

**HOME AFFAIRS PORTFOLIO
AUSTRALIAN BORDER FORCE**

PARLIAMENTARY INQUIRY SPOKEN QUESTION ON NOTICE

Select Committee COVID-19

QoN Number: CV19-314

Subject: Aged Care Workers - Applications rejected

Asked by: Nick McKim

Question:

Senator McKIM: Thanks for that, Commissioner. Why are applications to return to Australia to recommence work in aged care from people who do work in that sector still being rejected as recently as this week? I've got six cases on my books in my office from people who work in aged-care facilities who are being refused permission to return. Why would that be the case, given they are now listed as a critical skill?

Mr Outram: I would need to take the specific cases, like we did last time, Senator, on notice and have a look at those for you. Certainly since 1 September there was a priority migration skilled occupation list. There were 17 occupations on that list, and these occupations are listed and we take those into account. Nurses, doctors, medical specialists—we also take those into account. I would need to look at the individual cases that you are referring to, because no single case is exactly the same as the other.

Answer:

Since 20 March 2020 when the inwards travel restrictions were introduced, health care, including aged and disability care, have been included as critical sectors. Aged care workers applying for travel exemptions are expected to be delivering a critical skill to the Australian community (ie. performing a health care or disability care function). Travel exemption requests from persons working in aged care also need to be supported by documentary evidence of confirmed employment of at least 24 hours a week in a critical role.

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PARLIAMENTARY INQUIRY SPOKEN QUESTION ON NOTICE

Select Committee COVID-19

QoN Number: CV19-328

Subject: Guidelines - De facto relationships

Asked by: Nick McKim

Question:

Senator McKIM: You mention families. Why do the guidelines not cover couples who have been separated for over six months now? I have over 130 cases of couples who have been separated for over six months now who have repeatedly had their applications to travel back to Australia rejected. When will you allow those families to be reunited? Why do your guidelines not cover separated couples?

Mr Outram: Well, 'couples' is a term that can be applied very broadly. Where people have been in a de facto relationship, and there is evidence that they were in a de facto relationship before they became separated, we certainly take that into account.

Senator McKIM: That's not in your guidelines.

Mr Outram: I've got the guidelines in front of me—

Senator McKIM: So do I.

Mr Outram: I will get advice from behind me. The guidelines are quite long.

Senator McKIM: Specifically relating to de facto

Mr Outram: Pregnancy and partners are certainly covered. I may come back to you on notice. Generally speaking, being a couple is too generic a term. It's about the nature of the relationship, and whether it was a de facto relationship is the key.

Answer:

Australia's travel restrictions do not apply to immediate family members of Australian citizens, Australian permanent residents, and New Zealand citizens who usually reside in Australia. This comprises spouses, de facto partners, dependent children and legal guardians.

Familial relationships, including defacto partners, are assessed with reference to migration regulations definitions and associated well established policy advice.

The ABF Commissioners guidelines set out the general approach to exemption decision making and certain specific scenarios.

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PARLIAMENTARY INQUIRY SPOKEN QUESTION ON NOTICE

Select Committee COVID-19

QoN Number: CV19-380

Subject: Listing of Aged Care

Asked by: Nick McKim

Question:

Senator McKIM: You can take this on notice if you like: when did the ABF first list aged care as a critical skill? Did that only happen after you were contacted by the ABC with regard to a story on 8 September?

Mr Outram: Firstly, in relation to being contacted by journalists, we've reviewed literally hundreds of decisions that we've made administratively. We review them as a matter of course, generally, or because an MP or senator may get a complaint and reach out to us. The idea that we would change things in order to curry favour with a journalist to try and get some sort of favourable reporting out of an ABC journalist—I am sure you are not suggesting that that. It would be quite laughable if it weren't so serious. No, it's not a result of the ABC. In terms of actual specific guidance around aged-care workers being included in the medical categories, I will take it on notice.

Answer:

Since 20 March 2020 when the inwards travel restrictions were introduced, health care, including aged and disability care, have been included as critical sectors.