

**HOME AFFAIRS PORTFOLIO
DEPARTMENT OF HOME AFFAIRS**

PARLIAMENTARY INQUIRY WRITTEN QUESTION ON NOTICE

Senate Select Committee on Temporary Migration

QoN Number: 10

Subject: Temporary entrants

Asked by: Committee members

Question:

The department published the quarterly snapshot of the number of temporary entrants in Australia by category at a point in time, on 30 June 2020.¹

- a. Could the department highlight to the committee any trends identified in this data from the 30 June 2020 quarterly snapshot of temporary entrants in Australia?
- b. As of 30 June 2020, how many temporary visa holders have departed Australia?

Answer:

- a.
 - At 30 June 2020, there were 2,029,721 temporary visa holders in Australia. This is a decrease of 6.7 per cent from 31 March 2020 (2,172,648) and a decrease of 7.2 per cent compared to 30 June 2019 (2,196,853).
 - The largest decreases, from 30 June 2019 to 30 June 2020, were in Visitors (-70.5 per cent), Working Holiday Maker (-36.6 per cent) and Crew and Transit programs (-25.1 per cent).
 - The 70.5 per cent decrease in Visitor visa holders is due to inbound travel restrictions in place since February 2020.
 - The 36.6 per cent decrease in Working Holiday Makers in Australia is significantly higher than the longer-term downward trend in applications (which has been tracking at 2.45 per cent over the last five program years).
 - From 30 June 2019 to 30 June 2020, the number of Temporary Skill Shortage and subclass 457 visa holders in Australia also decreased (-10.3 per cent).

¹ Data.gov.au, *Temporary visa holders in Australia*, 30 July 2020, <https://data.gov.au/data/dataset/temporary-entrants-visa-holders> (accessed 27 August 2020).

- Bridging visa holders have increased from 30 June 2019 to 30 June 2020 (+62.2 per cent) due to people unable to depart Australia awaiting outcomes of substantive visa applications and review processes.

b.

- From 31 December 2019 to 30 June 2020, 1,073,580 temporary visa holders have departed Australia.

**HOME AFFAIRS PORTFOLIO
DEPARTMENT OF HOME AFFAIRS**

PARLIAMENTARY INQUIRY WRITTEN QUESTION ON NOTICE

Senate Select Committee on Temporary Migration

QoN Number: 11

Subject: Permanent migration long-term benefits in contrast to temporary migration

Asked by: Committee members

Question:

What long-term benefits does permanent migration offer Australia's economy, Australian workers and social cohesion in contrast to temporary migration?

Answer:

Both permanent and temporary migration offer benefits to Australia's economy, Australian workers and social cohesion.

Australia's permanent Migration Program has been designed to meet Australia's long term economic, demographic and labour market needs, with a strong focus on skilled migration, including to regional Australia. Australia's permanent Migration Program planning levels, set annually, ensure permanent migration remains responsive to Australia's changing economic and social needs.

Migration benefits Australia's economy through its positive impacts on population and economic growth. There is considerable evidence pointing to the role of migrants in sustaining or fostering strong economic growth over the longer term. The 2015 Intergenerational Report estimated that, over the 40 years to 2015, population factors contributed almost 18 per cent of the 1.7 per cent annual average growth in Gross Domestic Product per person.

Historically, migration has been an important source of labour supply for Australia. Since at least the 1980s, migration has made the largest contribution to growth in Australia's working age population. The focus of the Migration Program since the mid-1990s has been on skilled migration, with an emphasis on employer-sponsored migration and skills in critical need. This approach has ensured permanent migration planning supports long-term economic growth.

Migration also has an impact on the age distribution of the population. Migrants, on average, are younger than the resident population. Migration reduces the average age of the population and slows the rate of population ageing. This increases the proportion of the population that are of working age and raises aggregate workforce

participation, increasing economic growth. This trend has been relatively stable over time.

Welcoming migrants from many cultures from all parts of the world contributes to our diversity, enriching Australia's social fabric. As well as social and economic benefits, migrants contribute to our global people-to-people links, providing tremendous opportunities and benefits to Australia and helping to shape the perception of Australia around the world.

Temporary migrants such as international students, visitors and temporary skilled workers have also been significant contributors to Australia's economy and remain important to Australia's prosperity and social outcomes. Temporary Migration is a useful tool for meeting short to medium term challenges such as immediate deficits in labour or skills supply in sectors or regions or alleviation of the effects of an ageing population.

The demand driven nature of Australia's temporary visa system allows the Australian Government the flexibility to be highly responsive to the economic, social and political needs of Australia as well as broader global trends.

**HOME AFFAIRS PORTFOLIO
DEPARTMENT OF HOME AFFAIRS**

PARLIAMENTARY INQUIRY WRITTEN QUESTION ON NOTICE

Senate Select Committee on Temporary Migration

QoN Number: 12

Subject: Temporary migration categories increase

Asked by: Committee members

Question:

What categories of temporary migration have increased over the last 2-3 years?

Answer:

The total temporary lodgments and grants increased between 2017-18 and 2018-19 however due to the impact of COVID-19 in 2019-20, the only category of temporary visa applications to experience an increase in lodgments between 2017-18 and 2019-20 was Temporary Resident (Other Employment), which increased by 0.2 per cent.

In the same period, no category of temporary visa experienced an increase in grants.

Table one and two show the variation in temporary visa lodgments and grants, by category, from 2017-18 to 2019-20.

