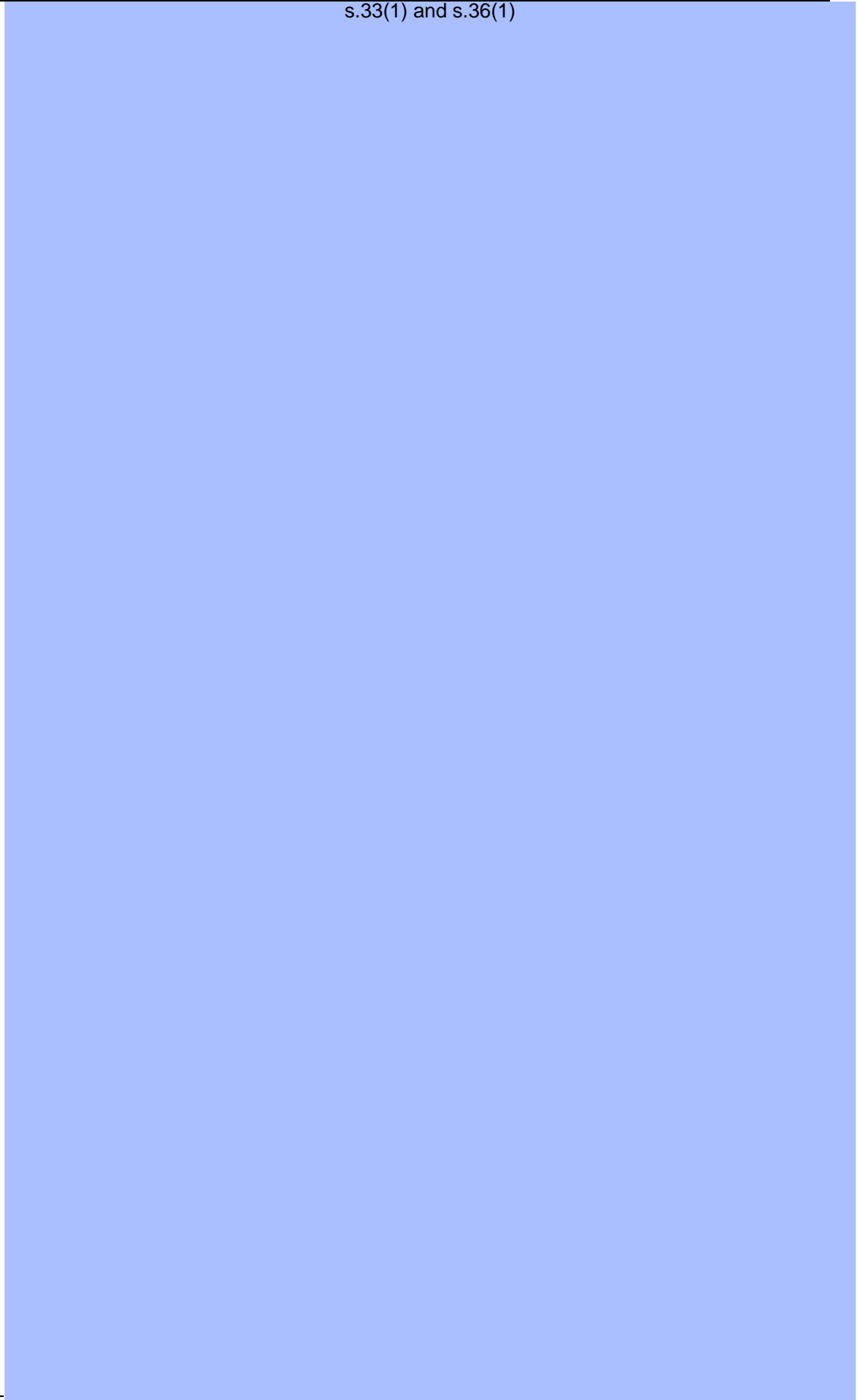
The following briefs focus on addressing the increasing number of irregular maritime arrivals (IMAs) seeking refugee status in Australia – the key driver of the increasing onshore component of the Humanitarian Program – and resolving existing asylum seeker cases. *Brief A11* provides details and options to progress a regional protection framework and a regional processing centre.

There are also four departmental briefs (refer to *Briefs A12 to A15*) which seek your approval on measures to resolve existing asylum seeker cases. These measures include: a Tripartite Returns Agreement with Afghanistan and the United Nations High Commissioner for Refugees; Resolution of the *Oceanic Viking* caseload in Romania and on Christmas Island, Resolution for IMA Security Case Issues and seeking funding authority for a Returns and Reintegration Assistance Package for people found not to be refugees.


The department is currently undertaking a review of the ways in which it interacts with clients who are children, including the various legislative and policy settings and how they interact (refer also to *Brief A16*).

Title	Regional Protection Framework and Regional Processing Centre
Required or recommended action	<p>That you:</p> <ul style="list-style-type: none"> • note progress on the establishment of a regional protection framework and as part of that, a regional processing centre; and • agree to meet early with the department in relation to this initiative, with a view to progressing a submission to Government as a matter of priority.
Timeframe	For your immediate direction, to enable further discussions with East Timor, regional partners and international organisations.
Expected further detailed briefing/handling	<p>We recommend the following steps to progress this election commitment:</p> <ul style="list-style-type: none"> • an early meeting with you to discuss options; • progression of the initiative for Government consideration as a matter of priority, possibly as a joint DIAC-Department of Foreign Affairs and Trade (DFAT) sponsored submission; and • confirmation of a process for seeking international agreement for the framework and a regional processing centre. <p>Early visits to Geneva and key regional countries by yourself and the foreign minister may be necessary.</p>
Key issue/s	<ul style="list-style-type: none"> • A key policy initiative of the Government is a commitment to seek the cooperation of regional partners and international organisations on the design and implementation of a regional protection framework and processing arrangement. <p style="text-align: center;">s.33(1) and s.36(1)</p> <div style="background-color: #e6f2ff; height: 300px; width: 100%;"></div>

s.33(1) and s.36(1)




s.33(1) and s.36(1)



	<p>s.33(1) and s.36(1)</p>
<p>Implications</p>	<p>s.33(1) and s.36(1)</p> <p>The costs will vary depending upon the model chosen but as an indicator, the management of processing centres in Nauru and Manus (PNG) cost \$314.2 million, with 1 637 people being accommodated during the period 2001 to 2008. This does not include costs incurred by other agencies such as the Department of Foreign Affairs and Trade, AusAID and the Australian Federal Police. Additionally, the costs of other complementary measures, such as return arrangements, will still need to be considered.</p> <ul style="list-style-type: none">• IT: Systems changes may be required, (eg if new visas are created).• Other: This is a whole-of-government initiative that will require a submission to Cabinet to seek endorsement of the way forward.• Legislation: Change may be required for some of the framework measures. No legislative amendments would be required to enable offshore entry persons to be taken to a regional processing centre. The only action that would be required under the existing provisions would be the making of a declaration in relation to the relevant country under subsection 198A(3) of the Act. If people are intercepted at sea outside Australia, in accordance with the provisions of Division 12A of Part 2 of the Act, they could be taken to another country under paragraph 245F(9)(b) of the Act.

IN-CONFIDENCE

Background	<ul style="list-style-type: none">• On 6 July 2010, the Australian Government announced details of a regional approach to the processing of asylum seekers, with the involvement of UNHCR, which is designed to effectively eliminate the onshore processing of unauthorised arrivals and to ensure asylum seekers in the region are subject to a consistent process of assessment.• The Government gave a broad outline of a proposal that would advance the proper and consistent treatment of people arriving without authorisation in our region. In particular, it was noted that Australia is in discussions with East Timor, New Zealand and UNHCR to establish a regional processing centre for the purpose of receiving and processing of irregular immigrants to the region. <p style="text-align: center;">s.33(1) and s.36(1)</p>  <ul style="list-style-type: none">• The Government has indicated that it is committed to the processing centre being located in a Refugees Convention signatory country and that its focus is on discussions with East Timor. The Government has also stated that it envisages the centre would be used for new IMA cases, not current asylum seeker cases in Australia. Noting the complex nature of the issues, and the need for regional engagement, a time frame has not been given for the implementation of the proposal.
-------------------	--


IN-CONFIDENCE

Contact details (Deputy Secretary)	Peter Hughes (w) (02) 6264 1234 (m) s.41(1)
Lead Division and relevant Branch	Border Security, Refugee and International Policy Division Regional Cooperation Branch
Other divisions/ agencies	Compliance and Case Resolution Division Citizenship, Settlement and Multicultural Affairs Division Department of Foreign Affairs and Trade Australian Customs and Border Protection Services Prime Minister and Cabinet Attorney-General's Department Department of Defence Australian Government Overseas Aid Program Department of the Treasury Department of Finance and Deregulation Australian Federal Police Office of National Assessments Australian Secret Intelligence Service Australian Security Intelligence Organisation

IN-CONFIDENCE

Title	Tripartite Return Agreement with Afghanistan and the UNHCR
Required or recommended action	That you approve in principle the strategy for securing a return agreement for failed Afghan asylum seekers.
Timeframe	For your direction in early September 2010.
Expected further detailed briefing/ handling	A detailed briefing on this proposed strategy will be provided to you.
Key issue/s	

IN-CONFIDENCE

Implications	<ul style="list-style-type: none">• Financial: The Jangalak Reception Centre, an initiative funded by the Australian Government between 2002 and 2004, cost an estimated \$1.6 million. It is estimated that comparative initiatives would cost a similar amount.• An initial estimate for establishing small to medium enterprises to provide returnees with work is in the order of \$500 000 USD.• Funding for these measures will need to be sought through the Budget processes.
Background	<ul style="list-style-type: none">• Since 2002, Afghanistan has entered into a number of trilateral return agreements with UNHCR and other countries. These agreements typically allow for voluntary and involuntary return of asylum seekers. Under tripartite agreements, returning countries agree to fund a range of activities including individual reintegration assistance and rehabilitation projects.• The role of UNHCR in these agreements is to ensure that the return of Afghans takes place in a manner consistent with UNHCR's mandate. This includes monitoring the treatment of returnees in accordance with international humanitarian and human rights standards. UNHCR's involvement is significant as it sends a strong signal that Australia is acting in conformity with our international human rights obligations. 
Contact details (Deputy Secretary)	Peter Hughes (w) (02) 6164 1234 (m) s.41(1)
Lead Division and relevant Branch	Border Security, Humanitarian and International Division International Cooperation Branch

s.33(1) & s.36(1)

s.33(1) & s.36(1)

s.33(1) & s.36(1)

Title	Returns and Reintegration Assistance Packages
Required or recommended action	That you note that the voluntary return of asylum seekers is a priority activity and we seek your agreement to secure funding for the reintegration assistance packages.
Timeframe	For your direction in early September 2010.
Expected further detailed briefing/handling	A detailed briefing will be provided on reintegration assistance packages.
Key issue/s	<p style="text-align: right;">s.36(1)</p> <div style="background-color: #e0e0ff; height: 120px; width: 100%;"></div> <ul style="list-style-type: none"> • Voluntary returns can generally be effected reasonable quickly. • At present the department does not have policy approval to fund reintegration assistance packages. s.36(1) <div style="background-color: #e0e0ff; height: 40px; width: 100%;"></div> <ul style="list-style-type: none"> • The International Organization for Migration (IOM) has indicated that tailored assistance packages are effective in encouraging voluntary and sustained return and reintegration. The department has been working with IOM to develop a program framework. • Voluntary return in conjunction with a reintegration assistance package is likely to be attractive to some irregular migrants on a removal pathway or facing protracted detention: <ul style="list-style-type: none"> - increased returns would reduce pressure on detention capacity; and - potential initial take-up is uncertain in the absence of any capacity to enforce returns to Afghanistan, Iran and Iraq.
Implications	<ul style="list-style-type: none"> • Financial: <div style="background-color: #e0e0ff; height: 100px; width: 100%;"></div> <ul style="list-style-type: none"> - the costs of the program would be offset by reduced detention costs as individuals taking up the packages would be spending less time in immigration detention.

IN-CONFIDENCE

Background	<ul style="list-style-type: none">• The provision of reintegration assistance can be a valuable tool in facilitating voluntary returns and also serves a broader purpose by allowing asylum seekers to return home in a dignified and sustainable manner.• Reintegration assistance is likely to be an element of any formal return agreement.• The department is currently discussing an agreement with IOM to deliver individually-tailored reintegration packages for asylum seekers and ad hoc assistance for voluntary returnees from other countries. <p style="text-align: center;">s.36(1)</p> <ul style="list-style-type: none">• The packages would primarily consist of in-kind assistance comprising of training, employment or opportunities for business start up and job placement support. IOM has advised that in-kind assistance is generally most effective in achieving sustainable returns. However, a small cash payment would be made available to assist returnees with immediate re-establishment costs. This type of reintegration assistance is similar to packages currently being offered by the United Kingdom and other European countries.
Contact details (Deputy Secretary)	Peter Hughes (w) (02) 6264 1234 (m) s.41(1)
Lead Division and relevant Branch	Border Security, Refugee and International Policy Division Onshore Protection Branch
Other divisions/ agencies	Compliance and Case Resolution Division

Title	Departmental Interactions with Children – Policy and Legislative Issues
Required or recommended action	That you note that the department is currently undertaking a review of the ways in which it interacts with clients who are children, including the various legislative and policy settings and how they interact.
Timeframe	For your direction by the end of October 2010, given the benefits that new approaches may provide.
Expected further detailed briefing/handling	Briefs on Guardianship and the <i>Immigration (Guardianship of Children Act) 1946</i> (IGOC Act) and on age determination will be provided by end September 2010. Briefs on other issues will be provided in due course.
Key issue/s	<ul style="list-style-type: none"> • A departmental review has found legislative and policy settings concerning children vary across departmental programs and that there are some areas of risk for you and the department. Work is underway in several of these areas. <p>Immigration (Guardianship of Children Act) 1946 (IGOC Act)</p> <ul style="list-style-type: none"> • The IGOC Act provides that you are the guardian of certain non-citizen children (currently around 350 wards). The IGOC Act is old and does not readily meet the contemporary challenges of caring for and settling minors who enter Australia either lawfully or unlawfully. Your guardianship responsibilities may pose a conflict of interest which is an issue that needs to be resolved. • Your guardianship role is currently delegated to State and Territory child welfare authorities (each of which takes a different approach to the management of these minors). However, in the detention context, your guardianship role is delegated to various departmental officers, who exercise both migration-related and IGOC Act-related functions. s.36(1) <p>We have developed a proposed model to address these issues and will provide a detailed submission shortly.</p> <p>Irregular maritime arrivals - age determination pilot (refer also to <i>Brief A21</i>)</p> <ul style="list-style-type: none"> • A number of clients on Christmas Island have sought to revise their date of birth to change their status from adult to minor (and a small number from minor to adult). • Clearly, it is critical to implement a process to test clients' claims around age so that the department mitigates the risks of detaining minors in an immigration detention centre, on the one hand, and housing adults in accommodation provided for minors and families on the other.

IN-CONFIDENCE

- More broadly, this is an important integrity issue for reasons including accurately establishing identity and undertaking security checking.
- In June-August 2010, the department conducted a pilot using an interviewing approach to assess the credibility of a person's claim to be a minor (as opposed to other methods of assessment, including physical assessment through wrist bone x-rays, which has been found to not be an accurate determiner of chronological age).
- A separate brief will be provided on this pilot.

Irregular maritime arrivals – Unaccompanied Minors Community Residence (UMCR) Program Pilot

- At the Council on Immigration Services and Status Resolution (CISSR) (refer also to *Brief C03*) meeting in July 2010, in-principle agreement was given to develop a model for an UMCR Program Pilot. It is proposed that unaccompanied minors who have arrived in Australia as irregular maritime arrivals be housed in a residential community setting on the Australian mainland.
- The program will be funded by the department and will involve the collaboration of multiple community and faith-based organisations with experience of working with asylum seekers.

Refugee youth

- The settlement of significant numbers of unaccompanied minors from Christmas Island has highlighted the strengths and weaknesses of service provision to young people. Usual settlement approaches do not always work for young people and the challenges are tougher for those from refugee backgrounds. Some of these challenges include education disruption, unemployment, risk of radicalisation and homelessness.
- A proposal, approved by the Parliamentary Secretary and endorsed by the Secretaries' Committee on Social Policy, seeks to establish a service delivery network of specialist providers who focus on refugee and multicultural young people. There are a range of one-off initiatives across Australia with potential for broader application - a specialist service delivery network could assist in rolling out promising initiatives and programs more broadly.

Surrogacy

- Overseas surrogacy arrangements are an emerging issue for the department. The impact of these arrangements from a visa and citizenship perspective, and the interaction between visa and citizenship requirements, are issues that the department is currently investigating.
- The department has commenced consultations with internal stakeholders and the Attorney-General's Department.

IN-CONFIDENCE

IN-CONFIDENCE

Contact details (Deputy Secretary)	Peter Hughes (w) (02) 6264 1234 (m) s.41(1)
Lead Division and relevant Branch	Citizenship, Settlement and Multicultural Affairs Division Principal Advisor, CSM
Other divisions/ agencies	Compliance and Case Resolution Division Community and Detention Services Division Policy, Innovation, Research and Evaluation Unit

IN-CONFIDENCE

Outcome 3: Key Issues for Lawful Entry and Border Management

With its vast size and diverse environment, Australia presents unique challenges for border management. The Australian Customs and Border Protection Service (ACBPS), with significant support from the department, has primary responsibility for eleven major sea ports. There are eight international airports under the shared jurisdiction of the department and the ACBPS. In 2009–10, the department facilitated a massive 28.8 million passenger and crew arrivals and departures.

The department has made advances in biometrics and the detection of identity fraud; has increased collaboration with international and national agencies and developed policies that strengthen the orderly, legal movement of people across our borders. These measures aim to ensure that Australia's border management is ready to meet the challenges of today and the future. Some of the challenges are already evident, others may manifest as sudden and potentially dramatic events.

Australia shares pressures arising from global issues with the rest of the world. These include the benefits and drawbacks of increasingly sophisticated technology and people movement through international conflict, environmental change and global financial instabilities. With the list of non-traditional security threats growing and the national security environment changing, strong border management is more important than ever before. Protracted conflicts in Afghanistan, Africa and the Middle East and the situation in Sri Lanka mean that large numbers of displaced people are looking for homes in nations like Australia. The volume of trade and numbers of people crossing the border are increasing significantly as a result of increasing globalisation making ports and airports busier than ever before.

Election commitments have been announced in relation to people smuggling. The department plays a key role. Specific briefs are not provided with this package, however classified whole of government operational briefs will be provided by the Department of Prime Minister and Cabinet (PM&C). The vast majority of suspected irregular entry vessels (SIEVs) have Indonesian crew who remain in immigration detention pending arrest and charging by the Australian Federal Police. *Brief A18* addresses the need to better manage crew under investigation for people smuggling offences.

Technology also places pressure on borders. Increasingly powerful, portable and affordable technology gives Australia's border management agencies better tools to combat crime. However, technology can also be used by criminal groups which are evolving, diversifying and adapting to evade border security, often in response to border integrity measures implemented by governments.

Environmental changes and the resulting resource constraints also place pressure on the border by driving movements of people and changing trade patterns. These pressures make the role of the border management multi-dimensional. Our effort at the border is not just about stopping the people smuggling trade, and screening threats from terrorism, transnational organised crime and illegal workers. It is also about facilitating international trade and enabling the lawful entry of people that Australia needs to grow and strengthen as a nation.

IN-CONFIDENCE

Terrorism, especially 11 September 2001 and the Bali bombings, have shaped and continue to shape border management. The efficient processing of some six million international passengers who visit Australia every year must go hand-in-hand with maintaining a critical focus on counter-terrorism and national security. In addition, border management must continue to raise revenue and allow the smooth facilitation of international trade. It is vital we have a border management that continues to respond flexibly to the complex national security and global challenges of the modern world.

IN-CONFIDENCE

Title	Irregular Maritime Arrivals – Arrangements of Management of Indonesian Crew
Required or recommended action	That you engage with the Attorney-General on this matter to determine an appropriate policy and procedural response to better manage crew under investigation for people smuggling offences.
Timeframe	For your direction by mid September 2010.
Expected further detailed briefing/handling	A brief detailing whole-of-government proposals for streamlining the processing of irregular maritime arrivals (IMA) crew will be provided to you shortly.
Key issue/s	<p>The need for an enhanced whole-of-government policy and processing response</p> <ul style="list-style-type: none"> • The vast majority of suspected irregular entry vessels (SIEVs) have Indonesian crew who remain in immigration detention pending arrest and charging by Australian Federal Police (AFP). • Recent incidents, like the riot which occurred at the Northern Immigration Detention Centre involving Indonesian crew members, are likely to re-occur unless appropriate whole-of-government policy and/or processing responses are identified and implemented. • Crew being investigated for people smuggling offences are the subject of a Criminal Justice Stay Certificate (CJSC). However, they are held in immigration detention while investigations are finalised. • As at 1 September 2010, there were 216 crew in immigration detention. Of these, 133 have been in immigration detention for over three months. • A CJSC is sought by the AFP and issued by the Attorney-General's Department (AGD) in respect of the crew, which bars the removal of the person who is the subject of the Certificate. • There are a range of complicating factors involved in the charging and prosecution of IMA crew, including the Commonwealth's reliance on state judicial systems and available capacity in remand/correctional facilities. • Departmental officials are liaising with key Commonwealth stakeholders, including the AFP, AGD and the Commonwealth Director of Public Prosecutions (CDPP), to streamline processing of IMA crew and implement a strategy to transfer IMA crew to state jurisdictions for prosecution. <p style="text-align: right;">s.36(1)</p>

IN-CONFIDENCE

	s.36(1)
Implications	<ul style="list-style-type: none">Financial: Quarantined funding is provided to the department on a “no win/no loss” basis for demand-driven activities. Operational costs associated with IMA management fall into this category, including the detention of IMA crew.
Background	<ul style="list-style-type: none">The significant and rising number of IMA crew in immigration detention, and the extended length of detention of these crew members, is placing considerable pressure on the department’s straining detention infrastructure (refer also to <i>Brief A19</i> and <i>Brief A20</i>). s.36(1)
Contact details (Deputy Secretary)	Bob Correll (w) (02) 6264 2522 (m) s.41(1)
Lead Division and relevant Branch	Community and Detention Services Division Irregular Maritime Arrivals Branch

IN-CONFIDENCE

Outcome 4: Key Issues for Lawful Stay

Australia's immigration and citizenship programs play a vital role in Australia's economic and social development. The department's delivery of these programs is supported by a fair yet firm approach to compliance. Millions of people travel to Australia each year to work, visit, study, or settle permanently. The vast majority of visitors comply with their visa conditions and with departmental requirements. However, a small number of people attempt to enter the country illegally, break our laws, or fail to leave when their visas expire.

The priorities of Outcome 4 are to prevent, deter and respond to breaches of immigration law, and to provide lawful, appropriate, humane and efficient community and detention services to unlawful non-citizens. The department aims to achieve these priorities in a way that is humane, open and transparent and consistent with Australia's international obligations. Key programs and policies include compliance and field work, detention operations, immigration health services, community status resolution and assisted voluntary returns.

Detention operations

The major immediate pressures facing the portfolio relate to the effective and humane management, processing and resolution of high numbers of irregular maritime arrivals (IMAs). IMAs are detained and transferred to Christmas Island while their claims for asylum are assessed and they undergo health, character and security checking. A large number have also been transferred to the mainland.

The increasing volume and the complexity of the client caseload on Christmas Island have posed significant challenges for the department, including increased times in detention, an increase in the number of incidents and also the provision of adequate accommodation, staffing, facilities and services. A schematic overview of IMA processing is provided at [Attachment A](#).

As at 9am 10 September 2010, there were 4 626 IMAs accommodated on Christmas Island and the Australian mainland. Of these, 2 464 were accommodated across the range of facilities on Christmas Island and 2 162 were accommodated in the immigration detention network on the Australian mainland.

Since 1 January 2010, 1 509 IMAs have been granted visas, and 30 have been returned to their country of origin.

The average processing time for an IMA (from arrival to visa grant) is 147 days.

A summary of IMA statistics is provided at [Attachment B](#).

Accommodation shortage

s.36(1)

Current and future client management

The significant increase in IMA numbers, the fact that the rate of processing is currently not matching the rate of arrivals, together with the processing suspension in place for Afghan asylum seekers and the lengthy periods taken to process some

IN-CONFIDENCE

clients' security assessments, all mean that clients are spending longer periods of time in immigration detention.

s.36(1)

Logistical arrangements at remote locations such as Christmas Island, Curtin and Leonora

s.36(1)

Stakeholder communication and engagement.

The department works closely with key Government agencies including the Australian Security Intelligence Organisation, the Attorney's-General's Department, the Australian Federal Police and the Australian Customs and Border Protection Agency and other non-government stakeholders to ensure that IMA processing is streamlined and transparent. Effective forums are in place to ensure that stakeholder feedback is, where appropriate, incorporated into future IMA planning activities.

IMA Processing

Our current processing capability is at present less than is required to match the current rate of arrivals and the department has commenced recruiting additional people to address this shortfall. Based on current planning scenarios an additional 400 qualified staff will be required to undertake the processing workload.

Staff undertaking processing need to have specific skill sets in decision-making, interviewing and case management of clients. This means specialised recruitment, and role specific training and development for the hundreds of additional staff are required, a costly process involving a lead time of some five months.

Other matters

There can be uncertainty about the age of some asylum seekers arriving without reliable or complete documentation, as is sometimes the case, especially with Humanitarian Entrants and asylum claimants. Accurate determination of disputed age claims of minors is a significant issue, s.36(1)

(refer also to *Brief A21*). Your approval is sought to implement and evaluate a pilot approach to this matter.

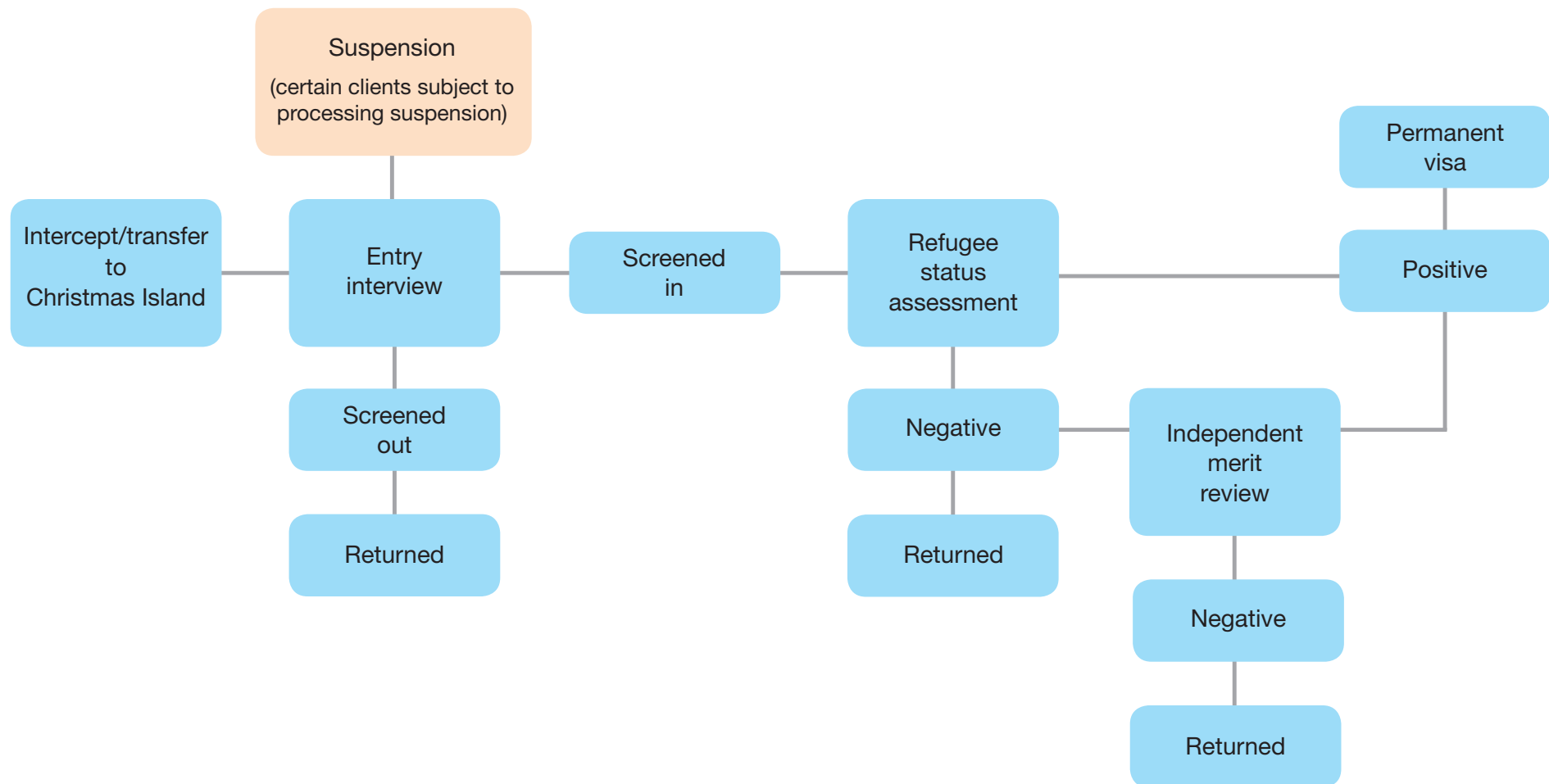
IN-CONFIDENCE



Australian Government

Department of Immigration and Citizenship

Irregular Maritime Arrival processing



Health, security and identity checks - no visas granted until all checks completed and cleared.

IMA KEY STATISTICS
As at cob 9 September 2010

1. Number of IMA clients and accommodation capacity

Christmas Island Statistics					
Facility	Operational Capacity	Contingency Accommodation Capacity	Current caseload	Available capacity	
CI IDC	400	1956	1889 (incl 238 clients in tents)	67	
Construction Camp	200	310	398 (incl 47 crew)	-88	
Phosphate Hill Compound B	48	168	177 (incl 110 clients in tents)	-9	
Total	648	2434	2464 (incl 47 crew)	-30	
Mainland Statistics					
Facility	Operational Capacity	Contingency Accommodation Capacity (this includes operational capacity)	Current caseload IMA ¹	Current caseload Non-IMA	Available capacity ²
Maribyrnong IDC	56	85	7	63	15
Melbourne CD	-	8	8	-	-
MITA	30	48	43	-	5
Berrimah House	12	16	15 (incl 15 crew)	-	1
Darwin APOD(Asti)	-	174	174	-	-
Darwin APOD (Botanic Gardens)	-	3	3 (incl 3 crew)	-	-
Darwin APOD (Airport Lodge)	-	192	192	-	-
Northern IDC (incl Darwin Hospital)	536	536	392 (incl 151 crew)	-	144
Sydney IRH	35	35	21	9	5
VIDC - Blaxland	60	60	2	31	27
VIDC - Fowler	80	171	164	2	5
Leonora APOD	207	207	195	-	12
Perth IRH	11	17	17 (incl 1 crew)	-	-
Perth APOD (Banksia T.P.)	-	6	6	-	-
Perth APOD (Ascot Quays)	-	3	3	-	-
Perth IDC (incl Perth Hospital)	27	37	35 (incl 1 crew)	4	-2
Curtin IDC	600	600	753	-	-153
BITA	29	40	40	-	-
Brisbane APOD (Virginia Palms)	-	53	34	-	19
Britton St APOD	12	12	1	2	9
Port Augusta IRH	58	60	57	7	-4
Total	1753	2363	2162 (incl 171 crew)	118	83
Grand Total	2401	4797	4626 (incl 218 crew)	118	53

¹ All figures in parentheses indicate the number of crew in each detention facility.

² Capacity available at mainland centres takes account of the non-IMA client caseload, and factors such as the need for medical separation.

IN-CONFIDENCE

2. Intercepted IMAs in transit to Christmas Island

Date intercepted	SIEV No.	Passengers	Crew	Nationality
6 September 2010 (ETA to CI: Friday 10 & Saturday 11 September 2010)	SIEV 185	52	4	39 Iraqi 12 Kuwaiti 1 Afghan 4 Indonesian
	1 Boat	52	4	39 Iraqi 12 Kuwaiti 1 Afghan 4 Indonesian

3. Arrivals since suspension of visa processing - SIEV 130 (note does not include intercepted boats not yet arrived on CI)

	Single Males	Families³	UAMs	Total
Afghan	933	53 (14 families)	210	1196
Sri Lankan	122	60 (21 families)	2	184
Other Nationalities	648	438 (127 families)	49	1135
Crew	123	-	18	141
Grand Total	1826	551 (162 families)	279	2656

Note that Sri Lankan clients are no longer subject to suspension of processing.

4. Proposed infrastructure improvements

Infrastructure	Capacity	Location	Current Status	Date available
Demountable buildings	96-192	Phosphate Hill A and C	Scoping relocation of staff to alternative accommodation	Estimated to have enough staff moved by November 2010 at which time these beds will become available to clients.
Poon Saan Apartments	Stage 1 – 102 Beds Stage 2 – 102 beds	Poon Saan and Saan Chee Loah Road, Poon Saan	Refurbishment works are underway.	Stage 1 –76 beds are available due to the presence of contractors and refurbishment work. Stage 2 – Will be available by December 2010 (subject to available materials/trades personnel and weather permitting).

³ Note: This also includes single females.

IN-CONFIDENCE

5. Breakdown of IMA clients on Christmas Island– including crew

Gender	CI IDC	Construction Camp	Phosphate Hill	TOTAL
Adult Male	1889	121 (34)	177	2187
Adult Female		80		80
Accompanied Male		31		31
Accompanied Female		33		33
UAMs		133 (13 & 2 F)		133
TOTAL	1889	398	177	2464
Family Groups – No Children	20	25	2	47
Family Groups - With Children		45		45
Total Family Groups	20	70	2	92

IN-CONFIDENCE

6. Breakdown of IMA clients on the mainland – including crew

Gender	VIC			NT				NSW			WA					QLD		SA		TOTAL	GRAND TOTAL ⁴		
	Maribymong IDC	Melb CD	MITA	Berrimah House	Darwin APOD Asfi Hotel	Darwin APOD Botanic Gdns Apt	Darwin APOD - Airport Lodge	Northern IDC	Sydney IRH	VIDC - Blaxland	VIDC - Fowler (Stage 3)	Leonora APOD	Perth IRH	Perth APOD Banksia T.P.	Perth APOD Ascot Quays	Perth IDC	Curtin IDC	BITA	Brisbane APOD Virginia Palms			Britton St APOD	Port Augusta IRH
Adult Male	7	2			45		26	392 (151)	8	2	164	60	4	5		35 (1)	753	11	7		16	1537	3724
Adult Female		1			42		23		6			61	4	1	1			11	10		14	174	254
Accompanied Male		2			21		21		3			37	5		2			10	13		6	120	151
Accompanied Female		3			23		10		4			36	2					8	4		5	95	128
UAMs			43	15 (15)	43	3 (3)	112					1 (F)	2 (1)							1	16	236	369
TOTAL	7	8	43	15	174	3	192	392	21	2	164	195	17	6	3	35	753	40	34	1	57	2162	4626
Family Groups - No Children					6		4	6	1			29	1	1				1			5	54	101
Family Groups - With Children		1			32	1	20		7			40	2		1			11	10		7	132	177
Total Family Groups		1			38	1	24	6	8			69	3	1	1			12	10		12	186	278

⁴ Grand Total of all IMAs in detention across Christmas Island and mainland facilities.

IN-CONFIDENCE

7. Breakdown by nationality of all IMA clients

Nationality	Number	Visa Grants
Afghan	2267	1725
Sri Lankan	616	435
Iranian	496	107
Defined as Stateless	532	179
Iraqi	307	231
Indonesian	218	-
Burmese	70	8
Vietnamese	39	-
Kuwaiti	21	6
Palestinian	5	7
Pakistani	21	4
Not yet known	18	-
Somali	8	1
Bangladeshi	2	-
Yemeni	3	-
Syrian	2	2
Turkey	1	-
Total	4626	2705⁵

8. Time in detention of all IMA clients

Days	Number
0-9	272
10-19	39
20-29	166
30-39	-
40-49	184
50-59	193
60-69	160
70-79	178
80-89	241
90-99	180
100-109	74
110-119	293
120+	2646
Total	4626

⁵ A family of 4 Indonesian IMAs who arrived prior to October 2008 were also granted visas in 2009.

IN-CONFIDENCE

9. Number of visas granted in 2009 – 2010

	2009⁶	2010
Total visas granted	1131	1574
Adult males	924	1261
Adult females	44	77
Accompanied minors	62	74
Unaccompanied minors	101	162
Average processing time from arrival to settlement:	102 days	151 days

10. Number of removals from Australia

Total number of clients removed				
	2008	2009	2010	Total
Total Voluntary Removals	1	112	28	141
Total Involuntary Removals	-	13	2	15
Total	1	125	30	156
Average time from arrival to voluntary removal				110 days
Average time from arrival to involuntary removal				238 days
Total number of adult crew removed				
	2008	2009	2010	Total
Total Voluntary removals	-	14	-	14
Total Involuntary Removals	-	-	-	-
Total		14		14
Average time from arrival to voluntary removal				46 days
Average time from arrival to involuntary removal				n/a
Total number of minor crew removed				
	2008	2009	2010	Total
Total Voluntary removals	3	6	10	19
Total Involuntary removals	-	-	-	-
Total	3	6	10	19
Average time from arrival to voluntary removal				133 days
Average time from arrival to involuntary removal				n/a

⁶ A family of 4 Indonesian IMAs who arrived prior to October 2008 were also granted visas in 2009.

<p>Title</p>	<p>Accommodation Facilities used for Irregular Maritime Arrivals</p>
<p>Required or recommended action</p>	<p>s.36(1)</p>
<p>Timeframe</p>	<p>For your immediate direction, to enable accommodation to be bought on line at the earliest possible time.</p>
<p>Expected further detailed briefing/handling</p>	<p>Detailed briefing on the IMA accommodation proposals will be provided.</p>
<p>Key issue/s</p>	<ul style="list-style-type: none"> • While the Government is progressing regional offshore processing options, additional mainland accommodation is urgently required. • The current exceptionally high rate of IMA arrivals and the numbers detained are placing critical pressure on Australia's detention infrastructure. s.36(1) <p>s.36(1)</p> <ul style="list-style-type: none"> - the department has a number of facilities that it currently utilises to accommodate IMA clients. Most of these are at capacity with limited additional accommodation coming on line prior to the end of September 2010 (detail at <u>Attachment A</u>); and - despite the significant expansion in capacity already undertaken, it is clear that current arrival trends of several hundred IMAs per month (including crew) and given no immediate reduction in these numbers is anticipated, s.36(1) <ul style="list-style-type: none"> • In addition to more beds, we also need to act quickly to ensure that clients currently in hotels and motels are reaccommodated in more suitable accommodation that is both secure for clients and the

community, and that also offers adequate support services and amenity for clients detained for longer periods.

- A significant increase in IMAs, the fact that the processing was suspended for Afghan and Sri Lankan asylum seekers, the increase in negative refugee status assessment outcomes and the lengthy periods taken to process some clients' security assessments have resulted in clients spending longer periods of time in detention.

s.36(1)

- While it may not be possible to eradicate these occurrences entirely, we are able to greatly mitigate these risks with well planned, developed and supported facilities and activities, and sound incident management protocols.

s.36(1)

Way Forward

s.36(1)

IN-CONFIDENCE

	s.36(1)
Implications	s.36(1)
Contact details (Deputy Secretary)	Bob Correll (w) (02) 6264 2522 (m) s.41(1)
Lead Division and relevant Branch	Community and Detention Services Division Services Management Branch

IN-CONFIDENCE

IN-CONFIDENCE

IN-CONFIDENCE

Capacities as at 11/8/2010 Immigration Detention Centres

Facility	Number of clients being accommodated	Current Capacity	Available Capacity	Future Capacity	Date Future Capacity Online	Client Group
Christmas Island IDC	2351	2434	26	-	-	All IMAs
Maribyrnong IDC	55	85	30	-	-	Adult male and female IMAs
Northern IDC (Darwin)	490	536	46	-	-	Single male IMAs
Villawood IDC (Sydney)	172	231	59	-	-	Adult male and female IMAs
Perth IDC	47	37	-10	-	-	Adult male and female IMAs

Capacities as at 11/8/10 at Alternative Places of Detention (APODS)

Facility	Number of clients being accommodated	Current Capacity	Available Capacity	Future Capacity	Date Future Capacity Online	Client Group
Gwalia Lodge, Leonora, WA	195	207	12	220	September 2010	IMA families and UAMs
Asti Hotel, Darwin, NT	121	121	0	-	-	IMA families and UAMs
Airport Lodge Hotel, Darwin, NT	192	192	0	360	October 2010	IMA families and UAMs
Virginia Palms Hotel, QLD	52	52	0	-	-	IMA family groups

IN-CONFIDENCE

Capacities as at 11/8/10 Immigration Residential Housing and Transit Accommodation Facilities

Facility	Number of clients being accommodated	Current Capacity	Available Capacity	Future Capacity	Date Future Capacity Online	Client Group
MITA	40	48	8	648	12 months from announcement	IMA families and UAMs
Sydney IRH	19	29	10	-	-	IMA families and UAMs
Brisbane ITA	41	41	0	-	-	IMA families and UAMs
Perth IRH	9	17	8	-	-	IMA family groups
Port Augusta IRH	56	60	4	-	-	IMA families and UAMs
Berrimah House Darwin	16	16	0	-	-	UAMs

s.36(1)

IN-CONFIDENCE

Title	Irregular Maritime Arrivals - Age Determination Pilot
Required or recommended action	That you note you will be required to decide on an ongoing approach to this issue, in light of the department's current pilot on Christmas Island testing claims by some clients that they are minors, where there are concerns about the veracity of these claims.
Timeframe	For your attention by end October 2010, given the implications for establishing identity and security checking, and for decisions relating to place of detention.
Expected further detailed briefing/handling	A brief will be provided by end September 2010 setting out the results of the pilot and recommending an ongoing approach to the issue.
Key issue/s	<ul style="list-style-type: none"> • A number of clients on Christmas Island have sought to revise their date of birth to change their status from adult to minor. <p style="text-align: center;">s.36(1)</p> <div style="background-color: #e6f2ff; height: 100px; width: 100%;"></div> <ul style="list-style-type: none"> • This is an important integrity issue for reasons including accurately establishing identity and undertaking security checking, and for decisions relating to place of detention. • Minors also have access to some particular benefits including priority processing of their refugee status assessment (RSA) and sponsoring their parents and dependents under the Humanitarian Program. • In consultation with the Council for Immigration Services and Status Resolution (CISSR), strategies for assessing claims relating to age where a client has no supporting documentary evidence were considered (refer also to <i>Brief C03</i>). • In July-August 2010, the department conducted a pilot using an interview approach to assess the credibility of a person's claim to be a minor. The interviewing approach balances a range of risks and therefore takes a "benefit of the doubt" approach. • Pending the result of the pilot, it is anticipated that the interview approach will be incorporated into business as usual in the near future.

IN-CONFIDENCE

Contact details (Deputy Secretary)	Peter Hughes (w) (02) 6264 1234 (m) s.41(1)
Lead Division and relevant Branch	Citizenship, Settlement and Multicultural Affairs Principal Advisor, CSM
Other divisions/ agencies	Border Security, Refugee and International Policy Division Compliance and Case Resolution Division Community and Detention Services Division

IN-CONFIDENCE

Outcome 5: Key Issues for Settlement Services

Outcome 5 seeks equitable economic and social participation of migrants and refugees in Australia, supported through settlement services. These services include: English language training; refugee settlement; case coordination; translation services; and settlement policy advice and program design. Settlement policy, programs and services contribute to the success of the immigration program as a whole by encouraging and supporting vulnerable migrants and refugees on their journey to self-reliance and participation in Australian society.

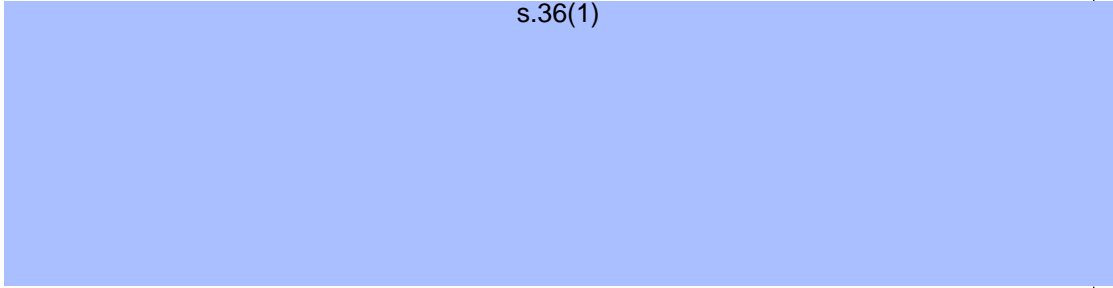
The focus of departmental programs is the 'settlement target group', comprising permanent residents who have arrived in the last five years as Humanitarian Program entrants or as Family stream or regional skilled migrants with low levels of English proficiency.

Humanitarian entrants often face severe disadvantage and are supported with programs targeting their needs. A new approach provides individualised case management where required. Contracts with service providers under the Integrated Humanitarian Settlement Strategy (IHSS) expire in January 2011. New Humanitarian Settlement Strategy (HSS) tenders for contracts from February 2011 onwards are currently being assessed (refer also to *Brief B16*).

Torture and trauma counselling is an important service for many Humanitarian Program entrants. It has been delivered through departmental contracts to date, however in-principle agreement has been reached with the Department of Health and Ageing (DOHA) for that department to assume responsibility. This requires a Machinery of Government change (refer also to *Brief A24*).

Language support through the Adult Migrant English Program (AMEP) and by translating and interpreting services is important for the effective settlement of eligible migrants with poor English. The AMEP tendering process is under way for contracts to commence from the beginning of 2011. To meet this timetable, a decision on preferred AMEP tenderers is imminent, with negotiations to commence during September (refer also to *Brief B15*).

The National Accreditation Authority for Translators and Interpreters (NAATI) is the unique national standards and accreditation body for translators and interpreters in Australia. If NAATI is to continue viably, its governance arrangements, including departmental support, needs to be reconsidered (refer also to *Brief A23*).

Title	National Accreditation Authority for Translators and Interpreters (NAATI) – Future Funding Options
Required or recommended action	To seek your views regarding NAATI's ongoing viability, in light of its financial situation and the impact of changes to the migration program.
Timeframe	A decision will need to be taken on a long term sustainable funding model by mid September 2010, to enable work to continue around options for the 2011-12 Budget process.
Expected further detailed briefing/handling	The department is exploring long term sustainable alternatives for your consideration. You will be provided with further detailed briefing.
Key issue/s	<ul style="list-style-type: none"> On 14 July 2010, the former Minister for Finance and Deregulation approved a request for an interim equity injection of \$1.35 million to NAATI. <p style="text-align: center;">s.36(1)</p>  <ul style="list-style-type: none"> In light of NAATI's ongoing financial concerns and vulnerability to an unpredictable market, the department is currently exploring options for a new long term sustainable funding model which may include alternative governance arrangements. You will be briefed further in detail on these options as a matter of priority, as a decision on the best way forward will need to occur as soon as practicable so that any funding implications can be put forward for consideration in the 2011-12 Budget. In the interim, NAATI will continue to operate in accordance with the existing funding agreement (which expires on 30 June 2011).
Implications	<ul style="list-style-type: none"> The matter would be advanced in the 2011-12 Budget context, with costings, systems and legislative considerations confirmed in greater detail.

IN-CONFIDENCE

Background	<ul style="list-style-type: none">• NAATI is the national standards and accreditation body for translators and interpreters and is incorporated in Australia under the <i>Corporations Act 2001</i>. NAATI is jointly owned by the Commonwealth and State and Territory governments and is governed by a board of directors, who are appointed by the owners (refer also to <i>Brief C04</i>).• In accordance with the existing funding agreement, the Commonwealth contributes 50 percent of the total government revenue, to the value of \$582 000 for 2010-11.<ul style="list-style-type: none">- Significantly, despite the disparity in financial contributions, jurisdictions have an equal voice under the company's constitution.• On 17 May 2010, the new list of targeted occupations determined by the independent body, 'Skills Australia' was released. The new Skilled Occupations List (SOL) that drives the General Skilled Migration (GSM) Program did not include Translators and Interpreters. NAATI anticipates the financial impact arising from the abolition of the skills assessments, based on historic data, could lead to a net loss of up to \$865 000 per year. This represents approximately one third of NAATI's overall revenue.• While the Commonwealth's equity injection has ensured NAATI remains solvent for the short-medium term, the department is exploring long term sustainable alternatives for your consideration.
Contact details (Deputy Secretary)	Peter Hughes (w) (02) 6264 1234 (m) s.41(1)
Lead Division and relevant Branch	Citizenship, Settlement and Multicultural Affairs Division Settlement Branch

Title	Transfer of Short-Term Torture and Trauma Counselling (STTC) Services to the Department of Health And Ageing (DOHA)
Required or recommended action	That you confirm the transfer of the Short-term Torture and Trauma Counselling (STTC) Services to the Department of Housing and Ageing.
Timeframe	Your decision is sought by the end of September 2010.
Expected further detailed briefing/ handling	A revised letter to the Prime Minister seeking approval for the transfer will be provided to you by 20 September 2010.
Key issue/s	<ul style="list-style-type: none"> • An in-principle agreement has been reached between the department and the Department of Health and Ageing (DoHA) to transfer the short-term Torture and Trauma Counselling (STTC) services to DoHA. STTC is currently delivered through the department's Integrated Humanitarian Settlement Strategy (IHSS) program. • DoHA agreed to accept the STTC program on the condition it occur in the 2011-12 program year to enable DOHA to plan for the transfer. • The Humanitarian Settlement Services (HSS) program which is replacing IHSS, does not include torture and trauma in the services it provides. • To ensure that there is continuity of torture and trauma services for Humanitarian clients following the implementation of the HSS tender outcome on 1 February 2011, until its transfer to DoHA, the Department of Finance and Deregulation has advised that an interim arrangement in the form of a grants program could be implemented. • The department is in the process of developing the requirement to implement a STTC grants program through a competitive grant process. <p style="text-align: center;">s.36(1)</p>
Implications	<ul style="list-style-type: none"> • Financial: Subject to Government approval, funds will be transferred from the department to DoHA in accordance with Section 32 of the <i>Financial Management and Accountability Act 1997</i>.

IN-CONFIDENCE

Background	<ul style="list-style-type: none">• The Integrated Humanitarian Settlement Strategy (IHSS) provides initial, intensive settlement assistance to humanitarian clients for approximately six months after their arrival. Current IHSS contracts are due to expire on 31 January 2011.• Short-term Torture and Trauma Counselling (STTC) is one of the services delivered through the IHSS program. The Humanitarian Settlement Service (HSS) program (refer also to <i>Brief B16</i>) will replace IHSS contracts when they expire.• Given the in-principle agreement to transfer these services to DoHA, STTC does not form part of the new HSS program expected to commence in February 2011.• Consolidation of torture and trauma counselling services within DoHA is expected to produce client and administrative benefits.
Contact details (Deputy Secretary)	Peter Hughes (w) (02) 6264 1234 (m) s.41(1)
Lead Division and relevant Branch	Citizenship, Settlement and Multicultural Affairs Refugee Support Branch
Other divisions/agencies	Department of Health and Ageing Mental Health and Chronic Disease, Mental Health Taskforce.

IN-CONFIDENCE

Outcome 6: Key Issues for Multicultural Affairs and Citizenship

Outcome 6 seeks a cohesive, multicultural Australian society through the promotion of cultural diversity and a unifying citizenship, decisions on citizenship status, and multicultural and citizenship policy advice and program design. Citizenship and multicultural policy and programs, alongside the department's migrant settlement policies and programs (Outcome 5), are at the core of the nation building role of the portfolio. They deal with the downstream consequences of immigration and they are also prerequisites for successful outcomes for migrants and public support for immigration. More broadly, they contribute to the success of a diverse Australia, contributing to social inclusion, equity and human rights for Australians whatever their country of birth, ethnicity or cultural or religious background.

Multicultural policy

Since the expiry of the policy statement *Multicultural Australia: Unity in Diversity* in 2006, Australia has not had a formal cultural diversity policy. Nevertheless, departmental cultural diversity programs, which aim to enhance social cohesion in Australian society, have continued to be supported and developed.

The Government appointed an Australian Multicultural Advisory Council from January 2009 to advise on cultural diversity policy matters. The council consulted with a range of stakeholders and produced a public statement on multicultural policy, *The People of Australia* (April 2010). The statement sets out in simple terms the rationale for multiculturalism and makes recommendations for the Government. Approval is sought to continue to develop a Government response to this advice (refer also to *Brief A27*).

Citizenship

Australian citizenship policy and programs complement those of cultural diversity in pursuing Outcome 6. Australian citizenship has been seen by successive governments as a key unifying force in our culturally diverse nation. It is important that rates of citizenship take-up by eligible non-citizens remain high as citizenship facilitates a sense of belonging and social inclusion. High rates of citizenship take-up also provide some reassurance to the general public about the widespread acceptance of shared values made explicit in the Australian citizenship pledge (such as obeying the rule of law and loyalty to other Australians). Changes to citizenship in 2009 reflected the government's view that understanding the pledge should be central to citizenship testing. Citizenship promotion is a government priority, alongside the continuing challenge of delivering a fair and transparent citizenship testing program, and responding appropriately to the complexities of citizenship law.

Citizenship Day, 17 September, provides an annual focus on Australian citizenship and an opportunity for you to underline its importance in today's culturally diverse Australia. *Brief A26* provides more information about ministerial opportunities, and seeks the use of your signature for a public message and your preference for attendance at a range of events.

Title	Australian Citizenship Day 17 September
Required or recommended action	That you: <ul style="list-style-type: none"> • provide a copy of your electronic signature and give permission for it to be used on Australian citizenship certificates; • indicate your preference to attend an event listed at <u>Attachment A</u>; and • approve the message at <u>Attachment B</u>.
Timeframe	For your immediate attention, to allow sufficient time to print and dispatch Australian citizenship certificates for Australian Citizenship Day.
Expected further detailed briefing/handling	You are requested to advise the department of your decision on each of the three matters above. Should you agree, the department will formally seek your electronic signature and brief you in further detail.
Key issue/s	<ul style="list-style-type: none"> • It is a legal requirement for the Minister's signature to be on Australian citizenship certificates (in accordance with Schedule 2 of the <i>Australian Citizenship Regulations 2007</i>). • Australian Citizenship Day is celebrated each year on 17 September. Due to the large volume of people expected to become citizens on Australian Citizenship Day it is recommended that you give approval for your electronic signature to be used on Australian citizenship certificates as soon as practicable. An electronic copy of the Minister's signature is used during the certificate printing process. • It would be appropriate as Minister to attend a special ceremony on Australian Citizenship Day, arranged by the department. You have the option of presiding at this ceremony if you wish to do so. Australian Citizenship Day ceremony options are provided at <u>Attachment A</u>. • Previous ministers with responsibility for citizenship have issued a message which is delivered by the presiding officer at all Australian citizenship ceremonies where the Minister is unable to attend. A proposed new Minister's message for your consideration is provided at <u>Attachment B</u>.
Implications	<ul style="list-style-type: none"> • Legal: No citizenship certificates can be issued until such time as you have given approval for your signature to be used.
Background	<ul style="list-style-type: none"> • Australian Citizenship Day has been held annually since 2001 and is the second biggest day on the citizenship calendar, behind Australia Day. • In 2010 more than 100 Australian citizenship ceremonies are expected to be held across the nation with over 4 000 people expected to become citizens on the day.

IN-CONFIDENCE

Contact details (Deputy Secretary)	Peter Hughes (w) (02) 6264 1234 (m) s.41(1)
Lead Division and relevant Branch	Citizenship, Settlement and Multicultural Affairs Division Citizenship Branch

IN-CONFIDENCE

Australian Citizenship Day 2010

South Australia – Adelaide 17 September 2010

Forty conferees are expected to become citizens in the historic Mortlock Chamber of the State Library of South Australia. Judge Rauf Soulio, Deputy Chair, Australian Multicultural Advisory Council will be invited to attend.

Date: Friday 17 September 2010
Time: 10:30am (tbc)
Venue: Mortlock Chamber, SA State Library
North Terrace, Adelaide

Western Australia – Perth 17 September 2010

A ceremony for 45 conferees will be held in the DIAC office in Perth. The guest speaker at this event will be Ms Rhonda Parker who is Western Australia Local Hero for 2010. An Australian citizenship affirmation ceremony will also be held for WA DIAC staff.

Date: Friday 17 September 2010
Time: 2:00pm
Venue: DIAC Office, Level 6 Wellington Street, Perth

Victoria – Melbourne 17 September 2010

DIAC, Whittlesea Council and the Municipal Association of Victoria are combining to host a citizenship ceremony for approximately 80 people.

Date: Friday 17 September 2010
Time: 6:00 pm
Venue: The Great Hall, Council Offices
25 Ferres Boulevard, South Morang, Melbourne

New South Wales – Sydney 17 September 2010

Four ceremonies across the day involving 350 clients are planned to be held at the Parramatta DIAC office. These ceremonies are yet to be confirmed.

Date, Time and Venue: tba

Queensland – Brisbane 17 September 2010

Three ceremonies across the day involving approximately 120 clients are planned to be held at the Brisbane DIAC office. These ceremonies are yet to be confirmed.

Date: Friday 17 September 2010
Time: 10:00am, 11.30am and 2:00pm.
Venue: 299 Adelaide St, Brisbane

A message from the Minister for Immigration and Citizenship:

Soon you will make your pledge of commitment to Australia, our people and the principles which define our society. By making the pledge you accept the responsibilities and privileges of Australian citizenship.

You will belong to one of the world's most diverse nations and our Australian citizenship is the bond which unites us all.

Today marks the end of your migrant journey and the start of your new life as an Australian citizen.

Australia welcomes you and encourages you to contribute to our society to help build our great nation.

On behalf of the Australian Government I formally welcome you and wish you the very best as you share in our country's future.

Congratulations!

