

Immigration and Border Protection Portfolio –Budget Estimates 2017-18 – QoNs Index

QoN No	Group	Division	Senator	Subject	Question	Date/ Page of Hansard
BE17/001	Corporate	Corporate Services	Senator Gallacher	ACT Headquarters building project	<p>Senator GALLACHER: Thanks, Chair. Mr Pezzullo, can I draw your attention to a number of answers your department provided in response to questions from Senator Carr. They are AE17/120, AE17/121, AE17/161, AE17/155 and AE17/144. I would like to discuss the department's response to these questions.</p> <p>If we start with AE17/120, it claims that the department is not compelled to answer the question because the information requested has been provided to another committee. I think you would be familiar with that other committee—the Parliamentary Standing Committee on Public Works. In AE17/121 it also makes the claim of commercial-in-confidence. It is a matter of the public record that the chair of the joint committee of public works put a statement on the Hansard where he labelled the department's actions as bordering on uncooperative. Subsequently you gave evidence that a hearing of the Public Works Committee was cancelled because of estimates. To borrow former Senator Heffernan's terminology, there appears to be a bit of circle work going on here.</p> <p>We would like to know whether you have deliberately withheld information about the expenditure of taxpayers' money without having any appropriate grounds to do so. If I refer you back to the chair's opening statement, all areas of expenditure of taxpayers' money are subject to scrutiny. So would you like an opportunity to reconsider your answers?</p> <p>Mr Pezzullo: You might assist me. I cannot quite recall how the numbers line up with the questions. The two questions in particular that you refer to pertain, I assume, to the ACT headquarters project, because that is what I infer. But what were the questions specifically about? Could you just assist me.</p> <p>Senator GALLACHER: I can refresh your memory: Please confirm the cost of the building for both rent and refit and provide a full breakdown and overview/plans of the building. Please provide an explanation as to why this building was chosen over</p>	22 May 2017, pg 5

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					<p>alternatives.</p> <p>Your answer was:</p> <p>Pursuant to the operation of section 23 of the Public Works Act 1969, the Department is not compelled to provide this information for the purposes of Additional Estimates, as it has been provided to the Parliamentary Standing Committee on Public Works in private. That does not hold water.</p> <p>Mr Pezzullo: I see—'in private.' I might just ask the chief operating officer and head of the relevant division to join me. I think the issue at play here is the material that has been provided, including especially the cost-benefit analysis that would answer the majority of the thrust of the question, has been provided to the Public Works Committee but has not been published by that committee. I suspect that is what we are dealing with. I might just ask Ms Connell to reflect on that and add to my answer. As to your general proposition: I will come back to it at the end in terms of your larger question about our supposedly uncooperative approach to the examination—</p>	
BE17/002	Corporate	Corporate Services	Senator Gallacher	Previous QoNs	<p>Senator GALLACHER: Mr Pezzullo, I mentioned four questions on notice: two where you have said there was some degree of confusion; and the other two are pretty straightforward. You perhaps want to take either a public interest immunity claim on 161, where you make a claim of operational sensitivity; and 141 where you make a claim it would be an unreasonable diversion of resources. I am happy for you to take those on notice and report later during estimates on whether you are changing your position in respect of those questions.</p> <p>Mr Pezzullo: I doubt very much that we will. But I will personally review it. If we have made a claim of confidentiality, we will assert immunity. If it is the case that the officers have come to a view that it is an unreasonable diversion of resources, my inclination will be to back them. But I will personally look at it through the course of the day.</p> <p>CHAIR: And is that set out in the claim?</p> <p>Mr Pezzullo: I believe so.</p> <p>CHAIR: The reasons—</p> <p>Mr Pezzullo: I will need to check.</p>	22 May 2017, pg 9, 6

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					<p>CHAIR: Yes. Senator Gallacher, if I could—</p> <p>Senator GALLACHER: I am happy for those to just go on the record and I will revisit them if there is sufficient time during estimates.</p> <p>CHAIR: I was going to say, yes, either that, or the committee can meet to determine whether it is a valid claim. But that is something the committee can do in private. The secretary tells me you have not made a claim for public interest immunity in your answer, Mr Pezzullo. Mr Pezzullo: If that is the case, I will just ask the chief operating officer to look at that. We will be.</p> <p>CHAIR: Okay. Senator Gallacher, are you finished then?</p> <p>Senator GALLACHER: I am happy if those five questions on notice I have put to the department are revisited and you give us some advice for estimates.</p> <p>Ms Connell: Sorry, could I just check those numbers so we chase the right ones?</p> <p>Senator GALLACHER: We have: 17-120, AE 17-121, AE 17-161, AE 17-155, AE 17-141.</p> <p>Ms Connell: Thank you.</p> <p>...</p> <p>Senator PRATT: I have a point of order, Chair. It would be my understanding of the obligations of witnesses that the oversight of the committees be treated separately and that you would need to either provide the information to this committee or provide a stand-alone claim for public interest immunity that does not reflect on any dialogue that you have had with any other committee.</p> <p>CHAIR: It does seem that it needs to be a claim for public interest immunity, which the minister should make, perhaps after reflection. But I have a longstanding view that, if the government enters into private negotiations and contracts with commercial entities on the basis that the information is kept secret, then that is a public interest claim that should succeed, because otherwise how can governments work if confidential information with their suppliers is made public? But that is prejudging the issue. It is up to the minister to make the claim, to explain what the grounds are—what the confidential nature was, why it would be against the nation's interest if that was public—and then that</p>	
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					<p>is for the committee to determine. But, as a broad, general rule, my view is as I have said. Having said all that, where does that leave us now? Perhaps you should take it on notice, do you think?</p> <p>Mr Pezzullo: We can assist, to some extent. We can restate the evidence that we have given publicly. Senator Pratt is absolutely right—having stated it to another committee does not in any way absolve us from answering questions here. What I would be minded to do is to restate the headline numbers—how much the project is going to cost, what the savings are over the period. When we get to the point about commerciality—the very point that you have made—I will look to the minister in terms of seeking to have that information protected, noting that it has been given to the parliament, albeit to another committee. Perhaps Ms Connell or Mr Wright—</p>	
BE17/003	Corporate	Executive	Senator Pratt	AAT decisions for judicial review	<p>Senator PRATT: How many AAT decisions has the minister sought to put through for judicial review?</p> <p>Ms De Veau: That is one I will need to take on notice. I can say that in the active migration and citizenship case load before courts, this financial year I think there are—at the moment—5,793 active cases. That spans a very wide variety of different types of decisions to do with migration law and citizenship law. In almost all of those we are the respondent, so it is the applicant appealing a decision, not the minister appealing. I do not have before me immediately the percentage of how many matters the minister has appealed, but it is something that I can probably obtain for you.</p> <p>Senator PRATT: Okay, that sounds good.</p> <p>Ms De Veau: I can add to that that where the applicants actually appeal, the department has a success rate of 92 per cent on defended matters. That is as at 30 April 2017, for our current financial year success rate. In previous years it has been in that vicinity.</p> <p>CHAIR: We might have to come back to you Senator Pratt although it is a good segue to the questions that—</p> <p>Ms De Veau: That is defended hearings—that is, judicial review matters.</p> <p>Mr Pezzullo: Where we think that, as a matter of law, the AAT got it wrong or, I should say, that the decision has not been a merit review</p>	22 May 2017, pg 15

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					<p>handled in accordance with our view of the law, we win 92 percent of those cases. In fact the last, Ms De Veau, as to why we are not winning the other eight percent, but I'll take that offline with her privately.</p> <p>Ms de Veau: The majority of those matters are the applicants appeal. I will have to find the breakdown for ministers appeals.</p>	
BE17/004	Corporate	Legal	Senator Macdonald	AAT - decisions and location of registries cases originate from	<p>CHAIR: Are decisions of the AAT public documents?</p> <p>Mr Pezzullo: I believe so, unless the presiding officer makes some sort of order to seal elements of the decision.</p> <p>Ms de Veau: I am not sure. I will give some consideration to that but obviously the material that is before the decision maker often has to have consideration as to privacy as well as other matters.</p> <p>Mr Pezzullo: But the actual decision itself?</p> <p>Ms de Veau: The decision itself I will have to check.</p> <p>CHAIR: It is public to you because as someone involved in the process you would at least have to be advised on why your decision—</p> <p>Mr Pezzullo: I would say it is known to us. The AAT decision is communicated to us, particularly if it relates to an urgent reconsideration.</p> <p>CHAIR: But the AAT must give you advice as to why your decision was, in their opinion, wrong.</p> <p>Mr Pezzullo: Yes.</p> <p>Ms de Veau: Again, it is not necessarily that they have overturned a decision. Sometimes a decision might be wrong but, simply, they make another decision that is different at a different point in time on potentially different material. We do get this statement of reasons, and where there is provision for oral decisions there is usually a written statement that comes thereafter.</p> <p>CHAIR: Are the decisions in these recently highly publicised cases from AAT registries across Australia or are they principally from one particular registry?</p> <p>Mr Pezzullo: We would have to take that on notice, and I am not even sure that it is within our competence to answer that. We will see what we can do. As a matter of fact, if it is on the public record the statement of reasons has been published. We will look at whether there is any kind of regional breakdown.</p>	22 May 2017, pg 17

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					<p>CHAIR: You would know the member of the AAT who has made the decision, surely?</p> <p>Mr Pezzullo: If it is a public decision on the website, yes.</p> <p>CHAIR: You would, whether it is a public decision or not, wouldn't you?</p> <p>Mr Pezzullo: Yes, I think that is the case. We will take on notice—</p> <p>CHAIR: I am inclined to ask the names of the AAT members who made these decisions, which on the face of it offend the sensitivities of most Australians. I am not going to ask that, but I am going to ask what registry they come from.</p> <p>Mr Pezzullo: We will take all of these matters pertaining to the AAT and our interaction with the AAT on notice. We have got two days. We will come back to you. We will consult with colleagues in the Attorney-General's department who are responsible for the administration of justice, and if there are further and better particulars we can give you we will give them to you within these two days.</p> <p>CHAIR: Again, I am simply asking in relation to these immigration matters for which you have a responsibility. The AAT does appear before this committee and I would assume, because of the high publicity around this, that the President of the AAT would probably make reference to that in an opening statement. If not, the AAT should come prepared not for individual cases but for an explanation of these things.</p> <p>Mr Pezzullo: We will limit ourselves to matters that arise under the Migration Act and we will get you the best information we can in terms of further and better particulars through the course of the days.</p>	
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BE17/005	Corporate	Executive	Senator McKim	Communication staff levels	<p>Senator McKIM: It is a shame the minister does not agree with you, but I will come to that later. Mr Pezzullo, how many communications staff does the department have? If I said, between the department and the minister, you have over 80, would that be accurate?</p> <p>Mr Pezzullo: No, I cannot see how you would get to that number. I would have to take that on notice. Communications also relates to internal comms—all-staff messages and internal corporate communications. I would exclude those for this purpose. I think what you are going to is media operations and media liaison.</p> <p>Senator McKIM: Yes.</p> <p>Mr Pezzullo: I will take that on notice.</p>	22 May 2017, pg 20
BE17/006	Corporate	Legal	Senator Pratt	AAT decision leaked to Herald Sun - Public information	<p>Senator PRATT: The chair was asking about certain cases that have been of interest to the media. I would like to be a little more explicit in my questioning. There were decisions of the AAT in relation to six Iranians, which I understand was leaked to the Herald Sun. What information are you able to provide on the public record about those six individuals? Mr Pezzullo: When you talk about a class of six, we are starting to get very close to identifying individuals. I will see if—</p> <p>Senator WATT: That is exactly the issue we are concerned about.</p> <p>Senator PRATT: That is my question.</p> <p>Mr Pezzullo: Indeed. I will see if Ms Zakharoff can perhaps speak in general terms, maybe not about the six grants but the types of grants that might pertain. But I would be reluctant to get to a point where those persons can be identified by name.</p> <p>Ms Zakharoff: In general terms, I can confirm that there were protection visas granted and that the department subsequently cancelled those visas and those decisions were reviewed by the AAT—</p> <p>Senator PRATT: The cancellation was reviewed?</p> <p>Ms Zakharoff: That is correct.</p> <p>Mr Pezzullo: Ms Zakharoff, these are not sealed decisions—they would be on the public record?</p> <p>Ms Zakharoff: That is correct. The decisions are on the public record but, obviously, I am reluctant to go into the personal details of each of the cases.</p>	22 May 2017, pg 23-24

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					<p>Mr Pezzullo: We can speak to the extent that, through the AAT deliberations, these matters are on the public record. I will just check with the general counsel as to whether things like the statement of reasons are on the public record, which may or may not identify the individuals by name, in which case it is a matter of public record. Ms de Veau?</p> <p>Ms de Veau: I think I would simply take on notice the question as to whether or not those matters were published, because I think we need to look at the specifics.</p> <p>Senator PRATT: When were those people provided with their final refugee determinations?</p> <p>Mr Pezzullo: Consistent with what we have just taken on notice, until we establish exactly what is on the public record, in terms of the AAT statement of reasons, I am very reluctant to start to get to individual case information. If it is on the public record and it is just a matter of us doing a bit of research, we will. But if it is not on the public record I would be very cautious at this point.</p>	
BE17/007	Corporate	Executive	Senator Pratt	AAT decision leaked to Herald Sun - Minister	<p>Senator PRATT: Was it the minister who brought this information about those refugees and asylum seekers to the media?</p> <p>Mr Pezzullo: I have no idea. I will take it on notice—</p> <p>Senator Cash: I also would have to take that on notice.</p> <p>Senator PRATT: If you could take that on notice.</p> <p>Senator WATT: So you are taking on notice whether the minister provided that information to the media?</p> <p>Mr Pezzullo: I will take on notice whether he wishes, through the minister, to respond in any way shape or form.</p>	22 May 2017, pg 25
BE17/008	Corporate	Executive	Senator Watt	AAT decision leaked to Herald Sun - Department	<p>Senator PRATT: Was it the minister who brought this information about those refugees and asylum seekers to the media?</p> <p>Mr Pezzullo: I have no idea. I will take it on notice—</p> <p>Senator Cash: I also would have to take that on notice.</p> <p>Senator PRATT: If you could take that on notice.</p> <p>Senator WATT: So you are taking on notice whether the minister provided that information to the media?</p> <p>Mr Pezzullo: I will take on notice whether he wishes, through the minister, to respond in any way shape or form.</p>	22 May 2017, pg 25

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					<p>Senator WATT: Yes. Did the department private that information to the media?</p> <p>Mr Pezzullo: I doubt it very much—</p> <p>Senator WATT: Directly?</p> <p>Mr Pezzullo: I doubt it very much, but I do not want to be inaccurate or to mislead, so I will check that. But I doubt it very much.</p> <p>Senator WATT: But in this instance the department did provide that information to the minister's office?</p> <p>Mr Pezzullo: I cannot say that for a fact, other than to say that thousands of briefs go up to the minister and his staff, including on AAT matters, I assume.</p> <p>Ms Zakharoff: That is correct. We routinely provides advice to the minister on a range of matters, but including AAT—</p> <p>Senator WATT: Ms Zakharoff, in this instance did the department provide advice about these AAT decisions to the minister's office?</p> <p>Ms Zakharoff: I can say that we provide advice. I will have to confirm whether he has received the advice on these particular cases.</p> <p>Mr Pezzullo: We will take that on notice and consult with the minister.</p> <p>Senator PRATT: Mr Pezzullo, you have expressed caution about discussing those cases here on the public record today. What would preclude the minister from going public? Should the minister have the same level of caution about putting the cases of those individuals out in the media?</p> <p>Mr Pezzullo: I have no basis to think that the minister has been anything other than cautious or otherwise. I will put these questions through Minister Cash to the minister and he can respond as he sees fit.</p>	
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BE17/009	Visa and Citizenship Services	Community Protection	Senator Pratt	AAT decision - visa cancellation of 6 Iranians - Appeal	<p>Senator PRATT: I would like to ask these questions, and you are free to answer them or not answer them. On what grounds did the minister seek to cancel these six visas?</p> <p>Mr Pezzullo: I would want to take that on notice and refresh myself as to the circumstances.</p> <p>CHAIR: Do you think the minister cancelled them or the department?</p> <p>Mr Pezzullo: It would depend on who the delegate is.</p> <p>CHAIR: But ministerial decisions are not subject to the AAT, are they?</p> <p>Mr Pezzullo: Some are reviewable and some are not. Ms Zakharoff and Ms de Veau can perhaps quickly dispose of that angle.</p> <p>Ms Zakharoff: These decisions were made by departmental delegates.</p> <p>Senator PRATT: What decisions did the AAT make in relation to their cases?</p> <p>Mr Pezzullo: Before Ms Zakharoff answers I have said I would like to refresh myself as to the circumstances. If there is generalised information that does not go to their particular circumstances and that we can assist this committee with I am more than happy to come back to you. We have got a day and three-quarters together.</p> <p>Senator WATT: Don't forget about the nights.</p> <p>Mr Pezzullo: Days and nights. Thank you, Senator Watt. Once I refresh myself, if there is a general way in which we can talk about process, how delegations work—we clarified for the chair, for instance, the level of decision-making—I think that is all entirely appropriate. But when you start to ask, 'When did the travel occur? How many times did they travel?'—</p> <p>Senator PRATT: No, I have not got questions to that end. Can I ask whether the minister has asked you or the department to start preparing a case to appeal or overturn the decision of the AAT in relation to these cases? Mr Pezzullo: Again, I will refresh my memory as to the facts of these cases and whatever I can come back with on the public record I will.</p>	22 May 2017, pg 26-27
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BE17/010	Corporate	Legal	Senator Pratt	AAT decision leaked to Herald Sun - provision of information by the Department	<p>Senator PRATT: We understand the AAT's findings in relation to these cases have not been published. As we understand it, documents seen by the Herald Sun reveal in each case that the people discussed in the article were given protection visas after claiming their lives would be in danger if they returned to Iran. You are taking on notice how that information came to be released.</p> <p>Mr Pezzullo: No, I did not, Senator. I do not conduct inquiries into how information ends up in the newspapers. I said I was reviewing—</p> <p>Senator PRATT: Who the department itself gave that information to.</p> <p>Mr Pezzullo: Regarding the information that is within our control, what happened to that information.</p> <p>Senator PRATT: So you will advise us of everyone you gave that information to.</p> <p>Mr Pezzullo: That is a new question now. When you say 'everyone'—</p> <p>Senator PRATT: Other than the AAT and the department, who would you have provided that information to?</p> <p>Mr Pezzullo: That is consistent with what I took on notice before the break.</p> <p>Senator PRATT: Within that, can you provide an explanation of the level of detail contained in that information?</p> <p>Mr Pezzullo: Yes, I will take that on notice.</p>	22 May 2017, pg 30
BE17/011	Corporate	Legal	Senator Pratt	AAT decision leaked to Herald Sun - investigation	<p>Senator PRATT: Do you currently have any investigations on how this information was leaked to the media? Have you referred this matter to the AFP?</p> <p>Mr Pezzullo: I will take that on notice as well. It is not clear to me that it is an unauthorised disclosure of otherwise classified information, but I will review that when the staff brief me on the six cases in question.</p>	22 May 2017, pg 30