Variations in Temporary Visa Lodgements and Grants, by Category, from 2017-18 to 2019-20

Table 1: Temporary Visas Lodged 2017-18 to 2019-20

Visa Program	Visa Category	Number Lodged by Financial Year			Variation 2017-18 to 2019-20	Variation % 2017-18 to 2019-20
		2017-18	2018-19	2019-20		
Temporary Visa Program	Crew and Transit	359,246	363,675	323,531	- 35,715	-9.9%
	Other Temporary*	6,364	6,415	5,216	- 1,148	-18.0%
	Special Category	1,856,614	1,889,988	1,396,835	- 459,779	-24.8%
	Student	413,333	473,415	395,146	- 18,187	-4.4%
	Temporary Resident (Other Employment)**	194,655	204,495	195,092	437	0.2%
	Temporary Resident (Skilled Employment)***	73,278	68,924	68,965	- 4,313	-5.9%
	Visitor	5,883,971	5,965,700	4,367,646	- 1,516,325	-25.8%
	Working Holiday Maker	218,441	209,009	159,750	- 58,691	-26.9%
Grand Total		9,005,902	9,181,621	6,912,181	- 2,093,721	-23.2%

Table 2: Temporary Visas Granted 2017-18 to 2019-20

Visa Program	Visa Category	Number Granted by Financial Year			Variation 2017-18 to 2019-20	Variation % 2017-18 to 2019-20
		2017-18	2018-19	2019-20		
Temporary Visa Program	Crew and Transit	351,516	347,744	308,233	- 43,283	-12.3%
	Other Temporary*	13,074	11,886	9,222	- 3,852	-29.5%
	Special Category	1,856,614	1,889,988	1,396,835	- 459,779	-24.8%
	Student	378,292	405,742	340,152	- 38,140	-10.1%
	Temporary Resident (Other Employment)**	180,459	186,148	162,108	- 18,351	-10.2%
	Temporary Resident (Skilled Employment)***	64,470	81,975	55,060	- 9,410	-14.6%
	Visitor	5,639,167	5,686,318	4,056,603	- 1,582,564	-28.1%
	Working Holiday Maker	210,456	209,036	149,249	- 61,207	-29.1%
Grand Total		8,694,048	8,818,837	6,477,462	- 2,216,586	-25.5%

*** Other Temporary category includes the following subclasses:**

590 Student Guardian
602 Medical Treatment
950 Criminal Justice Entry
951 Criminal Justice Stay

**** Temporary Resident (Other Employment) category includes the following subclasses:**

400 Temporary Work (Short Stay Activity)
403 Temporary Work (International Relations)
405 Investor Retirement
407 Training
408 Temporary Activity
410 Retirement
461 New Zealand Citizen Family Relationship (Temporary)
476 Skilled - Recognised Graduate
485 Temporary Graduate
870 Sponsored Parent (Temporary)
995 Diplomatic (Temporary)

***** Temporary Resident (Skilled Employment) category includes the following subclasses:**

457 Temporary Work (Skilled)
482 Temporary Skill Shortage

**HOME AFFAIRS PORTFOLIO
DEPARTMENT OF HOME AFFAIRS**

PARLIAMENTARY INQUIRY WRITTEN QUESTION ON NOTICE

Senate Select Committee on Temporary Migration

QoN Number: 13

Subject: The Department's work with the Fair Work Ombudsman

Asked by: Committee members

Question:

How does the department work with the Fair Work Ombudsman to address wage theft and breaches of workplace rights and conditions?

Answer:

The Department takes a whole of government, multi-agency approach to the exploitation of foreign workers - this includes the Department, Australian Border Force (ABF), Australian Federal Police, Australian Taxation Office and the Fair Work Ombudsman (FWO).

An established Memorandum of Understanding between the Department (including the ABF) and the FWO provides a framework for cooperation between the two agencies in regard to joint agency activities and information sharing.

This arrangement enables the FWO and the ABF to conduct and participate in joint activities to respond to worker exploitation. It also allows the ABF to refer cases of suspected worker exploitation to the FWO.

An example of joint ABF and FWO disruption effort is as follows:

- The FWO received allegations relating to an individual who had utilised a Labour Hire Intermediary (LHI) to recruit a workforce for his citrus packing facility. It was alleged the individual was employing Malaysian nationals who had travelled to Australia on a visa with no work rights. The allegations were centred on wages and entitlements.
- Between May and June 2017, multiple Migration Act and Crimes Act warrants were executed resulting in charges against the business owner. The 59 year-old pleaded guilty to all charges and received a \$100,000 fine in relation to the following charges:
 - Five counts - s245AC Migration Act; allowing a lawful non-citizen to work in breach of work related conditions; and seven counts - s245AB Migration Act; allowing an UNC to work.

- Enforcement activity conducted by the ABF and FWO on the premises resulted in the detention of three unlawful non-citizens (UNCs) and the identification of other UNCs who had worked for the company. The three UNCs detained were voluntarily removed from Australia. Separate enforcement activity on the residential premise of the LHI later led to the detention and subsequent removal of three further UNCs.

**HOME AFFAIRS PORTFOLIO
DEPARTMENT OF HOME AFFAIRS**

PARLIAMENTARY INQUIRY WRITTEN QUESTION ON NOTICE

Senate Select Committee on Temporary Migration

QoN Number: 14

Subject: Social Cohesion promotion

Asked by: Committee members

Question:

Submissions identified that the Australian government should play a greater role in promoting social cohesion for temporary migrants in Australia.

²

What is the department doing to promote social cohesion particularly in rural and regional areas?

a. How does the department work with Local Governments, States and Territories to promote social cohesion?

Answer:

What is the department doing to promote social cohesion particularly in rural and regional areas?