Title	The Australian Multicultural Advisory Council (AMAC) and its Advice to Government: “<i>The People Of Australia</i>”
Required or recommended action	That you: <ul style="list-style-type: none"> • confirm that you are satisfied with AMAC’s second term priorities; and • advise on whether you wish to respond to <i>The People of Australia</i> document.
Timeframe	For your direction by the end of September 2010, in order that the Government can respond to “ <i>The People of Australia</i> ” in a timely manner.
Expected further detailed briefing/handling	Further briefing on this matter can be provided.
Key issue/s	<ul style="list-style-type: none"> • In December 2008 the Government appointed the 16 member AMAC. On 22 June 2010, the Government reappointed AMAC for a further two year term, until 30 June 2012 (refer also to <i>Brief C03</i>). • AMAC's terms of reference are: to advise the government on practical approaches to promoting social cohesion, the engagement of migrants in Australian society, overcoming racism and intolerance and communicating to the public on this complex social policy area. • Current second term priorities for AMAC are to provide: <ul style="list-style-type: none"> – advice on the development of a long-term strategy to support migrant settlement in rural and regional locations and areas with identified employment opportunities; – advice on the formation of policy initiatives at the neighbourhood level to strengthen local communities; – further guidance on strategies identified in the development of a Government response to “<i>The People of Australia</i>”; – advice on future research priorities and feedback on completed research and emerging issues; and – advice on other issues nominated by the Minister or Parliamentary Secretary. • On 30 April 2010 AMAC launched its cultural diversity statement, “<i>The People of Australia</i>”. This statement communicates to all Australians the benefits and the responsibilities arising from Australia’s cultural diversity. It also contains ten recommendations to the Government. This statement is included at <u>Attachment A</u>. • The ten recommendations are grouped into three clusters: 'our multicultural Australia', 'government programs' and 'community life'. The recommendations cover the following portfolios: Attorney-Generals; Education, Employment and Workplace Relations; Families, Housing and Community Services and Indigenous Affairs;

IN-CONFIDENCE

	<p>Human Services; Immigration and Citizenship; Social Inclusion/Prime Minister and Cabinet.</p> <ul style="list-style-type: none"> • A Government response to the AMAC recommendation will need to be developed, which will require a submission for Government consideration. The department would provide such a submission before the end of 2010. • The public reaction to the document, while limited, has been positive. There is an expectation from the multicultural sector that the Government will respond to AMAC's advice and release a cultural diversity policy. The Government has spoken in support of the statement and the government wishes to use AMAC to help improve services.
Background	<ul style="list-style-type: none"> • Current Council members are: Mr Andrew Demetriou, VIC (Chair); Judge Rauf Soulio, SA (Deputy Chair as of 1 July 2010); Mr Susai Benjamin, NSW; Ms Nola Randall-Mohk, NSW; Mrs Katie Young OAM, NSW; Dr Hass Dellal OAM, VIC; Ms Joumanah El Matrah, VIC; Dr Sylwia Greda-Bogusz, VIC; Ms Voula Messimeri AM, VIC; Ms Gail Ker OAM QLD; Dr Casta Tungaraza, WA; Prof Samina Yasmeen, WA; Ms Carmen Garcia SA; Inspector Craig Waterhouse, TAS. Mr Peter Wertheim AM, NSW (new member as of 1 July 2010) and Mr John Rawsley, NT(new member as of 1 July 2010). • The last Australian Government multicultural policy, "Multicultural Australia United in Diversity", expired in 2006. The Commonwealth is the only Australian jurisdiction that currently does not have a multicultural or cultural diversity policy in some form.
Contact details (Deputy Secretary)	<p>Peter Hughes (w) (02) 6264 1234 (m) s.41(1)</p>
Lead Division and relevant Branch	<p>Citizenship, Settlement Services and Multicultural Affairs Division Multicultural Affairs Branch</p>

IN-CONFIDENCE

**Replace and insert
The People of Australia
publication**

Title	Spring 2010 Parliamentary Sitting Legislation Program
Required or recommended action	That you note the Bills that were before Parliament prior to it being prorogued, and decide on the portfolio bids you wish to make, if any, for the Spring 2010 legislation program.
Timeframe	Your decision as to bids for the Spring 2010 legislation program is required by Thursday 16 September 2010, in accordance with the expected Parliamentary Sitting schedule.
Expected further detailed briefing/handling	If you choose to bid for any of the above Bills in any form, a formal letter to the Prime Minister detailing your bids will be sent to you for your signature as soon as possible.
Key issue/s	<ul style="list-style-type: none"> • The Bills before the Parliament when it was prorogued on 19 July 2010, and therefore lapsed were: <ul style="list-style-type: none"> - <i>Migration Amendment (Immigration Detention Reform) Bill 2009</i>; - <i>Migration Amendment (Complementary Protection) Bill 2009</i>; and - <i>Migration Amendment (Visa Capping) Bill 2010</i>. • The following Bill was bid for previously for introduction in the Spring 2010 Parliamentary sittings and was in the process of being developed as at 19 July 2010: <ul style="list-style-type: none"> - <i>Migration and Citizenship Legislation Amendment Bill (No. 1) 2010</i> • Further detail on these Bills is provided in the Background section below. • Your decision is sought by 16 September 2010 as to whether you wish to bid in the Spring 2010 Parliamentary sittings for: <ul style="list-style-type: none"> - any of the Bills that had lapsed when Parliament was prorogued, in the form they were in at that time; or - any of the Bills that had lapsed when Parliament was prorogued, amended to include Government Sponsored amendments; and/or - <i>the Migration and Citizenship Legislation Amendment Bill (No. 1) 2010</i>. • If you choose any option above, a formal letter to the Prime Minister detailing your bids will be sent to you for your signature. Policy approval for the changes will also need to be sought from the Prime Minister. We anticipate the Department of the Prime Minister and the Cabinet (PM&C) will advise us of the relevant timeframe for approval shortly. • Bids for the Autumn 2011 legislation program may also be due shortly. The department will seek your advice once PM&C advise us of the timeframes for these bids. • A brief on the anticipated impact on portfolio legislation of announced election commitments is also provided (<i>Brief A30</i> refers).

IN-CONFIDENCE

<p>Implications</p>	<ul style="list-style-type: none"> • The financial impact for all Bills is low. Any costs will be met from existing resources. • The IT impact for the <i>Migration Amendment (Complementary Protection) Bill 2009</i> is low. There is a high impact on IT services for the <i>Migration Amendment (Visa Capping) Bill 2010</i>. A consequential impact on IT services may occur for the <i>Migration Amendment (Immigration Detention Reform) Bill 2009</i> only if changes to the Migration Regulations 1994 are proposed.
<p>Background</p>	<p>Migration Amendment (Immigration Detention Reform) Bill 2009</p> <ul style="list-style-type: none"> • Government amendments have been developed for tabling to reflect several of the recommendations made in the majority report by the Senate Legal and Constitutional Affairs Committee (SLCAC) and to make further changes to the principles in the Migration Act and the proposed new detention power in section 189 of the Migration Act. <p>Migration Amendment (Complementary Protection) Bill 2009</p> <ul style="list-style-type: none"> • Government amendments have been developed to reflect certain recommendations made in the report by the SLCAC in relation to the definition of cruel or inhuman treatment or punishment and to clarify protection obligations. <p>Migration Amendment (Visa Capping) Bill 2010</p> <ul style="list-style-type: none"> • This Bill would amend the Act to enable the Minister to cap visa grants and terminate visa applications based on the class or classes of applicant applying for the visa. <p>Migration and Citizenship Legislation Amendment Bill (No. 1) 2010</p> <ul style="list-style-type: none"> • This Bill proposes to amend the Act to: <ul style="list-style-type: none"> – clarify certain removal obligations, ensuring powers to effect removals operate consistently, efficiently and lawfully; and – make minor technical amendments following amendments made by the <i>Migration Legislation Amendment (Worker Protection) Act 2008</i>, to improve and strengthen the integrity of the sponsorship and nomination framework. • The Bill also proposes to amend the <i>Australian Citizenship Act 2007</i> to: <ul style="list-style-type: none"> – clarify that “relevant defence service” includes completion of at least 90 paid service days in the Naval, Army or Air Force Reserves (instead of the current six month service requirement); – clarify that “relevant defence service” refers only to appointed and enlisted personnel in the Australian Defence Force (ADF); and – allow the Minister (or delegate) to specify certain matters in an instrument in writing made under the <i>Australian Citizenship Regulations 2007</i> (the Regulations), for example, to allow for certain instruments relating to the payments of application fees in foreign currencies to be made under the Regulations.

IN-CONFIDENCE

Contact details (Deputy Secretary)	Bob Correll (w) (02) 6264 2522 (m) s.41(1)
Lead Division and relevant Branch	Governance and Legal Division Legal Framework Branch

IN-CONFIDENCE

s.36(1)

s.36(1)

s.36(1)


Title	Legislative Impacts of Announced Election Commitments
Required or recommended action	That you note possible amendments are required to the <i>Migration Act 1958</i> (the Act), the <i>Migration Regulations 1994</i> (the Regulations) and other portfolio legislation resulting from announced election commitments.
Timeframe	For your early attention: <ul style="list-style-type: none"> • by 27 September 2010 to enable implementation of election commitments considered urgent; and • by 15 October 2010 for direction on implementation of election commitments of a lesser priority.
Expected further detailed briefing/handling	Specific briefings will be provided on legal options to amend portfolio legislation.
Key issue/s	<p>Regional Protection Framework and Regional Processing Centre (refer also to <i>Brief A11</i>)</p> <ul style="list-style-type: none"> • No Act or Regulations amendment are required to establish an offshore processing centre in another country. You can achieve this by making a declaration regarding that country under subsection 198A(3) of the Act. • Depending on the reasoning of the High Court (refer to <i>Brief B09</i>), regional processing could be affected by the Refugee Status Assessment litigation currently reserved in the High Court. We will provide you with further detailed briefing on this matter. <p>Sustainable population strategy (refer also to <i>Brief A02</i>)</p> <ul style="list-style-type: none"> • Depending on your specific requirements, a legislative instrument could be drafted to cap and terminate or cap and queue certain visa applications. In addition, changes to prescribed criteria in the Regulations may also be required to ensure population growth is at a sustainable level.
Implications	<ul style="list-style-type: none"> • Specific briefings will be provided on legal options to amend portfolio legislation. You will be advised of the financial, IT and any other implications in future policy submissions which will outline the available options for implementing the commitments.
Contact details (Deputy Secretary)	Bob Correll (w) (02) 6264 2522 (m) s.41(1)
Lead Division and relevant Branch	Governance and Legal Division Legal Framework Branch

Title	Strengthening Australia's Borders through the Development of World Class Migration, Visa and Citizenship Services
Required or recommended action	That you agree that the Second Pass Transformation Business Case for Strengthening Australia's Borders go forward as part of the 2011-12 Portfolio Budget submission.
Timeframe	Your decision is sought by October 2010, prior to the commencement of the 2011-12 Budget process.
Expected further detailed briefing/handling	The department will provide further briefing on the transformation program in due course.
Key issue/s	<ul style="list-style-type: none"> • The department has initiated a major program to strengthen Australia's border security and risk management practices through a major transformation of its visa system. This has been enabled through a major redevelopment of its information and communication technology (ICT) systems over the past four years under the <i>Systems for People (SfP)</i> Program (refer also to <i>Brief B11</i>). • The department is facing growing border security and migration program integrity challenges from the continued growth in volume and complexity of the movement of travellers. In high volume categories, such as international students and visitors arriving on Electronic Travel Authorities (ETA), <div style="text-align: center;">s.40(1)(d)</div> <div style="text-align: center;">s.40(1)(d)</div> • The department has been reducing costs significantly. In recent years the department has delivered \$743 million in absorbed new policy proposals, efficiencies and savings measures. The additional savings impact from these measures in 2009-10 to 2010-11 alone is \$42.9 million. This is in addition to a reduction in administered program outlays and reductions in outlays for ceased activities of \$168 million. • The use of modern risk management practices, applied through the new technology for visa processing and risk analytics developed under SfP, will result in stronger border management and integrity of Australia's migration programs, faster visa processing for most clients


IN-CONFIDENCE

	and reduce the cost of operations. It represents fundamental reform of border management in Australia.
Implications	<ul style="list-style-type: none"> The department has been requested to bring forward a second pass business case with high and low cost options (which are cost neutral over seven years) following the completion of SfP.
Background	<ul style="list-style-type: none"> The transformation program comprises three strategic changes: Client Services Delivery Transformation (refer also to <i>Brief C14</i>), Corporate Business Services Transformation, and Visa Simplification and Deregulation. The business case seeks funding only for the investment in the Client Service Delivery Transformation. The key outcomes for the program are a stronger border security and program integrity, increased efficiency, improved client service and improved economic benefits. The business case is substantially progressed and has successfully completed Gate 0 and Gate 1 with a rating of green, and has to date received strong support from central agencies. The department proposes to submit the business case in the 2011 Budget process. The need for transformation has been acknowledged and supported by central agencies and other key stakeholders.
Contact details (Deputy Secretary)	Bob Correll (w) (02) 6264 2522 (m) s.41(1)
Lead Division and relevant Branch	Transformation Program Management Office
Other divisions/agencies	Department of Finance and Deregulation

IN-CONFIDENCE

Title	Current Minister's Appeals
Required or recommended action	To advise you of all appeals currently filed before the courts on behalf of the former Minister.
Timeframe	For your early direction on how you wish to proceed with the appeals to enable us to take necessary action, should you wish to discontinue any of these matters. Key dates are specified below for the individual matters.
Expected further detailed briefing/handling	Further briefing on these matters can be provided on request.
Key issue/s	<ul style="list-style-type: none"> <li data-bbox="405 779 1492 846">• The following are all active appeals filed on the former Minister's behalf: s.42(1) 

s.42(1)



IN-CONFIDENCE

	s.42(1)
Implications	<ul style="list-style-type: none">• Legal costs to both the Commonwealth and the respondents will continue to accrue in all matters.
Contact details (Deputy Secretary)	Bob Correll (w) (02) 6264 2422 (m) s.41(1)
Lead Division and relevant Branch	Governance and Legal Division Litigation and Opinions Branch

IN-CONFIDENCE

Title	Current Sensitive Cases
<p>Required or recommended action</p>	<p>That you note:</p> <ul style="list-style-type: none"> • current sensitive compliance cases; and • requests that have been made by some irregular maritime arrivals (IMAs) for Ministerial Intervention under section 46A of the <i>Migration Act 1958</i> (the Act).
<p>Timeframe</p>	<p>For your early information.</p> <p>Specific cases will be escalated as required, however, given the sensitive nature of the cases highlighted below they may attract media attention.</p>
<p>Expected further detailed briefing/handling</p>	<p>Further case specific submissions will be provided as required.</p> <p>The Compliance Status Resolution Branch prepares a weekly report to the office on forthcoming involuntary and otherwise sensitive removals that are planned to occur in a rolling three week period.</p>
<p>Key issue/s</p>	<ul style="list-style-type: none"> • Key facts on each of the sensitive compliance cases listed below are provided at <u>Attachment A</u>. <p>Sensitive cases under consideration for refusal on character</p> <p style="text-align: center;">s.41(1)</p> <p>Cases under consideration for cancellation on character grounds:</p> <p style="text-align: center;">s.41(1)</p> <p>High profile character cancellation cases not currently under consideration:</p> <p style="text-align: center;">s.41(1)</p> <p>Potentially sensitive long-term detainee cases:</p> <p style="text-align: center;">s.41(1)</p>

s.41(1)

Potentially sensitive s501 cases – Administrative Appeals Tribunal (AAT) review:

s.41(1)

Potentially sensitive removals cases:

s.41(1)

Sensitive offshore refugee case under consideration:

s.41(1)

Requests by IMAs for Ministerial Intervention under section 46A(2) of the *Migration Act 1958 (the Act)* (refer also to *Brief C06*)

- An increasing number of Offshore Entry Persons (OEPs) found not to be refugees in the non-statutory Refugee Status Assessment (RSA) framework are requesting Ministerial Intervention under section 46A(2) of the Act.
- There are eight outstanding requests for Ministerial Intervention under section 46A(2) of the Act: **s.41(1)**
- This is an emerging issue needing attention, as current requests for Ministerial Intervention under section 46A(2) of the Act cannot be finalised without your guidance. Resolution of these requests would provide certainty to the client and ensure that there are no barriers to removal.
- There are no formal guidelines which specify the categories of cases to be referred for your consideration under section 46A(2) of the Act.
- There is litigation currently before the High Court which deals in part with referrals to you under section 46A(2). A decision is expected by the end of the year.
- A number of OEPs with requests for Ministerial intervention under section 46A(2) of the Act commenced a hunger strike because of the time taken to resolve their cases. The hunger strike has since been resolved.
- The department is making arrangements for the removal of these clients.

IN-CONFIDENCE

Implications	<ul style="list-style-type: none">• Legal: At this stage no immediate legislative changes are required for the sensitive compliance cases.
Background	<p>Requests by IMAs for Ministerial Intervention under section 46A of the <i>Migration Act 1958</i></p> <ul style="list-style-type: none">• OEPs are barred from making a valid visa application under section 46A of the Act. Section 46A(2) of the Act enables you to ‘lift the bar’ and allow an OEP to make a valid visa application if you consider it to be in the public interest.• At present only OEPs found to be refugees in the non-statutory Refugee Status Assessment (RSA) framework are referred to you for intervention under section 46A(2) of the Act.• These clients are all OEPs from Iraq. They were found not to be refugees by the non-statutory RSA process. Following a negative Refugee Status Review outcome, they requested intervention under section 46A(2) of the Act.• The requests for intervention have been assessed and do not raise any new credible protection claims.
Contact details (Deputy Secretary)	Peter Hughes (w) (02) 6164 1234 (m) s.41(1)
Lead Division and relevant Branch	Compliance and Case Resolution Division Program Integrity Risks Branch, Case Management and Review Branch, Policy Framework, Evaluation and Analysis Branch and Compliance Status Resolution Branch

IN-CONFIDENCE

IN-CONFIDENCE

S.41(1)

S.41(1)

S.41(1)

S.41(1)

S.41(1)

S.41(1)

Title	Forthcoming Events and Reports of Note
Required or recommended action	That you note the key upcoming events and reports of note to the end of December 2010.
Timeframe	For your early information, given some of the events noted are planned to occur in early September 2010.
Expected further detailed briefing/handling	You will be provided with a separate briefing on each key event in due course.
Key issue/s	<ul style="list-style-type: none"> Over the coming months the department has a number of key events scheduled in which you may wish to participate are provided at <u>Attachment A</u>. You should note the major publications programmed be to released at <u>Attachment B</u>.
Contact details	Secretary Andrew Metcalfe (w) (02) 6264 2560 (m) s.41(1)
Lead Division and relevant Branch	As specified at <u>Attachment A</u> and <u>Attachment B</u> .

Forthcoming events to end December 2010

Expected Date of Event	Nature of Event	Notes / Comments	Departmental Contact Officer
15 September 2010	Australian Bureau of Statistics (ABS) NatStats 2010 conference	The conference is a large-scale public event with many prominent speakers. The department's Chief Economist is presenting a paper in a panel session on population and immigration. Other panel members in the population and immigration session are Professor Graeme Hugo (Chair of the Demography Advisory Panel to the Sustainable Population Minister) and Charles Berger from the Australian Conservation Foundation.	Mark Cully Chief Economist (02) 6264 2713
17 September 2010	Australian Citizenship Day	The department will host a special citizenship ceremony in each state. More than 100 council citizenship ceremonies are expected to take place on and around 17 September. Schools and the wider community are also being encouraged to hold events on the day to promote the value of Australian citizenship.	James Fox First Assistant Secretary, Citizenship and Multicultural Affairs Division (02) 6198 7108
18-20 September 2010	Visit by the Canadian Minister for Immigration, Jason Kenney PC MP	Minister Kenney is visiting India and the Philippines and is taking the opportunity to visit Australia and meet with relevant Ministers and senior government officials to discuss a range of issues, including irregular migration and people smuggling.	Cathy Maurer Assistant Secretary, International Cooperation Branch, BSRI (02) 6264 3090
October 2010 (tentative)	Immigration Detention Centre (IDC)/Immigration Transit Accommodation (ITA) Visit	Senior Indonesian delegation to visit Villawood IDC and Brisbane ITA.	Cathy Maurer Assistant Secretary, International Cooperation Branch, BSRI (02) 6264 3090
6-8 October 2010	Immigration Transit Accommodation (ITA) Visit	Australian Human Rights Commission to visit Brisbane ITA.	Jan Tankiang Assistant Secretary, Policy and Planning Branch, CDSD (02) 6264 4102
7-10 October 2010	Migration Institute of Australia annual conference	The department's Deputy Secretary Felicity Hand and Chief Economist Mark Cully are both presenting at the conference.	Kruno Kukoc First Assistant Secretary, Migration and Visa Policy Division (02) 6264 1888

Expected Date of Event	Nature of Event	Notes / Comments	Departmental Contact Officer
30 October 2010	Delivery of <i>Systems for People</i> (SfP) Change Release 1	This DIAC systems release incorporates a number of systems changes as well as the final components of the <i>Systems for People</i> Program (refer also to <i>Brief B11</i>). The release includes core Generic Visa Portal (GVP) functionality to support advanced risk management practices for visa processing, decoupling from legacy systems and more agile policy and legislative change.	Nico Padovan A/g First Assistant Secretary, Business Transformation Services Division (02) 6225 6529
October 2010 (tentative)	Australian Multicultural Advisory Council (AMAC) meeting, Melbourne	Focus on 'AMAC Action Plan' (policy recommendations).	James Fox First Assistant Secretary, Citizenship and Multicultural Affairs Division (02) 6198 7108
9-11 November 2010	Immigration Detention Centre (IDC)/Immigration Transit Accommodation (ITA) Visit	Australian Human Rights Commission to visit Maribyrnong IDC and Melbourne ITA.	Jan Tankiang Assistant Secretary, Policy and Planning Branch, CDSD (02) 6264 4102
23-25 November 2010	Alternative Place of Detention (APOD) Visit	Australian Human Rights Commission to visit Port August APOD.	Jan Tankiang Assistant Secretary, Policy and Planning Branch, CDSD (02) 6264 4102
November 2010 (tbc)	Meeting of Refugee Resettlement Advisory Council (RRAC)	This will be the first meeting of the 6 th iteration of RRAC.	James Fox First Assistant Secretary, Citizenship and Multicultural Affairs Division (02) 6198 7108
December 2010 (tentative)	Immigration Detention Centre (IDC) Visit	Malaysian delegation to visit Christmas Island.	Cathy Maurer Assistant Secretary, International Cooperation Branch, BSRI (02) 6264 3090

Reports of Note to end December 2010

Expected Date of Release	Nature of Report	Notes / Comments	Departmental Contact Officer
29 September 2010	Release of Australian Bureau of Statistics (ABS) Demographic Statistics for March Quarter 2010	This release will include the most recent official estimate of the level of net overseas migration (for the year ending March 2010).	Kruno Kukoc First Assistant Secretary, Migration and Visa Policy Division (02) 6264 1888
September 2010	Australia's report to the United Nations on the Convention on the Rights of Persons with Disabilities	This is Australia's first report in relation to this Convention. The Attorney-General's Department is coordinating Australia's input.	Sanaz Mirzabegian Assistant Secretary, Legal Framework Branch, L&GD (02) 6264 2594

s.36(1)

Expected Date of Release	Nature of Report	Notes / Comments	Departmental Contact Officer
To be advised	Research project : <i>Comparative analysis of settlement outcomes in Australia and NZ</i>	Publication of research report commissioned by the department and is expected to be released by the end of the year.	Anita Davis A/g Assistant Secretary, Policy, Innovation and Research and Evaluation Unit (02) 6264 2715
To be advised	Research on the population distribution effects of migration	Publication of research reports commissioned by the Standing Committee on Immigration and Multicultural Affairs. National Centre for Social Applications of Geographical Information Systems, University of Adelaide, commissioned by the Standing Committee on Immigration and Multicultural Affairs is expected to be published by year's end.	Anita Davis A/g Assistant Secretary, Policy, Innovation and Research and Evaluation Unit (02) 6264 2715

Title	Ministerial Overseas Visits
Required or recommended action	<p>That you:</p> <ul style="list-style-type: none"> • note the department's recommendations for ministerial overseas visits for the period September to December 2010; and • provide direction on your preferences.
Timeframe	<p>Your direction is required by the end of September 2010, to enable the department to commence planning arrangements.</p>
Expected further detailed briefing/handling	<p>We recommend holding an early meeting with you to discuss the proposed visits and your preferences regarding travel/ logistical arrangements, as well as briefing arrangements.</p>
Key issue/s	<p style="text-align: center;">s.33</p> <p style="text-align: center;">s.36(1)</p> <p style="text-align: center;">s.33</p> <p>Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crime (Bali Process)</p> <ul style="list-style-type: none"> • The Bali Process is the only regional forum for developing regionally agreed solutions to the issues of people smuggling and trafficking in persons. Areas of co-operation range from high-level strategic and political dialogue on addressing irregular movement to technical training, information sharing and capacity building initiatives by working groups.

IN-CONFIDENCE

- The meeting is co-chaired by the Australian Foreign Affairs Minister and the Indonesian Foreign Affairs Minister. Traditionally, the Minister for Immigration and Citizenship leads the Australian delegation, which has previously included the Attorney-General and the Minister for Home Affairs.

s.36(1)

s.33

s.33

IN-CONFIDENCE

	<p>s.33(1) and s.36(1)</p>
Implications	<ul style="list-style-type: none">Financial: The Department of Finance and Deregulation and the department are responsible for meeting specific costs relating to ministerial overseas travel. Further detail is provided in the Ministerial Support Handbook (refer also to <i>Brief C07</i>). <p>s.33(1) and s.36(1)</p>
Background	<p>s.33</p> <p>s.36(1)</p> <p>Bali Process Ministerial meeting</p> <ul style="list-style-type: none">s.33 be the fourth ministerial meeting since the inception of the Bali process in 2002, which was established in response to a surge in the number of irregular arrivals to Australia.Former Minister Downer and his Indonesian counterpart decided to boost regional cooperation on irregular movement through this forum and co-hosted the first Regional Ministerial Conference in February 2002. The last Ministerial meeting was held in April 2009. The Minister for Immigration and Citizenship led the Australian delegation for the 2009 meeting. <p>s.33</p> <p>s.33(1) and s.36(1)</p>

IN-CONFIDENCE

	<p>s.33(1) and s.36(1)</p> <p>s.33</p> <p>s.33(1) and s.36(1)</p>
Contact details (Deputy Secretary)	Bob Correll (w) 02 6264 2522 (m) s.41(1)
Lead Division and relevant Branch	People and Executive Services Division Ministerial and Executive Services Branch

IN-CONFIDENCE

IN-CONFIDENCE

Other divisions/ agencies	Border Security, Refugee and International Policy Division Visa and Offshore Services Division Overseas Posts Department of Foreign Affairs and Trade Department of the Prime Minister and Cabinet Attorney-General's Department Australian Federal Police Department of Finance and Deregulation
--------------------------------------	--

PBS outcome 1: Managed migration through visas granted for permanent settlement, work, study, tourism, working holidays or other specialised activities in Australia, regulation, research and migration policy advice and program design

Description

Managed migration relates to the lawful and orderly entry of people, the prevention of unlawful entry and monitoring and ensuring compliance with immigration laws after people arrive in Australia.

The Visa and Migration Program:

- develops and implements strategies to strengthen Australia's economic position;
- provides benefits from both permanent and temporary migration; and
- provides continued growth of the Australian education industry.

In 2009-10, the Migration Program outcome was 168 623 places against a planning level of 168 700. Roughly two in three (64.0 per cent) of these places were in the Skill Stream (107 868 places) and one in three (35.7 per cent) were in the Family Stream (60 254 places). In the main temporary streams for 2009-10, there were: 269 800 Student grants; 183 200 working holiday maker grants; and 68 000 temporary long-stay business grants. A list of visa classes and subclasses is at [Attachment A](#).

Modelling by Access Economics shows that migrants make a positive fiscal contribution to the Budget. It is estimated that the contribution to the Budget of the Migration Program at 2008-09 levels is about \$851 million in the first year of arrival, rising to \$10 billion after ten years. The continuation of the temporary long-stay business intake at 2008-09 levels is estimated to contribute about \$1 billion in the first year after arrival, and deliver a cumulative benefit of \$6 billion, ten years after arrival.

Purpose and priorities

Managed migration contributes to Australia's economic and social prosperity through provision of visa services and policy and program development in relation to permanent and temporary migration including:

- policy in line with the government's expectations to develop and implement migration and visa reform agendas, including labour market initiatives and a long-term migration planning framework;
- program development;
- robust policy, and sound research and evaluation, to support efficient program delivery; and
- promotion of client service delivery excellence.

Key sensitivities and challenges

- The long term implications of net overseas migration on Australia with respect to future labour force and economic growth and the environment:
 - Attachment B provides information on Net Overseas Migration;
 - Attachment C is a copy of the *June 2010 Quarterly Report on Net Overseas Migration*;
 - Attachment D provides information on the Migration Program; and
 - Attachment E provides information on the Student visa program.
- Concerns about the impact of migration on population growth in major cities.
- Alignment of permanent and temporary migration to skills in demand.

s.36(1)

- A large backlog of valid applications for General Skilled Migration (around 140 000) and for partner places in the family stream (27 900).
- Managing Australian sponsors' reaction to a reduced family reunion program, including reductions in partner numbers.

s.33

- Misuse of temporary visa streams to work unlawfully.

s.36(1)

- Maintaining second Working Holiday visa program integrity, in response to an increase in the level of eligibility related fraud.

Future directions

- Preparation of a white paper on sustainable immigration.
- Further development of the long-term migration planning framework.
- Consolidation of a new points test.
- Development of a new skilled migration selection model.
- Whole-of-government reform of the international Student framework.
- Policy framework to govern pathways from temporary to permanent visas.
- Policy frameworks for a seasonal work program and semi-skilled labour.
- Review of Business Skills and employer-sponsored permanent visas.
- Ensuring the Work and Holiday program expands in a way that fosters Australia's international interests with minimal impact on the labour market.
- Continuing reform of migration agent registration regulations to ensure quality of advice and reduction of unregistered practice.

IN-CONFIDENCE

- Review of the Migration Act health requirement.
- International collaboration on delivery of migration health assessments and systems to reduce costs and improve integrity.
- Rationalisation of visa subclasses to improve efficiency and operational effectiveness, incorporated in a partnership agreement with the Department of Finance and Deregulation.
- Ministerial Intervention reforms by provision for appropriate delegation to improve process efficiencies and reduce demands on Minister.

Additional information on recent changes and departmental resources are at Attachment F.

Contact details (Deputy Secretary)	Peter Hughes (w) (02) 6264 1234 (m) s.41(1)
Lead Division and relevant Branch	Migration and Visa Policy Division Mark Cully (Chief Economist) (w) (02) 6264 2713

List of visa classes and subclasses

Visa class	Visa subclass	Subclass description - category
WA (T)	010	Bridging Visa Class A
WB (T)	020	Bridging Visa Class B
WC (T)	030	Bridging Visa Class C
WD (T)	040	Bridging Visa D (Prospective applicant)
WD (T)	041	Bridging Visa D (Non-applicant)
WE (T)	050	Bridging Visa E (General)
WE (T)	051	Bridging Visa E (Protection visa applicant)
WF (T)	060	Bridging Visa Class F
WR (T)	070	Bridging Visa R (Removal Pending)
BC (P)	100	Spouse
AH (P)	101	Child
AH (P)	102	Adoption
AX (P)	103	Parent
BC (P)	110	Interdependency
BO (P)	114	Aged dependent relative
BO (P)	115	Remaining Relative
BO (P)	116	Carer
AH (P)	117	Orphan Relative
AN (P)	119	Regional Sponsored Migration Scheme
AU (P)	120	Labour agreement
AN (P)	121	Employer nomination
AL (P)	124	Distinguished talent (Australian support)
EA (P)	132	Business Talent
CA (P)	143	Contributory Parent
CB(P)	151	Former resident
BB (P)	155	Five year resident return
BB (P)	157	Three month resident return
TP (T)	159	Provisional resident return
UR (T)	160	Business Owner (Provisional)
UR (T)	161	Senior Executive (Provisional)
UR (T)	162	Investor (Provisional)
UR (T)	163	State/Territory Sponsored Business Owner (Provisional)
UR (T)	164	State/Territory Sponsored Senior Executive (Provisional)
UR (T)	165	State/Territory Sponsored Investor (Provisional)
UT (T)	173	Contributory Parent (Temporary)
VE (P)	175	Skilled – Independent
VE(P)	176	Skilled - Sponsored

Visa class	Visa subclass	Subclass description - category
XB (P)	200	Refugee
XB (P)	201	In-country special humanitarian
XB (P)	202	Global special humanitarian
XB (P)	203	Emergency rescue
XB (P)	204	Woman at risk
TO (T)	300	Prospective marriage
TI (T)	302	Emergency (permanent visa applicant)
TI (T)	303	Emergency (temporary visa applicant)
UF (T)	309	Spouse (provisional)
UG (T)	310	Interdependency (provisional)
UY(T)	405	Investment Retirement
TH (T)	406	Government Agreement
TE (T)	411	Exchange
TH (T)	415	Foreign Government Agency
TE (T)	416	Special Program
TZ (T)	417	Working Holiday (Temporary)
TH (T)	419	Visiting Academic
TE (T)	420	Entertainment
TE (T)	421	Sport
UE (T)	422	Medical practitioner
TE (T)	423	Media and Film Staff
TG (T)	426	Domestic Worker (temporary) Diplomatic or Consular
TG (T)	427	Domestic Worker (temporary) Executive
TE (T)	428	Religious Worker
TH (T)	442	Occupational trainee
TY (T)	444	Special Category [to provide lawful status for unlimited (albeit temporary) stay for New Zealand citizens, as provided for under the bilateral agreement between Australia and New Zealand]
TK (T)	445	Dependent child
UJ (T)	448	Kosovar Safe Haven (Temporary)
UJ (T)	449	Humanitarian Stay (Temporary)
UC (T)	456	Business (short stay)
UC (T)	457	Business (long stay)
UC (T)	457 IE FAO	Business (long stay) – Independent Executive - Further Application Onshore ¹
UL (T)	459	Sponsored Business Visitor (Short Stay)
UP(T)	461	New Zealand Citizen Family Relationship (Temporary)

Visa class	Visa subclass	Subclass description - category
US (T)	462	Work and Holiday (Temporary)
UV (T)	470	Professional Development
VF (T)	475	Skilled – Regional Sponsored
VF (T)	476	Skilled – Recognised Graduate
VC (T)	485	Skilled – Graduate
VC (T)	487	Skilled – Regional Sponsored
UW(T)	488	Superyacht Crew
TU (T)	570	Independent ELICOS sector
TU (T)	571	Schools sector
TU (T)	572	Vocational education and training sector
TU (T)	573	Higher education sector
TU (T)	574	Postgraduate Research Sector
TU (T)	575	Non-award Sector
TU (T)	576	AusAID or Defence Sector
TU (T)	580	Student Guardian
TV (T)	651	eVisitor
UB (T)	675	Medical treatment (short stay)
TR (T)	676	Tourist
UL (T)	679	Sponsored Family Visitor
UB (T)	685	Medical treatment (Long stay)
TX (T)	771	Transit
TA (T)	773	Border
UO (T)	786	Temporary (Humanitarian Concern)
UM (T)	787	Witness Protection (Trafficking) (Temporary)
BE (P)	800	Territorial asylum (Residence)
BS (P)	801	Spouse
BT (P)	802	Child (Residence)
BP (P)	804	Aged parent
AK (P)	808	Confirmatory (residence)
BS (P)	814	Interdependency
UK (T)	820	Spouse (Extended Eligibility)
AW (P)	834	Permanent resident of Norfolk Island
BU (P)	835	Remaining Relative
BU (P)	836	Carer
BT (P)	837	Orphan Relative
BU (P)	838	Aged Dependent Relative
BH (P)	845	Established business in Australia
BH (P)	846	State/Territory sponsored regional established business in Australia (REBA)
UH (T)	850	Resolution of status (temporary)

Visa class	Visa subclass	Subclass description - category
CD (P)	851	Resolution of status (permanent)
DH (P)	852	Witness Protection (Trafficking) (Permanent)
BV (P)	855	Labour Agreement
BW (P)	856	Employer Nomination Scheme
BW (P)	857	Regional Sponsored Migration Scheme
BX (P)	858	Distinguished Talent
BZ (P)	859	Designated Parent
DG (P)	864	Contributory Aged Parent
XA (P)	866	Protection
UU (T)	884	Contributory Aged Parent (Temporary)
VB (P)	885	Skilled – Independent
VB (P)	886	Skilled –Sponsored
VB (P)	887	Skilled – Regional
DF (P)	890	Business Owner (Residence)
DF (P)	891	Investor (Residence)
DF (P)	892	State/Territory Sponsored Business Owner (Residence)
DF (P)	893	State/Territory Sponsored Investor (Residence)
ZA (T)	942	Crew Travel Authority ²
ZA (T)	943	Commonwealth Games Family Members
ZA (T)	944	APEC Travel Authority
UD (T)	956	Electronic Travel Authority (Business Entrant – Long Validity)
UD (T)	976	Electronic Travel Authority (Visitor)
UD (T)	977	Electronic Travel Authority (Business Entrant – Short Validity)
ZE (T)	985 ³	Enforcement Visa
ZM (T)	988	Maritime Crew
TF (T)	995	Diplomatic
ZZ (T)	998	Australian Declaratory [administrative arrangement, not a visa]

Net Overseas Migration

Measuring Australia's Population

Every five years the Australian Bureau of Statistics (ABS) conducts a Census of the Australian people. This produces an official count of the resident population. In between each Census, the ABS publishes quarterly estimates of the resident population and how much it has grown.

There are four components of change in the resident population:

births	}	the difference between these two is natural increase
deaths		
immigration	}	the difference between these two is net overseas migration
emigration		

Net overseas migration (or NOM) is therefore a summary measure of the movement of people into and out of Australia, or more colloquially, our migration intake.

Measuring NOM

To measure NOM we first have to determine what we mean by a resident. The ABS definition is:

all people, regardless of nationality or citizenship, who usually live in Australia, with the exception of foreign diplomatic personnel and their families.

The statistical measure of the “usually live” concept is someone who has been living in Australia for at least 12 months within a 16 month period (the 12/16 month rule).

This rule is the basis for determining which of the international passenger movements into and out of Australia can be counted as population movements. In 2009-10, there were 25.9 million international passenger movements, almost all of which involved Australians taking short-term trips abroad and visitors making short-term trips here.

Overseas travellers only count into the population as NOM arrivals if they are in Australia for 12 months or more over a 16 month period. Conversely, overseas travellers are subtracted from the population as NOM departures if they are away for 12 months or more over a 16 month period. The level of NOM is the balance of NOM arrivals minus NOM departures.

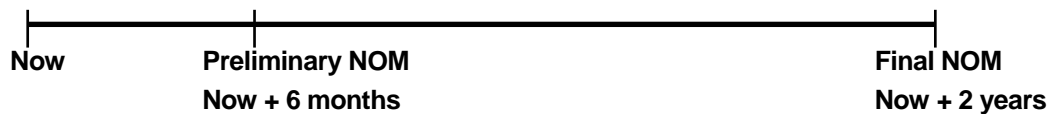
The 12/16 month rule means almost all tourist movements do not count as either NOM arrivals or NOM departures. It also means that people who are not permanent residents of Australia can be counted as NOM arrivals, even if they leave Australia briefly (however many times they wish) so long as their residency stints add up to at least 12 months within a 16 month window.

Preliminary and final estimates of NOM

Application of the 12/16 month rule means there is a long lag period in calculating NOM. For example, if somebody arrives in Australia in August 2010, it may take until December 2011 to determine if they are a NOM arrival.

Because of the interest in current population figures, the ABS partially overcomes the lag period by publishing preliminary estimates of NOM ahead of final figures. The preliminary estimates are modelled on patterns of traveller behaviours from final NOM data from one year earlier.

The relationship between the publication cycle and the preliminary and final estimates of NOM is shown below.



For example, the most recent publication was issued in June 2010, and contained preliminary estimates of NOM from 6 months earlier (December 2009) and final estimates from 2 years earlier (June 2008). Similarly, June 2010 figures will not be available as preliminary until December 2010 and final until June 2012.

Components of NOM

The following table shows the main components of NOM, and comments on the extent to which the flows are amenable to being controlled and predicted. Importantly, there is no fixed relationship in any one year between the size of the Permanent Migration and Humanitarian Programs and the level of NOM, due to large fluctuations in the arrival and departure of temporary residents.

The Department has begun producing a quarterly report analysing NOM trends and providing short-term forecasts and projections of NOM out four years. An updated and revised version of the June 2010 report is attached.

NOM arrival	NOM departure	Comments
<i>Permanent residents</i>		
Offshore arrivals under the Permanent Migration and Humanitarian Programs		The total size of these programs is capped. A growing proportion of places are going to temporary visa holders already resident in Australia. However, this does not affect the NOM balance, as one less offshore arrival is offset by one less NOM departure.
Returning Australian citizens and permanent residents	Australian citizens and permanent residents emigrating	These persons have free movement. Can be forecast.
<i>Temporary residents</i>		
International students	Departures of these groups after visa expiry, not including those who have obtained permanent residence or transferred to another temporary visa.	Uncapped. Difficult to forecast in current environment. Movements very sensitive to policy change.
Temporary skilled (457) workers		Uncapped. Can be forecast as closely related to labour market conditions.
Working holiday makers		Very largely uncapped. Mainly feature in NOM due to second visa extension. Can be forecast.
<i>Other</i>		
New Zealand citizens settling	New Zealand citizens emigrating	These persons have free movement. Can be forecast.



Quarterly Report on Net Overseas Migration

June 2010

Revised and updated, August 2010



Quarterly Report on Net Overseas Migration

June 2010

Revised and updated, August 2010

Contents

NOM and the impact on Australia's population		3
Chart 1: Components of population growth	3	
Recent NOM trends and projections		3
Chart 2: Components of NOM	4	
Chart 3: Contribution of temporary immigrants to NOM	5	
Table 1: Stock of temporary entrants	5	
Appendix A: Detailed forecasts and projections of NOM		7
Appendix B: Definitions and concepts		8

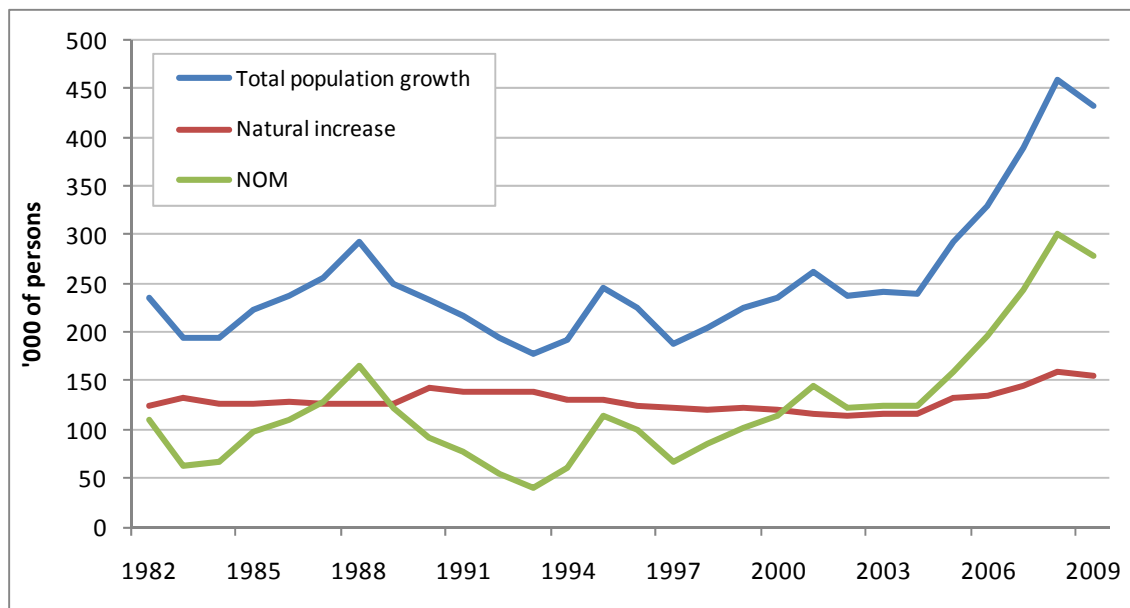
This briefing is provided for use in immigration policy development by DIAC and Minister's Office staff to whom it is distributed. It should not be distributed further unless there is a specific business need. The information provided is general in nature. If you wish to rely upon any of the information in a document or publication that will be publicly available, please consult the Principal Advisor – Migration Strategies.

NOM and the impact on Australia's population

Net overseas migration (NOM) measures the difference between arrivals and departures on a permanent and temporary long-term basis. Persons are counted into (or out of) NOM if their total period of stay in Australia (or departure from Australia) covers 12 months out of a 16 month period.

Currently, NOM accounts for around two thirds of Australia's population growth. As a result of a relatively low birth rate, NOM has outstripped the natural increase (the excess of births over deaths) in the population since 2005 (Chart 1). Even though the total fertility rate has recently risen to 1.978 births per woman, it remains below replacement levels of 2.1 births per woman.

Chart 1: Components of Population growth



Source: Australian Bureau of Statistics, Australian Demographic Statistics, Catalogue No. 3101.0 (2010)

These high levels of NOM have spurred on population growth. Australia's population grew by 2.0 per cent during the 12 months ended December 2009 slightly down from 2.2 per cent for the year ended December 2008.

If the current trends in NOM and natural increase were to continue, DIAC estimates that Australia's population would be around 41.9 million by 2050. This is higher than the basecase scenario for the 2010 Intergenerational Report which projects a population of 35.9 million by 2050, on the basis of a NOM of 180 000 and a total fertility rate of 1.9.

Similarly, the Australian Bureau of Statistics (ABS) projects that Australia's population could range from around 30 to over 40 million by 2051, with the mid range projection of 34.2 million based on an average NOM of 180 000. These ABS projections are slightly out of date, being made in 2008 and do not take into account the latest data on fertility.

Recent NOM trends and projections

Population data from the ABS show NOM peaked at 305 900 a year, a record high (year ending March 2009). Since this peak, NOM has fallen and the latest ABS estimates indicate that it was 277 700 for the year ending in December 2009. This is a 9.2 per cent fall from its peak.

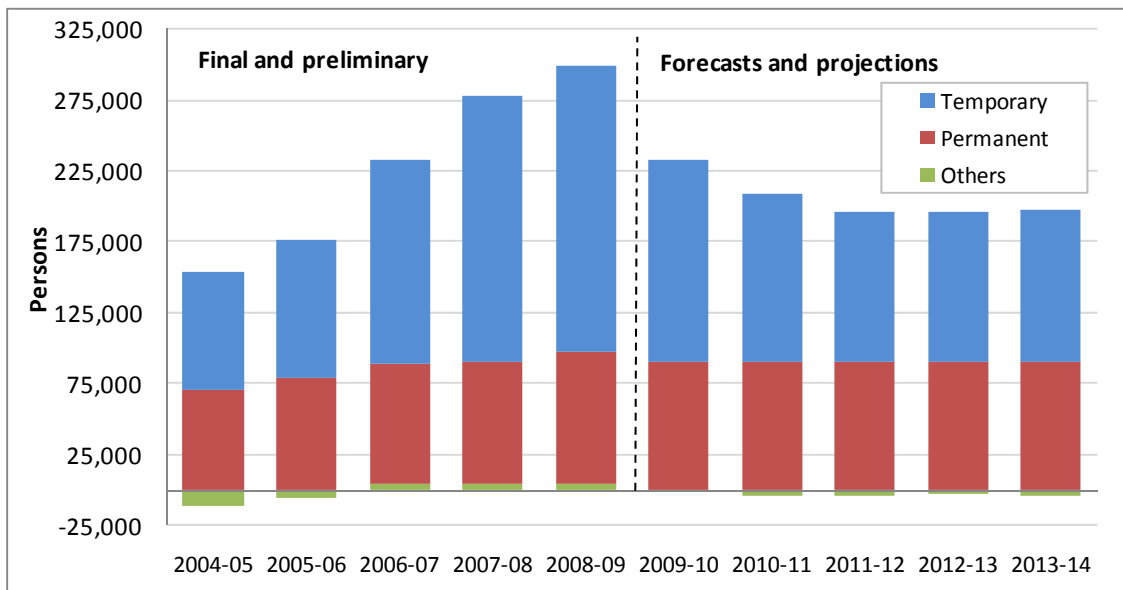
The recent decline is exclusively due to fewer arrivals. For the year ending 31 December 2009, arrivals were down 24 900 from the previous year. Over the same period there were somewhat fewer departures, down 1400, adding slightly to NOM. Nevertheless, NOM remains at relatively high levels.

The strong growth in NOM in the past few years is largely due to the contribution of international students and temporary skilled migration (subclass 457 visas). At the peak level of NOM (year ending March 2009), students accounted for over 40 per cent of the total and 457 visa holders over 20 per cent.

DIAC estimates that the level of NOM for the quarter just completed (year ending June 2010) is 231 500. It is forecast to fall each successive quarter and reach 204 200 by the year ending June 2011 (Chart 2). This would represent a fall of around one third from the March 2009 peak. The key driver behind the expected fall in NOM is a much lower inflow of international students.

Beyond June 2011 our projections are that NOM will stabilise at around 190 000 for the period through to 2013-14. These projections take into account the expected effect of the policy decisions to date, after which they are based on an assumption of no policy change (for example, no changes in the size and composition of the permanent migration program) and also take into account official economic forecasts.

Chart 2: Components of NOM



Source: Australian Bureau of Statistics, Social Trends, Catalogue No. 4102.0 and Department of Immigration & Citizenship

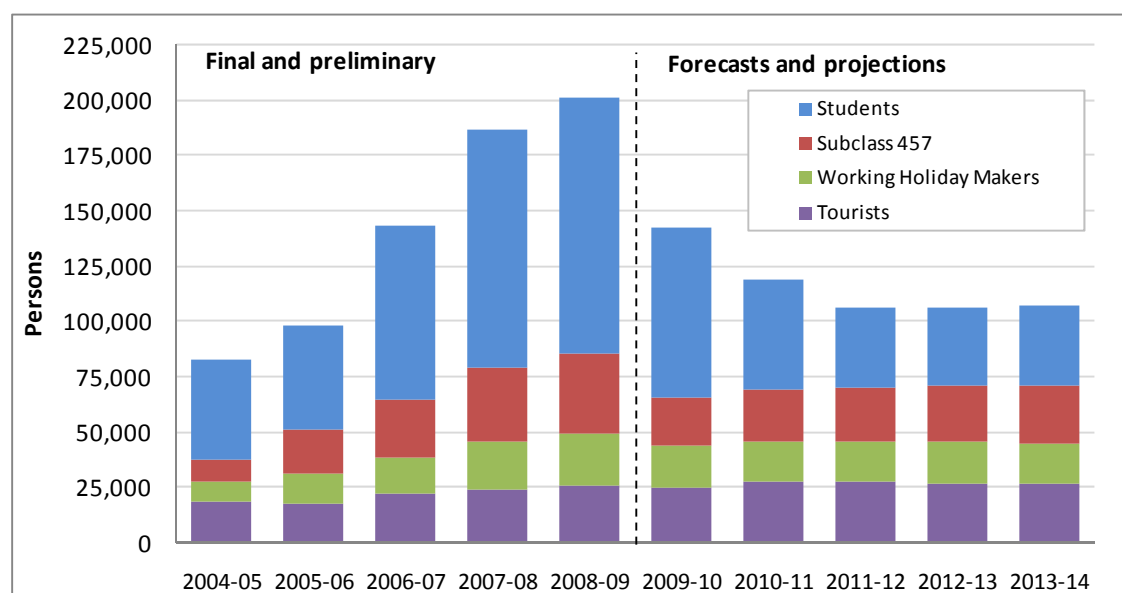
It is anticipated that as the economy gathers strength, employers will look to immigration to address skills shortages, pushing up the arrival of 457 visa holders. However, it is also expected that the contribution to NOM of international students will continue to ease over the projected period. This downside impact more than offsets the projected increase in NOM from a continued economic recovery.

As shown in Chart 3, the temporary migration component of NOM has grown strongly in the past few years, largely due to the contribution of international students and temporary skilled migration (subclass 457).

The recent fall in the students' contribution to NOM may be attributed to the strengthening of the Australian dollar, the US initiative to recover its share of the international education market in the Indian subcontinent and the introduction of robust integrity measures by DIAC, as well as the changes to the General Skilled Migration Program – including a new points test.

The percentage contribution of the subclass 457 (Long Stay Business) visa to the NOM decreased recently due to the economic slowdown, but it will start to grow as the economic recovery gains momentum and the unemployment rate approaches "full employment".

Chart 3: Contribution of temporary immigrants to NOM



Sources: Australian Bureau of Statistics, Social Trends, Catalogue No. 4102.0 and Department of Immigration & Citizenship

One of the reasons that NOM is expected to stabilise at around 190 000 is due to many temporary visa holders extending their stay in Australia. This is borne out by the most recent available temporary visa stocks data.

The stock of temporary entrants excluding New Zealanders, as at 30 June 2010, was 924 470. Growth in this stock in recent years had been due to a rapidly rising migrant arrivals, but most recently is due to visa renewals and change of status from one temporary visa sub-class to another.

The number of student visa holders as at 30 June 2010 was 382 710 and the number of people on bridging visas was 83 000. The stock of bridging visas has grown by around 38 per cent since June 2008 (Table 1).

Even more strikingly, the stock of temporary skilled graduate visas (subclass 485) has grown from 311 in June 2008 to 25 750 by June 2010. This visa allows overseas students who do not meet the criteria for a permanent General Skilled Migration visa to remain in Australia for 18 months to gain skilled work experience or improve their English language skills. The subclass 485 visa was introduced in September 2007. Prior to that time skilled graduates would have moved straight into the permanent visa pipeline.

This recent growth in bridging and temporary skilled graduate visas reflects the growing onshore pipeline of applicants for permanent residency.

Table 1: Stock of temporary entrants

Visa Major Group	2008	2009	2010	2009 to 2010
	30 June	30 June	30 June	% change
Temporary Resident*	245 479	179 090	172 380	-3.7%
Temporary Skilled Graduate - subclass 485	311	11 170	25 750	130.5%
Student	317 897	386 260	382 710	-0.9%
Student Guardian	3 038	2 660	2 290	-13.9%
Work/Holiday*	88 786	106 880	103 010	-3.6%
Visitor	177 974	163 860	174 860	6.7%
Bridging visa	60 232	61 670	83 000	34.6%
Transit visa	1 093	130	100	-23.1%
Other Temporary Entrant	3 915	5 300	6 120	15.5%
Total	809 628	905 840	924 470	2.1%

*Work/Holiday counted as part of Temporary Resident stock in 2008 only.

Source: Department of Immigration & Citizenship (2010)

Appendix A below presents detailed forecasts of NOM on a quarterly basis until June 2011 and annual projections after that until 2013-14.

Appendix B then summarises the key definitions and concepts behind the NOM forecasting and projection framework. The forecasts and projections are based on trends in visa grants, past behaviour of migrants across different visa groups, the impact of existing policy reforms, and also incorporate future economic conditions.

Appendix A: Detailed forecasts and projections of NOM

Year ending NOM arrivals '000 of persons	2010 Mar	2010 Jun	2010 Sep	2010 Dec	2011 Mar	2011 Jun	2011-12 Jun	2012-13 Jun	2013-14 Jun
Students	134.7	121.1	108.8	96.4	85.1	78.8	67.1	65.6	64.5
Subclass 457	37.0	33.4	32.2	33.2	34.8	35.9	37.2	39.3	39.6
Working Holiday Makers	26.5	26.5	25.9	25.5	25.0	24.6	24.6	25.3	25.2
Tourists	48.7	49.3	52.0	53.6	54.4	54.9	55.3	54.2	53.0
Total Temporary	246.9	230.3	219.0	208.6	199.3	194.1	188.6	188.8	186.5
Skilled	46.1	46.1	46.7	47.3	48.0	48.6	48.6	48.6	48.6
Family	38.5	38.5	37.6	36.7	35.8	34.9	34.9	34.9	34.9
Humanitarian	11.7	11.7	11.7	11.7	11.7	11.7	11.7	11.7	11.7
Total Permanent	96.4	96.4	96.1	95.8	95.5	95.2	95.2	95.2	95.2
Others	98.7	94.4	93.8	93.3	92.6	92.3	94.9	97.8	96.5
Total	442.0	421.1	408.9	397.7	387.4	381.6	378.7	381.8	378.2
Year ending NOM departures '000 of persons	2010 Mar	2010 Jun	2010 Sep	2010 Dec	2011 Mar	2011 Jun	2011-12 Jun	2012-13 Jun	2013-14 Jun
Students	-47.4	-44.7	-40.2	-35.6	-31.4	-29.1	-31.0	-30.8	-28.1
Subclass 457	-12.2	-11.3	-11.0	-11.3	-11.8	-12.2	-12.7	-13.4	-13.4
Working Holiday Makers	-7.1	-7.3	-7.1	-7.0	-6.9	-6.7	-6.7	-6.9	-6.9
Tourists	-22.5	-24.8	-26.1	-26.9	-27.3	-27.6	-27.8	-27.2	-26.7
Total Temporary	-89.2	-88.1	-84.4	-80.8	-77.4	-75.6	-73.6	-73.7	-70.6
Skilled	-3.0	-3.0	-3.0	-3.1	-3.1	-3.1	-3.1	-3.1	-3.1
Family	-2.4	-2.4	-2.3	-2.3	-2.2	-2.1	-2.1	-2.1	-2.1
Humanitarian	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Permanent	-5.4	-5.4	-5.4	-5.4	-5.3	-5.3	-5.3	-5.3	-5.3
Others	-99.8	-96.1	-96.2	-96.2	-96.3	-96.4	-98.3	-100.4	-101.0
Total	-194.4	-189.6	-185.9	-182.4	-179.1	-177.3	-177.2	-179.4	-176.9
Year ending net NOM '000 of persons	2010 Mar	2010 Jun	2010 Sep	2010 Dec	2011 Mar	2011 Jun	2011-12 Jun	2012-13 Jun	2013-14 Jun
Students	87.3	76.4	68.6	60.8	53.7	49.7	36.1	34.9	36.3
Subclass 457	24.8	22.1	21.3	21.9	23.0	23.7	24.6	25.9	26.1
Working Holiday Makers	19.5	19.3	18.8	18.5	18.2	17.8	17.8	18.4	18.3
Tourists	26.1	24.5	25.8	26.6	27.0	27.3	27.5	26.9	26.4
Total Temporary	157.7	142.2	134.6	127.8	121.9	118.5	106.0	106.1	107.1
Skilled	43.1	43.1	43.7	44.3	44.9	45.4	45.4	45.4	45.4
Family	36.2	36.2	35.3	34.5	33.6	32.7	32.7	32.7	32.7
Humanitarian	11.7	11.7	11.7	11.7	11.7	11.7	11.7	11.7	11.7
Total Permanent	91.0	91.0	90.7	90.4	90.1	89.8	89.8	89.8	89.8
Others	-1.1	-1.7	-2.4	-2.9	-3.7	-4.1	-3.4	-2.6	-4.5
Total	247.6	231.5	222.9	215.4	208.3	204.2	192.5	193.4	192.4

Source: Department of Immigration & Citizenship (2010)

Appendix B: Definitions and concepts

Defining NOM

Net overseas migration (NOM) is the net gain or loss of population through immigration to Australia and emigration from Australia.

Overseas travellers are included in the population if they are in Australia for a total of 12 months or more over a 16 month period. These are called NOM arrivals. Conversely, overseas travellers are subtracted from the population if they are away for a total of 12 months or more over a 16 month period.

- This method was introduced from 1 July 2006 and is known as the '12/16 month rule'.
- This has replaced the previous method (12/12 month rule) where a traveller had to be in, or away from, Australia for 12 continuous months.

The 12/16 month rule therefore takes account of those persons who may have left Australia briefly and returned, while still being resident for 12 months out of 16.

Data for NOM calculations are obtained from passenger travel cards which travellers fill out before they exit or enter Australia, as well as information from Department of Immigration and Citizenship (DIAC) administrative systems.

Preliminary and final estimates of NOM

Because of the '12/16 month rule', it takes a long time to finalise NOM and the Australian Bureau of Statistics (ABS) has only released final NOM data until June 2008.

In the meantime, the ABS releases preliminary NOM estimates every quarter which are modelled on patterns of traveller behaviours observed in final NOM data for the corresponding quarter one year earlier. The latest preliminary NOM estimates for the December 2009 quarter were released on 24 of June 2010 and the next March 2010 quarter preliminary estimates are expected for release on 29 September 2010.

These are still somewhat dated and as such it can be useful to further forecast and project NOM using the DIAC methodology outlined below.

Components of NOM

Net overseas migration has three key components:

- **Permanent entrants** sourced from the permanent Migration Program and Australia's Humanitarian Program, which include the Skilled, Family and Humanitarian visa groups. These programs are capped annually by government policy.
- **Temporary entrants** include Students, subclass 457 (business long stay), Working Holiday Makers, and long term visitors. This part of NOM is largely uncapped and driven by factors such as the economy. Nevertheless, the government can exercise integrity and other measures (for example changing English language proficiency requirements for students) which can affect this component of NOM.
- **Other entrants** include Australian citizens and New Zealand citizens, as well as people on bridging visas and other visas. This component of NOM is uncapped. Australian citizens do not require a visa to enter or exit Australia. New Zealand citizens can enter, reside and work in Australia freely under the Trans-Tasman travel arrangements. Their movements are affected by the differential economic performance and labour market conditions of Australia and New Zealand. Other visas that have a smaller impact on NOM include residents returning to Australia (that is, non Australian citizens who are permanent residents).

