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Australian Government

Department of Immigration and Citizenship

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Opening statement to Legal and Constitutional Committee

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Madam Chair, Senators. Thank you for the opportunity to deliver an opening statement.

Over recent months, there has been considerable media and public interest in the activities in which the department is involved. This is understandable given the recent issues relating to IMAs, the recent decision of the High Court and Parliamentary debates in relation to offshore processing of asylum seekers; and the enquiry being undertaken by the Joint Select Committee on Australia's Immigration Detention Network.

Such scrutiny is clearly an indication of the significance of the programs administered by my department. On this, I refer you to my department's Annual Report for 2010-11 which I'm pleased that the Committee has available to them. This report outlines the department's vast range of services, and ongoing delivery of significant programs managing the entry and settlement of people to Australia.

The 2010-11 financial year was another very busy period for the department.

We delivered a migration program of over 168 000 places. I note that the top five countries of origin for migrants were:

- China,
- United Kingdom,
- India,
- the Philippines, and
- South Africa.

Significantly, the North Asia region now contributes almost a quarter of our migration program, due largely to growth in our caseload from China.

Just over two-thirds of our migration program was delivered through the skilled stream, up by more than 5 per cent when compared to the previous year, and this equates to over 113 000 places. As a result of effective administration, our migration program was able to respond appropriately to changes in demand for skilled labour as the economy emerged from the global financial crisis.

Our student visa program continues to be large, with over 330 000 student visa holders in Australia at the end of last financial year.

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This is of course a sector undergoing significant reform, and I note the government's response on 22 September to the Review of Student Visas undertaken by the Hon Michael Knight AO. The government has agreed in principle to all of Mr Knight's 41 recommendations, noting however that some recommendations will be implemented in a modified form to enhance the performance of the Australian education sector and to better safeguard the integrity of the visa system. The majority of the recommendations are expected to be implemented between October 2011 and mid-2012.

Our visitor visa program continued to facilitate the travel of large numbers of visitors to Australia, with more than 3.5 million visitor visas being issued in 2010-11. This is a 2.8 per cent increase from 2009-10.

While the UK, US and Japan remain our principal source countries, I note that in the last program year, an increasing number of visitors came from China and Malaysia – an increase of 32 per cent and 16 per cent respectively.

Our Citizenship program continues to deliver very strong results. In 2010-11, over 95 000 people were conferred as Australian Citizens. That is over 1800 new Australians every week. We warmly welcome them.

I am pleased to report that, despite the significant operating pressures on the department, our 2010-11 audited financial statements report a small operating surplus (if you exclude depreciation). This result was achieved through careful management of departmental resources, a focus on achieving value for money and ongoing prioritisation of our business activities. I thank my staff for their significant efforts in achieving this outcome.

Chair, as you are aware, the department is particularly proud of its role as the lead Australian Government agency charged with selecting and welcoming and settling refugees. Last year, almost 13 800 visas were granted under the Humanitarian Program, which included over 8900 visas granted to people outside Australia, and over 4800 visas granted to people in Australia.

Of those people who were granted visas outside Australia, nearly 6000 visas were granted to people determined to be refugees, plus close to 3000 visas granted through the offshore Special Humanitarian Program. The top five source countries for these visas were:

- Iraq,
- Burma,
- Bhutan,
- Afghanistan, and
- Congo.

The Committee would be aware that the offshore Humanitarian Program is under pressure, in part, due to the number of onshore protection visas being granted. Last year, over 4800 onshore protection visas were granted, with over 2700 granted to irregular maritime arrivals and just over 2100 visas granted to people through the onshore protection process. This left 2973 places for the offshore Special Humanitarian Program, since each visa granted to a person in Australia means one less available for offshore applicants.

Australia receives a large number of applications for humanitarian visas annually. In 2010-11, over 54 000 people outside Australia lodged applications for a humanitarian visa. More than 9000 people lodged applications for a protection visa.

Of course, there are many more people in need of humanitarian assistance than Australia can assist. The UNHCR estimates that at the end of 2010, there were more than 43 million people in humanitarian need worldwide, including 15 million refugees.

For many years now, governments have set the levels of the refugee and humanitarian programs and indicated that visas granted to onshore asylum seekers would reduce the number of visas available to refugees overseas on a one-for-one basis. As a result, the recent increase of asylum seekers arriving in Australia has reduced the available offshore Special Humanitarian Program places by 1,500 over the past three program years and the trend is likely to continue. Arrivals under the Special Humanitarian Program are usually family members of people who arrived under the Humanitarian Program. Between 25,000 and 35,000 people apply for Special Humanitarian Program visas per year and approximately 90 per cent of these applications are required to be refused because places are simply unavailable.