The Government is implementing initiatives to further strengthen Australia's social cohesion, including in rural and regional areas. The 2020-21 Budget has allocated \$62.8 million to support social cohesion. This builds on the \$71 million dollar package of social cohesion measures announced in March 2019.

The Australian Values Statement

The Australian Values Statement (AVS) was introduced in 2007 and is signed by applicants for most temporary and permanent visas as part of their visa application. The purpose of the AVS is to help new residents understand the core values that have shaped Australia, to know what to expect, and what is expected from them, when they come to Australia.

The AVS promotes social cohesion by encouraging both temporary and permanent visa applicants to learn more about Australian society and the importance we place on the values that define and shape our country and culture.

² See Ethnic Communities Council of Western Australia Inc, *Submission 24*, [p. 2]; Scanlon Foundation Research Institute, *Submission 41*, p. 3 and p. 7; Settlement Services International, *Submission 49*, p. 5; Fragomen, *Submission 59*, p. 6; and the McKell Institute, *Submission 66*, p. 12.

The Government recently made changes to better align the AVS signed by temporary and permanent visa applicants and to clarify and strengthen the description of key values of Australian society. From 30 October 2020, both temporary and permanent visa applicants will be asked to confirm that they:

- have read, or had explained to them, information on Australian society and values;
- understand the key values of Australian society, including the rule of law, freedom of religion, freedom of speech, freedom of association and equal opportunity for all people in Australia; and
- will conduct themselves in accordance with the values of Australian society and will obey the laws of Australia.

As part of the updated AVS, permanent visa and citizenship applicants must also undertake to make reasonable efforts to learn English and acknowledge they will need to pledge loyalty to Australia and its people if they wish to become a citizen.

The Department of Home Affairs (the Department) publishes *Life in Australia*, a supporting booklet for the AVS, which provides visa applicants with information on Australia, its history, way of life and shared values. The booklet is available on the Department's website and is translated into 18 community languages. An updated booklet will be available online on the Department's website and translated into 40 community languages from 30 October 2020.

Community Liaison Officer network

The Department's Community Liaison Officer (CLO) network drives its engagement with communities. The network informs the Department's understanding of community sentiment, improves community understanding of Australian government programs and policy, and provides feedback to Government on issues that may impact successful settlement or social cohesion.

The Government is strengthening the CLO network with additional officers speaking Arabic, Mandarin, Cantonese or Vietnamese language skills.

Settlement services

The Department funds settlement services which are provided in regional and rural areas across Australia for humanitarian entrants and other eligible migrants. This includes the Adult Migrant English Program, Humanitarian Settlement Program (HSP), Settlement Engagement and Transition Support grants, Community Hubs, Free Translating and Interpreting Services and a Youth Hub service program. They also offer a range of volunteer opportunities and build partnerships with local community organisations to help achieve successful local settlement outcomes.

The HSP contracts require service providers to engage with stakeholders in local communities to identify settlement related issues early and develop collective responses.

The HSP also provides specialised and intensive services to humanitarian entrants and other visa holders, including some temporary residents, who need support to manage their complex needs.

Adult Migrant English Program

The Government's flagship English language program, the Adult Migrant Education Program (AMEP) provides free English language tuition to eligible migrants from the family, skilled and humanitarian streams, including select temporary visa holders.

The AMEP aims to help migrants learn English and about life in Australia to enable them to participate socially and economically in Australian society. Not being able to speak English is a barrier to participating in community life. People without English language skills are less likely to get a job, less likely to integrate, and less likely to participate in our democracy.

In 2019-20, the AMEP provided English tuition to 48,404 migrants and refugees. In response to social distancing requirements during the COVID-19 pandemic, the AMEP transitioned from face to-face classroom-based delivery to virtual classrooms and mixed online delivery, consisting of a mixture of virtual, phone and paper-based delivery methods. Providers are transitioning back to face to face classroom delivery where it is safe to do so.

The Department engages regularly with AMEP providers and other stakeholders, including peak bodies and community groups. There are 13 AMEP providers located around 270 sites across regional, rural and metropolitan Australia.

The Government is introducing significant reforms to the AMEP, as part of a range of measures to strengthen Australia's social cohesion. The changes to the AMEP program will mean that more migrants will be able to access free English tuition, for longer, and until they reach a higher level of proficiency. The Government will seek legislative changes to:

- remove the cap that limits free English tuition to 510 hours;
- raise the AMEP eligibility threshold (and exit point for the program) from functional to vocational English; and
- remove the time limits on enrolling, commencing and completing AMEP tuition (for those already in Australia as at 1 October 2020).

Social cohesion grant programs

The Department manages government funded programs aimed at assisting migrants and multicultural communities to participate and integrate into the Australian community.

The Fostering Integration Grants Scheme (FIGS) facilitates the participation, integration and social cohesion of both newly arrived migrants and multicultural communities in Australia by encouraging the social and economic participation of migrants by developing skills and cultural competencies to integrate into Australian social, economic and civil life, and build community resilience.

The Mutual Understanding, Support, Tolerance, Engagement and Respect (MUSTER) grants help to build cohesion and create a sense of commonality around everyday issues (i.e. issues that are tangible and meaningful in day-to-day-life) to further understanding and acceptance of diversity.

While not specifically aimed at temporary migrants, grants under these programs are aimed at migrants generally and may include both international students and other types of temporary migrants (such as short term workers), but are not settlement services and do not intend on replicating services for temporary visa holders.