Forecasting and projecting NOM

The NOM forecasting and projection framework combines historical data on visa grants with past behaviour of migrants across different visa groups, the impact of existing policy reforms, and also incorporate future economic conditions.

Offshore visa grants by major visa group are sourced from DIAC internal data. The analysis uses visas granted offshore (rather than onshore) as these are most likely to contribute to NOM.

Propensities to enter into NOM are applied to these offshore grants to estimate NOM arrivals, based on historical behaviour of migrants across different visa classes. DIAC internal data identify and track an individual from visa grant, to arrival in Australia, to subsequent stay and possible departure. The data can be used to follow a large cohort of migrants across time to develop meaningful average propensities to enter NOM. The data go back to 2004, allowing the reporting of five year propensities to enter NOM.

These five year propensities are applied to the existing offshore visa grants data to estimate the likelihood of a visa group counting for NOM purposes. It is important to apply these propensities as not all visa grants translate to arrivals and not all arrivals stay long enough to be counted into NOM. For example, a high proportion of permanent migrants enter NOM compared to a very low proportion for tourists and visitors.

The limitation of this method is that it does not adequately reflect any changes in policy that may have occurred after the cohort was granted an offshore visa and entered Australia. Another limitation is that the length of time (since 2004) is not yet long enough to fully assess the likelihood of departing from NOM.

As a result, historical ratios of leaving NOM compared to total NOM by visa category are used to estimate the likelihood or propensity of departing from NOM. These ratios are applied to the proportion of offshore grant cohorts who have entered into NOM and generate NOM outflows. The forecasts are also compared against historical data from the ABS to ensure they are consistent.

These propensities to arrive and depart from NOM can estimate the impact of a visa grant cohort over 5 years. That said, most of the activity in terms of entering NOM or leaving NOM occurs within the first 1 to 2 years after which there is a relatively low likelihood to NOM in or out.

This means that we can have the greatest confidence in the first and second year forecasts as they are largely based on historical data.

Beyond this period, NOM arrivals and departures need to be projected by also projecting offshore visa grants and then applying the propensities to NOM in our out. Grants are projected in light of the policy and economic parameters around NOM.

- For example, grants to the permanent and capped components of NOM (skilled, family and humanitarian visas) are aligned with the most recent policy announcements and afterward held constant based on a no policy change assumption.
- Grants to the uncapped components of NOM (for example subclass 457 visas and Working Holiday Makers) are projected in line with official economic and labour market forecasts and projections from the Department of Treasury. For example if the unemployment rate is projected to fall then inversely subclass 457 visa applications are projected to increase.
- Other grants which may be less sensitive to the economic environment (for example Student visas) are projected in line with average historical trends and taking into account already announced policy changes.

Migration Program Overview

Background

Australia's Migration Program has two main streams: a Skill Stream that targets skills which contribute to Australia's economy and a Family Stream which recognises the value and importance of family migration to Australia's social and economic goals. The overall objectives of the Migration Program are to contribute to Australia's economic, demographic and social well being. The smaller Special Eligibility Stream completes the Migration Program and includes former Australian residents who have maintained ties with Australia and certain people subject to resolution of status.

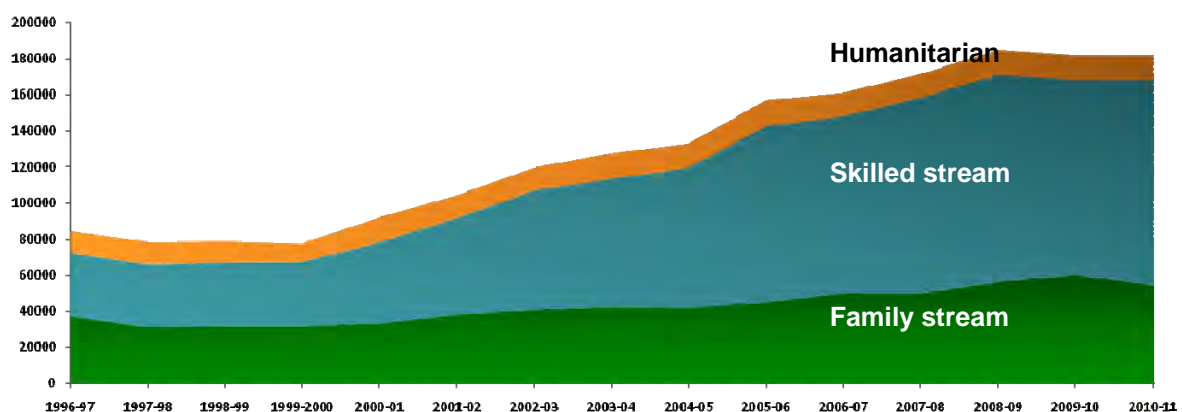
The 2010–11 Migration Program planning level is set at 168 700 places. This is comprised of:

- 54 550 places for family migrants
- 113 850 places for skilled migrants
- 300 places for special eligibility migrants.

The balance between the skilled and family streams is 67.5 per cent and 32.3 per cent respectively.

The below graph represents migration trends over the past 15 years and illustrates the increasing importance of the Skill Stream in the context of the Migration Program and Humanitarian Program. See Appendix for further details.

Migration trends over the past 15 years



Skill Stream

The Skill Stream is specifically designed to target migrants who have skills, proven entrepreneurial capability or outstanding abilities that will contribute to the Australian economy as well as assist in filling skills needs.

The processing of visa applications under the Skill Stream is governed by a General Direction on Processing Priorities issued by the Minister under section 51 of the *Migration Act 1958*. The Act provides the Minister powers to consider and finalise visa applications in an order of priority that they consider appropriate. Departmental officers must follow this ministerial direction, which applies to both new applications and those applications awaiting a decision.

General Skilled Migration

The General Skilled Migration (GSM) program is for people who are not sponsored by an employer and who have skills in particular occupations identified as being in medium to longer term need. Occupations for migration are listed in the Skilled Occupations List which was revised on 1 July 2010. Applicants must be aged between 18 and 44 years of age (inclusive) as well as having good English skills and recent skilled work experience or an Australian qualification.

Most GSM visa subclasses assess applicants against the GSM points test and applicable pass marks are in place that an applicant must meet to be granted a visa. The points test assesses against a range of factors with the number of points prescribed for each factor reflecting their relative importance in the context of an applicant's suitability for permanent residence in Australia. A number of deficiencies have been identified with the current points test which has been reviewed. A separate brief will be provided on this.

Overseas students unable to meet the necessary criteria for the grant of a permanent GSM visa have the option to apply for an 18 month temporary GSM visa which enables them to improve their skills to later satisfy the criteria for the grant of a permanent visa.

The demand for GSM visas far exceeds the available supply of visa places and there are currently some 140 000 people in the visa application pipeline with 61 700 GSM places available for 2010-11.

The GSM visas are divided into independent and sponsored subclasses.

Skilled Independent – caters for independent applicants who do not have a family or employer sponsor or are not nominated by a State or Territory government. Until 2009-10 this was the largest component of the Skill Stream.

Skilled Australian Sponsored – caters for skilled people either sponsored by an eligible relative who is an Australian citizen, Australian permanent resident or Eligible New Zealand citizen, or nominated by a State or Territory government. These visas generally have a slightly lower pass mark under the GSM points test than the independent GSM visas.

Within the Skilled Australia Sponsored category, there is also the division of permanent and provisional visas. Once granted, permanent visas result in permanent residence for the visa holder while provisional visas provide a pathway to permanent residence.

Provisional visas cater for skilled people unable to meet the pass mark for a permanent visa who wish to live and work in a regional or low population growth metropolitan area in Australia. Additional points are currently allocated to applicants applying for a regional provisional visa.

Employer Sponsored

Employers may nominate ('sponsor') overseas workers for permanent residence through the Employer Nomination Scheme (ENS), Regional Sponsored Migration Scheme (RSMS) and Labour Agreements. These visas allow Australian employers to recruit overseas workers to fill skilled vacancies in their business. Under the current priority processing direction, employer sponsored applicants are processed as the highest priority.

Applicants are required to meet certain age, English language and skills requirements though certain exemptions exist in exceptional circumstances.

The ENS and RSMS programs are currently under review and a separate briefing will be provided covering the review and its objectives.

Business Skills

The Business Skills visa program aims to attract skilled and experienced business owners, senior executives and investors who have proven business acumen and assets to Australia to enter into business or investment activity.

The program is largely a two-stage process whereby migrants enter Australia initially on a provisional (temporary) visa, generally valid for a period of four years. Once a provisional visa holder is able to demonstrate satisfactory evidence of a specified level of business or investment activity, they may apply for permanent residence.

This program is currently under review and a separate brief will be provided.

Distinguished Talent

Distinguished individuals with an internationally recognised record of exceptional and outstanding achievements can apply for permanent residence through this visa.

Labour Agreements

Labour agreements are a migration option that can be sought by employers when standard migration arrangements do not meet their needs and a demonstrated skill shortage, significant economic benefit or public interest case can be established. Where labour agreements represent a variation to standard migration programs they can impose obligations, terms and conditions over and above those applied under standard migration programs.

Employers are required to seek feedback from relevant peak bodies and unions in relation to their proposed labour agreement which is negotiated between themselves and DIAC. Visa pathways available under the agreements include Subclass 457 visas and ENS and RSMS.

Family Stream

The Family Stream enables the migration of immediate family members and certain other members of extended families who have a relative in Australia who is an Australian citizen, permanent resident or eligible New Zealand citizen. Migrants in the family stream are selected on the basis of their family relationship with their sponsor in Australia and unlike the Skill Stream, there is no test for skills or language ability.

Partner

Partner visas allow eligible relatives to sponsor their spouse or de facto partner for permanent residence in Australia. This is a two-stage process with applicants applying for both a provisional (temporary) and permanent visa at the same time. If the provisional visa is granted, the permanent visa application is usually considered two years after the initial application was made.

There is currently no legal basis to cap the number of Partner places available

A separate brief will be provided on the integrity of the Partner visa program.

Child

The Child stream provides for the migration of:

- the biological, adopted or step-child of an Australian citizen, permanent resident or eligible New Zealand citizen; or
- orphan children who are sponsored by close relatives in Australia.

Provision for adoption includes inter-country adoptions completed under the auspices of an Australian State or Territory adoption authority, private adoptions completed by Australian expatriates which comply with local adoption laws and customary adoptions where formal adoption is not available and where the arrangement was entered into before the sponsoring parent became an Australian permanent resident or citizen.

There is currently no legal basis to cap the number of Child places available and under policy, the Department does not intend to seek such powers.

Parent

The Parent stream provides a direct path to permanent residence for the parents eligible sponsoring relatives. Applicants must meet the Balance of Family test, which requires that either half their child live in Australia permanently or that more of their children live permanently in Australia than in any other country.

There is currently a pipeline of 26 167 people seeking migration under this category but the number of available places is capped at 1 000 for 2010-11.

Contributory Parent

Contributory parent category visas have a substantially higher second instalment of the visa application charge (2nd VAC) than other Parent visas and a higher Assurance of Support (AoS) bond and longer AoS period. This is so that applicants make a higher contribution towards their future health and welfare costs and, consequently, there are more places available in this stream than for other Parents. As with Parent applicants, Contributory Parent applicants must meet the balance of Family test.

There is currently a pipeline of 10 593 people seeking migration under this category but the number of available places is capped at 7 500 for 2010-11.

Other Family

There are 3 groups within the Other Family category, namely:

- *Carer visa*, which provides permanent residency to a family member on the basis of them being the carer of an Australian relative who has a medical condition causing impairment of their ability to attend to the practical aspects of daily life. The medical condition is expected to be ongoing (ie. to last at least two years).
- *Remaining Relative visa*, which provides permanent residency to an adult child or sibling of an Australian relative if they would otherwise be the only member of their family outside of Australia.
- *Aged Dependent Relative*, which provides permanent residency to an aged relative who is single and who is financially dependent on their Australian relative.

For 2010-11, the number of places available in the Other Family stream is set at 750. This is a significant reduction from the previous year of 2 500. There are currently 4 900 people seeking to migrate under this category.

Temporary skilled workers

While the Business (Long Stay) (Subclass 457) visa program does not fall under the Migration Program, it is a major pathway to permanent employer sponsored migration. The program plays an important role in the Australian economy as it allows employers to access the skills they need now, with the overseas workers then returning home when those skills are no longer required. Visas can be granted for up to four years and it is a more flexible and streamlined visa program in comparison to those available under the Skill Stream. It is entirely driven by employer demand for skilled workers where the skills cannot be obtained locally.

The demand driven nature of the program was demonstrated during the 2008-09 program year when demand decreased with the onset of the Global Economic Crisis.

Occupations that Subclass 457 visa holders fill must be skilled and sponsors are required to pay sponsored workers at the market rate for their occupation. There is no age restriction in place as with GSM and permanent employer sponsored visas, though applicants are required to satisfy minimum English language standards.

The Subclass 457 program was significantly reformed in 2009 to ensure that it would continue to provide industry with needed skills, while not undermining local training and employment opportunities. The *Migration Legislation Amendment (Worker Protection) Act 2008* also commenced and aims to maintain the integrity of the program through enhanced obligations for sponsors and better monitoring with strengthened sanctions and enforcement provisions.

Appendix: Migration, Temporary Entry and Humanitarian Visa Outcomes: 1999-00 to 2009-10 Program Years.*

Category of Visa	1999-00	2000-01	2001-02	2002-03	2003-04	2004-05	2005-06	2006-07	2007-08	2008-09	2009-2010	planned 2010-2011
MIGRATION Family, Skill and Special Eligibility	70,150	80,560	93,060	108,070	114,360	120,070	142,920	148,210	158,630	171,330	168,623	168,700
FAMILY	32 000	33 470	38 090	40 790	42 230	41 740	45 290	50 080	49 870	56 370	60,254	54,550
SKILL	35 330	44 670	53 490	66 050	71 240	77 880	97 320	97 930	108 540	114 780	107,868	113,850
Employer Sponsored	5,430	7,420	9,310	9,750	10,400	13,020	15,220	16,580	23,760	38,030	40,987	44,150
Employer Nomination Scheme	4,260	5,650	6,950	6,790	7,080	8,410	9,690	10,060	15,480	27,150	30,268	32,583 ¹
Labour Agreement	510	750	1,270	1,220	1,140	1,440	2,080	2,740	3,220	2,070	506	530 ¹
Regional Sponsored Migration Scheme	660	1,020	1,090	1,740	2,180	3,170	3,450	3,780	5,060	8,810	10,213	11,037 ¹
General Skilled Migration	23,500	29,660	36,390	49,380	54,940	59,850	76,940	75,280	78,000	69,150	59,892	61,700
Skilled Australian Sponsored	7,910	7,200	6,250	10,470	14,590	14,530	19,060	14,170	14,580	10,500	3,688	3,500
Skilled Independent	15,580	22,370	29,880	38,120	38,720	41,180	49,860	54,180	55,890	44,590	37,315	35,200
State/Territory Sponsored	10	90	260	790	1,630	4,140	8,020	6,930	7,530	14,060	18,889	23,000
Business Skills Visa	6,250	7,360	7,580	6,740	5,670	4,820	5,060	5,840	6,570	7,400	6,789	7,800
Distinguished Talent	120	230	210	180	230	190	100	230	210	200	199	200
SPECIAL ELIGIBILITY	2 850	2 420	1 480	1 230	890	450	310	200	220	180	501	300

TEMPORARY ENTRY												
Students	120 560	146 580	151 890	162 580	171 620	174 790	190 670	228 590	278 180	320 370	269 830	n/a
Working Holiday maker	74 450	76 580	85 210	88 760	93 760	104 550	114 690	136 420	157 570	194 100	183 160	n/a
Long Stay Business (457 visa program)	31 070	36 900	33 510	36 800	39 500	48 590	71 150	87 310	110 570	101 280	67 980	n/a

HUMANITARIAN	9960 ^(c)	13 730	12 350	12 530	13 850	13 180	14 140	13 020	13 010	13 510	13770	13750
---------------------	---------------------	--------	--------	--------	--------	--------	--------	--------	--------	--------	-------	-------

¹ Notional split based on 2009-10 outcomes.

Overview of the Student visa program

The student visa requirements aim to achieve a balance between facilitating the entry of genuine students and maintaining the integrity of the student visa program. The current student visa legislation and policy is designed to assist decision makers to make consistent and transparent decisions against largely objective criteria. It aims to use objective measures of risk to determine the evidence required to meet the objective criteria for visa grant and to achieve greater levels of integrity through better matching of resources to areas of risk.

The *Migration Regulations 1994* (the Regulations) set out a range of requirements for visa applicants to meet in order to be granted a student visa. The framework for assessing student visa applications was established in 2001, with a number of amendments to the Regulations having been made since. Student visas are assessed against criteria set out under the student (Temporary) visa class (Class TU) in Schedule 2 of the Regulations.

The Regulations set out the legislative requirements that applicants for a student visa must meet in order to be granted the visa. These requirements relate to a range of factors, including those common to most visa types such as health, character and security. Specific to the student visa requirements is the need for an enrolment with a CRICOS registered provider. This is the foundation for assessing a student visa application and builds on the ESOS National Code requirements that providers must meet before issuing an enrolment. In addition, the Regulations require an assessment of whether the decision-maker is “*satisfied that the applicant is a genuine applicant for entry and stay as a student*”. The Regulations require that this determination is made in relation to:

- English language proficiency;
- financial capacity;
- other requirements such as academic qualifications and age; and
- an assessment of other relevant matters.

The evidence that is required to meet each of these requirements is set out in Schedule 5A of the Regulations. The evidence required to meet these requirements differs according to the Assessment Level of the applicant.

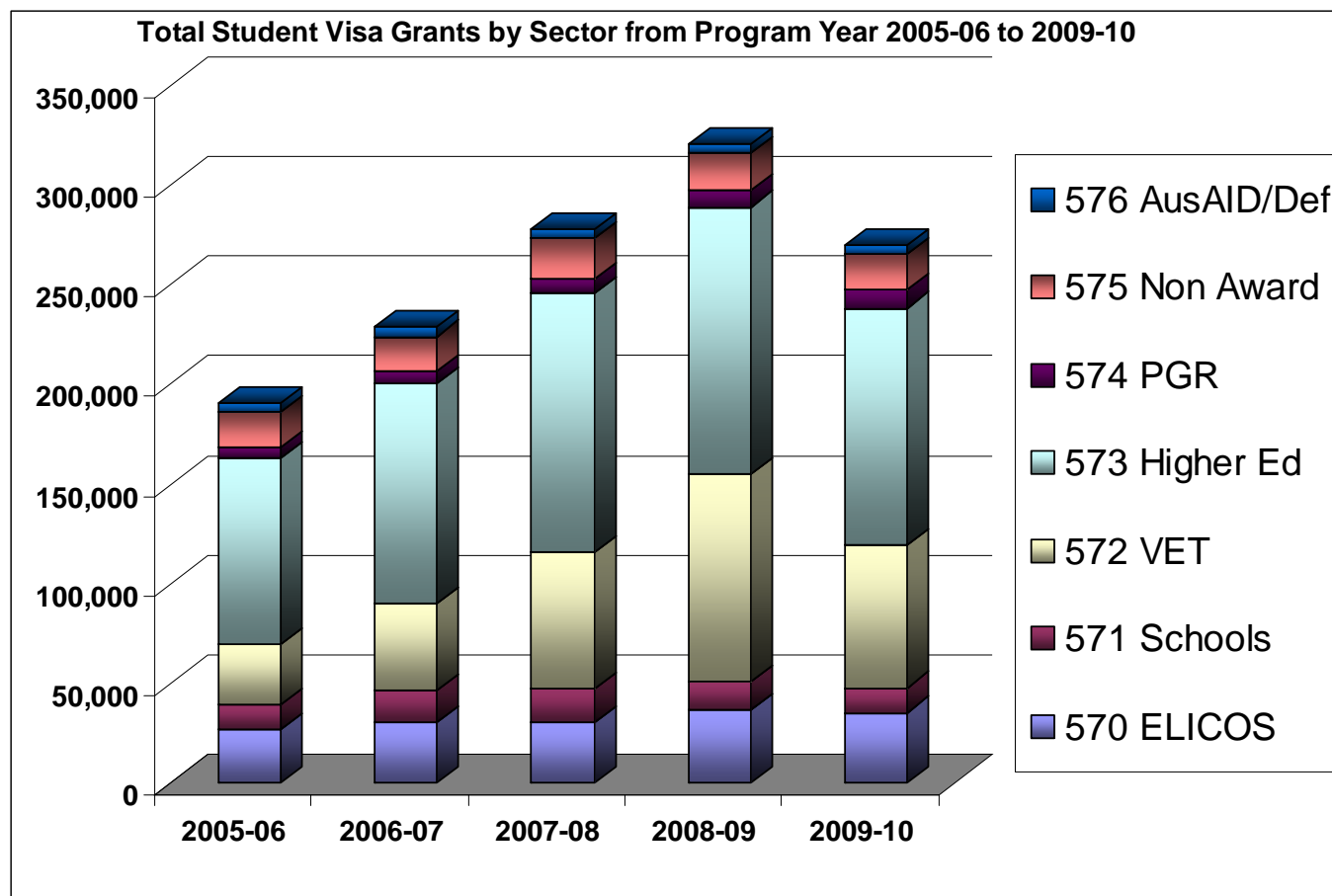
Statistical snapshot

As at 30 June 2010, there were 382 710 student visa holders in Australia (stock of students). This is close to one per cent less than at the same time last year. On arrival these student visa holders indicated where they were going to reside (see Table 1). This intention is only an indication of state and territory distribution of student visa holders.

State of intended residence	2010
New South Wales	126 450
Victoria	113 090
Queensland	55 180
South Australia	22 190
Western Australia	26 690
Tasmania	2 790
Northern Territory	730
Australian Capital Territory	6 420
Not stated	29 180
Total	382 710

Table 1 - Stock data as at 30 June 2010

In 2009-10, the department granted 269 828 student visas. This was a marked decrease when compared to the previous year, reversing a trend of significant growth over the past five years (see Graph 1).



Graph 1 – Total students by sector for 2005-06 to 2009-10

Effect on student visa holders of the reforms to the Skilled Migration Program

People holding a Vocational Education and Training (Subclass 572), Higher Education (Subclass 573) visa or Postgraduate Research (Subclass 574) visa on 8 February 2010 will continue to be able to apply for a Skilled-Graduate (Temporary) (Subclass 485) visa under the current skilled occupation list which contains some 400 occupations until 31 December 2012.

Persons who had held a bridging visa in relation to a student visa application on 8 February 2010 do not receive the benefit of the transitional arrangements.

Since a number of student visa holders, as at 8 February 2010, would have held expectations of a permanent migration outcome that are not going to be met, the Department has put in place strategies to monitor the visa activities and intentions of these student visa holders.

Regular monitoring of visa status of 8 February 2010 student cohort

The Department has developed a statistical tool which allows it to monitor changes in status of the 8 February student cohort. The intention is to monitor changes and identify patterns of activity on a monthly basis.

There are 456 789 persons in the 8 February student cohort. As at 1 August 2010, the majority of visa holders remain on the same visa (346 965), 24 572 have left Australia with no return rights, 77 378 have been granted a subsequent visa, 4929 have had their visa cancelled and 2302 have become unlawful.

Integrity scan of 8 February 2010 student cohort

Risk, Fraud and Integrity Division has undertaken a preliminary integrity scan on the 8 February 2010 student cohort. The aim of this scan is to provide the Department with baseline data to inform future integrity scans of this cohort which will identify and report risk; identify treatments for the risks; and provide evidence of treatment effectiveness.

Research into 8 February 2010 student cohort

The Department is currently involved in a tender process to select an organisation that will undertake research in order to better understand the intentions of international students who have been affected by the recent changes to the GSM program, especially those whose anticipated pathway to permanent residency has been affected.

The aim is to determine what this cohort of international students intends to do in the future, for example, return home, apply for further visas, travel to a third country or overstay.

Recent changes (2007-08 – 2009-10)

- Development of a long term migration planning framework.
- Introduction of the Worker Protection Bill and other measures to prevent abuses of the temporary long-stay business (457 visa) program.
- Revoking of the Migration Occupations in Demand List and introduction of a more targeted Skilled Occupation List.
- Introduction of State Migration Plans.
- Review of the points test for General Skilled Migration.
- Establishment of Pacific Seasonal Worker Pilot Scheme to support Australian agricultural/horticultural industries by supply of seasonal labour.
- Introduction of same-sex law reforms.
- Establishment of the Office of the Migration Agents Registration Authority.
- Introduction of eVisitor visa to provide reciprocal access for short stay European Union visitors
- Priorities for new Work and Holiday agreements identified. These are Argentina, Andorra, Spain, Portugal, Mexico, and Vietnam.
- Introduction of an onshore pathway for partners, leading to a significant reduction in Ministerial Intervention applications
- Introduction of measures to prevent the sponsorship of children by sponsors with convictions for child sex and violence offences
- Introduction of provisions allowing the waiving of the health requirement for onshore skilled visa applicants.

IN-CONFIDENCE

DIAC resources

Budgeted expenses and resources for Outcome 1

Outcome 1: Managed migration through visas granted for permanent settlement, work, study, tourism, working holidays or other specialised activities in Australia, regulation, research and migration policy advice and program design.	2009-10 Estimated actual expenses \$'000	2010-11 Estimated expenses \$'000
Program 1.1: Visa and Migration		
Administered expenses		
Ordinary annual services (Appropriation Bill No. 1)	50	50
Total for Program 1.1	50	50
Program 1.1.1: Visa and Migration - Service Delivery		
Departmental expenses		
Ordinary annual services (Appropriation Bill No. 1)	435,522	378,296
Revenues from independent sources (section 31)	4,069	3,419
Expenses not requiring Appropriations in the Budget year	-	19,595
Total for Program 1.1.1	439,591	401,310
Program 1.1.2: Visa and Migration - Policy Advice and Program Design		
Departmental expenses		
Ordinary annual services (Appropriation Bill No. 1)	73,478	58,977
Revenues from independent sources (section 31)	6,079	6,213
Expenses not requiring Appropriations in the Budget year	-	7,985
Total for Program 1.1.2	79,557	73,175

IN-CONFIDENCE

	2009-10 Estimated actual expenses \$'000	2010-11 Estimated expenses \$'000
Program 1.1.3: Visa and Migration - Office of the MARA		
Ordinary annual services (Appropriation Bill No. 1)	6,407	4,800
Expenses not requiring Appropriations in the Budget year	-	1,139
Special appropriations ²	530	-
Total for Program 1.1.3	6,937	5,939
Outcome 1 Totals by appropriation type		
Administered expenses		
Ordinary annual services (Appropriation Bill No. 1)	50	50
Special appropriations ²	530	-
Total for Administered expenses	580	50
Departmental expenses		
Ordinary annual services (Appropriation Bill No. 1)	515,407	442,073
Revenues from independent sources (section 31)	10,148	9,632
Expenses not requiring Appropriations in the Budget year	-	28,719
Total for Departmental expenses	525,555	480,424
Total expenses for Outcome 1	526,135	480,474
	2009-10	2010-11
Average Staffing Level (number)	3,732	3,693

Source: Portfolio Budget Statement 2010-11, pages 20-21.

IN-CONFIDENCE

Program expenses Outcome 1

	2009-10 Revised budget \$'000	2010-11 Budget \$'000	2011-12 Forward year 1 \$'000	2012-13 Forward year 2 \$'000	2013-14 Forward year 3 \$'000
Program 1.1: Visa and Migration					
Annual administered expenses					
Joint Commonwealth, State and Territory					
Research Program (for payment to the Australian Population, Multicultural and Immigration Research Program Account)					
	50	50	50	50	50
Total administered expenses					
Program 1.1	50	50	50	50	50
Annual departmental expenses					
Program 1.1.1: Visa and Migration - Service Delivery					
Economic Migration	95,256	85,199	84,803	84,623	85,818
Family Migration	86,765	80,576	81,202	81,487	82,616
Resident Return Visas, Former Resident Visas, Australian Declaratory Visas and Certificates of Evidence of Resident Status	18,270	16,755	16,773	16,868	17,120
Students	60,932	54,023	52,736	51,433	52,235
Temporary Residents (Economic)	50,662	44,889	43,223	41,709	43,039
Temporary Residents (Non-economic)	6,826	6,485	6,412	5,288	5,419
Visitors and Working Holiday Makers	120,879	113,384	115,997	119,218	124,203
Total departmental expenses					
Program 1.1.1	439,591	401,310	401,145	400,625	410,449
Program 1.1.2: Visa and Migration - Policy Advice and Program Design					
Economic Migration	19,765	17,428	17,437	18,220	18,539
Family Migration	7,259	6,441	6,139	6,206	6,321
Resident Return Visas, Former Resident Visas, Australian Declaratory Visas and Certificates of Evidence of Resident Status	2,519	2,187	2,115	1,917	1,959
Students	8,818	8,777	9,825	11,491	11,708
Temporary Residents (Economic)	15,595	15,214	16,530	18,831	19,151
Temporary Residents (Non-economic)	2,157	1,966	1,851	1,280	1,305
Visitors and Working Holiday Makers	23,444	21,162	21,064	21,990	22,359
Total departmental expenses					
Program 1.1.2	79,557	73,175	74,961	79,935	81,342

IN-CONFIDENCE

	2009-10 Revised budget \$'000	2010-11 Budget \$'000	2011-12 Forward year 1 \$'000	2012-13 Forward year 2 \$'000	2013-14 Forward year 3 \$'000
Program 1.1.3: Visa and Migration - Office of the MARA					
Regulation of migration agents	6,407	5,939	6,023	5,988	6,103
Total departmental expenses Program 1.1.3	6,407	5,939	6,023	5,988	6,103
Special appropriations					
Special appropriation: Statutory self-regulation of migration agents	530	-	-	-	-
Total special appropriations Program 1.1.3	530	-	-	-	-
Total departmental expenses	525,555	480,424	482,129	486,548	497,894
Total special appropriation	530	-	-	-	-
Total administered expenses	50	50	50	50	50
Total program expenses Outcome 1	526,135	480,474	482,179	486,598	497,944

Source: Portfolio Budget Statement 2010-11, pages 27-28.

PBS outcome 2: Protection, resettlement and temporary safe haven for refugees and people in humanitarian need through partnering with international agencies; assessing humanitarian visa applications; and refugee and humanitarian policy advice and program design

Description

As a signatory to the Refugee Convention, Australia has responsibility for protecting refugees and resolving refugee situations. This commitment is most strongly expressed through the Humanitarian Program.

The Humanitarian Program has two important functions:

- It fulfils Australia's international obligations by offering protection to people who are already in Australia or who arrive at an excised offshore place and are found to be refugees according to the Refugees Convention (the onshore protection/asylum component); and
- It expresses Australia's commitment to refugee protection by going beyond these obligations and offering resettlement to people overseas for whom this is the most appropriate option (the offshore resettlement component).

In 2009-10, 13 770 visas were granted under the Humanitarian Program, of which 9236 were granted to people overseas and 4 534 were granted to people in Australia. For the current 2010-11 program year, the Humanitarian Program will comprise 13 750 places, made up of 6 000 Refugee and 7 750 Special Humanitarian Program and Onshore Protection places.

Purpose and priorities

The key priorities are:

- delivering the annual Humanitarian Program to a high level of integrity within the overall parameters set by the Government;
- delivering the Humanitarian Program by continuing to work with the office of the United Nations High Commissioner for Refugees (UNHCR) and ensuring the offshore component includes a focus on providing resettlement for people from protracted refugee situations;
- enhancing Australia's protection framework to ensure those in need of protection receive it through well formulated policy advice and program design, informed by evidence and stakeholder consultation;
- working closely with UNHCR, the International Organization for Migration (IOM), international agencies and partner countries to promote managed migration and enhance the operation of the international protection system. This will help to: more equitably meet the protection needs of refugees; make effective use of resettlement; reduce incentives for secondary movement; and provide greater support for countries of first asylum;

IN-CONFIDENCE

- providing policy advice and program design to create a simpler and more responsive client focused humanitarian system; and
- working with other government on responses to climate displacement regionally and internationally.

Key sensitivities and challenges

The key sensitivities and challenges, both domestically and globally, are:

- the high demand for refugee resettlement places globally. The UNHCR estimates that 805 000 refugees will require resettlement in the next three to five years with only around 80 000 places available in resettlement countries;
- the Humanitarian Program is under significant pressure due to the increased places required for the asylum caseload and the need to provide for associated reunion with close family of humanitarian visa holders;
- the significant increase in the number of asylum seekers (including irregular maritime arrivals) will require the careful management of resources to address a substantial deterioration in processing times;
- a High Court appeal is seeking to challenge the validity of some aspects of the Refugee Status Assessment process for irregular maritime arrivals who arrived at an excised offshore place. The outcome could have significant implications for the portfolio (refer also to *Brief B09*);
- there is increased public, media and political interest including a greater focus on the integrity of decision making associated with the increasing number of onshore Protection visas and their settlement in Australia;
- NGOs are calling for a 'de-linking' of the onshore protection/asylum and offshore resettlement components of the Humanitarian Program and a shift away from statements that 'each visa grant onshore means one offshore place';
- NGOs are advocating an overall increase in the number of Humanitarian Program places and increased funding for the travel of the sponsored component of the offshore resettlement program;
- the changing circumstances in countries of origin of asylum seekers places increased pressures for substantial support for decision makers (eg through additional training, further procedural guidance, sustained focus on quality assurance and collection and collation of up-to-date country information); and
- there can be difficulties in accessing vulnerable caseloads and ensuring the integrity of the offshore component of the Humanitarian Program, while maintaining the security of staff deployed to process these caseloads.

Future directions

The future directions include:

- Australia, as a leading resettlement country, will continue to work with UNHCR through the strategic use of resettlement, to resolve protracted refugee situations as well as assisting women at risk and others in critical need;

IN-CONFIDENCE

IN-CONFIDENCE

- contributing to whole-of-government efforts to develop policy and operational capability in response to irregular maritime arrivals including through the advancement of a regional protection framework. This includes continuing to develop the concept of a regional protection framework and processing centre arrangement for addressing irregular migration in the region in cooperation with regional partners, and relevant international organisations (refer also to *Brief A11*);
- contributing to global refugee policy using Australia's productive working relations with international partner agencies to strengthen the international protection framework in other countries. This will include engaging in bilateral and multilateral activity to pursue positive outcomes on migration and refugee issues; and
- strengthening the evidence base to inform policy and protection settings for the Humanitarian Program, along with holding targeted consultations with clients and key stakeholders to provide feedback on effectiveness of Humanitarian Program delivery inform policy development and program innovation and design.

Background information

Additional information on statistics, recent initiatives and departmental resources are provided at [Attachment A](#).

Contact details (Deputy Secretary)	Peter Hughes (w) (02) 6264 1234 (m) s.41(1)
Lead Division and relevant Branch	Border Security, Refugee and International Division Garry Fleming, First Assistant Secretary (w) (02) 6264 1830
Other divisions under this Outcome	Community and Detention Services Division

Key program statistics (not publicly available yet)

The department delivered a total of 13 770 visas in 2009-10 under the Humanitarian Program, which met the increase in the number of places in the Program from 13 500. This number included 9236 visas granted under the offshore component and 4534 program countable visas granted under the onshore component.

Category	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10
Planned						
	13 000	13 000	13 000	13 000	13 500	13 750
Visa Grants						
OFFSHORE						
Refugee	5511	6022	6003	6004	6499 ¹	6003
Special Humanitarian (Offshore)	6585	6736	5183	4795	4511	3233
ONSHORE²	1082	1386	1831	2215	2497	4534
TOTAL	13 178	14 144	13 017	13 014	13 507	13 770

¹ This figure included a one-off allocation of 500 Refugee places for Iraqis.

² Includes grants of permanent Protection visas and Resolution of Status visas, visas granted through Ministerial Intervention and temporary humanitarian visas.

Woman at Risk visas are an important focus of the offshore resettlement component of the Humanitarian Program and recognise the priority given by UNHCR to the protection of refugee women in particularly vulnerable situations. Until 2008-09, the nominal annual target for this visa was 10.5 per cent of the Refugee allocation. For 2009-10, this target was increased to 12 per cent of the Refugee category allocation. This target was exceeded and delivered at 13.4 per cent.

The number of applications finalised and visas granted through both the offshore resettlement component and the onshore protection/asylum component of the Humanitarian Program has varied over time.

Category	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10
Offshore Applications Lodged	90 539	81 682	80 286	47 331	46 910	47 122
Offshore Applications Finalised	114 060	90 768	86 757	58 208	33 861	43 567
Onshore Applications Lodged	3208	3291	3746	4009	5302	8150
Onshore Applications Finalised ¹	2742	3576	3714	3785	4906	7004

¹ Finalisations include primary decisions and closed applications due to withdrawals, death of applicant, departures from Australia and other reasons for a case to be closed administratively.

IN-CONFIDENCE

The top five countries of birth of people granted offshore resettlement visas between 2006–07 and 2009–10 were:

Rank	2006–07	2007–08	2008–09	2009–10
1	Sudan	Burma	Iraq	Burma
2	Burma	Iraq	Burma	Iraq
3	Iraq	Afghanistan	Afghanistan	Bhutan
4	Afghanistan	Sudan	Sudan	Afghanistan
5	Burundi	Liberia	Bhutan	Congo (DRC)

The top five countries of citizenship of people granted onshore Protection visas (including irregular maritime arrivals) between 2006–07 and 2009–10 were:

Rank	2006–07	2007–08	2008–09	2009–10
1	China (PRC)	Sri Lanka	China (PRC)	Afghanistan
2	Sri Lanka	China (PRC)	Sri Lanka	Sri Lanka
3	Iraq	Iraq	Afghanistan	China (PRC)
4	Iran	Pakistan	Zimbabwe	Iraq
5	Pakistan	Iran	Iraq	Iran

The Asylum Seeker Assistance (ASA) Scheme provides limited income support, health care and other services to vulnerable Protection visa (PV) applicants in the community who meet the eligibility criteria for support. During 2009-10 assistance was provided to 2802 people at a cost of \$9.058 million.

Under the Immigration Advice and Application Assistance Scheme (IAAAS), selected migration agents are funded to help all onshore asylum seekers in immigration detention and disadvantaged protection and other visa applicants in the community. Activity relating to this scheme over the last two program years is outlined below.

	2008–09	2009–10
Application assistance to detainees	361	311
Application assistance in the community	604	726
Immigration advice	6056	8348
Community Assistance Support (CAS) assistance to vulnerable clients	-	34
Total IAAAS services	7021	9419
Total IAAAS expenditure	\$2 312 275	\$2 951 302

Recent initiatives (2007-08 – 2009-10)

Recent reforms and achievements in Outcome 2 are as follows:

Offshore resettlement component

- Since 2007, Australia has been ranked one of the top three resettlement countries in the world.
- The size of the Humanitarian Program has been increased by 500 places from 13 000 to 13 500 in 2008–09 and by 250 places from 13 500 to 13 750 in 2009-10.
- 2009–10 was the first year under the Government's four year planning framework for the Humanitarian Program.
- In April 2008, the government announced a new policy enabling the permanent resettlement of up to 600 Iraqi locally engaged employees (LEE) and members of their family units at risk because of their engagement with the Australian Government: to 30 June 2010, 544 visas have been granted under these arrangements. These visas were in addition to the Humanitarian Program.
- As part of Australia's participation in a core international group to resolve the situation of protracted refugee situations, Australia agreed in November 2008 to resettle up to 5000 Bhutanese refugees from Nepal over coming years. In 2009-10, Australia also continued to contribute to the resettlement of other refugees in protracted situations and in critical need, including the resettlement of Burmese refugees from the Thai-Burma border, from India and from other countries in the region, and Rohingya refugees from camps in Bangladesh.
- In 2009–10, the Government decided to increase the target for Woman at Risk visas. This target was met during this year, with 806 visas granted to Woman at Risk applicants during this year.
- In 2009–10, the department commissioned research on the economic, social and civic contributions of humanitarian entrants. The preliminary research findings, by one of the world's leading researchers on migration, Professor Graeme Hugo, positively demonstrate that humanitarian entrants make a distinctive and significant contribution to wider Australian society and the economy of Australia.

Onshore protection/asylum component

- The offshore processing centres in Nauru and Papua New Guinea were closed on 31 March 2008.
- Temporary Protection visas and Temporary Humanitarian visas (Offshore) were abolished on 9 August 2008.
- The Refugee Status Assessment (RSA) process was introduced on 29 July 2008 to assess protection claims from asylum seekers who arrive at an excised offshore place. This arrangement includes independent merits review of unfavourable RSAs. As a part of this arrangement, external scrutiny of the RSA process is undertaken by a range of bodies, including the Office of the Commonwealth and Immigration Ombudsman, the Australian Human Rights Commission and the Regional Office of the UNHCR.

IN-CONFIDENCE

- The processing of new Sri Lankan and Afghan protection claimants was suspended from 9 April 2010 due to growing evidence of the evolving country situations, and resumed for Sri Lankans on 6 July 2010.
- The Onshore Protection Consultative Group was established in 2008 to assist the department in policy implementation and process improvement.
- In December 2008, new Ministerial Intervention (MI) guidelines were introduced to streamline the assessment and referral of requests to the minister, aiming at 'one case, one submission, one time', including improved coordination with compliance and case resolution areas to improve management of clients with unsuccessful MI requests. The alternative Partner pathway to MI was also implemented, which allows certain partners of Australian citizens, permanent residents or eligible New Zealand citizens who were previously barred from applying for a Partner visa onshore to do so, where they meet certain objective criteria.
- Changes to the work rights for asylum seekers were introduced on 1 July 2009 with the abolition of the 45 day rule. Previously, the 45 day rule required that a Protection visa applicant must have been in Australia for fewer than 45 days prior to making their visa application in order to obtain permission to work.
- The *Migration Amendment (Complementary Protection) Bill 2009* was introduced into the Parliament in September 2009. The legislation will enable all claims that may engage Australia's *non-refoulement* (non-return) obligations to be considered under a single, transparent, integrated Protection visa application process.
- Successful piloting of a new biometrics check involving the provision of digital facial images and fingerprints by Protection visa applicants was undertaken in 2009–10. This measure is to be introduced in 2010–11 as a mandatory requirement and will assist in strengthening program integrity.

International and regional engagement

- DIAC engaged with the United Nations Office on Drugs and Crime to undertake field work research into irregular movement out of Afghanistan and Pakistan, to identify strategies to disrupt this movement, and to enhance the capacity of local authorities to manage migration flows.

DIAC resources

Expenditure on Outcome 2 programs is budgeted to be \$119.6 million in 2010-11.

Budgeted expenses and resources for Outcome 2

Outcome 2: Protection, resettlement and temporary safe haven for refugees and people in humanitarian need through partnering with international agencies; assessing humanitarian visa applications; and refugee and humanitarian policy advice and program design.	2009-10 Estimated actual expenses \$'000	2010-11 Estimated expenses \$'000
Program 2.1: Refugee and Humanitarian Assistance		
Administered expenses		
Ordinary annual services (Appropriation Bill No. 1)	31,349	33,188
Total for Program 2.1	31,349	33,188
Program 2.1.1: Refugee and Humanitarian Assistance - Service Delivery		
Departmental expenses		
Ordinary annual services (Appropriation Bill No. 1)	63,418	57,879
Revenues from independent sources (section 31)	371	304
Expenses not requiring Appropriations in the Budget year	-	3,998
Total for Program 2.1.1	63,789	62,181
Program 2.1.2: Refugee and Humanitarian Assistance - Policy Advice and Program Design		
Departmental expenses		
Ordinary annual services (Appropriation Bill No. 1)	25,063	19,298
Revenues from independent sources (s31)	2,602	2,646
Expenses not requiring Appropriations in the Budget year	-	2,376
Total for Program 2.1.2	27,665	24,320
Outcome 2 Totals by appropriation type		
Administered expenses		
Ordinary annual services (Appropriation Bill No. 1)	31,349	33,188
Total for Administered expenses	31,349	33,188
Departmental expenses		
Ordinary annual services (Appropriation Bill No. 1)	88,481	77,177
Revenues from independent sources (section 31)	2,973	2,950
Expenses not requiring Appropriations in the Budget year	-	6,374
Total for Departmental expenses	91,454	86,501
Total expenses for Outcome 2	122,803	119,689
Average Staffing Level (number)	485	480

Source: Portfolio Budget Statement 2010-11, pages 30.

IN-CONFIDENCE

Program expenses Outcome 2

	2009-10 Revised budget \$'000	2010-11 Budget \$'000	2011-12 Forward year 1 \$'000	2012-13 Forward year 2 \$'000	2013-14 Forward year 3 \$'000
Program 2.1: Refugee and Humanitarian Assistance					
Annual administered expenses					
Allowances for persons granted visas in the Humanitarian Program	49	49	51	52	53
Immigration Advice and Application Assistance Scheme - onshore protection	2,954	3,049	3,150	3,251	3,332
Initiatives to address the situation of displaced persons and promote sustainable returns	6,483	6,816	6,988	7,125	7,310
International Organisation for Migration - contribution	841	762	762	762	762
Payments to the Australian Red Cross Society for the Asylum Seeker Assistance Scheme	9,588	10,124	10,509	10,921	6,277
Refugee and humanitarian passage, associated costs and related services	11,310	12,254	12,561	12,810	13,143
Secretariat for Inter-Governmental Consultations on migration, asylum and refugees - membership contribution	124	134	134	134	134
Total administered expenses Program 2.1	31,349	33,188	34,155	35,055	31,011
Annual departmental expenses					
Program 2.1.1: Refugee and Humanitarian Assistance - Service Delivery					
Offshore Humanitarian Program	19,935	19,389	18,969	19,326	19,606
Protection visas (Onshore)	43,854	42,792	42,350	42,974	43,565
Total departmental expenses Program 2.1.1	63,789	62,181	61,319	62,300	63,171
Program 2.1.2: Refugee and Humanitarian Assistance - Policy Advice and Program Design					
Offshore Humanitarian Program	13,353	11,944	11,798	11,650	11,801
Protection visas (Onshore)	14,312	12,376	12,215	11,993	12,165
Total departmental expenses Program 2.1.2	27,665	24,320	24,013	23,643	23,966
Total departmental expenses	91,454	86,501	85,332	85,943	87,137
Total administered expenses	31,349	33,188	34,155	35,055	31,011
Total program expenses Outcome 2	122,803	119,689	119,487	120,998	118,148

Source: Portfolio Budget Statement 2010-11, pages 36.

PBS Outcome 3: *Lawful entry of people to Australia through border management services involving bona fide traveller facilitation; identity management; document verification; intelligence analysis; partnerships with international and domestic agencies; and border policy advice and program design*

Description

The department delivers a border management program that balances the facilitation of entry of genuine travellers with the need to detect and prevent the attempted entry of persons likely to threaten the national interest or those of immigration concern. Working closely with other border agencies, the department ensures effective immigration clearance and screening processes by:

- employing leading-edge technology to deliver a secure, non-intrusive, streamlined immigration processing system for genuine travellers; and
- progressively introducing more robust identity management practices and biometric capability.

The key programs are:

- entry policy and engagement in aviation and maritime whole of government processes including border innovation initiatives;
- Trans-Tasman travel arrangements;
- Advance Passenger Processing policy and program delivery;
- border-related visa and entry arrangements;
- policy matters relating to traditional movement arrangements for the Torres Strait;
- management of the DIAC Memorandum of Understanding with the Australian Customs and Border Protection Service;
- the Asia-Pacific Economic Cooperation Business Travel Card scheme;
- the Regional Movement Alert System;
- the Indonesian Border Management System;
- immigration intelligence;
- national security and counter-terrorism;
- war crimes including crimes against humanity and genocide; and
- Next Generation Border Security.

The department works closely with other government agencies in Australia and overseas to strengthen the border and national security. The key border, law enforcement and national security agencies in Australia include: the Australian Intelligence Security Organisation; Australian Customs and Border Protection Service; the Australian Federal Police; the Biosecurity Group; the Department of Infrastructure,

IN-CONFIDENCE

Transport, Regional Development and Local Government; and the Office of Transport Security. Internationally, the department supports a whole-of-government strategy to combat people smuggling which includes working with other governments in our region. [Attachment A](#) provides information on border security arrangement and the department's engagement with key stakeholders including efforts to combat people smuggling.

The department facilitated 28.8 million passenger and crew arrivals and departures in 2009-10. Of these, some 1 640 people were refused immigration clearance at Australia's airports and seaports.

Purpose and priorities

The department seeks to enhance Australian border security and strengthen the international travel environment with improved border management and travel facilitation. This is pursued through a multi-faceted approach entailing review and development of enabling powers under the Migration Act and other relevant legislation, international and inter-jurisdictional agreements and a sophisticated technology platform including biometric technology and tools to acquire and use identity information (offshore and onshore).

Program enhancements are delivered through a combination of legislative, policy, procedural and systems initiatives and developments. This process is guided by the department's change management framework, and is contingent on legislative and systems change cycles. The process is further supported by engagement with other border agencies, the National Security Committee, law enforcement agencies and a range of external stakeholders.

The key priorities for the program include:

- implementing new visa lodgement and biometric collection processes in ten overseas posts. This will involve collaboration with the UK Border Agency and its commercial partners to collect fingerprints and digital facial images from selected overseas visa applicants;
- supporting law enforcement and security agencies in preventing the entry of people who are a direct or indirect threat to the Australian community and to national security. This includes contributing to the Government's efforts to counter terrorism;
- working closely with foreign governments, international organisations, airlines, shipping companies and other agencies through the use of information, intelligence and technology to prevent and deter unauthorised and irregular entry;
- maintaining and developing (where appropriate) new risk-based entry policies and procedures to facilitate the orderly arrival and departure of travellers while maintaining integrity;
- continuing to work closely with other border agencies to maintain and improve effective screening, through initiatives and international fora that aim to strengthen border integrity within the Asia and Pacific regions;
- enhancing the department's ability to detect and minimise identity and document fraud, and contribute to whole-of-government initiatives on identity fraud and transnational organised crime; and

IN-CONFIDENCE

IN-CONFIDENCE

- strengthening the department's capacity to coordinate and contribute to engagement in whole-of-government responses to offshore emergencies.

Key sensitivities and challenges

The key sensitivities and challenges are:

- implementation of the whole-of-government response to the government's national security report (2010). The department has lead responsibility for:
 - the Next Generation Border Security and Biometrics for Visa and Border Processing measures;
 - a review of the legislative powers needed to prevent the travel of people who are a threat to aviation security;
 - more coordinated management of alert lists across government;
 - introducing improved evidence based risk profiles to be deployed in existing profiling system; and
 - supporting increased efficiencies without compromising program integrity.

s.33(1) and s.36(1)

- pressures to make an important contribution to the government's efforts to combat people smuggling. The department has responsibility for tackling non-maritime people smuggling and works closely with other agencies on people movements through the region, maritime people smuggling and other threats to Australia's migration program;
- providing capacity building (through the Immigration Intelligence Branch funded under the Regional Counter-Terrorism initiative) to support the prevention of people smuggling. This includes training in immigration intelligence techniques and visa integrity for Asian and the Middle Eastern countries and regional engagement activities (eg. multi-lateral workshops, Bali Process activities and partnership initiatives with Indonesia);
- difficulties obtaining accurate identification of higher-risk travellers amongst the large and growing number of largely compliant travellers, essentially a 'needle in a haystack', in an efficient manner that does not undermine current high standards of client service;
- identifying and assessing citizenship and visa applicants suspected of war crimes, crimes against humanity and genocide. There were 369 cases referred for screening during 2009-10; and
- the Commonwealth Games will be held from 2-14 October – management of the event and security arrangements is the responsibility of the Indian Government:
 - a major incident, or an evacuation, from the New Delhi Commonwealth Games, will have considerable resource impacts on the department;
 - over 5500 Australians are expected to be involved including the Games team and Australia is working with Indian authorities to ensure the safety and security of visiting Australians;

IN-CONFIDENCE

IN-CONFIDENCE

- with such a large number of Australians involved in a high profile event, it is prudent to have consular and contingency plans in place for an emergency. The department participates in the DFAT led Taskforce undertaking this work, and is conducting internal contingency planning; and
- in the event of an evacuation of Australians from New Delhi, the department will be a key player and you will be involved in decisions around any evacuation of third country nationals (eg athletes, officials or VIPs from Pacific Island nations) into or through Australia.

Future directions

Possible future directions include:

- enhancing the department's risk profiling capability to assess the intent of visa applicants and travellers and a possible cabinet submission on investment to broaden this to other border and security agencies;
- exploring advanced analytic software (including the use of data-mining, pattern recognition, and/or network analysis techniques) to detect possible threats and patterns or networks of fraud among the large numbers of visa applicants and travellers;
- further improvements in identity and biometric management and a possible cabinet submission proposing a global roll out of biometrics in visa and border processes. Non-citizens would be required to provide fingerprints at the time of the visa application and these would be verified at the point of entry;
- exploring opportunities to strategically configure traveller touch-points to enhance collection of information, screening and targeting capabilities ahead of the physical border;
- examining better integration of frameworks and systems across agencies to deal with border crossings of people (immigration), goods (customs) and plants/animals/diseases (quarantine);
- developing a multi-stage new policy proposal which will build on the work of the National Targeting Centre and align with other major developments such as the Next Generation Border Security initiative (refer [Attachment A and B](#));
- considering a proposal for a seamless Australian-New Zealand border to make immigration checking and entry/exit procedures for respective citizens more efficient; and
- engagement at the whole-of-government level to deliver on the implementation of strategic border management plans and measures, including through international engagement and capacity building initiatives.

IN-CONFIDENCE

Background information

Additional information on statistics, recent initiatives and departmental resources are provided at Attachment B.

Contact details (Deputy Secretary)	Peter Hughes (w) (02) 6264 1234 (m) s.41(1)
Lead Division and relevant Branch	Border Security, Refugee and International Policy Garry Fleming (First Assistant Secretary) (w) (02) 6264 1830
Other divisions	Risk, Fraud and Integrity Division Visa and Offshore Services Division

Border security and the department's engagement with Australian Government agencies and other governments

Overview

The department works closely with security, law enforcement and other agencies in Australia and overseas to build strong border security and enhance national security. The department and the Australian Customs and Border Protection Service (ACBPS) are the primary border security agencies in Australia.¹

Whole-of-government strategy to strengthen border control and combat people smuggling

The whole-of-government strategy includes measures aimed at reducing the numbers of irregular maritime arrivals (IMAs) to Australia by:

- more effective and streamlined whole-of-government arrangements for combating and disrupting maritime people smuggling;
- engaging with regional partners to target people smuggling operations at their source;
- building the capacity of regional officials to manage their borders effectively;
- intensifying patrols of our northern borders by Border Protection Command to facilitate interception of suspected irregular entry vessels; and
- retaining the excision of offshore islands.

The strategy includes efforts to stabilise displaced populations in source and transit countries and to provide a viable future for vulnerable populations through the provision of international development assistance. Australia works with other countries in disrupting people smuggling operations. This involves preventing the departure of people smuggling ventures from foreign countries, intercepting ventures in foreign countries, apprehending and prosecuting those responsible for organising the ventures and building capability of international partners.

Christmas Island

The department works with a number of agencies on Christmas Island to ensure that information is collected effectively to assist whole-of-government efforts to manage IMAs and prevent people smugglers. s.33(1) and s.36(1)

s.33(1) and s.36(1)

¹ DIAC has primary responsibility for non-maritime people smuggling and provides significant support to ACBPS, the lead agency for maritime people smuggling. The department shares responsibility with the ACBPS for international airports and provides significant support to the ACBPS for seaports. They work with other key agencies including: the Australian Intelligence Organisation (ASIO); the Australian Federal Police (AFP); the Biosecurity Group; the Department of Infrastructure, Transport, Regional Development and Local Government; and the Office of Transport Security.

Since June 2010, ASIO has had legislative authority to investigate people smuggling. ASIO now investigates onshore links to people smuggling networks using its analytical/data mining expertise and on-shore sources to provide assistance for the prosecution and disruption of these networks. The department works with ASIO in Canberra in relation to security assessments.

Efforts to stabilise displaced populations in source and transit countries

The department and other agencies undertake a number of measures to support and resettle refugees and displaced persons which help to counter people smuggling. The department's *Displaced Persons Program* aims to: provide and maintain protection spaces and basic human needs to stabilise populations of concern; and/or support the long term resolution of protracted situations that continue to drive irregular migration towards Australia. Humanitarian assistance and emergency relief support for refugees and internally displaced persons in Sri Lanka, Pakistan, Iraq and other countries is provided through AusAID's international development assistance program. The department, DFAT and other agencies work to help improve the situation of displaced populations by working with our regional partners such as the UNHCR Regional Office and the International Organization for Migration (IOM).

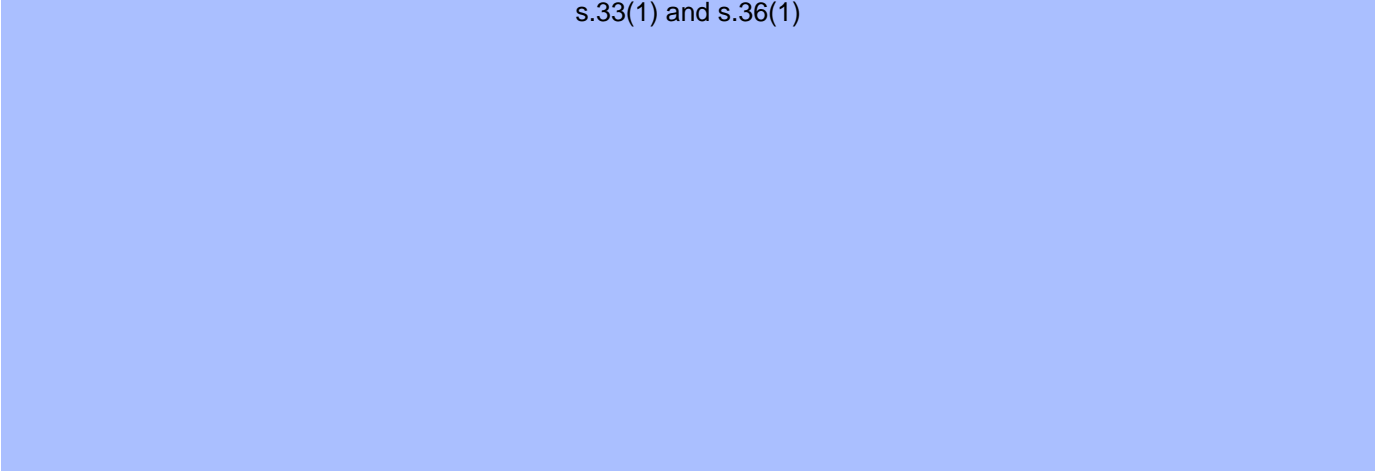
The ACBPS is implementing several overseas communication campaigns to help dissuade PIIIs and people smugglers from engaging in people smuggling activities. IOM designed and delivered campaigns in Indonesia and Sri Lanka. The department is conducting communication activities (funded by the ACBPS) to deter diaspora communities in Australia from encouraging relatives/friends in source and transit countries from using people smugglers to travel to Australia. These communities can be an important 'pull factor' for PIIIs.

Diplomatic efforts to combat people smuggling

The Bali Process, co-chaired by Australia and Indonesia, is the only regional forum that addresses the issues of people smuggling and trafficking in persons. Forty four countries and a number of international organisations are members. In the Australian whole-of-government context, DFAT provides the lead for Bali Process matters with the department, AGD, AusAID, ACBPS and the AFP as active participants. The Bali Process functions on a number of levels – political, diplomatic and operational.

IN-CONFIDENCE

s.33(1) and s.36(1)



IN-CONFIDENCE

Key program statistics

The department processed 28.84 million passenger and crew arrivals and departures in 2009-10 compared to 26.81 million in 2008-09 (an increase of 7.5 per cent). The total figure for arrivals and departures comprised 25.85 million air passengers, 2.06 million air crew, 0.13 million sea passengers and 0.80 million sea crew, compared to the 2008-09 figures of 23.95 million air passengers, 1.96 million air crew, 0.12 million sea passengers and 0.78 million sea crew.