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BE17/012	Corporate	Corporate Services	Senator Ketter	ACT Headquarters building project	<p>Senator KETTER: So there are no interstate relocations occurring as a result of the head office project?</p> <p>Mr Pezzullo: I think it is a recomposition of our ACT workforce, but Mr Wright will correct me if that is not correct.</p> <p>Mr Wright: Not that I am aware of but—</p> <p>Mr Pezzullo: Is anyone coming in from interstate or is anyone being sent out?</p> <p>Mr Wright: No. I believe it is all just ACT workforce.</p> <p>Mr Pezzullo: We will absolutely confirm that, but it is a reprofiling and a recomposition of the workforce scattered amongst 12 buildings, recomposing that workforce into four buildings. There might be some moves between, say, Belconnen and the airport, or Civic, which is our other large precinct, and the airport or Belconnen, but it is a zero-sum game. If that is not entirely accurate, we will come back to you.</p>	22 May 2017, pg 43
BE17/013	Operations	Detention and Offshore Operations Command	Senator McKim	Manus Good Friday Incident - M16 assault rifle	<p>Senator McKIM: I think you have. I will ask you then, Mr Pezzullo, was an M16 assault rifle fired into the centre during the Good Friday attacks?</p> <p>Mr Pezzullo: I do not have the notification in front of me. I think the notification certainly would have made reference to the use of firearms. That is certainly publicly known in any event. I am not sure that it constitutes the sort of forensic action report that would detail X number of persons accessed X number of firearms and fired Y number of shots. That is why I, perhaps too cryptically, said in my first answer to you that we conferred with Comcare on the basis of: is this a notifiable incident within the strict requirement of the Commonwealth legislation that relates to our statutory duty of care in relation to the undertaking that we are performing on the island, which is the provision of services? I am not sure that you would characterise that as an investigative process. It was establishing whether we have got a notifiable incident to hand—point 1. Point 2, as to what is contained in the notification, I will ask Ms Connell or one of her officers to speak to that.</p> <p>Senator McKIM: Thank you.</p> <p>Mr Pezzullo: But I would want to refresh my memory as to whether we have given any undertakings to provide it to the committee.</p>	22 May 2017, Page 52

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BE17/014	Corporate	People	Senator McKim	Manus Good Friday Incident - Comcare notification	<p>Senator McKIM: Does the report to Comcare confirm that shots were fired actually into the centre as opposed to into the air?</p> <p>Mr Pezzullo: I think it referred to a shooting incident, did it not?</p> <p>Mr Venugopal: That is precisely the case. It does not go into the detail of the angle of the shooting or anything as such. It refers to the fact that there was an incident, shots were fired and the time at which it occurred. But I do not have the actual notification at hand.</p> <p>Mr Pezzullo: I think it might assist the committee if we review the notification. We might confer with our colleagues over at Comcare—sort of notification to them—and come back to this committee during these proceedings.</p>	22 May 2017, Page 52
BE17/015	Policy	International	Senator Hinch	PNG deportations to Fiji	<p>Senator HINCH: As you say, PNG is a sovereign nation. They could make their own decisions. I think they have deported several men to Fiji. Could they force—</p> <p>Mr Pezzullo: Sorry, Senator, I missed that. To where?</p> <p>Senator HINCH: I think they have deported several men, possibly, to Fiji.</p> <p>Mr Pezzullo: I am aware of a case involving a return to Lebanon. I cannot remember a case to Fiji, but I will check.</p>	22 May 2017, Page 55
BE17/016	Operations	Detention and Offshore Operations Command	Senator Xenophon	Manus Good Friday Incident - Medical and mental health assistance	<p>Senator XENOPHON: Can you take the specifics on notice—the number of people who sought trauma support and so on. I do not, for privacy reasons, need anything to identify them. But I would like to know what the demands were on medical services post that Good Friday shooting. How many were treated for (a) any physical injuries and (b) for trauma—and, obviously, any overlap between the two. I think it is a fairly straightforward question. If you could provide those details, that would be quite useful.</p> <p>Mr Quaedvlieg: I will take the question on notice.</p>	22 May 2017, Page 63
BE17/017	Corporate	Integrity, Security & Assurance	Senator Pratt	Data breaches	<p>Senator PRATT: Can I ask what data breaches in data or personal information have been identified by the department in the last five years.</p> <p>Mr Pezzullo: I might ask the head of our assurance division to join me—although elements of this would benefit from having Ms Fernandez here—but there have been a number of data breaches that</p>	22 May 2017, Page 65

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					<p>have been notified to the Privacy Commissioner, the most significant of which occurred going back some three years now. So I think that is captured in the time period. I do not know that we have had significant ones since then, but Ms Moy might assist me. There was certainly a significant one that we have had conversations about in this committee that dates back at least in one case three years. So that is within your time period.</p> <p>Senator PRATT: There was a significant breach in 2014.</p> <p>Mr Pezzullo: Early 2014, as I recall it. Ms Moy maintains the relationship with the Privacy Commissioner and she runs our relationships with all of the external scrutiny bodies. These matters are reportable to the Privacy Commissioner, so they might be matters better known to Ms Moy—or known in more detail, I should say—for the last five years.</p> <p>Ms Moy: I do not have the full list for the last five years but I can get something for you probably before the dinner break.</p> <p>Senator PRATT: Okay. I can see the breach. I have got the notification on the data breach in 2014, where there was information accessible on a website before it was removed. Are there any additional data breaches in that time period?</p> <p>Mr Pezzullo: We will take on notice the notifiable breaches that we have informed the commission about over the last five years. One material change that we made in light of that, one of the first decisions I took as secretary in the latter part of 2014, was to put all of our systems behind the protected firewall. Previously many of our staff were on internet-facing systems, so we were not too protected. That has certainly helped to mitigate the risk of inadvertent, clumsy, accidental disclosure.</p>	
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BE17/018	Corporate	Legal	Senator Pratt	Legal costs associated with 2014 Data Breach	<p>Senator PRATT: What will the anticipated total costs be when all legal matters are resolved? What are the costs today?</p> <p>Ms De Veau: I would have to take that on notice. When it is simply the making of a fresh decision taking into account different information, it would be hard to know whether any litigation costs that arrived thereafter are directly attributable to the matters specifically raised because of the data breach or simply a judicial review or AAT review of that decision.</p> <p>Senator PRATT: A review of the decision because either the publishing of that information had an impact on the circumstances or there were other factors in relation to that.</p> <p>Ms De Veau: I think I am anticipating that it may be difficult to go to that degree of detail and pull apart the various factors, but we will see what we can do.</p> <p>Senator PRATT: Thank you.</p>	22 May 2017, Page 66
BE17/019	Visa and Citizenship Services	Refugee & Humanitarian Visa Management	Senator McKim	Advice to the Minister relating to RSD in Manus	<p>Senator McKIM: I will come to that in more detail soon. I am just asking: have you provided advice to Mr Dutton that those people who are yet to make applications—from that cohort—are fake refugees?</p> <p>Mr Pezzullo: We have certainly provided advice as to—I hate to use the term 'strike rate'—the rate at which persons otherwise are found to be refugees. We maintain statistics on all of our visa classes, including permanent and temporary refugee determinations. Yes, we would provide him with that quantitative advice on a regular basis.</p> <p>Senator McKIM: So you have not provided him with advice that they are fake refugees?</p> <p>Mr Pezzullo: That is a particular phrase that has been used—</p> <p>Senator McKIM: Your minister used it, Mr Pezzullo, not me.</p> <p>Mr Pezzullo: I am sure, through the minister at the table, Minister Dutton may wish to take that on notice and he might wish to provide advice to this committee as to the particular persons to which he is referring. All I can say is that, from the department's point of view, we provide him with regular updates in a quantitative sense of refugee status determination onshore, the rate at which we find protection to be applicable, the rate at which we do not find it to be applicable, the rate at which—as we heard earlier—it is turned down or remitted in</p>	22 May 2017, Page 68

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					<p>administrative merits review and so on and so forth.</p> <p>Senator McKIM: I have asked it three or four times and not got an answer, but—</p> <p>Mr Pezzullo: I think I said that I was referring it to the minister.</p> <p>Senator McKIM: No, I am asking you, Mr Pezzullo: has your department provided the minister with advice that the people in the onshore cohort who are yet to make application for refugee status fake refugees?</p> <p>Mr Pezzullo: We provided him, quantitative and otherwise, with advice—</p> <p>Senator McKIM: That is not the question.</p> <p>Mr Pezzullo: that might lead him to draw a conclusion. He decides what phrases he uses in the public discourse. That is a matter that I will refer to him.</p> <p>Senator McKIM: But I did not ask that; I just asked whether you advised him whether or not they were fake refugees.</p> <p>CHAIR: 'Fake news' is the term of the month, it seems, and it applies very often to what we hear coming out of this centre, I might say.</p> <p>Senator McKIM: I am obviously not going to get an answer, so I will go back to the 915 people that I think we have agreed are on Manus Island at the moment.</p>	
BE17/020	Support	Detention Services (DSD)	Senator McKim	ELRTC projected bedding configuration	<p>Senator McKIM: And just on the 440, how many per room would that entail?</p> <p>Ms Newton: At this point in time, that varies according to the actual facilities people are in at the moment.</p> <p>Senator McKIM: No, sorry, but you cannot currently fit 440 in the transit centre, and we have heard evidence that you are going to put some more beds in there.</p> <p>Ms Newton: It is possible to fit 440 into the centre. The bedding arrangements are not allocated in a way where you would put 440 at the moment.</p> <p>Senator McKIM: It is just that we heard—</p> <p>Ms Newton: It covers 298 at the moment—</p> <p>Senator McKIM: I understand.</p> <p>Ms Newton: with single beds.</p>	22 May 2017, Page 69

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					<p>Senator McKIM: Thank you—209 of single beds. And we have heard that you are going to double-bunk some of them. Is that accurate?</p> <p>Ms Newton: Yes, that is correct.</p> <p>Senator McKIM: But obviously not in every room; otherwise, you would simply double the number you have now, which 440 is not. So how many rooms will you be double-bunking, and will you be triple- or quadruple-bunking in any rooms?</p> <p>Ms Newton: At this point in time, each room contains two beds.</p> <p>Senator McKIM: Yes.</p> <p>Ms Newton: Under the current arrangements some of those rooms would include bunks as well.</p> <p>Senator McKIM: So when you say double-bunking, you mean four people per room, do you?</p> <p>Ms Newton: Look, I would have to check as to the exact design of what that would look like. And on notice I am happy to provide that information.</p>	
BE17/021	Visa and Citizenship Services	Digital Transformation & Channels	Senator Pratt	Closure of Dandenong Office - Customers for the last 5 years	<p>Senator PRATT: I understand the department has announced the closure of the Dandenong immigration office. How many customers visited the office each year? If you can, provide on notice a breakdown of that for the last five years.</p> <p>Mr Pezzullo: I might end up taking all of that on notice, unless Ms Zakharoff can provide the current visitation levels based on her brief.</p>	22 May 2017, Page 73
BE17/022	Visa and Citizenship Services	Digital Transformation & Channels	Senator Pratt	Closure of Dandenong Office - Types of inquiries	<p>Senator PRATT: I did ask how many customers visit the office each year—do you have a breakdown of that?</p> <p>Ms Zakharoff: I do have that figure—we believe it is up to about 20,000 clients per year.</p> <p>Senator PRATT: That is a lot of people; I am quite surprised to know that it is so large. They probably do not just come from that area. Does the office have a reputation for managing certain types of inquiries?</p> <p>Ms Zakharoff: No. I will get more details for you on notice. My recollection is that a lot of the reasons that a person may have presented personally to the office were not actually then dealt with by the staff in that office. They were, in effect, a kind of a mailbox to other services.</p>	22 May 2017, Page 74

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BE17/023	Visa and Citizenship Services	Digital Transformation & Channels	Senator Pratt	Closure of Dandenong Office - Nature of inquiries	Senator PRATT: Do you know what the nature of inquiries were in that office relative to other inquiries? Ms Zakharoff: In terms of your questions about relative to other inquiries, I will take that on notice and come back to you.	22 May 2017, Page 74 & 75
BE17/024	Support	Detention Services (DSD)	Senator McKim	PNG involuntary removals	<p>Senator McKIM: Can you breakdown the six forced deportations by nationality? Can you inform the committee what dates they occurred on and do you have any information about what happened to those six people once they were taken back?</p> <p>Mr Pezzullo: Unless Deputy Commissioner Newton has further and better particulars, I would be inclined to take that on notice because it is information that is in the possession of the sovereign government of PNG.</p> <p>Senator McKIM: Ms Newton, are you able to answer any of those questions now? No. So you will take all those on notice.</p> <p>Mr Pezzullo: And we will see if the sovereign government of PNG is inclined to provide us with any information that we can provide you.</p>	22 May 2017, Page 79
BE17/025	Corporate	Legal	Senator McKim	Settlement offer in regard to Victorian Supreme Court	<p>Senator McKIM: My question is: has the Australian government made an offer of settlement in regard to the Victorian Supreme Court?</p> <p>Mr Pezzullo: And my previous answer was I was not going to canvass—</p> <p>Senator McKIM: Well, it is not actually up to you, Mr Pezzullo. If the minister wants to make a public interest immunity claim, he can, but you cannot make that claim.</p> <p>Mr Pezzullo: I refer the matter to the minister. The immunity claim would be in relation to it being a live litigation. It is on foot, and I would—</p> <p>Senator McKIM: Before the minister responds, I remind him that the Senate has previously agreed that legal professional privilege is not an acceptable ground for a public interest immunity claim. So, Minister, are you making a public interest immunity claim on that? If so, on what basis, and specifically what is the public interest?</p> <p>Senator McGrath: I have nothing further to add.</p> <p>Senator McKIM: Are you making a public interest immunity claim or not?</p>	22 May 2017, Page 81 & 82

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					<p>Senator McGrath: I have nothing further to add to the—</p> <p>Senator McKIM: You have not said anything. How can you add anything to it?</p> <p>Senator McGrath: I will take it on notice.</p> <p>Senator McKIM: I beg your pardon?</p> <p>Senator McGrath: I will take it on notice.</p> <p>Senator McKIM: Mr Pezzullo, has the government made an offer of settlement in the Victorian Supreme Court case?</p> <p>Senator McGrath: The secretary has referred it to me, and I am saying I am taking it on notice. I am taking your question on notice.</p> <p>Senator McKIM: The question in regard to whether or not we have made a settlement offer, or the issue of whether or not you are making a public interest immunity claim?</p> <p>CHAIR: [inaudible]</p> <p>Senator McKIM: Maybe he does need riding instructions from you. I do not know.</p> <p>CHAIR: [inaudible]</p> <p>Senator McKIM: He is.</p> <p>CHAIR: It is obvious from what he has said. Senator McKIM: Minister, which specific question are you taking on notice?</p> <p>Senator McGrath: Because of the way you have worded it, they are both connected. So they have both been taken on notice.</p> <p>Senator McKIM: They have both been taken on notice. All right.</p> <p>Could you also take on notice: what is the quantum of any settlement offer that may have been made by Australia?</p> <p>Senator McGrath: Sure.</p>	
BE17/026	Policy	International	Senator McKim	Australian government financial obligations for RRA under MOU	<p>Senator McKIM: I do have questions. Minister, are you aware of an agreement between the Australian government and the Papua New Guinean government whereby the Australian government has agreed to bear all agreed costs incurred under and incidental to the RRA and MOU, including any reasonable costs associated with legal claims arising from activities under the MOU?</p> <p>Senator McGrath: Why don't I take that on notice.</p>	22 May 2017, Page 82

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BE17/027	Corporate	Legal	Senator McKim	Settlement offer in regard to PNG Supreme Court	<p>Senator McKIM: Okay. Are you aware whether there is a settlement offer in the PNG case currently before the minister for immigration in Australia?</p> <p>Senator McGrath: Why don't I take that on notice.</p>	22 May 2017, Page 82
BE17/028	Corporate	Legal	Senator McKim	Quantum of Settlement offer in regard to PNG Supreme Court	<p>Senator McKIM: Thank you, Minister. Will you also be so kind as to take on notice this question: if there is such an offer, what is the quantum of that offer?</p> <p>Senator McGrath: In the interest of the chair wanting to expedite these matters, why don't I take that on notice also?</p>	22 May 2017, Page 82
BE17/029	Operations	OSB JATF	Senator McKim	Interceptions - Australia's Protection obligations	<p>Senator McKIM: What is the process of determining whether or not they engage Australia's protection obligations?</p> <p>Mr Pezzullo: Over the last coming up to 3½ years, we have given extensive evidence on that to both this committee and other committees. I would want to refresh my memory as to what we have put on the record in terms of our—you might recall, perhaps before your time, the relevant spokesperson's reference to on-water assessment matters. We have provided some evidence to this committee and to other Senate committees. I would want to remind myself, with the documents in front of me, as to what we have previously advised this committee, so I will take that on notice. Senator McKIM: As part of that, Mr Pezzullo, could you specifically address the question of whether people who are either turned back or subject to the assisted return or taken back are given the opportunity to raise a claim for asylum?</p> <p>Mr Pezzullo: They assist us as to whether they engage our protection obligations.</p> <p>Senator McKIM: No, I am asking specifically whether they are given an opportunity to raise a claim for asylum.</p> <p>Mr Pezzullo: We have given evidence on that previously, and I want to refresh my memory—</p> <p>Senator McKIM: That is okay. I am asking you to take that on notice as part of—</p> <p>Mr Pezzullo: Yes. I will refresh my memory as to what exactly we</p>	22 May 2017, Page 86

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					have provided in evidence before.	
BE17/030	Operations	OSB JATF	Senator McKim	Interceptions - Enhanced Screening procedures	<p>Senator McKIM: In relation to what I understand is described by the department as an enhanced screening process, could you specifically also address whether any of that takes place by teleconference—that is remotely—or whether it is all done face to face?</p> <p>Mr Pezzullo: Yes. I know we have given evidence on that before. Again, I will refresh my memory, and then we will provide you with a distillation and summary of that evidence on notice.</p>	22 May 2017, Page 86
BE17/031	Operations	OSB JATF	Senator McKim	Interceptions - Enhanced Screening appeals	<p>Senator McKIM: Also could you detail what appeal rights these 765 people have if they do not agree with a decision made during the on-water assessment process and how their appeal rights, if any, are communicated to them during this process. Mr Pezzullo: I will take that on notice. We have given evidence on that matter before, so I will refresh my memory.</p>	22 May 2017, Page 86 & 87
BE17/032	Operations	OSB JATF	Senator McKim	Interceptions - Enhanced Screening compliance with international laws	<p>Senator McKIM: Mr Pezzullo, if your on-water assessment process does not have adequate appeal provisions, or if there is a risk, because of the truncated nature of that process, that protection needs are not identified and that people will consequently be sent back to places where they have a legitimate and well-founded fear of persecution, it would actually be a violation of the non-refoulement obligations under international—</p> <p>CHAIR: Senator McKim, it is not for you to advise Mr Pezzullo on what the law says or what he should be doing. This is for you to ask him questions, and there was no question in that. Do you have a question, in your last 53 seconds?</p> <p>Senator McKIM: Yes, I do. Thank you for your assistance, Chair.</p> <p>CHAIR: I keep trying to help you.</p> <p>Mr Pezzullo: To assist, Chair, going back to late 2013, Senator Hanson-Young asked directly equivalent questions. I will refresh my memory as to both the oral evidence that we gave given to this and</p>	22 May 2017, Page 87

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					other committees and the written evidence provided to Senator Hanson-Young. For Senator McKim's benefit, I will summarise that, on notice.	
BE17/033	Operations	OSB JATF	Senator McKim	Interceptions/turn-backs	<p>Senator McKIM: This might be one for you, Air Vice Marshal. Do you have a nationality breakdown of the 765 people?</p> <p>Air Vice Marshal Osborne: Not to hand.</p> <p>Senator McKIM: Would you be able to source that?</p> <p>Air Vice Marshal Osborne: I will certainly have a look.</p> <p>Senator McKIM: Could I ask you to take that question on notice—and also to which specific countries each of those people were returned. As I understand the evidence you have given, they may not actually be returned to their country of nationality; they may be returned to their country of departure. They are two slightly different—</p> <p>Mr Pezzullo: Which is ordinarily the case with a turn-back; that is right.</p> <p>Senator McKIM: Yes, that is why I am asking for the two different breakdowns: the nationality breakdown and also to which countries they were returned.</p>	22 May 2017, Page 87