A number of grants which have been provided under FIGS and MUSTER to assist migrants are in rural areas, for example:

- Funding from FIGS supports the provision of education to migrants, refugees, asylum seekers and international students on the three levels of government in rural and regional Tasmania.
- Funding from FIGS supports migrants, indigenous communities, school groups and business groups co-design a community hub in Naracoote, South Australia.
- Funding from MUSTER has funded community-led activities which have assisted migrants in rural and regional Victoria and NSW to gain greater social inclusion and financial independence, including through a mobile café in the Wimmera region and a training kitchen in Albury-Wodonga.

How does the department work with Local Governments, States and Territories to promote social cohesion?

Settlement services

The Department chairs the Senior Officials Settlement Outcomes Group (SOSOG), which includes representatives from State and Territory governments. SOSOG is a forum to improve coordination of settlement service delivery, including those for asylum seekers, across the three tiers of government. The Australian Local Government Association is a permanent member of SOSOG.

The Department utilises its partnerships with settlement peak bodies to seek advice for policy and program development, share information and best practice, and promote settlement issues on behalf of members and partners in the community.

The Refugee and Migrant Services Advisory Council (RaMSAC) is a ministerially appointed body providing practical advice to the Acting Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs on improving settlement outcomes for humanitarian entrants and other migrants. The RaMSAC includes membership from regional Australia.

Regional Directors and CLO network

The Department's Regional Directors and CLOs regularly meet with local, State and Territory government officials to keep them informed about policies and programs including on social cohesion, migration and citizenship. The Regional Directors and CLOs ensure the Department is closely connected to State and Territory governments, and local councils, and communities.

The CLO network facilitates the building of relationships across communities that benefit our social cohesion. The Department's CLOs maintain extensive community relationships, which they leverage to establish connections and partnerships between emerging and established communities, multicultural communities

representing interests of migrant communities and temporary entrants, as well as service providers.

The Department's Regional Directors and CLO network participate, and in some instances, host inter-agency and inter-government forums or committees that involve regional councils and regional development authorities, to ensure official information is disseminated across sectors.

HOME AFFAIRS PORTFOLIO

AUSTRALIAN BORDER FORCE

PARLIAMENTARY INQUIRY WRITTEN QUESTION ON NOTICE

Senate Select Committee on Temporary Migration

QoN Number: 15

Subject: Operation BATTENRUN

Asked by: Committee members

Question:

In your supplementary submission, you refer to Operation BATTENRUN and state that it was 'established to detect, deter and disrupt labour hire intermediaries responsible for the exploitation of foreign nationals in Australia'.

³

The statistics referred to in your submission (at page 4) list activities such as cancellations, detentions and removals of workers as outcomes of this operation.

⁴

Could you explain to the committee, how these activities and outcomes detect, deter and disrupt the labour hire intermediaries responsible for worker exploitation?

Answer:

On 3 December 2018, Operation BATTENRUN (BATTENRUN) was established to respond to the scale and prevalence of illegal labour hire activities, particularly within cash driven industries. Its intent is to detect, deter and disrupt unscrupulous Labour Hire Intermediaries (LHIs) and complicit entities (persons of interest, businesses and employers). As indicated in the BATTENRUN Activity/Outcome table, through BATTENRUN the Australian Border Force (ABF):

- Detects unscrupulous LHIs through various methods, including field observations and field compliance activities.
- Deters the exploitation of non-citizens through field and awareness activities.
- Disrupt the operation of unscrupulous LHIs and complicit businesses through issuing infringements, issuing "Notices of Intention to Consider Cancellation" (NOICCs) of non-citizens found in breach of their visas conditions, and additionally through the detention and subsequent removal of unlawful non-citizens.

³ Department of Home Affairs, *Submission 82.1*, p. 3.

⁴ Department of Home Affairs, *Submission 82.1*, pp. 3-4.

- The ABF refers suspected cases of slavery, human trafficking and other serious forms of exploitation to the Australian Federal Police and cases of suspected worker exploitation to the Fair Work Ombudsman.

Operation BATTENRUN Activity/Outcome	2018/2019	2019/2020	Total
Field Activities	95	842	937
Cancellations	0	25	25
Detentions	<5	153	154
NOICCs	0	7	7
Removals	<5	115	116
Returns*	0	38	38
S251 Warrants executed	7	72	79
Awareness activities	<5	102	104
Non-warrant visits	0	89	89
Field Observations	87	626	713
Infringements Issued	0	<5	<5

**Returns includes BATTENRUN targets that voluntarily departed Australia.*

**HOME AFFAIRS PORTFOLIO
AUSTRALIAN BORDER FORCE**

PARLIAMENTARY INQUIRYWRITTEN QUESTION ON NOTICE

Senate Select Committee on Temporary Migration

QoN Number: 16

Subject: Operation BATTENRUN statistics

Asked by: Committee members

Question:

In the statistics provided (at page 4) for Operation BATTENRUN, there were 95 field activities undertaken during 2018/2019 and 842 for 2019/2020.

Could you please explain to the committee the rationale for the substantial increase in field activities during 2019/20?

Answer:

On 3 December 2018, Operation BATTENRUN was established to respond to the scale and prevalence of illegal labour hire activities, particularly within cash driven industries. Its intent is to detect, deter and disrupt unscrupulous Labour Hire Intermediaries (LHIs) and complicit entities (persons of interest, businesses and employers).

Operation BATTENRUN achieved a large increase in outcomes for 2019/20 due to Operation BATTENRUN commencing six months into the 2018/19 reporting period and a dedicated focus during 2019/20.

