

QUESTION TAKEN ON NOTICE

SUPPLEMENTARY BUDGET ESTIMATES HEARING: 19 November 2013

IMMIGRATION AND BORDER PROTECTION PORTFOLIO

(SE13/0096) PROGRAMME –

Senator Hanson-Young (Written) asked:

How many people have been returned to immigration detention centres from the community? Please detail the reasons that people have been re-detained. What assessment is undertaken to determine if someone it to be re-detained?

Answer:

The Minister has the power to revoke a residence determination under section 197AD of the *Migration Act 1958* (the Act) if the Minister determines that it is in the public interest to do so. This is a non-compellable power and one which only the Minister may exercise personally.

Since the expansion of the community detention programme in October 2010 and as at 19 November 2013, 121 community detainees have had their residence determination revoked and have been returned to held detention.

The reasons for the revocation of a residence determination have included absconding, criminal behavior, and adverse security assessment.

In relation to illegal maritime arrivals (IMAs) on bridging visas, these people may be returned to detention under the Act through the use of visa cancellation powers or following the cessation of the visa.

As at 19 November 2013, 36 IMAs who held a Bridging Visa E have had their visas cancelled under the Act and have been returned to immigration detention. A further 29 IMAs have been returned to detention after their Bridging Visa Es ceased.

The reasons for cancellation and re-detention have included breach of visa conditions, criminal behaviour, and adverse security assessment.