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BE17/034	Support	Border Force Capability	Senator Watt	Tender for ABF Port, Harbour and Coastal small craft project	<p>Senator WATT: So those vessels will be based in Far North Queensland?</p> <p>Mr Quaedvlieg: No—well, possibly; there might be one or two. I will ask the deputy commissioner of support, shortly, to break down the variant of the vessels and whether we have allocated them to particular officers. I do not think we have done that just yet. I have asked for a more fundamental review of where our littoral water vessels are, so I can make a determination consistent with the secretary's earlier answers to this committee about where the highest priority is and where we can get the best bang for buck, if you will, for that capability. In terms of Far North Queensland there is a separate procurement in place, which you may come onto, in a moment, in relation to an intermediate sized vessel—two of them, in fact, fast-response boats—but in relation to the port, coastal and harbour vessels we do have vessels of that size based at Thursday Island. I just do not know, in terms of this particular contract that you are referring to, whether they are intended to replace those vessels. I do not know their age. Perhaps Deputy Commissioner Newton can provide some more information on that.</p> <p>Ms Newton: Yes. At the moment, seven of those craft will replace existing craft, at their use-by date, in multiple ports around the country.</p> <p>Senator WATT: Are you able to say what those ports are?</p> <p>Ms Newton: I do not have the details of the exact ports on me but a number of them are in Western Australia, Queensland and New South Wales.</p> <p>Senator WATT: Could you take that on notice for us?</p> <p>Ms Newton: Sure.</p>	22 May 2017, Page 88
BE17/035	Support	Border Force Capability	Senator Watt	Regional Staffing numbers	<p>Senator WATT: Do you know how many departmental staff are based, say, north of Townsville? Do we have a figure for that? Maybe it is easiest to take it on notice.</p> <p>Mr Quaedvlieg: I can take the precise figures on notice.</p> <p>Mr Pezzullo: [inaudible] latitude cut across the continent?</p> <p>Senator WATT: I am mostly interested in Queensland, but I will take WA and Northern Territory as well.</p> <p>Mr Pezzullo: Sorry, Senator, we tend to view things through a national</p>	22 May 2017, Page 90 & 91

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					<p>lens of responsibility.</p> <p>Mr Quaedvlieg: I can give you indicative figures.</p> <p>Senator WATT: Sure. If you can take that on notice, that would be great.</p> <p>Ms Newton: I might also correct the record. I had it slightly wrong. The Nautic Star is South Australian, and it will not make you any happier that Yamba is a New South Wales operation.</p> <p>Senator WATT: I was wondering about that, given they have got a bit of a fishing history there.</p> <p>Ms Newton: None of them are from Queensland, sorry.</p> <p>Mr Quaedvlieg: I will come back on notice with exact figures, but in the Torres Strait we have around 17 officers under different arrangements. There are a couple of fly-in fly-outs, but there are 17 officers.</p> <p>Dropping down from there to Cairns, there are somewhere in the order of 100 or so, but I will come back to you with exact figures.</p>	
BE17/036	Support	Border Force Capability	Senator Macdonald	ABF Vessels	<p>CHAIR: Yes. Well, it is now. It was not eight years ago, as I mentioned—not to make too fine a point on that. Okay. That has clarified that for me. But could you, on notice—whoever this is relevant to—just give me a sheet, a page with what vessels you have and what their sizes are and what they are used for?</p> <p>Mr Quaedvlieg: I am very happy to do that.</p> <p>Ms Newton: A nice picture which actually has photos of the boats.</p> <p>CHAIR: Well, that would be easier for me, for my simple mind, to understand what we are talking about.</p>	22 May 2017, Page 92
BE17/037	Policy	Strategic Policy & Planning	Senator Kakoschke-Moore	Illicit tobacco seizures - molasses tobacco	<p>Senator KAKOSCHKE-MOORE: How much molasses tobacco did Border Force seize last year?</p> <p>Mr Outram: I can probably come back to you in this session but I may need to clarify that.</p> <p>Senator KAKOSCHKE-MOORE: Sure. Thank you.</p>	22 May 2017, Page 94

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BE17/038	Support	Border Management	Senator Pratt	Number of travellers crossing australian borders	<p>Senator PRATT: I want to ask some border enforcement questions. I will begin by asking: how many travellers passed through Australia's borders last financial year?</p> <p>Mr Quaedvlieg: It was about 40 million.</p> <p>Senator PRATT: Do you have a rough breakdown of that by airport and port arrivals and by state that you could take on notice?</p> <p>Mr Quaedvlieg: Not to hand. I could take it on notice. We would have an airport-by-airport breakdown.</p>	22 May 2017, Page 101
BE17/039	Support	Border Force Capability	Senator Pratt	Staffing numbers at airports and seaports	<p>Senator PRATT: How many Border Force or DIBP staff work at each airport?</p> <p>Mr Quaedvlieg: I can give that to you on notice, if you wish. We could break that down for you.</p> <p>Senator PRATT: Can you break that down by state and facility?</p> <p>Mr Quaedvlieg: Yes; can do.</p> <p>Senator PRATT: Can you include ports in that?</p> <p>Mr Quaedvlieg: Yes.</p> <p>Senator PRATT: That would be terrific—all arrival points.</p> <p>Mr Quaedvlieg: Just for clarity: airports and seaports?</p> <p>Senator PRATT: Would there be any others that are relevant?</p> <p>Mr Quaedvlieg: No, we do not have any land ports.</p> <p>Senator PRATT: No teleports or anything!</p> <p>Mr Quaedvlieg: No, none of that.</p> <p>Mr Pezzullo: We are working on that, Senator; we will make sure you are the first to know!</p>	22 May 2017, Page 101

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BE17/040	Operations	OSB JATF	Senator Pratt	Turn-backs - Information collected about individuals	<p>Senator PRATT: What categories of information do you collect about turn-backs?</p> <p>Mr Pezzullo: Categories?</p> <p>Senator PRATT: Location would be one of them; the number of people on board; the number of children; the gender and age of people.</p> <p>Mr Pezzullo: All relevant operational information is collected either by the Australian Border Force or by the Royal Australian Navy vessel, depending on which asset has conducted the interception, and all of those matters are reported in the tactical reporting.</p> <p>Senator PRATT: I am not asking for the information; I am asking for the nature of the information that you collect.</p> <p>Mr Pezzullo: I will see if the Air Vice-Marshal wishes to particularise the categories of tactical information. Certainly, the interception point would be known, because the operation has been controlled by our chain of command, so we know the interception occurs. But, in terms of numbers of persons, a breakdown of passengers versus crew, ages, gender and the like, I am sure that the Air Vice-Marshal can assist to some degree.</p> <p>Senator PRATT: What about the type of boat and whether it has been turned back more than once?</p> <p>Mr Pezzullo: I do not know about the latter. But, certainly, the nature of the vessel, its condition, its construction, its propulsion—any range of matters of that ilk—Air Vice-Marshal, I think it is fair to say we would capture that, would we not?</p> <p>Air Vice Marshal Osborne: Yes, Secretary. Senator, all the sorts of information that the secretary just mentioned are—</p> <p>Senator PRATT: Could you take that on notice so that we can get a list. There may be some parts of that that you are unable to give us for security reasons, but the general character of that information I would be interested in.</p> <p>Mr Pezzullo: We will take that on notice.</p>	22 May 2017, Page 102
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BE17/041	Operations	OSB JATF	Senator Pratt	Boast turned back more than once	<p>Senator Pratt: Are there any boats that have been turned back more than once, or a number of times?</p> <p>Air Vice Marshal Osborne: To my knowledge, the answer is no.</p> <p>Senator Pratt: The vessel itself?</p> <p>Air Vice Marshal Osborne: The vessel itself.</p> <p>Senator Pratt: 'To your knowledge', you have said. Could you take on notice whether there is any record of that.</p> <p>Mr Pezzullo: We will check that. I have been in this or the head of Customs and Border Protection role for 3½ years. I do not recall an instance. The Air Vice Marshal is the third commander, so he might—</p> <p>Senator Pratt: I am assuming that is something you would actively would track, though—that you would be able to tell by the character of the boat.</p> <p>Mr Pezzullo: We would know. This is taking us back to some of the meetings that the chairman referred to earlier, but you will recall that early in the piece we made it clear that we would take a very conservative stance about whether the vessel would be allowed to be used for the return turn-back voyage. You might remember the use, for instance, of lifeboats as an alternative. You might remember other evidence that has been given about the use of alternative fishing-style vessels, where that provides a safer mode of return. Again, I cannot recall an instance where we have seen the same returned vessel turn up again, but the Air Vice Marshal will check the records.</p>	22 May 2017, Page 102
BE17/042	Operations	OSB JATF	Senator Pratt	Dates of Turn-backs	<p>Senator Pratt: Thank you. And can you take on notice providing a list of all dates of turn-backs since the adoption of the turn-back policy and the details of the country of origin of those boats and the asylum seekers on them, if you have a record of that.</p> <p>Mr Pezzullo: I think that—to be helpful, again—we have answered that on and off over the years, on the record, because I remember signing off on various tables that expressed that information.</p> <p>Senator Pratt: Yes, that is right. Mr Pezzullo: So we will look at what we can do by way of refreshing those tables.</p> <p>Senator Pratt: Refreshing that table with the latest information—thank you.</p>	22 May 2017, Page 102 & 103

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BE17/043	Operations	Strategic Border Command (SBC)	Senator Pratt	Torres Strait Islands locally engaged staff	<p>Senator Pratt: What is the nature of the employment contract with the 11 spotters, I think you said? Are they in 11 different locations, or are they rostered on in different locations?</p> <p>Mr Quaedvlieg: No, they operate at the islands that the deputy commissioner outlined. They are normally resident in those communities. I am not sure of the contractual arrangements by which we engage them, but I am happy to take that on notice.</p> <p>Senator PRATT: I would be interested in their conditions of employment.</p> <p>Mr Quaedvlieg: Sure. I am joined at the table by Assistant Commissioner Clive Murray, who runs the Strategic Border Command, under whose umbrella Torres Strait falls.</p> <p>Mr Murray: They are full-time employees. In fact, last year for the first time we swore in our border monitoring officers as sworn officers of the Australian Border Force. We see it as a great opportunity for them to be drawn into our culture.</p> <p>Senator PRATT: Good. Are they both male and female officers?</p> <p>Mr Murray: Yes.</p> <p>Senator PRATT: If you have their salary range that would be helpful, too. You might need to take that on notice.</p> <p>Mr Quaedvlieg: We can take that on notice.</p>	22 May 2017, Page 103
BE17/044	Operations	Strategic Border Command (SBC)	Senator Watt	Traditional Visitor Permit issuing	<p>Senator WATT: What exactly is a traditional visitor permit? What sort of entry does that permit? Mr Outram: People who reside in the area that is covered by the treaty—in the villages in the southern part of Papua New Guinea—and of course within the Torres Strait. Those are the people who are entitled to undertake certain activities within the treaty zone, and, of course, travel within the zone area is part of that. So our border monitoring officers are very important from that point of view, because we can therefore very quickly spot people who are entitled in traditional fishing rights and those sorts of things and those who are not, and people who should be there and people who should not.</p> <p>Senator WATT: So it is essentially people who are resident in Papua New Guinea entering Australian territory, in the form of the Torres Strait Islands?</p>	22 May 2017, Page 104

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					<p>Mr Outram: Indeed.</p> <p>Senator WATT: There is obviously a particular permit that they can be granted.</p> <p>Mr Outram: That is as I understand it.</p> <p>Senator WATT: Is that issued on an annual basis? When someone gets one does it last for a period of time?</p> <p>Mr Outram: I would have to take that on notice.</p>	
BE17/045	Operations	Strategic Border Command (SBC)	Senator Watt	Number of Traditional Visitor Permits issued annually	<p>Senator WATT: You have given us the number of entries.</p> <p>Mr Outram: That is right.</p> <p>Senator WATT: Could one person be entering a number of times?</p> <p>Mr Outram: Absolutely—of course, yes.</p> <p>Senator WATT: So 100 of those entries could be for one person?</p> <p>Mr Outram: Yes.</p> <p>Senator WATT: If you are not able to give it to us now would you be able to take on notice to provide us with the number of permits issued per annum?</p> <p>Mr Outram: Yes, we can take that on notice.</p> <p>Senator WATT: Probably back to 2014-15.</p>	22 May 2017, Page 104
BE17/046	Operations	Strategic Border Command (SBC)	Senator Watt	Traditional Visitor Permit - total number of person-days back to 2014-15	<p>Senator WATT: Could you also take on notice to provide the total number of person-days—individuals multiplied by days—that were spent in Torres Strait by traditional visitors, back to 2014-15.</p> <p>Mr Outram: We will endeavour to do that, if we have the data to enable us to do so.</p> <p>Senator WATT: And, similarly, the average length of stay in Torres Strait for traditional visitors, back to 2014-15.</p> <p>Mr Outram: Similarly, if we have access to the data to enable us to do that, then we will do so. We will take it on notice.</p>	22 May 2017, Page 104

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BE17/047	Operations	Strategic Border Command (SBC)	Senator Watt	Number of Traditional Visitor Permit declined	<p>Senator WATT: Do you have any information about the number of traditional visitor permits declined per annum for 2014-15 and 2015-16?</p> <p>Mr Outram: Not permits to hand. We will take that—</p> <p>Senator WATT: If you could take that. But they are on occasion declined?</p> <p>Mr Outram: I would imagine that would be the case.</p> <p>Senator WATT: If you can take that on notice.</p>	22 May 2017, Page 104
BE17/048	Operations	Strategic Border Command (SBC)	Senator Watt	Traditional Visitor Permit - Commonwealth contribution	<p>Senator WATT: If you can take that on notice. What financial contribution does the Commonwealth make to Torres Strait Island Regional Council to compensate for the administrative cost incurred by that council as day-to-day managers of traditional visitor movements?</p> <p>Mr Outram: I am unaware that there is a policy issue. It is something we can take on notice.</p> <p>Senator WATT: Is there anyone at the table who knows?</p> <p>Mr Murray: No.</p>	22 May 2017, Page 104
BE17/049	Support	Border Management	Senator Hume	Importation of asbestos - Costs of testing process	<p>Senator HUME: How long does it take to undergo the testing process, and where are the labs located?</p> <p>Mr Quaedvlieg: There are a number of NATA accredited laboratories around Australia. The testing time, on average, is a couple of weeks. It is not just costly in terms of the actual testing—I do not have the figure with me right now—but having a cargo consignment in abeyance while testing is being undertaken is an expensive exercise.</p> <p>Senator HUME: When you say it is an expensive exercise, (a) how much does it cost, and (b) who is that cost charged to?</p> <p>Mr Quaedvlieg: I will take that question on notice in terms of cost. I think it is passed on to the importer, but I will stand corrected on that. If I am giving you false evidence, I apologise.</p> <p>Senator HUME: That is fine. Thank you.</p>	22 May 2017, Page 107

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BE17/050	Operations	OSB JATF	Senator McKim	Turn-backs - individual transferred to an RPC	<p>Senator McKIM: Could you clarify for me, Air Vice Marshal, please? There are 765 people.</p> <p>Air Vice Marshal Osborne: Seven hundred and sixty-five people have been returned on 30 ventures. They are in addition to another person who was not returned and was taken to an RPC.</p> <p>Mr Pezzullo: Which would make it 776.</p> <p>Senator McKIM: Can you tell us the nationality of that person?</p> <p>Air Vice Marshal Osborne: Not off the top of my head; I would have to take that on notice.</p> <p>Senator McKIM: Okay, thank you, and the relevant dates, if you would, Air Vice Marshal—that is, when were they intercepted at sea, the reasons that they were not included in the turn-back or the take-back or whatever happened to that vessel, the date or dates of any transfer, and the RPC that they were transferred to. Do you know that off the top off your head? Was it Manus or Nauru?</p> <p>Mr Pezzullo: We will take it on notice because I am not sure. Because they are intercepted at sea under the auspices of Operation Sovereign Borders, I will need to test to my own level of satisfaction that we can disclose those matters consistent with the claim of public-interest immunity.</p> <p>Senator McKIM: So take all that on notice, and the date. Your response to the question you took on notice from me last time said that they had been at an RPC but then had gone back—</p> <p>Air Vice Marshal Osborne: Had returned home.</p> <p>Senator McKIM: returned home—so the date of their return home and the country to which they returned and any information you have about what happened to them after their return to that country.</p> <p>Mr Pezzullo: We will look at all of those matters on notice.</p>	22 May 2017, Page 108
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BE17/051	Operations	Detention and Offshore Operations Command	Senator Watt	Numbers in Onshore Detention	<p>Senator WATT: I have some questions about onshore detention. How many people have been detained in onshore detention this year?</p> <p>Mr Pezzullo: How many people have gone through onshore detention or how many people are in onshore detention at the moment?</p> <p>Senator WATT: Why don't I get both?</p> <p>Mr Quaadvlieg: The answer to the question will vary depending on the point in time. Our current number is around 1,400 in totality. How many people have actually moved through in the last period of 12 months? We would probably have to take that on notice. I do not think we cut it by May to May figures.</p> <p>Mr Outram: The latest figure for onshore detention is 1,392.</p> <p>Senator WATT: That is people who are currently in onshore detention?</p> <p>Mr Outram: Yes.</p> <p>Senator WATT: I presume that that is in the statistics that you report publicly?</p> <p>Mr Outram: I believe so. It is not something we keep secret—put it that way.</p>	22 May 2017, Page 115
BE17/052	Operations	Detention and Offshore Operations Command	Senator Watt	Stateless people in onshore detention	<p>Senator WATT: How many stateless people remain in onshore detention?</p> <p>Mr Woodford-Smith: Out of the total population, by nationality, we have 37 stateless persons in onshore held detention.</p> <p>Senator WATT: When you say by nationality, how do you determine that, if they are—</p> <p>Mr Woodford-Smith: Sorry, I should not be saying nationality. I am reading from a graph that has nationality, and 'stateless' is one of those groups. There are 37 individuals that are stateless within the immigration detention network.</p> <p>Senator WATT: On average, how long have they been in detention?</p> <p>Mr Woodford-Smith: I do not have that information to hand immediately around that particular group. I would have to take that on notice.</p> <p>Senator WATT: Do you have any figures at all about the length of detention for stateless individuals?</p> <p>Mr Woodford-Smith: I do not.</p> <p>Senator WATT: In that case, could you take on notice the average</p>	22 May 2017, Page 116

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					length of detention for those 37 and the longest period in detention of any of those 37? Mr Woodford-Smith: I will.	
BE17/053	Operations	Detention and Offshore Operations Command	Senator Watt	17 Year old Child in onshore detention	<p>Senator WATT: Regarding the child who is currently in onshore detention, are you able to say which facility they are in?</p> <p>Mr Quaedy: I am not sure that we have that. I will check.</p> <p>Mr Outram: I think it is the MITA in Melbourne.</p> <p>Senator WATT: The Melbourne Immigration Transit Accommodation?</p> <p>Mr Outram: Yes.</p> <p>Senator WATT: I take it they are there with one or both of their parents.</p> <p>Mr Outram: No. It is a complex case. I do not want to get into too much detail about individual cases and identify the individual, but it is a case where somebody has been released from a prison and therefore there are concerns about character and risk to the community that have to be worked through.</p> <p>Senator WATT: This is the child we are talking about?</p> <p>Mr Outram: The 17-year-old—yes.</p> <p>Senator WATT: When did they enter onshore detention?</p> <p>Mr Outram: We will have to take that on notice. It was quite recently.</p>	22 May 2017, Page 117
BE17/054	Operations	Detention and Offshore Operations Command	Senator Watt	Children in onshore detention for the calendar year	<p>Senator WATT: So there is one at this moment in time. How many children were in onshore detention at any other point during May this year? Is that the only time in May this year that a child has been in onshore detention?</p> <p>Mr Outram: We will have to take that on notice to be absolutely sure.</p> <p>Senator WATT: Do you have any figures handy about April, March, February or January this year?</p> <p>Mr Outram: We would have the data available to give us a month-by-month—Senator WATT: Could you take that on notice, please?</p> <p>Mr Outram: Yes, we can.</p> <p>Senator WATT: So, for each month this calendar year, how many children were in onshore detention at some point during that month?</p> <p>Mr Outram: At some point during that month, because of course they would not necessarily be there for the entire month.</p>	22 May 2017, Page 117 & 118