Operation BATTENRUN Activity/Outcome	2018/2019	2019/2020	Total
Field Activities	95	842	937
Cancellations	0	25	25
Detentions	<5	153	154
NOICCs	0	7	7
Removals	<5	115	116
Returns*	0	38	38
S251 Warrants executed	7	72	79
Awareness activities	<5	102	104
Non-warrant visits	0	89	89
Field Observations	87	626	713
Infringements Issued	0	<5	<5

**Returns includes BATTENRUN targets that voluntarily departed Australia.*

**HOME AFFAIRS PORTFOLIO
AUSTRALIAN BORDER FORCE**

PARLIAMENTARY INQUIRY WRITTEN QUESTION ON NOTICE

Senate Select Committee on Temporary Migration

QoN Number: 17

Subject: Taskforce CADENA

Asked by: Committee members

Question:

In response to the law enforcement efforts that have been completed for Taskforce CADENA, the department has listed (at page 5) a number of referrals, including to partner agencies, human trafficking referrals and referrals to the Criminal Assets Confiscation Taskforce.

⁶

Does the Department of Home Affairs follow up on the outcome of these referrals with these agencies?

Answer:

The Australian Border Force does not record outcomes for referrals made to partner agencies.

⁶ Department of Home Affairs, *Submission 82.1*, p. 5.

AUSTRALIAN BORDER FORCE

PARLIAMENTARY INQUIRY WRITTEN QUESTION ON NOTICE

Senate Select Committee on Temporary Migration

QoN Number: 18

Subject: Operation CADENA statistics

Asked by: Committee members

Question:

In the statistics provided (at page 5) under Operation CADENA, there were 53 employer sanction awareness visits in 2018/2019 and less than 5 for 2019/2020.⁷

Could you please explain to the committee the rationale for the substantial decrease in employer sanction awareness visits during 2019/20?

Answer:

Taskforce Cadena (CADENA) was the foundational work Australian Border Force conducted with the Fair Work Ombudsman, which highlighted the nature of the criminal environment that labour hire intermediaries operate in. CADENA provided the indicators of risk and threat, which then informed targeted operational activities. Therefore reporting in outcomes against Cadena has reduced, with that activity being reflected in reporting under Operation BATTENRUN.

⁷ Department of Home Affairs, *Submission 82.1*, p. 5.

**HOME AFFAIRS PORTFOLIO
AUSTRALIAN BORDER FORCE**

PARLIAMENTARY INQUIRY WRITTEN QUESTION ON NOTICE

Senate Select Committee on Temporary Migration

QoN Number: 19

Subject: Border Watch Program

Asked by: Committee members

Question:

The department's supplementary submission states (at page 7) that to further assist compliance with visa obligations, individuals are encouraged 'to make enquiries and advise of non-compliance through the Border Watch Program'.⁸

How successful has the Border Watch Program been, given it relies on individuals to provide information on non-compliance to assist the Australian Border Force to identify foreign worker exploitation?

Answer:

The Border Watch program has been successful in providing unique information to assist the Australian Border Force in investigations and operational outcomes. It is a successful mechanism for the community and industry to provide information to the Australian Border Force on relevant matters, including potential foreign worker exploitation and instances of non-compliance. It is not the only mechanism by non-compliance is identified by the Australian Border Force and the Department.

Over the past three financial years from FY 2017/18 to 2019/20, the Border Watch program has received approximately 4,900 allegations specifically related to exploitation of labour, including employer/sponsor breaches of temporary and permanent visas.

These allegations and referrals cover all aspects of Australia's border security, including concerns around the cargo, travel, visa and migration, to ensure the safety and security of the border can be maintained.

⁸ Department of Home Affairs, *Submission 82.1*, p. 7.

**HOME AFFAIRS PORTFOLIO
DEPARTMENT OF HOME AFFAIRS**

PARLIAMENTARY INQUIRY WRITTEN QUESTION ON NOTICE

Senate Select Committee on Temporary Migration

QoN Number: 20

Subject: Support to temporary migrants

Asked by: Committee members

Question:

What support has the department offered to temporary migrants who have not been able to return to their home country?

Answer:

The Department has implemented measures relating to the visa system, including:

COVID-19 pandemic event visa

- Available to temporary visa holders in Australia, unable to depart and apply for another visa, or working in a critical sector (health and aged care, disability services, agriculture and food processing and child care).
- There is no visa application charge for this visa.

Working Holiday Makers (WHMs)

- Exempted from the six month work limitation with one employer if working in a critical sector such as agriculture, food processing, health, aged care, disability care and child care. This was announced 4 April 2020.
- Work in healthcare and medical sectors anywhere in Australia counts as specified work towards a second or third WHM visa. This measure commenced on 19 August 2020.
 - o Working holiday makers employed in these critical sectors who are not eligible for a second or third WHM visa, and cannot return to their home country, can apply for a COVID-19 Pandemic event visa.
- Former WHMs able to count critical COVID-19 related work in the healthcare and medical sectors on a COVID-19 Pandemic Event visa towards eligibility for a second or third WHM visa, commencing November 2020.

International Students

- Student visa holders working in healthcare, disability and aged care, nursing and supermarkets (supermarkets arrangement ended 1 May 2020) can temporarily work more than 40 hours per fortnight while their course is in session.
- Time spent studying online outside Australia will count towards qualifying for a post-study work visa for student visa holders affected by COVID-19. This was announced and came into effect on 20 July 2020.
- Visa holders affected by COVID-19 can apply for and be granted a post-study work visa outside Australia. This was announced 20 July 2020, with regulation changes made to allow offshore applications from 19 September 2020.
- Additional time allowed to provide results for English language testing, biometrics collection and health checks, where COVID-19 has disrupted access to services. This was announced and came into effect on 20 July 2020.
- Taking a flexible approach where COVID-19 restrictions have prevented Student visa conditions being met. This was announced 20 July 2020.