During the year, 1640 people were refused immigration clearance at Australia's airports and seaports, compared to 1513 in 2008-09, an increase of 8.4 per cent. The table below provides details of total immigration clearances and refusals for the past three years.

Border management —performance information

Key performance indicators	2008-09	2009-10	2009-10
	actual	target	actual
The percentage of people refused immigration clearance at airports and seaports, as a proportion of total passenger and crew arrivals	0.011%	<0.015%	0.012%

Entries and departures

Key performance indicators	2007-08	2008-09	2009-10
Number of passenger and crew arrivals and departures processed within the integrity framework	25.7 million	26.8 million	28.8 million
Number of people refused immigration clearance at airports	1189	1284	1573
Number of people refused immigration clearance at seaports	424	229	67

Recent initiatives (2007-08 – 2009-10)

The department harnesses a range of technology and business processes to deliver a layered approach to border management. This begins with Australia's universal visa system and alert checking; and then continues through to the Advance Passenger Processing (APP) system which operates at airline check-in overseas; the airline liaison officer network; and processing at Australian airports and seaports on arrival.

The department works closely with the Australian Customs and Border Protection Service (ACBPS) and a range of national security, border and law enforcement agencies. It also engages with other countries through fora such as APEC and the Bali Process to enhance regional engagement and cooperation on border security matters and associated capacity building initiatives.

IN-CONFIDENCE

Recent initiatives include:

- **National security and counter-terrorism** - working closely with Australian security and law enforcement agencies to strengthen border security and border integrity, including detecting and preventing the entry of non-citizens who may pose a threat to Australia's national security
- **Advance Passenger Processing (APP) system** – used at airline check-in overseas to pre-check passengers and crew before they travel to Australia. APP is also used for cruise ships.
- **APP infringement notices** – implemented in July 2009 to encourage the highest possible level of APP reporting compliance among international carriers..
- **SmartGate** – changes to the Migration Act in 2007 underpinned legislative arrangements to enable travellers using eligible ePassports to be processed by SmartGate - an automated process for verifying visas and identities.
- **Asia-Pacific Economic Cooperation (APEC) Business Travel Card** – a scheme hosted by the department to streamline business visitor entry for participating APEC economies.
- **Travel and Immigration Processing System (TRIPS) system administration** – records the arrivals, departures and related visa information necessary for the processing of international travellers to Australia.
- **Central Movement Alert List (CMAL)** – centralised electronic alert system (watch list) contributed to by security, law enforcement and other Australian Government agencies, holding over 665,664 persons and 1,762,299 million documents of concern.
- **Onshore intelligence network** – comprising Border Intelligence Officers based in state and territory offices and at major airports to scrutinise serious forms of immigration malpractice relating to border security.
- **Tactical Support Unit (TSU)** – DIAC targeting specialists are located in the Passenger Analysis Unit (PAU) of the ACBPS. By analysing flight and comprehensive Passenger Name Record (PNR) data, the TSU provides real-time, targeted operational support to Airline Liaison Officers, Border Intelligence Officers and Australian airports to identify improperly documented passengers attempting travel to Australia and enable early intervention action to be taken. The TSU's mandate does not cover pre-screening of Australia-bound flights for bona fides concerns.
- **Immigration intelligence (IMtel) database** – an immigration intelligence repository and support tool featuring powerful search and alert capabilities and analytical tools.
- **Maritime crew (subclass 998) visas** – implemented to ensure that application and security checking requirements for foreign sea crew is aligned with the requirements for other temporary visitors to Australia.
- **Security Referral Service (SRS) system** – electronically transfers details of visa applicants who may present a national security risk, from onshore and offshore visa processing systems to the Australian Security Intelligence Organisation for assessment and advice.

IN-CONFIDENCE

IN-CONFIDENCE

- **Identity management**
 - deployment of the Identity Resolution Centre as the primary point of contact for staff seeking to resolve complex identity issues in their caseloads;
 - expansion of biometric collection processes for persons in immigration detention; and
 - release of a suite of new identity-related training products including an e-learning facial image comparison techniques package.
- **Biometrics** – used as part of a broader identity management strategy to strengthen identification processes for non-citizens entering Australia - includes scans of identity documents as well as biometric information (facial images and finger scans).
- **Identity Services Repository** – created to manage and store biometric information.
- **Indonesian Border Management (CEKAL) System** – a partnership between Australian and Indonesian immigration services delivers border management systems for Indonesia to enable reliable detection of people of concern, and assist to prevent people-smuggling and irregular migration. Systems are in operation at twenty-seven Indonesian ports.
- **Trans-Tasman Travel facilitation initiatives** – as determined by the Australian and New Zealand Governments, are underway with particular focus on the sharing of criminal records between the two countries.
- **Regional Movement Alert System (RMAS)** – an APEC border integrity initiative that provides a real-time travel document validation service between participating APEC economies.
- **National Targeting Centre** is being developed by the department and ACBPS. It will bring together expertise, intelligence and data from border management agencies to strengthen the Government's ability to detect, analyse and manage risks.
- **Strategic Border Management Plan** has been developed by relevant agencies. It aims to enable better coordination of government agencies operating in the border environment and to guide decisions on future border management capabilities.
- **Next Generation Border Security** initiative commenced in July 2010. It aims to improve Australia's capability to deploy sophisticated national security risk profiles in visa systems, as well as our capability to analyse data and information sharing with other border agencies.

IN-CONFIDENCE

DIAC resources

Budgeted expenses and resources for Outcome 3

	2009-10	2010-11
Outcome 3: Lawful entry of people to Australia through border management services involving bona fide traveller facilitation; identity management; document verification; intelligence analysis; partnerships with international and domestic agencies; and border policy advice and program design.	Estimated actual expenses \$'000	Estimated expenses \$'000
Program 3.1: Border Management		
Administered expenses		
Ordinary annual services (Appropriation Bill No. 1)	4,277	4,469
Total for Program 3.1	4,277	4,469
Program 3.1.1: Border Management - Service Delivery		
Departmental expenses		
Ordinary annual services (Appropriation Bill No. 1)	101,506	128,589
Revenues from independent sources (section 31)	8,096	8,253
Expenses not requiring Appropriations in the Budget year	-	50
Total for Program 3.1.1	109,602	136,892
Program 3.1.2: Border Management - Policy advice and Program Design		
Departmental expenses		
Ordinary annual services (Appropriation Bill No. 1)	74,940	50,683
Revenues from independent sources (section 31)	2,131	1,993
Expenses not requiring Appropriations in the Budget year	-	23,652
Total for Program 3.1.2	77,071	76,328
Outcome 3 Totals by appropriation type		
Administered expenses		
Ordinary annual services (Appropriation Bill No. 1)	4,277	4,469
Total for Administered expenses	4,277	4,469
Departmental expenses		
Ordinary annual services (Appropriation Bill No. 1)	176,446	179,272
Revenues from independent sources (section 31)	10,227	10,246
Expenses not requiring Appropriations in the Budget year	-	23,702
Total for Departmental expenses	186,673	213,220
Total expenses for Outcome 3	190,950	217,689
	2009-10	2010-11
Average Staffing Level (number)	869	860

Source: Portfolio Budget Statement 2010-11, page 39.

IN-CONFIDENCE

Program expenses Outcome 3

	2009-10 Revised budget \$'000	2010-11 Budget \$'000	2011-12 Forward year 1 \$'000	2012-13 Forward year 2 \$'000	2013-14 Forward year 3 \$'000
Program 3.1: Border Management					
Annual administered expenses					
Combating people smuggling					
Border Protection	260	954	-	-	-
Combating people smuggling					
Indonesian Border Management	4,017	3,515	-	-	-
Capacity Building Partnership					
Total administered expenses					
Program 3.1	4,277	4,469	-	-	-
Annual departmental expenses					
Program 3.1.1: Border Management -					
Service Delivery					
Borders	77,461	94,778	88,313	89,047	94,759
Identity	32,141	42,114	37,925	37,538	40,380
Total departmental expenses					
Program 3.1.1	109,602	136,892	126,238	126,585	135,139
Program 3.1.2: Border Management -					
Policy Advice and Program Design					
Borders	49,191	48,608	47,705	49,306	49,903
Identity	27,880	27,720	27,070	28,043	28,421
Total departmental expenses					
Program 3.1.2	77,071	76,328	74,775	77,349	78,324
Total departmental expenses	186,673	213,220	201,013	203,934	213,463
Total administered expenses	4,277	4,469	-	-	-
Total program expenses Outcome 3	190,950	217,689	201,013	203,934	213,463

Source: Portfolio Budget Statement 2010-11, page 42.

PBS outcome 4: Lawful stay of visa holders and access to citizenship rights for eligible people through promotion of visa compliance responsibilities, status resolution, citizenship acquisition integrity, case management, removal and detention and policy advice and program design

Description

Outcome four seeks to:

- prevent, deter and respond to breaches of immigration law
- provide lawful, appropriate, humane and efficient community and detention services to unlawful non-citizens

The department leads the whole-of-government response to the reception, processing and settlement or removal of irregular maritime arrivals. This is a key area of the department's detention operations. Efficient, transparent and humane refugee status assessment processes aim to ensure that a person who is owed protection receives it and a person who has no entitlement to remain in Australia is dealt with efficiently and removed from Australia.

The key programs and policies are:

- compliance operations and field work;
- Community Status Resolution and Assisted Voluntary Returns Services;
- Immigration Detention Network;
- offshore asylum seeker management within Australia
- detention health services;
- Council for Immigration Services and Status Resolution;
- character-based visa refusal and cancellation; and
- criminal justice and people trafficking witness support.

Purpose and priorities

The key priorities are to:

- maintain the current high levels of voluntary compliance with Australia's migration laws;
- detect and respond effectively and early to non-compliance by non-citizens and employers, ensuring we do not use unnecessarily costly, intrusive or risky approaches to re-establish compliance;
- work with unlawful non-citizens and Bridging visa holders to achieve timely and appropriate immigration status resolution outcomes;

IN-CONFIDENCE

- manage the risks associated with the entry to, or stay in, Australia by non-citizens, including those who have committed serious breaches of Australian law;
- deter the criminal activities of organisers of immigration and citizenship scams through robust investigations and prosecutions;
- provide support to suspected victims of people trafficking through the People Trafficking Visa Framework;
- provide appropriate care, facilities and options for the lawful, appropriate and humane immigration detention of unlawful citizens, unauthorised arrivals (including irregular maritime arrivals) and illegal foreign fishers;
- provide people in immigration detention with access to clinically recommended health commensurate with Australia community standards that also address their diverse and potentially complex health needs;
- ensure the length and conditions of immigration detention (including the appropriateness of both the accommodation and the services provided) will be subject to regular review;
- ensure the contracted detention service provider, SERCO, delivers a range of support and detention services to people in immigration detention on the mainland and on Christmas island; and
- secure the return of people who do not have a right to remain in Australia to their country of origin.

Key sensitivities and challenges

- The effective management of IMAs and detention facilities including the significant challenge in providing appropriate standards of care and support, and focus on case resolution, given the high IMA volumes.
- The current very high rate of IMAs (including crew) is placing critical pressure on Australia's detention infrastructure. s.36(1)

s.36(1)

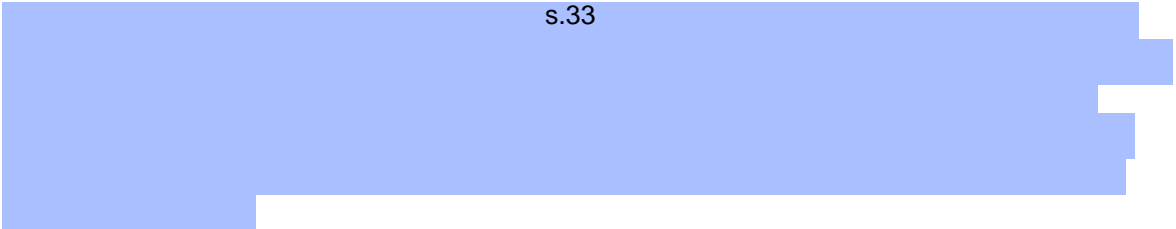
- Supporting the increased number of irregular maritime arrivals has required significant ramping up from existing detention service providers both in relation to the management of immigration detention facilities and the provision of health services, which has put significant pressure on our providers.
- Implement new policy measure for offshore (third country) processing of IMA claims.
- Processing and resolving claims to stay raised by IMAs and addressing constraints to large-scale removal of failed asylum seekers.

IN-CONFIDENCE

IN-CONFIDENCE

- Improving capacity to resolve the immigration status of people who have overstayed or breached their visa conditions, and reduce the incidence of illegal work.
- Improving public confidence in the use of powers to refuse or cancel visas on character grounds.

Future directions

- Establishment of a new regional processing centre to receive and process IMAs in the region (refer also to *Brief A11*).
- Continued urgent efforts to expand available accommodation and related service delivery to address pressures of IMA numbers until the establishment of a new regional processing centre.
-  s.33
- Contracts for the existing immigration detention contractors expire in June 2014 and a review of the public/private management of immigration detention centres was due in mid 2011. We will brief you on options for your consideration.
- Continued roll out of the Community Status Resolution Service and Case Management capacity, to increase rates of case resolution, while minimising use or duration of detention.
- Policy changes, contract variations and other procurement processes aimed at accommodating the complex health needs of large numbers of people in immigration detention are currently under way. The department will continue to work closely with IHMS (health services provider), relevant agencies and key stakeholders to ensure effective health provision for all people in immigration detention, particularly those on Christmas Island.
- The department is committed to extensively redevelop the Villawood Immigration Detention centre. The higher risk accommodation and all central facilities are currently scheduled to be completed by early 2013 with the refurbished and extended lower and medium risk buildings being completed mid-2014.
- Proposals are in preparation for possible comprehensive reconsideration of character cancellation/refusal powers.
- Options are also under development for further reducing the number of overstayers in Australia, from its already low level, compared to other countries.
- Work to improve compliance with work restrictions on non-citizens including possible response to the 2010 review of employer sanctions legislation.

IN-CONFIDENCE

Background information

Additional information on statistics, recent changes and departmental resources are provided at Attachment A.

Contact details (Deputy Secretaries)	Peter Hughes (w) 02 6264 1234 (m) s.41(1) Bob Correll (w) 02 6264 2522 (m) s.41(1)
Lead Division	Compliance and Case Resolution Division Alison Larkin (First Assistant Secretary) (w) 02 6264 7799
Other divisions under this Outcome	Border Security, Refugee and International Policy Division

Key program statistics

- The estimated number of overstayers has remained largely unchanged since 2005 at around 50 000 despite continuing high levels of temporary entry to Australia.
- In 2009-10, over 99 per cent of more than [four] million temporary entrants complied with the requirement to leave Australia before their temporary visa expired.
- In 2009-10, some 76 per cent of people who were found to have no right to remain in Australia were removed within two weeks of being detained.
- In 2009-10 there were 14 169 unlawful non-citizens located by the department, up from 12 230 compliance locations in 2008-09
- There was an increase in the percentage of people located by the department who were granted a temporary visa while their case was resolved, rather than being detained. About 10 per cent of people located by the department were detained in 2009-10 compared to 13 per cent in 2008-09. This reflects the department's increased emphasis on strategies to resolve peoples' immigration status while they remain lawful in the community.
- In 2009-10, 8 750 people were taken into immigration detention: 5 627 irregular maritime arrivals; 1 489 unauthorised air arrivals; 1 358 people who had been living in the community who had overstayed or breached their visa conditions; 139 foreign fishers; 37 inadequately documented crew members and 100 others.
- In 2009-10, there were 5 621 irregular maritime arrivals taken into immigration detention on Christmas Island.
- On 30 June 2010, there were 143 people in immigration detention as a result of overstaying, or cancellation of, their visa. The total number of people in immigration detention rose from 1 036 on 30 June 2009 to 4 450 on 30 June 2010 as a result of the inflow of IMAs subject to mandatory immigration detention.

Recent initiatives (2007-09 to 2009-10)

- Implementation of the New Directions in Detention policy including:
 - strategies to reduce the extent to which detention is used for persons who have become unlawful;
 - introduction in 2009-10 of the Case Resolution Service to focus closely on obtaining timely and appropriate resolution of immigration status (through departure or visa grant) for people of compliance interest;
 - expansion of the Case Management model for handling complex and high risk cases including persons in immigration detention;
 - major improvements to detention facilities (eg Villawood Immigration Detention Centre, Christmas Island) to meet appropriate Australian standards;
 - reform of contractual arrangements for immigration detention and associated health services to support people more effectively; and
 - introduction of additional detention oversight mechanisms by the Commonwealth Ombudsman and senior departmental officers.

IN-CONFIDENCE

- The introduction of three new mental health policies covering mental health issues, torture and trauma, and prevention of self-harm in immigration detention. These policies are aimed at training staff and service providers in detention to identify possible mental health concerns early to prevent as far as possible creating or promoting long term mental health problems for clients.
- Community status resolution initiatives to actively manage problems that may prevent clients from departing Australia or obtaining a suitable temporary or permanent visa.
- Review of the control framework for making decisions about use of the detention power.
- Simplification of the People Trafficking Visa Framework.
- A new Ministerial direction, in June 2009, on cancellation or refusal of visas on character grounds (section 501).
- Abolition of detention debt in 2009 to remove the liability for immigration detention costs for certain people in immigration detention and to extinguish all outstanding debt.
- The Council for Immigration Services and Status Resolution was formed in September 2009 to provide the Minister with independent advice on the development of policies, processes, services and programs necessary to achieve the timely, fair and effective resolution of immigration status for people seeking asylum or other migration outcomes in Australia.

IN-CONFIDENCE

DIAC resources

Budgeted expenses and resources for Outcome 4

Outcome 4: Lawful stay of visa holders and access to citizenship rights for eligible people through promotion of visa compliance responsibilities, status resolution, citizenship acquisition integrity, case management, removal and detention, and policy advice and program design.	2009-10 Estimated actual expenses \$'000	2010-11 Estimated expenses \$'000
Program 4.1: Visa Compliance and Status Resolution		
Administered expenses		
Ordinary annual services (Appropriation Bill No. 1)	7,178	8,738
Total for Program 4.1	7,178	8,738
Program 4.1.1: Visa Compliance and Status Resolution - Service Delivery		
Departmental expenses		
Ordinary annual services (Appropriation Bill No. 1)	84,907	68,126
Revenues from independent sources (section 31)	477	386
Expenses not requiring Appropriations in the Budget year	-	16,220
Total for Program 4.1.1	85,384	84,732
Program 4.1.2: Visa Compliance and Status Resolution - Policy Advice and Program Design		
Departmental expenses		
Ordinary annual services (Appropriation Bill No. 1)	36,554	19,206
Revenues from independent sources (section 31)	2,176	2,173
Expenses not requiring Appropriations in the Budget year	-	8,833
Total for Program 4.1.2	38,730	30,212

IN-CONFIDENCE

	2009-10 Estimated actual expenses \$'000	2010-11 Estimated expenses \$'000
Program 4.2: Onshore Detention Network		
Administered expenses		
Ordinary annual services (Appropriation Bill No. 1)	60,864	53,967
Expenses not requiring Appropriations in the Budget year ²	6,409	7,231
Total for Program 4.2	67,273	61,198
Program 4.2.1: Onshore Detention Network - Service Delivery		
Departmental expenses		
Ordinary annual services (Appropriation Bill No. 1)	28,108	22,533
Revenues from independent sources (section 31)	157	130
Expenses not requiring Appropriations in the Budget year	-	3,794
Total for Program 4.2.1	28,265	26,457
Program 4.2.2: Onshore Detention Network - Policy Advice and Program Design		
Departmental expenses		
Ordinary annual services (Appropriation Bill No. 1)	3,485	3,004
Revenues from independent sources (s31)	1,643	2,097
Expenses not requiring Appropriations in the Budget year	-	1,006
Total for Program 4.2.2	5,128	6,107
Program 4.3: Offshore Asylum Seeker Management		
Administered expenses		
Ordinary annual services (Appropriation Bill No. 1)	183,291	332,328
Expenses not requiring Appropriations in the Budget year	-	25,458
Total for Program 4.3	183,291	357,786
Program 4.3.1: Offshore Asylum Seeker Management - Service Delivery		
Departmental expenses		
Ordinary annual services (Appropriation Bill No. 1)	117,679	105,220
Revenues from independent sources (section 31)	18	18
Expenses not requiring Appropriations in the Budget year	-	3,971
Total for Program 4.3.1	117,697	109,209
Program 4.3.2: Offshore Asylum Seeker Management - Policy Advice and Program Design		
Departmental expenses		
Ordinary annual services (Appropriation Bill No. 1)	3,305	3,781
Revenues from independent sources (section 31)	3	3
Expenses not requiring Appropriations in the Budget year	-	404
Total for Program 4.3.2	3,308	4,188

IN-CONFIDENCE

	2009-10 Estimated actual expenses \$'000	2010-11 Estimated expenses \$'000
Program 4.4: Illegal Foreign Fishers		
Administered expenses		
Ordinary annual services (Appropriation Bill No. 1)	8,762	8,907
Expenses not requiring Appropriations in the Budget year	-	193
Total for Program 4.4	8,762	9,100
Program 4.4.1: Illegal Foreign Fishers - Service Delivery		
Departmental expenses		
Ordinary annual services (Appropriation Bill No. 1)	8,180	7,772
Revenues from independent sources (section 31)	9	9
Expenses not requiring Appropriations in the Budget year	-	218
Total for Program 4.4.1	8,189	7,999
Program 4.4.2: Illegal Foreign Fishers - Policy Advice and Program Design		
Departmental expenses		
Ordinary annual services (Appropriation Bill No. 1)	913	869
Revenues from independent sources (section 31)	2	1
Expenses not requiring Appropriations in the Budget year	-	46
Total for Program 4.4.2	915	916
Outcome 4 Totals by appropriation type		
Administered expenses		
Ordinary annual services (Appropriation Bill No. 1)	260,095	403,940
Expenses not requiring Appropriations in the Budget year	6,409	32,882
Total for Administered expenses	266,504	436,822
Departmental expenses		
Ordinary annual services (Appropriation Bill No. 1)	283,131	230,511
Revenues from independent sources (section 31)	4,485	4,817
Expenses not requiring Appropriations in the Budget year	-	34,492
Total for Departmental expenses	287,616	269,820
Total expenses for Outcome 4	554,120	706,642
Average Staffing Level (number)	1,189	1,251

Source: Portfolio Budget Statement 2010-11, pages 44-46

IN-CONFIDENCE

Program expenses Outcome 4

	2009-10 Revised budget \$'000	2010-11 Budget \$'000	2011-12 Forward year 1 \$'000	2012-13 Forward year 2 \$'000	2013-14 Forward year 3 \$'000
Program 4.1: Visa Compliance and Status Resolution					
Annual administered expenses					
Compliance Resolution, Community Care and Assistance	7,178	8,738	9,028	9,316	9,550
Total administered expenses Program 4.1	7,178	8,738	9,028	9,316	9,550
Annual departmental expenses					
Program 4.1.1: Visa Compliance and Status Resolution - Service Delivery					
Detection Onshore	46,948	47,545	47,200	47,754	49,259
Removals	23,416	22,156	22,030	23,025	23,426
Status Resolution	15,020	15,031	14,951	14,725	14,812
Total departmental expenses Program 4.1.1	85,384	84,732	84,181	85,504	87,497

IN-CONFIDENCE

	2009-10 Revised budget \$'000	2010-11 Budget \$'000	2011-12 Forward year 1 \$'000	2012-13 Forward year 2 \$'000	2013-14 Forward year 3 \$'000
Program 4.1.2: Visa Compliance and Status Resolution - Policy Advice and Program Design					
Detection Onshore	24,164	16,881	18,270	18,725	18,998
Removals	6,001	4,833	5,734	5,768	5,834
Status Resolution	8,565	8,498	8,486	8,503	8,551
Total departmental expenses Program 4.1.2	38,730	30,212	32,490	32,996	33,383
Total departmental expenses Program 4.1	124,114	114,944	116,671	118,500	120,880
Total expenses Program 4.1	131,292	123,682	125,699	127,816	130,430
Program 4.2: Onshore Detention Network					
Annual administered expenses					
Community and Detention Services	60,649	58,128	60,158	59,394	60,781
Payments under Section 33 (<i>FMA Act</i>) - Act of Grace Payments	215	100	100	100	100
Recovery of Removal Charges and Detention Costs	6,409	2,970	3,111	3,256	3,409
Total administered expenses Program 4.2	67,273	61,198	63,369	62,750	64,290
Annual departmental expenses					
Program 4.2.1: Onshore Detention Network - Network - Service Delivery					
Community and Detention Services	28,265	26,457	25,875	28,940	29,427
Total departmental expenses Program 4.2.1	28,265	26,457	25,875	28,940	29,427
Program 4.2.2: Onshore Detention Network - Policy Advice and Program Design					
Community and Detention Services	5,128	6,107	5,533	4,196	4,266
Total departmental expenses Program 4.2.2	5,128	6,107	5,533	4,196	4,266
Total departmental expenses Program 4.2	33,393	32,564	31,408	33,136	33,693
Total expenses Program 4.2	100,666	93,762	94,777	95,886	97,983
Program 4.3: Offshore Asylum Seeker Management					
Annual administered expenses					
Community and Detention Services	149,412	327,585	113,233	117,111	118,144
Management and Care of Irregular Immigrants in Indonesia	5,000	3,031	17,802	-	-
Regional Cooperation and Capacity Building	28,879	27,170	25,086	19,938	21,216
Total administered expenses Program 4.3	183,291	357,786	156,121	137,049	139,360

IN-CONFIDENCE

IN-CONFIDENCE

	2009-10 Revised budget \$'000	2010-11 Budget \$'000	2011-12 Forward year 1 \$'000	2012-13 Forward year 2 \$'000	2013-14 Forward year 3 \$'000
Annual departmental expenses					
Program 4.3.1: Offshore Asylum Seeker Management - Service Delivery					
Offshore Asylum Seeker Management	117,697	109,209	79,308	77,510	78,649
Total departmental expenses Program 4.3.1	117,697	109,209	79,308	77,510	78,649
Program 4.3.2: Offshore Asylum Seeker Management - Policy Advice and Program Design					
Offshore Asylum Seeker Management	3,308	4,188	3,333	3,082	3,074
Total departmental expenses Program 4.3.2	3,308	4,188	3,333	3,082	3,074
Total departmental expenses Program 4.3	121,005	113,397	82,641	80,592	81,723
Total expenses Program 4.3	304,296	471,183	238,762	217,641	221,083
Program 4.4: Illegal Foreign Fishers					
Annual administered expenses					
Community and Detention Services	8,762	9,100	9,255	9,546	9,781
Total administered expenses Program 4.4	8,762	9,100	9,255	9,546	9,781
Annual departmental expenses:					
Program 4.4.1: Illegal Foreign Fishers - Service Delivery					
Illegal Foreign Fishers	8,189	7,999	8,031	8,078	8,136
Total departmental expenses Program 4.4.1	8,189	7,999	8,031	8,078	8,136
Program 4.4.2: Illegal Foreign Fishers - Policy Advice and Program Design					
Illegal Foreign Fishers	915	916	921	927	936
Total departmental expenses Program 4.4.2	915	916	921	927	936
Total departmental expenses Program 4.4	9,104	8,915	8,952	9,005	9,072
Total expenses Program 4.4	17,866	18,015	18,207	18,551	18,853
Total departmental expenses	287,616	269,820	239,672	241,233	245,368
Total administered expenses	266,504	436,822	237,773	218,661	222,981
Total program expenses Outcome 4	554,120	706,642	477,445	459,894	468,349

Source: Portfolio Budget Statement 2010-11, pages 58-60.

PBS outcome 5: Equitable economic and social participation of migrants and refugees, supported through settlement services, including English language training; refugee settlement; case coordination; translation services; and settlement policy advice and program design

Description

Settlement services provide an environment where recently arrived migrants and humanitarian program entrants can become independent and self-reliant, helping them to speak the national language and participate fully in society. These services also foster greater social harmony, thus minimising the potential for radicalisation.

The main settlement services are:

- English classes for eligible adults through the Adult Migrant English Program (AMEP);
- initial settlement services for Humanitarian Program entrants delivered through Integrated Humanitarian Settlement Strategy (IHSS) contracted service providers;
- Complex Case Support (part of IHSS) that funds organisations to provide flexible, tailored, local responses to meet clients with multiple and complex needs;
- the Settlement Grants Program that funds organisations to deliver services for new arrivals;
- translating and interpreting services through the Translating and Interpreting Service (TIS) and financial support for the National Accreditation Authority for Translators and Interpreters Ltd (NAATI); and
- support of Unaccompanied Humanitarian Minors (UHMs), including children under your guardianship, in conjunction with state and territory child welfare agencies, and a community-based child support provider (Life Without Barriers).

The department also:

- develops a planning framework for the delivery of settlement services; and
- provides information for recently arrived migrants and humanitarian entrants as well as service providers across all levels of government to help them plan and meet the needs of these groups (eg. demographic data and other information).

In 2009-10, more than 57 000 migrants were AMEP students, 12 578 humanitarian entrants were supported by the IHSS and over 197 000 fee-free translating and interpreting services were provided through TIS.

Purpose and priorities

Key priorities are:

- to provide settlement service support to eligible migrants and refugees in their transition to life in Australia and participation in society; and
- create economic and social opportunities for vulnerable new migrants to contribute to a more equal society.

Key sensitivities and challenges

The key challenges are:

- sharing information and developing coordinated strategies between agencies to improve social inclusion outcomes for vulnerable Humanitarian Program entrants and migrants, whilst at the same time, supporting rural and regional settlement;
- implementation of new AMEP contracts and a new Humanitarian Settlement Services program which builds on the IHSS including the transfer of short-term torture and trauma cases to the Department of Health and Ageing. These changes may trigger community concerns based on previous experience (refer also to *Brief B15* and *Brief B16*);
- responding to the difficulties currently being faced by NAATI, particularly on its ongoing viability (refer also to *Brief A23*);
- meeting the needs of Humanitarian Program entrants from new sources countries;
- guardianship arrangements for the 353 children who are currently under your guardianship under the *Immigration (Guardianship of Children) Act 1946*; and
- providing care and support to an increasing number of Unaccompanied Humanitarian Minors under the UHM Program who initially came to Australia as irregular maritime arrivals.

Future directions

Future directions for the department include:

- developing an integrated settlement framework and associated evidence base to support better evaluation of settlement services including:
 - a whole-of-government approach to the design and delivery of settlement services; and
 - a humanitarian cultural orientation program that is better integrated into the settlement process, onshore and in context; and
- developing an understanding of settlement challenges faced by migrants not currently eligible for settlement services (including skilled migrants and their families, students and temporary migrants) and developing potential policy options.

Background information

Additional information on statistics, recent initiatives and departmental resources are provided at [Attachment A](#).

Contact details (Deputy Secretary)	Peter Hughes (w) (02) 6264 1234 (m) s.41(1)
Lead Division and relevant Branch	Citizenship, Settlement and Multicultural Affairs Division Jamie Fox (First Assistant Secretary) (w) (02) 6264 7108

Key program statistics

Adult Migrant English Program

	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10
Students	40 705	45 141	50 218	50 432	52 720	57 343

In 2009-10, a total of \$203 million was spent on the Adult Migrant English Program. The registration rate for adult migrants who arrived in 2009-10 and self-determined that they needed English tuition was 58 per cent, compared with 62 per cent in the previous year. Retention in 2009-10 for all exiting clients was 369 hours, a slight decrease from 375 hours in 2008-09.

Integrated Humanitarian Settlement Strategy

In 2009-10, a total of \$86 million was spent on the Integrated Humanitarian Settlement Strategy (IHSS), which provided settlement support to 12 578 Humanitarian Program entrants in 2009-10. There are 16 contracted IHSS service providers across 20 contract regions. Current contracts are due to expire on 31 January 2011 and a procurement process to replace these contracts is well advanced. New services are scheduled to commence nationally on 1 February 2011. During 2009-10 there were 429 cases (covering some 1566 clients) accepted into the Complex Case Support program.

Supported	2003-04	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10
Offshore [^]	10 355	13 156	11 982	12 223	9 556	11 732	9 903
Onshore [*]	46	191	54	84	126	303	2 675
TOTAL	10 401	13 347	12 036	12 307	9 682	12 035	12 578

[^] Offshore comprises refugees and special humanitarian visa holders.

^{*} Onshore included temporary protection and temporary humanitarian visa holders (TPVs and THVs have been abolished) and protection visas granted onshore.

Settlement Grants Program

A total of \$35 million was provided for migrant community services grants in 2009-10 to support the settlement needs of migrants. This included the administration of 328 funding agreements with organisations.

IN-CONFIDENCE

Unaccompanied Humanitarian Minors (UHM) Program

The UHM Program provides care and support for children who are under the guardianship of the Minister (wards) under the *Immigration (Guardianship of Children) Act 1946* and non-wards, who are children who are being cared for by a relative over the age of 21.

	2003-04	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10
Offshore [^]	295	566	660	641	528	512	529
Onshore [*]	44	26	24	16	9	54	215
TOTAL	339	592	684	657	537	566	744

[^] Offshore comprises refugees and special humanitarian visa holders.

^{*} Onshore included temporary protection and temporary humanitarian visa holders (TPVs and THVs have been abolished) and protection visas granted onshore.

Translating and interpreting - Fee for Service and Fee Free

The Translating and Interpreting Service (TIS National) delivers interpreting services for the department's fee free services and on a fee for service basis. TIS National operates on full cost recovery for services. In 2009-10, TIS National charged for services to the value of approximately \$51 million.

	2003-04	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10
Telephone	413 800	441 952	501 000	556 136	615 477	735 185	831 130
On-Site	49 200	46 575	43 473	42 504	41 865	44 477	53 159

Citizenship, Settlement and Multicultural Affairs Division manages the fee free translating and interpreting services which are delivered as a component of TIS National's work. Fee free expenditure in 2009-10 was \$10.7 million. A total of 197 060 fee free interpreting services were provided in 2009-10, including 170 317 telephone interpreting services and 26 743 on-site interpreting services. The number of documents translated was 10 015.

	2003-04	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10
Telephone	94 922	94 908	103 714	108 216	126 214	149 720	170 317
On-Site	18 830	18 684	18 337	17 358	17 964	20 285	26 743

Settlement information

Beginning a Life in Australia booklets are published in English and 37 community languages. Specialised orientation information is developed to support settlement objectives including through the department's website and the production of DVDs for humanitarian entrants available in five Asian and six African languages.

Recent initiatives (2007-08 – 2009-10)

- A new client-focused Complex Case Support program was established in 2008 for Humanitarian entrants requiring more intensive settlement assistance.
- A new AMEP business model, developed in 2009, underpins the tender for AMEP services which are currently being assessed. New contracts are scheduled to be in place late 2010.
- Humanitarian Settlement Services (HSS) will replace IHSS services when current contracts expire in January 2011. The HSS program was designed following a period of extensive consultation and an open tender released in March 2010. Assessment of tenders is currently underway.
- An evaluation of the Settlement Grants Program is under way to inform improvements.

DIAC resources

Budgeted expenses and resources for Outcome 5

Outcome 5: Equitable economic and social participation of migrants and refugees, supported through settlement services, including English language training; refugee settlement; case coordination; translation services; and settlement policy advice and program design.	2009-10 Estimated actual expenses \$'000	2010-11 Estimated expenses \$'000
Program 5.1: Settlement Services for Migrants and Refugees		
Administered expenses		
Ordinary annual services (Appropriation Bill No. 1)	315,536	321,884
Total for Program 5.1	315,536	321,884
Program 5.1.1: Settlement Services for Migrants and Refugees - Service Delivery		
Departmental expenses		
Ordinary annual services (Appropriation Bill No. 1)	50,306	37,983
Revenues from independent sources (section 31)	22,587	25,156
Expenses not requiring Appropriations in the Budget year	-	6,889
Total for Program 5.1.1	72,893	70,028
Program 5.1.2: Settlement Services for Migrants and Refugees - Policy Advice and Program Design		
Departmental expenses		
Ordinary annual services (Appropriation Bill No. 1)	20,047	16,646
Revenues from independent sources (section 31)	51	41
Expenses not requiring Appropriations in the Budget year	-	2,646
Total for Program 5.1.2	20,098	19,333
Outcome 5 Totals by appropriation type		
Administered expenses		
Ordinary annual services (Appropriation Bill No. 1)	315,536	321,884
Total for Administered expenses	315,536	321,884
Departmental expenses		
Ordinary annual services (Appropriation Bill No. 1)	70,353	54,629
Revenues from independent sources (section 31)	22,638	25,197
Expenses not requiring Appropriations in the Budget year	-	9,535
Total for Departmental expenses	92,991	89,361
Total expenses for Outcome 5	408,527	411,245
	2009-10	2010-11
Average Staffing Level (number)	440	436

Source: Portfolio Budget Statement 2010-11, page 64.

IN-CONFIDENCE

Program expenses Outcome 5

	2009-10 Revised budget \$'000	2010-11 Budget \$'000	2011-12 Forward year 1 \$'000	2012-13 Forward year 2 \$'000	2013-14 Forward year 3 \$'000
Program 5.1: Settlement Services for Migrants and Refugees					
Annual administered expenses					
Adult Migrant English Program	208,859	212,251	214,451	217,898	221,383
Assistance for Former Child Migrants	195	150	150	-	-
Grant to Refugees Council of Australia	120	140	140	140	140
Grants for Community Settlement Services	35,516	36,869	39,310	40,070	40,713
Humanitarian Settlement Services	66,991	68,502	69,589	69,961	71,080
National Accreditation Authority for Translators and Interpreters Ltd - contribution	566	582	599	613	629
Supervision and welfare for Unaccompanied Humanitarian Minors	3,289	3,390	3,461	3,538	3,626
Total administered expenses Program 5.1	315,536	321,884	327,700	332,220	337,571
	2009-10 Revised budget \$'000	2010-11 Budget \$'000	2011-12 Forward year 1 \$'000	2012-13 Forward year 2 \$'000	2013-14 Forward year 3 \$'000
Annual departmental expenses					
Program 5.1.1: Settlement Services for Migrants and Refugees - Service Delivery					
AMEP Administration	4,016	3,206	3,216	3,251	3,324
Free Translating and Interpreting Services	12,112	10,732	11,009	10,828	11,056
Humanitarian Settlement Services	20,084	17,539	16,977	16,943	17,186
Settlement Planning and Information Delivery	8,364	7,924	8,685	8,756	8,894
Support for Community Services	8,916	8,729	8,761	8,796	8,939
TIS-On-site Interpreting	8,285	9,130	9,333	9,469	9,475
TIS-Telephone Interpreting	11,116	12,768	13,160	13,411	13,400
Total departmental expenses Program 5.1.1	72,893	70,028	71,141	71,454	72,274
Program 5.1.2: Settlement Services for Migrants and Refugees - Policy Advice and Program Design					
AMEP Administration	4,555	4,478	4,440	4,467	4,494
Free Translating and Interpreting Services	850	791	795	815	828
Humanitarian Settlement Services	7,451	7,069	6,953	6,977	7,013
Settlement Planning and Information Delivery	3,394	3,283	3,219	3,247	3,265
Support for Community Services	2,592	2,515	2,470	2,491	2,508
TIS-On-site Interpreting	(741)	(745)	(747)	(749)	(757)
TIS-Telephone Interpreting	1,997	1,942	1,952	1,959	1,955
Total departmental expenses Program 5.1.2	20,098	19,333	19,082	19,207	19,306
Total departmental expenses	92,991	89,361	90,223	90,661	91,580
Total administered expenses	315,536	321,884	327,700	332,220	337,571
Total program expenses Outcome 5	408,527	411,245	417,923	422,881	429,151

Source: Portfolio Budget Statement 2010-11, pages 68-69.

PBS outcome 6: A cohesive, multicultural Australian society through promotion of cultural diversity and a unifying citizenship, decisions on citizenship status, and multicultural and citizenship policy advice and program design

Description

Policy and public messaging by the Government provides leadership to the whole community to promote cultural diversity and citizenship.

The key programs include:

- community grants to support local responses to intolerance and exclusion (Diversity and Social Cohesion Program);
- an Access and Equity strategy which supports responsiveness to cultural diversity by government agencies; and
- citizenship programs to promote the value of citizenship and to administer, and make decisions under, the *Australian Citizenship Act 2007* (the Citizenship Act).

In 2009-10, nearly 140 000 decisions were made under the Citizenship Act. This included over 112 000 people who were approved for Australian citizenship by conferral, with the top three nationalities being the United Kingdom, India and the People's Republic of China.

Purpose and priorities

The department seeks to deliver a culturally diverse Australian society characterised by respect, fairness, inclusion and a sense of belonging – a society in which the value of Australian citizenship is appreciated. It is pursued through:

- addressing issues of cultural, racial and religious intolerance;
- working closely with individuals, communities and state and territory governments to support cultural diversity;
- addressing tensions and threats to social cohesion;
- enhancing responsiveness to Australia's cultural diversity; and
- promoting the benefits of a united and diverse Australia.

In addition to implementing government policy in relation to Australian citizenship, the department:

- ensures that citizenship policies and procedures support the objectives of Australia's citizenship law;
- actively encourages the community to value citizenship; and
- promotes the acquisition of Australian citizenship, for example, through Australia Day and Citizenship Day (refer also to *Brief A26*).

Key sensitivities and challenges

Key sensitivities and challenges include:

- encouraging social cohesion and appreciation of cultural diversity in a challenging environment where issues such as irregular maritime arrivals, population and terrorism are the subject of considerable public, media and political discussion;
- strengthening Australia’s multicultural policy framework to be more responsive to current policy challenges is an important issue;
- community interest in permanent residence and citizenship pathways for New Zealand citizens in Australia holding special category visas, particularly those who arrived in Australia after 26 February 2001;
- ensuring integrity in the citizenship program, including capacity to protect / use information protected under the Migration Act (section 503A);
- developing appropriate Australian citizenship policy settings for children born under surrogacy arrangements overseas; and
- working towards a whole-of-government and cross-jurisdictional approach to offshore commercial surrogacy.

Future directions

Future directions include:

- the development of the Government’s response to the Australian Multicultural Advisory Council’s cultural diversity statement, and continuing to strengthen policies and programs that support a multicultural Australia;
- implementation of the Diversity and Social Cohesion Program, ensuring that milestones and timelines specified in funding agreements are met;
- encouraging greater agency responsiveness to cultural and linguistic diversity through further strengthening of the Access and Equity strategy;
- maintaining high service delivery standards in delivering citizenship decisions; and
- implementation of a communication strategy to promote the value of Australian citizenship and encourage eligible non-citizens to apply for citizenship.

Background information

Additional information on statistics, recent initiatives and departmental resources are provided at [Attachment A](#).

Contact details (Deputy Secretary)	Peter Hughes (w) (02) 6264 1234 (m) s.41(1)
Lead Division and relevant Branch	Citizenship, Settlement and Multicultural Affairs Division Jamie Fox (First Assistant Secretary) (w) (02) 6264 7108

Key program statistics

Category	2003-04	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10
Status Decisions (conferral, descent & resumption)	121 602	129 034	139 132	175 527	116 485	127 006	139 153
<i>Australian Citizenship by Conferral^Ω</i>							
Conferrals Finalised	95 098	102 063	112 429	160 086	101 787	110 276	122 740
Conferral Approvals	91 233	98 008	108 380	154 063	92 601	101 966	112 739
Citizenship Conferred	87 049	93 095	103 350	136 256	121 221	86 981	115 586
<i>Citizenship Outcomes – Other Categories</i>							
Issued with Evidence	11 515	12 719	12 690	12 990	17 342	22 803	21 171
Registered for Descent	14 005	13 264	13 142	14 837	13 428	15 580	15 453
Resuming Citizenship	410	441	307	223	807	650	313
Losing Citizenship	496	463	535	353	351	621	381
<i>Australian Citizenship Test*</i>							
Clients Sitting Test	N/A	N/A	N/A	N/A	48 713	90 902	73 185
Citizenship Tests Passed	N/A	N/A	N/A	N/A	46 500	87 475	71 409
<i>Australian Citizenship by Conferral - Top Three Nationalities[^]</i>							
Rank	2003-04	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10
1	United Kingdom	United Kingdom	United Kingdom	United Kingdom	United Kingdom	United Kingdom	United Kingdom
2	New Zealand	New Zealand	New Zealand	India	India	India	India
3	PR China	PR China	India	PR China	PR China	PR China	PR China

^Ω Prior to the introduction of the *Australian Citizenship Act 2007*, citizenship by conferral was known as citizenship by grant.

* The Australian Citizenship Test was introduced on 1 October 2007.

[^] Departmental statistics record the Hong Kong and Macau Special Administrative Regions, and Taiwan, separately from the People's Republic of China.

Recent initiatives (2007-08 – 2009-10)

Recent initiatives include:

- The Diverse Australian Program, launched in January 2009, addressed cultural, racial and religious intolerance through grants provided to local community groups. It was merged with the community grants aspect of the National Action Plan to Build on Social Cohesion, Harmony and Security to form the Diversity and Social Cohesion Program in May 2010.
- The Australian Multicultural Advisory Council was appointed in December 2008. In April 2010, the Council published its advice to the Government on multicultural policy in the form of *The People of Australia* statement, which was accompanied by a series of recommendations. In June 2010, the Council was reappointed for a two year term, until 30 June 2012 (refer also to *Brief A27*).

IN-CONFIDENCE

- The Federation of Ethnic Communities' Councils of Australia continued to provide advice to the Government on the views and needs of ethnic communities in Australia. It also played an enhanced role in the assisting with the Government's Access and Equity strategy.
- Funding was provided to the Parliament of World Religions in Melbourne in December 2009 which helped support and strengthen interfaith activities, networks and understanding.
- The Government announced its response to the Citizenship Test Review Committee report in November 2008, accepting 27 of the recommendations.
- Amendments to the Citizenship Act were introduced from 22 September 2009 to provide for a special residence requirement for people seeking to engage in activities beneficial to Australia, and people engaged in particular kinds of work requiring regular travel outside Australia.
- The new citizenship test resource book, *Australian Citizenship, Our Common Bond*, was launched on 17 September 2009 and the new citizenship test introduced on 19 October 2009.
- A simplified application process was implemented on 9 November 2009 to provide more timely outcomes for clients.
- On 9 November 2009, amendments to the Citizenship Act were introduced to implement the recommendations of the Australian Citizenship Test Review Committee agreed to by the Government.
- Two new educational resources for primary and secondary schools titled: *I am Australian: Exploring Australian citizenship* were launched in December 2009 and distributed nationally in term 1 2010 to support civics and citizenship education.

DIAC resources

Budgeted expenses and resources Outcome 6

Outcome 6: A cohesive, multicultural Australian society through promotion of cultural diversity and a unifying citizenship, decisions on citizenship status, and multicultural and citizenship policy advice and program design.	2009-10 Estimated actual expenses \$'000	2010-11 Estimated expenses \$'000
Program 6.1: Multicultural and Citizenship Services		
Administered expenses		
Ordinary annual services (Appropriation Bill No. 1)	4,251	4,918
Total for Program 6.1	4,251	4,918
Program 6.1.1: Multicultural and Citizenship Services - Service Delivery		
Departmental expenses		
Ordinary annual services (Appropriation Bill No. 1)	73,883	66,496
Revenues from independent sources (section 31)	584	477
Expenses not requiring Appropriations in the Budget year	-	4,441
Total for Program 6.1.1	74,467	71,414
Program 6.1.2: Multicultural and Citizenship Services - Policy Advice and Program Design		
Departmental expenses		
Ordinary annual services (Appropriation Bill No. 1)	24,121	19,536
Revenues from independent sources (section 31)	498	469
Expenses not requiring Appropriations in the Budget year	-	3,599
Total for Program 6.1.2	24,619	23,604
Outcome 6 Totals by appropriation type		
Administered expenses		
Ordinary annual services (Appropriation Bill No. 1)	4,251	4,918
Total for Administered expenses	4,251	4,918
Departmental expenses		
Ordinary annual services (Appropriation Bill No. 1)	98,004	86,032
Revenues from independent sources (section 31)	1,082	946
Expenses not requiring Appropriations in the Budget year	-	8,040
Total for Departmental expenses	99,086	95,018
Total expenses for Outcome 6	103,337	99,936
Average Staffing Level (number)	571	564

Source: Portfolio Budget Statement 2010-11, page 72.

IN-CONFIDENCE

Program expenses Outcome 6

	2009-10 Revised budget \$'000	2010-11 Budget \$'000	2011-12 Forward year 1 \$'000	2012-13 Forward year 2 \$'000	2013-14 Forward year 3 \$'000
Program 6.1: Multicultural and Citizenship Services					
Annual administered expenses					
Citizenship Test Preparation	170	-	-	-	-
Diverse Australia Program ¹	1,555	-	-	-	-
Diversity and Social Cohesion ¹	-	3,455	2,687	2,320	2,334
Grants for Multicultural Affairs	421	423	426	432	439
Mirrabooka Multicultural Centre - contribution	1,000	640	-	-	-
National Action Plan to Build Social Cohesion, Harmony and Security - Community Engagement ¹	330	-	-	-	-
Pacific Seasonal Worker Pilot Scheme - establishment	75	400	400	-	-
Parliament of the World's Religions 2009 - contribution	700	-	-	-	-
Total administered expenses Program 6.1	4,251	4,918	3,513	2,752	2,773
	2009-10 Revised budget \$'000	2010-11 Budget \$'000	2011-12 Forward year 1 \$'000	2012-13 Forward year 2 \$'000	2013-14 Forward year 3 \$'000
Annual departmental expenses					
Program 6.1.1: Multicultural and Citizenship Services - Service Delivery					
Decision on Citizenship Status	59,169	58,317	61,641	63,679	66,131
Promoting the Value of Australian Citizenship	12,382	12,144	12,179	12,225	12,314
Promoting the Benefits of a United and Diverse Society	2,916	953	1,176	982	1,103
Total departmental expenses Program 6.1.1	74,467	71,414	74,996	76,886	79,548
Program 6.1.2: Multicultural and Citizenship Services - Policy Advice and Program Design					
Decision on Citizenship Status	13,378	12,910	13,145	13,299	13,472
Promoting the Value of Australian Citizenship	8,806	8,737	8,727	8,773	8,831
Promoting the Benefits of a United and Diverse Society	2,435	1,957	1,998	2,014	2,074
Total departmental expenses Program 6.1.2	24,619	23,604	23,870	24,086	24,377
Total departmental expenses	99,086	95,018	98,866	100,972	103,925
Total administered expenses	4,251	4,918	3,513	2,752	2,773
Total program expenses Outcome 6	103,337	99,936	102,379	103,724	106,698

Source: Portfolio Budget Statement 2010-11, page 75.

Title	Financial Performance for 2009-10
Key issue/s	The annual financial statements are scheduled to be signed and cleared by Australian National Audit Office (ANAO) in early September 2010.
Background	<p>Key program statistics</p> <ul style="list-style-type: none"> • The department's annual operating result for the financial year 2009-10 is currently estimated as a surplus of \$5.5 million. This is a significant improvement when compared to the 2008-09 operating result where the department reported an operating deficit of \$47.6 million. This result has not yet been cleared by the ANAO or the Department of Finance and Deregulation. Further minor adjustments may occur which can alter the final result over the coming three to four weeks. • Total Revenue earned for 2009-10 is estimated at \$1 247.809 million, which is comprised of appropriation revenue (earned per activity levels) of \$1 187.216 million and sales of goods and services of \$63.593 million. • Total expenses for 2009-10 are currently estimated at \$1 242.317 million. <p>Recent reforms and achievements</p> <ul style="list-style-type: none"> • The department's estimated 2009-10 operating surplus of approximately \$5.5 million has been delivered in a challenging operational environment, particularly given the: <ul style="list-style-type: none"> - global financial crisis and its impact on departmental activity levels; - increasing number of irregular maritime arrivals (IMAs); - increasing supplier cost pressures; and - increases in staff salary and related expenses. <p>Administered Expenditure</p> <ul style="list-style-type: none"> • The total Administered Appropriation expenditure was \$662.534 million, compared with available funds of \$615.886 million (an overspend by 7.6 per cent or \$46.648 million). • The department applied for and received an Advance from the Finance Minister (AFM) for \$72.572 million, which related specifically to expenditure within Program 4.3 (IMAs). As a result of the continued high level of IMA activity toward the end of the financial year, the initial budget appropriation funding and the AFM were insufficient to cover the Outcome 4 projected annual expenses. The Outcome 4 net operational result is \$27.6 million in deficit. <p>Key sensitivities and challenges</p> <ul style="list-style-type: none"> • The 30 June 2010 departmental financial position is not yet finalised, the department's results are currently being reviewed by the ANAO and the Finance Division is undertaking a detailed analytical review of the results. The annual financial statements are scheduled to be signed

IN-CONFIDENCE

	<p>and cleared by ANAO in early September 2010. Therefore any numbers reported before this final clearance can only be considered as draft and may be subject to potential change.</p> <ul style="list-style-type: none"> • The asset position for the department will change significantly in 2010-11. Effective from 1 July 2010, approximately \$523 million in assets (\$500 million in land and buildings and \$23 million in property, plant and equipment) will be transferred to Administered programs, as a result of the decision to treat all Detention assets as Administered items. This change in accounting will result in a 42% reduction in the asset base for the department. The department should however continue to maintain a positive net asset position (Assets minus Liabilities) albeit significantly reduced over the 2009-10 position. • The department's 2010-11 Financial Position is discussed in <i>Brief B08</i>. • The changes announced for Phase one of the Client Services Transformation Strategy (CSTS) included the closing of Gold Coast Regional Office at Southport when its lease expires in June 2011 and reducing or reviewing visa and citizenship processing in the smaller Dandenong and Act Regional officers (refer also to <i>Brief C14</i>).
Contact details (Deputy Secretary)	Bob Correll (w) (02) 6264 2522 (m) s.41(1)
Lead Division and relevant Branch	Financial Strategy and Services Division Financial Strategy and Budgets Branch

Title	General Financial Position for 2010-11
Key issue/s	<p>To provide you with an outline of the 2010-11 financial position of the department, internal funding allocations, and longer term financial outlook.</p> <p>That you note the 2011-12 Commonwealth Budget process is expected to commence in late October 2010.</p>
Background	<p>Department's budget for 2010-11</p> <ul style="list-style-type: none"> • The department's total available resources as published in the 2010-11 Budget are: <ul style="list-style-type: none"> - departmental funding of \$1 215 million; and - administered funding of \$783 million. • When compared to 2009-10 departmental appropriation revenue, the 2010-11 appropriations represent a reduction for all areas of the department's operations, with the exception of funding for Border Management which has increased. <p>Recent reforms and achievements</p> <ul style="list-style-type: none"> • Internal budget allocations to organisational units for 2010-11 have been allocated. Most areas have received a significant reduction in funding as a result of the need to find savings measures across the department. The most significant savings will be funded from reductions in the policy and corporate services functions. • While total departmental staffing is unlikely to vary significantly during 2010-11, a large number of staff will need to 'transfer' to undertake increased IMA management and processing activities. s.36(1) • The internal budgets have been allocated on the basis of delivering a breakeven financial result for the department in 2010-11. • In recent years, the department has committed to delivering \$743 million in new policy proposals which are to be undertaken within existing resources, other efficiencies and savings measures. • The additional savings impact from 2009-10 to 2010-11 alone is \$42.9 million. • There are also additional funding reductions in administered program outlays and reductions in outlays for ceased activities of \$168 million. • Further funding reductions will have a significant impact on the delivery of services provided by the department, s.33 <p>Key sensitivities and challenges</p> <ul style="list-style-type: none"> • In 2010-11 the most significant financial and resource management pressure will result from the increased management of IMA activities.