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BE17/055	Support	Children, Community & Settlement Services (CCSS)	Senator Watt	17 Year old Child in onshore detention - Advice to the Minister	<p>Senator WATT: Yes. Have you advised the minister that there is currently a child in detention?</p> <p>Mr Outram: I am unaware of whether we have or not.</p> <p>Mr Quaedvlieg: We provide the minister with regular updates in relation to detention statistics. Whether we have advised the minister in relation to this particular child—noting that it is only a very recent detention and I am not sure of the sequencing—I will take on notice just for clarity.</p> <p>Senator WATT: Perhaps you could advise us when you advised the minister, if indeed you did.</p> <p>Mr Quaedvlieg: Sure.</p>	22 May 2017, Page 118
BE17/056	Operations	Detention and Offshore Operations Command	Senator Watt	Children in onshore detention - Average length of time in detention	<p>the table around when there were over 2,000 children in detention?</p> <p>Mr Pezzullo: I was the head of Customs and Border Protection.</p> <p>CHAIR: What was the average length of time these children, in those days, were in detention? Was it a day, a week, a month or years?</p> <p>Mr Pezzullo: It would have been more than a few days, but certainly not years. I would have to take that on notice. You might recall earlier evidence that when we peaked in, from memory, July 2013 there were 1,992 children in detention. The average time that they were being turned around and then being put into alternative places of detention or community detention at that stage was reasonably rapid because, simply, places were at a premium. But I would be guessing, Senator. I would really want to take that on notice.</p>	22 May 2017, Page 118
BE17/057	Operations	Detention and Offshore Operations Command	Senator Pratt	Manus Good Friday Incident - Date minister was briefed on incident involving the minor	<p>Senator PRATT: That is fine. I understand. When was the minister briefed about the incident involving the little boy?</p> <p>Mr Quaedvlieg: I am not sure whether there were a number of briefings and from whom he received those, but what I can say is that he received direct advice in relation to both the incident involving the young boy and the disorder event on Good Friday.</p> <p>Senator PRATT: Was he briefed before Friday, 14 April, as in before the later incident occurred?</p> <p>Mr Quaedvlieg: I cannot recall. I will have to take that one on notice.</p> <p>Mr Pezzullo: Check our reports.</p> <p>Senator PRATT: Who was it that briefed the minister?</p> <p>Mr Quaedvlieg: Again, I would have to take that on notice. The</p>	22 May 2017, Page 122

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					minister received advice from a range of media and persons within the department and the Border Force. It may well be more than one. It may have been an oral briefing; it may have been a face-to-face briefing; it may have been a written document or—	
BE17/058	Corporate	Legal	Senator Pratt	Manus Good Friday Incident - Provision of footage to Andrew Bolt	<p>Senator PRATT: Are you aware of how Andrew Bolt came to view that footage if it has not been released to the public?</p> <p>Mr Quaedvlieg: No, I am not.</p> <p>Senator PRATT: Who have you given copies of that footage to?</p> <p>Mr Quaedvlieg: I do not know if I can answer that—</p> <p>Senator PRATT: Have you provided a copy to the minister?</p> <p>Mr Quaedvlieg: The minister's office has certainly received a copy of the footage, yes.</p> <p>Senator PRATT: Was it the minister's office that provided the footage to Andrew Bolt?</p> <p>Mr Quaedvlieg: I do not know.</p>	22 May 2017, Page 123
BE17/059	Corporate	Legal	Senator Hume	Court cases relating to mobile phones in detention	<p>Ms de Veau: There have been two court cases in relation to mobile phones in Australian detention centres. The first in time led to an injunction given I think by Justice Rares in the Federal Court preventing the removal of phones from that point in time in relation to the application of a policy that was designed to remove them. There was then a subsequent case that the department was successful in, but it was in the Federal Circuit Court, not the Federal Court. So, there have been two decisions, the second time in favour of the department and the first in time injunction the department. But because the first in time comes from the Federal Court, it still stands. So, we are just working through the finalisation of that particular case as well.</p> <p>Senator HUME: Do you have an indication of when that might be</p>	22 May 2017, Page 126

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					resolved? Ms de Veau: Not to hand, but I can get that information for you. Senator HUME: Thank you.	
BE17/060	Support	Detention Services (DSD)	Senator Watt	Garrison and welfare services Nauru RPC - Government of Nauru	Senator WATT: So the possibility of the Nauruan government taking over the delivery of these services has not been raised with the Nauruan government? Mr Nockels: We have not raised it directly with the Nauruan government. Senator WATT: And they have not raised it with you? Mr Nockels: I would have to check on that one. I cannot recall.	22 May 2017, Page 129
BE17/061	Policy	International	Senator Watt	Third country resettlement - New Zealand	Senator WATT: It has been noted. Have there been any discussions, diplomatic engagement or negotiations with New Zealand concerning their offer in, say, the last three months? Mr Pezzullo: I can say categorically there have been no negotiations. There have been, from time to time, diplomatic engagements on the question. On whether there have been in the last three months or not, I will have to refresh my memory. Senator WATT: Is anyone else aware of whether there has been anything in the last three months? Mr Pezzullo: Ms Noble—somewhere along the spectrum between a discussion and a diplomatic engagement. Ms Noble: That is right. No, I would have to take that on notice, because I know the two prime ministers, for example, have met in that time frame. I do not know whether they exchanged information about it.	22 May 2017, Page 131

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BE17/062	Visa and Citizenship Services	Community Protection	Senator Watt	Return and Reintegration Assistance Program Tender	<p>Senator WATT: The time frame for delivery of those services is 1 July 2017 through to 30 June 2019. Does that mean that it is expected that Australia will have prolonged involvement in our regional processing facilities over that time period, until 30 June 2019?</p> <p>Ms Zakharoff: No. I would not necessarily conclude that. The contract deals with both onshore returns and offshore. So it is certainly the case onshore, and that is the area I have particular interest in, but it is an all-encompassing contract. We will always need the services to support people to return home. Senator WATT: So it is to provide services to people who are in onshore detention who choose to return to their home country?</p> <p>Ms Zakharoff: In fact, it is not so much onshore detention; it is people who are in the community.</p> <p>Senator WATT: But it also does apply to people who are in regional processing facilities?</p> <p>Ms Zakharoff: That is correct.</p> <p>Senator WATT: Is any part of the services that are being tendered to offer services to people who are currently on Manus Island over that time frame?</p> <p>Ms Zakharoff: If it is okay, I will take that on notice and get that detail to you.</p> <p>Senator WATT: Okay. Similarly, I am interested if it envisages services being provided to people who are on Nauru as well.</p> <p>Ms Zakharoff: Certainly.</p> <p>Senator WATT: Thanks.</p>	22 May 2017, Page 131 & 132
BE17/063	Corporate	Legal	Senator McKim	Manus Good Friday Incident - Leak of footage breaching the Border Force Act	<p>Senator McKIM: Could I ask you to take that question on notice. I guess that will involve you satisfying yourself that I am not misleading you by saying that Mr Bolt has said that he has seen the CCTV footage. I can assure you that I am not, but if you want to double-check that, that is fine. Then, if you are satisfied that that is in fact what Mr Bolt has said, could I ask you to take on notice the follow up question, which is: could it—not would it; I am not asking you to make a legal determination—constitute a breach of section 42 of the Border Force Act? Will you take those matters on notice.</p> <p>Mr Pezzullo: I will check.</p>	22 May 2017, Page 132

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BE17/064	Support	Children, Community & Settlement Services (CCSS)	Senator McKim	Closure of Manus RPC	<p>Senator McKIM: In that case, we will deal with that tomorrow. I have some further questions on the Manus Island closure. Is the Australian government aware that there are amongst the detainees—or, in your terminology, the residents—on Manus Island a cohort of gay people?</p> <p>Mr Pezzullo: I believe there are, and I am aware of that, yes.</p> <p>Senator McKIM: Do you know how many there are?</p> <p>Mr Pezzullo: I do not have that readily to hand. If the deputy commissioner or other officers do, they can assist me. I have seen it reported that there are some persons who self-identify, but I do not know how many people there are.</p> <p>Senator McKIM: Would you have that figure available on notice? Would your information include it?</p> <p>Mr Pezzullo: It might.</p> <p>Senator McKIM: Could you take that on notice—</p> <p>Mr Pezzullo: Yes.</p>	22 May 2017, Page 135
BE17/065	Support	Children, Community & Settlement Services (CCSS)	Senator Watt	RPC Inquiry report recommendation s - independent child advocate	<p>Senator WATT: Sure. Has the government of Nauru expressed a position on the appointment of an independent children's advocate?</p> <p>Mr Pezzullo: Not in my recollection. As I said, it is not government policy and the government will consider the report, so it is not something that is front of mind. As to whether the government of Nauru has expressed a view, Ms Noble, can you recall?</p> <p>Ms Noble: I am not sure. We would have to take that on notice. They may have.</p> <p>Senator WATT: If you could take that on notice, that would be appreciated.</p>	22 May 2017, Page 138

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BE17/066	Policy	Immigration & Citizenship Policy	Senator Kim Carr	MACSM membership	<p>Mr Wilden: If I may, the membership is in the Migration Act. It prescribes specific broad categories of industry and state and territory governments. The membership of MACSM is proscribed as, broadly, industries, the state and territory governments and the unions. They are the required group. The actual membership, within those boundaries, is at the discretion of the minister.</p> <p>Senator KIM CARR: Perhaps you can give me on notice the precise details of the membership.</p> <p>Mr Wilden: Yes, we shall.</p>	23 May 2017, Page 3
BE17/067	Policy	Immigration & Citizenship Policy	Senator Kim Carr	457 Changes - Records of consultation with the Department of Education and training	<p>Senator KIM CARR: Okay. Which companies were consulted?</p> <p>Ms Noble: Again, as I described earlier, the Department of Education and Training ran a public submission process and extensive stakeholder consultations. We do not have the details of precisely who put in a submission to that process.</p> <p>Senator KIM CARR: This was before the announcement, was it?</p> <p>Ms Noble: That is right.</p> <p>Senator KIM CARR: I see. You would not have any record of any of these meetings, would you?</p> <p>Ms Noble: No. Those questions are better referred to the Department of Education and Training.</p> <p>Senator KIM CARR: Do you have any records at all of your consultations with the Department of Education and Training?</p> <p>Ms Noble: Yes, we will have.</p> <p>Mr Wilden: We have regular meetings, IDC processes et cetera.</p> <p>Senator KIM CARR: Is it possible to get access to the minutes of those meetings?</p> <p>Mr Pezzullo: We will take that on notice.</p> <p>Senator KIM CARR: Thank you. I would seek copies of the minutes of those meetings with the education department and with the department of industry, particularly around this issue of consultation with industry groups, whether it be the universities, the science agencies or companies that employ scientists.</p>	23 May 2017, Page 5

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BE17/068	Policy	Immigration & Citizenship Policy	Senator Kim Carr	457 Changes - Correspondence	<p>Senator KIM CARR: I see. Have there been many items of correspondence to the Department of Immigration and Border Protection in regard to these matters?</p> <p>Mr Pezzullo: I would not say 'many'. There has certainly been public commentary, which obviously comes into the department. I will have to take on notice how many discrete pieces of correspondence come to either me, the minister or officers of my department. I would not say we have been overwhelmed, but we have noticed the level of noise and the level of concern in some sectors, and it can all be addressed.</p>	23 May 2017, Page 5
BE17/069	Visa and Citizenship Services	Visa & Citizenship Management	Senator Kim Carr	457 Changes - Vice-Chancellors	<p>Senator KIM CARR: How many vice-chancellors are on 457 visas?</p> <p>Mr Pezzullo: I personally do not know. Mr Wilden might.</p> <p>Mr Wilden: We would have to take that on notice.</p>	23 May 2017, Page 5
BE17/070	Visa and Citizenship Services	Visa & Citizenship Management	Senator Kim Carr	457 Changes - university lecturers	<p>Senator KIM CARR: How many university lecturers are on the 457 visa list?</p> <p>Ms Noble: We will take that on notice.</p>	23 May 2017, Page 6
BE17/071	Policy	Immigration & Citizenship Policy	Senator Kim Carr	457 Changes - Feedback from stakeholders	<p>Senator KIM CARR: I am wondering, Mr Pezzullo, in terms of feedback you have had across government on these changes to the 457 visas can you provide copies of letters, emails and correspondence to the department or to the minister from stakeholders, individual companies, universities and medical research institutes?</p> <p>Mr Pezzullo: I would very happily take that on notice.</p> <p>Senator KIM CARR: Thank you.</p> <p>Mr Pezzullo: Can I take it, as inferred in your question, that that would involve getting their consent—</p> <p>Senator KIM CARR: I presume the normal protocols would apply.</p> <p>Mr Pezzullo: or do you demand it with the power of the Senate? I am just asking whether you are comfortable with us going back to them?</p> <p>Senator KIM CARR: I do not mind if you ask them, but I want it within a reasonable time.</p> <p>Mr Pezzullo: We will take it on notice and we will do it on the basis of consensual.</p>	23 May 2017, Page 10

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					<p>Senator KIM CARR: This could take considerable time under the normal communication system of this place, so I do want them within the normal time.</p> <p>Mr Pezzullo: We will do it within the notice period.</p>	
BE17/072	Policy	Immigration & Citizenship Policy	Senator Kim Carr	457 Changes - Cabinet meeting	<p>Senator KIM CARR: Have any government agencies expressed concerns about the change?</p> <p>Mr Pezzullo: The reforms were the subject of a cabinet process and it went to full cabinet so departments had a chance to express their views through the normal coordination course.</p> <p>Senator KIM CARR: What date was that cabinet meeting?</p> <p>Mr Pezzullo: I would have to take that on notice because we do not normally talk about the dates of cabinet meetings.</p> <p>Senator KIM CARR: Yes, you do, Mr Pezzullo. It is not a question of the conversation, but a question about the date on which a decision is made is normal.</p> <p>Mr Pezzullo: I stand corrected, Senator. You are right about the cabinet process in terms of dates. The announcement was on 20 April and it would have been some time before them so I will take that on notice.</p> <p>Senator KIM CARR: Thank you. I am interested to know when the process started.</p>	23 May 2017, Page 10

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BE17/073	Policy	Immigration & Citizenship Policy	Senator Kim Carr	457 Changes - Advice to MACSM	<p>Senator KIM CARR: What modelling was undertaken to support this process? Mr Pezzullo: The consultation with both the employment department the education department, which Ms Noble referred to earlier, did involve examination of the data that she spoke about. Whether that strictly met the definition of modelling, I will ask Ms Noble as I am not sure.</p> <p>Senator KIM CARR: So there is data analysis from the department of education and employment.</p> <p>Mr Pezzullo: The departments—plural. That was covered in the evidence you heard earlier. On whether that meets the strict definition of 'econometric modelling', I will defer to Ms Noble.</p> <p>Ms Noble: I think it would be better to direct those sorts of detailed questions to the Department of Employment and the Department of Education and Training. Other than the list I read out to you before, I do not have information about whether or not that would constitute econometric modelling.</p> <p>Senator KIM CARR: But the advisory committee would surely have records of that?</p> <p>Ms Noble: Are you talking about the Ministerial Advisory Council on Skilled Migration?</p> <p>Senator KIM CARR: Yes.</p> <p>Ms Noble: We would have to take that on notice.</p> <p>Senator KIM CARR: I would like to know what advice was presented to that committee on the impact of these changes.</p> <p>Ms Noble: We can take that on notice.</p> <p>Senator KIM CARR: In particular, I would like to know the effect on demand and on business operations.</p> <p>Ms Noble: We can certainly take that on notice.</p>	23 May 2017, Page 11
BE17/074	Policy	Immigration & Citizenship Policy	Senator Kim Carr	457 Changes - Agency feedback	<p>Mr Pezzullo: You asked about whether any agencies—not departments of state—have approached us. I will ask Mr Wilden whether he has any advice on that.</p> <p>Mr Wilden: To the best of my knowledge, no. We will go back and check the records, but to the best of my knowledge no agencies have approached us since the announcement with specific issues of concern.</p>	23 May 2017, Page 11

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BE17/075	Visa and Citizenship Services	Visa & Citizenship Management	Senator Kim Carr	457 Changes - percentage held by university lecturers	<p>Senator KIM CARR: I want to come back to the universities. I have two broad areas of concern. The effect on the innovation system is a broad concern, but, in the first instance, I am interested in the impact on the research community—universities and research agencies. Let us just take lecturers. Can you confirm that there are about 2,000 lecturers on 457 visas?</p> <p>Mr Wilden: We will confirm the number, but that is roughly correct.</p> <p>Senator KIM CARR: What percentage of the total number of 457 visas would that be? You can take that on notice.</p> <p>Mr Wilden: We will.</p> <p>Senator KIM CARR: Has that number changed in recent years? Has there been a significant influx of lecturers on 457 visas?</p> <p>Mr Pezzullo: We will take that on notice.</p>	23 May 2017, Page 11
BE17/076	Policy	Immigration & Citizenship Policy	Senator Kim Carr	457 Changes - reason for the reduction of the age limit	<p>Senator KIM CARR: There is an age limit of 45. Is that correct?</p> <p>Mr Wilden: The age limit has been moved from 50 to 45.</p> <p>Senator KIM CARR: Yes, to 45—is that correct or not?</p> <p>Mr Wilden: Unless an age exemption is applied.</p> <p>Senator KIM CARR: Explain to me, then, why not 50—or whatever number. Why 45?</p> <p>Mr Wilden: The productivity report that came out last year and looked at a broad range of issues around migration and its contribution to the economy et cetera provided a vast amount of information on the relevant economic outcomes for migrants. In particular, it went through the age profile of when they arrived, what their contributions are versus what the costs to the Australian government are. The short answer is: from the age of 45 on, if you arrive, you are likely to cost the taxpayer money as opposed to paying your own way. I can provide some more information on that, if you like.</p> <p>Senator KIM CARR: If you wouldn't mind. I am interested to know, specifically in regard to the innovation system, for senior academics and researchers why 45? Are we talking about specific circumstances, in regard to what actually goes on in the universities and research agencies for pre-eminent international research leaders? At 45 are you saying they are no longer of value to this country?</p>	23 May 2017, Page 12

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BE17/077	Policy	Immigration & Citizenship Policy	Senator Kim Carr	457 Changes - Minister Fifield's comments regarding unexpected consequences	<p>Senator KIM CARR: What I am wondering about here are the unintended consequences of the government's measures. Certainly Minister Fifield has indicated that and other ministers have said this, Mr Pezzullo. Minister Fifield, for instance, said to us on 17 May that the list will be updated on 1 July—</p> <p>Mr Pezzullo: And six months thereafter.</p> <p>Senator KIM CARR: to address any unintended consequences.</p> <p>Mr Pezzullo: That is what revised lists are for.</p> <p>Senator KIM CARR: That is right—but its unintended consequences. Clearly, the government now acknowledges there were unintended consequences.</p> <p>Mr Pezzullo: I have not seen the context of the minister's remarks. I will take that on notice.</p>	23 May 2017, Page 14
BE17/078	Support	Border Management	Senator Griff	Cooperation with ATO regarding visa overstays	<p>Senator GRIFF: Okay. My office actually knows of one individual who came to Australia on a tourist working visa, overstayed his visa, but continued to work with the same employer for a considerable number of years before he was tracked down. He actually paid tax over that period. Do you work with the ATO to identify overstayers? I would imagine that you would do so. Is that the case?</p> <p>Mr Quaedvlieg: I would have to take the specific response to that question on notice. We do work with other agencies such as the ATO in the conduct of the investigations I just talked about into terms of targeting entities. Whether we do that at an individual level I am not sure. There are some strictures in terms of the ability to share information particularly from the tax office. There needs to be certain task force type instruments established in order for information to be shared and obviously there are privacy principles that need to be adhered to in this country. That does not preclude interoperability and, as I indicated, we are working very closely with all our partners. Whether we do, which I think is inferred in your question, a regular data matching exercise in terms of individual visa holders against the payment of taxes I do not know and I will have to take that on notice.</p> <p>Senator GRIFF: I would appreciate hearing an answer on that one because that is obviously, you would imagine, a fairly easy task to undertake and an important one if people have been working for a</p>	23 May 2017, Page 19