Seasonal Worker Programme (SWP) and Pacific Labour Scheme (PLS)

Announced and came into effect 4 April 2020:

- Options to extend stay in Australia to support the agriculture sector and other critical sectors and are exempt from the requirement to work for a single employer.

Targeted assistance for temporary visa holders

Announced and came into effect 4 April 2020:

- Visa conditions applied flexibly for temporary visa holders whose employment prospects have been impacted by COVID-19.
- Temporary skilled visa holders who have been stood down, but not laid off, can maintain their visa validity.
- Businesses able to reduce the hours of temporary skilled visa holders without the person being in breach of their visa condition.

Visa Application Charge (VAC)

- VAC waivers or refunds for specified categories of temporary visa holders, announced 12 October 2020, with regulation and systems changes being progressed to bring these into effect:
 - o Visitor visa holders who are overseas and whose visas expired or will expire since March 2020 will be eligible for VAC waiver to return to Australia.
 - o WHMs who were unable to come to Australia or who left early due to COVID-19, will be eligible for a VAC waiver to return to Australia (or a VAC refund for those past the age cap).

- o Student visa holders can apply for another visa without a VAC if they cannot complete their course within original visa validity due to COVID-19.
- o SWP and PLS visa holders granted a visa before 20 March 2020 and unable to travel to Australia due to COVID-19, are eligible for a refund of VAC after the visa expires.
- o Former Temporary Skills Shortage (TSS) and Temporary Work (Skilled) visa holders who were unable to make their initial entry to Australia or have returned home due to COVID-19 and are unable to re-enter Australia due to border closures will be eligible for a waiver of VAC associated with subsequent offshore TSS applications.
- o Prospective Marriage visa holders who have been unable to travel to Australia.

COVID-19 concessions

- From 19 September 2020, a number of concessions have been made available for certain visa holders impacted by COVID-19. These concessions are to help visa holders continue on their visa pathway if they have been disadvantaged by COVID-19 border closures, business restrictions or the economic downturn.
 - o The COVID-19 concession period commences from 1 February 2020 and is an interim arrangement. If a person holds, or held, a certain temporary or provisional visa during the COVID-19 concession period they may be eligible for a COVID-19 concession.
 - o Eligible visas include Safe Haven Enterprise (Subclass 790) visa (SHEV), Skilled Regional (Subclass 887) visa, Business Innovation and Investment (Permanent)(Subclass 888) visa, Business Innovation and Investment (Provisional)(Subclass 188) visa, and Temporary Graduate (Subclass 485) visa.

Status Resolution Support Services (SRSS)

- SRSS provides support for certain non-citizens who are in the Australian community temporarily while their immigration status is being determined. The SRSS program provides short-term, tailored support to individuals who are unable to support themselves while they engage with the Department to resolve their immigration status. It is not a welfare entitlement.
- People who are actively engaged with the Department to resolve their immigration status and need assistance to overcome barriers to that resolution, may be eligible to be provided with short term support in order to resolve that barrier.
- Individuals on a Bridging visa with work rights, and who have the capacity to work, are expected to support themselves while their immigration status is being resolved.
- The Department's Status Resolution Service can assist eligible individuals wishing to depart Australia.

- The Department contracts the International Organisation for Migration (IOM) and Serco (Homeward) as service providers to facilitate its voluntary return and reintegration programs.

Returns assistance

- The Department is assisting those who wish to return home by making information available online on commercial flight options and organised repatriation flights.
- The web page will also include a voluntary online register for those who wish to receive further assistance from their embassy or consulate in Australia.
- The Department is working closely with the Department of Foreign Affairs and Trade to deliver this service.
- Returns assistance may provide an eligible recipient with one, or any combination of assistance, including:
 - o independent returns counselling
 - o plane ticket
 - o assistance to obtain travel documents
 - o travel assistance to final destination.
- To be considered eligible for returns assistance, an individual must:
 - o be a non-citizen;
 - o not hold a visa that permits re-entry to Australia;
 - o elect to voluntarily return to a country-of-origin or a country where he/she has a right of entry and stay; and
 - o demonstrate they are unable to self-fund their return.

**HOME AFFAIRS PORTFOLIO
DEPARTMENT OF HOME AFFAIRS**

PARLIAMENTARY INQUIRY WRITTEN QUESTION ON NOTICE

Senate Select Committee on Temporary Migration

QoN Number: 21

Subject: Accessibility of COVID-19 information to temporary migrants

Asked by: Committee members

Question:

What has the department done to ensure accessibility of information regarding COVID-19 to temporary migrants?

Answer:

The Department's websites play a major role in providing information to temporary visa holders and the wider Australian community. During the COVID-19 pandemic, the Department updated its online presence to provide consistent and comprehensive information about visas, citizenship, travel restrictions and support services. In March 2020, it launched the COVID-19 and the border website (covid19.homeaffairs.gov.au) and a series of translated fact sheets were displayed on both Department of Health and Home Affairs websites.

This was followed by the COVID-19 in your language website (covid19inlanguage.homeaffairs.gov.au) in April 2020 to enhance the availability of information to communities whose first language is not English. CALD clients can navigate the website in 63 languages.