One element of the Humanitarian Program of which I'm particularly proud, especially given my role as an Ambassador for the White Ribbon campaign to stop violence against women, is the Woman at Risk program. This program is for female applicants and their dependants who are subject to persecution, without the protection of a male relative, and who are in danger of victimisation, harassment or serious abuse because of their gender. Last year, over 750 visas were granted under the Woman at Risk visa subclass. This was above the annual target of 12 per cent for the program.

Chair, the issue of immigration detention continues to be an area of difficult administration for the department.

I do not wish to comment greatly on this issue in this opening statement, as no doubt there will be a number of questions on this issues over the course the day. I would, however, draw the Committee's attention to the extensive support provided by the department to recent and ongoing inquires into immigration detention, including hundreds of questions taken on notice over recent months.

The department has put considerable effort into preparing high quality submissions to the Joint Select Committee on Australia's Immigration Detention Network, and provided the Committee with substantial support. This has included facilitating hearings and/or visits to Christmas Island, Curtin, Darwin, and Sydney. Further site visits and/or hearings are scheduled for Adelaide, Canberra, Scherger, Perth, and Melbourne. The total direct cost of responding to and supporting the inquiry is projected to be in excess of \$860,000 by the end of the 2011-12 financial year.

Chair, one of the portfolio's highlights for the 2010-11 year was the launch of the government's new multicultural policy *The People of Australia*, which formalises Australia's longstanding commitment to social harmony and national unity. A key initiative of this multicultural policy was the establishment of the Australian Multicultural Council, which was officially launched by the Prime Minister on 22 August. The Council is an independent body which will provide advice to the government on multicultural affairs policy. I am pleased that both the Race Discrimination Commissioner and I, as Secretary of the department, are ex-officio members of the Council. The Council is also currently in the process of implementing a 'People of Australia Ambassadors' Program. These Ambassadors will champion inclusion and provide 'grass roots' advice to the Council.

This opening statement provides me with the opportunity to comment on a briefing I and other senior colleagues from my and other departments provided to journalists on 7 September at the request of the government. We were also asked to provide briefings to the Leader of the

Opposition and to members of parliament. Unfortunately, there was significant misreporting in relation to the media briefing.

I would like to reiterate that it is certainly not my role to comment on political debate, nor get publicly involved in matters that are normally the subject of policy debate, but rather to simply provide advice on the facts as we see them based upon my personal and my department's extensive experience in administering these issues. Crucially this includes a process of ratiocination and evidence based policy development and advice.

I refer you to my recent opening statement to the Joint Select Committee on Australia's Immigration Detention Network, in which I stated:

Immigration detention has, for many years, been a very sensitive area of public policy and administration. The legislation enacted by this parliament, which underpins immigration detention, has been managed by my department for a number of years through successive governments. In managing this issue, the department does not engage in any philosophical debate – we are professional public servants who are working hard to serve the government of the day – doing the best we can in, at times, very challenging environments.

I would like to make it very clear that in the briefing in question of course I did not make predictions of wide social unrest similar to the recent riots in London and Paris. Media reporting to that effect, written by a person or persons not present at the briefing, was wrong. Anyone who knows me would attest to my cautious style. I would like to take this opportunity to restate my strong support for Australia's cultural diversity, upon which much of our success as a nation has been built. I am disappointed that misquoting occurred, and I was pleased that the Minister acted quickly to comment and advise that such statements were not made.

In closing I would like to make four points.

First, I would like to publicly congratulate Professor Brian Schmidt who was recently awarded the 2011 Nobel prize in physics. As the Committee may be aware, Professor Schmidt was raised in the United States before migrating to Australia. He joins countless thousands of migrants who have made, and are making, a great contribution to our country and society.

Secondly, I would like to congratulate the department's Chief Financial Officer, Mr Stephen Sheehan, who last Friday was awarded the Outstanding Contribution to Public Administration award from the 2011 Leadership in Government Awards, which is supported by the Institute of Chartered Accountants.

Third, Chair as you know I'm particularly proud of the work that my department does in relation to our fundraising efforts for a variety of charitable causes. This includes our ongoing workplace giving scheme through which employees are able to make voluntary charitable contributions through their pay. Additionally the department is regularly involved in events to raise funds for charitable causes, and I was happy that we recently presented a cheque for \$15,000 to the Starlight Foundation.

Lastly, I would like to take this opportunity to sincerely thank the department's leadership and staff, advisor groups and other partners for their ongoing commitment to the very valuable work that we do, and the programs we deliver for our nation.

Thank you.