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					number of years and are not supposed to be in this country.	
BE17/079	Visa and Citizenship Services	Refugee & Humanitarian Visa Management	Senator McKim	Legacy Caseload - Rohingyans yet to lodge protection claims	<p>Ms Lauman: By nationality, the 'not lodged' figures I have are for a slightly different date, I am afraid—14 May. That is slightly more up to date. The total was 7,194. The largest group that had not lodged were Iranian citizens: 2,853. The second largest group were stateless persons: 1,196.</p> <p>Senator McKIM: Can I just get you to pause there? Would 'stateless' include Rohingya?</p> <p>Ms Lauman: In many cases, yes.</p> <p>Senator McKIM: Do you have the number of Rohingya people within that global group?</p> <p>Ms Lauman: Not with me, no.</p> <p>Senator McKIM: Would you have the data to enable you to provide that on notice?</p> <p>Ms Lauman: We could have a look at whether we are able to pull that out.</p> <p>Senator McKIM: If were able to provide that on notice, that would be appreciated. Please keep going through your list.</p>	23 May 2017, Page 19 and 20

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BE17/080	Visa and Citizenship Services	Visa & Citizenship Management	Senator Kim Carr	Meat industry labour agreements	Senator KIM CARR: I understand. An easy way to fix this is if you could provide me with, for all meat industry agreements, what the minimum rates of pay were in those specific agreements that the minister signed off. Let's go back three or four years. Would that be sufficient? Do you think you could do that without too much— Ms Dacey: We will take it on notice.	23 may 2017, Page 23
BE17/081	Corporate	Finance/CFO	Senator Kim Carr	Fees for foreign skilled workers - forward projections	Senator KIM CARR: Why, then, is there an increase of \$30 million between 2018-19 and 2019-20? Mr Wilden: It is because we would anticipate more people will come in and be paying the levy. Senator KIM CARR: You believe there will be more people in two years time? On what basis do you make that calculation? Mr Wilden: I will take on notice the underpinnings of the fine-eyed detail, but the principle is there will be either more people or more people paying the higher costs. Senator KIM CARR: It is a logical guess that you will have more people. I want to know why you think there are either more people paying the levy or more people coming. Presumably the two things are related. Then you will also be able to tell me, surely, why it is that the revenue falls in the following year by \$20 million? What is your calculation there? Mr Wilden: We will take on notice the underpinnings and come back to you.	23 may 2017, Page 25
BE17/082	Corporate	Finance/CFO	Senator Kim Carr	Fees for foreign skilled workers - Number of visas relating to forward projections	Senator KIM CARR: Given what you have said—that this is all dependent on the numbers—I wonder if you could provide us with a breakdown on the numbers of temporary skilled visas that underpin those revenue forecasts by the financial year commencing 2017-18. Mr Wilden: Sorry? Senator KIM CARR: The number of visas. Mr Wilden: In each category? Senator KIM CARR: Yes, in each category, commencing 2017-18, on an annual basis. Mr Wilden: We will come back to you on that.	23 may 2017, Page 25

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BE17/083	Policy	Traveller, Customs and Industry Policy	Senator Kim Carr	457 changes - waivers for labour market testing under FTA	<p>Senator KIM CARR: I might come back to this question: the number of people issued with these visas will depend on the labour market testing, won't it?</p> <p>Mr Wilden: Labour market testing is only one element. The visas themselves, the temporary skilled shortage and the temporary skilled shortage medium, are both demand driven. We obviously made, with Treasury, a bunch of assumptions about volumes there. ENS and RSMS are parts of the permanent migration program, so they clearly would be set each year by the government.</p> <p>Senator KIM CARR: Is there any waiver for labour market testing within any free trade agreements?</p> <p>Mr Wilden: There are. There are exemptions under the free trade agreements.</p> <p>Senator KIM CARR: Which ones?</p> <p>Mr Wilden: I would have to come back with a complete list—but the majority. I know that most do have an exemption for labour market testing for specific categories.</p> <p>Senator KIM CARR: Could you provide that for me on notice?</p> <p>Mr Wilden: Sure.</p> <p>Senator KIM CARR: That should be relatively easy to get.</p>	23 may 2017, Page 25
BE17/084	Visa and Citizenship Services	Visa & Citizenship Management	Senator Kakoschke-Moore	Pathways to apply for Distinguished talent visa	<p>Senator KAKOSCHKE-MOORE: I understand that one of the requirements of that particular visa is that you are not able to be in Australia at the time that you make the application. Is that correct?</p> <p>Mr Wilden: There are two pathways. I will take on notice the technicalities, but there are two components—one if you are onshore and one if you are offshore.</p>	23 May 2017, Page 28

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BE17/085	Visa and Citizenship Services	Visa & Citizenship Management	Senator Kakoschke-Moore	Distinguished talent visa - Types of professions	<p>Senator KAKOSCHKE-MOORE: Sure. My further questions were around the breakdown of those visas. I am aware that elite sportspeople as well as artists and those who work in science professions are able to apply for this visa. Would you have a breakdown of the number of visas granted according to each of those broad occupational headings?</p> <p>Mr Wilden: We do not grant distinguished based on the occupation; we grant it based on the characteristics of the individual. The process is that they are sponsored in and, as part of that process, we determine whether or not they are distinguished. They have to be referenced by the appropriate authorities within their field of expertise. I am not sure but I do not think we can provide it as a breakdown of occupation per se.</p> <p>Senator KAKOSCHKE-MOORE: So you would not be able to have a look at the types of professions that the visas went to, only the characteristics of the person who applied?</p> <p>Mr Wilden: Again, I will defer to Ms Dacey. We may have something that talks in the broad. We do not have—if you were a tennis player, for example—a tennis player occupation necessarily, but we may be able to break it down into sport, science et cetera. We will see what we can do. We will take it on notice.</p>	23 May 2017, Page 28
BE17/086	Policy	Immigration & Citizenship Policy	Senator Hume	457 Changes - Raising of age limit in 2012	<p>Senator HUME: Right. Is there an age limit for permanent employer sponsor visas?</p> <p>Mr Wilden: Yes.</p> <p>Senator HUME: And that limit is 50?</p> <p>Mr Pezzullo: We might ask Mr Wilden to weigh in on that.</p> <p>Mr Wilden: We have it all here. In terms of age, currently, the employer-sponsored ENS, or the regional-sponsored visas, has an age limit of 50, with the occasional exemption.</p> <p>Senator HUME: How long has the limit been at 50?</p> <p>Mr Wilden: At least since 2012; possibly earlier.</p> <p>Senator HUME: So the age limit was increased five years ago from—my understanding is 45.</p> <p>Mr Wilden: Correct, and I think 2012 is about right, but I will come back to you on notice on that.</p> <p>Mr Pezzullo: Was it raised?</p>	23 May 2017, Page 34

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					<p>Mr Wilden: Yes, it was raised from 45 to 50.</p> <p>Senator HUME: So what evidence was there that informed that decision to raise the age limit?</p> <p>Mr Wilden: I would have to go back and look at that.</p>	
BE17/087	Policy	Immigration & Citizenship Policy	Senator Hume	457 Changes - age limit exemptions	<p>Mr Wilden: Under the new visa, or the new conditions, direct entry from 1 July 2017 will have an age limit of 45, and the transition scheme from 457s will stay at 50. Then in ENS/RSMS phase 4, which is March next year, it will be 45 for both those visas.</p> <p>Senator HUME: But there are exemptions to that?</p> <p>Mr Wilden: Some exemptions will apply in the future, but we have not worked out what we wish to carry from the exemptions forward. That goes to very specific individuals, if you like, who may be just over the proposed age limit. Particularly in the upper echelons—CEOs, et cetera—there may be good reason to waive that age requirement.</p> <p>Senator HUME: Do we have categories of exemptions, or are they a case-by-case—</p> <p>Mr Wilden: I will take that on notice to get the full detail for you.</p>	23 May 2017, Page 34
BE17/088	Policy	Immigration & Citizenship Policy	Senator Hume	457 Changes - other countries' processes in relation to police checks	<p>Senator HUME: Who did the request?</p> <p>Mr Wilden: We did. If our visa officer had cause to believe that we needed to get a police clearance from a person's country of origin or countries where they have lived, we could ask for it. This is now mandatory. It will be a mandatory requirement to have your police checks. As well as that, the concept of caveats, which were used but only in very, very small circumstances in the past, has been, if you like, beefed up under the new arrangements for specific occupations. The caveats will be where an occupation may have a very broad description of its roles and how they might be performed. In some cases, we have seen, in certain industries or occupations, a very liberal interpretation of that made. Therefore, the caveat we apply to that occupation may be specifying which of the elements of that occupation will qualify and which do not. Perhaps a good example would be in the hospitality area. 'Cook' is a very broad category. We want to make sure that businesses who have a valid requirement for someone of that skill level have it, but we rule out takeaway joints, fast food establishments et cetera.</p>	23 May 2017, Page 35

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					<p>Better defining within the category the caveats on what is in or what is out enables us to manage integrity far better than we were able to in the past.</p> <p>Senator HUME: Can I go back to police checks. I am astounded that they were not mandatory in the first place. For programs equivalent to this in other countries, surely other countries would require mandatory police checks?</p> <p>Mr Wilden: I would have to take that on notice.</p> <p>Mr Pezzullo: I can reflect on that to some extent, having had most of my career in the defence, national security, intelligence and the customs world. The immigration administrations of the world are probably the last that are coming to strict law enforcement and national security practices. It does not surprise me that both the internal culture and the legislation that sits around the culture tends to see these things as more discretionary. Frankly, it would surprise both the commissioner and I, given the background that we have, that these matters were left in the discretion of officers. If you had an officer who was a bit more, shall we say, determined to get to the bottom of integrity, they could be a bit more active. Others, who are just putting grants through, perhaps took a different view.</p>	
BE17/089	Policy	Immigration & Citizenship Policy	Senator Hume	457 Changes - Employer levies	<p>Senator HUME: Do employers have an existing financial obligation which requires them to train Australians?</p> <p>Mr Wilden: They do, and it can be done in two ways. The first is under a category, which was called training benchmark A, which is a current requirement of a 457. If you select A, you have to be spending at least two per cent of the payroll into an industry training fund that operates in the same industry as the business. If you choose training benchmark B, that is expenditure equivalent to at least one per cent of payroll of the business on the provision of training two employees in the business.</p> <p>Senator HUME: So does this new levy fully replace that existing obligation?</p> <p>Mr Wilden: It does.</p> <p>Senator HUME: And the levy is tax deductible—is that correct?</p> <p>Mr Wilden: I will have to check that; off the top of my head, I cannot</p>	23 May 2017, Page 36 and 37

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					recall, .	
BE17/090	Visa and Citizenship Services	Refugee & Humanitarian Visa Management	Senator McKim	Legacy caseload - Legal assistance	<p>Ms Zakharoff: I will just check with Ms Lauman if we have got the breakdown that you have requested.</p> <p>Ms Lauman: We have some of those figures. We have got about 500 people who have been referred to PAIS providers who are in the process of making their application.</p> <p>Senator McKIM: Is that 500 of the 2½ thousand that was just mentioned?</p> <p>Ms Lauman: That might be in addition to. I will have to clarify.</p>	23 May 2017, Page 38
BE17/091	Visa and Citizenship Services	Refugee & Humanitarian Visa Management	Senator McKim	Legacy caseload - Individuals who engaged and disengaged legal assistance	<p>Ms Lauman: In terms of people who did not respond to the department's invitation to access those services, we had only 14 people who had not responded to that, but I understand that there were people who had been referred to a provider and during that exchange did not continue their relationship. But I do not have a firm figure on that.</p> <p>Senator McKIM: Okay, but they would not be caught in the 14 people?</p> <p>Ms Lauman: No.</p> <p>Senator McKIM: Would you have a figure in your datasets in the department?</p> <p>Ms Lauman: We would probably be working through that at the moment with the PAIS providers, so we might not have it now—</p> <p>Senator McKIM: If you could respond on notice to the best of your capacity, thank you.</p>	23 May 2017, Page 38

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BE17/092	Visa and Citizenship Services	Refugee & Humanitarian Visa Management	Senator McKim	Legacy caseload - Legal assistance costs in comparison to original projections	<p>Senator McKIM: If you could respond on notice to the best of your capacity, thank you. What has been the total cost of government funded legal representation and the number of clients that have been assisted through PAIS?</p> <p>Ms Lauman: Sorry, I have got the figures for the two different programs together and I am just trying to pull them apart.</p> <p>Senator McKIM: What is the other one, apart from PAIS?</p> <p>Ms Lauman: The IAAAS, which is the more general one. The cumulative figure I have here for PAIS services for IMAs and UAAs between 2012 and 2017 is \$3.4 million.</p> <p>Senator McKIM: Do you have a breakdown of that in financial years?</p> <p>Ms Lauman: It was almost solely accrued in 2015-16, which was \$2.2 million, and this financial year, which was \$1.2 million.</p> <p>Senator McKIM: How do those figures compare to the cost initially projected by the department?</p> <p>Ms Lauman: We would have to take that on notice.</p> <p>Senator McKIM: This is a very general question, but is the actual expenditure significantly less than the budgeted expenditure?</p> <p>Ms Lauman: We would need to take that on notice.</p> <p>Senator McKIM: In those figures you have provided to me, given that we have talked about the number of people assisted and also the cost, do you have a cost-per-person-assisted figure?</p> <p>Ms Lauman: We do, but I am not sure it is in the papers, so I might need to come back to you on that.</p>	23 May 2017, Page 38 and 39
BE17/093	Visa and Citizenship Services	Refugee & Humanitarian Visa Management	Senator McKim	Legacy caseload - Legal assistance PAIS eligibility	<p>Senator McKIM: So, of that 7,194, only 500 have been assessed as eligible for PAIS support. Are the criteria publicly available? How do you assess eligibility?</p> <p>Mr Pezzullo: I think we have given evidence on that before, and it might be that the—</p> <p>Senator McKIM: I am happy for you to take that on notice.</p> <p>Mr Pezzullo: I think we have tabled it in this committee before, if memory serves me.</p> <p>Senator McKIM: If you have, that is fine; if you have not, perhaps you could provide it through the response on notice.</p> <p>Mr Pezzullo: Yes, we will.</p>	23 May 2017, Page 39

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BE17/094	Visa and Citizenship Services	Refugee & Humanitarian Visa Management	Senator McKim	Legacy caseload - Legal assistance migration agents	<p>Senator McKIM: Of current lodgements, do you know how many have been represented by a migration agent?</p> <p>Ms Lauman: It is a very difficult figure to discern. As a large number of people are being assisted by pro bono service providers who are only assisting up to the point of lodgement, the rate of declaration of agents, which is what we would normally use to collect that information, is not a true sense of people who are receiving advice in one form or another.</p> <p>Mr Pezzullo: But, insofar as we know that there are agents involved, they are declared to us, so we can answer the question in relation to the data that we have about the knowns.</p> <p>Senator McKIM: The ones that have been declared—</p> <p>Mr Pezzullo: We will take that on notice.</p>	23 May 2017, Page 39
BE17/095	Support	Border Management	Senator Griff	Length of overstays	<p>Mr Williams: In terms of the length of overstay within the time bands of that total number of 64,600, the current figures for 2016 show that those who have overstayed one month or less is 2,290; one to two months is 1,510; two to three months is 1,270; three to four months is 1,590; four to five months is 890; five to six months is 710; six to seven months is 870; seven to eight months is 740; eight to nine months is 680; nine to 10 months is 650; 10 to 11 months is 770—I can add that up in a second and give you the full year—and 11 to 12 months is 570. Then we go by year. Those who have overstayed one to two years is 5,980 and it diminishes from there: two to three years 4,720; and three to four years 3,830. It continues to drop from that level. Do you want me to provide—</p> <p>Senator GRIFF: If we can have that on notice that would be fine.</p> <p>Mr Pezzullo: Was I right in thinking that—</p> <p>Senator GRIFF: What is the highest category?</p> <p>Mr Williams: I have it at 15 years or more. I do not have a number for the longest.</p> <p>Mr Quaedvlieg: We will provide the schedule to you on notice, Senator, if you would like that.</p> <p>Senator GRIFF: Thank you.</p> <p>CHAIR: We will suspend for lunch.</p>	23 May 2017, Page 42

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BE17/096	Policy	Immigration & Citizenship Policy	Senator Watt	Citizenship test - english language capability	<p>Senator WATT: Before I deal with the English-language testing aspect, what modelling has been done to determine the proportion of people who are currently gaining citizenship who would not qualify for citizenship on the basis of these new tests?</p> <p>Mr Pezzullo: Or would find it harder to qualify. I think that is probably the better way to put it. Mr Wilden?</p> <p>Mr Wilden: It is very hard to model the starting point, because there are a number of unknowns.</p> <p>Mr Pezzullo: But are they known unknowns?</p> <p>Mr Wilden: They are known unknowns. There are several known unknowns such as a person's current standard of English. We do not test for it; that does not mean they do not possess it. In those respects, it is very hard to say. There is a large group of people who come through who are from English-speaking countries and whom you would expect to pass. There is the group who come through the direct-entry skill program who are going to be requiring English language at that level. So there is a number of cohorts who already would meet that standard based on those profiles. There is another group that, obviously, we know might have a slightly longer journey because they will have to focus on their English language if they are from non-English-speaking and disadvantaged backgrounds such as refugee humanitarian. And there is a group in the middle where we do not have enough information about their current level of English to know how that will translate.</p> <p>Mr Pezzullo: To add to Mr Wilden's evidence: I think it is also the case that the other known unknown is the number of people who otherwise would have failed or not successfully passed the test—let's put it that way—at the third attempt who now are coming back for a fourth, fifth or whatever number of attempts to eventually get to a point where they have passed the test. Do we have data on how many people go beyond three?</p> <p>Mr Wilden: Yes. I do not have it available. We can provide on notice the number of attempts people do make. Those who pass—</p> <p>Mr Pezzullo: So that is another variable.</p> <p>Mr Wilden: That is right, yes. There is a high pass mark for the first</p>	23 May 2017, Page 43
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					attempt, but you very quickly get to the need for many people to have multiple attempts.	
BE17/097	Policy	Immigration & Citizenship Policy	Senator Macdonald	Statistics of refugee acceptance	<p>CHAIR: Okay. I think I know the answer to this, but I always like to ask it and be reassured: on a per capita basis, where does Australia rate in its acceptance of refugees?</p> <p>Mr Wilden: I would want to confirm. Obviously, based on the last few years, we have seen additional places offered. But we are, as I said, always in the top three. In the ratio against GDP, settlement per person against GDP, we often rate first. I will come back to you with more detail on those, on notice.</p>	23 May 2017, Page 47
BE17/098	Policy	Immigration & Citizenship Policy	Senator Kim Carr	457 Changes - correspondence from the racing industry	<p>Senator KIM CARR: Thank you very much. If I can return to this 457 issue, I am wondering if I could ask some questions about the racing industry.</p> <p>Mr Wilden: Please do.</p> <p>Senator KIM CARR: I am told that the economic value of the racing industry to the national economy is about \$5 billion annually, including \$1 billion contributed by federal-state taxation, \$2 billion through exports and imports, and regional areas representing more than \$2.2 billion of the industry's contribution to GDP. I am wondering: has the department received any correspondence from members of the racing industry expressing concerns about changes to the skilled visas?</p> <p>Mr Wilden: Yes.</p> <p>Senator KIM CARR: What is the nature of that correspondence?</p> <p>Mr Wilden: We have had face-to-face meetings with Mr Barry O'Farrell. I cannot remember his exact title, but he heads the industry group for that industry. We have had several meetings with him to hear representations. I will have to check if he has actually provided this, but he was going to provide a submission as well on issues that they wanted explored.</p> <p>Senator KIM CARR: Is that the only correspondence you have had?</p> <p>Mr Wilden: I was just going to point out that Thoroughbred Breeders</p>	23 May 2017, Page 47

