

QUESTION TAKEN ON NOTICE

SUPPLEMENTARY BUDGET ESTIMATES HEARING: 17 OCTOBER 2011

IMMIGRATION AND CITIZENSHIP PORTFOLIO

(SE11/0075) Program: Internal Product

Senator Humphries asked:

How many Reports have been commissioned by the Government in your portfolio for the year 2010-11? Please provide details of each report including date commissioned, date report handed to Government, date of public release, Terms of Reference and Committee members.

Answer:

There were Three Reports commissioned by the Government in the year 2010-11. Details of each report are included in the tables below (Attachment A).

ATTACHMENT A

Name of Report	Date Commissioned	Date report handed to Government	Date of public release	Terms of Reference and Committee members
Independent Review of the Incidents at Christmas Island Immigration Detention Centre and Villawood Immigration Detention Centre (Hawke/Williams Review)	18 March 2011. Terms of Reference were extended on 20 April 2011	31 August 2011	29 November 2011	Conducted by Dr Allan Hawke AC and Ms Helen Williams AO <u>Terms of Reference</u> To investigate a range of issues associated with the management and security of Christmas Island and Villawood Immigration Detention Centres, particularly: <ul style="list-style-type: none">• the clarity of roles and responsibilities between Serco and DIAC in managing security at the Centre and in managing the incident;• how breaches of security were achieved, what access occupants of the Centre had to tools to assist with such breaches and, if relevant, how such access occurred;• the extent of any prior indicators or intelligence that would have assisted in the prevention and/or management of the incident;• the adequacy of infrastructure, staffing and client management in maintaining appropriate security at the Centre;• the adequacy of training and supervision of DIAC and Serco staff;• the effectiveness of the communication and coordination between the relevant Government agencies and contractors; and• the appropriateness of the response measures taken to the incident.

Name of Report	Date Commissioned	Date report handed to Government	Date of public release	Terms of Reference and Committee members
<p>Regulating Migration Litigation after Plaintiff M61; Report to the Minister for Immigration and Citizenship by Professor John McMillan AO</p>	<p>January 2011</p>	<p>18 May 2011</p>	<p>25 November 2011</p>	<p>Conducted by Professor John McMillan AO</p> <p><u>Terms of Reference</u></p> <p>Having regard to:</p> <ul style="list-style-type: none"> • the jurisdiction of the courts as found by the High Court on 11 November 2010 in relation to Offshore Entry People seeking Refugee Status Determinations (OEP RSD); • the importance of the early resolution of claims relating to OEP RSD assessments and • the need to ensure that OEP RSD litigation is dealt with expeditiously and efficiently by courts while maintaining fairness and robustness, <p>the review will inquire into and report to the Government on options for enhancing the efficiency and minimising the duration of the judicial review process, including:</p> <ol style="list-style-type: none"> a) the introduction of legislation to direct the court to seek to resolve OEP RSD matters as expeditiously as is reasonable; b) the removal in OEP RSD matters, of the right of appeal from the Federal Magistrates Court to the Federal Court; and c) the provisions of guidance to appellants so as to contribute to the efficient operation of courts. <p>In performing the functions, the review may consult with relevant bodies and individuals as is considered appropriate.</p>

Name of Report	Date Commissioned	Date report handed to Government	Date of public release	Terms of Reference and Committee members
Strategic Review of the Student Visa Program 2011 (Knight Review)	December 2010	30 June 2011	22 September 2011	<p>Conducted by the Hon Michael Knight AO</p> <p><u>Terms of Reference</u></p> <p>With a view to enhancing the quality and competitiveness of the international education sector, as well strengthening the integrity of the Student visa program, the Review will examine and make recommendations on:</p> <ol style="list-style-type: none"> 1. An effective partnership framework that considers the respective roles and responsibilities of key stakeholders, including education providers, the Department of Immigration and Citizenship (DIAC), the Department of Education, Employment and Workplace Relations, and state and territory education departments. 2. The appropriateness of existing threshold requirements for Student visa applicants including English language proficiency, financial capacity and educational qualifications. 3. Approaches, including considering the suitability of the Assessment Level model. 4. Approaches, including compliance measures, to prevent misuse of the program and deter breaches of visa conditions. 5. The suitability of separate visas for Schools, Vocational Education and Training (VET), Higher Education, Postgraduate Research, AusAid of Defence, Non-award and Student Guardians.