IN-CONFIDENCE

	<ul style="list-style-type: none"> • The current published financial estimate is based on 2 000 arrivals during 2010-11 (approx 166 a month) which is significantly below the actual experience over the last six months (approx 700 a month). • There is also an urgent need to secure additional funding for a longer term accommodation option for IMAs. • An appropriation funding adjustment will be required at the 2010-11 Additional Estimates. • From a long-term perspective it is vital that the department advances the 'Stronger Migration and Visa Services' proposal that received first pass gateway clearance in the last Budget process (refer also to <i>Brief A30</i>). After initial investment, the proposal will deliver significant ongoing long term savings and, will reduce staffing costs for current processes. This proposal is very important to the ongoing financial viability of the organisation. <p>Future directions</p> <ul style="list-style-type: none"> • The departmental budget appropriation for 2011-12 (as contained in the 2010-11 Portfolio Budget Statements [PBS]) is expected to decline further (by approximately \$41 million), placing additional resource management pressure on the department. • Regular internal budget allocation reviews will be undertaken during the 2010-11 financial year. These reviews will be used to measure achievement against phased budgets, and inform future internal budget re-allocations with particular reference to future funding and resource priorities and pressures.
Contact details (Deputy Secretary)	Bob Correll (w) (02) 6264 2522 (m) s.41(1)
Lead Division and relevant Branch	Financial Strategy and Services Division Financial Strategy and Budgets Branch

Title	Refugee Status Assessment Litigation
Key issue/s	<ul style="list-style-type: none"> • Litigation is currently before the High Court challenging the Refugee Status Assessment (RSA) process. • Two cases were heard by the High Court on 24 and 25 August 2010. The Court has reserved its judgment to a later date. • The litigation is the first time a legal challenge has been mounted against the RSA process (including the independent merits review (IMR) process) and the individual decisions made under that process. • A loss in the High Court will have implications for departmental operations as noted below.
Background	<ul style="list-style-type: none"> • There are 22 matters in total in the High Court involving 21 Sri Lankan (irregular maritime arrivals (IMAs)) and one Pakistani IMA. • Of these 22 matters, only M61/2010 and M69/2010 were heard by the High Court. • The remaining matters, except for S198/2010, have been stood out of the High Court list until further notice. The Commonwealth is seeking to enter into consent orders in S198/2010 to have the matter stood out of the list. • In relation to the RSA process, the grounds of challenge are that: <ul style="list-style-type: none"> - the process is inconsistent with the Minister's personal non-compellable discretion to allow an offshore entry person to make a visa application under ss. 46A and the Minister's personal non-compellable discretion to grant a detainee a visa under ss. 195A of the <i>Migration Act 1958</i> (the Migration Act) (refer also to <i>Brief C06</i>) because: <ul style="list-style-type: none"> ○ the process does not enable the Minister to exercise (and he has not exercised) his personal powers; and/or ○ having established the RSA process, the Minister is bound to consider exercising his personal powers in relation to each person assessed under that process and he has not; - the bar on an offshore entry person lodging a visa in Australia (s46A(1)) and/or the Minister's non-compellable personal power to lift that bar (ss. 46 (2), (7)) are unconstitutional; and/or - the RSA process is unconstitutional because that power has been exhausted or supplanted by the statutory protection visa scheme. • In relation to the challenges to the individual RSA and IMR decisions, the grounds are: <ul style="list-style-type: none"> - denial of procedural fairness by failing to put adverse information to the plaintiffs; - incorrectly approaching the assessment of their asylum claims by treating credibility as an overarching and necessary first step

IN-CONFIDENCE

through which all of the their claims were to be considered;

- failing to consider or address a clearly articulated claim or claims raised by them;
- failing to apply relevant Australian law in relation to the interpretation of the Refugees Convention, including the definition of 'refugee'; and
- a reasonable apprehension of bias as a result of public statements made by the former Prime Minister and the Minister prior to the making of the IMR recommendation, which suggested that the outcome of the independent reviews was predetermined.

s.42(1)

High Court hearing

s.42(1)

IN-CONFIDENCE

	s.42(1)
Contact details (Deputy Secretary)	Bob Correll (w) (02) 6264 2422 (m) s.41(1)
Lead Division and relevant Branch	Governance and Legal Division Litigation and Opinions Branch

Title	Litigation Update
<p>Key issue/s</p>	<ul style="list-style-type: none"> • The department manages a large litigation case load, comprising of administrative and civil litigation matters. • As at 3 September 2010, the department had an active litigation caseload of 791 matters. This compares to a high of almost 4 500 matters in 2004. The current caseload is comprised of: <ul style="list-style-type: none"> - 611 administrative law matters - matters where clients are seeking merits/judicial review in the Administrative Appeals Tribunal (AAT) and courts of decisions made under the <i>Migration Act 1958</i> and <i>Australian Citizenship Act 2007</i>; and - 180 civil/other litigation matters - claims filed in the courts for compensation, matters where litigation has been foreshadowed (such as a compensation claim or an injunction to prevent removal from Australia), subpoena matters (unrelated to decisions under the Migration Act) and the 247 Ombudsman referred matters. • A number of these matters are potentially legally significant or sensitive.
<p>Background</p>	<ul style="list-style-type: none"> • In 2009-10, 1 813 applications/appeals were received compared to 2 338 applications 2008-09. New applications have been in decline over the last five years. • During 2009-10, 2 002 matters were resolved before the courts and the AAT, compared with 2 763 matters in 2008-09. In 2006-07, the department resolved 4 500 matters. The reduction in resolutions is a direct result of the decline in the rate of litigation. • The department is managing a number of significant and/or sensitive matters. The most notable of these are: <ul style="list-style-type: none"> - Refugee Status Assessment (RSA) litigation (refer to <i>Brief B09</i>); - Malu Sara – One compensation claim (Saub) arising from the loss of five lives after the sinking of the Immigration Response Vessel <i>Malu Sara</i> in the Torres Strait on 14 October 2005 remains outstanding. [REDACTED] s.45(1) [REDACTED] Further mediation between the parties is being explored; <p>[REDACTED] s.42(1) [REDACTED]</p>

IN-CONFIDENCE

	<p>s.42(1)</p> <p>- Ombudsman 247 matters - In December 2006 and July 2007 the Commonwealth and Immigration Ombudsman publicly released his reports in relation to 247 referred cases of people who were released from immigration detention on the basis they were 'not unlawful'. s.42(1)</p> <p>- Minister's appeals (refer to <i>Brief A32</i>).</p>
Contact details (Deputy Secretary)	Bob Correll (w) (02) 6264 2422 (m) s.41(1)
Lead Division and relevant Branch	Governance and Legal Division Litigation and Opinions Branch

IN-CONFIDENCE

Title	<i>Systems for People Program Status</i>
Key issue/s	The <i>Systems for People</i> (SfP) Program is a four year initiative that is close to completion. The Program has successfully delivered on required outcomes.
Background	<p>Overview of SfP</p> <ul style="list-style-type: none"> • The SfP Program is a significant (\$661.5million) four year technology-enabled business transformation initiative. The Program was initiated in 2006 in response to the recommendations in the Palmer and Comrie reports and subsequent departmental information technology reviews. • The Program had nine outcomes: <ul style="list-style-type: none"> - improved transparency, quality and accuracy of decision making by staff; - single and complete view of the client and client’s dealings, based on role, for relevant staff; - ensure clients receive the same treatment and outcome for the same circumstances regardless of the location in which their information is processed and the decision made; - improved recording of client-related information; - reduction in the number of incomplete visa applications; - increased on-line service quality, range and uptake by clients; - improved efficiency of operations; - faster and cheaper introduction of new policy; and - greater accessibility of operational reporting. • The Program will be completed in October 2010. <p>Key achievements</p> <ul style="list-style-type: none"> • Key achievements delivered by the Program, during the period 1 July 2006 to 30 June 2010, are outlined at <u>Attachment A</u>. As shown, the Program has successfully delivered on the required outcomes with significant achievements in the following areas: <ul style="list-style-type: none"> - globally consistent business processes to ensure improved transparency, accuracy and quality of the department’s decision-making capability; - mandatory control points to strengthen the integrity of the department’s case management, compliance and detention-related processes; - improved border security processes to strengthen the integrity of Australia’s borders;

IN-CONFIDENCE

	<ul style="list-style-type: none">- enhanced online capabilities to achieve improved efficiency of operations and an increased quality and range of online services;- automated correspondence generation to deliver efficiencies and to improve the department's communication with clients; and- improved capability to capture all interactions clients have with the department and provide a comprehensive search tool to retrieve this information. <ul style="list-style-type: none">• The budget for the SfP Program for 2009–10 was \$134.9 million. The actual expenditure for this period was \$119.1 million. The resultant underspend of \$15.8 million deliberately sought to offset the 2010–11 expenditure required to deliver the final components of the Program in 2010.• Given the size and complexity of the final components of the Program, a deliberate strategy was employed to deliver this release in two stages. The first stage was successfully delivered on 30 June 2010. The delivery of the final stage of the Program, which relates to the Generic Visa Portal (GVP) processing capability, is largely being undertaken by the Program's strategic partner (IBM) under fixed price arrangements and will be delivered in the fourth quarter of 2010.• A key focus for the department in moving forward is ensuring that key capabilities, as detailed in <u>Attachment A</u>, are fully leveraged. Many of these capabilities, such as, the Generic Visa Portal and online services, provide the foundation for the separate Client Services Transformation initiative (refer also to <i>Brief C14</i>). <p>Program audit and assurance activities</p> <ul style="list-style-type: none">• As part of Program closure, there are a number of audit and assurance reviews progressively scheduled through to the first quarter of 2011, these include:<ul style="list-style-type: none">- Protiviti internal audit- Australian National Audit Office performance audit- Department of Finance and Deregulation Gateway post implementation review to assess benefits delivered by the Program- Boston Consulting Group review to assess the ongoing support costs associated with capabilities delivered by the Program• The department is currently well placed for the conduct of these reviews.
Contact details (Deputy Secretary)	Bob Correll (w) (02) 6264 2522 (m) s.41(1)
Lead Division and relevant Branch	Business Services Transformation Division Program Management Group Branch

Systems for People Program Key Functionality

The information below details the achievements for key projects delivered through the *Systems for People* Program.

Name:	Maritime Crew Visa
Objective:	The Maritime Crew Visa is a visa requirement which applied to foreign crew of non-military ships from 1 July 2007. The Maritime Crew Visa replaced the Special Purpose visa. From 1 July 2007, crew, or third parties acting on their behalf, could apply for the Maritime Crew Visa.
Key Achievements:	<ul style="list-style-type: none"> Improved border security capability and saves an estimated \$2.6 million each year on the costs of manually processing paper applications.

Name:	Visa and Citizenship Wizard
Objective:	To provide clients with self-service tools that offer tailored pre-lodgement information about visa and citizenship options, in an easy to use and understand format.
Key Achievements:	<ul style="list-style-type: none"> Easily accessed from the Department's website from anywhere around the world, 24/7 where there is an internet connection. Enables Departmental staff to spend more time managing complex client enquiries. Supports improved business processes by providing clients and staff with consistent, timely information regardless of where the inquiry is made. Winner of the 2009 Excellence in e-Government Awards.

Name:	eVisitor
Objective:	To allow eligible clients to access self-service functionality via the Department's website.
Key Achievements:	<ul style="list-style-type: none"> Reduction in the overall effort required to process tourist and business short stay visas for European nationals with the majority of applications auto-granted. Highly commended in the e-Government awards 2009.

IN-CONFIDENCE

Name:	Biometrics
Objective:	To heighten border security across Australia and assist processing officers make decisions on complex identity related issues.
Key Achievements:	<ul style="list-style-type: none"> • Ability to apply Departmental wide duplicate record matching rules and have the results considered within key business transactions. • Capability to effectively manage Identity Resolution escalations in a formal manner. • Ability to perform facial image searches and matches across the Identity Services Repository. • Capability for fingerprint matching with the National Automated Fingerprint Identification System (NAFIS) for Illegal Foreign Fishers and Unidentified Non-Citizens. • Display an identity history within the single view of a client. • Rollout of biometric acquisition and matching for the Onshore Protection caseload in Sydney and Melbourne. • Ability for other agencies to automatically verify Australian government issues documents online. • Implementation of facial image sharing for Citizenship Test applicants with DFAT.

Name:	Security Referral Service (SRS)
Objective:	To ensure the more secure, timely and consistent electronic transfer of national security service referrals from the Department's visa processing system to the Attorney-General's Department.
Key Achievements:	<ul style="list-style-type: none"> • Support the integrity of Australia's borders. • <p align="center">s.33</p> • Reduced paper processing and reliance on secure faxes and cables to transmit information. • Confirmation that messages have been delivered by providing acknowledgement of a referral's receipt. • Provide greater visibility of a referral's progress via monitoring and reporting through one system. • Improved data accuracy by uploading information directly from ICSE and IRIS. • Created a unique identifier for each referral and an individual outcome response for all. • Finalist in the FutureGov Government Technology Awards 2009.

IN-CONFIDENCE

Name:	Settlement
Objective:	To support nationally consistent business processes for the management of the Unaccompanied Humanitarian Minors caseload.
Key Achievements:	<ul style="list-style-type: none">• Ability for staff to record all case related activities in a single location.• Nationally consistent business processes for a high-risk client group.

Name:	Contracts, Purchasing and Reporting (CPR)
Objective:	To streamline the 'procure to pay' process within the Department.
Key Achievements:	<ul style="list-style-type: none">• Created a reliable system-based contract recording and reporting solution that supports purchase order creation and commitment reporting.

Name:	Governance, Risk and Compliance (GRC)
Objective:	To create consistent business roles and access in SAP.
Key Achievements:	<ul style="list-style-type: none">• Reduced risk of Departmental fraud.• Created consistent business roles and access in SAP.

Name:	Border Security Portal (BSP)
Objective:	To allow border staff to access multiple border systems from a single user interface.
Key Achievements:	<ul style="list-style-type: none">• More detailed information captured regarding referrals.• Enhanced transparency of decision making and provides a useful audit trail in the event of further action required.• Ability to create multiple referrals when conducting pre-arrival assessment of incoming passengers.• Centralised decision making of border security information to a highly specialised team which is available 24/7 to staff worldwide. This has ensured greater consistency of decision making and further supported the integrity of Australia's borders.

IN-CONFIDENCE

IN-CONFIDENCE

Name:	Central Movement Alert List (CMAL)
Objective:	To provide Departmental decision makers with a centralised check of all visa and citizenship applicants against the Movement Alert List (MAL).
Key Achievements:	<ul style="list-style-type: none"> • Integration with all border entry, visa and citizenship processing systems. • Centralising has significantly reduced the number of Electronic Travel Authority (ETA) applications being referred to posts. • Improved MAL matching using more sophisticated name matching software. • Reduced probability of needing to cancel inappropriately granted visas. • Improved control of MAL records. • Improved data integrity and quality. • Improved data security with the segregation of high risk alerts that contain truly PROTECTED data from those that contain DIAC-IN-CONFIDENCE information. • PROTECTED records are now retained within a PROTECTED enclave. • Improved access control with CMAL access attached to a position number and based on a CMAL Role approved for that position. • Local MAL in IRIS essentially disabled with Posts no longer able to switch back to Local MAL • Changes made to the CMAL copy of the database are synchronised across to the mainframe copy, removing match processing workload from the mainframe. • MAL maintenance transitioning to CMAL. • Globally, in excess of 78 per cent of Person Alert List (PAL) alerts are now processed via the MAL Status Details page (CMAL URL). • Better management and improved security for CMAL referrals with the implementation of the automated emails for CMAL/SRS referrals.

Name:	Client Search Portal (CSP) and Client Data Hub (CDH)
Objective:	To provide staff with a single point of entry for client search and view operations.
Key Achievements:	<ul style="list-style-type: none"> • The consolidation of client related biographical data from the many disparate departmental systems into a common centralised client data repository, the CDH containing 113 million client records. • Implementing a common 360° view of client. • The delivery of a consistent user interface to search and view client data. • A single search regime capable of matching clients and their records in all relevant processing systems. • The discovery, resolution and presentation of duplicate records. • Ninety-five per cent of all searches now return results in less than 10 seconds.

IN-CONFIDENCE

Name:	Compliance, Case Management, Detention and Settlement (CCMDS) (consisting of four separate portals)
Objective:	To support a more holistic view of a clients dealings with the Department and allow staff to make more informed decisions and ensure consistent business process have been adopted.
Key Achievements:	<ul style="list-style-type: none"> • Guided workflow functionality for recording detention. • The ability to record new detention risk values and Assisted Voluntary Returns. • New detention review arrangements and client engagement and status resolution functionality. • Improved efficiency and transparency in the decision making process for determining removals from Australia. • Improved client service through consistent business processes, improved record keeping and a more holistic view for the client’s journey to an immigration outcome. • Greater visibility of national case loads for the Department through improved accessibility of operational reporting. • Declining use of legacy front-end systems (ICSE) in respect of compliance, case management and detentions. • Improved operational capability for detention services with third-party service providers (Detention Service Provider [Serco] and IOM utilising single view of client. • To date the CCMDS Portals utilised to process: <ul style="list-style-type: none"> ○ approximately 82,000 Compliance Operations actions recorded across Allegations, Field actions, compliance jobs and organisational recording ○ over 139,000 decisions ○ more than 44,500 referrals and appointments and ○ approximately 31,000 requests for service and in excess of 8,000 Transport Services by Detention Service Provider staff. (Conversely, compliance events recorded directly in ICSE have decreased from approximately 2,500 in August 2007 to less than 500 in February 2010.) • Almost 600 average daily users with approximately 750 Serco and IOM registered Service Provider Portal users.

IN-CONFIDENCE

Name:	Enterprise Correspondence Portal (ECP)
Objective:	To implement an automated nationally consistent and centrally updated correspondence tool for the Department.
Key Achievements:	<ul style="list-style-type: none">• Enabling improved client service, through consistent, clear and coordinated outbound correspondence.• Reduction in cost and time in generating outbound correspondence across the Department.• Improved compliance with Departmental recordkeeping standards ensuring records are stored routinely and consistently.• Reduced exposure to litigation and defective notifications resulting in potential unlawful detention.• Benchmarking indicates an efficiency gain of 48 per cent with correspondence generated via the Enterprise Correspondence Service.• 100 per cent of items sent via the Enterprise Correspondence Service are stored according to the Department's record keeping standards.

Name:	Generic Visa Portal (GVP)
Objective:	To provide the functionality for end-to-end processing of both onshore and offshore visa applications.
Key Achievements:	<ul style="list-style-type: none">• Introduction of nationally consistent business processes for processing 457 and General Skilled Migration (GSM) visa applications onshore.• Transition of the existing correspondence functions in the GSM portal over to the GVP platform.• Integration of other portals in an end-to-end process (health, finance, correspondence, client search).• Introduction of risk and rigour indicators against assessment criteria.• Introduction of dynamic rules-based, legislative checklist to provide decision support for processing officers.

IN-CONFIDENCE

IN-CONFIDENCE

Name:	Health Initiatives
Objective:	<p>The Health Initiatives Program was a priority element of the government's response to the Australian National Audit Office (ANAO) audit of the Administration of the Health Requirement of the Migration Act, published in 2007. The audit identified that gaps in recording client health data occurred throughout the visa application processes which impacted on DIAC's ability to determine compliance or consistency with established health guidelines. The project developed new functionality and business processes for visa processing staff in State and Territory Offices, Overseas Posts; Staff at the Health Operations Centre (HOC) & Health Services Australia (HSA), Panel Doctors and staff in Health Policy and Health Integrity Projects. Inclusive of:</p> <ul style="list-style-type: none">• Health matrix• Health undertakings• Health waivers• Reporting• Storage of Health Data• Processing Health.
Key Achievements:	<ul style="list-style-type: none">• Global roll out of the Health Assessment Portal & its ongoing integration with health systems. Providing transparency, consistency, accuracy and accountability to managing the health requirement of the Migration Act 1958 through integrated systems, policy and business process enhancements.• Enabling current business as usual processes to report on health waivers, undertakings and health processing.• Rationalisation and integration of the DIAC systems used to manage Health. Introduction of a unique health ID for clients to increase the uptake of eHealth.• First steps towards centralisation of health data to increase accuracy, consistency and transparency.• Consolidating and integrating health systems, thereby aligning with DIAC IT strategy and the proposed End State Architecture, in addition to addressing ANAO highlighted shortcomings.• Reducing the cost of managing the health requirement of the Migration Act 1958 by enhanced business processes, improved data and enabling more automated health processing.

IN-CONFIDENCE

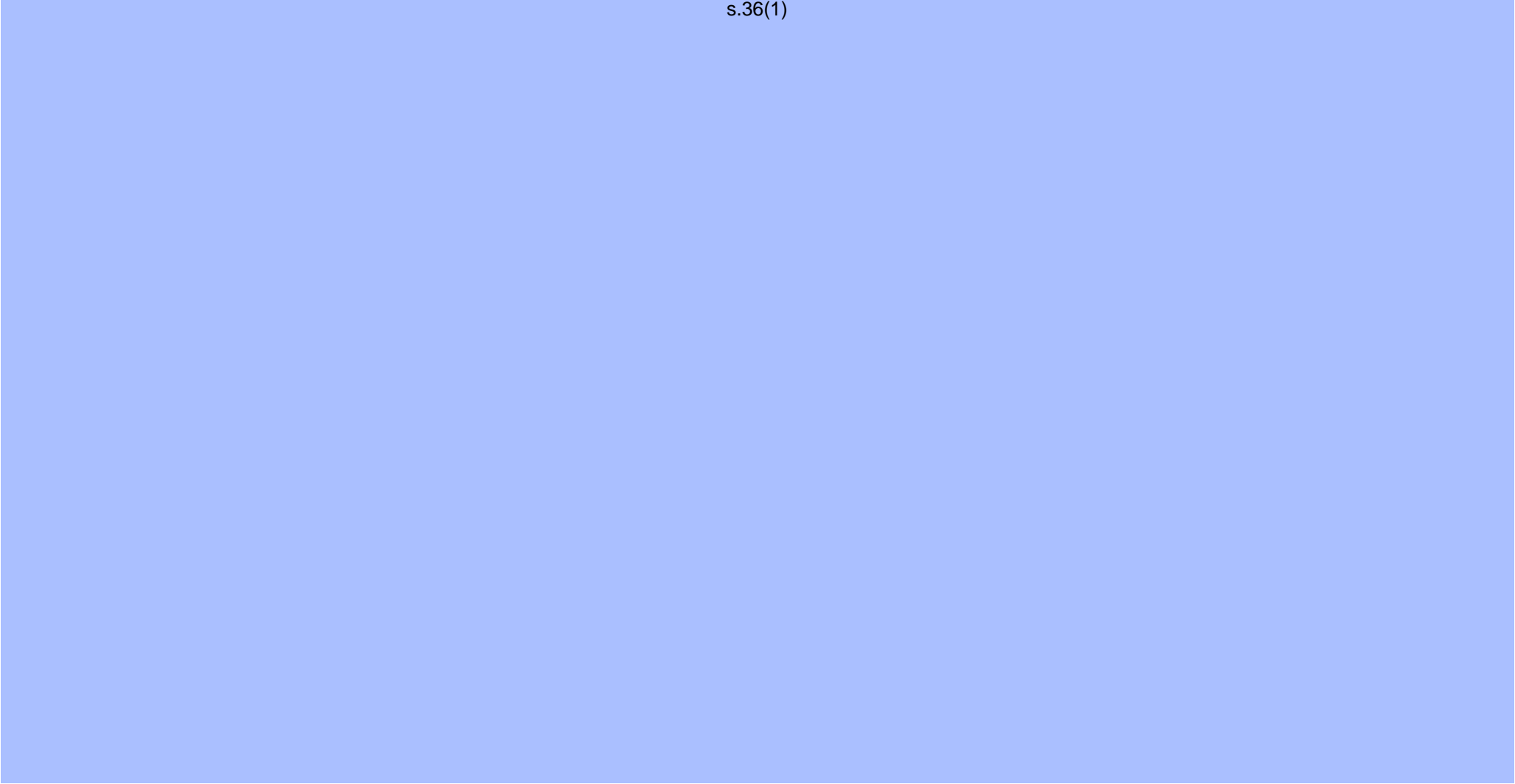
Name:	Revenue Receipting
Objective:	To implement a single global revenue and receipt management service that significantly improves the Department's control over public money received.
Key Achievements:	<ul style="list-style-type: none">• Significant efficiency improvements to end of day reconciliations (34 per cent improvement) and banking preparation (33 per cent improvement) processes.• Improved quality of client application and financial records, ensuring both SAP and ICSE & GVP application processing systems are updated synchronously for financial events relating to applications, with only one data entry point.• Reduction in unexplained discrepancies between applications lodged in ICSE and revenue reported to government• Improved controls over public money including the identification of revenue leakage in banking of public money on a more timely basis, with halving of resource intensity• Successful pilot of the use of Australia Post SDP receipting arrangements onshore for Security Bonds and Second Visa application charges.• Integrated EFTPOS terminals with the receipting solution, automated manual discrepancy management processes and provided detailed centralised transaction reporting for application commencement and revenue raising activities.• Automated cash desk management was also implemented which means end of day finalisations are completed in the same system replacing triplicate processing in multiple IT systems.

Title	Information Technology in DIAC 2010
Key issue/s	<ul style="list-style-type: none"> • The department is heavily reliant on information and communication technology (ICT) systems to deliver the services it offers. ICT systems are critical to the efficient and secure delivery and management of the border and to the department in delivering its business outcomes. • The <i>Systems for People</i> (SfP) Program (refer also to <i>Brief B11</i>) has provided significant business change. The Program has been a major investment in the modernisation of the systems environment for the department, which were aged and needed to be much more integrated in their operation. • The SfP Program has delivered all that was expected of it and is now expected to provide further improvements through the Generic Visa Portal (currently being delivered). This product and the others will allow the department to implement the Client Services Transformation program (refer also to <i>Brief C14</i>). • The department invests appropriately in ICT services: <ul style="list-style-type: none"> - current investment is approximately 15 per cent of the department's budget. This compares favourably with ICT spending of around 22 per cent of total budget in the ATO and 19 per cent in Centrelink; and - the department is currently the fourth largest agency in terms of ICT expenditure within federal government.
Background	<ul style="list-style-type: none"> • Information technology in the department has been used to build and support a series of "event driven" systems where processing a specific transaction as quickly and efficiently as possible has been the main business driver. In recent times the department has begun the shift to a "client-centred" systems approach. A quick survey of the past 25 years provides some context for understanding what the IT systems in the department look like today: <ul style="list-style-type: none"> - since the early 1970s the Australian Immigration Department has been an "early adopter" of available technology in order to manage increasing volumes of visa transactions for an expanding migration program; - from the 1980s, off-shore visa processing for our clients in overseas posts has been provided by the Immigration Records Information System (IRIS); - in the 1990s, unlike other countries that had to resort to "visa free" arrangements to keep pace with international demand for fast passport processing, Australian immigration had the technology capability and processing power to introduce Electronic Travel Authorities (ETAs) so that Australia could process 70-80 per cent of visa applications on line;

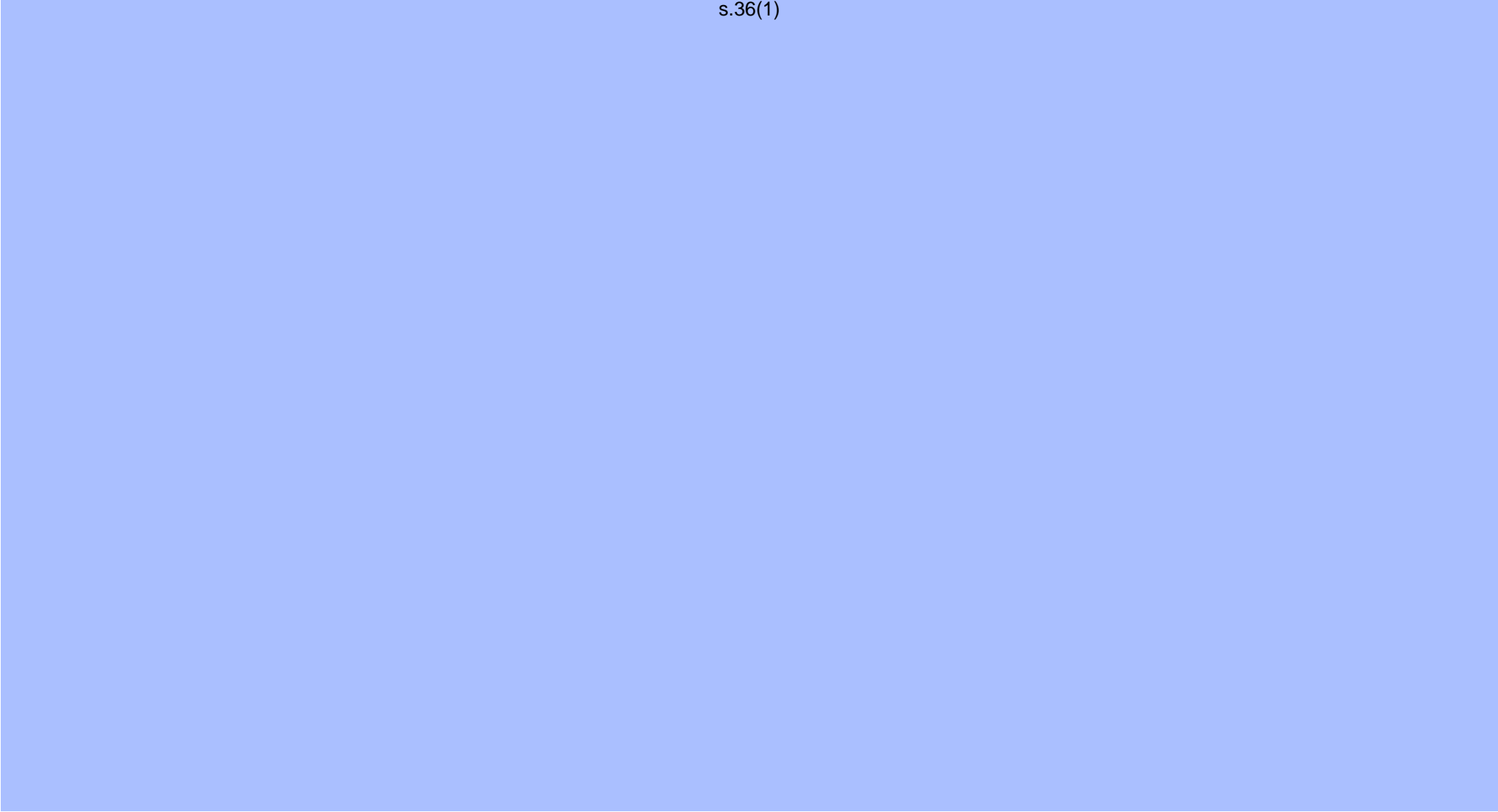
IN-CONFIDENCE

	<ul style="list-style-type: none">- late in the 1990s, the Integrated Client System Environment (ICSE) was introduced for all on-shore visa classes, citizenship and compliance processing. It was the department's first attempt at bringing all data on clients together into one system;- in the early 2000s, internet based e-visa services which were introduced and taken up in large numbers, particularly by clients seeking student visas and permission to work in Australia while studying;- other important elements of increasing security and visa integrity also began to be explored: biometrics, on-line identity checking and a much greater use of interagency data matching between Australian government agencies, and eventually with overseas governments as well; and- following the Palmer and Comrie reviews conducted in 2005 it was agreed that there was a pressing need for a single view of every client accessible to immigration staff in such a way that all relevant information pertaining to an individual client could be seen in its specific business context. <i>Systems for People</i> (SfP) is the program of work addressing this requirement. <ul style="list-style-type: none">• The diagrams provided at <u>Attachments A</u> and <u>Attachment B</u> illustrate the scope and complexity of the internal systems and their interfaces to the external agencies with which the department transacts in order to provide the full range of Australian immigration and citizenship services. The core systems are described at <u>Attachment C</u>. <p>Systems for People (SfP)</p> <ul style="list-style-type: none">• SfP is a business transformation program being implemented by the department as a result of recommendations in the Palmer and Comrie reports. It is largest single component of the department's major reform program. SfP aims to improve departmental performance through the redesign of business processes, better management use of information and modern technological support. For further details refer to <i>Brief B11</i>.
Contact details (Deputy Secretary)	Bob Correll (w) 02 6264 2530 (m) s.41(1)
Lead Division and relevant Branch	Technology Services Division

s.36(1)



s.36(1)



Internal systems and their interfaces to the external agencies - Core systems

Border Systems

s.36(1)



Health Systems (including HATS): the Health systems provide support in the management of health assessment of applicants for visas to enter Australia. The system provides case management facilities including service requests, schedules and reference tables, and enables Medical Officers of the Commonwealth to record their health assessments.

Client Management Systems

IRIS: this system is distributed around the world and used at DIAC Overseas Posts. The system provides case management facilities and can produce visa evidences, both printed label or label free for those applicants granted a visa to enter Australia. Application information is security checked before entry and is also passed to centralised databases.

ICSE: the Department's legacy strategic, generic client system used to maintain information regarding client requests for citizenship and onshore visa grants. Onshore visa processing includes temporary visas, residence, protection, visitors and students visas applications and temporary visa extensions. It also maintains information regarding assurances of support, nominations and sponsorships for skilled and family entry into Australia.

IN-CONFIDENCE

E.Visa: enables visa applicants for a range of visa classes to apply on the Internet. The applicant can be in Australia or overseas depending on the type of visa they wish to apply for. The application and payment information is securely captured and transferred to the department's primary client management system known as Integrated Client Service Environment (ICSE). ICSE can automatically decide the application based on the information provided.

www.immi.gov.au: the department's internet sites are the preferred service channel to communicate with our clients in regard to the range of services delivered by the department. The sites are managed in accordance with Australian Government policies and standards to ensure the information is current, consistent, responsive, authoritative, accurate and accessible.

Corporate Systems

SAP Financials: SAP R/3 is DIAC's Financial Management and Human Resources Management Information System. The SAP R/3 system holds all departmental financial related transaction information. This includes details of departmental assets, liabilities, revenue and expenditure (both onshore and offshore). Information on staffing, organisational structures, delegations, security, and staff development and training operations. Also contains information about each staff member of the department to enable provision of employee entitlements and staff management as well as some information on consultants and contractors.

TRIM Records Management: TRIM is the primary record keeping system for unstructured records within the department. TRIM is an integrated system that consists of a user interface, File Store and a central database. Information (metadata) about unstructured records is contained in the central database and the electronic unstructured data is stored in the File Store. TRIM is integrated with the major desktop applications. All data from the previous Registry system (RG) was transferred to TRIM Captura and included in the migration to TRIM Context

TIS: the purpose of this database is to maintain information needed for the operations of the Commonwealth Translating and Interpreting Service (TIS). The TISIS database permits authorised DIAC/TIS staff to allocate interpreting assignments to TIS contractors who are suitably qualified to interpret the dialogue between English-speaking and non-English speaking clients of TIS. Since March 2001 TIS ceased accepting jobs for commercial translations. TISIS also includes accounting functions. This allows TIS to charge user-clients for services received, and to pay contractors for completed interpreting.

Personal Computing

Imminet (DIAC Intranet): is a core tool providing all staff (including overseas posts) with access to departmental information and systems which supports day-to-day duties in accordance with departmental policies.

Lotus Notes: is the department's enterprise messaging and collaboration application. Unisys provides infrastructure and support for Lotus Notes under the SITS contract. The department currently uses version 6.5 of Lotus Notes and is the process of upgrading to version 8. In addition to eMail and Calendaring Lotus Notes also provides a number of corporate applications including the Parliamentary Correspondence Management System (PCMS), News Flash, Legal Database to store litigation and legal

IN-CONFIDENCE

IN-CONFIDENCE

policy documents, National Appointments System for Visa Processing, Training Appointments System (Citizenship) and Resource and Meeting Room Bookings.

Blackberry Portable Device: Blackberry devices are provided by Optus under the Telecommunications contract. These devices are connected to the department's Lotus Notes system using a Blackberry Enterprise Server. This server allows IT Security to implement DSD guidance on the use of Blackberry devices. These devices allow senior officers to access their Lotus Notes desktop from virtually any location in Australia or overseas. This provides them with immediate access to their eMails, Calendars and Address books.

Microsoft Desktop Computing: Desktop computing services, including File and Print services, are provided by Unisys under the SITS contract which started on 1 July 2007. Unisys provides a Standard Operating Environment (SOE) which is built on the Microsoft Windows XP operating system. The SOE provides a standard suite of software including Microsoft Office Professional (XP). PCs and laptops are leased for 3 years. Specific software solutions are provided for staff with special needs.

IN-CONFIDENCE

IN-CONFIDENCE

IN-CONFIDENCE

Title	Government Decision Following the Implementation of the Human Rights Framework
Key issue/s	<ul style="list-style-type: none"> • Changes to departmental procedures and operations will arise under the Human Rights Framework (HRF) if the Government decides to continue to implement those reforms. Timing for the new legislation as part of the HRF is late 2010 for the establishment of the Parliamentary Joint Committee on Human Rights (PJCHR); and mid 2011 for consolidation of the anti-discrimination legislation. • The responsibility for the proposals rested with the Attorney-General and the Attorney-General's Department (AGD). • The Human Rights (Parliamentary Scrutiny) Bill 2010 and Human Rights (Parliamentary Scrutiny) (Consequential Provisions) Bill 2010 (the Bills) were introduced into Parliament on 2 June 2010. • Key changes under the Bills that impact on the department include the establishment of the PJCHR to provide greater scrutiny of legislation for compliance with Australia's international human rights obligations and that each new Bill introduced into Parliament would be required to be accompanied by a statement of compatibility showing compliance with international human rights obligations. • The Bills were referred to the Senate Legal and Constitutional Affairs Legislation Committee (the Committee) on 2 June 2010. • The Committee did not continue its inquiry into the Bills given the proroguing of Parliament and dissolution of the House of Representatives on 19 July 2010. If the Bill is reintroduced, the Senate can again refer it to the Committee. • AGD will need to rebid to get these two Bills back on the legislative program. • The HRF also contained a proposal to create a single Act to replace the various federal anti-discrimination Acts: the <i>Age Discrimination Act 2004</i>, <i>Disability Discrimination Act 1992</i>, <i>Racial Discrimination Act 1975</i> and the <i>Sex Discrimination Act 1984</i> (the new Act). • The new Act would also replace the legislation underpinning the Australian Human Rights Commission. The expected timeframe for introduction of the Bill is in the middle of 2011.
Implications	<ul style="list-style-type: none"> • If the reforms under the HRF are pursued by the new Government, there are implications for the department: <ul style="list-style-type: none"> - the department will be required to produce a statement of compatibility with the legislation it introduces; - departmental legislation may be subject to scrutiny by the PJCHR, which will be in addition to the current parliamentary committee scrutiny that the department's legislation receives. This may have

IN-CONFIDENCE

	<p align="center">internal resourcing implications; and s.36(1)</p>
<p>Background</p>	<ul style="list-style-type: none"> • On 10 December 2008, the Attorney-General, the Hon Robert McClelland MP launched the National Human Rights Consultation (NHRC). On 30 September 2009, the NHRC Committee presented its report to the Attorney-General. • On 21 April 2010, the Attorney-General launched HRF. The HRF outlined a range of key measures to further protect and promote human rights in Australia which included \$12 million for education initiatives and the creation of an annual NGO Human Rights Forum. • Notably the HRF and previous Government did not support the adoption of a Human Rights Act, but undertook to review the situation in 2014 after the operation of the HRF could be assessed.
<p>Contact details (Deputy Secretary)</p>	<p>Bob Correll (w) (02) 6264 2522 (m) s.41(1)</p>
<p>Lead Division and relevant Branch</p>	<p>Governance and Legal Framework Division Legal Framework Branch</p>
<p>Other divisions/agencies</p>	<p>Attorney-General's Department</p>

Title	Legal Services Tender
Key issue/s	<ul style="list-style-type: none"> • The contracts with the firms on the department's legal services panel are due to end on 31 December 2010. The department has an option to extend the arrangements for a further six months if required. • On 26 March 2010, the department released a Request for Tender (RFT) for a new Legal Services Panel. The RFT closed on 30 April 2010 and the department is currently evaluating the tender responses.
Background	<p>Current legal service arrangements</p> <ul style="list-style-type: none"> • The department's legal services panel was originally due to end on 30 June 2010. • The department was advised by the Attorney-General's Department to await the release of the "Report of the Review of Commonwealth Legal Services Procurement" (the Blunn Review) before approaching the market for a new panel. • The Blunn Review was released on 8 January 2010 and the department was subsequently advised that it was appropriate to approach the market for a new panel. • In February 2010 the Department of Finance and Deregulation agreed that the department could rely on paragraph 8.33(b) of the <i>Commonwealth Procurement Guidelines</i> to extend the current arrangements for a short period to enable the tender process to take place. Paragraph 8.33(b) allows direct sourcing where, for reasons of extreme urgency brought about by events unforeseen by the agency, the property or services could not be obtained in time under open tendering procedures. • The current arrangements were extended until 1 January 2011. There is an option to extend for a further six months if required. <p>Tender process and new panel</p> <p style="text-align: right;">s.36(1)</p> <div style="background-color: #e6f2ff; height: 80px; width: 100%;"></div> <ul style="list-style-type: none"> • The RFT specified a time period of two years with three options to extend for a year. This means that the department could approach the market again after two years but potentially the arrangements could be in place for five years. • Evaluation of the tender responses is currently underway.

IN-CONFIDENCE

	<ul style="list-style-type: none">• The Secretary is the delegate in respect of the final decision on the composition of the new Legal Services Panel. It is anticipated that a recommendation as to preferred tenderers will be put to the delegate for consideration in September 2010.• It is anticipated that the new contracts will be in place by 1 January 2011.
Contact details (Deputy Secretary)	Bob Correll (w) (02) 6264 2522 (m) s.41(1)
Lead Division and relevant Branch	Governance and Legal Division Litigation and Opinions Branch

Title	Adult Migrant English Program (AMEP) Preferred Tenderers
Key issue/s	<ul style="list-style-type: none"> • The <i>Immigration (Education) Amendment Act 2010</i> (the Act) was passed in Parliament on 24 June 2010 and received Royal Assent on 14 July 2010. The Act is scheduled to commence on 1 January 2011 to enable implementation of the new AMEP Business Model. • The <i>Immigration (Education) Regulations 1992</i> will need to be updated and a number of Instruments under the Act will need to be developed, prior to 1 January 2011. • As at 1 September 2010, recommendations for preferred tenderers are with the departmental delegate and a decision is expected to be made shortly. Negotiations will commence immediately after this decision is made, to meet the 1 January 2011 implementation date. • We will brief you on the preferred tenderer once that decision has been made by the delegate. <p style="text-align: center;">s.36(1)</p>
Implications	<p>Financial:</p> <p style="text-align: center;">s.36(1)</p> <ul style="list-style-type: none"> • The AMEP Budget is an annual appropriation and any variation to estimates will require a Government decision, usually an exchange of letters between the Minister for Immigration and Citizenship and the Minister for Finance and Deregulation and the Prime Minister. Previous variations to estimates have not required offsetting savings.
Background	<ul style="list-style-type: none"> • The department released a Request for Tender (RFT 09/65) for the provision of the AMEP and Related Services on 25 November 2009. The RFT closed on 22 February 2010. The RFT addressed both AMEP General Services and Distance/e-Learning Services, to be delivered through separate contractual arrangements. Tenderers were required to bid for either AMEP General Services or Distance/e-Learning Services or both.

IN-CONFIDENCE

	s.36(1)
Contact details (Deputy Secretary)	Peter Hughes (w) 02 6264 1234 (m) s.41(1)
Lead Division and relevant Branch	Citizenship, Settlement and Multicultural Affairs Division Settlement Branch

Title	Humanitarian Settlement Services (HSS) Tender
Key issue/s	<ul style="list-style-type: none"> • The HSS tender to select new providers for the provision of humanitarian settlement services are currently being evaluated. New services are expected to commence in February 2011. • The HSS program replaces the Integrated Humanitarian Settlement Strategy (IHSS), due to expire on 31 January 2011. • A decision on preferred tenderers for the provision of humanitarian settlement services will need to be taken this year by the department. Decisions on preferred tenderers should be made by October 2010, with contract negotiations to follow those decisions. • The provision of Short-term Torture and Trauma Counselling (STTC) services, which is in the current IHSS contracts but not in the new HSS tender, is scheduled to be transferred to the Health and Ageing portfolio in the 2011-12 financial year (refer also to <i>Brief A24</i>). • A competitive grants process is being undertaken to enable STTC to be provided before the program is transferred to the health portfolio.
Implications	s.36(1)
Background	<ul style="list-style-type: none"> • Between June and August 2009, departmental staff, together with the Parliamentary Secretary for Multicultural Affairs and Settlement, consulted with the community services sector on the IHSS program. • Consultations were held in all capital cities and several regional locations with more than 217 community organisations and 82 government agencies. Focus groups were held with past and present IHSS clients. Almost 200 clients, representing 18 different ethnic groups, participated in the focus groups. • The consultations identified the need for improvement in various areas, particularly case management and orientation to Australia, youth issues and accommodation. • The objectives of the HSS program are to provide humanitarian clients with support to begin their new lives in Australia, strengthen their ability to participate in Australia's economic and social life, and to equip them with the skills and knowledge to independently access settlement services beyond the HSS period. • On 17 March 2010, the department released a Request for Tender (RFT) to the market for the provision of Humanitarian Settlement Services program. The tender closed on 26 May 2010. • Tender evaluation is underway to identify which tenders represent best value for money consistent with Commonwealth Procurement Guidelines.

IN-CONFIDENCE

	<ul style="list-style-type: none">• To provide sufficient time for contract negotiations and the transition-in of new services, a four months extension was implemented. Current IHSS contracts are due to expire on 31 January 2011.• The tender was well received by a broad cross-section of stakeholders.• New contracts will be for a term of three years with a three-year extension option.
Contact details (Deputy Secretary)	Peter Hughes (w) 02 6264 1234 (m) s.41(1)
Lead Division and relevant Branch	Citizenship, Settlement and Multicultural Affairs Division Refugee Support Branch

IN-CONFIDENCE

Title	Functional Directory of the DIAC Organisations, including the SES Structure Chart and After Hours Contact List
Key issue/s	N/A
Background	<ul style="list-style-type: none"> • The Immigration and Citizenship portfolio comprises: <ul style="list-style-type: none"> - the department; - the Office of the Migration Agents Registration Authority (Office of the MARA), the Migration Review Tribunal (MRT) and the Refugee Review Tribunal (RRT) (refer <i>Brief C02</i>); and - portfolio consultative bodies (refer <i>Brief C03</i>) and other bodies (the National Accreditation Authority for Translators and Interpreters (NAATI) (refer <i>Brief C04</i>). • The department is a policy, program and service delivery agency. Its services are delivered through offices in every state and territory and more than 60 countries. • The services provided include: <ul style="list-style-type: none"> - granting visas for migration and to temporary entrants, business visitors, students and tourists; - managing the entry and departure of people crossing the Australian border; - meeting Australia's international protection obligations and contributing to the resettlement of refugees; - locating unlawful non-citizens and resolving their immigration status; - identifying and reducing irregular migration, people smuggling and trafficking in persons; - deciding applications for Australian citizenship and making decisions on citizenship status; and - promoting the benefits of a united and diverse society. • The department is transforming to become a globally integrated organisation equipped to compete in global markets and to attract the best migrants and key skills required for Australia. • The department comprises three groups. For an overview of the role and function of divisions within each group refer to: <ul style="list-style-type: none"> - Policy and Program Management Group (<u>Attachment A</u>); - Client Services Group (<u>Attachment B</u>); and - Business Services Group (<u>Attachment C</u>). • The Office of the MARA is a discrete office attached to the department. It protects consumers of immigration assistance by regulating migration agents in Australia. The Office of MARA delivers consumer confidence by improving the standard of knowledge, integrity and conduct of

IN-CONFIDENCE

	<p>registered migration agents.</p> <ul style="list-style-type: none">• For additional information, also attached is the:<ul style="list-style-type: none">- DIAC SES structure chart (<u>Attachment D</u>); and- SES after hours contact list (<u>Attachment E</u>).
Contact details	<p>Andrew Metcalfe (w) (02) 6264 2560 (m) s.41(1)</p>
Lead Division and relevant Branch	<p>People and Executive Services Division Business Planning and Reporting Branch</p>

IN-CONFIDENCE

Policy and Program Management Group

Compliance and Case Resolution Division:

To lead the development and delivery of a compliance and integrity program that instils client and community confidence.

Migration and Visa Policy Division:

To administer migration policy and program development which contributes to Australia's economic and social prosperity through permanent settlement, work, study, tourism, working holidays or other specialised activities in Australia.

Border Security, Refugee & International Policy Division:

Responsibility for policy and program management in order to meet our international obligations in relation to people claiming protection; contribute to the resettlement of refugees and people in humanitarian need; advance Australia's interests internationally through multilateral and bilateral activity; facilitate lawful entry of people to Australia and prevent and deter irregular entry; and understand and address regional displacement and irregular migration.

Citizenship, Settlement and Multicultural Affairs Division:

To provide equitable economic and social participation of migrants and refugees, supported through settlement services, including English language training; refugee settlement; case coordination; interpreting and translation services; and settlement policy advice and program design. To provide for a cohesive multicultural Australian society through promotion of cultural diversity and a unifying citizenship; decisions on citizenship status; and multicultural and citizenship policy advice and program design.

Policy Innovation, Research and Evaluation Unit:

To lead research, evaluation and strategic policy in the department and externally from a whole-of-department and futures-oriented perspective.

Chief Economist Unit:

To provide high quality evidence-based policy analysis of the relationship between migration, the economy and the labour market.

Client Services Group

The Client Services Group is responsible for delivering the department's key immigration and citizenship programs, through a network of twelve offices across Australia and over 60 offices overseas. The Client Services Group is progressively implementing its new structure which is designed to ensure a globally consistent and integrated approach to the delivery of the department's products and services.

It has three divisions: Client Strategy and Performance Division, Visa and Offshore Services, Refugee, Borders and Onshore Services Division.

Client Strategy and Performance Division:

This division supports Global Managers deliver high performance across the Client Services Group. The division is responsible for the development and implementation of the department's Client Services Transformation Strategy (refer Brief C14), in particular driving the eBusiness strategy. The division also plays a critical role in supporting greater engagement and coordination between business and information technology.

Visa and Offshore Services Division:

The division brings together the offshore and onshore visa processing and operational areas of the department's service delivery network. These areas include a number of Global Manager business lines (along with those state offices which are also directly managed by Global Managers), offshore posts with their respective regional support arrangements, the Offshore Biometrics Taskforce and client service coordination and support units.

Refugee, Borders and Onshore Services Division:

The division is responsible for the operational performance of the department's humanitarian, borders, compliance, multicultural, settlement and citizenship areas. Working closely with Policy and Program Management and Business Services groups, it is also responsible for seamless end-to-end client management across for all client groups, including irregular maritime arrivals across all these areas.

Global Managers and State and Territory Directors

Refer [Brief C14](#), Attachment A.

Business Services Group

Governance and Legal Division:

Leading organisational performance to help the department perform now and into the future by providing high quality, timely, strategic and practical legal and related services; strengthening governance, planning and assurance capabilities; and supporting the transformation processes including the Legal Transformation.

Financial Strategy and Services Division:

The Division is responsible for financial strategy, policies, systems and procedures, including internal and external budgeting; financial reporting; debt management; financial processing; procurement and tendering and property services.

People and Executive Services Division:

The division supports the department with ministerial and executive services, strategic business planning, reporting, workforce development and human resource management.

Business Transformation Services Division:

Achievement of the DIAC Information and communication Technology (ICT) Strategic Plan, which includes as primary responsibility the delivery of the Systems for People Program.

Technology Services Division:

Enhance the department's business through the delivery of the ICT Strategic Plan; continued maintenance of high performing, responsive and innovative ICT systems and services; and support of an appropriate security framework for people, property and information.

Risk, Fraud and Integrity Division:

To detect, measure and recommend treatments to mitigate multiple dimensions of risk across the department's full operations. The division is responsible for setting broad strategic frameworks, risk analysis, prioritisation and tasking in close consultation and collaboration with the policy and operational risk/risk treatment owners. A global risk and integrity policy framework will include and incorporate an all source immigration intelligence capability, risk analytic capability and specialist services to support business operations.

Community and Detention Services Division:

The division is responsible for the overall management and operation of immigration detention in Australia. This includes the processing of irregular maritime arrivals on Christmas Island and the mainland; managing the health and welfare of people in immigration detention, as well as those people detained within the community; and managing the contract with the detention service provider.

National Communications Branch:

The branch supports the ministerial offices, the departmental executive and business areas on a wide range of communication issues. These include media liaison and monitoring; internal and strategic communication; speech writing; events management; publications design and production; digital productions and public information campaigns.

DIAC Transformation Program Management Office

The PMO is responsible for planning, monitoring and reporting projects under the *Strengthening Australia's borders through the development of world class migration, visa and citizenship services* transformation program. It facilitates strong project management and is responsible for change management and communication.

Secretary - Andrew Metcalfe 6264 2560

Office of the MARA (Transitional)
Christine Sykes - CEO
S.41(1)
Deputy CEO
Stephen Wood
S.41(1)

Special Counsel
Ian Deane
6264 1861

A/g Deputy Secretary
Peter Vardos
6264 2056

Chief Economist
Mark Cully
6264 2713

Policy Innovation & Research Unit
Anita Davis A/g
6264 2715

Migration & Visa Policy
Kruno Kukoc
6264 1888

Principal Advisor (FAS) Migration Strategies
Mark Cully
6264 3741

Labour Market
Peter Speldewinde
6264 3317

Education and Tourism
Paula Williams
6264 2321

Family and Health Policy
Matt Kennedy
6264 4633

Visa Business Transformation & Business Support Branch
Elizabeth Hoffmann
6264 2770

Citizenship, Settlement & Multicultural Affairs
Jamie Fox
6198 7108

Principal Advisor
Kate Pope
6198 7218

Multicultural Affairs
Peter Van Vliet
6198 7226

Citizenship
Sophie Montgomery A/g
6198 7005

Settlement
Peter Templeton
6198 7215

Refugee Support
Vincent Giuca
6198 7104

Compliance & Case Resolution
Alison Larkins
6198 7799

Policy Framework, Evaluation & Analysis
Robert Illingworth
6198 7800

Program Integrity Risks
Andrew Bleeze A/g
6198 7924

Compliance Resolution Program Management
Lynne Gillam
6198 7914

Case Management & Review
Dermot Casey
6198 7557

Business Transformation
Andrew Bleeze A/g
6198 7924

Principal Assessor Character
Tom Wodak
03 8682 2206

Deputy Secretary
Peter Hughes
6264 1234

Independent Merits Review
John Lynch
6264 3062

Border Security, Refugee & International Policy
Garry Fleming
6264 1830

Principal Advisor, Border and Humanitarian Strategies
Vicki Parker
6264 3741

Humanitarian
Judith O'Neill
6264 4298

Onshore Protection
Julia Niblett
6264 4677

International Cooperation
Mary-Jane Jones A/g
6264 3090

Border Security Policy
Agnieszka Holland A/g
6198 7442

Regional Cooperation
Robert Hoitink
6264 2706

South East Asia Policy
Mary-Jane Jones
6223 9300

Geneva
John Matthews
(4122) 7999 115

Deputy Secretary
Felicity Hand
6264 2002

Refugee, Borders & Onshore Services
Stephen Allen A/g
6264 2872

Global Manager Borders and State Director Vic.
Jose Aláirez
03 9235 3211

Global Manager Refugee & Humanitarian Visas & State Director NSW
David Walsh
02 8862 6000

Global Manager Character
Paul Windsor
03 9235 3212

Global Manager Citizenship, Settlement and Multicultural Affairs
Paul D Farrell
03 9415 2959

Assistant Secretary Compliance & Case Resolution East & North*
Rocio Trapaga-Saul

Assistant Secretary Compliance & Case Resolution South & West**
Amanda Paxton

* Compliance and Case Resolution East and North :: NSW - ACTRO - Qld - NT

** Compliance and Case Resolution South and West :: Vic. - Tas. - SA - WA

NT State Director
David Edwards *
08 8901 6155

ACT and Regions State Director
Steve Ingram *
02 6195 6043

Tasmania State Director
Doug Walker *
03 6281 9462

*reporting structure does not start until phase 4 in October

Visas & Offshore Services
Todd Frew
02 6264 2562

Global Manager Visas (Skilled and Family) and State Director Qld
Greg Kelly
07 3136 7600

Global Manager Visas (Temporary) & State Director WA
John Moorhouse
08 9415 9264

Global Manager Operational Integrity and State Director SA
Christopher Callanan
08 7421 7602

Global Manager Service Centres
Jill Simpson
02 6264 4392

Chief Medical Officer / Global Manager Health
Paul Douglas
02 8666 5760

Offshore Biometrics Taskforce
Janette Haughton
02 6225 8846

Regional Directors Offshore Operations

Europe
David Wilden

South Pacific
Susan Pullar

South East Asia
Jim O'Callaghan

Client Strategy & Performance
Marie Johnson
02 6264 2529

Operational Performance
Damian Carmichael
02 6264 1631

Client Services Transformation
Peter Richards
02 6264 2536

Client Strategy
Keith Bender A/g
02 62641536

Business Liaison and Systems Transformation
Susan Pegg A/g
02 6264 4373

Global Manager eBusiness
Adrian Motherway
02 6264 3903

Middle East & Africa
Janet Mackin

Americas
Jim Williams

East Asia
Simon De Vere

South Asia
Louise Smith

Deputy Secretary & CIO
Bob Correll
6264 2522

DIAC Transformation Program Management Office
Sally Babbage
6223 8534

Business Services Transition Manager
Shaun McGuiggan
6225 6531

Community & Detention Services
Jackie Wilson
6264 1659

Services Management
Fiona Lynch-Magor
6264 2257

Community and Detention Operations
Deb Jacka
6264 3296

Policy & Planning
Jan Tankiang
6264 4102

Irregular Maritime Arrivals
Daniel Boyer
6264 2368

IMA Operations Christmas Island
Fiona Andrew A/g
S.41(1)

Technology Services
Peter Mckean
6264 3312

Service Management
Colin Haughton
6264 3636

Service Operations
Paul Cross
6264 3396

Knowledge Management and Reporting
Roman Strausov A/g
6223 9111

Visa Citizenship & Settlement Systems
Brian Schumacher A/g
6223 9867

Common Systems
Alex el-Debel A/g
6264 2626

Border and Case Systems
Tim Drury
6225 6886

Business Transformation Services
Nico Padovan
6225 6529

Program Management
Jane Andrews A/g
6225 8630

GVP & Rules
Joe Gunning
6223 9665

Service Design
TBA

Communication & Change Taskforce
Frances Finney A/g
6225 6428

People & Executive Services
Marilyn Prothero
6225 8661

People Services
Craig Farrell
6223 9357

Learning & Development
Borko Vlatković
6223 9024

Ministerial and Executive Services
Simon Schiwy
6264 2058

Business Planning & Reporting
Ben Neal A/g
6223 8436

Risk, Fraud and Integrity
Gavin McCairns
6198 7688

Risk Analysis & Monitoring
Phil Thurbon
6225 6538

Fraud, Investigations & Prosecutions
Hamish Lindsay A/g
6198 7924

Immigration Intelligence
Annette Keenan A/g
6264 2063

Identity
Cath Wilson A/g
6198 7679

Financial Strategy & Services (CFO)
Stephen Sheehan
6264 1235

Property and Financial Operations
James Malizani
6264 1289

Procurement & Contracts
Tony Judge
6264 3820

Accounting & Financial Control
Peter Hausknecht
6264 1049

Financial Strategy & Budgets
Steven Biddle
6264 2153

Governance and Legal
Jackie Davis (A/g Chief Lawyer)
6264 4324

Litigation & Opinions
Catherine Seaberg A/g
6264 1711

Legal Framework
Sanaz Mirzabegian
6264 2594

Governance & Audit
Chris Hodges (Chief Internal Auditor)
6264 1427

National Communications Manager
Sandi Logan
6264 2024

Attachment E

NAME	DIVISION/ TITLE	OFFICE NO	FAX NO	MOBILE	HOME NO
Andrew Metcalfe	Secretary	02 6264 2560	02 6264 2670		
Peter Vardos	Special Advisor	02 6264 2056	02 6264 2670		
John Lynch	CEO Refugee Status Review Office	02 6264 3062	02 6225 6290		
Ian Deane	Special Counsel	02 6264 1861			
Christine Sykes	CEO Office of the MARA	02 9078 3500	02 9078 3591		
Peter Hughes	Deputy Secretary	02 6264 1234	02 6264 2670		
Garry Fleming	FAS Border Security, Refugee and International Policy	02 6264 1830	02 62643483		
Vicki Parker	Principal Advisor, Border and Humanitarian Strategies	02 6264 3741	02 62643483		
Judith O'Neill	AS Humanitarian Branch	02 6264 2140	02 6264 4488		
Julia Niblett	AS Onshore Protection Branch	02 6264 4677	02 6264 3483		
Cathy Maurer	AS International Cooperation Branch	02 6264 3090	02 6264 3055		
Agnieszka Holland	A/g AS Border Security Policy	02 6198 7442	02 6198 7440		
Robert Hoitink	AS Regional Cooperation	02 6264 2203	02 6264 4217		
Mary-Jane Jones	AS South East Asia Policy	02 6223 9300	02 6264 3055		
John Matthews	Chief Migration Officer	4122 7999 115	4122 7999 175		
Kruno Kukoc	FAS Migration and Visa Policy	02 6264 1888	02 6264 1887		
Mark Cully	Chief Economist / Principal Advisor Migration Strategies	02 6264 2713	02 6264 1887		
Peter Speldewinde	AS Labour Market	02 6264 3317	02 6264 1503		
Paula Williams	AS Education and Tourism	02 6264 2321	02 6264 4798		
Matt Kennedy	AS Family and Health Policy	02 6264 4633	02 6264 3753		
Elizabeth Hoffman	AS Visa Business Transformation & Business Support Branch	02 6264 2770	02 6264 1807		
Jamie Fox	FAS Citizenship, Settlement & Multicultural Affairs	02 6198 7108	02 6198 7112		
Kate Pope	CSM Principal Advisor	02 6198 7218	02 6198 7221		
Peter Van Vliet	AS Multicultural Affairs	02 6198 7226	02 6198 7221		
Sophie Montgomery	A/g AS Citizenship Branch	02 6198 7005	02 6198 7674		
Peter Templeton	AS Settlement	02 6198 7215	02 6198 7208		
Vincent Giuca	AS Refugee Support	02 6198 7104	02 6198 7112		

S.41(1)

NAME	DIVISION/ TITLE	OFFICE NO	FAX NO	MOBILE	HOME NO
Alison Larkins	FAS Compliance & Case Resolution	02 6198 7799	02 6198 7803		
Robert Illingworth	AS Policy Framework, Evaluation & Analysis	02 6198 7800	02 6198 7803		
Andrew Bleeze	A/g AS Program Integrity Risks	02 6198 7924	02 6198 7919		
Lynne Gillam	AS Compliance Resolution Program Management	02 61987914	02 6198 7907		
Dermot Casey	AS Case Management and Review	02 6198 7557	02 6198 7803		
Tom Wodak	Principal Assessor Character	03 8682 2206	03 9235 3393		
Anita Davis	A/g AS Policy Innovation & Research Unit	02 6264 2715	02 6264 1386		
Felicity Hand	Deputy Secretary	02 6264 2002	02 6264 2670		
Stephen Allen	A/g FAS Refugee, Borders & Onshore Services	02 6264 2872	02 6264 2860		
Michael Minns	AS Border Operations	02 6198 7450	02 6198 7436		
Jose Alvarez	Global Manager Borders	03 9235 3211	03 92353393		
David Walsh	Global Manager Refugee & Humanitarian	02 8862 6002	02 8862 6006		
Paul Windsor	Global Manager Character	03 9235 3212	03 9235 3393		
Paul Farrell	Global Manager Citizenship and Settlement	03 9235 3937	03 9235 3266		
Rocio Trapaga-Saul	Global Manager Compliance and Case Resolution East & North	02 8862 6008	08 8862 6006		
Amanda Paxton	A/g AS Compliance and Case Resolution South & West	03 9235 3001	03 9235 3240		
David Edwards	NT State Director	08 8901 6155	08 8941 2297		
Steve Ingram	ACT and Regions State Director	02 6195 6043	02 6248 0479		
Doug Walker	Tasmania State Director	03 6281 9462	03 6291 9454		
Todd Frew	FAS Visa and Offshore	02 6264 2562	02 62641624		
Greg Kelly	Global Manager Visas Skilled and Family	07 3136 7600	0731367675		
John Moorhouse	Global Manager Visas (Temporary)	08 9415 9264	089415 9285		
Christopher Callanan	Global Manager Integrity	08 7421 7600	08 7421 7608		
Jill Simpson	Global Manager Service Centres	02 6264 4392	026264 1380		
Paul Douglas	Chief Medical Officer	02 8666 5760	02 8666 5900		
Janette Haughton	AS Offshore Biometrics Taskforce	02 6225 8846	026264 4153		

S.41(1)

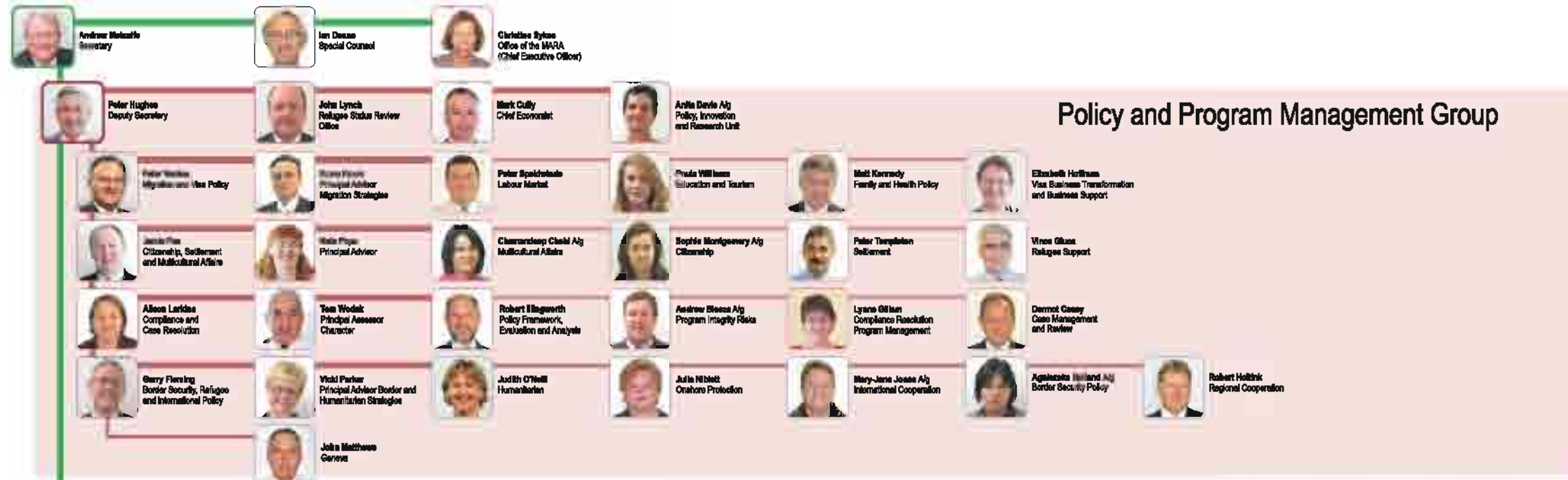
NAME	DIVISION/ TITLE	OFFICE NO	FAX NO	MOBILE	HOME NO
Marie Johnson	FAS Client Strategy and Performance	02 6264 2529	02 6264 4153		
Damian Carmichael	AS Operational Performance	02 6264 1631	02 6264 1435		
Peter Richards	AS Client Service Transformation	02 6264 2692			
Keith Bender	A/g AS Client Strategy Branch	02 6264 1536	02 6264 4153		
Susan Pegg	A/g AS Business Liaison & Systems Transformation	02 6264 4373			
Adrian Motherway	Global Manager eBusiness	02 6264 3903	02 6264 1380		
Bob Correll	Deputy Secretary	02 6264 2522	026 264 2670		
Sally Babbage	AS DIAC Transformation	02 6223 8534	02 6274 2040		
Shaun McGuiggan	AS Business Services Transformation Manager	02 6225 6531			
Jackie Wilson	FAS Community & Detention Services	02 6264 1659	02 6264 1100		
Fiona Lynch-Magor	AS Services Management	02 6264 2257	02 6264 2997		
Deb Jacka	AS Community & Detention Operations - East	02 6264 3296	02 6264 2793		
Fatime Shyqyr	A/g AS Community & Detention Operations - West	02 6264 4074	02 6264 2793		
Jan Tankiang	AS Policy and Planning	02 6264 4102	02 6264 2997		
Daniel Boyer	AS Irregular Maritime Arrivals	02 6264 2368	026264 1121		
Fiona Andrew	A/g AS IMA Operations Christmas Island	08 9164 7032	08 9164 8117		
Peter Mckeon	FAS Technology Services	02 6264 3312	02 6264 2010		
Colin Haughton	Service Management	02 6264 3636	02 6264 2010		
Mark Handley	A/g AS Security and IT Service Operations	02 6264 3396	02 6264 3274		
Therese Lynch	AS Knowledge Management and Reporting	02 6223 9111	02 6223 9112		
Brian Schumacher	A/g AS Visa Citizenship & Settlement Systems	02 6223 9867	02 6198 7334		
Alex El-Debel	A/g AS Common Systems	02 6264 2626	02 6264 2437		
Tim Drury	AS Border and Case Systems	02 6225 6886	02 6198 7671		
Nico Padovan	FAS Business Transformation Services	02 6225 6529	02 6225 6528		
Jane Andrews	A/g AS Program Management	02 6225 8630	02 6225 6528		
Joe Gunning	AS GVP & Rules	02 6223 9665	02 6225 6756		

S.41(1)

NAME	DIVISION/ TITLE	OFFICE NO	FAX NO	MOBILE	HOME NO
Frances Finney	A/g AS Communication & Change Taskforce	02 6225 6428	02 6225 8627		
Marilyn Prothero	FAS People and Executive Services	02 6223 8661	02 6225 8669		
Craig Farrell	AS People Services	02 6223 9357	02 6223 9820		
Borko Vlatkovic	AS Learning & Development	02 6223 9024	02 6223 9811		
Simon Schiwy	AS Ministerial & Executive Services	02 6264 2058	02 6264 2033		
Ben Neal	A/g AS Business Planning & Reporting	02 6223 8436	02 6223 9810		
Gavin McCains	FAS Risk Fraud & integrity	02 8862 6000	02 6198 7554		
Phil Thurbon	AS Risk Analysis & Mgt Branch	02 6225 6538	02 6198 7554		
Hamish Lindsay	A/g AS Fraud, Investigations & Prosecutions	02 6198 7324	02 6198 7560		
Annette Keenan	A/g AS Border Intelligence	02 6264 2063	02 6264 2860		
Cath Wilson	A/g AS Identity	02 6198 7679	02 6198 7678		
Stephen Sheehan	FAS Financial Strategy & Services	02 6264 1235	02 6264 1658		
James Malizani	AS Property and Financial Operations	02 6264 1289	02 6264 3213		
Tony Judge	AS Procurement & Contracts	02 6264 3820	02 6264 3213		
Peter Hausknecht	AS Accounting & Financial Control	02 6264 1049	02 6264 1658		
Steve Biddle	AS Financial Strategy & Budgets	02 6264 2153	02 6264 1658		
Jackie Davis	A/g FAS Governance and Legal (A/g Chief Lawyer)	02 6264 4324	02 6264 1818		
Catherine Seaberg	AS Litigations and Opinions	02 6264 1711	02 6264 1401		
Sanaz Mirzabegian	AS Legal Framework	02 6264 2594	02 6264 1401		
Chris Hodges	AS. Governance and Audit Chief Internal Auditor	02 6264 1427	02 6264 1818		
Sandi Logan	National Communications Manager	02 6264 2024	02 6264 2479		

S.41(1)

Department of Immigration and Citizenship SES organisational chart



This chart is based on current and confirmed postings as at 13 August 2010.