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					Australia have also engaged with us. But we can come back to you on notice with the full list of everyone from that sector.	
BE17/099	Visa and Citizenship Services	Visa & Citizenship Management	Senator Kim Carr	457 Changes - horse trainers	<p>Senator KIM CARR: Does the department have any advice or information on the number of people who have come to Australia in the horse trainer category over the last 10 years?</p> <p>Mr Wilden: We could get those numbers for you on notice.</p> <p>Senator KIM CARR: Thank you. And how many of those people have gone on to secure permanent residency?</p> <p>Mr Wilden: We will take that on notice as well.</p> <p>Senator KIM CARR: Thank you very much. Have you had any representation about any of these people taking jobs from Australians?</p> <p>Mr Wilden: Representations?</p> <p>Senator KIM CARR: Any representations about these people taking jobs from Australians.</p> <p>Mr Wilden: I would have to go back and check the record.</p> <p>Senator KIM CARR: Would you do that for me?</p> <p>Mr Wilden: Certainly.</p>	23 May 2017, Page 48
BE17/100	Corporate	Executive	Senator Kim Carr	Liberal party link on DIBP website	<p>Senator KIM CARR: Is the department's website providing a link to the coalition's election policy proposals for this visa?</p> <p>Mr Pezzullo: I am not sure that we would do that, no.</p> <p>Senator KIM CARR: You are not sure you would do it?</p> <p>Mr Pezzullo: Well, I do not know that it is material. The coalition was returned, and it has given us directions as to what its policy priorities are.</p> <p>Senator KIM CARR: I see.</p> <p>CHAIR: I think if the department were putting in coalition policies as their website, there would be all sorts of problems.</p> <p>Senator KIM CARR: Sorry? So you say that is not true. It is not true—the department is not providing a link to the coalition's election</p>	23 May 2017, Page 50 (further discussion on page 51 and 53)

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					<p>policy—</p> <p>Mr Pezzullo: I am not sure. Unless it is through the minister's web page, which we might administer. But no; ordinarily, I cannot think of an arrangement where we would provide a link straight to a Liberal Party—or indeed any political party—policy. Unless it is, if you like, stepped through the minister's web page. I just do not know.</p> <p>Senator KIM CARR: Would you take that on notice, Mr Pezzullo?</p> <p>Mr Pezzullo: I will gladly look at it, and if we are providing a link directly to it—</p>	
BE17/101	Policy	Immigration & Citizenship Policy	Senator Kim Carr	Number of submissions for temporary parent visa discussion paper	<p>Senator KIM CARR: Let us go to the specifics. How many submissions have been made on the discussion paper?</p> <p>Mr Pezzullo: I am sure my officers can attend to that.</p> <p>Mr Wilden: I will have to take that on notice. That was from late last year and included a range of public consultations that Assistant Minister Hawke undertook as well.</p>	23 May 2017, Page 52
BE17/102	Policy	Immigration & Citizenship Policy	Senator Kim Carr	Temporary parent visa discussion paper - One set of parents per household	<p>Senator KIM CARR: Yes. Is there another fee?</p> <p>Mr Wilden: No, there is only the visa application charge. There is an initial application fee of \$420, then there is the visa application charge of \$10,000 for a five-year stay or \$5,000 for a three-year stay, as well as requirements around adequate health insurance et cetera—they need to provide assurance that they will not require access to Australian services.</p> <p>Senator KIM CARR: It has been put to me that some people have felt misled about the conditions of the visa. Have you had any representations on the question of what the conditions of the visa are?</p> <p>Mr Wilden: No. The consultation last year was obviously quite broad and drew out a number of differing views around length of stay, charges et cetera. They were brought together and put to the government, and the government made the decisions on the current policy settings.</p> <p>Senator KIM CARR: The policy suggests the new visa would be limited to one set of parents per household—that is two people at any one time. What is the rationale for that?</p> <p>Mr Wilden: I will have to confirm that; I am not sure that is an actual</p>	23 May 2017, Page 52

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					<p>requirement.</p> <p>Senator KIM CARR: Can you confirm if that is the case, please.</p> <p>Mr Wilden: Yes, I will take that on notice and confirm.</p> <p>Senator KIM CARR: How much additional revenue will</p>	
BE17/103	Corporate	Executive	Senator Roberts	senior executive salaries and positions	<p>Senator ROBERTS: Could you, perhaps on notice, provide me with not the names but the titles of everyone in your department who is on a salary of \$250,000 or more, please?</p> <p>Mr Pezzullo: We can do that on notice, yes.</p> <p>Senator ROBERTS: Thank you.</p> <p>Mr Pezzullo: Is that by classification?. When you say 'by title', Senator—</p> <p>Senator ROBERTS: Position title.</p> <p>Mr Pezzullo: When you say 'Assistant secretary for whatever' then, even if you do not have the name, it will be clear who they are.</p> <p>Senator KIM CARR: The annual report specifies categories, and I do not think you need to put individual officers' names. That has been our custom and practice for some time.</p> <p>CHAIR: You can have the category of deputy secretary.</p> <p>Mr Pezzullo: We have the category of deputies and they are paid within a range that I determine, so we will give you the range. You will not necessarily be able to work out which deputy gets which salary.</p>	23 May 2017, Page 54

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BE17/104	Visa and Citizenship Services	Visa & Citizenship Management	Senator Roberts	Muslim migrants - number that have entered australia since change of government in 2013	<p>Senator ROBERTS: I refer you to your single paragraph response to my previous estimates questions that you took on notice on 27 February. In my previous questions I asked:</p> <p>... how many Muslims have come into the country since you stopped the boats in 2013 and whether or not you do check on their ability and willingness, once they have settled in Australia, to assimilate and integrate?</p> <p>In response you merely rattled off your department's mantra that: Australia's migration ... is non-discriminatory. The Department does not require applicants to state their religion as part of the visa process, except where they choose to disclose this information as part of a protection claim.</p> <p>That does not answer my question. Whether or not you or your department is indiscriminate in allowing people into this country is in itself an issue of concern but that is irrelevant to what I asked. Equally, if applicants are not required to state their religion, that does not prevent you from providing me with the number of individuals who did. So, again, I ask you to please provide me with all your available data on the number of Muslims coming to Australia even if this is not complete. To claim that you cannot supply anything because what you provide me would not be complete, in my view, is not valid. So could you please provide that?</p> <p>Mr Pezzullo: We will take that on notice.</p>	23 may 2017, Page 54
BE17/105	Visa and Citizenship Services	Visa & Citizenship Management	Senator Roberts	Total number of migrants since change of government in 2013	<p>Senator ROBERTS: Please also provide the total number of immigrants in every immigration category by country of origin who have migrated here since the previous Liberal government stopped the boats in 2013.</p> <p>Mr Pezzullo: Country of origin is much simpler.</p> <p>Senator ROBERTS: Please do not try to refer me to annual reports or websites. I would like the actual numbers.</p> <p>Mr Pezzullo: We have taken it on notice, Senator. We know how to answer questions on notice.</p>	23 may 2017, Page 55

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BE17/106	Visa and Citizenship Services	Visa & Citizenship Management	Senator Roberts	Applicants to enter the country with multiple wives	<p>Senator ROBERTS: I am a servant to all the people of Queensland. However, I tend to listen much more easily to people who are strong supporters of ours because they are talking to us all the time. They have a moral compass and a strong work ethic so that drives this next question. How many Muslims who have multiple wives have been applying to immigrate to Australia in the last decade?</p> <p>Mr Pezzullo: I would need to take on notice that question. I am not sure how many Muslims because of the earlier answers I have given you. But how many people who have got more than one wife?</p> <p>Senator ROBERTS: Perhaps the number of Muslims with more than one wife and the number of non-Muslims with more than one wife.</p> <p>Senator PRATT: It is not the only religion that has multiple spouses.</p> <p>Senator ROBERTS: That is correct, but we would like to know that.</p> <p>Mr Pezzullo: We will take that on notice.</p>	23 May 2017, Page 57 & 58
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BE17/107	Visa and Citizenship Services	Refugee & Humanitarian Visa Management	Senator McKim	Legacy caseload - difference in time frames with legal assistance and without	<p>Senator McKIM: Does the department have statistics on the difference in time frames for applications lodged by claimants represented by lawyers as opposed to those that are not?</p> <p>Mr Pezzullo: I am not sure; Ms Lauman might. I have taken advantage of the last couple of minutes to refresh my memory about the lodgement statistics generally, which do not discriminate between lawyer assisted and nonlawyer assisted but might materially assist with answering elements of your question. It is not to say that all of these persons received the reminder letters, but, once the reminder letters started in earnest, between December 2016 and May 2017, 6,000 persons that fit within the legacy case load definition have applied. At that strike rate—if you use a cricket analogy—we are confident that between May and October we should be pretty close to full lodgement. In other words, the volume that is coming in would be consistent with the lodgement of all applications, with maybe some exceptional circumstances—a handful may not have been in by October. Of that 6,000, or of the ones that have been received more recently, how many have been assisted by legal practitioners and how many have not been? I do not know, but Ms Lauman might know.</p> <p>Senator McKIM: Do you have the datasets to enable you to answer that question on notice?</p> <p>Mr Pezzullo: Possibly, with the exception that, if you go back to the evidence given before one of the breaks, declared migration agents are known to us but, in some cases, pro bono legal assistance might well have been rendered, which is not visible to us. I am not sure that our data has captured all instances where pro bono legal assistance has been provided.</p> <p>Senator McKIM: I will ask you to take that on notice.</p> <p>Mr Pezzullo: Can we answer that question now or on notice, Ms Lauman?</p> <p>Ms Lauman: For the same reason, we would not have it now, but we can take it on notice.</p> <p>Mr Pezzullo: The aggregate strike rate is looking good, but the question specifically has to be taken on notice.</p>	23 May 2017, Page 59 & 60
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BE17/108	Operations	Detention and Offshore Operations Command	Senator McKim	Capacity of Immigration Detention Network	<p>Senator McKIM: I think this next question will be one for the commissioner, and I am talking about onshore detention here as opposed offshore. What is your current percentage of capacity—I am not quite sure what terminology you use—that your centres are running at as a whole, including Christmas Island? And the corollary is: how many vacancies do you currently have?</p> <p>Mr Quaedvlieg: I might take the comprehensive answer on notice. We currently have about 1,400 persons in our onshore detention network. We are not running at full capacity; in fact, we are on a downward trajectory.</p> <p>Senator McKIM: What would full capacity be onshore?</p> <p>Mr Quaedvlieg: The answer to that is a bit more complex. It depends on how long those persons are going to be in the detention centres. If they are in there for any length of time, then obviously we would want to ensure appropriate amenity. If we have to, on a short-term basis surge, things like double bunking—which we discussed yesterday—is possible. I will take some advice on the maximum capacity, but I should make the point that, even at maximum capacity, we are not going to be able to detain in held detention the entirety of the legacy case load. I think that is where you are going with your questioning.</p> <p>Senator McKIM: That is part of it. You have said you will take that on notice.</p> <p>Mr Quaedvlieg: I will, yes.</p> <p>Senator McKIM: When you provide that, could you provide the answer in terms of your total capacity under normal operating conditions and then also, as you say— Mr Quaedvlieg: Under extraordinary ones.</p> <p>Senator McKIM: if you have a surge. I do not know whether there are a few steps from your normal operating capacity up until you are absolute, stretched maximum.</p> <p>Mr Quaedvlieg: Yes. I will give you the various layers, and the reason I say that is that we have facilities that are in dormancy, if you like, that could be regenerated if we needed to on a requirement. I should add this caveat, though: just because a person is on a removal pathway out of the country, that does not necessarily mean they need to be in held detention.</p>	23 May 2017, Page 60 & 61
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BE17/109	Visa and Citizenship Services	Refugee & Humanitarian Visa Management	Senator McKim	Support to protection visa applicants	<p>Senator McKIM: I hear from the sector that it is about six to eight hours of support required to fill out this form.</p> <p>Mr Pezzullo: I think what Ms Lauman said is that, in the pilot at least, the translated element of it was in the order of 2½ hours.</p> <p>Senator McKIM: That is right. My question then becomes: through that pilot, are you able to differentiate between the provision of supports for other things and support for the filling out of the 866 form?</p> <p>Ms Lauman: I am not sure whether we would have the data on that. I would have to take that on notice.</p> <p>Senator McKIM: Could you just have a look, take it on notice and let me know through the process. Thank you. That is my alarm bell going off, Chair.</p>	23 May 2017, Page 61
BE17/110	Policy	Immigration & Citizenship Policy	Senator Ketter	Family Violence provisions - comparison to existing provisions	<p>Senator KETTER: I understand that there are already family violence provisions in effect that came into operation in November 2012.</p> <p>Mr Wilden: I would have to take that on notice. I would have to refresh myself about what the changes were in 2012.</p> <p>Senator KETTER: Okay. These were to streamline the evidence that applicants need to provide when making a non-judicial claim of family violence.</p> <p>Mr Wilden: I will just have to familiarise myself, so I will take on notice what the nature of those changes is and how they relate to the current changes.</p>	23 May 2017, Page 64
BE17/111	Visa and Citizenship Services	Visa & Citizenship Management	Senator Ketter	Family Violence provisions - number of family violence claims by visa type	<p>Senator KETTER: My questions relate to the existing provisions that are in place at the moment, not the ones that are down the track. Perhaps I will go back and ask those questions again in that context.</p> <p>Ms Dacey: I have got some statistics, if you are looking for that sort of assistance.</p> <p>Senator KETTER: Yes.</p> <p>Ms Dacey: I have got from 2013-14 to 2014-15, 2015-16. I can give you numbers of total claims, numbers of judicial evidence, numbers of non-judicial evidence and numbers that were agreed by the independent expert. Is that the sort of data that you are looking for?</p> <p>Senator KETTER: Yes. That would be helpful. In terms of the length of time it takes to process one of those applications?</p> <p>Ms Dacey: I do not have that particular piece of data in front of me.</p>	23 May 2017, Page 64

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					<p>We can take it on notice.</p> <p>Senator KETTER: Are you able to provide information on the number of family violence claims by visa type?</p> <p>Ms Dacey: Not with me. I am happy to take it on notice and see what we can get you. But it is typically in the partner space.</p> <p>Senator KETTER: Typically—I am sorry?</p> <p>Ms Dacey: Partner visas.</p>	
BE17/112	Visa and Citizenship Services	Visa & Citizenship Management	Senator Ketter	Family Violence provisions - Permanent residency	<p>Senator KETTER: Of the people that applied for family violence provisions, how many were granted permanent residency?</p> <p>Ms Dacey: I will take that as well. Senator, just to give you a headline number: last year there were 458 claims, and that represents 0.3 of our unfinalised applications on hand, which is 150,000. I am just doing a scan back over those four years that I was talking to you about, and that 0.3 figure is fairly static.</p> <p>Senator KETTER: Of the people that applied for family violence provisions, how many were denied?</p> <p>Ms Dacey: I would have to take that on notice.</p> <p>Senator KETTER: Are you able to advise what is the most common reason for declining an application under the family violence provisions?</p> <p>Ms Dacey: Again, I will take that on notice.</p> <p>Senator KETTER: How many claims included where children were involved in the case?</p> <p>Ms Dacey: I will add that to the question.</p>	23 May 2017, Page 64 and 65

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BE17/113	Visa and Citizenship Services	Visa & Citizenship Management	Senator Ketter	Process for becoming a Migration Agent	<p>Senator KETTER: I will just keep going with my questions. How many migration agents are registered in Australia?</p> <p>Ms Dacey: As at 31 March this year, there were 6,861 registered migration agents.</p> <p>Senator KETTER: What processes do people have to go through to become registered as a migration agent?</p> <p>Ms Dacey: I will probably take it on notice to make sure I give you the right detail. They go through a period of qualification and a professional association, but I do not want to use the wrong language, so, if it is okay, I will give you that on notice.</p> <p>Senator KETTER: All right.</p>	23 May 2017, Page 66
BE17/114	Visa and Citizenship Services	Visa & Citizenship Management	Senator Macdonald	Change in legislation for lawyers becoming Migration Agents	<p>CHAIR: Senator Ketter, your time has expired, so we might go to another senator. A lot of these issues were dealt with by other senators, I might say, including, I think, by some of your own. On the migration agents, to be helpful, I think last year we changed it to include an arrangement where all lawyers would become agents—is that right, Ms Dacey?</p> <p>Ms Dacey: One of the recommendations for the most recent review of what was then the OMARA was that lawyers be taken out of the migration stream on the basis that they were already professionally accredited through the Law Council et cetera. There is some draft legislation out there at the moment, but it has not been enacted, so technically they still remain in the scheme.</p> <p>CHAIR: Yes. That was something that we dealt with previously. A lot of lawyers say to me, 'Why do we have to sit for these exams when—you know?'</p> <p>Ms Dacey: I think the draft legislation is out. I am not sure if it has been introduced.</p> <p>Mr Pezzullo: We are not sure. We will just check. The exposure draft is out there. I am not sure that it has been introduced.</p>	23 May 2017, Page 66

