



Opening statement to Legal and Constitutional Committee

Supplementary Budget Estimates hearing Parliament House, Canberra

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Madam Chair, Senators. Thank you for the opportunity to deliver an opening statement on behalf of the Department.

Chair, I would like to briefly update you on significant developments in the portfolio since I last updated the Committee on 21 May 2012.

I am pleased to report that we delivered the migration program for 2011-12 to within two places of the planning level of 185 000 set by the Government. This figure was made up of 125 755 places in the skilled stream, 58 604 places in the family stream and 639 places in the special eligibility stream. The skilled stream accounted for 68 per cent of the migration program.

I note that for the first time India was the top country of origin for permanent migration, with China, UK, Philippines and South Africa also among the top five source countries.

Over the past year we have also seen some of the most significant and innovative reforms to the permanent migration program in a generation. SkillSelect was introduced on 1 July 2012. It represents a generational change in the management of skilled migration to Australia. Instead of accepting skilled migrants who meet minimum threshold requirements, as has been the case in the past, SkillSelect provides the capacity to select the best and brightest skilled migrants whose skills are most directly relevant to the needs of Australia's labour market.

Early signs for SkillSelect are promising, with more than 17 000 expressions of interest lodged in the first three months since its launch. Already more than 5000 clients have been invited to make a skilled migration application from their expression of interest.

A parallel accomplishment is the implementation of the reforms to the permanent Employer Sponsored program, the culmination of several years' work. Program settings have been re – tuned particularly to maximise the benefit of temporary skilled migrants transitioning to permanent residence. These people are already working, already settled and already making a substantial economic contribution: it makes sense to have a streamlined pathway for them to transition to permanent residence and become ongoing contributors to Australia's longer term social and economic prosperity.

The third major reform for the skilled migration program this year has been the completion of the Business Skills Review which has resulted in the launch of a revised and re – branded program on 1 July 2012 – the Business Innovation and Investment program. The key to the new program is a focus on innovation and competitiveness with visa requirements rebalanced to attract to Australia entrepreneurial people with demonstrated business acumen and a willingness to innovate. The program has also been shifted to an entirely state-sponsored framework and integrated into SkillSelect.

The Department is also focusing on implementing changes announced by the Minister on 4 September 2012 to facilitate longer Tourist visas for parents of Australian citizens and permanent residents by the end of 2012.

We are also progressing negotiations for new reciprocal work and holiday arrangements with key partner countries, with the recent announcement of the commencement of new negotiations with Greece. The program is designed for young adults aged 18-30 to strengthen people to people links and bilateral ties with our partner countries.

I am also pleased to advise that the Department fully delivered the 2011-12 Humanitarian Program. 13 759 visas were granted in 2011-12 of which 6004 offshore refugee visas were granted. The remaining places went to onshore arrivals – by air and boat and to the Special Humanitarian Program (SHP) of which there were 714 visas granted.

Over 4.5 million permanent and temporary entry visas were issued by our staff during the 2011-12 year. At the same time, 31.4 million people crossed our borders. In order to keep pace with this ever growing workload the Department continues to expand its Service Delivery Partner (SDP) arrangements across the globe. SDP arrangements outsource low value administrative tasks to third parties (such as commercial companies and non-government organisations). It is also important to note that SDPs make no visa decisions.

These arrangements greatly improve client access to the Department's services through increased service points and extended client service hours, with the Department achieving significant efficiencies through the reduction of service

delivery costs in the areas of data entry and client contact. Consequently this enables the Department to focus resources on increased integrity within visa processing.

Recent expansion of SDP arrangements across the South Pacific and into China continues to build on this very successful Client Service Strategy. SDP arrangements are now in place in 35 countries.

On 19 September 2012, I was pleased to attend the inaugural Australian Multicultural Council Lecture where Mr Frank Lowy AC spoke of the strength and maturity of our multicultural society. Just days before this inaugural lecture on 15 September we were all shocked by the violent protests in Sydney. However, as noted by Mr Lowy, it is important to realise that Australia's multiculturalism is bigger and stronger than what happened in Sydney; this was extremism, not multiculturalism.

Australia is a successful multicultural society and our democracy is built on shared rights and responsibilities that are fundamental to living here. We have a multicultural Australia where all Australians embrace our shared values and cultural traditions. I strongly believe that the Australian model of multiculturalism is the best in the world and something of which all Australians can be proud.

Australia's multiculturalism underpins our growing citizenship program. On 17 September, we celebrated Australian Citizenship Day, an annual event which presents an opportunity for all Australians to reflect on the value of their citizenship, whether they have become citizens by birth or by choice. Schools, scouting groups, community groups, local government councils and workplaces joined in the celebrations, with some incorporating the Australian citizenship affirmation to publicly declare their pride in being Australian citizens.

Chair, as you are aware, there have been a number of tragic incidents since we last met in May 2012, where asylum seekers have lost their lives seeking to come to Australia by boat. On 28 June 2012, the Prime Minister and the Minister for Immigration and Citizenship announced that the Government had invited an Expert Panel to provide a report on the best way forward for Australia to prevent asylum seekers risking their lives at sea on dangerous boat journeys to Australia.

The panel reported on 13 August 2012 making 22 recommendations and four sub-recommendations. The Government has publicly indicated its intention to implement the recommendations as an integrated package. The panel set out several principles that should guide policy development in this difficult area. The first of those principles encapsulates the essence of all the other recommendations. That is, the implementation of a strategic, comprehensive and integrated approach that establishes short, medium and long-term priorities for managing asylum and mixed migration flows across the region. It is not only about providing disincentives for

onwards irregular movement to Australia, but also about building capacity in the region to provide access to protection. It is about regional cooperation and regional processing to combat a joint problem.