Title	<p>Portfolio Agencies – Overview of:</p> <ul style="list-style-type: none"> • Office of the Migration Agents Registration Authority (MARA) • Migration Review Tribunal (MRT)) • Refugee Review Tribunal (RRT)
Key issue/s	N/A
Background	<p>Office of the Migration Agents Registration Authority (MARA)</p> <ul style="list-style-type: none"> • On 1 July 2009, the Office of the MARA was established as a discrete office attached to the department in response to the <i>2007-08 review of Statutory Self Regulation of the Migration Advice Profession</i>. The Office of the MARA reports directly to the Secretary. • The new office was established to address perceptions of a conflict of interest and to increase confidence in the integrity of the regulation of registered migration agents. The CEO is advised by the Office of the MARA Advisory Board (refer <i>Brief C3</i>). The staff are employed under the <i>Public Service Act 1999</i>. • In undertaking the functions set out in section 316 of the <i>Migration Act 1985</i>, the Office of the MARA works collaboratively with its stakeholders to achieve the following objectives: <ul style="list-style-type: none"> - consumers understand their rights and agents understand their obligations under the regulatory framework; - only suitable persons are registered as migration agents; - registered agents maintain appropriate skills and knowledge to enable them to provide accurate and timely advice to consumers; - registered migration agents are monitored to ensure the integrity of their conduct and quality of the immigration assistance provided to consumers; and - consumers are provided with an efficient and effective complaints handling service. <p>Migration Review Tribunal (MRT) and Refugee Review Tribunal (RRT)</p> <ul style="list-style-type: none"> • The MRT and RRT are statutory bodies which provide a final independent merits review of visa and certain visa-related decisions of the department. • The Tribunals are separately established under the <i>Migration Act 1958</i>. The RRT was established in 1993 and the MRT in 1999. • The Tribunals have joint administrative arrangements and all Members are cross-appointed to both Tribunals. Members are located in Adelaide, Perth and Brisbane, in the offices of the Administrative Appeals Tribunal (AAT).

IN-CONFIDENCE

	<ul style="list-style-type: none"> • The Members of the MRT and the RRT are appointed under the <i>Migration Act 1958</i> by the Governor-General for fixed terms on a full-time or part-time basis and staff employed under the <i>Public Service Act 1999</i>. • The MRT and the RRT are a single prescribed agency for the purposes of the <i>Financial Management and Accountability Act 1997</i>. • In 2009-10 the top four review categories for the MRT were Student Visa refusals, Skilled Visa refusals, Partner Visa refusals and Student Visa cancellations. • The RRT's processing standard for reviewing Protection Visa decisions is 90 days. If the reviews are not finalised within the 90 days, the Principal Member is required to provide you with a report for tabling in Parliament. • For 2009-10 the average processing time for Protection Visa applications was 99 days. Compliance with the 90 days requirement for this period was 69%. • The Tribunals' main registry is located in Sydney. Another registry is in Melbourne. • As of 1 July 2010, the Members consist of: <ul style="list-style-type: none"> - Principal Member, Mr Denis O'Brien appointed until 30 June 2012; - 1 Deputy Principal Member; - 5 Senior Members; - 30 full-time Members; and - 54 part-time Members. • One Senior Member position is currently substantively vacant and a full time Member is acting in that position. • The Principal Member of the MRT and RRT in his capacity as Agency Head will be submitting his own Incoming Minister's Brief on behalf of the Agency. The Principal Member provides four-monthly reports on the operations of the Tribunals and an Annual Report for tabling in Parliament. • For MRT and RRT statistics for the 2009-10 financial year, refer to <u>Attachment A</u>.
Contact details	Andrew Metcalfe (w) (02) 6264 2560 (m) s.41(1)
Lead Division and relevant Branch	<u>Office of the MARA</u> : Migration and Visa Policy Division, Visa Deregulation and Support Branch – Assistant Secretary Elizabeth Hoffmann <u>MRT and RRT</u> : Governance and Legal Division, Governance and Audit Branch – Assistant Secretary Chris Hodges

Migration Review Tribunal (MRT) Key statistics for 2009-10

- Cases lodged during the financial year 2009-10: 8 332.
- Cases finalised during the financial year 2009-10: 7 580.
- Percentage of primary decisions set aside: 45%.
- Percentage of primary decisions affirmed: 36%.
- Percentage of applications withdrawn and other decision outcomes: 20%.
- Average time taken to decide a case: 282 days (approximately 40 weeks).

Refugee Review Tribunal (RRT) Key statistics for 2009-10

- Cases lodged during the financial year 2009-10: 2 271.
- Cases finalised during the financial year 2009-10: 2 157.
- Percentage of primary decisions set aside: 24%.
- Percentage of primary decisions affirmed: 71%.
- Percentage of applications withdrawn and other decision outcomes: 5%.
- Average time taken to decide a case: 99 days (approximately 14 weeks).

Title	<p>Key Portfolio Consultative Bodies – Overview of</p> <ul style="list-style-type: none"> • Refugee Resettlement Advisory Council (RRAC) • Australian Multicultural Advisory Council (AMAC) • Council for Immigration Services and Status Resolution (CISSR) • Detention Health Advisory Group (DeHAG) • Advisory Board to the Office of the MARA • Skilled Migration Consultative Panel
Key issue/s	N/A
Background	<p>Refugee Resettlement Advisory Council (RRAC)</p> <ul style="list-style-type: none"> • The Refugee Resettlement Advisory Council (RRAC) is an expert non-statutory independent body established in April 1997. It advises you and the Parliamentary Secretary on matters relating to the delivery of settlement services and improves the information flow on settlement policy between the Australian Government and the community sector. • Councillors do not represent individual states, territories or particular community organisations. • The Government appoints Members to RRAC for a specific term, usually three years. • On 19 July 2010 the former Prime Minister formally approved the appointment of ten Members to RRAC for a sixth term from 19 July 2010 to 30 June 2013 (<u>Attachment A</u>). • Members of the sixth term of RRAC have not been advised of their appointment to Council. Notification will take place shortly. <p>Australian Multicultural Advisory Council (AMAC)</p> <ul style="list-style-type: none"> • AMAC was first appointed by the former Government in December 2008, with the term expiring on 30 June 2010. • On 22 June 2010, the former Government announced the decision to reappoint AMAC for a further two year term, until 30 June 2012 (<u>Attachment B</u>): <ul style="list-style-type: none"> - Mr Andrew Demetriou remains as the Chair, with Judge Rauf Soulio being newly appointed to the new position of Deputy Chair; - Messrs Peter Wertheim AM and John Rawnsley are new Members for the second term; and - two members (Ms Rhonda Jacobsen and Mr Brian Schwartz AM) signalled that they would prefer not to be reappointed. • AMAC's terms of reference are to advise the Government on practical approaches to promoting social cohesion, the engagement of migrants

IN-CONFIDENCE

	<p>in Australian society, overcoming racism and intolerance and communicating to the public on this complex social policy area.</p> <ul style="list-style-type: none">• The council consists of 16 Members with a wide range of backgrounds, experience and professional expertise and reflecting a balance of ages and gender.• AMAC's terms of reference remain the same. The former Minister set out some second term priorities for AMAC in a speech in Melbourne on 30 April 2010. These priorities are:<ul style="list-style-type: none">- advice on the development of a long-term strategy to support migrant settlement in rural and regional locations and areas with identified employment opportunities;- advice on the formation of policy initiatives at the neighbourhood level to strengthen local communities;- further guidance on strategies identified in the development of a Government response to The People of Australia;- advice on future research priorities and feedback on completed research and emerging issues; and- advice on other issues nominated by the portfolio Minister or Parliamentary Secretary. <p>Council for Immigration Services and Status Resolution (CISSR)</p> <ul style="list-style-type: none">• The CISSR was established as an independent advisory group to the former Minister to provide independent advice on policies, processes, services and programs necessary to achieve the timely, fair and effective resolution of immigration status for people seeking migration outcomes in Australia. This includes people whose immigration status is unresolved residing either in the community or in any form of detention. In particular, the council provides advice on:<ul style="list-style-type: none">- policies, services and programs designed to support the timely resolution of immigration status outcomes;- the appropriateness and adequacy of services available to assist people whose immigration status is unresolved; and- detention matters including, but not limited to, the suitability of facilities, accommodation and service arrangements.• The former Minister appointed the council Members for a two year term commencing from October 2009 (<u>Attachment C</u>).• CISSR convenes up to five times per year and holds sub-group meetings in intervening periods. The sub-groups are:<ul style="list-style-type: none">- Minors;- Service Delivery Framework;- Research and Evaluation;- Christmas Island; and- Mainland Detention Facilities.
--	--

IN-CONFIDENCE

Detention Health Advisory Group (DeHAG)

- The DeHAG plays a major role in providing the department with the necessary independent, expert advice to design, develop, implement and monitor health and mental health care services and policies for people awaiting immigration status resolution:
 - in all places of immigration detention;
 - in Community Detention (Residence Determination); and
 - as holders of Bridging Visas while receiving support through the department.
- Specifically, with reference to the people identified above, the DeHAG provides expert opinion and recommendations regarding:
 - design, development and implementation of policy for the provision of health and mental health care;
 - appropriate standards of health and mental health care for individuals and groups;
 - appropriate monitoring, reporting and review processes for health services and related information and data issues; and
 - the nature and scope of potential research and data collection required to improve health outcomes and management of health care.
- The DeHAG also provides expert opinion and recommendations on other specific issues relating to health and mental health through expert sub-groups including:
 - mental health;
 - community and public health; and
 - those in the community with unresolved status.
- DeHAG meets on a quarterly basis.
- The department appointed the Members for a one year term commencing 16 September 2009 (Attachment D).
- The report on the *DeHAG Visit to Christmas Island* was provided to the former Government on 1 April 2010.

Office of the Migration Agents Registration Authority (MARA) Advisory Board

- On 13 August 2009, the former Minister announced the appointment of an Advisory Board to guide the Office of the MARA.
- The Advisory Board provides advice to the CEO of the Office of the MARA (refer *Brief C2*) in relation to:
 - office procedures, policies and strategies;
 - the setting of organisational directions, priorities and plans; and
 - emerging issues within the sector of relevance to the regulation of migration agents.

IN-CONFIDENCE

	<ul style="list-style-type: none"> • The Advisory Board can also provide advice on broad policy issues relating to the migration advice profession as appropriate (eg consumer protection issues). • The Chair of the Advisory Board is independent of the department and the migration advice profession and reports directly to you. • The Advisory Board comprises representatives of the Migration Institute of Australia, the Law Council of Australia, universities, the not-for-profit sector, consumer and community advocates, the department and the CEO of the Office of the MARA (<u>Attachment E</u>). <p>Skilled Migration Consultative Panel</p> <ul style="list-style-type: none"> • In July 2008, the former Minister appointed the Skilled Migration Consultative Panel to advise on the reform of the Subclass 457 visa. The first meeting occurred on 6 August 2008. • The Panel comprised: <ul style="list-style-type: none"> - four state government representatives (NSW, Victoria, Western Australia and Queensland); - four industry groups (Australian Industry Group, the Australian Chamber of Commerce and Industry, Business Council of Australia and the Minerals Council of Australia); and - four unions nominated by the ACTU (ACTU, CFMEU, AMWU and the Australian Nursing Federation). - The former Government agreed to extend the role of the Panel in February 2009 to provide ongoing advice relating to temporary and permanent migration programs.
Contact details	<p>Andrew Metcalfe (w) (02) 6264 2560 (m) s.41(1)</p>
Lead Division and relevant Branch	<p><u>RRAC</u>: Citizenship, Settlement and Multicultural Affairs Division, Settlement Branch – Assistant Secretary Peter Templeton <u>AMAC</u>: Citizenship, Settlement and Multicultural Affairs Division, Multicultural Affairs Branch – Assistant Secretary Peter Van Vliet <u>CISSR</u>: Community and Detention Services Division, Community and Detention Operations Branch – Assistant Secretary Deborah Jacka <u>DeHAG</u>: Community and Detention Services Division, Services Management Branch – Assistant Secretary Fiona Lynch-Magor <u>Office of the MARA Advisory Board</u>: Migration Visa Policy Division, Visa Deregulation and Support Branch – Assistant Secretary Elizabeth Hoffmann <u>Skilled Migration Consultative Panel</u>: Migration visa Policy, Principal Advisor Migration Strategies Branch – Chief Economist Mark Cully</p>

Attachment A

Refugee Resettlement Advisory Council (RRAC) Members

- The Hon Bruce Baird AM (Chair), NSW, first appointed 19 March 2008.
- Mr Rasoul Ahmady, SA, appointed 19 July 2010.
- Mr Paris Aristotle AM, VIC, member since inception in 1997.
- Ms Jasmina Bajraktarevic Hayward, NSW, appointed 19 July 2010.
- Ms Carmel Guerra, VIC, member since inception in 1997.
- Ms Eleri Morgan-Thomas, NSW, appointed 19 July 2010.
- Mr Paul Power, NSW, first appointed 19 March 2008.
- Ms Jenny Semple, VIC, first appointed 19 March 2008.
- Dr Peter Shergold AC, NSW, appointed 19 July 2010.
- Mr Daniel Zingifuaboro, QLD, first appointed 19 March 2008.

Attachment B

Australian Multicultural Advisory Council (AMAC) Members

- Mr Andrew Demetriou, VIC (Chair).
- Judge Rauf Soulio, SA (Deputy Chair).
- Mr Susai Benjamin, NSW.
- Ms Nola Randall-Mohk, NSW.
- Mr Peter Wertheim AM, NSW.
- Mrs Katie Young OAM, NSW.
- Dr Hass Dellal OAM, VIC.
- Ms Joumanah El Matrah, VIC.
- Dr Sylwia Greda-Bogusz, VIC.
- Ms Voula Messimeri AM, VIC.
- Ms Gail Ker OAM, QLD.
- Dr Casta Tungaraza, WA.
- Professor Samina Yasmeen, WA.
- Ms Carmen Garcia SA.
- Inspector Craig Waterhouse, TAS (retired).
- Mr John Rawnsley, NT.

Attachment C

Council of Immigration Services and Status Resolution (CISSR) Members

- Mr Paris Aristotle AM (Chair).
- Air Marshal Ray Funnell AC (retired) (Deputy Chair).
- Ms Kerrin Benson.
- Mr Noel Clement.
- Ms Caz Coleman.
- Ms Libby Lloyd AM.
- Dr Maryanne Loughry AM.
- Associate Professor Harry Minas.
- Professor Nicholas Procter.
- Dr Jamal Rifi.
- Professor Samina Yasmeen.

Attachment D

Detention Health Advisory Group (DeHAG) Members

- Professor Louise Newman (Chair).
- Dr Tim Lightfoot (Deputy Chair).
- Dr Choong-Siew Yong.
- Ms Sandra Eagar.
- Dr Paul Kotala.
- Professor Maxine Whittaker.
- Dr Gillian Singleton.
- Ms Amanda Gordon.
- Mr Jorge Aroche.
- Professor Anna Whelan (resigned 19 February 2010).
- Dr Jamal Rifi (CISSR Representative).
- Ms Helen Fleming (Senior Assistant Ombudsman – Observer).

Attachment E

Office of the Migration Agents Registration Authority (MARA) Advisory Board Members

- Mr Robert Cornall AO, Chair.
- Ms Jenni Mack, Deputy Chair and Consumer Advocate.
- Mr Glenn Ferguson, Law Council of Australia.
- Mr Stirling Henry, Migration Institute of Australia.
- Mr Andrew Holloway, Universities.
- Ms Sonia Caton, Not-for profit immigration assistance sector.
- Mr Jim McKiernan, Community Advocate.

Title	Other Portfolio Bodies – Overview of: <ul style="list-style-type: none"> • National Accreditation Authority for Translators and Interpreters (NAATI), including governance structure
Key issue/s	<p>The National Accreditation Authority for Translators and Interpreters (NAATI) ongoing viability in light of its financial situation (refer also to <i>Brief A23</i>).</p> <p>The position of Chair, Board of Directors is currently vacant. Options will be provided for your consideration in the near future.</p>
Background	<ul style="list-style-type: none"> • NAATI is an independent organisation jointly owned by the Commonwealth and state and territory governments. • The principal objective of NAATI is to establish and maintain national standards for the translating and interpreting profession in Australia. • NAATI has nine ‘Members’, who are the ministers responsible for multicultural affairs in each jurisdiction. • The NAATI Chair and Deputy Chair are appointed by the Commonwealth Minister based on merit. NAATI Directors are selected by NAATI Members on merit and formally appointed by the Commonwealth Minister for a period of three years based on a Members’ resolution endorsing the selection of Directors. • NAATI is managed by a Board of five Directors (<u>Attachment A</u>). The terms of Ms Susan Bures AM, Chair, and Mr John Kiosoglous, Director, concluded on 21 August and 31 August 2010 respectively. Dr Hass Dellal OAM commenced as a Director on 1 September 2010. • Acting Chair arrangements are in place to allow continuity until a permanent Chair appointment can be made.
Contact details (Deputy Secretary)	<p>Peter Hughes (w) (02) 6264 1234 (m) s.41(1)</p>
Lead Division and relevant Branch	<p>Citizenship, Settlement and Multicultural Affairs Division Settlement Branch</p>

National Accreditation Authority for Translators and Interpreters (NAATI)

Board of Directors

- Ms Susan Bures AM
 - 14 September 2007 - 13 September 2010 (Chair)
 - 1 September 2007 – 21 August 2010 (Director)

- Mr Abeselom Nega (Director)
 - 1 September 2009 – 31 August 2012

- Mr John Kiosoglous (Director)
 - 1 September 2007 – 31 August 2010

- Dr Ludmilla Stern (Director)
 - 1 March 2010 – 1 March 2013

- Ms Kerry Stubbs (Director)
 - 1 March 2010 – 1 March 2013

Title	Overview of Acts and Relevant International Obligations
Key Issues	Commencement dates for any changes to portfolio legislation need to be harmonised with appropriate changes to departmental information technology systems.
Background	<ul style="list-style-type: none"> • The two key Acts administered by the department are the <i>Migration Act 1958</i> (Migration Act) and the <i>Australian Citizenship Act 2007</i> (Citizenship Act). • The purpose of the Migration Act is to ‘regulate’, in the national interest, the coming into, and presence in, Australia of non-citizens.’ • The Migration Act and the Regulations establish the legal framework for the grant, cessation and cancellation of visas. • The Regulations contain about 90 visa classes, comprising over 150 visa subclasses. The legislation sets out the requirements for: <ul style="list-style-type: none"> - lodging valid visa applications; - processing visa applications; and - powers to grant and cancel visas. • The legislation also provides for immigration clearance, review of visa decisions, the regulation of migration agents, border management, detention of unlawful non-citizens, compliance, removal, offences (eg people smuggling) and other matters. • The Citizenship Act and the <i>Australian Citizenship Regulations 2007</i> set out the conditions and circumstances under which a person can be eligible to become or cease to be an Australian citizen. • The department also administers the following Acts: <ul style="list-style-type: none"> - <i>Immigration (Guardianship of Children) Act 1946</i>; - <i>Immigration (Education) Act 1971</i>; - <i>Immigration (Education) Charge Act 1992</i>; - <i>Migration Agents Registration Application Charge Act 1997</i>; - <i>Migration (Visa Application) Charge Act 1997</i>; - <i>Aliens Act Repeal Act 1984</i>; - <i>Australian Citizenship Act (Transitionals and Consequentials) Act 2007</i>; - <i>Migration (Health Services) Charge Act 1991</i>; and - <i>Migration (Sponsorship Fees) Act 2007</i>.

<p>Internatio</p>	<p style="text-align: center;">nal obligations</p> <ul style="list-style-type: none"> • Australia is a party to the Convention and Protocol Relating to the Status of Refugees (Refugees Convention) and to the seven key multilateral human rights treaties: <ul style="list-style-type: none"> - Convention Against Torture and Other Cruel, Inhuman or degrading Treatment or Punishment (CAT); - International Covenant on Civil and Political Rights (ICCPR); - Convention on the Rights of the Child (CROC); - International Covenant on Economic, Social and Cultural Rights; - Convention on the Elimination of All forms of Racial Discrimination; - Convention on the Elimination of All forms of Discrimination against Women; and - Convention on the Rights of Persons with Disabilities. • Treaty obligations are not part of Australia’s domestic law unless they are incorporated into domestic legislation. Nevertheless, these treaty obligations are binding on Australia and set parameters on migration law, policy and practice, as they apply to persons within Australia’s jurisdiction (that is, while they are physically in Australia, including in excised offshore places) regardless of their immigration status. • In 2010, the National Human Rights Framework was announced, with a view to better protection of human rights (refer Brief B13 for further information). <p>Refugees Convention</p> <ul style="list-style-type: none"> • The main way Australia meets its obligations under the Refugees Convention is through the provision of protection visas (PV) to those who are owed protection obligations or to their family under the Convention. • Unlawful non-citizens who first enter Australia at an excised offshore place (eg Christmas Island) where they are not the holder of a visa, are barred from applying for a visa. The government complies with the <i>non-refoulement</i> obligation (an obligation not to return a person to face persecution) in relation to this group by assessing claims for protection under the non-statutory refugee status assessment process and not refouling persons found to be owed protection. <p>Other <i>non-refoulement</i> obligations</p> <ul style="list-style-type: none"> • The CAT, ICCPR and CROC contain <i>non-refoulement</i> obligations with respect to the right to life and freedom from torture and cruel, inhuman or degrading treatment or punishment. These obligations are not directly incorporated into the Migration Act but are dealt with by way of your public interest powers. A Bill to bring these obligations within the PV scheme lapsed when Parliament was prorogued.
--------------------------	--

IN-CONFIDENCE

Detention	<ul style="list-style-type: none">• Australia observes its international obligations regarding every person's right to liberty and freedom from arbitrary arrest or detention (Article 9(1) of the ICCPR) through only authorising the immigration detention of persons where it is prescribed at law (eg where the person is reasonably suspected of being an unlawful non-citizen). The Migration Act also provides flexibility in relation to granting bridging visas and utilising alternative forms of immigration detention, including community detention arrangements. <p>Information technology system changes</p> <ul style="list-style-type: none">• Departmental systems enable decision-makers to apply the relevant law and policy to the decisions that have to be made by departmental decision-makers. It is essential that changes to the portfolio legislation are consistent with the relevant parts of the departmental systems that are used by decision-makers. To have the legislation and systems unsynchronised risks unlawfully decision making, unfairness to clients and embarrassment to you and the department. It also could generate further costs to the Government by way of legal action.
Contact details (Deputy Secretary)	Bob Correll (w) (02) 6264 2522 (m) s.41(1)
Lead Division and relevant Branch	Governance and Legal Division Legal Framework Branch

Title	Overview of Ministerial Decision Making (particularly Ministerial Intervention)
Key issue/s	<ul style="list-style-type: none"> • The object of the <i>Migration Act 1958</i> (the Migration Act) is to ‘regulate’, in the national interest, the coming into, and presence in, Australia of non-citizens. • In general, under the Migration Act your ministerial powers may be delegated. There are, however, a number of powers in the Migration Act that can only be exercised by you personally. • You cannot be compelled to consider whether or not to exercise your personal powers. You are not bound to apply the visa criteria that would otherwise apply.
Background	<p>National interest powers</p> <ul style="list-style-type: none"> • Section 501A of the Migration Act empowers you to personally refuse or cancel a visa in the national interest where a delegate or the Administrative Appeals Tribunal (AAT) has decided not to do so. The power may be exercised with or without natural justice. However, if natural justice is not given you must invite the person to make representations as to whether the decision should be revoked (except in limited circumstances). If satisfied that the person passes the character test you may revoke the decision. • Section 501B empowers you to substitute your own non-reviewable decision to cancel or refuse to grant a visa for a delegate’s reviewable decision. <p>Public Interest Powers</p> <ul style="list-style-type: none"> • The main ministerial intervention powers give you discretion to substitute a more favourable decision for a decision made by a merits review tribunal, where you believe that it is in the public interest to do so. These powers include: <ul style="list-style-type: none"> - Section 351 – following a Migration Review Tribunal (MRT) decision; - Section 417 – following a Refugee Review Tribunal (RRT) decision; and - Section 501J – following an AAT protection visa character decision. • Other non-compellable public interest powers include: <ul style="list-style-type: none"> - Section 46A(2) – you may lift the bar to allow a valid visa application to be made by an offshore entry person who is in Australia and is an unlawful non-citizen; - Section 48B – you may lift the bar to allow a repeat protection visa application (PV) to be made by a person who has already been refused a PV and who is still in the migration zone; - Section 195A – you may grant a detainee a visa; - Section 197AB – you may make a ‘residence determination’ to the

IN-CONFIDENCE

	<p>effect that a person who is or may be detained under s189 of the Migration Act may reside at a place other than an immigration detention centre; and</p> <ul style="list-style-type: none">- Section 197AD – you may revoke or vary a ‘residence determination’.• In the past, Ministers have issued guidelines to the department to illustrate the types of circumstances where they may wish to consider the exercise of specific non-compellable intervention powers.• The department currently assesses all PV cases against the former Minister’s intervention guidelines following an adverse RRT decision. The actual decision whether to consider the exercise of the powers or whether to grant the visa must be made by you personally.
Contact details	Bob Correll (w) (02) 6264 2522 (m) s.41(1)
Lead Division and relevant Branch	Governance and Legal Division Legal Framework Branch

Title	Support Services to Your Ministerial Office
Key issue/s	N/A
Background	<ul style="list-style-type: none"> • In accordance with the long-established practice relating to the provision of ministerial services, the Department of Finance and Deregulation (Finance) meets specified costs in respect of Senators and Members to assist in carrying out their duties and responsibilities as elected representatives. • Portfolio departments facilitate the provision of a range of additional services and equipment to assist ministers in performing their portfolio responsibilities. The Ministerial Support Handbook at <u>Attachment A</u> provides further details on the support services provided by the department. • The Ministers of State Entitlements handbook provided by Finance outlines the full range of entitlements available to you in your capacity as a Minister and will be provided by the Ministerial and Parliamentary Services Entitlements Management Branch of Finance. • The Assistant Secretary, Ministerial and Executive Services Branch, Simon Schiwy, and the Director of Cabinet and Ministerial Support Section, Liane Pettitt, will provide a more detailed verbal briefing to your Chief of Staff, inclusive of the commissioning of your office in Australian Parliament House and any changes required for your electorate office.
Contact details (Deputy Secretary)	Bob Correll (w) (02) 6264 2522 (m) s.41(1)
Lead Division and relevant Branch	People and Executive Services Division Ministerial and Executive Services Branch

Title	Ministerial and Parliamentary Processes
Key issue/s	N/A
Background	<ul style="list-style-type: none"> • The department provides assistance and support to the Minister and ministerial staff for ministerial and parliamentary processes. • Simon Schiwy, Assistant Secretary, Ministerial and Executive Services Branch will hold discussions with staff in your office regarding the various ministerial and parliamentary processes. • Detailed information on these processes is attached as follows: <ul style="list-style-type: none"> - Cabinet business (<u>Attachment A</u>); - Ministerial correspondence and Departmental Liaison Officers (DLOs) (<u>Attachment B</u>); and - Briefs and submissions (<u>Attachment C</u>).
Contact details (Deputy Secretary)	Bob Correll (w) (02) 6264 2522 (m) s.41(1)
Lead Division and relevant Branch	People and Executive Services Division Ministerial and Executive Services Branch

Cabinet Business

s.36(1)

The Cabinet Secretariat in the Department of the Prime Minister and Cabinet will provide your Cabinet Papers via the secure CABNET/NSCNET system (part of the Ministerial Communications Network).

In addition, the department has a dedicated Cabinet Liaison Officer (CLO) in the Cabinet and Ministerial Support Section to focus on coordinating departmental effort to assist you with Cabinet-related business.

The CLO assists you by:

- forecasting and scheduling portfolio-related Cabinet and Cabinet Committee business with the Cabinet Secretariat;
- circulating draft Cabinet papers (exposure drafts and drafts for coordination comment) to other affected departments and agencies via CABNET/NSCNET;
- lodging final submissions in CABNET/NSCNET;
- coordinating the department's comments on other departments'/agencies' exposure drafts and drafts for coordination comment; and
- coordinating the provision of Cabinet Briefs to you prior to Cabinet/Cabinet Committee meetings.

Further detailed briefing

The Assistant Secretary, Ministerial and Executive Services Branch, Simon Schiwy, and the Director of Cabinet and Ministerial Support Section, Liane Pettitt, will hold discussions with staff in your office on the support provided by the department and to seek guidance on preferences related to Cabinet business.

Ministerial Correspondence and Departmental Liaison Officers

The Ministerial Correspondence Section:

- is the main point of contact for the registration and handling of correspondence received by the Minister, including the identification and escalation of urgent and/or sensitive matters, and monitoring of replies to minimise delays;
- provides Departmental Liaison Officers to your office; and
- coordinates the Parliamentary Liaison Officers' Network which operates from the Department's offices in states and territories.

Correspondence

In 2009-10, the Minister received over 40,000 items of correspondence. This was largely comprised of mail from the department's clients, campaign mail on topical issues (eg irregular maritime arrivals) and correspondence from MPs or Senators on behalf of constituents. Correspondence was also received requesting the use of the Minister's intervention powers.

A total of 15 106 items of correspondence were responded to, 1 756 items under the Minister's signature, 88 items by the Parliamentary Secretary and 13 262 items by the department.

Departmental Liaison Officers

The department provides your Parliament House office with two Departmental Liaison Officers to facilitate liaison and information flow with the department.

Parliamentary Liaison Network

The department also operates a Parliamentary Liaison Officer Network with officers in each state and territory. The network provides an information service to all parliamentarians and their staff on the immigration and citizenship matters of constituents, and assists with handling enquiries from parliamentarians made on behalf of constituents and/or clients. The network also conducts annual seminars for electorate office staff to provide information and updates on the department's programs and services.

Further detailed briefing

To enable a smooth transition and ensure continuity of business a number of key questions will require input from you in relation to the processing and handling of portfolio material (eg letterhead).

The Assistant Secretary, Ministerial and Executive Services Branch, Simon Schiwy, and the Director of Ministerial Correspondence Section, Ian Hetherington, will hold discussions with staff in your office on the support provided by the department and to seek guidance on preferences related to correspondence.

Briefs and Submissions

The Parliamentary Coordination and Submissions Section is the main point of contact with the office for briefing material required by the Minister, including:

- submissions;
- Ministerial Intervention (MI) submissions;
- Question Time Briefs (QTBs); and
- function and meeting briefs.

The section also coordinates the department's response to questions on notice and provides support for Senate Estimate hearings.

In 2009-10, over 2 300 submissions have been prepared for the Minister. In addition, over 430 meeting and function briefs were forwarded to the Minister.

Further detailed briefing

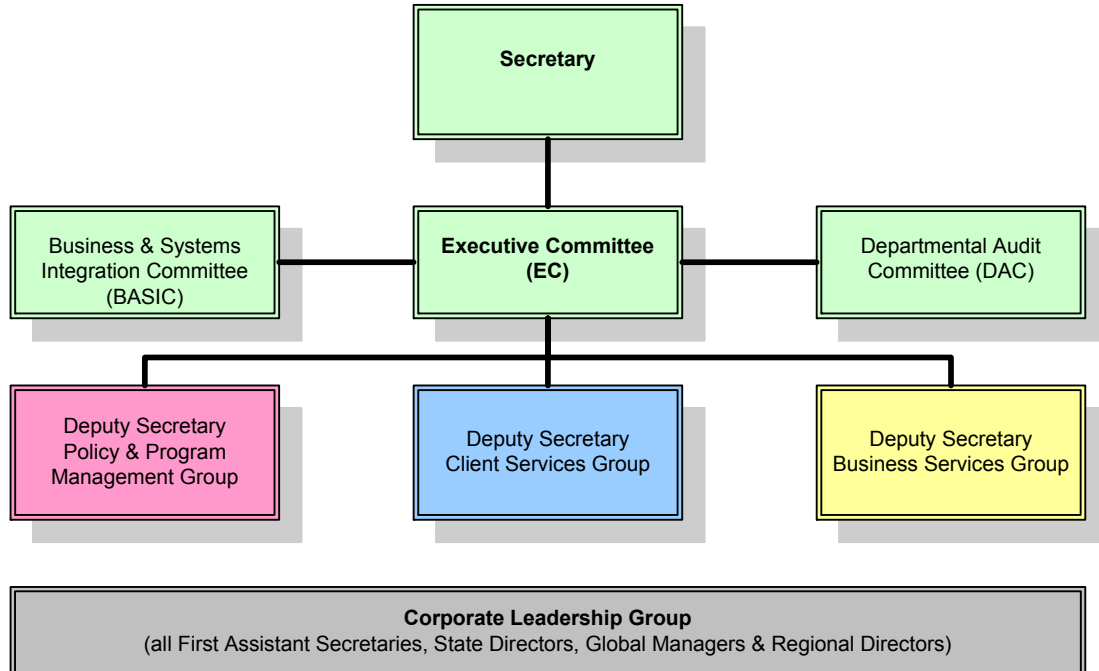
To enable a smooth transition and ensure continuity of business a number of key questions will require input from the Minister in relation to the processing and handling of portfolio material (eg templates for submissions and meeting briefs).

The Assistant Secretary, Ministerial and Executive Services Branch, Simon Schiwy, and the Director of Parliamentary Coordination and Submissions Section, Suzanne Tatam, will hold discussions with staff in your office on the support provided by the department and to seek guidance on preferences related to briefs, submissions and QTBs.

Title	DIAC Strategic Plan 2010-11
Key issue/s	<ul style="list-style-type: none"> The <i>DIAC Strategic Plan 2010-11</i> highlights the work of the department and provides the basis for the integration of budgets and priorities in lower level business plans. It also provides a blueprint of the department's values and how it carries out the work.
Background	<ul style="list-style-type: none"> The <i>DIAC Strategic Plan 2010-11</i> was developed cooperatively through an SES leadership conference and a copy of the Plan is provided at <u>Attachment A</u>. The Plan is quite high-level, but may require adjustment in light of Government priorities. Lower level divisional and branch plans would also required updating. In comparison to the previous plan, a number of goals have been added to show what work the department needs to do to deliver its priorities. A new section entitled 'How we will deliver our goals' has been added to reflect the transformation program, showing the three new business groups and how each staff member has a role to perform to deliver priorities and goals. Copies of the Plan have been distributed to all DIAC staff, departmental stakeholders and agency heads across the Australian Public Service. The plan will be available on the department's external website in the near future.
Contact details (Deputy Secretary)	Bob Correll (w) (02) 6264 2522 (m) s.41(1)
Lead Division and relevant Branch	People and Executive Services Division Business Planning and Reporting Branch

Title	DIAC Governance Structure
Key issue/s	N/A
Background	<ul style="list-style-type: none"> • There are three key governance bodies within the department: <ul style="list-style-type: none"> - the Executive Committee (EC) comprises the Secretary, Deputy Secretaries, Chief Financial Officer and Chief Lawyer. The EC provides advice to the Secretary about strategic issues as well as significant organisational and operational issues. - the Business and Systems Integration Committee (BASIC) comprises the Deputy Secretaries, relevant First Assistant Secretaries, Global Managers and Assistant Secretaries. BASIC provides the Secretary with assurance that the business process and rules incorporated in the department's information systems are up to date, correct, lawful, cohesive, robust and subject to rigorous change control. - the Departmental Audit Committee (DAC) features an independent chair and comprises a Deputy Secretary, a number of First Assistant Secretaries, Global Managers, independent members and observers. DAC plays a critical role in advising the Secretary to assure that key controls are operating effectively and are appropriate to meet departmental goals and objectives and meet statutory and fiduciary duties. • Day to day matters remain the responsibility of Deputy Secretaries, Division Heads, State/Territory and Regional Directors, Branch Managers, and Global Managers as appropriate. • The new revised governance arrangements define decision-making responsibility, clarify accountabilities and reduce the number of committees and boards (<u>Attachment A</u>).
Contact details (Deputy Secretary)	Bob Correll (w) (02) 6264 2522 (m) s.41(1)
Lead Division and relevant Branch	People and Executive Services Division Business Planning and Reporting Branch

DIAC GOVERNANCE ARRANGEMENTS



IN-CONFIDENCE

IN-CONFIDENCE

Title	Curriculum Vitae for the Department's Senior Managers
Key issue/s	N/A
Background	<ul style="list-style-type: none"> Curriculum vitae for the department's senior managers is provided at <u>Attachment A</u>
Contact details (Deputy Secretary)	Bob Correll (w) (02) 6264 2522 (m) s.41(1)
Lead Division and relevant Branch	Planning and Executive Services Division Business Planning and Reporting Branch

Senior SES Career Briefs Index

Secretary

Andrew Metcalfe

Deputy Secretaries

Peter Hughes, Policy and Program Management Group

Felicity Hand, Client Services Group

Bob Correll, Business Services Group

First Assistant Secretaries – Policy and Program Management Group

Kruno Kukoc	FAS Migration and Visa Policy Division
Mark Cully	Chief Economist; Principal Advisor Migration Strategies
Jamie Fox	FAS Citizenship, Settlement and Multicultural Affairs Division
Kate Pope	Principal Advisor Citizenship, Settlement and Multicultural Affairs
Alison Larkins	FAS Compliance and Case Resolution Division
Tom Wodak	Principal Assessor, Character
Garry Fleming	FAS Border Security, Refugee and International Policy Division
Vicki Parker	Principal Advisor Border Security, Refugee and International Policy
Anita Davis	A/g AS Policy Innovation, Research and Evaluation Unit

First Assistant Secretaries – Client Services Group

Stephen Allen A/g	FAS Refugees, Borders and Onshore Services Division
Todd Frew	FAS Visa and Offshore Services Division
Marie Johnson	FAS Client Strategy and Performance Division

Global Managers, State and Territory Directors

Jose Alvarez	State Director, Victoria and Global Manager Borders
David Walsh	State Director NSW and Global Manager Refugee and Humanitarian Visas
Paul Windsor	Global Manager National Character Consideration Centre
Paul Farrell	Global Manager Citizenship, Settlement and Multicultural Affairs
Rocio Trapaga-Saul	Deputy State Director and Global Manager Compliance
Amanda Paxton	A/g Global Manager Compliance and Case Resolution
David Edwards	State and Territory Director, Northern Territory
Steve Ingram	State and Territory Director, ACT Region
Douglas Walker	State Director, Tasmania
Greg Kelly	State Director, Queensland and Global Manager Visas
John Moorhouse	State Director, Western Australia and Global Manager Temporary Visas
Christopher Callanan	State Director, South Australia and Global Manager Integrity
Jill Simpson	Global Manager Service Centres
Paul Douglas	Global Manager Health

First Assistant Secretaries – Business Services Group

Jackie Wilson	FAS Community and Detention Services Division
Peter McKeon	FAS Technology Services Division
Nico Padovan	FAS Business Transformation Services
Marilyn Prothero	FAS People and Executive Services Division
Gavin McCairns	FAS Risk, Fraud and Integrity Division
Stephen Sheehan	FAS Financial Strategy and Services, Chief Finance Officer
Jackie Davis	A/g FAS Governance and Legal Division, Chief Lawyer

Other

John Lynch	FAS Refugee Status Review Office
Peter Vardos	Special Advisor
Sandi Logan	National Communications Manager
Simon Schiwy	AS Ministerial and Executive Services Branch



Australian Government

Department of Immigration and Citizenship



Andrew Metcalfe Secretary

Mr Metcalfe was born in Toowoomba, Queensland on 13 October 1959 and is married with two children.

Career Snapshot (senior positions)

Andrew Metcalfe is the current Secretary of the Department of Immigration and Citizenship. Mr Metcalfe was appointed to this position in July 2005, and reappointed in July 2009.

Between August 2002 and July 2005, Mr Metcalfe was a Deputy Secretary in the Department of the Prime Minister and Cabinet, where he was responsible for coordination of policy advice to the Prime Minister on national security, foreign affairs and machinery of government issues. He was the inaugural chair of the National Counter-Terrorism Committee, chaired the Australian Government Counter-Terrorism Policy Committee, and was an ex-officio member of the Council of the Order of Australia.

Previously, Mr Metcalfe held the following senior positions in the Department of Immigration and Citizenship (or its predecessors):

- Deputy Secretary (1999–2002)
- First Assistant Secretary, Border Control and Compliance Division (1998–99)
- Chief of Staff to the Minister for Immigration, the Hon Philip Ruddock MP (1996–97)
- Assistant Secretary, Legal Branch (1993–96)
- Regional Migration Director, Australian Consulate General, Hong Kong (1989–93)
- Deputy State Director, Victoria (1987–89).

Academic Background

- Toowoomba Grammar School (Dux, 1976)
- Bachelor of Arts and Bachelor of Laws, University of Queensland
- Fellow of the Australian Institute of Management

Other Current Appointments

Mr Metcalfe is a member of the Administrative Review Council (since 2003) and a board member of the National Australia Day Council (since 2002). He has chaired the Commonwealth–State Standing Committee on Immigration and Multicultural Affairs since 2005, and is a member of the Public Service Medal Committee (since 2008).

Mr Metcalfe is also a White Ribbon Ambassador, the Patron of the Gundaroo Bush Festival, and Patron of EXPAND, a public sector-wide network of Executive Assistants and Personal Assistants.

Canberra
August 2010



Australian Government

Department of Immigration and Citizenship



Peter Hughes PSM Deputy Secretary **Policy and Program Management Group**

Mr Hughes was born in the UK to Australian parents and came to Australia at an early age. He is married with two adult sons.

Career snapshot (senior positions)

Mr Hughes has been a Deputy Secretary since August 2006.

Current group responsibilities include policy and program management across the range of the department's programs - all permanent and temporary visa programs, asylum, refugee and international policy, compliance and status resolution and citizenship, settlement and multicultural affairs policy.

Mr Hughes is temporarily assigned to full-time work on resolution of Irregular Maritime Arrivals policy issues.

Prior to taking up this position, Mr Hughes held the following senior positions:

- First Assistant Secretary, Refugee, Humanitarian and International Division (2002–06)
- First Assistant Secretary, Multicultural Affairs and Citizenship Division (1997–2002)
- Assistant Secretary, Legal Framework Branch (1996–97)
- Assistant Secretary, various branches dealing with migration and temporary entry issues, citizenship and settlement policy (1988–96)
- Overseas postings as regional director in Asia and Europe (1983–87).

Mr Hughes joined the department in 1979. Prior to that, he worked in the Department of the Prime Minister and Cabinet, the Universities Commission and the Public Service Board.

Academic background

Bachelor of Arts (Honours), University of Queensland.

Canberra
August 2010



Australian Government

Department of Immigration and Citizenship



Felicity Hand Deputy Secretary Client Services Group

Career Snapshot (senior positions)

Felicity Hand is deputy secretary for the Client Services Group, accountable for DIAC's service delivery network around Australian and overseas which is responsible for the excellent, efficient and consistent delivery of DIAC programs and services.

Prior to joining DIAC in May 2009, Felicity was First Assistant Secretary, Corporate Management Division, Department of Foreign Affairs and Trade.

She has also held senior corporate and operational leadership roles in the Broken Hill Proprietary Corporation Limited (BHP) and Sensis Pty Ltd (Telstra's wholly-owned media subsidiary).

Throughout her career, Felicity has had a number of overseas assignments, including Second Secretary (Economic) for DFAT in Vietnam and First Secretary (Political) for DFAT in Indonesia.

She has more than 20 years' experience in public policy, corporate affairs and client services, and was responsible for establishing Sensis's dedicated sales and service channel for government customers. Since joining DIAC, she has driven an ambitious client services transformation strategy which will deliver efficient, lower-cost, risk-based and globally integrated client services.

Felicity has a Bachelor of Arts degree and has studied five languages, French, German, Bahasa Indonesian, Vietnamese and Japanese.

Canberra

August 2010



Australian Government

Department of Immigration and Citizenship



Bob Correll PSM Deputy Secretary Business Services Group

Career Snapshot (senior positions)

Deputy Secretary, Business Services Group

Bob Correll is the Deputy Secretary, Business Services Group. He transferred to the Department as Deputy Secretary in July 2005.

Business Services Group delivers the full range of internal specialist services areas in the department with the aim to deliver good quality, professional services which provide good value-for-money to internal clients, incorporating:

- Finance, Property and Contracts
- Human Resources, including Learning and Development
- Business Planning and Reporting
- Technology
- Communications
- Risk, Fraud and Integrity
- Parliamentary and Ministerial
- Governance and Legal
- Transformational Change.

From 2002 to July 2005, Mr Correll was Deputy Secretary Workforce Participation at the Department of Employment and Workplace Relations (DEWR).

In addition, Mr Correll has held a number of senior positions in the Department of Employment and Workplace Relations and its predecessor departments, including:

- First Assistant Secretary, Intensive Support (2001–02)
- First Assistant Secretary, People and Performance Management (2000)
- First Assistant Secretary, Targeted Employment Assistance (1998–2000).

Academic Background

- Bachelor of Business, University of South Australia
- Graduate Diploma in Business Management, Mount Eliza Business School, Monash University

Other Current Appointments

Bob Correll is a council member of Chief Information Officer Council and Fellow of the Australian Institute of Management.

Canberra
September 2010



Australian Government

Department of Immigration and Citizenship

Kruno Kukoc, First Assistant Secretary

Migration and Visa Policy Division

Career Snapshot (senior positions)

Mr Kukoc has been the First Assistant Secretary responsible for Migration and Visa Policy Division since April 2010.

Prior to taking up this position, Mr Kukoc held a number of senior positions in the department and other agencies, including:

- First Assistant Secretary, Principal Advisor Migration Strategies (2008-2010)
- Assistant Secretary, Temporary Entry Branch (2007-2008)
- Senior Advisor – Team Leader, Economic Governance, RAMSI, Solomon Islands (seconded from Treasury in 2006-2007)
- Senior Advisor, Fiscal Group and Macroeconomic Group, Treasury (2004-2006)
- A/g Assistant Secretary, International Branch, FAHCSIA (2003-04)
- Team Leader, Fiscal Decentralisation Team, SOTAC II, World Bank, Bosnia (2002-03)

Mr Kukoc joined the department in October 2007

Academic Background

Graduate Diploma in Public Policy, MEd, BEc (Hons)



Australian Government
Department of Immigration and Citizenship

Mark Cully, First Assistant Secretary
Principal Advisor Migration Strategies, Chief Economist

Career Snapshot (senior positions)

Prior to these appointments, Mr Cully held a number of senior positions in other organisations including:

- General Manager, National Centre for Vocational Educational Research (2003-2008)
- Senior Research Fellow and Deputy Director, National Institute of Labour Studies
Flinders University

Mr Cully joined the department in January 2009

Academic Background

Master of Arts in Industrial Relations (with Distinction), Warwick University, 1993
Bachelor of Economist (Honours- First Class), University of Adelaide, 1987



Australian Government
Department of Immigration and Citizenship

James Fox, First Assistant Secretary
Citizenship, Settlement and Multicultural Affairs Division

Career Snapshot (senior positions)

Mr Fox has been the First Assistant Secretary responsible for Citizenship, Settlement and Multicultural Affairs since July 2009.

Prior to taking up this position, Mr Fox has held a number of senior positions in the department and other agencies, including:

- Senior Adviser, Office of the Prime Minister (2006-2007)
- First Assistant Secretary, Migration and Temporary Entry (2005-2006)
- Senior Adviser, Office of the Prime Minister (2004-2005)
- Assistant Secretary, Education and Immigration, Prime Minister and Cabinet (2002-2004)

Mr Fox joined the department in December 2005.

Academic Background

Bachelor of Laws/Bachelor of Arts, Australian National University



Australian Government
Department of Immigration and Citizenship

Kate Pope, Principal Advisor
Citizenship, Settlement and Multicultural Affairs

Career Snapshot (senior positions)

Prior to this appointment, Ms Pope held a number of senior positions in the Department of Immigration and Citizenship including:

- First Assistant Secretary, People and Executive Services Division
- First Assistant Secretary, Citizenship, Settlement and Multicultural Affairs Division
- Assistant Secretary, Settlement Branch (2005-2007)
- Assistant Secretary, Ministerial and Communications Branch (2003-2005)
- Assistant Secretary, Detention Operations Branch (2002)

Ms Pope commenced her career with the Australian Public Service and the Department of Immigration and Citizenship in 1987.

Academic Background

Bachelor of Arts (Hons), Australian National University

Master of Arts (International Deployment Policy), Duke University, North Carolina, USA



Australian Government
Department of Immigration and Citizenship

Alison Larkins, First Assistant Secretary
Compliance and Case Resolution Division

Career Snapshot (senior positions)

Ms Larkins has been the First Assistant Secretary responsible for the Compliance and Case Resolution Division since February 2009.

Prior to taking up this position, Ms Larkins held a number of senior positions in the department and in the Department of Health and Ageing, including:

- First Assistant Secretary, People Services, Values and Training Division (October 2006)
- Assistant Secretary, People Services DIAC (June 2006)
- A/g First Assistant Secretary, Health Services Improvement, Department of Health and Ageing (2006)
- Assistant Secretary, Health Workforce, Department of Health and Ageing (2005)
- A/g First Assistant Secretary, Information and Communications, Department of Health and Ageing (2005)
- A/g First Assistant Secretary, Office for Aboriginal and Torres Strait Islander Health, Department of Health and Ageing (various periods 2004-2005)
- A/g First Assistant Secretary, Business Group, Department of Health and Ageing (various periods 2003-2004)
- Assistant Secretary, People, Department of Health and Ageing (2002-2005)

Ms Larkins joined the department in June 2006.

Academic Background

Bachelor of Arts (Honours), Australian National University

Certificate of Health Economics, Monash University

Currently enrolled in a Bachelor of Science (Psychology), University of Southern Queensland



Australian Government
Department of Immigration and Citizenship

Tom Wodak, Principal Assessor (Character)

Career Snapshot (senior positions)

Tom Wodak has been the Principal Assessor for Section 501 character cases since joining the department in March 2010.

Prior to taking up this appointment Mr Wodak served as a County Court judge in Victoria for 15 years after practising as a solicitor (1966-1974) and a barrister (1974-1994)

Academic Background

Bachelor of Laws, Melbourne University



Australian Government
Department of Immigration and Citizenship

Garry Fleming, First Assistant Secretary
Border Security, Refugee and International Policy Division

Career Snapshot (senior positions)

Mr Fleming has been the First Assistant Secretary responsible for the Border Security, Refugee and International Policy Division since April 2010.

Prior to taking up this position, Mr Fleming held a number of senior positions including:

- Assistant Secretary, Border Protection and Law Enforcement Branch, Department of Prime Minister and Cabinet (2008-2010)
- A/g First Assistant Secretary, Client Services (2007)
- Assistant Secretary, Overseas Operations (2006-2007)
- Assistant Secretary, Case Management Support (2005-2006)
- Assistant Secretary, Detention Policy (2003-2005)
- Assistant Secretary, Property (2001-2003)

Mr Fleming joined the department in April 1990.

Academic Background

Bachelor of Laws (Honours)/Bachelor of Commerce, Australian National University



Australian Government
Department of Immigration and Citizenship

Vicki Parker, First Assistant Secretary

Principal Advisor Border Security, Refugee and International Policy Division

Career Snapshot (senior positions)

Ms Parker commenced in this role on 2 August 2010. Prior to taking up this position, Ms Parker had held a number of senior positions in the department and other agencies, including:

- Assistant Secretary, Marriage and Inter Country Adoption Branch, Attorney-General's Department
- Assistant Secretary, Legal Framework Branch, DIAC
- Counsellor, Geneva (September 2001- January 2006) DIAC
- Special Project (Australian Chairmanship of the Intergovernmental Consultations on Asylum and Refugees) (July 2000- September 2001) DIAC

Ms Parker joined the Department in January 1987 and recommenced in August 2010.

Academic Background

Bachelor of Arts and Law, Australian National University



Australian Government
Department of Immigration and Citizenship

Anita Davis, Acting Assistant Secretary
Policy Innovation and Research Unit

Career Snapshot (senior positions)

Ms Davis has been the acting Assistant Secretary responsible for Policy Innovation and Research since July 2010.