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BE17/115	I&C	Intelligence	Senator Hume	IMAs without Identity documents	<p>Mr Pezzullo: It will not be exact for this reason. I know that the department, both under my leadership and previously, has given evidence to this before, so I would want to be consistent with that evidence. If we have learnt more since, I would want to revise that evidence. My experience, having been in the customs service going back to 2009, is that the majority of persons arrive without some form of documentation absolutely. Others arrive with some. Very few arrived with what we would consider to be an adequate suite of identity documents. I might just take this on notice, because I know that in various estimates, going back eight years now, myself, my predecessor and his predecessor gave evidence on the proportionality of arrivals' documentation: fraudulent documentation, destroyed documentation et cetera. I would like to review all of that. We probably do have further and better particulars now, because as these claims have come in we have been able to say, 'Well, here is who you originally said you were. New information has come to light.' We, in fact, will give this committee a revised and updated answer that takes into account all that previous data plus our latest information.</p> <p>Senator HUME: That would be terrific. So you can that on notice?</p> <p>Mr Pezzullo: Yes, and we will go back over the entire group of 50,000 arrivals.</p>	23 May 2017, Page 66
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BE17/116	Visa and Citizenship Services	Community Protection	Senator Macdonald	Cancellations - Protection claims	<p>Mr Pezzullo: Under the act there are slightly different constructions under section 109 or section 116(1)(d). We can get you further and better particulars on that. Senator Roberts, that gives a cumulative running total of 278. But I wish to advise the committee—and I have decided to release this information after taking advice—that currently for these material reasons, the ones that I have specified, we have 335 current protection visa holders. That is not to say that all those visas will be cancelled. I want to stress that those will not all be cancelled. They have to go through fair and reasonable process in terms of determination. Three hundred and thirty-five visa holders are currently being considered for cancellation for these reasons. The commissioner and I have decided to keep this project on foot, largely for the reasons that we explained in response to Senator Hume's line of questioning. Until we can get to the bottom of many of the identity issues, as well as the issues of return to country of origin, we intend to keep this project going.</p> <p>CHAIR: Mr Pezzullo, do you have a tabulated form for what you have just told us?</p> <p>Mr Pezzullo: We could fairly easily prepare one, yes.</p> <p>CHAIR: We can get it from Hansard but sometimes a tabulated form is easier.</p> <p>Mr Pezzullo: We could prepare such a document.</p> <p>CHAIR: I think they are very important statistics you have given. We were talking about six yesterday.</p> <p>Mr Pezzullo: We were talking about six. They were the subject of some public attention because the AAT had subsequently set aside the revocation decision, I think.</p> <p>CHAIR: How many of those you have just mentioned are now subject to appeal to the AAT?</p> <p>Mr Pezzullo: Mr Chairman, we know each other too well; I thought you were going to ask that. I have that work currently underway but I do not know that I will get it to you by the end of proceedings. I have asked the question: how many of the cancellations are the subject of either merits review and/or judicial review? I do not know if Ms de Veau can give us an indication of when that information might come to</p>	23 May 2017, Page 69 & 70
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					<p>hand. It might require a bit of analysis that will extend beyond this evening.</p> <p>CHAIR: I know you all hate doing this but can you give me a feel for whether it is a lot or a little? I know that you do not want to say but are we talking about one or two or are we talking about 50 per cent or more?</p> <p>Ms de Veau: In relation to the 109 provision, the provision under which the visa is cancelled because the information is incorrect, I took on notice a question from Senator Hume yesterday that applied to both temporary and permanent visas, and the answer is: yes, it does. It would be any delegate's decision to cancel under 109, and you would think that would almost inevitably lead an applicant who has held a visa that has been cancelled to seek merits review in the AAT because in a sense there is not much to be lost.</p> <p>Mr Pezzullo: In other words, there is a very high probability of merits review.</p> <p>CHAIR: You were saying 55 per cent of those that were cancelled were on the basis of a voluntary return by the applicant to their country of origin—</p> <p>Mr Pezzullo: No, 65 per cent—two-thirds.</p> <p>CHAIR: I would really like to get those figures in a tabulated form and perhaps we will wait for the rest of the information to come. I am sure it is something the ABC, for example, amongst all other media outlets, would love to publish those accurate details rather than some of the stuff they often published.</p> <p>Mr Pezzullo: We will provide the data to the committee. It is on the public record, and the media will do with it as it wishes.</p>	
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BE17/117	Policy	Immigration & Citizenship Policy	Senator Roberts	Support to visa holders	<p>Senator ROBERTS: So really there are two areas to go to? In terms of someone who is traumatised, coming in on humanitarian grounds, that would go into assessing the job readiness programs, which is in the other department. But to assess the quality of immigration and the immigration processes, your department would be monitoring those other measures, wouldn't it?</p> <p>Mr Pezzullo: Yes. The skills program, and Mr Wilden can give you either a very lengthy description or a brief description of how the points system works—and there goes the buzzer.</p> <p>Senator ROBERTS: Saved by the bell!</p> <p>Mr Wilden: Given the buzzer has gone, I might go the short version. In terms of selection processes, factors around age, English language et cetera come into constructing the points. We can provide on notice a detailed explanation of how those points work. Obviously with the skills base, if you are coming as an independent skilled applicant, the points apply to you and we can monitor through—we have a process called the continuous survey of migrants. Again, we can provide on notice some of those outcomes which highlight the different employment outcomes for people who come as independent, people who come as skilled, people who come on the employer sponsored programs and people who come under regional sponsored programs. It shows some of the figures you read out; it mirrors some of those, where coming directly into a job through employer sponsorship obviously has very high employment outcomes, down to the lower employment outcomes of the more disadvantaged such as refugee and humanitarian entrants.</p>	23 May 2017, Page 74
BE17/118	Visa and Citizenship Services	Refugee & Humanitarian Visa Management	Senator McKim	Legacy Caseload bar lifting - total and breakdown	<p>Senator McKIM: I am interested in how many people of the legacy caseload cohort were invited to apply—that is, had the bar lifted, to use that terminology—by particular dates. The dates are June 2016, September 2016 and December 2016. Do you have that here or do you need to take it on notice?</p> <p>Mr Pezzullo: We might well have it here. I think the last mass lifting was October.</p> <p>Senator McKIM: Yes, and that would come in the last of those periods.</p>	23 May 2017, Page 77

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					<p>Mr Pezzullo: There were some in December that I think Ms Lauman mentioned, but I will refer your question to her.</p> <p>Ms Lauman: Those December letters were renotifications—where people had contacted the department to say, 'I have not yet received my initial letter.' So the bar had in fact been lifted for those individuals prior to that.</p> <p>Senator McKIM: I understand that differentiation, thank you.</p> <p>Ms Lauman: What I have here, unfortunately, is not added up. So I might need to take that on notice. But we do have it and can provide it during the course of the afternoon.</p> <p>Senator McKIM: That is fine, thank you. Were you looking for someone with a calculator, Mr Pezzullo? I am happy for that to come on notice as part of the normal process. My next questions drill down into subcohorts, if I can put it like that. Please tell me, if you can, how many people seeking asylum who have commenced judicial review of a departmental decision—this is still in the legacy caseload—are living in the community without a bridging visa?</p> <p>Mr Pezzullo: I think that technically everyone should be on a bridging visa at least, but I will get Ms Zakharoff to turn her mind to that.</p> <p>Ms Zakharoff: There will be a small number who are not. To be safe, I will take that on notice.</p> <p>Senator McKIM: Okay. Could I ask you for the total number—</p> <p>Ms Zakharoff: The total and the breakdown.</p> <p>Senator McKIM: and the legacy caseload number as well.</p> <p>Ms Zakharoff: Yes.</p> <p>Senator McKIM: So the total in the Australian community under judicial review or who have commenced it without a bridging visa, and then also how many of them are in the legacy caseload cohort. Thank you.</p>	
BE17/119	Visa and Citizenship Services	Community Protection	Senator McKim	Legacy Caseload bar lifting - number of individuals waiting	<p>Senator McKIM: So the total in the Australian community under judicial review or who have commenced it without a bridging visa, and then also how many of them are in the legacy caseload cohort. Thank you.</p> <p>How many people, if any, are waiting for the minister to lift the bar to enable them to apply for a bridging visa following receipt of a negative</p>	23 May 2017, Page 78

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					<p>IAA determination?</p> <p>Ms Zakharoff: We will take that one on notice. We believe it is a small number, but we will take that and come back to you formally.</p>	
BE17/120	Visa and Citizenship Services	Refugee & Humanitarian Visa Management	Senator McKim	Legacy caseload - total number of IMAs who have received assistance under PAIS since commencement	<p>Senator McKIM: Could you provide the total number of IMAs who have received assistance under PAIS since commencement, if possible broken down into nationality and as a percentage of the legacy caseload.</p> <p>Ms Lauman: I think we took that on notice slightly earlier in the day. We had a figure and the people yet to lodge.</p> <p>Senator McKIM: Okay. I have possibly asked the same question in a different way there, so I accept that. If I did ask a slightly different question, I would just ask you to take them both on notice.</p>	23 May 2017, Page 78
BE17/121	Policy	Immigration & Citizenship Policy	Senator Pratt	Parent Visa	<p>Senator PRATT: It has been said that this visa might be used to have older people care for their grandchildren, and that is not uncommon, but it might also be used to enable families to care for their aged parents. To what extent is someone's health an issue? How much full health does someone need to enjoy to be eligible for this visa?</p> <p>Mr Wilden: They will need to pass the requirements at the time of application. There is a general health requirement that highlights that they do not have things like chronic disease et cetera. Again, I will take on notice what the specific health requirements are. I also want to remind that this is in addition to the current parent visas, which are permanent visas which have different settings. The policy intent of this visa is to allow parents to spend more time with their children than the current three-month limits, but it is not a substitute for permanent settlement. It is a new product to assist.</p>	23 May 2017, Page 79

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BE17/122	Visa and Citizenship Services	Refugee & Humanitarian Visa Management	Senator Pratt	Community sponsor program - Cohorts, locations and sponsors	<p>Senator PRATT: We were interested in what cohorts of people were sponsored. Were they clustered around particular communities? Were there more individual arrangements? What kind of organisations, such as cultural communities or not-for-profits, were doing the sponsoring?</p> <p>Ms Lauman: I have some high-level information, but I might take the question on notice to be able to provide you with that level of granularity.</p> <p>Senator PRATT: It might be easier just to take that on notice then.</p>	23 May 2017, Page 80
BE17/123	Policy	Immigration & Citizenship Policy	Senator Pratt	Community sponsor program - Benefits	<p>Senator PRATT: Do you know what the cost to the sponsor of one refugee and one family under the pilot program has been?</p> <p>Ms Lauman: Under the pilot program? Have you got the detail?</p> <p>Mr Wilden: I do not have the pilot program.</p> <p>Ms Lauman: The visa application charge under the pilot and under the program do not change. The visa application charge is \$2,680, with \$16,444 for the primary applicant and \$2,680 for each dependent as a secondary visa application charge—that is, a fee that is paid only on grant, if the application is successful. But under the new program there is an associated cost.</p> <p>Mr Wilden: The VACs have been the same for the pilot and the new program. For the new program, the proposer also has to meet the costs of airfares, medical screening, on-arrival support such as initial accommodation, and they have to pay an assurance of support.</p> <p>Senator PRATT: So what does that \$16,000 combined with \$2,680 entitle an applicant or the sponsoring organisation to receive?</p> <p>Mr Wilden: I would have to check what they can actually receive under the DSS, if that is what you mean? When you say 'what can they receive', I am not sure what you are looking for there.</p> <p>Senator PRATT: Is it essentially communities cross-subsidising the immigration department, or are you spending that money and pushing it back through to DSS to help with support?</p> <p>Mr Wilden: The VAC—the \$16,000 and the \$2,600—goes into general revenue, so it is not tied to any particular outcome.</p> <p>Senator PRATT: It is not tied to an outcome, but these sponsored people would be eligible for support through DSS.</p> <p>Mr Wilden: There are a range of benefits—paid health care et cetera—</p>	23 May 2017, Page 81

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					that they are eligible for, but we will take on notice the full list and provide it.	
BE17/124	Corporate	Finance/CFO	Senator Pratt	Community sponser program - Costs relative to usual program	<p>Senator PRATT: Does that include access to income support?</p> <p>Mr Wilden: They get access to Medicare, AMEP, employment services and social security, as do other humanitarian entrants, but I said at the beginning I would like to give you on notice exactly what the breakdown of those particular social security benefits is.</p> <p>Senator PRATT: Mr Groves, are you saying they are excluded from social security access for the first year in your costings?</p> <p>Mr Groves: I will have to take that on notice.</p> <p>Mr Wilden: I believe it is the working age payments that they may be ineligible for.</p>	23 May 2017, Page 82 & 83

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					<p>Senator PRATT: For the first year?</p> <p>Mr Wilden: They are eligible for some social security benefits but not the full tranche for the first year.</p> <p>Mr Groves: That is consistent with my advice as well. It is the access to the government funded working age payments for the first 12 months.</p> <p>Senator PRATT: So it is a \$6 million saving over the forward estimates through that cohort of 1,000 people not being eligible for income support over that 12 months.</p> <p>Mr Wilden: And the humanitarian settlement services.</p> <p>Senator PRATT: Have you included in that saving the additional revenue?</p> <p>Mr Groves: No. The additional revenue is over and above that. The additional revenue associated with the visa application charges is basically \$6 million a year over each of the four years of the forward estimates.</p> <p>Senator PRATT: So it is \$12 million—</p> <p>Mr Groves: No, it is \$24 million. There are implementation costs associated with the measure around implementing it and running it which have to be offset on all of that.</p> <p>Senator PRATT: What are the costs for this cohort of people relative to 1,000 people who would come through the usual program?</p> <p>Mr Groves: I do not have the detail; I only have the macro numbers around the measure. We would have to take that on notice. The detailed assumptions were per person.</p>	
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BE17/125	Visa and Citizenship Services	Visa & Citizenship Management	Senator Roberts	Australian citizens with multiple wives	<p>Senator ROBERTS: I have some more specific questions—some of these will have to be taken on notice, I am sure, because they are detailed. In the last decade, how many Muslim men who are citizens of Australia brought in multiple wives after marrying them overseas?</p> <p>Mr Pezzullo: To the extent that the stats allow us to discern that, we will take that on notice.</p> <p>Senator ROBERTS: Muslim and other.</p> <p>Mr Pezzullo: Muslim and other religions?</p> <p>Senator ROBERTS: Yes.</p> <p>Mr Pezzullo: Sorry, the conditions being multiple wives—</p> <p>Senator ROBERTS: Men who are citizens of Australia bringing in multiple wives after marrying them overseas.</p> <p>Mr Pezzullo: Thank you.</p>	23 May 2017, Page 83
BE17/126	Visa and Citizenship Services	Visa & Citizenship Management	Senator Roberts	Subsequent visas for previous 457 holders	<p>Senator ROBERTS: I really just need the numbers. How many people who have come to Australia on 457 visas returned to Australia on another visa such as intending to marry or immigration?</p> <p>Mr Wilden: We would not necessarily have all of that information. If you were here on a 457 and you decided to enter through the partner stream, the partner stream, if you like, is a separate process. We can help with 457s who transition onto employer sponsored visas, but, unless Ms Dacey has more information, we can take that on notice and come back to you.</p>	23 May 2017, Page 83 & 84
BE17/127	Visa and Citizenship Services	Visa & Citizenship Management	Senator Roberts	Subsequent visas for previous student visa holders	<p>Senator ROBERTS: In the last 20 years, how many students who have come to Australia to study have returned to Australia on another visa?</p> <p>Ms Dacey: It is the same situation. Depending on when you finish your study and what your plans are, many people transition to another visa, including graduate visas, without actually leaving the country. It depends on an individual's circumstances. We would have—</p> <p>Senator ROBERTS: Do you have the numbers?</p> <p>Ms Dacey: I doubt that we would because people might not declare that they had been here—we would have information in our systems.</p> <p>Mr Pezzullo: We would have the onshore numbers.</p> <p>Ms Dacey: That is right.</p> <p>Senator ROBERTS: Sorry?</p> <p>Ms Dacey: How about I take it on notice to see what we can find you,</p>	23 May 2017, Page 84

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					but we might not be able to be as specific as you wish. Senator ROBERTS: Thank you.	
BE17/128	Visa and Citizenship Services	Visa & Citizenship Management	Senator Roberts	Visa holder use of australian residents medicare card	<p>Senator ROBERTS: In the last decade when people come to Australia on a visa to visit family, how many of those use someone else's Medicare card to get medical treatment?</p> <p>Senator McKIM: How would you know?</p> <p>Senator ROBERTS: Exactly.</p> <p>Senator McKIM: You have just answered your own question.</p> <p>Senator ROBERTS: That is not the question.</p> <p>Mr Pezzullo: So they attend a GP and present that card in order to, I guess, gain bulk-billing. I would have to take that on notice as to whether we have any data-matching information that would allow us to answer that question—unless officers otherwise know.</p> <p>Ms Dacey: I would be surprised if we could answer that.</p>	23 May 2017, Page 84
BE17/129	Visa and Citizenship Services	Visa & Citizenship Management	Senator Roberts	Holiday visa non-compliance - Show stands	<p>Senator ROBERTS: Is it true that Chinese, Indian and Singaporean companies can send people to Australia on holiday visas to work on show stands—that is, conventions and industry displays—and as such they do not comply with the OH&S standards of work that Australians have to comply with?</p> <p>Mr Pezzullo: What is connection between the exhibitions and the failure to comply with WHS? I missed that part.</p> <p>Senator ROBERTS: Is it true that Chinese, Indian and Singaporean companies can send people to Australia on holiday visas to work on show stands—that is, conventions—</p> <p>Mr Pezzullo: I see. They should not be working on show stands anyway. Sorry, the nexus then to WHS?</p> <p>Senator ROBERTS: and as such they do not comply with OH&S regulations—</p> <p>Mr Pezzullo: More fundamentally, they do not comply with their visa, which is of more interest to me.</p> <p>Senator ROBERTS: I was hoping you would say that.</p> <p>Mr Pezzullo: You can be assured. Commissioner, are you familiar with this phenomena of exhibition workers?</p> <p>Mr Quaedy: I am not, but I will take it on notice.</p>	23 May 2017, Page 85

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BE17/130	Visa and Citizenship Services	Visa & Citizenship Management	Senator Roberts	Pay of Foreign Workers - Show stands	<p>Senator ROBERTS: I appreciate that these are probably difficult to answer. Is it true that foreign workers get paid back in their own country, thereby being paid lower wages than Australians and not contributing to our tax system whilst also undercutting Australian companies who are tendering for the same show stand contracts?</p> <p>Ms Dacey: One of the conditions or factors that we look at when we issue these visas is: are there local skills? Are there locally trained people who could do this? The nature, in particular, of some of the stands and things that they are building is they are quite proprietary, so there is quite a bit of intellectual property and ownership in that. That can sometimes factor into why local workers are not necessarily able to be skilled up quickly. There is a timing issue and these things come in and out.</p> <p>Mr Pezzullo: And the wages.</p> <p>Ms Dacey: And the wages would be—I would have to take it on notice—I imagine no worse than Australian workers.</p>	23 May 2017, Page 85 & 86
BE17/131	Visa and Citizenship Services	Refugee & Humanitarian Visa Management	Senator Roberts	Refugees returning to their country of origin	<p>Senator ROBERTS: Thank you for that. With regard to refugees, in the last 20 years, how many humanitarian refugees have come to Australia and returned to their country to live after hostilities have subsided?</p> <p>Mr Pezzullo: We will have to take that on notice.</p>	23 May 2017, Page 86
BE17/132	Policy	Immigration & Citizenship Policy	Senator McKim	Legacy case-load - Bond returns	<p>Senator McKIM: When, and under what conditions, would the bond be required to be returned, and when and under what conditions would the bond be forfeit?</p> <p>Mr Wilden: The bond would be returned once the obligation has been met. The obligation is that the applicant does not access working-age payments during the first 12 months. In the event they access working-age payments—</p> <p>Senator McKIM: Sorry; what is a working-age payment?</p> <p>Mr Wilden: I would have to check with DSS on the definition. I colloquially would have called it unemployment benefits, in a previous life. The working-age payments are basically that. Given the primary goal of this is to get people here and enable them to join the workforce and participate, in the event that they are unable to do so, and the community cannot support them, or the sponsor, and they do access</p>	23 May 2017, Page 89

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					<p>those payments, then any, if you like, debt run up is taken down out of the assurance of support, and the rest refunded. In the event that they do not access the working-age payment, then—I would have to check whether it is at the end of the first year, or at which period—they would be refunded their assurance of support.</p> <p>Senator McKIM: Could you take that aspect on notice, please?</p> <p>Mr Wilden: Yes, and I will advise, too, that the actual assurance-of-support process and program is administered by DSS and DHS.</p>	
BE17/133	Policy	Immigration & Citizenship Policy	Senator McKim	Legacy case-load - Talent Beyond Boundaries	<p>Mr Wilden: Not specifically for the high bond. When the 12,000 places were announced, you may recall that a number of well-known businesspeople and organisations said, 'How can we contribute?' That work has evolved over recent years, and there are certainly a number of organisations and groups that have said they would like, as part of their social contract, to contribute more than just the provision of a job. Many of them do that already for standard refugee programs. So there is this work, plus other things happening in the global environment. I mentioned earlier a group called Talent Beyond Boundaries who have 8,000 refugees in their database that they have interviewed, where they have, if you like, their job skills, English language et cetera already identified, for people who may wish to bring in someone who would not meet the requirements for a skilled visa, for example, but has been found to be a refugee and may wish to come in to work in a sector. They may be a qualified mechanic back home and not a qualified mechanic here, but they can come and do an apprenticeship or whichever.</p> <p>Senator McKIM: Are Talent Beyond Boundaries a social enterprise?</p> <p>Mr Wilden: I would have to check their actual status.</p> <p>Senator McKIM: It is just that I love social enterprises. That is all.</p>	23 May 2017, Page 89 & 90