The report recommended that regional processing arrangements be established in Nauru, Papua New Guinea (PNG), and that we continue to build upon the Malaysia Agreement of 2011. These measures are in place to encourage asylum seekers to use regular pathways through the region rather than undertaking a dangerous boat journey to Australia.

To further enhance the opportunity regular pathways provide, the expert panel recommended the application of a 'no advantage' approach to ensure that no benefit is gained through circumventing regular migration arrangements. While this is a complex concept it is a critical element of the suite of measures to stop people risking their lives at sea. I am not going to go into much detail on our approach to this concept, as if I do, it will provide a "How to" guide to the people smugglers who watch every policy move we make in an effort to deceive desperate people so they can make money. These people do not value human life.

Another plank in discouraging people from risking their lives at sea is the introduction of regulations to limit the access of irregular maritime arrivals to family reunion concessions under the Special Humanitarian Program (SHP) for those who arrived before 13 August and exclude IMAs from family reunion under the SHP in the future.

Those who are no longer able to access family reunion through the SHP will need to test their eligibility to sponsor their family to Australia through the family stream of the Migration program like other permanent residents and citizens. In line with the Expert Panel Report the Government has agreed to increase the Family Stream by 4000 places in recognition of the changes to the SHP.

While there has been much media focus on the establishment of regional processing arrangements in Nauru and Papua New Guinea, we are also implementing the Government's announcement to increase the Humanitarian Program to 20 000 places – the largest increase to the program in 30 years. This 45% increase makes Australia the leading resettlement country in the world on a per capita basis.

This increase is another critical element in our plan: it targets those most in need and creates a sustainable permanent pathway for asylum seekers. For example, it includes an additional 1000 places for refugees who are caught up in the conflict in Syria, including refugees originally from Iraq. It also includes an additional 400 places being made immediately available for refugees currently in Indonesia.

In relation to Nauru and PNG, we have worked with the Australian Defence Force to establish temporary accommodation and associated facilities consisting of a mixture of tents and refurbished demountable buildings in Nauru and on the naval base on Manus Island in PNG. Appropriate service providers have been engaged to provide essential services to transferees to Nauru and PNG. And we are in the process of setting up the necessary arrangements for refugee status determinations to begin.

Transfers to Nauru commenced on 14 September and to date a total of 292 asylum seekers have been moved to the Regional Processing Centre. These include Sri Lankans, Iranians, Iraqis, Pakistanis and Afghans. Transfers to PNG are expected to commence before the end of the month.

Implementing the recommendations in the report is a long term commitment. We have made substantial progress and this will continue to be a focus for the Department in the immediate future.

All of this activity is designed to stop people coming to Australia on boats and risking their lives. But as we know the people smugglers do not care about human life and we are still seeing desperate people arriving based on the lies that they are told. Given this there is always speculation on the detention network. Yes we do have many people in the network at this time but let me assure you we are doing everything in our power to manage this in the best and most humane way possible. We are moving people through the system to community detention and bridging visas after the appropriate health, identity and security checks. The average time in held detention at this time is around 3 months.

The Community Detention program continues to move unaccompanied minors, accompanied children and families and vulnerable adults who arrived prior to 13 August 2012 into the community. Since the expansion of the program in October 2010, when about 750 children were being held in alternative places of detention and 10 children were in community detention, the Minister has now approved over 5300 clients for placement in the community, a significant milestone.

As at 11 October 2012, there were more than 1600 people in community detention comprising children, families and vulnerable adults. At the same time, over 3000 clients have transitioned out of community detention following a protection visa grant. The Department continues to work in partnership with the Australian Red Cross and other service providers to successfully deliver these outcomes, and we again thank them for their support.

As has been mentioned before, in October 2011, the Government announced its intention to grant bridging visas to enable eligible clients to reside in the community while their protection claims are being assessed. More than 6100 bridging visas have been granted to IMA clients since the program commenced in November 2011. Over 2300 bridging visa clients have now been granted permanent protection visas and are settling into the community with support from the Department's Humanitarian Settlement Services program.

The Community Placement Network (CPN) which commenced in March this year, continues to receive clients and more than 300 BV holders have been accommodated in host accommodation.

While the Department has been dealing with the challenges of IMAs it is pleasing to note that it has not dropped the ball with non-compliance of our other clients. We are also achieving high levels of cooperation from clients in resolving their status including voluntary removals.

There are many more activities that the Department has continued to develop and run across its broad national and international network. Some of these go unnoticed but let me assure you they are all critical to the proper functioning of immigration and citizenship in this country.

Chair, as you are aware, I have been Acting Secretary while Mr Andrew Metcalfe AO, has been on study and recreational leave. On 28 September 2012, the Prime Minister announced that Mr Metcalfe will take up appointment as the Secretary of the Department of Agriculture, Fisheries and Forestry on 29 January 2013. I would like to congratulate Mr Metcalfe on his appointment and wish him all the very best in his new role.

I would also like to take this opportunity to thank Mr Metcalfe, on behalf of the Department, for his outstanding contribution as Secretary over the past seven years, as well as the contribution he has made to the portfolio on and off over the past 30 years working in the Department.

The Prime Minister has also announced that she has appointed me as the Secretary of the Department, commencing 29 January 2013. I feel very privileged and proud to lead this portfolio. I would also like to take this opportunity to pass on my sincere appreciation to our staff for their support and ongoing hard work, commitment and outstanding efforts in a sensitive and challenging area of public policy.

Thank you.