Prior to taking up this position, Ms Davis has held a number of positions in the department and other agencies.

Ms Davis joined the department in 2008.

Academic Background

Bachelor of Science (Psychology), Australian National University 1999

Bachelor of Music QLD Conservatorium of Music 1986



Australian Government
Department of Immigration and Citizenship

Stephen Allen, Acting First Assistant Secretary
Refugees, Borders and Onshore Services Division

Career Snapshot (senior positions)

Mr Allen has been the acting First Assistant Secretary responsible for the Refugees, Borders and Onshore Services Division since June 2010.

Prior to taking up this position, Mr Allen held a number of positions in the department, including:

- Assistant Secretary, Border Security Policy Branch, (May-June 2010)
- A/g First Assistant Secretary, Border Security Division (Nov 2009-May 2010)
- Assistant Secretary, Border Policy Branch (July 2009- Nov 2009)
- Assistant Secretary, Border Operation Branch (2007-June 2009)
- Assistant Secretary, Border Security Systems (2004-2007)
- Director, Business Systems Interface Section (2003-2004)

Mr Allen joined the department in 2003.

Mr Allen's APS career includes working with the National Office for the Information Economy, Department of Communications and the Arts, Department of Finance and Administration, The Australia War memorial and Department of Defence.

Academic Background

Bachelor of Arts University of New South Wales
Graduate Diploma of Applied Science (Museum Studies) Deakin University



Australian Government

Department of Immigration and Citizenship

Todd Frew, First Assistant Secretary

Visa and Offshore Services Division

Career Snapshot (senior positions)

Mr Todd Frew has been the First Assistant Secretary responsible for the Visa and Offshore Services Division since December 2009.

Prior to taking up this position, Mr Frew held a number of senior positions in the department and as a member of parliamentary staff, including:

- First Assistant Secretary, Border Security (June 2007-Dec 2009)
- Assistant Secretary, Entry Policy and Procedures (2003-2007)
- Senior Advisor/Chief of Staff, Office of the Health Minister (2002-2003)
- Assistant Secretary, Temporary Entry (1999-2002)
- Regional Director, Beijing (1996-1999)

Mr Frew joined the department in February 1975.

Academic Background

NSW Higher School Certificate



Australian Government
Department of Immigration and Citizenship

Marie Johnson, First Assistant Secretary

Client Strategy and Performance Division

Career Snapshot (senior positions)

Ms Johnson has been the First Assistant Secretary responsible for the Client Strategy and Performance Division since March 2010.

Prior to taking up this position, Ms Johnson held a number of senior positions in other agencies including:

- Chief Technology Architect, Australian Government Department of Human Services (October 2006- March 2010)
- World Wide Executive Director, Public Services and eGovernment, Microsoft Corporation, Redmond, WA USA (July 2005- October 2006)
- Division Head, eBusiness Division- Chief Information Officer, Australian Government Department of Industry, Tourism and Resource

Ms Johnson joined the department in March 2010.

Ms Johnson also has experience in State Government and Financial Services.

Academic Background

Senior Executive Fellows Program
John F Kennedy School of Government 2003
Harvard University Boston, USA

Masters of Business Administration (MBA)
Melbourne Business School, 1998

Bachelor of Arts Degree, Deakin University, 1990



Australian Government
Department of Immigration and Citizenship

Jose Alvarez, State Director and Global Manager
State Director Victoria and Global Manager (Borders)

Career Snapshot (senior positions)

Mr Alvarez has been the State Director at the Victoria office since December 2009.

Prior to taking up this position, Mr Alvarez has held a number of senior positions in the department including:

- NSW Deputy State Director, DIAC State Office Parramatta (December 2005- December 2009)
- State Director, Western Australian (WA) DIAC State Office (May 2002 – December 2005)
- Director, Indonesia Task Force, International Cooperation Branch, DIMA Canberra (September 2001- May 2002)

Mr Alvarez joined the department in 1981.

Academic Background

Master of Social Work
Bachelor of Social Work
Bachelor of Arts



Australian Government
Department of Immigration and Citizenship

David Walsh, State Director and Global Manager

State Director, NSW and Global Manager (Refugee and Humanitarian Visas)

Career Snapshot (senior positions)

Mr Walsh has been the State Director at the New South Wales office since May 2010 and Global Manager Refugee and Humanitarian Visas since March 2010

Prior to taking up this position, Mr Walsh has held a number of senior positions in other agencies, including:

- National Manager, Working Age Participation, Customer Services Group, Centrelink (July 2007)
- First Assistant Secretary Registration Division, Office of Access Card, Department of Human Services (January 2007)
- Area Manager, East Coast NWS, Customer Services Group, Centrelink (July 2004)
- Area Manager, West NSW, Customer Services Group, Centrelink (April 2001)
- Regional Manager (NSW & ACT), Australian Quarantine & Inspection Service, Department of Agriculture, Fisheries and Forestry (December 1998)

Mr Walsh joined the department in October 2007 as Deputy State Director in New South Wales.

Academic Background

Executive Masters of Public Administration, Sydney University 2007



Australian Government
Department of Immigration and Citizenship

Paul Windsor, Global Manager

Manager, National Character Consideration Centre

Career Snapshot (senior positions)

Ms Windsor has been Manager of the National Character Consideration Centre since September 2009 and the Global manager Character since July 2010.

Prior to taking up this position, Mr Windsor has held a number of senior positions in the department including:

- Regional Director, South Asia (2006-2009)
- State Director, Tasmania (2004-2006)
- Director, Entry and Compliance, Victoria (2003-2004)
- Acting State Director Victoria (2002)
- Director Visa Services and Citizenship, Victoria (1998 - 2002)
- Chief Migration Officer, Jakarta (1995-1998)
- Director Citizenship and Citizenship Policy Sections, and Director India, Sri Lanka and Nepal Section, Determination of Refugee Status Branch, Canberra (1991-1995)

Mr Windsor joined the department in August 1991.

Academic Background

Bachelor of Arts with Honours (Psychology)
University of Adelaide, 1981



Australian Government
Department of Immigration and Citizenship

Paul Farrell, Global Manager

Global Manager, Citizenship, Settlement and Multicultural Affairs

Career Snapshot (senior positions)

Mr Farrell has been the Global Manager for Citizenship, Settlement and Multicultural Affairs since May 2010.

Prior to taking up this position, Mr Farrell has held a number of senior other agencies, including:

- State Director, Western Australia (November 2007)
- Assistant Secretary Temporary Entry/ Migration and Temporary Entry Division (2005)
- Director Immigration Section, Social Policy Division, Prime Minister and Cabinet (2004)
- Director Defence Section, Defence and Intelligence Branch, Defence Intelligence and Security Division , Prime Minister and Cabinet (2002)
- Assistant Director, e-government, e-Envoy's Office, (UK) Cabinet Office (2001)

Mr Farrell joined the department in December 2005.

Academic Background

Bachelor of Arts, Australian National University 1983



Australian Government
Department of Immigration and Citizenship

Rocio Trapaga-Saul, Global Manager

Assistant Secretary, Compliance and Case Resolution, East and North

Career Snapshot (senior positions)

Ms trapaga-Saul has been the Deputy State Director of New South Wales since 2007.

Prior to taking up this position, Ms Trapaga-Saul has held a number of senior positions including:

- Director, Multicultural Affairs and Settlement (2006)
- Director, Contact Centre and Health Processing Branch, Detention Review Manager (2005)
- Director, Client Services, Students, Citizenship, Contact Centre and health Processing (2002-2004)
- Finance Manager, NSW (2000-2002)
- Assistant Director, Country research, Refugee review Tribunal (1996)

Ms Trapaga-Saul joined the department in February 2001.

Academic Background

Bachelor of Arts (Hons), International Relations, Macquarie University



Australian Government

Department of Immigration and Citizenship

Amanda Paxton, Acting Global Manager
Global Manager, Compliance and Case Resolution

Career Snapshot (senior positions)

Ms Paxton has been the Global Manager for Compliance and Case Resolution since July 2010.

Prior to taking up this position, Ms Paxton has held a number of positions in the department.

Ms Paxton joined the department in November 1983.



Australian Government
Department of Immigration and Citizenship

David Edwards, Territory Director
Northern Territory

Career Snapshot (senior positions)

Mr Edwards has been the Territory Director at the Northern Territory office since November 2009.

Prior to taking up this position, Mr Edwards was the Deputy State Director, South Australia from 2002-2009.

Mr Edwards joined the department in 1991.

Academic Background

Bachelor of Science, University of South Australia



Australian Government
Department of Immigration and Citizenship

Steve Ingram, State and Territory Director

ACT Region

Career Snapshot (senior positions)

Mr Ingram has been the Territory Director at ACT and Regions Office since July 2009.

Prior to taking up this position, Mr Ingram has held a number of senior positions in the department and in other agencies, including:

- Assistant Secretary, Stakeholder Engagement and Property (January 2008)
- Chief of Staff, Attorney General's Office (October 1998)
- Media Adviser, Minister of Immigration (March 1996 and October 1998)

Mr Ingram re-joined the department in November 2009, having originally joined in 1993.

Academic Background

Australian Direct Marketing Association Certificate
Management Certificate
Marketing Certificate



Australian Government
Department of Immigration and Citizenship

Douglas Walker, State Director
Tasmania

Career Snapshot (senior positions)

Mr Walker has been the State Director at the Tasmanian office since 2007.

Prior to taking up this position, Mr Walker has held a number of senior positions in the department including:

- Acting Chief Legal Officer, Legal Coordination Office (2005)
- Assistant Secretary, Visa Framework Branch (1998)
- Acting Assistant Secretary, Review Taskforce (1997)
- Principal Legal Officer, Secretary to the Review of Immigration Decision Making (1996)

Mr Walker joined the department in May 1991.

Academic Background

Bachelor of Arts, Australian National University 1978
Bachelor of Laws, Australian National University 1980
Barrister and Solicitor of ACT Supreme Court
Barrister of the High Court



Australian Government
Department of Immigration and Citizenship

Greg Kelly, State Director and Global Manager

State Director, Queensland and Global Manager Visas (Skilled and Family)

Career Snapshot (senior positions)

Mr Kelly has been the State Director at the Queensland office since August 2009.

Prior to taking up this position, Mr Kelly held a number of senior positions in the department including:

- State Director, South Australia (2006-2009)
- Regional Director, South Asia & New Delhi (2003-2006)
- Director, Detention Operations, Canberra (2000-2003)
- Regional Manager, Parramatta, NSW (1999-2000)

Mr Kelly has also served with the department in Kuala Lumpur, Malaysia (1988-1991), Auckland, New Zealand (1992-1994) as well as in the ACT and Regions Office (1986-1988).

Mr Kelly joined the department in March 1974.

Academic Background

Bachelor of Arts, Australian Studies, Australian National University 1992



Australian Government

Department of Immigration and Citizenship

John Moorhouse, State Director and Global Manager

State Director, Western Australia and Global Manager (Temporary Visas)

Career Snapshot (senior positions)

Mr Moorhouse has been the State Director at the Western Australia office since May 2010.

Prior to taking up this position, Mr Moorhouse has held a number of senior positions in the department including:

- Regional Director, East Asia (2007)
- First Assistant Secretary, Client Services Division (2005-2007)
- First Assistant Secretary, Corporate Governance Division (2003-2005)
- Acting First Assistant Secretary, Border Control and Compliance Division
- State Director, Victoria (1997-2001)

Mr Moorhouse joined the department in May 1978.

Academic Background

Bachelor of Science (Psychology) Australian National University



Australian Government
Department of Immigration and Citizenship

Christopher Callanan, State Director and Global Manager
State Director, South Australia and Global Manager (Integrity)

Career Snapshot (senior positions)

Mr Callanan has been the State Director at the South Australian office since 2009.

Prior to taking up this position, Mr Callanan held a number of senior positions in the department including:

- Deputy State Director, Victoria (2005-2009)
- Director, Onshore Protection, Victoria (2003-2005)
- Regional Director, Bangkok (2001-2003)
- Director, Humanitarian Settlement Section, (1998-2000)

Mr Callanan joined the department in October 1979.

Academic Background

Bachelor of Arts, (IIA) Griffith University, Brisbane 1978.



Australian Government
Department of Immigration and Citizenship

Jill Simpson, Global Manager

Global Manager, Service Centres

Career Snapshot (senior positions)

Ms Simpson has been the Global Manager for the Services Centres since February 2010.

Prior to taking up this position, Ms Simpson has held a number of senior positions in the department and other agencies.

Ms Simpson joined the department in February 2010.



Australian Government

Department of Immigration and Citizenship

Jackie Wilson, First Assistant Secretary

Community and Detention Services Division

Career Snapshot (senior positions)

Ms Wilson has been the First Assistant Secretary responsible for the Community and Detention Services Division since November 2008.

Prior to this appointment, Ms Wilson held a number of senior positions in a number of other agencies including:

- A/g Deputy Secretary, Financial Management Group, Department of Finance and Deregulation (July 2008-October 2008)
- Division Head, Budget Policy Coordination, Department of Finance and Deregulation (October 2006 to June 2008)
- Division Head, Social Welfare, Department of Finance and Administration (November 2004 to September 2006)

Ms Wilson joined the department in November 2008.

Academic Background

Bachelor of Science, Australian National University, 1989
Majors in Statistics, Mathematics and Psychology

Completed the INSEAD Advanced Management Programme, Fontainebleau, France 3-27 July 2006

Completed the INSEAD Advanced Management Follow-Up Programme, Fontainebleau, France 8-12 February 2010.



Australian Government
Department of Immigration and Citizenship

Peter McKeon, First Assistant Secretary
Technology Services Division

Career Snapshot (senior positions)

Prior to taking up his appointment as First Assistant Secretary, Technology Services Division in June 2010 Mr McKeon has held a number of senior positions with various agencies, including:

- First Assistant Secretary, Systems Division (2005-2010)
- Deputy General Manager, CSIRO (2004-2005)
- Service Delivery Executive, IBM Global Services (2002-2004)
- Senior Project Manager, IBM Global Services (1998-2002)

Mr McKeon joined the department in November 2005.

Academic Background

Bachelor of Arts (Computing Studies)



Australian Government
Department of Immigration and Citizenship

Nico Padovan, Acting First Assistant Secretary
Business Transformation Services Division

Career Snapshot (senior positions)

Mr Padovan has been A/g First Assistant Secretary responsible for the Business Transformation Services Division since January 2009.

Prior to taking up this appointment Mr Padovan held a number of senior positions with various agencies, including:

- Assistant Secretary, Program Manager- Systems for People (Feb-Dec 2008)
- A/g First Assistant Secretary, Procurement and Implementation Division, Department of Human Services (2006-2008)
- Assistant Secretary, Service Delivery Strategies and Coordination, Human Services (2004-2006)
- National Manager, IT Infrastructure, Centrelink (2002-2004)

Mr Padovan joined the department in 2008.

Academic Background

Masters of Engineering Science 1997

Master of Business Admin 1995

Bachelor of Engineering 1988



Australian Government
Department of Immigration and Citizenship

Jackie Davis, Acting First Assistant Secretary
Governance and Legal Division, Chief Lawyer

Career Snapshot (senior positions)

Ms Davis has been the A/g First Assistant Secretary responsible for the Governance and Legal Division and Chief Lawyer since April 2010.

Prior to taking up this position, Ms Davis held a number of senior positions in the department including:

- Assistant Secretary, Litigation and Opinions Branch (November 2008- March 2010)
- A/g Assistant Secretary, Litigation and Opinions Branch (May 2008- November 2008)
- Director, Principal Legal Officer, Migration and Temporary Entry Litigation Section (April 2005- May 2008)

Academic Background

Bachelor of Commerce and of Laws, Australian National University 1993
Graduate Diploma in Legal Practice Australian National University 1995
Admitted as Barrister of Supreme Court of the ACT, 1995



Australian Government
Department of Immigration and Citizenship

Marilyn Prothero, First Assistant Secretary
People and Executive Services Division

Career Snapshot (senior positions)

Ms Prothero has been the First Assistant Secretary People and Executive Services Division since May 2010.

Prior to taking up this position, Ms Prothero has held a number of senior positions in the department and in other agencies, including:

- First Assistant Secretary, Financial Strategy and Reporting Division and Chief Financial Officer (2007-2010)
- Assistant Secretary, Budget Management (2007);
- Chief Finance Officer, Office of the Commonwealth Ombudsman (2006-2007)
- Assistant Secretary, Business Process Design, Centrelink (2005-2006)
- Assistant Secretary, Corporate, Department of Human Services (2004-2005)
- Chief Finance Officer, Centrelink (2002-2004)

Ms Prothero joined the department in May 2007.

Academic Background

Bachelor of Arts (Accounting)
Master of Economics



Australian Government
Department of Immigration and Citizenship

Gavin McCairns, First Assistant Secretary
Risk, Fraud and Integrity Division

Career Snapshot (senior positions)

Mr McCairns has been the First Assistant Secretary, Risk, Fraud and Integrity, since December 2009.

Prior to this appointment, Mr McCairns has held a number of senior positions the department and other agencies including:

- NSW State Director (2006 to 2009)
- First Assistant Secretary, DIMA National Project (2005-2006)
- First Assistant Secretary, Welfare to Work Taskforce, Centrelink (2005)
- Assistant Secretary, Welfare to Work Taskforce, Prime Minister & Cabinet (2005)
- Assistant Secretary, Employment Services, Centrelink (2004-2005)
- Regional/State Director roles in Centrelink, NSW Housing and NSW Department of Community Services (1995-2004)

Mr McCairns commenced his career with the Australian Public Service in 1991 and with the Department of Immigration and Citizenship in 2005.

Academic Background

Bachelor of Science
Postgraduate Certificate in Education
Diploma Urban Studies (MCIH)



Australian Government
Department of Immigration and Citizenship

Stephen Sheehan, First Assistant Secretary
Financial Strategy and Services Division, Chief Financial Officer

Career Snapshot (senior positions)

Mr Sheehan has been the First Assistant Secretary responsible for Financial Strategy and Services Division and the Chief Financial Officer since he joined the department in May 2010.

Prior to taking up this appointment from 2002 until May 2010, Mr Sheehan was the Chief Financial Officer in the Department of Health and Ageing.

Academic Background

Bachelor of Commerce- Accounting, University of Tasmania
Certificate of Business Studies, Hobart Technical College



Australian Government
Department of Immigration and Citizenship

Peter Vardos PSM, Special Advisor/First Assistant Secretary

Career Snapshot (senior positions)

Mr Vardos was the First Assistant Secretary responsible for Migration and Visa Policy Division from April 2008 to April 2010.

Most recently he has been A/g Deputy Secretary, Policy and Program Management Group, from April to August 2010.

Prior positions held by Mr Vardos in the Department and other agencies include:

- First Assistant Secretary, Citizenship, Settlement and Multicultural Affairs Division (2002-08)
- Assistant Secretary, Settlement Branch (2001)
- Assistant Secretary, Detention Services (1998-2000)
- Assistant Secretary, Compliance and Enforcement (1997)
- Assistant Secretary, Onshore Protection (1996)

Mr Vardos joined the department in November 1995. Prior to joining the department, Mr Vardos served in AusAID from 1978 to 1995, which included three overseas postings. He also served on the staff of two federal ministers (1992-93).

Mr Vardos was awarded the Public Service medal in 2002 for his work on border security and irregular maritime arrivals issues over the period 1996-2001.

Mr Vardos is currently off-line to be deployed on any special projects that may need to be implemented by the incoming government.

Academic Background

Bachelor of Arts, Australian National University



Australian Government
Department of Immigration and Citizenship

John Lynch, First Assistant Secretary

Refugee Status Review Office

Career Snapshot (senior positions)

Mr Lynch has been the First Assistant Secretary, Independent Merits Review since May 2010

Prior to taking up this position, Mr Lynch held a number of senior positions in both the Commonwealth and State public sector agencies, including most recently:

- Registrar, Migration Review Tribunal-Refugee Review tribunal (2002-2010)

Mr Lynch joined the department in May 2010.



Australian Government
Department of Immigration and Citizenship

Sandi Logan, National Communications Manager

Career Snapshot (senior positions)

Mr Logan has been the National Communications Manager since 2005.

Prior to this appointment, Mr Logan held a number of senior roles in the Australian Public Service, including:

- Director, ACT Policing Media and Marketing, Australian Federal Police (2003-2005)
- Public Affairs diplomat, Department of Foreign Affairs and Trade (1984-2002) including the following:
 - First Secretary (Port Moresby) 1988-1990; Bonn 1993-96) and Counsellor (Washington, 1998-2002)
 - Media Visit Director (seconded to PM&C, President Bill Clinton in Australia (1996)
 - Media Adviser to the Hon Judi Moylan, Minister for family Services (1996-1998)
 - Media Adviser to the Hon Gareth Evans, Minister for Foreign Affairs (1993)
- Journalist, Producer (1973-1984) including the following:
 - Sydney Sun, Toronto Sun, ABC TV (Four Corners) and Radio (City Extra, AM/PM/ The World Today, 66)

Academic Background

Bachelor of Arts (Journalism), Deakin University



Australian Government
Department of Immigration and Citizenship

Simon Schiwy, Assistant Secretary
Ministerial and Executive Services

Career Snapshot (senior positions)

Mr Schiwy has been the Assistant Secretary responsible for the Ministerial and Executive Services Branch since 2008.

Prior to taking up this position, Mr Schiwy held a number of senior positions in the department, including:

- Assistant Secretary, Detention Services Tender
- Assistant Secretary, Financial Operations

Simon joined the department from the Department of Finance and Deregulation in 2005 where he undertook Budget analysis related work for the Defence portfolio, and a range of commercial and project related roles. Prior to this Simon had a 20 year career in the Royal Australian Navy, specialising in logistics management.

Academic Background

Masters in Management Studies (Economics)
Graduate Diploma in Resource Management

Title	Workforce Profile of the Department
Key issue/s	N/A
Background	<ul style="list-style-type: none"> • The department is responsible for a diverse range of outcomes within a complex and rapidly changing environment. Its workforce needs to have a diverse set of skills and capabilities to facilitate the delivery of its outcomes. • The department is also committed to principles of equity and diversity and providing a healthy and safe workplace for its employees. • Departmental employees are located across each State and Territory, and 67 overseas and satellite posts. • At 31 July 2010, the department employed 7 032 ongoing and non-ongoing staff, there were: <ul style="list-style-type: none"> - 2 881 staff located in National Office; - 3 998 in state and territory offices; - 153 staff providing services offshore including: <ul style="list-style-type: none"> ○ 125 Australia-based staff at overseas posts; ○ 20 Airline Liaison Officers; ○ four employees on short term missions; and ○ four employees in Papua New Guinea working as part of the whole of Government Strongim Gavman Program. - The department employed an additional 1 011 locally-engaged employees (LEEs) in overseas locations, who are administered by the Department of Foreign Affairs and Trade (DFAT) on the department's behalf. • The department's workforce consists of: <ul style="list-style-type: none"> - 93.7% ongoing employees and 6.3% non-ongoing employees; - 86.2% full-time employees and 13.8% part-time employees; - a high proportion of female employees – 62.2% of ongoing DIAC staff, compared with 57.5% of ongoing APS staff; - 74.0% of employees working at the APS 1–6 classifications, which is higher than the APS average of 73.2%. The department's proportion of EL staff accounts for 24.4% of all employees, which is lower than the APS average of 25.0% as at 30 June 2009 (State of the Service Report 2008-09); - 2.1% of employees identify as having a disability; - 0.9% of employees identify as Indigenous; and - 15.7% of employees identify as being from a non-English speaking background.

IN-CONFIDENCE

	<ul style="list-style-type: none">• At 31 July 2010, actual SES accounted for 1.6% of the department's workforce (this includes SES on leave and employees acting at the SES level on higher duties). Across the APS, SES represented 1.8% of the workforce (State of the Service Report 2008-09).• Based on January 2010 figures the department had a cap of 96 SES positions. In July 2010 the APSC approved an additional six SES positions due to the increase in irregular maritime arrival activity.• At 31 July 2010 the actual headcount of SES was 109 employees (including employees acting at the SES level on higher duties). At this time seven SES were on leave, bringing DIAC SES staffing levels within the directed cap of 102.• A breakdown of the department's workforce is provided at <u>Attachment A</u>:<ul style="list-style-type: none">- location (Table 1);- employment type (Table 2);- organisational unit (Table 3);- classification; (Table 4); and- age profile (Chart 1).
Contact details (Deputy Secretary)	Bob Correll (w) (02) 6264 2522 (m) s.41(1)
Lead Division and relevant Branch	People and Executive Services Division Business Planning and Reporting Branch

Table 1 – DIAC headcount by location

Location	30 June 2009	31 July 2010
National Office	2 890	2 881
New South Wales	1 350	1 375
Victoria	967	991
Queensland	446	413
South Australia	460	418
Western Australia	438	496 ¹
Tasmania	152	129
Northern Territory	67	70
ACT and Regions	105	106
Overseas (Australia-based staff) ²	124	125
Overseas (Airline Liaison Officers and Short Term Missions)	28 ³	28 ⁴
Total (Australian Based)	7 027	7 032
Overseas (locally engaged) ⁵	1 016	1 011 ⁶
Total (Including Locally Engaged)	8 043	8 043

¹ Figure includes 85 staff located on Christmas Island.

² There is a provision for 128 A-based positions. Currently two are being filled by staff on Short Term Mission and one from staff within the region.

³ Figure includes 18 Airline Liaison Officers, seven employees on short term missions located overseas, and three employees in Papua New Guinea as part of the whole of Government Strongim Gavman Program.

⁴ Figure includes 20 Airline Liaison Officers, four employees on short term missions located overseas, and four employees in Papua New Guinea as part of the whole of Government Strongim Gavman Program.

⁵ Locally engaged employees (LEE) are staff administered by DFAT on behalf of the department.

⁶ As at 1 July 2010.

Table 2 – DIAC headcount (ongoing and non-ongoing) by employment type.

(Excludes locally engaged employees who are managed by DFAT on behalf of DIAC)

Employment Type	30 June 2007	30 June 2008	30 June 2009	31 July 2010	Percentage Growth/ Contraction 30 June 09 to 31 July 10	
Ongoing	6 457	6 474	6 647	6 586	-61	-0.9%
Non-ongoing	361	632	380	446	+66	+17.9%
Total	6 818	7 106	7 027	7 032	+5	+0.1%

IN-CONFIDENCE

Table 3 – DIAC headcount (ongoing and non-ongoing) by organisational unit

Organisational Unit	31 July 2010
Border Security, Refugee & International Policy	227
Chief Economist	6
Citizenship Settlement & Multicultural Affairs	197
Compliance & Case Resolution	225
Migration & Visa Policy	225
Policy Innovation & Research & Evaluation	19
Policy and Program Management Group Total	899
Business Services Transition Manager	267
Business Transformation Services	204
Community & Detention Services	417
Financial Strategy & Services	156
Governance & Legal	217
National Communication Branch	33
People & Executive Services	210
Risk, Fraud & Integrity	212
Technology Services Division	409
Transformation Program Management	7
Deputy Secretary - Business Services Total	2 132
Client Strategy & Performance	100
State and Territory Directors and Support Staff (reporting to the STO)	11
ACTRO	2
NT	3
SA	2
TAS	1
VIC	3
Overseas Posts (includes overseas transition pool)	143
Visa & Offshore Services	2 201
FAS Office	2
Offshore Operations	7
Client Services Coordination & Response	2
GM Visas Skilled & Family	803
GM Operational Integrity	251
GM Service Centres	521
Chief Medical Officer	90
GM Temporary Visas	498
Offshore Biometrics Taskforce	27
Refugee Borders & Onshore Services	1 489
FAS Office	2
GM Borders	398
GM Refugee & Humanitarian Visas	202
GM CS&MA	359
CM Compliance & Case Resolution E & N	305
GM Compliance & Case Resolution S & W	170
GM Character	53
Client Services Group Total	3 944
Executive group (includes Secretary, Deputy Secretaries and Support Staff)	13
Refugee Status Review Office	12
Office of the Migration Agents Registration Authority	32
DIAC Total	7 032

IN-CONFIDENCE

IN-CONFIDENCE

Table 4 – Headcount by actual classification (ongoing and non-ongoing)

(Includes employees acting on higher duties as at 31 July 2010 and excludes locally engaged employees who are managed by DFAT on behalf of DIAC)

Actual Classification	30 June 2009	% of workforce	31 July 2010	% of workforce
Cadets	2	0.03%	5	0.07%
Graduates	51	0.73%	19	0.27%
APS 1	16	0.23%	23	0.33%
APS 2	71	1.01%	68	0.97%
APS 3	930	13.23%	824	11.72%
APS 4	1 523	21.67%	1 497	21.29%
APS 5	1 289	18.34%	1 242	17.66%
APS 6	1 362	19.38%	1 489	21.17%
EXEC 1	1 152	16.39%	1 238	17.61%
EXEC 2	381	5.42%	384	5.46%
Medical Officer 2	13	0.19%	8	0.11%
Medical Officer 3	4	0.06%	5	0.07%
Medical Officer 4	2	0.03%	2	0.03%
Public Affairs Officer 1	5	0.07%	5	0.07%
Public Affairs Officer 2	12	0.17%	8	0.11%
Public Affairs Officer 3	15	0.21%	15	0.21%
Senior Public Affairs Officer	3	0.04%	4	0.06%
Legal Officer	20	0.28%	25	0.36%
Senior Legal Officer	58	0.83%	48	0.68%
Principal Legal Officer	15	0.21%	13	0.18%
SES Band 1	80	1.14%	85	1.21%
SES Band 2	19	0.27%	20	0.28%
SES Band 3	3	0.04%	4	0.06%
Secretary	1	0.01%	1	0.01%
Total	7 027	100.00%	7 032	100.00%

IN-CONFIDENCE

IN-CONFIDENCE

Table 5 – DIAC and APS classification profile (ongoing and non-ongoing)

(Excludes locally engaged employees who are managed by DFAT on behalf of DIAC)

Actual Classification	APS*		DIAC	
	30 June 2008	30 June 2009	30 June 2009	31 July 2010
APS 1 - 6	74.2%	73.2%	75.2%	74.0%
Executive Level 1 - 2	24.0%	25.0%	23.4%	24.4%
SES	1.8%	1.8%	1.5%	1.6%

*APS results from the *State of the Service Report* 2007-08 and 2008-09.

Table 6 – SES headcount by nominal classification

Please note this table provides the number of people in nominal positions (gazetted positions) as at the dates specified and includes employees on leave.

As at 30 June 2009				As at 31 July 2010			
Nominal Classification	Male	Female	Total	Nominal Classification	Male	Female	Total
SES Band 1	44	21	65	SES Band 1	42	23	65
SES Band 2	9	7	16	SES Band 2	12	6	18
SES Band 3	2	1	3	SES Band 3	2	1	3
Total	55	29	84	Total	56	30	86

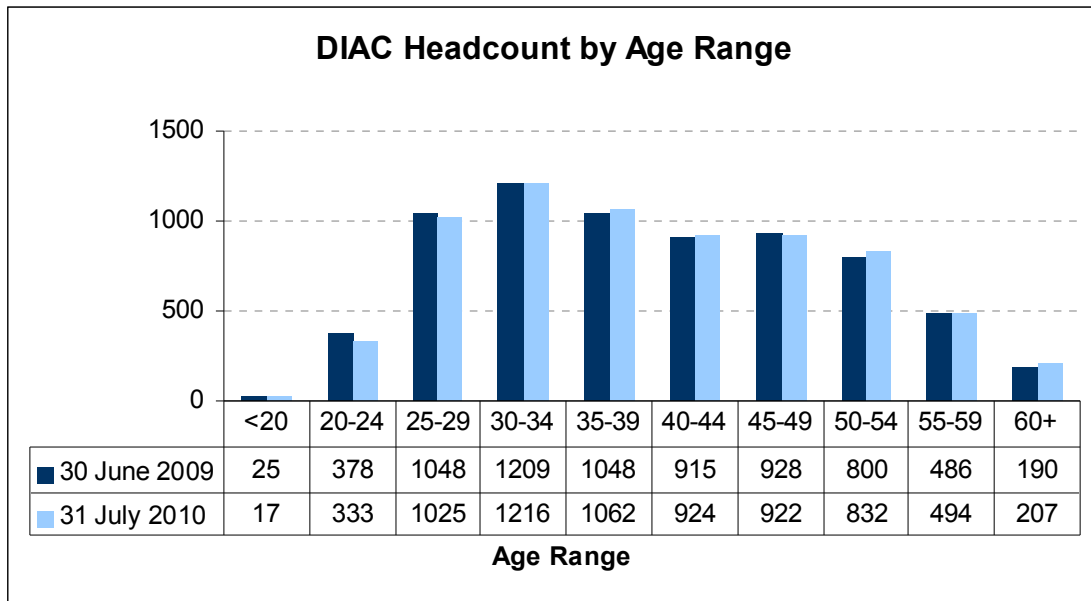
Table 7 – SES headcount by actual classification

Please note this table provides the number of people in SES positions and includes SES on leave and employees acting at the SES level on higher duties as at the dates specified. At 31 July 2010 the actual headcount of SES was 109 employees. At this time seven SES were on leave bringing DIAC SES staffing levels within the directed cap of 102.

As at 30 June 2009				As at 31 July 2010			
Actual Classification	Male	Female	Total	Actual Classification	Male	Female	Total
SES Band 1	48	32	80	SES Band 1	49	36	85
SES Band 2	12	7	19	SES Band 2	13	7	20
SES Band 3	2	1	3	SES Band 3	3	1	4
Total	62	40	102	Total	65	44	109

Chart 1 – Headcount by age range (ongoing and non-ongoing)

(Excludes locally engaged employees who are managed by DFAT on behalf of DIAC)



Title	Departmental Property Holdings
Key issue/s	<ul style="list-style-type: none"> • Accommodation requirements are currently stable, with the exception of NSW where leases expire within the next three years. <ul style="list-style-type: none"> - The department has three locations in NSW; Lee St, Elizabeth St and Parramatta. Work has commenced to identify options for possible consolidation of the NSW offices to align with the end of these leases in March 2012. <p style="text-align: right;">s.36(1)</p>
Background	<ul style="list-style-type: none"> • With around 7 000 staff, the department has a large lease-hold presence both within Australia and overseas. • The department occupies 134 476 m² of office accommodation in Australia (on-shore) (<u>Attachment A</u>) and 24 344 m² at overseas posts (off-shore) (<u>Attachment B</u>). • Budgeted property operating expenditure for the 2010-11 is approximately \$95.6 million, with the budgeted capital works program in the order of \$13.7 million.
Contact details (Deputy Secretary)	Bob Correll (w) (02) 6264 2522 (m) s.41(1)
Lead Division and relevant Branch	Financial Strategy and Services Division Property and Financial Operations Branch

Summary Report for DIAC Onshore Office Accommodation

State	Address	Lease Start Date	Lease End Date	Area Net (m ²)	Area Occupied	Options	Annual Rent AUD	Rate per m ²	Rent Review	Comments
ACT										
ACT	5 Chan Street, Belconnen	1/10/2008	30/09/2018	17,314	Whole of bldg	3 x 5 years	\$ 7,421,300.76	\$ 412.80	Fixed pa	
ACT	3 Lonsdale St, Braddon	1/06/2004	31/05/2014	2,078	Whole of bldg	N/A	\$ 845,547.84	\$ 370.99	Fixed pa	
ACT	Aqua Bldg, Benjamin Offices, Belconnen	27/03/2006	26/02/2016	6,567	Whole of bldg	N/A	\$ 2,034,660.00	\$ 309.83	Fixed pa	
ACT	Blue & Magneta Bldg, Benjamin Offices, Belconnen	1/03/2006	30/06/2012	8,754	Blue - Levels 2, 3, 4, 5 & 6, Magenta - Levels 1, 2, 4 & 5	N/A	\$ 2,744,430.08	\$ 286.00	Fixed pa	
ACT	6 Chan St, Belconnen	16/11/2004	15/11/2019	28,320	Whole of bldg	N/A	\$ 9,400,381.92	\$ 322.56	Fixed pa	
ACT	9 Thynne Street, Bruce	1/10/2005	30/09/2012	1,055	Whole of Level 1	1 x 5 years	\$ 345,510.72	\$ 327.49	Fixed pa	
QLD										
QLD	85 Spence Street, Cairns	24/09/2005	23/09/2015	501	Part Second Floor	N/A	\$ 171,747.00	\$ 332.02	Fixed pa	
QLD	Brisbane International Airport	1/01/1997	31/12/2010	804	Inside Terminal	N/A	N/A	N/A	N/A	
QLD	Coolangatta Airport	N/A	N/A	63	Inside Terminal	N/A	N/A	N/A	N/A	Monthly holdover - lease under negotiation
QLD	Cairns International Airport	N/A	N/A	60	Inside Terminal	N/A	N/A	N/A	N/A	Monthly holdover - lease under negotiation
QLD	4 Victoria Pde, Thursday Island	1/03/2007	29/02/2012	126	Part Ground Floor	1 x 5 years	\$ 57,416.04	\$ 455.68	Fixed pa	
QLD	299 Adelaide St, Brisbane	10/05/2007	9/04/2017	8,939	Whole of Building	1 x 5 years	\$ 4,915,085.40	\$ 517.22	Fixed pa	
QLD	Rural Transaction Centre, Badu Isl	1/03/2006	28/02/2008	16	Part Ground Floor	N/A	\$ 7,714.92	\$ 482.18	N/A	Monthly holdover - lease under negotiation
QLD	72 Nerang St. Southport	1/08/2001	31/07/2011	558	Part First Floor	N/A	\$ 177,827.28	\$ 307.96	CPI pa	
VIC										
Vic	Level 31, 50 Lonsdale St, Melbourne	1/07/2006	29/02/2016	1,952	Level 31	1 x 5 years	\$ 638,311.16	\$ 324.42	Fixed pa	
Vic	2 Lonsdale St, Melbourne	1/03/2006	29/02/2016	9,878	Part Ground, Levels 2, 4,6, 10, 15, 23, 24 and 25	1 x 5 years	\$ 3,654,617.64	\$ 345.84	Fixed pa	
Vic	51 Princess Highway, Dandenong	1/01/2008	31/03/2011	1,115	Whole of Building	1 x 3 years	\$ 233,509.56	\$ 209.42	Fixed pa	
VIC	Melbourne International Airport	10/12/1993	31/12/2010	320	Inside Terminal	N/A	N/A	N/A	N/A	
SA										
SA	Adelaide International Airport	1/01/2001	14/10/2010	121	Inside Terminal	N/A	N/A	N/A	N/A	
SA	55 Currie St, Adelaide	1/02/2005	31/07/2014	5,425	Part Level 2 and all Levels 3 and 4	1 x 10 years	\$ 2,226,999.96	\$ 396.88	Fixed pa	
SA	55 Currie St, Adelaide	1/07/2007	31/07/2014	334	Part Level 2	1 x 10 years	\$ 136,611.96	\$ 395.00	Fixed pa	
WA										
WA	Wellington Central, 836 Wellington Street, Perth	9/04/2009	8/04/2019	11,628	Whole of building	3 x 5 years	\$ 5,169,403.20	\$ 420.51	Fixed per annum rent reviews and 1 market review at year 6	
WA	Perth International Airport	N/A	N/A	147	Inside Terminal	N/A	N/A	N/A	N/A	Monthly holdover - lease under negotiation
NSW										
NSW	Level 8, 22 Market Street, Sydney (MARA)	4/05/2009	3/05/2012	472	Part Level 8	1 x 3 years	\$ 221,512.56	\$ 469.30	Fixed pa	
NSW	Level 1, 22 Market Street, Sydney (MARA)	1/06/2010	3/05/2012	70	Part Level 1	1 x 3 years	\$ 33,600.00	\$ 480.00	Fixed increase	
NSW	321 Kent Street, Sydney (RSRO)	19/07/2010	18/07/2013	800	Part Level 12	1 x 2 years	\$ 440,000.00	\$ 550.00	Fixed pa - 4%	
NSW	Sydney International Airport	1/07/1998	31/05/2008	645	Inside Terminal	N/A	N/A	N/A	N/A	Monthly holdover - lease under negotiation
NSW	Levels 1-4, 9 Wentworth St, Parramatta	1/07/2006	31/08/2013	4,735	Levels 1-4	1 x 5 years	\$ 1,940,847.36	\$ 397.92	Fixed pa	
NSW	Level 5, 9 Wentworth St, Parramatta	1/06/2007	31/08/2013	1,237	Level 5	1 x 5 years	\$ 492,227.76	\$ 397.92	Fixed pa	
NSW	300 Elizabeth St, Sydney	15/03/2006	31/03/2012	6,502	Levels 4, 5, 6, 7 and 8	1 x 5 years	\$ 2,828,961.00	\$ 388.30	Fixed pa and 1 market review	
NSW	26 Lee St, Sydney	1/04/2002	31/03/2012	10,748	Ground Floor and Levels 1-6	1 x 5 years	\$ 4,803,481.32	\$ 414.76	Fixed pa	
TAS										
TAS	188 Collins St, Hobart	1/09/2007	31/07/2017	2,112	Plaza, Levels 14 and 15	N/A	\$ 717,320.88	\$ 336.87	CPI annually	
TAS	Hobart International Airport	N/A	N/A	36	Inside Terminal	N/A	N/A	N/A	N/A	Monthly holdover - lease under negotiation
NT										
NT	Darwin International Airport	N/A	N/A	120	Inside Terminal	N/A	N/A	N/A	N/A	Monthly holdover - lease under negotiation
NT	40 Cavanagh St, Darwin	1/06/2008	31/05/2013	924	Ground and First Floor	N/A	\$ 269,772.96	\$ 292.05	Market review every two years	
				Total area occupied	134,476	Total rent AUD	\$ 51,928,799.28			

Summary Report for DIAC Overseas Office Accommodation

Post	Address	Lease Start Date	Lease End Date	Area Net (m ²)	Annual Rent Local Currency	Currency	Annual Rent AUD	Comments
Brunei	Level 6, Dar Takaful IBB Utamam, Jalan Pemancha	01/01/2005	31/12/2009	18.28	10,380	BND	\$ 10,105.95	Lease not being renewed - month to month arrangement until presence withdrawn from Brunei
New Delhi	Australian Embassy Annex, 1/50G Shantipath, Chanakyapuri	01/09/2009	31/12/2009	158.70	107,884	AUD	\$ 107,884.26	Negotiations for 2 leases to be consolidated to include entire ground floor until 30 June 2013
Warsaw	Nowogrodzka 1,	01/01/2000	31/12/2009	266.70	127,459	USD	\$ 189,107.71	DIAC committed to next lease, DFAT renewing head lease awaiting further details, initial indication of term is 3 years with 2 year option.
New Delhi	Australian Embassy Annex, 1/50G Shantipath, Chanakyapuri	13/04/2010	30/06/2013	230.70	156,830	AUD	\$ 156,829.86	
Dili	Avenida dos Matires da Patria -	01/10/2000	31/05/2010	71.60	3,189	USD	\$ 4,730.92	DIAC now bound by new agreements negotiated by DFAT - awaiting details.
New Delhi	123 Udyog Vihar, Phase IV	13/06/2009	12/06/2011	N/A	4,138,740	INR	\$ 121,307.35	Offsite storage, volume based.
Ankara	7th Floor, MNG Building, Gazi Osman Pasa, Ugur Mumcu Caddesi No 88,	01/07/2009	30/06/2011	359.50	48,750	USD	\$ 72,329.37	
Dubai	19th Floor, Burjuman Office Tower, Bur Dubai.	20/07/2010	19/10/2013	561.90	1,021,956	AED	\$ 394,247.29	
Port Louis	2nd Floor Rogers House, 5 President John Kennedy St,	01/10/2009	30/09/2010	55.50	424,807	MUR	\$ 15,952.19	DFAT OPO still awaiting head lease from post for further details
Cairo	World Trade Centre, 11 & 12 Flr, 1191 Corniche El Nil, Boulaq	01/12/2007	30/11/2010	366.60	137,612	USD	\$ 204,172.17	
Shanghai	Level 4, Suites 401,402,402B,403A,404, 405,406, & 408, American International Centre, Shanghai Centre -	01/12/2007	30/11/2010	1,837.27	9,455,811	CNY	\$ 1,992,122.96	Lease renewal currently being negotiated by Jones Lang LaSalle.
Ho Chi Minh City	4th & 5th Floors, The Landmark Building, 5B Ton Duc Thang -	01/01/2009	31/12/2010	646.70	599,570	USD	\$ 889,569.70	Lease extended for 12 months while DFAT continue negotiations for new building.
Zagreb	2nd floor Centar Kaptol 11 Nova Ves	08/02/2006	08/02/2011	114.70	30,592	EUR	\$ 60,161.24	
Brasilia	Lote 7, Sector des Embaixadas	14/03/2001	13/03/2011	163.75	84,897	AUD	\$ 84,896.64	
Guangzhou	Level 11, Development Centre Building, 3 Linjiang Dadao, Pearl River New City	01/05/2008	30/04/2011	988.74	2,123,818	CNY	\$ 447,439.89	
Pretoria	292 Orient Street, Arcadia	01/06/2008	31/05/2011	391.70	562,590	ZAR	\$ 86,552.31	
Taipei	President International Tower, 9-11 Song Gao Rd	22/02/2006	30/06/2011	558.48	9,492,594	TWD	\$ 422,456.37	
Auckland	Level 7, PriceWaterhouseCoopers Tower, 188 Quay St.	03/06/2008	31/07/2011	344.28	169,711	NZD	\$ 141,425.52	
Budapest	4th Floor, Kiralyhago ter 8-9	15/11/2006	14/11/2011	33.60	6,276	EUR	\$ 12,342.18	
Moscow	10A/2 Podkolokolny Pereulok (formerly 2/10A Pevchesky Pereulok)	21/01/2007	20/01/2012	425.20	258,237	USD	\$ 383,140.53	
Guangzhou	12th Floor, Development Centre Building, 3 Linjiang Dadao, Pearl River New City	22/02/2006	21/02/2012	355.10	792,242	CNY	\$ 166,907.32	
Hong Kong	24th Floor, Harbour Centre, 25 Harbour Road, Wanchai	10/03/2009	09/03/2012	553.10	5,842,713	HKD	\$ 1,118,222.54	
Nairobi	Riverside Drive Icipe Bldg	09/05/2002	08/05/2012	331.83	31,317	USD	\$ 46,464.39	
Vienna	3rd Floor Winterthur House, Mattiellstrasse 2-4.	01/07/2009	30/06/2012	192.77	50,498	EUR	\$ 99,307.77	
Tehran	13/23rd Street Khalid Islambuli Avenue	12/10/2009	09/08/2012	357.24	77,130	USD	\$ 114,436.75	
Berlin	Wallstrasse 76-79, Berlin Mitte	02/12/2002	01/12/2012	703.00	1,530,910	AUD	\$ 1,530,909.67	
Tel Aviv	Discount Tower, 23 Yehuda Halevi Street.	15/12/2007	14/12/2012	149.45	399,715	ILS	\$ 143,113.14	
Guangzhou	14th Floor storage, Development Centre Building, 3 Linjiang Dadao, Pearl River New City	13/07/2006	21/12/2012	17.74	12,000	CNY	\$ 2,528.13	
Bangkok	37 South Sathorn Rd	01/07/2008	30/06/2013	938.70	244,800	AUD	\$ 244,800.00	
Beijing	21 Dongzhimenwai St,	01/07/2008	30/06/2013	748.80	342,863	AUD	\$ 342,862.80	
Buenos Aires	Villanueva 1400 Cnr Zabala & Villanueva Sts Belgrano, Zabala	01/07/2008	30/06/2013	177.20	43,379	AUD	\$ 43,378.56	
Dhaka	184 Gulshan Avenue	01/07/2008	30/06/2013	200.90	105,060	AUD	\$ 105,060.00	
Geneva	Lot 1335/ 2 Chemin Des Fins	01/07/2008	30/06/2013	43.20	38,760	AUD	\$ 38,760.00	
Hanoi	8 Dao Tan St, Ba Dinh District	01/07/2008	30/06/2013	317.60	150,440	AUD	\$ 150,440.00	
Honiara	Cnr Hibiscus Ave & Mud Alley	01/07/2008	30/06/2013	21.20	5,622	AUD	\$ 5,622.24	
Islamabad	Cnr Constitution Ave & Ispahani Rd	01/07/2008	30/06/2013	250.60	76,684	AUD	\$ 76,683.60	
Jakarta	Jalan H R Rasuna Said Kav C15-16	01/07/2008	30/06/2013	734.00	243,288	AUD	\$ 243,288.00	
London	The Strand,	01/07/2008	30/06/2013	1,089.50	895,399	AUD	\$ 895,398.84	
Mexico City	Ruben Dario No 55, Col Rincon del Bosque-Polanco	01/07/2008	30/06/2013	129.00	55,679	AUD	\$ 55,679.00	
Noumea	7th & 8th Floor, Foch Bldg, 19-21 Rue du Marechal Foch	01/07/2008	30/06/2013	52.20	41,132	AUD	\$ 41,131.52	

Summary Report for DIAC Overseas Office Accommodation

Post	Address	Lease Start Date	Lease End Date	Area Net (m ²)	Annual Rent Local Currency	Currency	Annual Rent AUD	Comments
Nuku'alofa	Salote St	01/07/2008	30/06/2013	50.95	9,975	AUD	\$ 9,975.00	
Paris	4 Rue Jean Rey	01/07/2008	30/06/2013	181.00	184,620	AUD	\$ 184,620.00	
Port Moresby	Lot 8 Section 456 Godwit Road, Independence Drive Waigani	01/07/2008	30/06/2013	180.00	109,558	AUD	\$ 109,558.20	
Riyadh	Abdulla Bin Hozafa Al-Sahmi Avenue, Diplomatic Quarter, Riyadh, Saudi Arabia	01/07/2008	30/06/2013	58.00	64,260	AUD	\$ 64,260.00	
Singapore	25 Napier Road	01/11/2007	30/06/2013	412.60	328,391	AUD	\$ 328,391.00	
Suva	37 Princes Road	01/07/2008	30/06/2013	421.10	111,676	AUD	\$ 111,675.72	
Tokyo	2-1-14 Mita, Minato-Ku	01/07/2008	30/06/2013	286.00	447,221	AUD	\$ 447,221.04	
Washington	1601 Massachusetts Ave	01/07/2008	30/06/2013	307.40	164,613	AUD	\$ 164,612.70	
Manila	Level 22 - Tower 2, RCBC Plaza 6819 Ayala Avenue Makati	01/10/2003	30/09/2013	986.87	7,598,651	PHP	\$ 234,306.41	
Belgrade	2830/1 CMNovi, Block 19A Cnr Vladimira Popovica and Trecci Bulevar	01/02/2009	01/12/2013	411.30	152,305	EUR	\$ 266,176.00	
Beirut	1st & 2nd Floors, Block B Embassy Complex, Serail Building, Army Street	23/01/2003	22/01/2015	1,105.00	299,554	USD	\$ 444,442.68	
Rome	Via Bosio 3/5/7 0016. Awaiting documentation & rent details from DFAT	15/06/2009	14/06/2015	53.70	23,897	EUR	\$ 46,994.00	
Athens	The Thon Building, Cnr Kifissias & Alexandras Ave, Ambelokipi	01/07/2004	30/06/2016	408.80	211,621	EUR	\$ 416,166.78	
Santiago	3621 Isadora Goyenochea, Las Condes	01/08/2001	31/07/2016	378.95	3,174	UF	\$ 148,177.05	
Seoul	19th Floor 'Kyobo Life Insurance Building', No.1 Chongro 1-Ka, Changro-Ku	01/12/2009	30/11/2016	353.10	242,060,493	KRW	\$ 264,027.59	
Bali	Lot 204 Jalan Tantular, Renon	28/05/2007	27/05/2017	198.66	70,273	AUD	\$ 70,273.19	
Port Vila	Winston Churchill Avenue	07/07/2007	06/07/2017	18.00	1,167,159	VUV	\$ 15,430.44	
Madrid	Plaza del Descubridor Diego de Ordas 3	31/03/2008	30/03/2018	61.30	46,867	EUR	\$ 92,167.00	
Ottawa	16th Floor, 50 O'Connor St.	01/04/2008	31/03/2018	313.27	161,822	CAD	\$ 191,256.69	
Ottawa	7th Floor, 50 O'Connor St	01/04/2008	31/03/2018	160.40	87,148	CAD	\$ 102,999.25	
Ottawa	24th Floor, 50 O'Connor St (storage)	01/04/2008	31/03/2018	5.00	1,000	CAD	\$ 1,181.78	
Amman	No 87 Al-Umawiyeen Street, Dar Jaber Abdoun Al-Janoubi	09/11/2008	30/06/2018	429.40	356,479	AUD	\$ 356,479.29	
Kuala Lumpur	6 Jalan Yap Kwan Seng	08/11/2008	30/06/2018	547.20	223,259	AUD	\$ 223,259.00	
Vientiane	Rue J.Nehru Ban Phone Xay	26/05/2008	30/06/2018	68.60	45,276	AUD	\$ 45,276.00	
Colombo	21 Gregory's Road	01/07/2006	30/06/2021	379.60	299,153	AUD	\$ 299,153.00	
Harare	1 Green Close, Borrowdale	23/08/2006	22/08/2021	90.80	25,579	AUD	\$ 25,579.11	
New Delhi	Australian Compound, 1/50G Shantipath Chanakyapuri	01/10/2007	30/06/2022	1,088.60	785,098	AUD	\$ 785,098.00	
Phnom Penh	No.9 Street, 254 Street, Chaktoumul Outer Kolonia	01/07/2009	30/06/2024	280.00	190,168	AUD	\$ 190,168.00	
Pohnpei	H & E Enterprise Building Kolonia	N/A	N/A	2.54	0	AUD	\$ 0.01	Month to month
Rangoon	88 Strand Rd -	N/A	N/A	55.40	12,000	USD	\$ 17,804.15	No lease agreement in place - DFAT negotiating with Lessor
Shanghai	B09 'Shanghai Centre' 1376 Nanjing Road	N/A	N/A	62.33	163,735	CNY	\$ 34,495.22	(basement storage). Seeking advice from post about future requirements for space.
Tarawa	Bairiki no lease agreement in place due to small size	N/A	N/A	5.00	0	AUD	\$ 0.01	Month to month
Apia	Beach road	01/07/2010	30/06/2011	26.00	15,893	AUD	\$ 15,893.43	Option for 1 year exercised
Total area occupied				24,343.90	Total rent AUD		\$ 16,968,886.41	

Title	Client Service Delivery Model
Key issue/s	N/A
Background	<p>Client Service Group (CSG)</p> <ul style="list-style-type: none"> • The CSG is responsible for: <ul style="list-style-type: none"> - delivering the department's immigration and citizenship programs, through a network of nearly 5,000 employees (including Locally Engaged Employees), in over 60 offices across Australia and overseas; and - the end-to-end service delivery to the department's clients, excluding community and detention services for Irregular Maritime Arrivals (IMAs), which are the accountability of the Business Services Group. • In December 2009, the department implemented a fundamental change to its service delivery model. Previously, its service delivery model was geographically-based, meaning each state, territory and overseas manager was responsible for delivering some, or all, of the department's services. This model frequently led to inconsistent service and decision-making because different offices applied different business process models. • Over the last year, the department has progressively implemented a new global service delivery model, whereby senior Global Managers (GMs) located in the onshore Service Delivery Network (SDN) are now responsible for managing all service delivery for particular business lines across the globe. • The CSG strives for high performance in all business lines, with four key goals underpinning its overall performance framework: client service excellence; program integrity; process efficiency; and process and decision making consistency. • Services delivered by CSG's 12 business lines include Skilled and Family Visas; Temporary Visas; Refugee and Humanitarian Visas; Citizenship, Settlement and Multicultural Affairs; Character; Borders; Compliance and Case Resolution; Operational Integrity; Service Centres; eBusiness; Health; and Offshore Biometrics. • In 2009-10, CSG dealt with millions of clients in person, on the phone, via email and through third-party Service Delivery Partners (SDPs) every day: <ul style="list-style-type: none"> - 27.1 million passenger and crew arrival and departures occurred; - 4.15 million temporary visas granted; - 168 700 permanent migration visas granted; - 13 748 humanitarian visas granted; and - 115 500 people had citizenship conferred on them at ceremonies all around Australia and overseas.

Global management

- Global Managers work to ensure adoption of high standard client service and consistent procedures, and sharing of best practice, wherever work takes place in their particular business line. This also strives to ensure the highest standards of program integrity in all aspects of their business.
- All GMs work closely with their counterparts in the Policy and Program Management Group. A brief synopsis of each global manager business line can be found at Attachment A.
- This model has already led to a dramatic improvement in the department's service delivery performance, with far greater focus now given to integrated service delivery, and global process consistency and efficiency, in each business line.
- The GM model is one element of a far-reaching, long-term strategy to transform the department's global service delivery approach. The Client Services Transformation Strategy (CSTS) is designed to improve significantly the department's client service through more efficient, lower cost, risk-based and globally integrated services.

Client Services Transformation Strategy (CSTS)

- The CSTS will deliver on the department's commitment to enhance client service and integrity, while also improving its efficiency and sustainability.
- The CSTS is a critical component of the department's *Stronger Migration, Visa and Citizenship* business case (refer to *Brief A30*).
- The strategy is intended to reduce the need for face-to-face service delivery to high-volume/low-risk clients and is underpinned by four goals, to:
 - improve client service performance;
 - deliver services more efficiently and effectively;
 - improve consistency in decision making; and
 - increase the integrity and decision accuracy of programs.
- The CSTS seeks to enhance dramatically the client experience in the four key channels through which clients interact with the department - eBusiness, global Service Centres (ie. multi-channel call centres), Service Delivery Partners and staff in DIAC offices. This client-centric strategy will enable clients to choose which channel they wish to use, but potentially charge a premium for higher cost channels over time.
- There are three key phases to the CSTS:
 - phase one, which has already commenced, and is designed to implement a number of work consolidation measures on shore in Australia;
 - phase 2, which includes a number of short-term enhancements to the department's four key client service channels under an internally funded program of work that will occur over the next 12 to 18 months; and

IN-CONFIDENCE

	<ul style="list-style-type: none">- phase 3, which includes a number of far more significant enhancements to the department's channels.• Phase one of the CSTS was announced in March 2010 and included further consolidation of visa processing work in Australia to improve efficiency and consistency, and to reduce or review visa processing in the department's smaller onshore offices.• Further information on phase one is at <u>Attachment B</u>.• The department is also reviewing its footprint overseas as part of the CSTS. <p style="text-align: center;">s.36(1)</p> <div style="background-color: #ccccff; height: 100px; width: 100%; text-align: center; padding-top: 50px;">s.36(1)</div> <ul style="list-style-type: none">• Provided at <u>Attachment C</u> is an overview of the department's:<ul style="list-style-type: none">- client service performance;- client service standards; and- client service charter.
Contact Details (Deputy Secretary)	Felicity Hand (w) (02) 6264 2002 (m) s.41(1)
Lead Division and relevant Branch	Client Strategy and Performance Division – First Assistant Secretary, Marie Johnson Visas and Offshore Services Division – First Assistant Secretary, Todd Frew Refugee, Borders and Offshore Services Division - First Assistant Secretary, Stephen Allen

IN-CONFIDENCE

DIAC Client Service Standards (Visa Services)

Visa Category	Risk/ Level	Applicant in Australia at time application is lodged	Applicant outside Australia at time application is lodged
Sponsored Visitors	Low Risk	n/a	n/a
	High Risk	n/a	1.5 months
Non-Sponsored Visitors (short stay)	Low Risk	1 working day	1 working day
	High Risk	1 week	1 month
Non-Sponsored Visitors (long stay)	Low Risk	1 working day	1 working day
	High Risk	1 month	1.5 months
Students	AL 1	14 days	14 days
	AL2	14 days	21 days
	AL 3/4	30 days	90 days
Students: permission to work	AL 1	7 days	n/a
	AL2	7 days	n/a
	AL 3/4	7 days	n/a
Sponsored Business visitors	Low Risk	n/a	n/a
	High Risk	n/a	1 month
Non-Sponsored Business Visitors	Low Risk	n/a	1 working day
	High Risk	n/a	1 month
Business (Long Stay) Subclass 457	Low Risk	2 months	2 months
	High Risk	3 months	3 months
Other Sponsored Temporary Residents	Low Risk	2 months	2 months
	High Risk	3 months	3 months
Labour Agreement, Employer Nomination Regional Sponsored Migration	Low Risk	5 months	5 months
	High Risk	7 months	7 months
Business Skills	Low Risk	9 months	9 months
	High Risk	15 months	15 months
General Skilled Migration (GSM) ¹	Low Risk	6 months	12 months
	High Risk	6 months	15 months
Skilled – Regional Subclass 887 ²	Low Risk	5 months	n/a
	High Risk	5 months	n/a
Skilled – Regional Sponsored Subclass 487	Low Risk	5 months	n/a
	High Risk	5 months	n/a
Skilled – Regional Sponsored Subclass 475	Low Risk	n/a	7 months
	High Risk	n/a	7 months
Skilled – Graduate Subclass 485	Low Risk	5 months	n/a
	High Risk	5 months	n/a
Skilled–Recognised Graduate Subclass 476	Low Risk	n/a	7 months
	High Risk	n/a	7 months
Spouse/Interdependent (temporary)	Low Risk	6 months	5 months
	High Risk	6 months	10 months
Prospective Spouse	Low Risk	n/a	5 months
	High Risk	n/a	10 months
Spouse/Interdependent (permanent)	Low Risk	6 months	Numbers statistically insignificant
	High Risk	8 months	
Child	Low Risk	6 months	3 months
	High Risk	7 months	10 months

Visa Category	Risk/Level	Applicant in Australia at time application is lodged	Applicant outside Australia at time application is lodged
Contributory Parent category (temporary) ³	Low Risk	9 months	9 months
	High Risk	9 months	9 months
Contributory Parent category (permanent) ⁴	Low Risk	9 months	9 months
	High Risk	9 months	9 months
Special Eligibility (former resident)	Low Risk	6 months	9 months
	High Risk	9 months	12 months
Resident Return Visas, Australian Declaratory Visas and Certificates of Evidence of Resident Status		1 working day	2 weeks

Visa Category	Service Standard
Offshore Humanitarian	75 per cent humanitarian visa applications finalised within 12 months
Onshore Protection	For applicants not in detention - 90 days For applicants in detention – 60% within 42 days and 100 % within 90 days.