The Department has significantly increased its engagement with multicultural communities, providing reassurance, assistance and information on Government responses to COVID-19, while also affording communities the opportunity to convey feedback to the Government. In the period 1 March to 30 September 2020, there have been more than 8,200 engagements with multicultural stakeholders. In response to the COVID-19 pandemic, the Department temporarily extended the operating hours of its global call centre. Government announcements relating to travel restrictions and support measures for industry and temporary visa holders during the pandemic led to a 22 per cent increase in call demand during February and March 2020. When CALD clients use the Department's Global Service Centre, if required they are offered the services of an interpreter from the Department's Translating and Interpreter Service (a free service).

**HOME AFFAIRS PORTFOLIO
DEPARTMENT OF HOME AFFAIRS**

PARLIAMENTARY INQUIRY WRITTEN QUESTION ON NOTICE

Senate Select Committee on Temporary Migration

QoN Number: 22

Subject: Exemptions or special considerations offered to temporary migrants

Asked by: Committee members

Question:

Since the beginning of the COVID-19 pandemic, what exemptions or special considerations have been offered to temporary migrants? For example, allowing international students working in major supermarkets to have their maximum 40 hours a fortnight extended up until 1 May 2020.

- a. Is the department considering any other options to further support temporary visa holders?
- b. Has the department assessed the impact of the exemptions or special considerations and identified any which could be extended beyond the COVID-19 pandemic?

Answer:

The Government has implemented a series of temporary visa measures to support temporary visa holders during the COVID-19 pandemic. These measures are in line with key principles to support public health measures and protect the health of the community, safeguard job opportunities for Australians, support critical sectors and assist with the economic recovery post-coronavirus.

Student visa arrangements:

- Working hours of Student visa holders have been relaxed, allowing them to temporarily work more than the 40 hours per fortnight usually permitted to support critical sectors:
 - o Student visa holders working in health, disability and aged care;
 - o Student visa holders studying relevant medical courses, if they are working in support of COVID-19 efforts and at the direction of the relevant health authority;
 - o Student visa holders working in supermarkets (from 13 March to 30 April 2020).
- On 20 July 2020, the Government implemented the following changes to student visa arrangements to ensure Australia remains a priority destination for international students.
 - o grant of student visas in all locations outside Australia so students will already have visas when borders re-open;

- o Visa Application Charge (VAC) waiver for a further student visa application for those who were not able to complete their studies due to COVID-19;
- o Student visa holders studying online outside Australia to count that study towards the Australian study requirement for a post-study work visa;
- o Graduates who held a Student visa are able to apply for a post-study work visa outside Australia;
- o International students are given additional time to submit English language results where COVID-19 has disrupted access to these services.

Introduction of COVID-19 Pandemic event visa under Subclass 408 (Temporary Activity) visa:

- On 4 April 2020, the Government introduced the COVID-19 Pandemic event visa through the Subclass 408 (Temporary Activity) Australian Government Endorsed Event visa stream.
- The visa is free of charge and provides a visa option for temporary visa holders in Australia whose visas are expiring or has expired for the last 28 days, and who are not eligible for any other visa and are unable to depart Australia due to COVID-19.
- Those working in critical sectors, such as health, aged and disability care, agriculture, food processing or childcare, have work rights.

Arrangements for Seasonal workers and Working Holiday Makers:

- From 4 April 2020, the Government temporarily relaxed conditions for Seasonal Worker Programme (SWP) and Pacific Labour Scheme (PLS) workers and introduced options for them to extend their stay in Australia for up to 12 months to support the agriculture sector.
- Also from 4 April 2020, Working Holiday Makers who are working in critical sectors, such as agriculture, are exempt from the six month work limitation with one employer and eligible for a further visa to keep working in these sectors if their visa is due to expire in the next six months
- On 4 August 2020, the Government introduced a SWP trial in Northern Territory (NT) to address the labour shortages affecting NT mango farmers.
- Following success of the SWP trial in NT, the Government implemented on 21 August 2020, a restart of the PLS and SWP to help fill labour shortages in key industries, particularly the agriculture sector.

Refund and waiver of Visa Application Charges:

- The Government will refund and waive Visa Application Charges (VAC) to prospective partners, temporary workers, seasonal workers, working holiday makers and visitors impacted by the COVID-19 travel ban.

a. Is the department considering any other options to further support temporary visa holders?

The Department of Home Affairs is continuing work on a range of visa measures to support temporary visa holders so they are not disadvantaged due to COVID-19 pandemic. The Government will make further adjustments in due course should they be warranted.

b. Has the department assessed the impact of the exemptions or special considerations and identified any which could be extended beyond the COVID-19 pandemic?

The visa measures are temporary, scalable and are being reviewed regularly to determine whether they should be extended either for the short or long term.

**HOME AFFAIRS PORTFOLIO
DEPARTMENT OF HOME AFFAIRS**

PARLIAMENTARY INQUIRY WRITTEN QUESTION ON NOTICE

Senate Select Committee on Temporary Migration

QoN Number: 23

Subject: Number of COVID-19 Pandemic Event visas

Asked by: Committee members

Question:

How many applications have been received and approved by the department for the COVID-19 Pandemic Event visa?

Answer:

As at 30 September 2020, 17,832 Australian Government Endorsed Event (Subclass 408) COVID-19 Pandemic Event visa applications have been received and 7,338 applications have been granted.

**HOME AFFAIRS PORTFOLIO
DEPARTMENT OF HOME AFFAIRS**

PARLIAMENTARY INQUIRY WRITTEN QUESTION ON NOTICE

Senate Select Committee on Temporary Migration

QoN Number: 24

Subject: Temporary Visa Holders Access to Superannuation

Asked by: Committee members

Question:

For those on a temporary visa and who find themselves in financial hardship and can access their Australian superannuation, does the department have a breakdown of which temporary visa holders have accessed their superannuation?

Answer:

The administration of early access to superannuation is the responsibility of the Department of the Treasury.

**HOME AFFAIRS PORTFOLIO
DEPARTMENT OF HOME AFFAIRS**

PARLIAMENTARY INQUIRY WRITTEN QUESTION ON NOTICE

Senate Select Committee on Temporary Migration

QoN Number: 25

Subject: COVID-19 impacts on Australia's temporary migration program

Asked by: Committee members

Question:

How will COVID-19 impact the size and composition of Australia's temporary migration program?

Answer:

Australia's temporary visa programs have been impacted by the closure of Australia's borders on 20 March 2020. Any easing of border restrictions in response to COVID-19 will be based on expert health advice from members of the Australia Health Protection Principal Committee.

While the duration and effect of COVID-19 globally is unknown, the 2020-21 Budget has forecast negative net overseas migration (NOM), which is largely driven by longer term temporary entrants, for the next two years before gradually increasing again in the last years of the forward estimates. In addition, it is expected that the Migration Program will be drawing from onshore temporary visa holders more than usual during this time, due to ongoing travel restrictions (see table one).

Small scale State/Territory-led pilot programs are underway to support students' return to Australia in a COVID-safe way that protects the health of Australians and international students, with arrivals set in the Northern Territory and South Australia for late November and early December 2020. Planning has begun for the scale up of international student returns in early 2021, building on these pilot programs.

Table one provides data on temporary visa holders over the past six months, evidencing the shifts in onshore and offshore applications and overall significant decreases in the Visitor, Special Category and Working Holiday Maker programs in response to COVID-19. Bridging visa holders have increased due to those unable to return home and needing to remain lawfully in Australia. These trends are expected to continue through early 2021-22.

Table two shows overall trends in temporary visa holders over the last five years. This pattern of year on year growth should restart once travel regularises.

Table 1: Temporary Visa Holders Inside and Outside Australia

Visa Category	30/04/2020		31/05/2020		30/06/2020		30/07/2020		31/08/2020		30/09/2020		31/10/2020	
	Outside A/a	Inside A/a	Outside A/a	Inside A/a	Outside A/a	Inside A/a	Outside A/a	Inside A/a	Outside A/a	Inside A/a	Outside A/a	Inside A/a	Outside A/a	Inside A/a
Bridging	8,142	295,457	7,480	320,797	7,113	333,508	7,291	312,185	7,032	327,636	7,144	337,934	7,059	332,859
Crew and Transit	711,407	9,738	703,875	10,019	698,986	9,043	697,847	8,367	696,239	7,304	690,753	8,305	687,450	8,251
Other Temporary	1,340	5,459	1,348	5,448	1,387	5,552	1,485	5,531	1,533	5,368	1,596	5,314	1,650	5,230
Special Category	147	670,994	169	669,357	294	667,281	213	664,359	86	660,286	177	657,179	187	655,940
Student	130,598	559,755	130,441	559,535	132,002	555,310	140,583	541,856	139,591	498,251	144,850	475,599	149,951	469,764
Temporary Protection	171	17,397	117	17,541	91	17,647	88	17,710	87	17,750	83	17,784	82	17,835
Temporary Resident (Other Employment)	46,432	138,240	38,047	135,069	32,665	134,199	31,032	137,343	28,807	139,275	26,470	139,890	27,119	140,676
Temporary Resident (Skilled Employment)	35,926	136,192	34,325	132,122	33,156	128,145	33,208	124,144	32,695	120,796	32,742	117,185	31,599	114,782
Visitor	5,511,847	163,068	5,146,575	120,245	4,776,258	93,454	4,374,552	96,837	3,946,250	93,679	3,541,450	86,401	3,071,736	79,903
Working Holiday Maker	108,698	98,829	103,332	91,647	98,749	85,690	95,941	79,173	89,923	71,883	77,097	64,894	63,462	58,875
Grand Total	6,554,708	2,095,129	6,165,709	2,061,780	5,780,701	2,029,829	5,382,240	1,987,505	4,942,243	1,942,228	4,522,362	1,910,485	4,040,295	1,884,115

Source: BP0066

Table 2: Trends in Temporary Visa Holders in Australia

Sum of Visa Holders Visa Category	Snapshot Date						
	30/06/2015	30/06/2016	30/06/2017	30/06/2018	30/06/2019	30/06/2020	31/10/2020
Bridging	102,219	119,368	137,420	176,216	205,616	333,508	332,859
Crew and Transit	14,534	13,608	13,428	13,075	12,076	9,043	8,251
Other Temporary	2,972	3,222	3,760	4,691	5,129	5,552	5,230
Special Category	653,832	660,182	665,394	673,198	678,658	667,281	655,940
Student	374,564	401,423	443,798	486,934	553,139	555,310	469,764
Visitor	226,395	262,445	294,368	304,140	316,469	17,647	17,835
Working Holiday Maker	143,918	137,376	134,269	134,909	135,263	134,199	140,676
Temporary Resident (Other Employment)	58,831	71,749	89,280	109,730	132,467	128,145	114,782
Temporary Resident (Skilled Employment)	188,002	170,585	161,413	147,339	142,828	93,454	79,903
Temporary Protection	204	1,586	7,551	12,538	15,413	85,690	58,875
Grand Total	1,765,471	1,841,544	1,950,681	2,062,770	2,197,058	2,029,829	1,884,115

Source: Before 30/06/2020: BP0012. 30/06/2020 and 31/10/2020: BP0066.