Visa category	First Working Holiday visa	Second Working Holiday visa
Working Holiday Maker Visa	6 days	21 days

DIAC Client Service Standards (Other Services)

Service	Service Standard
Immigration clearance at an International Airport in Australia	Within 30 minutes of you joining the passport-processing queue.
Accessing Information under the Freedom of Information Act	Acknowledgment of request - 14 calendar days from receipt Decision (with reasons) - 30 calendar days from the request
Translating and Interpreting Service (TIS)	<p>Telephone interpreting:</p> <ul style="list-style-type: none"> 90% calls answered by a TIS operator within 30 seconds; a telephone interpreter in a major community language provided within 3 minutes; 90% jobs done by a NAATI accredited/recognised interpreter <p>On-site interpreting:</p> <ul style="list-style-type: none"> 85% requests result in a confirmed appointment within 3 working days; 90% jobs done by a NAATI accredited/recognised interpreter <p>Translating documents</p> <ul style="list-style-type: none"> 90% fee-free translations processed within 20 working days of request; 95% jobs done by a NAATI accredited/recognised translator
Immigration Detention	If you are detained, you can expect to be given information relating to your circumstances, personalised service which is lawful and humane, and to be kept informed about issues relevant to your detention

¹ This includes the following permanent GSM visas:

Skilled – Independent (Residence) visa (Subclass 885) (Onshore)

Skilled – Independent (Migrant) visa (Subclass 175) (Offshore)

Skilled – Sponsored (Residence) visa (Subclass 886) (Onshore)

Skilled – Sponsored (Migrant) visa (Subclass 176) (Offshore)

² The Skilled – Regional (Subclass 887) visa is only available to holders of the following provisional GSM visas:

Skilled – Independent Regional (Subclass 495)

Skilled – Designated Area Sponsored (Subclass 496)

Skilled – Regional Sponsored (Subclass 487) (Onshore) or

Skilled – Regional Sponsored (Subclass 475) (Offshore)

³ This includes visa subclasses 173 and 884

⁴ This includes visa subclasses 143 and 864



Client service charter





Secretary's foreword

The Department of Immigration and Citizenship (DIAC) manages the permanent and temporary entry of people to Australia, and the settlement of migrants and refugees. We promote the value of citizenship and cultural diversity.



Our work is underpinned by our guiding principle of **people our business**. We are committed to having well trained and supported staff, and to developing and maintaining an open and accountable culture that is fair and reasonable in dealing with our clients.

We know how much you value excellent client service and our goal is to give you that level of service. Therefore, it is important that we know what to expect from each other.

Our newly developed client service strategy will enhance the ways we deliver our services. With a focus on client service excellence, efficiency and integrity, we are making significant improvements in the way we serve you.

Your feedback is highly valued because we use it as an indicator of our performance against our service standards. Your feedback can be a compliment, complaint, statement or a word on how you felt as you engaged with us through any of our service delivery channels.

Andrew Metcalfe
Secretary



Our service charter

This charter:

- outlines our service standards and defines what you can expect from us
- states what you need to know so you can help us help you
- explains how you can give us feedback on any aspect of our service.

Our service standards

Our service standards describe the level of service excellence we aim to deliver.

When we serve you, we will:

- identify ourselves
- treat you with courtesy and respect
- be fair, open and reasonable
- give you clear, accurate and timely information or help you to find it
- collect, store, use and disclose your personal information in accordance with relevant Australian law.

These will be measured through regular client surveys and by monitoring the feedback you provide. We will regularly publish the results on our website and in our annual report.

At many of our office locations overseas, we manage lodgement and enquiry services in partnership with organisations that specialise in delivering such services. If you are overseas and need to access our services through a Service Delivery Partner, the service standards outlined in this charter will also apply.

Processing applications

Information on the time required by the department to process different applications is available on our website at www.immi.gov.au/about/charters/client-services-charter/standards.

Telephone Service Centres

We will answer 85 per cent of calls to our national contact numbers
131 881
131 880 and
133 177 within two minutes.

Contact in person

We will see you within 10 minutes of your arrival if you have an appointment.

We will see you within 20 minutes of your arrival if you do not have an appointment.

You will be attended to within 30 minutes of joining the passport-processing queue at an Australian airport.

Written communication

We will acknowledge emails and provide a likely timeframe for our response within one working day of receipt of your email.

Within seven working days of receiving your application, we will:

- acknowledge receipt of the application
- advise you with reasons if your application is invalid (for example, incorrect application form or fee).

Within seven working days of receiving advice from a Court or Tribunal, we will acknowledge receipt of the decision or information and advise you if there are any further requirements.



Translating and Interpreting Service (TIS) National

We will answer 90 per cent of telephone calls to a TIS operator within 30 seconds.

A telephone interpreter in a major community language will be provided within three minutes.

We will respond to 85 per cent of requests for an appointment within three working days.

We will process 90 per cent of fee-free translations within 20 working days of request.

Freedom of Information

We will acknowledge freedom of information requests within 14 calendar days from date of receipt and provide a decision within 30 calendar days from date of receipt.

To help us help you, we ask that you:

- treat our staff with courtesy and respect
- ensure your application is accompanied by all information and documents required at the time of lodgement
- provide us with all information we request within the specified timeframe
- provide the reference number of your application if you are contacting us regarding an application you have already lodged
- give us details of changes in your circumstances as soon as the changes occur
- tell us if you have special requirements, such as needing interpreter assistance
- not offer us gifts, money or other favours.

Feedback—compliments, complaints, suggestions

We value your compliments, complaints and suggestions. These could be:

- about a positive experience you have had
- a comment or suggestion on how we can improve our services to you
- a complaint if you are not satisfied with the service you have received, or feel you have not been treated fairly and reasonably by us or by someone delivering services on our behalf.

You can give us this feedback by:

- completing an online feedback form at www.immi.gov.au/contacts/forms/services
- calling the Global Feedback Unit on 133 177
- writing to: The Manager, Global Feedback Unit, GPO Box 241, Melbourne VIC 3001 Australia
- telling any departmental staff member. They will send your feedback to our Global Feedback Unit for processing
- contacting your nearest Australian Embassy, Consulate or High Commission.

Complaints handling

We will acknowledge complaints made by telephone or email within one working day and respond within 10 working days.

We will acknowledge complaints received by mail or facsimile within five working days and respond within 20 working days.

If you are not satisfied with our resolution of your complaint, you may contact the Commonwealth Ombudsman (www.ombudsman.gov.au), Office of the Privacy Commissioner (www.privacy.gov.au) or the Australian Human Rights Commission (www.humanrights.gov.au).



Other important information

Staying and working legally in Australia

If your visa expires while you are still in Australia, you become an ‘unlawful non-citizen’.

If you become aware that you are an ‘unlawful non-citizen’ you should contact the compliance section of your nearest departmental office. Locations of offices are available on the department’s website www.immi.gov.au.

You can check your immigration status including your work rights through Visa Entitlement Verification Online (VEVO) www.immi.gov.au/e_visa/vevo.

Decision review processes

If you are not satisfied with an immigration decision that affects you, you may have the right to seek a review of the decision. More information is available on the following websites:

- Department of Immigration and Citizenship www.immi.gov.au
- Migration and Refugee Review Tribunal www.mrt-rrt.gov.au
- Administrative Appeals Tribunal www.aat.gov.au

Migration agents

You do not need to use a migration agent to lodge a visa application. However, if you wish to, you can find contact details of migration agents (in Australia and overseas) at www.mara.com.au or telephone 1300 226 272.

Translations

Translated versions of this Charter are available at www.immi.gov.au/about/charters/client-services-charter/charter-translations.htm

Online tools and information

The links below provide information on products, services and application forms/booklets. They also provide access to online applications for many types of visas, Australian citizenship and other services. Here you will also find web based tools called ‘Wizards’, which assist clients to find relevant information on visa options or how to apply for citizenship:

- Immigration—www.immi.gov.au
- Visa Wizard—www.immi.gov.au/visawizard
- Citizenship—www.citizenship.gov.au
- Citizenship Wizard—www.citizenship.gov.au/citizenshipwizard
- VEVO (facility to check work or visa entitlements) www.immi.gov.au/e_visa/vevo
- Making online applications, including checking progress online www.immi.gov.au/e_visa
- Residence calculator (for checking Citizenship eligibility) <https://www.ecom.immi.gov.au/citz/startIntervalCalc.do>
- Translated resources (information and forms in multiple languages) www.immi.gov.au/media/publications/translated

Contact us

In person

Information on the location and operating hours of our offices is available:

- in Australia—www.immi.gov.au/contacts or by telephone 131 881
- overseas—www.immi.gov.au/contacts/overseas or by contacting your nearest Australian Embassy, Consulate or High Commission.



Telephone numbers

- 131 881
Immigration appointments and enquiries
- 131 880
Citizenship appointments and enquiries
- 131 450
Translating and Interpreting Services (TIS) National
- 133 177
Global Feedback Unit
- 1800 040 070 (toll free in Australia)
Employers' Immigration Hotline
- 1800 009 623 (toll free in Australia)
Immigration Dob-in Line
- 133 677
National Relay Service (NRS) for callers who have a hearing, speech or communication impairment and for Text Telephone (TTY) or modem callers
- 1300 555 727
National Relay Service (NRS) for callers using Speech to Speech Relay (SSR).

Note: Calls from most fixed phone lines from anywhere in Australia are charged at a fixed rate. That rate may vary from the price of a local call and may also vary between telephone service providers. Calls to 1800 numbers from most fixed lines are free.

Calls from public and mobile phones may be timed and charged at a higher rate.

Calls to telephone numbers beginning with 13, 1300 and 1800 may not be available from VOIP services, please contact your service provider for more information. Alternatively, try using a fixed line phone.



Global Managers Business Lines

Global Manager, Skilled & Family Visas

- Greg Kelly, based in Brisbane, oversees over 750 people and is responsible for all skilled migration visa categories encompassing Business Skills, Employer Sponsored, Distinguished Talent and General Skilled Migration. Over the 2009-10 financial year, 149 021 cases were finalised, of which 117 146 visas were granted.
- The family migration program is responsible for applications covering Children, Spouse, Parent and any other family categories. Over the 2009-10 financial year, 118 800 cases were finalised, of which 104 292 visas were granted.
- GM Skilled and Family supports the department's stakeholder engagement through its outreach program.

Global Manager, Temporary Visas

- John Moorhouse based in Perth, delivers services to onshore and offshore clients seeking visitor, short stay skilled workers or student visas. This business line is responsible for 94 per cent of all visas processed by the department. The vast majority of the visas processed are through online services. Over the 2009-10 financial year, 4 254 438 cases were finalised with 4 098 996 visas granted within the Working Holiday, Work and Holiday, Visitors, Students, Temporary Residence and Resident Return Visas programs.

Global Manager, Service Centres

- Jill Simpson based in Canberra, is responsible for the strategic and operational management of the department's service centres (Melbourne and Sydney, in addition to a number of smaller centres around the globe), the Global Feedback Unit and the Translating and Interpreter Service (TIS). As part of the CSTS, the global service centre strategy will become a globally integrated, multi-channel, 24/7 support service centre operation.
- During 2009-10 financial year, the service centres answered 1 726 133 calls, and the National Telephone Interpreter Service provided 811 827 telephone interpreting services, 53 236 onsite interpreting services and 10 015 document translating services.

Global Health Group

- Led by Paul Douglas, based in Sydney, this group processes health examinations for repatriated offshore cases, and offshore health examinations requiring medical assessment by medical officers of the Commonwealth. In 2009-10, Global Health processed 330 426 medicals and responded to 67 051 enquiries.
- The group manages contracts for provision of medical examinations in Australia and audits the integrity of the network of approximately 3 000 medical examiners who undertake health examinations of visa applicants offshore.

- The group works closely with state and territory health authorities, and is active in building international cooperation in immigration and refugee health standards and processes.

Global Manager eBusiness

- Adrian Motherway, based in Canberra, is responsible for the department's digital channel strategy to deliver DIAC's organisational capability to be globally flexible, responsive and adaptive to client and stakeholder needs, whilst upholding integrity. As part of the CSTS, the GM eBusiness will deliver improved client self-service tools and services that make relevant information, services, transactions and assistance available 24/7 through a potential variety of digital mediums.

Global Manager, Operational Integrity

- Christopher Callanan, based in Adelaide, brings together all the integrity-related operational business units across the service delivery network (both onshore and offshore) to provide "eyes and ears" support to operational areas. Services to the operational network include:
 - pre-decision application support to onshore and offshore decision makers (eg referrals, site visits and spouse bona fides home visits); and
 - an enhanced post-decision quality assurance role to "check" that outcomes align with processing and policy settings and are doing what they should do (through risk targeting and sampling, desk audits, inspections and site visits).

Global Manager, Borders

- Jose Alvarez, based in Melbourne, is responsible for air and sea border operations across the globe to ensure effective immigration clearance and screening processes. He employs leading edge technology to deliver a secure, non-intrusive, streamlined immigration processing system for genuine travellers.
- Last program year, there were 27.1 million passengers and crew arrivals and departures by air, with 1 572 passengers refused immigration clearance. There were also 887 203 passengers and crew arrivals and departures by sea, with 53 passengers refused immigration clearance.

Global Manager, Refugee and Humanitarian

- David Walsh, based in Sydney, manages both onshore refugee applications and offshore humanitarian applications. Over the 2009-10 financial year, 6 783 onshore refugee cases were finalised, including the Refugee Status Assessment process for Irregular Maritime Arrivals, with 4 510 visas granted. In the offshore humanitarian caseload, 43 567 were finalised with 9 236 granted.

Global Manager, Citizenship, Settlement and Multicultural Affairs

- Paul Farrell, based in Melbourne. Under the citizenship program, in 2009-10, the department finalised 122 740 applications. Further to this, 115 591 clients acquired Australian Citizenship by conferral at a ceremony and 15 636 acquired citizenship through descent.

- This business line's Community Liaison Officer (CLO) network works with various community groups to both disseminate information and provide feedback to DIAC on policies and programs. The GM line is also responsible for the successful on-the-ground contract management of the department's intensive on-arrival settlement support for humanitarian entrants.

Global Manager, Compliance and Case Resolution

- This line is split into two geographic areas, North and East (NSW, QLD, ACT, NT) led by Assistant Secretary Rocio Trapaga-Saul and South and West (VIC, TAS, SA, WA) led by Assistant Secretary Amanda Paxton. This area is responsible for case management of all clients in detention, compliance and status resolution services, Ministerial Intervention, compliance field operations and removals. This is a growing and often complex and sensitive caseload.

Global Manager, Character

- Paul Windsor, based in Melbourne, is responsible for the National Character Consideration Centre (NCCC). He also has national responsibility for identifying and processing non-citizens whose visas may be subject to cancellation under section 501 of the *Migration Act*. The NCCC also determines whether visa applications should be refused under section 501 of the *Migration Act*. In 2009-10, there were 632 cancellations and 911 refusals finalised.

Global Manager, Offshore Biometrics

- Janette Haughton, based in Canberra, is responsible for the implementation of the Offshore Biometrics Project (refer to Brief B3), announced by the former Prime Minister on 23 February 2010. The offshore biometrics program involves collaboration with the UK Border Agency and its commercial partners to collect fingerprints and digital facial images from select overseas visa applicants in ten countries around the world. This initiative received \$69 million over four years in the 2010-11 Budget.
- Subject to its success, the department is keen to expand its use of service delivery partners under this model to not only collect biometrics in more countries around the globe, but to also extend its global footprint for visa processing and other potential services around the globe.

Phase One of the Client Services Transformation Strategy

Work placement

- Implementation of phase one of the CSTS was announced on 24 March 2010. The changes to be implemented over 2010 and 2011 is to further consolidate visa processing work in Australia to improve efficiency and consistency, and to reduce or review visa processing in the department's smaller onshore offices.

s.36(1)



s.36(1)



IN-CONFIDENCE

Visa Labels

- A majority of non-citizens travelling to Australia apply for their visas online through the department's ETA or eVisa systems. These clients can then travel to Australia without the need for a visa label to be placed in their passport.
- Airlines are able to check whether a visa has been granted to a person travelling to Australia through the department's Advanced Passenger Processing system. Visa holders, Australian employers, and government agencies can check visa details and entitlements of non-citizens in Australia using the department's free online Visa Entitlement Verification Online (VEVO) service.
- The department's label-free strategy aims to minimise the use of visa labels. In 2008-09, 13 per cent of visas granted were evidenced with a visa label (some 665 000 visa labels).
- The reduction of visa evidencing work provides benefits through less congestion at departmental counters, assists clients in being able to verify their visa entitlements online without having to personally visit a departmental office and reduces costs (estimated at up to \$2 million per annum).
- Some members of the migration agent industry are not supportive of the label free strategy. A working group has been established to address their concerns and build support, such that only clients with a genuine need are provided with a visa label.
- The department is actively working to encourage VEVO uptake among employers and government agencies not yet registered.

IN-CONFIDENCE

Client Services Performance

- The department has an over-arching performance framework designed to ensure continual improvement to client service, program integrity and efficiency, thereby resulting in enhanced productivity and process consistency.
- The service delivery performance framework supports GMs by measuring the performance of their business lines across four key areas - people, business, clients and finance – and helping them to identify strategies for improvement. The framework includes regular and timely reporting across quantitative and qualitative measures targeted performance reviews; and business process redesign.
- The performance framework is supported by two key documents – the department’s Client Service Standards and the department’s Client Service Charter.

Client Service Standards (copy attached)

- The department Client Service Standards include timeliness standards that apply to various service delivery channels and processing time standards that apply to various visa, citizenship and other products. These are incorporated in the DIAC Client Service Charter demonstrating the department’s commitment to its clients.
- Processing times vary according to location and risk. Overall, in 2009-10, 92 per cent of visas were processed within the service standard against a target of 75 per cent. In the citizenship program, 70 per cent of applications were processed within the service standard of 60 days, against a target of 80 per cent. While this result did not meet this target, the number of clients acquiring citizenship increased by 25 per cent compared to the 2008-09 financial year. The new GM Citizenship has put in place a number of strategies to drive improved performance in this business line in the next 12 months.
- An internal review of service standards is currently underway. While the review has not yet been finalised, it proposes enhancements to the department’s service standards through:
 - an improved external commitment to clients by raising the 75 per cent requirement to 80 per cent; and,
 - as a concurrent step, setting an internal performance target at 100 per cent of applications finalised within service standards. External factors beyond the department’s control (eg delayed security or medical assessments by other agencies or a lower number of migration places compared to demand) may mean this 100 per cent internal standard cannot always be met. The revised standards therefore allow for a minimum expectation of 80 per cent of applications finalised where such factors apply.

Client Service Charter (copy attached)

- The department's Client Service Charter provides information for clients and staff on its approach to service delivery, including:
 - standards of service that clients can expect;
 - details on feedback channels for clients to comment on any aspect of the department's service;
 - contact details for clients to contact the department; and
 - information for clients designed to help the department to assist them.
- The Charter outlines the department's continuing effort to improve service delivery to all stakeholders. It also reflects a commitment to having an open and accountable organisation, fair and reasonable dealings with clients and to ensure that its staff are well-developed and supported.

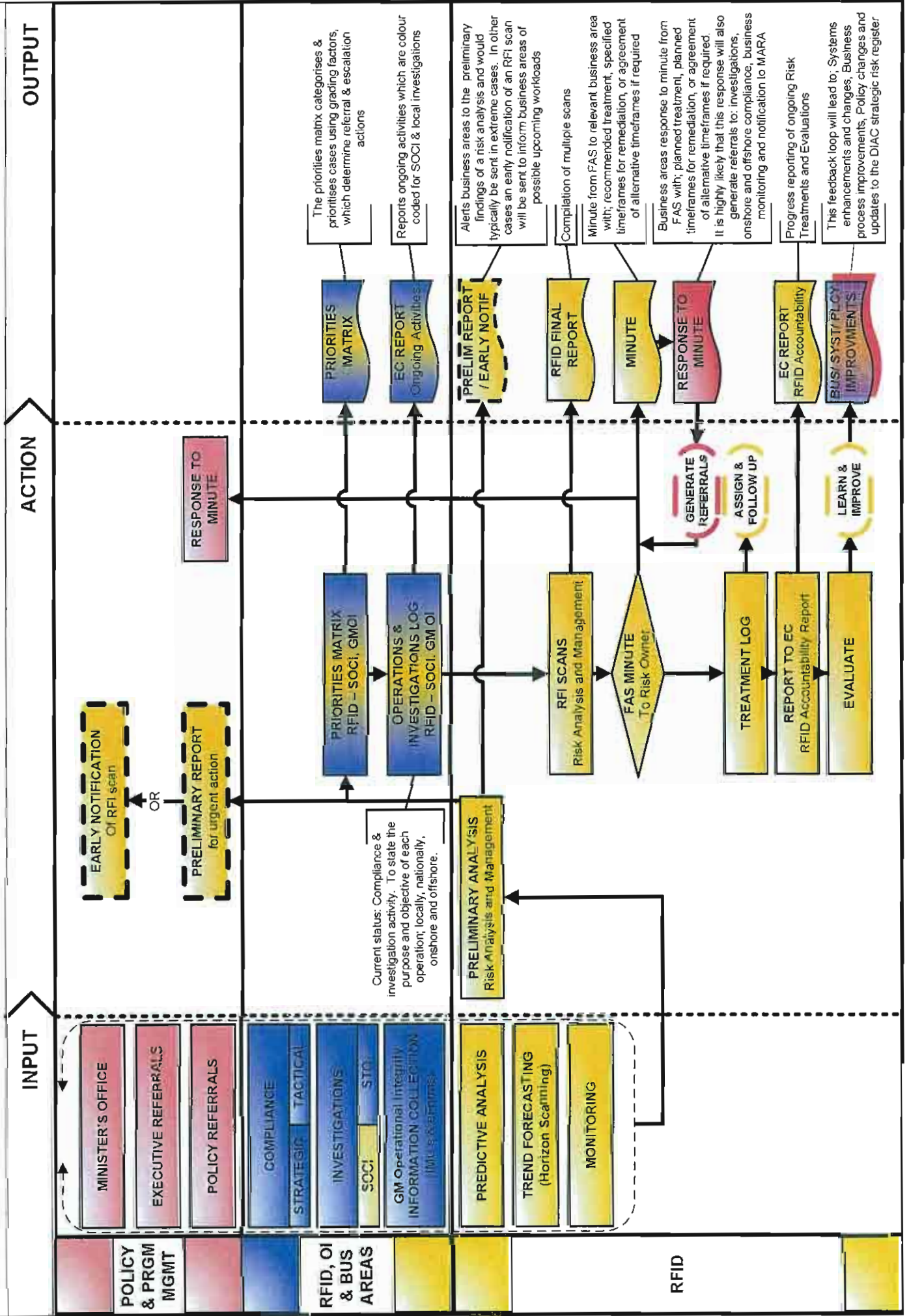
Client Experience Program

- The Client Experience Program (CEP) is a program of research into the quality of service experienced by clients across nearly all business lines. It is conducted in two phases each year with up to 40 000 clients, and includes online surveys, one-on-one interviews and focus groups. You will be briefed shortly on the outcomes of phase one. However, highlighted below are some of the key findings from phase one:
 - the overall client satisfaction with DIAC services is 82 per cent. This is the same result as the 2008-09 survey, but three per cent higher than the 2007-08 survey;
 - clients increasingly prefer to engage with the department using electronic channels, including email and the DIAC website; and
 - the top two primary drivers of clients' overall satisfaction with the telephone, email and in-person service delivery channels were response times and helpfulness of information. Similarly, the primary drivers of satisfaction with the on-line (website) channel were ease of use and lack of errors.

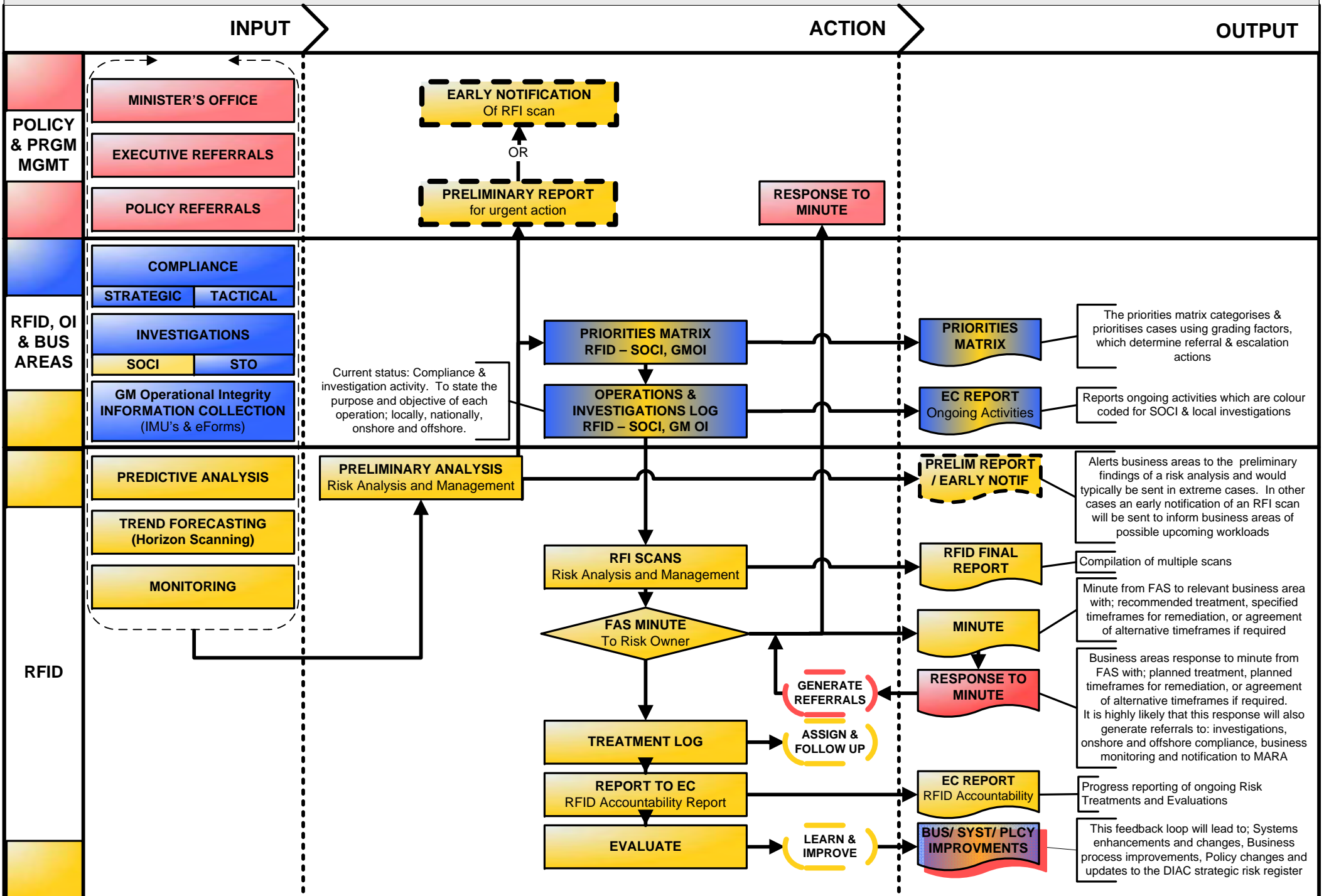
Phase two of the CEP commenced in August 2010 and seeks to build on this intelligence through targeted questions around current departmental initiatives to further improve client service and assist drive the Client Services Transformation Strategy.

Title	Risk, Fraud and Integrity Framework
Key issue/s	<ul style="list-style-type: none"> • The DIAC Risk, Fraud and Integrity Framework aims to provide governance and structure to enable the department to identify, monitor and address risks to its various programs (<u>Attachment A</u>). • All risks identified are assigned a lead accountable SES officer to manage the risk, with the Risk Profile utilised in the development of respective division's business plans.
Background	<ul style="list-style-type: none"> • The Risk, Fraud and Integrity Division (RFID) has been established within the Business Services Group to detect, measure and recommend treatments to mitigate multiple dimensions of risk across the department's full operations. • RFID is responsible for setting broad strategic frameworks, risk analysis, prioritisation and tasking in close consultation and collaboration with the policy and operational risk/risk treatment owners. The risk owners are accountable for the agreed risk treatments.
Contact details (Deputy Secretary)	Bob Correll (w) (02) 6264 2522 (m) s.41(1)
Lead Division and relevant Branch	Risk Fraud and Integrity Division Risk, Analysis and Monitoring Branch

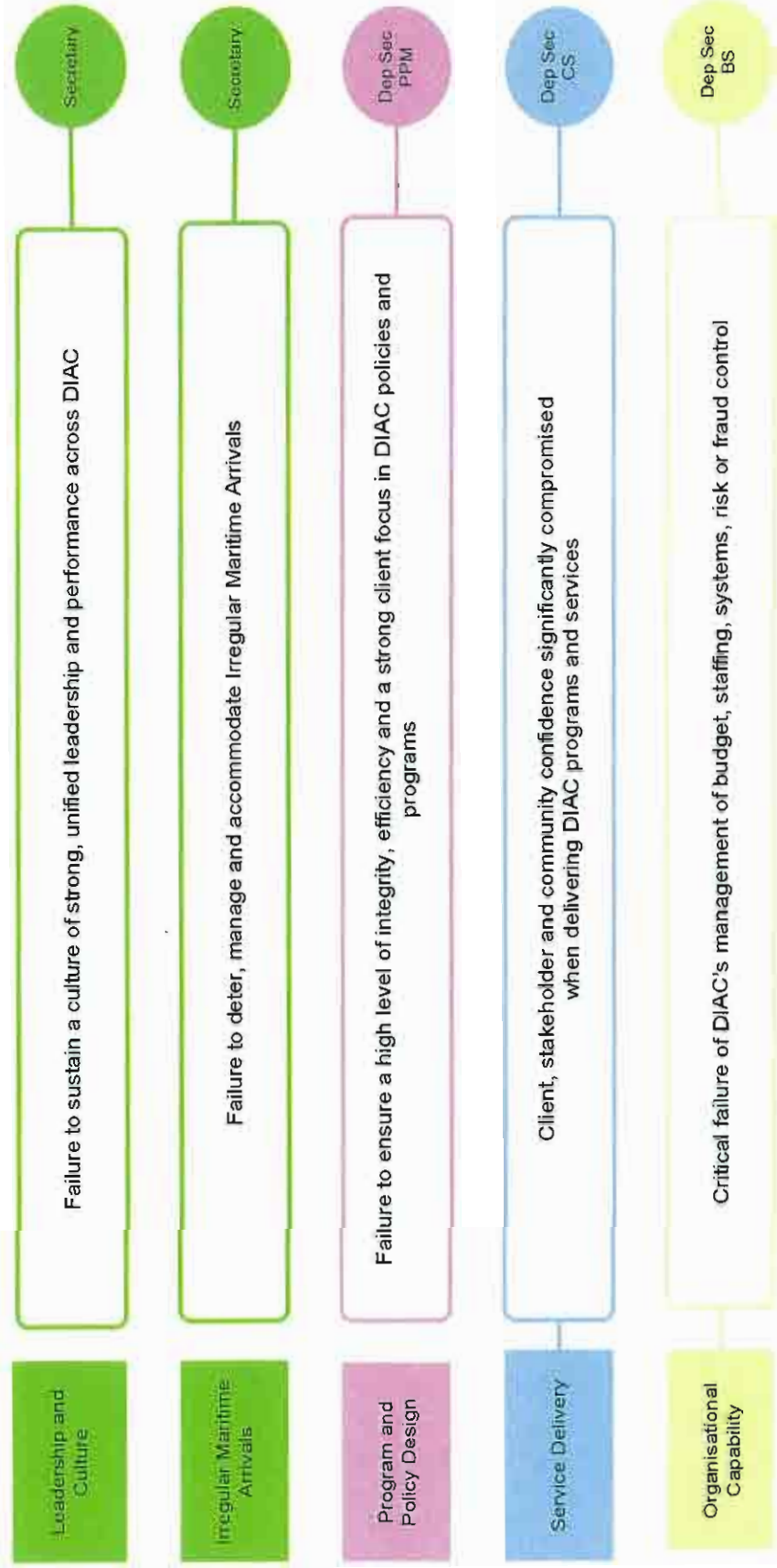
RISK, FRAUD AND INTEGRITY (RFID) - CROSS FUNCTIONAL BUSINESS PROCESS FLOW



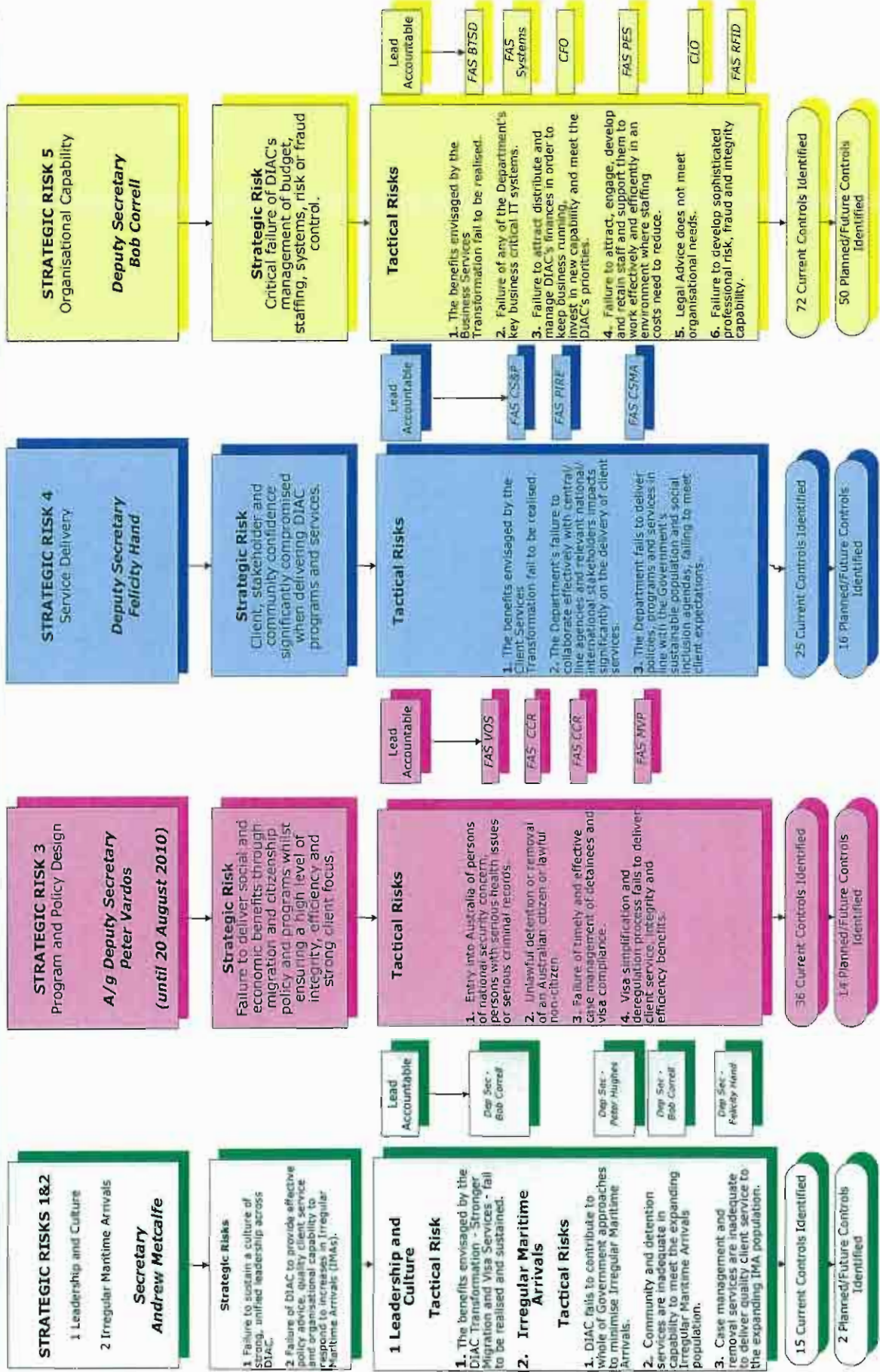
RISK, FRAUD AND INTEGRITY (RFID) - CROSS FUNCTIONAL BUSINESS PROCESS FLOW



Title	Strategic Risk Map
Key issue/s	N/A
Background	<ul style="list-style-type: none"> • The DIAC Strategic Risk Profile (Attachment A) documents the department's high level strategic risks and is a valuable tool for prioritising and managing risks at both an organisation wide level, as well as identifying respective division's responsibilities for managing risk. • The Risk Profile reflects current policy settings and will be reviewed to ensure that new directions (eg resulting from election commitments) are taken into account. • The department's Risk Profile includes five overarching strategic risks (organisation wide risks) with 17 underlying tactical risks (assigned to respective Business Groups). • All risks identified are assigned a lead accountable SES officer to manage the risk, with the Risk Profile utilised in the development of respective division's business plans • The five strategic risks are reported and reviewed by the Executive Committee on a quarterly basis. • The 17 tactical risks are utilised in the business planning process to review their continued relevance and develop appropriate controls to manage the risk.
Contact details (Deputy Secretary)	Bob Correll (w) (02) 6264 2522 (m) s.41(1)
Lead Division and relevant Branch	Risk Fraud and Integrity Division Fraud, Investigations and Prosecutions Branch



DIAC RISK PROFILE 2010/11



Title	Audit Activity within the Department
Key issue/s	N/A
Background	<p>Internal Audit Program (IAP)</p> <ul style="list-style-type: none"> • The IAP provides the department with assurances around key risks by aligning internal audit activity with the department's risks. It is a mixture of compliance, performance and financial assurance activity. • The IAP budget allocation for the 2010-11 is \$1.812 million. • The IAP for 2010-11 is under development and will be split into two audit components. The first component will provide assurance regarding Irregular Maritime Arrival activity. The second component will focus on the department's business as usual activity. • The department has recently undertaken an open tender process to establish a non-exclusive panel for the provision of internal audit and related professional services. • As of 1 July 2010, the three organisations on the department's audit and related professional services panel are Ernst & Young, Protiviti, and PricewaterhouseCoopers. <p>The Australian National Audit Office's (ANAO) performance audit work program</p> <ul style="list-style-type: none"> • External audit provided by the ANAO provides a further layer of assurance to departmental activities. • The performance audits are undertaken in addition to the annual Financial Statements Audit. ANAO audit findings feed into the department's IAP. • To maximise savings and to mitigate duplication of effort, the ANAO works with the department's Departmental Audit Committee and internal audit area to achieve maximum reliance on internal audit coverage which falls within ANAO's audit scope. • The ANAO performance audit program for 2010-11 includes a number of department-specific audits. Audits in progress are: <ul style="list-style-type: none"> - management of Student visas; and - administration of the character provisions of the Migration Act and Citizenship Act. • There are also two potential department-specific audits: <ul style="list-style-type: none"> - detention facilities (Contract Management and Quality of Service); and - Systems for People.

IN-CONFIDENCE

Contact details (Deputy Secretary)	Bob Correll (w) (02) 6264 2522 (m) s.41(1)
Lead Division and relevant Branch	Governance and Legal Division Governance and Audit Branch

Title	Question Time Briefs - Index
Key issue/s	N/A.
Background	<ul style="list-style-type: none"> Copy of the current Question Time Briefs index is provided at <u>Attachment A.</u>
Contact details (Andrew Metcalfe (w) (02) 6264 2560 (m) s.41(1)
Lead Division and relevant Branch	People and Executive Services Division Ministerial and Executive Services Branch

IN-CONFIDENCE

IN-CONFIDENCE

In-confidence
Question Time Briefs – INDEX

10 September 2010

	UPDATED QTB *
	NEW QTB *
RESTRICTED DISTRIBUTION QTB (R)	

BORDER SECURITY

A

A145	Security assessments for asylum seekers	1
A146	People smugglers posing as refugees	2
A143	Refugee was an arms smuggler	3
A147	Purported loss of life at sea	4

COMPLIANCE

B

B186	s.41(1)	1
B311	Compliance work	2
B313	s.41(1) - Former long term detainee, current RPBV holder - Ongoing Management	3
B316	Release of the Annual Trafficking in Persons Report 2010	4
B317	Hotham Mission Report – <i>Rights of the Child</i>	5
B277	Pacific seasonal worker pilot scheme	6
B318	Compliance operation – Construction site in inner Sydney suburb of Zetland	7

DETENTION AND OFFSHORE SERVICES

C

C155	Minors in immigration detention	1
C172	Irregular Maritime Arrival operations	2
C238	Contingency planning for Irregular Maritime Arrivals	3
C248	Children at construction camp	4
C286	Movement of asylum seekers from Christmas Island to mainland	5
C290	Refugee smuggle charge	6
C296	Comments on mainland detention occupancy levels	7
C280	Christmas Island recreational activities	8
C297	Asylum seekers who swam for help are feared drowned	9
C298	Mainland detention centre occupancy levels – Northern Territory IDC	10
C299	Asylum seekers at a motel in Brisbane	11
C300	Knowledge consulting security assessment of Villawood Immigration Detention Facility	12

C289	Immigration detention escapes	13
C305	Security guards shielding asylum seekers in motel	14
C306	s.41(1) - Drug dealer visits family	15
C308	Email alleging criminal behaviour at the Villawood Immigration Detention Centre	16
C309	Christmas Island population swells with immigration staff	17
C310	Boat crews stowed in city motel	18
C311	Asylum seeker mental health crisis returns	19
C312	Consultation with indigenous community - Leonora	20
C313	Irregular Maritime Arrivals Transferred to Curtin	21
C314	Barnett Angered by Asylum Surprise	22
C315	Update on Leonora Operations	23
C316	Boats keep coming as riot case hits court	24
C317	Group protest at Northern IDC	25
C318	500 Child refugees in detention	26
C319	Exemption from Public Works Committee scrutiny	27
C320	Adelaide Immigration Transit Accommodation	28
C321	Self-Harm in Places of Immigration Detention	29
C322	Asylum Support Splits Town – Northam	30
C323	Security guard found lying on bed with asylum seeker while on duty	31
C324	Asylum Seekers taken to Darwin hospital	32
C325	Plan floated for boatpeople to evict defence families	33
C326	Detainees riot over conditions (NIDC)	34

FAMILY MIGRATION**D**

D038	s.41(1) visa issues	1
D046	s.41(1) - Indonesian adoption	2
D054	s.41(1) - Child left in Australia by his parents	3
D062	s.41(1) – A family refused permanent residence after a dependent child failed the health requirement	4
D066	s.41(1) and HIV testing	5
D067	s.41(1) – Aged Dependent Relative Visa	6
D065	s.41(1) Adopted child onshore without visa pathway	7

<u>LITIGATION</u> (High profile litigation cases)		E
E071 R	s.41(1) - False imprisonment allegations	1
E072	s.41(1) v MIAC – High Court decision	2
E075	High Court challenge to offshore asylum seeker processing regime	3
E077	Federal Court judgement – <i>HASAN v MIAC</i>	4
E069	Claim for compensation – Former child migrants	5
 <u>MULTICULTURAL AFFAIRS AND CITIZENSHIP</u>		 F
F106	Changes to the citizenship test	1
F127	Mixed reactions from Australia's Muslim communities to the Government's announcement of enhanced terror checks	2
F112	s.41(1)	3
F130	s.41(1) – Refusal of Australian Citizenship	4
 <u>REFUGEE, HUMANITARIAN AND INTERNATIONAL</u>		 G
G190	Regional cooperation arrangements in Indonesia	1
G226	Australia's Resettlement Program	2
G230	Introduction of a scheme to gather biometric data from asylum seekers	3
G232	Oceanic Viking – Caseload resolution	4
G238	Refugee recognition rates	5
G242	Suspension of processing of new asylum claims	6
G243	Accommodation services for refugees	7
G245	UNHCR Report on asylum levels and trends in industrialised countries	8
G249	Impact of recent boat arrivals on the Humanitarian Program	9
G257	Afghan asylum claims	10
G258	RRT remitted case – An alleged al-Qaida member	11
G259	Deployment of two DIAC officers to Afghanistan	12
G260	UNHCR Global Report 2009	13
G261	Alleged bias of the Refugee Review Tribunal members recruitment round	14
G262	Mining town 'in flap' over refugees	15
G263	Allegations the Indonesian Government are using "Taser-Style" Devices in Immigration Detention Facilities	16
G264	UNHCR Global Trends 2009 Report	17
G265	Refugee Status Assessments – Independent Merits Review	18

G266	UNHCR Sri Lanka Guidelines	19
G267	Afghan Asylum-Seeker Deal Close	20
G268	Processing Sri Lankan asylum seekers	21
G269	Statistical analysis – OCED International Migration Outlook Report	22
G270	Turnaround in the number of Afghan asylum seekers gaining refugee status	23
G271	Refugees Lawyer thrown out of hearing – S.41(1)	24
G272	s.41(1)	25

CHARACTER PROVISIONS/CANCELLATIONS

H

H038	Controversial Visitors	1
H056	s.41(1) – Media Interest	2
H068	s.41(1) – Federal Court decision regarding their respective visa cancellation cases	3
H066	s.41(1)	4
H072	s.41(1)	5
H074	s.41(1) – "Welcome mat for Rapist"	6
H077	s.41(1) – Ongoing detention and delay in removal	7
H060	s.41(1) – Possible media attention of the Federal Court decision	8
H078	s.41(1)	9

SETTLEMENT

I

I111	Settlement Services in Australia	1
I123	Settlement Services for holders of Refugee and Humanitarian visas including Protection visa holders	2
I126	Humanitarian Settlement Services request for Tender	3
I127	Settlement Support for Refugees	4
I128	Outcome of the 2010-11 Settlement Grants Program round	5
I129	<i>In Our Own Words</i> – African Australians: A Review of Human Rights and Social Inclusion Issues	6

SKILLED MIGRATION (457 visas, General Skilled, regional, doctors)

J

J252	Subclass 457 reform process	1
J316	Changes to skilled migration affects overseas students	2
J346	Changes to General Skilled Migration Program	3
J347	The Subclass 457 Visa Program and Labour Market testing	4

J353	The Government announces occupations in the new Skilled Occupation List	5
J354	Universities Australia calls for Government to reconsider visa capping Bill	6
J355	Mettallurgical Group Corporation – Recruitment of Overseas Workers under the Subclass 457 Program	7
J356	Criticism of worker protection Act reforms	8
J357	State Sponsored Visas – Blunt Skills Thrust	9
J358	Chinese company paid as little as \$1.90 per hour to employees on 456 visas in Adelaide	10

SKILLED MIGRATION

K

(Students and Education, Working Holiday, Business skills and Boutique visas)

K135	Student visa integrity measures	1
K142	Attacks on Indian Students	2
K143	Student visa application numbers	3
K122	College closures affect international students	4
K147	s.41(1)	5
K152	Provision of student visa data for Australian Institute of Criminology Research	6
K153	Reports of decreases in overseas student numbers	7
K154	Alternative English language tests	8
K155	s.41(1) – Death of International Student in Melbourne	9

OTHER ISSUES

L

L061	Regulation of migration agents	1
L115	Arrival numbers – growth over last 10 years	2
L116	Surge in Christmas Island Costs	3
L117	Australians face \$1 Billion Immigration Bill	4
L119	Costs of Irregular Maritime Arrivals	5
L120	Boat people to cost taxpayers \$1 Billion	6
L122	Asylum flight costs up \$8m	7
L123	Release of the JSCM report on the Migration treatment of disability	8
L124	High immigration means IGR population projections are under-stated	9

Title	Budget Estimates Briefs - Index
Key issue/s	N/A.
Background	<ul style="list-style-type: none">• Copy of the Budget Estimates Briefs index for May 2010 is provided at <u>Attachment A</u>
Contact details	Andrew Metcalfe (w) (02) 6264 2560 (m) s.41(1)
Lead Division and relevant Branch	People and Executive Services Division Ministerial and Executive Services Branch

IN-CONFIDENCE

IN-CONFIDENCE

DIAC-in-Confidence
BUDGET ESTIMATES HEARINGS
SENATE ESTIMATES BRIEFS
26 - 27 MAY 2010

INDEX

Issue	Division	Program	No.
Program: Internal Product			A
Irregular Maritime Arrivals People Plan	People and Executive Services	Internal Product	1
DIAC Staffing Numbers	People and Executive Services	Internal Product	2
2010-11 Budget Summary (Major Variations in the PBS)	Financial Strategy and Services	Internal Product	3
2010-11 Budget - New Measures	Financial Strategy and Services	Internal Product	4
2009-10 Projected Outcomes	Financial Strategy and Services	Internal Product	5
Certificate of Compliance Progress	Financial Strategy and Services	Internal Product	6
YTD Hospitality Expenditure	Financial Strategy and Services	Internal Product	7
IMA Funding and Planning Numbers in Budget	Financial Strategy and Services	Internal Product	8
Extinguishment of Detention Debt	Financial Strategy and Services	Internal Product	9
Business Transformation and Arrangements in DIAC	Enterprise Architecture	Internal Product	10
High Court Appeal – RSA Process	Governance and Legal	Internal Product	11
Compensation, including 247 Immigration Detention Cases Referred to the Ombudsman in 2005	Governance and Legal	Internal Product	12
Malu Sara	Governance and Legal	Internal Product	13
s.41(1) False Imprisonment Allegations	Governance and Legal	Internal Product	14
RRT/MRT Tribunal Members Appointments	Governance and Legal	Internal Product	15
Media Monitoring Costs	National Communications	Internal Product	16
Onshore Anti-People Smuggling Information Strategy	National Communications	Internal Product	17
Work Placement Decisions – Phase 1	Client Strategy & Performance	Internal Product	18
Overall Client Services Transformation Strategy (CSTS)	Client Strategy & Performance	Internal Product	19
Gershon Recommendations: Implementation	Systems Division	Internal Product	20

DIAC-in-Confidence
BUDGET ESTIMATES HEARINGS
SENATE ESTIMATES BRIEFS
26 - 27 MAY 2010

Systems for People Program – Progress to Date	Business Transformation Services	Internal Product	21
CPSU Engagement – Work Placement Decisions	People and Executive Services	Internal Product	22
Cessation of Visa Labels (VEVO)	Client Strategy & Performance	Internal Product	23
Use of Alternative Forms of Detention – Costs	Financial Strategy and Services	Internal Product	24
Program 1.1: Visa and Migration			B
Capping and Ceasing pre - 1 September 2007 Offshore General Skilled Migration (GSM) visas	Migration and Visa Policy	1.1	1
Introduction of a New Skilled Occupation List	Migration and Visa Policy	1.1	2
Population and Long Term Migration Framework	Migration and Visa Policy	1.1	3
2010 – 11 Migration Program	Migration and Visa Policy	1.1	4
Student Issues <ul style="list-style-type: none"> • Safety and Death • Work Rights and Financial Capacity for International Students • College Closures • Migration and Education Agents Role in Student Applications 	Migration and Visa Policy	1.1	5
Student Program Integrity	Migration and Visa Policy / Student Visa Integrity Taskforce	1.1	6
Dispute with the Migration Institute of Australia (MIA)	Migration and Visa Policy	1.1	7
457 Visa Program reforms and trends	Migration and Visa Policy	1.1	8
Swift Meat Industry	Migration and Visa Policy	1.1	9
457 Sponsor Monitoring	Migration and Visa Policy	1.1	10
Program 2.1: Refugee and Humanitarian Assistance			C
Oceanic Viking – Caseload Resolution – Adverse Security Assessments	Border Security, Refugee and International Policy	2.1	1
The 2010-11 Humanitarian Program	Border Security, Refugee and International Policy	2.1	2

DIAC-in-Confidence
BUDGET ESTIMATES HEARINGS
SENATE ESTIMATES BRIEFS
26 - 27 MAY 2010

Processing of Irregular Maritime Arrivals	Border Security, Refugee and International Policy	2.1	3
Suspension of Processing of New Asylum Applications from Sri Lanka and Afghanistan	Border Security, Refugee and International Policy	2.1	4
Merak Vessel	Border Security, Refugee, and International Policy	2.1	5
Global Trends in Asylum	Border Security, Refugee, and International Policy	2.1	6
Requests from the US for Resettlement from Guantanamo Bay	Border Security, Refugee, and International Policy	2.1	7
Budget for Indonesia and Regional Engagement	Border Security, Refugee, and International Policy	2.1	8
Program 3.1: Border Management			D
Maritime People Smuggling and Irregular Maritime Arrivals – Whole-of-Government Brief	Australian Customs and Border Protection Service	3.1	1A
Measures to Combat Maritime People Smuggling	Risk, Fraud and Integrity	3.1	1
Irregular Maritime Arrivals – 30 Year Narrative	Risk, Fraud and Integrity	3.1	2
How Identity is Processed on Christmas Island	Risk, Fraud and Integrity	3.1	3
Introduction of biometrics at 10 overseas posts	Visa and Offshore Services	3.1	4
Five Country Conference Biometric Data Sharing Program	Risk, Fraud and Integrity	3.1	5
Expansion of Biometric Acquisition Onshore	Risk, Fraud and Integrity	3.1	6
Adverse Security Assessments for the Oceanic Viking and Christmas Island Irregular Maritime Arrivals Caseloads	Risk, Fraud and Integrity	3.1	7
War Crimes Screening (Overview)	Risk, Fraud and Integrity	3.1	8
Program 4.1: Visa Compliance and Status Resolution			E
Application of Detention Values to Offshore Entry Person and Suspended Caseload	Compliance and Case Resolution	4.1	1
Immigration Compliance – The Big Picture	Compliance and Case Resolution	4.1	2

**BUDGET ESTIMATES HEARINGS
SENATE ESTIMATES BRIEFS
26 - 27 MAY 2010**

Flemington Boat Explosion off Ashmore Reef – Outcome of Coronial Inquiry	Compliance and Case Resolution	4.1	3
Limitations on Compliance Activities Due to the Numbers of Unauthorised Arrivals in Detention	Compliance and Case Resolution	4.1	4
New Ministerial Direction on s501 – Impacts and Statistics	Compliance and Case Resolution	4.1	5
Character Cases (including s.41(1) and others)	Compliance and Case Resolution	4.1	6
Illegal Labour Hire and Identity Fraud in NSW Construction Industry - Update	Risk Fraud and Integrity	4.1	7
Targeting Illegal Labour Hire Rackets - Update	Risk Fraud and Integrity	4.1	8
Victorian Government's International Education Rapid Audit Project – Update	Risk Fraud and Integrity	4.1	9
s.41(1)	Compliance and Case Resolution	4.1	10
s.41(1)	Compliance and Case Resolution	4.1	11
s.41(1)	Compliance and Case Resolution	4.1	12
Program 4.2: Onshore Detention Network			F
New Directions in Detention – Impacts to Date	Compliance and Case Resolution	4.2	1
Detention Population	Community and Detention Services	4.2	2
Villawood ID Facilities – Redevelopment Project	Community and Detention Services	4.2	3
Villawood ID Centre – Interim Works	Community and Detention Services	4.2	4
Performance of Service Provider	Community and Detention Services	4.2	5
Security Arrangements at Villawood IDC (Hamburger Report)	Community and Detention Services	4.2	6
Client Management Issues Associated with Suspension of the Processing of New Asylum Applications from Sri Lanka and Afghanistan	Community and Detention Services	4.2	7
Abscondments from Immigration Detention & Serious Incidents (self harm and voluntary starvations)	Community and Detention Services	4.2	8
Mandatory Detention and Mental Health Issues	Community and Detention Services	4.2	9
Re-opening of Curtin IDC	Community and Detention Services	4.2	10
Accommodation Strategy for IMAs if the Numbers Continue to Increase	Community and Detention Services	4.2	11

**BUDGET ESTIMATES HEARINGS
SENATE ESTIMATES BRIEFS
26 - 27 MAY 2010**

Program 4.3: Offshore Asylum Seeker Management			G
Overview of Irregular Maritime Arrivals on Christmas Island (Including Costs Associated with IMAs, Contingency Accommodation Options and Community Engagement Activities) *Refer to brief A8 for planning numbers fro future arrivals.	Community and Detention Services	4.3	1
Movement of People to Mainland Prior to Finalisation of Processing (including UAMs to MITA)	Community and Detention Services	4.3	2
New Directions in Detention – Irregular Maritime Arrivals on Christmas Island	Community and Detention Services	4.3	3
Impact of DIAC on Christmas Island Community	Community and Detention Services	4.3	4
Incident at Christmas Island IDC on 21 November 2009 (including health issues)	Community and Detention Services	4.3	5
Mobile Phones for IMAs	Community and Detention Services	4.3	6
Aircraft Charter Work Comparison Over Last Four Program Years.	Community and Detention Services	4.3	7
Security Arrangements at Christmas Island IDC (Hamburger Report)	Community and Detention Services	4.3	8
Program 5.1: Settlement Services for Migrants and Refugees			H
Provision of Torture and Trauma Counselling Services under HSS	Citizenship, Settlement and Multicultural Affairs	5.1	1
Competitive Neutrality in AMEP Tender	Citizenship, Settlement and Multicultural Affairs	5.1	2
Program 6.1: Multicultural and Citizenship Services			I
Citizenship Program Management – Waiting Times and Ceremonies	Citizenship, Settlement and Multicultural Affairs	6.1	1
Revocation of Citizenship – s.41(1)	Citizenship, Settlement and Multicultural Affairs	6.1	2
Australian Multicultural Affairs Advisory Council (AMAC) 'People of Australia' Cultural Diversity Policy Statement	Citizenship, Settlement and Multicultural Affairs	6.1	3
Impact on Communities in Suspending Caseloads from Sri Lanka and Afghanistan	Citizenship, Settlement and Multicultural Affairs	6.1	4