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BE17/134	Policy	Immigration & Citizenship Policy	Senator Pratt	Temporary skilled workers - ChAFTA	<p>Senator PRATT: I note that the Australian and Chinese governments announced a review of the investment facilitation memorandum of understanding attached to the China free trade agreement. It is my understanding that that MOU is separate from the main trade agreement and is not legally binding and that it could be cancelled by the Australian government. That MOU allows employers with infrastructure projects valued at \$150 million with a minimum of 15 per cent Chinese investment to bring in unlimited numbers of temporary skilled workers without testing whether local workers are available. I note that no other trade agreements have similar arrangements. Are you able to advise whether the review of the investment facilitation memorandum will, in fact, result in the cancellation of that labour MOU?</p> <p>Mr Wilden: The IFA, as you said, is a side agreement to the free trade agreement. There has only been one application and it was withdrawn, so there are no agreements in play. The responsibility for the IFA is with the Department of Foreign Affairs and Trade, so any review will be undertaken by them.</p> <p>Senator PRATT: There has been one application that was cancelled. For what project was that?</p> <p>Mr Wilden: An expression of interest was put forward and before it was progressed they withdrew.</p> <p>Senator PRATT: For what project was that?</p> <p>Mr Wilden: I will take that on notice.</p>	23 May 2017, Page 92
BE17/135	Policy	Immigration & Citizenship Policy	Senator Pratt	ChAFTA	<p>Senator PRATT: Were any changes made to skills assessments under ChAFTA that you have had anything to do with, or, again, is that done by the Department of Foreign Affairs and Trade?</p> <p>Mr Wilden: Is this particular to the Chinese free trade agreement?</p> <p>Senator PRATT: Yes.</p> <p>Mr Wilden: There were several changes made. I would have to take on notice the detail. In essence, previously, there was a requirement for mandatory skills testing for about 10 occupations. That has now moved from mandatory to, basically, as required. So that was the concession that was given.</p>	23 May 2017, Page 93

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BE17/136	Visa and Citizenship Services	Visa & Citizenship Management	Senator Pratt	Labour Agreements	<p>Senator PRATT: Can you provide copies of all labour agreements approved in the last four years as well.</p> <p>Mr Pezzullo: Separately are you asking, using the privilege of this committee, for those agreements? We will take that on notice.</p>	23 May 2017, Page 94
BE17/137	Corporate	Enterprise Strategy, Reform & Performance/ CRO	Senator Pratt	Impact of visa charges on 2017-18 budget	<p>Senator PRATT: According to the portfolio budget statements 2017-18, paper 1.11, Immigration and Border Protection portfolio, the department is currently achieving the criterion that 'Australia's visa programs are responsive to the needs of the economy,' including the target number of visas granted under the visitor visa program that supports global tourism and business travel to Australia. Are you confident that these visa changes will not affect that?</p> <p>Mr Groves: I think that particular measure is going to our ability to process the visa applications. As I previously stated in my evidence, our modelling was that the indexation of visa charges would only have a negligible impact on demand.</p> <p>Senator PRATT: When it comes to the same outcome—that is, outcome 2.3—the performance criteria for 2017-18 and beyond remain similar to 2016-17. I need to ask: if you are changing the landscape in which that outcome exists, which you are clearly doing, why are you not also adapting the performance criteria?</p> <p>Mr Groves: I will have to check, but the measure, as I said, is going to our ability to process the visa applications. What we are stating in the portfolio budget statement is that the measure will (1) be fully outlined in our corporate plan, but (2) be at a similar construction around the measure, as what is currently in place for 2016-17.</p>	23 May 2017, Page 95

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BE17/138	Policy	Immigration & Citizenship Policy	Senator Watt	Student visa holders switching to temporary skilled visas	<p>Senator WATT: Am I right in saying that it is common for people to come to Australia on a student visa and then change that to obtain a skilled visa to work here?</p> <p>Mr Wilden: Normally, people come through the graduate visa. The pathway you may be referring to, whereby international students came and had a right, if you like, to pathways through, was closed off—and I will take on notice the exact date—around 2009-10. For someone who comes as an international student now there is no automatic pathway. They can move on to a graduate visa or they can go into a skill but they have to meet all the requirements of that skilled visa.</p>	23 May 2017, Page 97
BE17/139	Policy	Immigration & Citizenship Policy	Senator Watt	Skilled visas	<p>Senator WATT: What was the reason for backdating the legislation or backdating it to the minister's announcement?</p> <p>Mr Pezzullo: To avoid a rush. Like many announcements of government policy subject to the legislation passing, they take immediate effect so that no-one can, in a sense, ramp up applications in the intervening period.</p> <p>Senator WATT: Is it a bad thing for people who meet the eligibility requirements to seek citizenship in a rush?</p> <p>Mr Pezzullo: We do not like rushes.</p> <p>Senator WATT: If they are people who have met all of the eligibility criteria, what would be the harm?</p> <p>Mr Pezzullo: For doing more stringent checks and therefore we would prefer to check, subject to the law of the land under the new regime.</p> <p>Senator WATT: Was any legal advice sought on backdating that legislation?</p> <p>Mr Pezzullo: All proposed legislation is scrutinised through the cabinet process, including legal risk and legal issues.</p> <p>Senator WATT: Who was that legal advice about backdating that legislation sought from?</p> <p>Mr Pezzullo: It is normally the government solicitor, but we will take it on notice.</p>	23 May 2017, Page 97 & 98

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BE17/140	Corporate	Finance/CFO	Senator Pratt	Legacy case-load - protection claims	<p>Senator PRATT: Yes, my question is about whether they do not comply. I want to know if noncompliance has been factored in to the budget in any way.</p> <p>Ms Zakharoff: We do have an assumption around, potentially, a rate of people who may not lodge.</p> <p>Senator PRATT: How many people are you assuming—</p> <p>Mr Pezzullo: Mr Groves will be able to put that in evidence.</p> <p>Mr Groves: I can outline what the costing assumption was that was reflected in the budget papers. It was assumed that 2½ thousand would lose access to those benefits in 2017-18.</p> <p>Mr Pezzullo: Mr Groves, is that directly as a result of noncompliance with the measure or more generally because they are transitioning to other streams of income support?</p> <p>Mr Groves: That assumption was really around this particular measure.</p> <p>Senator PRATT: So 2½ thousand people, and what is the estimated saving to the budget?</p> <p>Mr Groves: I would have to take that on notice. There are a number of components within that measure.</p> <p>Senator PRATT: Is that within the DSS budget? Would they have those figures or do you have those figures?</p> <p>Mr Groves: No, that would be in our budget. The complicating factor is that this was a continuation of an existing measure with a number of components to it. This was just one component. There was a continuation of SRSS funding arrangements for the department, generally, associated with processing the legacy case load, so I would have to break that particular component out.</p> <p>Senator PRATT: If you could do that on notice, please. It sounds like, within the budget figures, there is an assumption about a saving of some kind based on those 2½ thousand people not lodging—is that correct?</p>	23 May 2017, Page 98 & 99
BE17/141	Corporate	Finance/CFO	Senator Pratt	Government's position on tax adjustment on tobacco products	<p>Senator PRATT: I note in the budget papers that the government will adjust taxation of roll-your-own tobacco and other products, such as cigars, so that manufactured cigarettes and roll-your-owns receive a comparable tax treatment. This measure is set to gain \$360 million over the forward estimates. Is that, in the government's view, a</p>	23 May 2017, Page 101 & 102

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					<p>significant revenue measure?</p> <p>Ms Noble: I might just wait on the CFO to join us.</p> <p>Mr Groves: Sorry, Senator, what was your question—whether it was a significant measure?</p> <p>Senator PRATT: Yes. \$360 million to give roll-your-owns comparable tax treatment with more processed cigarettes et cetera. You have now given comparable tax treatment to roll-your-own tobacco. Is this, in the government's view, a significant revenue measure?</p> <p>Mr Groves: I am not exactly sure what you mean by significant.</p> <p>Senator PRATT: Is \$360 million a lot of money?</p> <p>Senator Cash: Senator Pratt, I think you probably need to put it into context for the relevant officer, in terms of what are you comparing it to?</p> <p>Senator PRATT: Comparing it to the revenue that is raised in tobacco taxes overall. It is not as significant but it is not insubstantial.</p> <p>Mr Groves: It is not. We are obviously collecting upwards of \$12 billion or \$13 billion a year in duty; not all of that is tobacco related, of course. So, yes, it was a big measure but it really was one that—we just supported the Department of the Treasury on this. They are responsible for all of the revenue measures.</p> <p>Senator PRATT: Is there any rationale as to why the government has not introduced this measure sooner, given the smoking habits of Australians are—</p> <p>Senator Cash: In terms of the government's position, I would need to take that on notice for the relevant minister. I do not know if the officers can elucidate in terms of the development of policy at all. But obviously it has gone through our budget process, and the budget has been handed down when it was handed down and that was one of the measures announced.</p>	
BE17/142	Policy	Strategic Policy & Planning	Senator Pratt	Illicit tobacco seizures - loose-leaf versus sticks	<p>Senator PRATT: Okay. Is there any concern from the Department of Immigration and Border Protection about whether the increase in taxation on roll-your-own tobacco will lead to an increase in illegal cigarettes or tobacco being imported into Australia?</p> <p>Mr Outram: Given that people are obviously addicted to nicotine products, whether it is a stick or loose-leaf tobacco, I do not think there</p>	23 May 2017, Page 103

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					<p>will be a net shift in the illicit market. You might get a slight shift from one tobacco product to another, but I do not think it would make any difference in the overall size of the illicit market.</p> <p>Senator PRATT: From your knowledge of the illicit market, is the illicit market mostly roll-your-own style tobacco?</p> <p>Mr Outram: No, there is a combination.</p> <p>Senator PRATT: It is tailor-made cigarettes as well?</p> <p>Mr Outram: We seize a lot of loose-leaf tobacco. We seize a tremendous amount of sticks—in the tens of millions at a time.</p> <p>Senator PRATT: What is the relative amount of loose-leaf versus sticks?</p> <p>Mr Outram: I would have to take that on notice. This came up yesterday in terms of the various estimates of the size of the illicit tobacco market. The commissioner put on the Hansard that the department is doing a lot of work in coming up with a model to estimate more accurately the size of the market. He said yesterday that it was somewhere between, I think, three and 14 per cent of the illicit market, depending on which estimate you look at. So it is in that sort of quantum.</p>	
BE17/143	Policy	Traveller, Customs and Industry Policy	Senator Pratt	Tax on tobacco products	<p>Senator PRATT: I know I need to refer some of the questions I have asked to Treasury, but am I able to ask here, on notice, for a table of the tax treatment of all tobacco products?</p> <p>Ms Noble: We can provide that on notice.</p>	23 May 2017, Page 104
BE17/144	Policy	Strategic Policy & Planning	Senator Pratt	Illicit tobacco seizures - Last five years	<p>Senator PRATT: You may have been asked this already, but can you detail how much illegal tobacco or tobacco products you seize each year?</p> <p>Mr Outram: Looking at the 2016-17 financial year—and this data runs until 28 February, I should say; that is the latest quality assured data I can give you—the total equivalent weight across tobacco and cigarettes was, in sea cargo, 147 tonnes. We also seized 37 tonnes in international mail, making 184 tonnes. In the 2015-16 financial year, we seized 64 tonnes, but that excluded, as I recall, international mail. We did not collate the data around international mail. To give you a sense of the number of cigarettes, in 2015-16 that was 44 million cigarettes, or</p>	23 May 2017, Page 104

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					<p>sticks. This year to 28 February, it was 111 million cigarettes—that is in sea cargo. I will go to international mail now. This year to 20 February there were 26 million cigarettes or sticks. That gives you a sense of the number—</p> <p>Senator PRATT: It is enormous!</p> <p>Mr Outram: and the size of the seizures that we are getting in air cargo and sea cargo.</p> <p>Senator PRATT: If you could give us on notice that information for the last five years or so, that would be great.</p> <p>Mr Outram: I have that here. Rather than read it out, I can give it to you on notice.</p>	
BE17/145	Policy	Traveller, Customs and Industry Policy	Senator Pratt	Illicit tobacco - Penalties	<p>Senator PRATT: it is a timely reminder of how much tobacco people are using in our country, notwithstanding the fact that it has come down considerably thanks to the kinds of measures that successive governments have introduced. Can I ask if there is potential for government to increase penalties associated with the illegal importation of tobacco or tobacco products, and what are those penalties like relative to the importation of other illicit drug use substances?</p> <p>Ms Noble: Yes. We are working with the Treasury and the Australian Taxation Office to prepare the relevant legislative amendments to strengthen illicit tobacco offences. They will, in their broad nature, give enforcement officers access to a broader range of offences and penalties—to give them more enforcement options, essentially. As for the timing of the introduction of those amendments: that will be a matter for the government.</p> <p>Senator PRATT: Could you take on notice what those penalties are and provide that to the committee.</p> <p>Ms Noble: Yes. Certainly.</p>	23 May 2017, Page 105
BE17/146	Support	Border Management	Senator Pratt	Importation of Asbestos - testing	<p>Senator PRATT: We had a discussion at the commencement about the number of inspections and profile matches since the last round of estimates. I think you had formal statistics in January when you reported on the number of shipments you targeted for asbestos. How many examinations have you done since then?</p> <p>Mr Williams: I guess it was covered in the numbers I gave you.</p>	23 May 2017, Page 107 & 108

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					<p>Senator PRATT: That is fine.</p> <p>Mr Williams: From 1 July 2016 to 30 April 2017—so this financial year to date—in the latest reliable figures, there have been 7,266 matches against profiles and 602 tests conducted.</p> <p>Senator PRATT: You are doing a lot more testing. Is there an increase or a decrease in the proportion of positive findings?</p> <p>Mr Outram: It is not proportionate to the extra effort we are putting in. There is an increase, but it is less—</p> <p>Senator PRATT: Less than the extra effort—</p> <p>Mr Outram: than the actual effort put in—</p> <p>Senator PRATT: Have you graphed that anywhere?</p> <p>Mr Williams: I have the raw figures here, which I quoted earlier. We can certainly put it in a graph and provide it on notice.</p>	
BE17/147	Support	Border Management	Senator Pratt	Importation of Asbestos - High risk countries	<p>Senator PRATT: There are 40 per cent of consignments coming from China. You have the USA, Vietnam, Malaysia, Indonesia, India and Canada also. Does that mean Chinese products overall are treated with a higher risk profile if it is a product that is likely to have asbestos in it?</p> <p>Mr Outram: Not because it is a Chinese product per se.</p> <p>Senator PRATT: I think the Goods Compliance Update mentioned 21 countries other than China. Could you take on record who those 21 countries are. You have mentioned some of them.</p> <p>Mr Williams: The 21 countries that we have detected commodities from?</p> <p>Senator PRATT: In that report of April 2017.</p> <p>Mr Outram: We will take that on notice.</p>	23 May 2017, Page 109
BE17/148	Support	Border Management	Senator Pratt	Importation of Asbestos - Brief for Australian Government Solicitor	<p>Senator PRATT: At the public hearing in January in Brisbane for the economics committee the department said:</p> <p>We are still going through the process of trying to obtain all the admissible evidence we can before finalising a brief of evidence, which we hope to do by March. It will be provided to the Australian Government Solicitor for advice on prosecution.</p> <p>Have you now provided that brief to the Government Solicitor?</p> <p>Mr Quaedy: I am not sure at what stage it is at in terms of either a brief to the Australian Government Solicitor for advice on the</p>	23 May 2017, Page 114 & 115

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					substance of the brief or whether it has gone to the Commonwealth Director of Public Prosecutions. I can take that on notice and provide it to you out of session.	
BE17/149	Corporate	Executive	Senator McKim	Senate inquiry report - Cadmium levels in Nauru	Will the Government accept the Senate resolution: to investigate the presence of cadmium in the Republic of Nauru and the health risks associated with prolonged cadmium and phosphate exposure, and test refugees and people seeking asylum for elevated cadmium levels.	22 May 2017, Written
BE17/150	Support	Detention Services (DSD)	Senator McKim	Garrison and welfare services Nauru RPC - Tender process	<ol style="list-style-type: none"> 1. Given Ferrovia is not renewing contracts for Nauru past October, what is happening with the tender process? 2. Who are bidding for the Nauru contract? 3. When will decisions about the next contract holder be made? 4. How much is the Nauru contract worth? 5. Can you provide a copy of the tender documents? 	22 May 2017, Written
BE17/151	Policy	International	Senator McKim	PNG Refugee Status Determination Process	Does the Department accept that the PNG Refugee Status Determination Process is non-compliant with international law?	22 May 2017, Written
BE17/152	Support	Children, Community & Settlement Services (CCSS)	Senator McKim	Number of individuals subject to Regional Processing Arrangements	How many people, in total, are subject to offshore processing policies in Nauru and PNG respectively? This includes not just the number of residents in each RPC, but also the number who are settled in the community in each country PLUS those who are in Australia but who the government expects to return (ie not eligible for an Australian visa)	22 May 2017, Written
BE17/153	Support	Children, Community & Settlement Services (CCSS)	Senator McKim	PNG refugee status determination numbers	In relation to Manus Island, why are there more confirmed positive decisions than interim positive decisions? Until March 2016, the number of final decisions was always less than the number of interim decisions, suggesting they were a sub-set of the interim decisions. As of March 2016, however, there have been more finals than interims. Taking the latest statistics as an example, they indicate there have been 510 interim positive decisions and 711 final positive decisions, as well as 505 interim negative decisions and 224 final negative decisions. Surely there cannot be 510 + 711 + 505 + 224 people on Manus –	22 May 2017, Written

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					almost 2000 men, so some of the figures must be subsets of the others, but how?	
BE17/154	Visa and Citizenship Services	Refugee & Humanitarian Visa Management	Senator McKim	UNHCR referrals	<p>1. How many people in the offshore component of Australia's Refugee and Humanitarian Program in the last five years were referred by the UNHCR?</p> <p>2. Please provide a breakdown by visa class and country of origin.</p>	22 May 2017, Written
BE17/155	Policy	Immigration & Citizenship Policy	Senator McKim	Community sponsor program - consultation, fees and services	<p>1. In regard to business sponsorship, is it intended that the refugees would pay or repay any of the cost? If so what measures would be in place to prevent fraud and exploitation?</p> <p>2. How confident is the Government that businesses would be willing to pay the high sponsor fees?</p> <p>3. Unlike family sponsors, business sponsors would be less equipped to assist refugees with all the settlement and integration support they need. What settlement services would refugees sponsored by business sponsors would be eligible for?</p> <p>4. How will the Department ensure business and community groups are involved and consulted in how this program is designed and evaluated?</p>	22 May 2017, Written
BE17/156	Support	Border Management	Senator McKim	Temporary skilled visas - Infringement Notices	<p>1. How many infringement notices have been imposed on employers for unlawfully exploiting people on temporary visas in the last financial year?</p> <p>2. What is the average amount of an infringement imposed?</p> <p>3. What was the highest infringement imposed?</p>	22 May 2017, Written
BE17/157	Visa and Citizenship Services	Refugee & Humanitarian Visa Management	Senator McKim	Ministerial interventions	<p>1. The numbers of requests for Ministerial Intervention made under the Minister's personal powers in ss 351, 417 of the Migration Act 1958 in the 2015-2016 program year. Of the number of requests made, how many requests were referred to the Minister for his personal consideration?</p> <p>2. The specific outcomes of Ministerial intervention (i.e visa grant, residence determination approval or denial, lifting the bar to allow a valid application by a person otherwise barred), when the Minister</p>	22 May 2017, Written

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					<p>decides to exercise his power, separately outlined under each power (ie s351, 417, 195A, 46A, 46B)</p> <p>3. In relation to the Minister's exercise of personal powers under ss 46A(2) and 46B(2) in the 2015-2016 program year:</p> <ul style="list-style-type: none"> • The number of times the Minister exercised the powers under ss 46A(2) and 46B(2) in the program year; • In relation to the above, the subclass/subclasses of visa that the Minister has permitted the requestor to apply for by exercise of his powers under s 46A(2) and 46B(2); • How many instances over the program year has the Minister exercised his power under s 46A(2) and 46(2) to allow a person to apply for a visa other than a Protection visa? 	
BE17/158	Visa and Citizenship Services	Community Protection	Senator McKim	Visa cancellations	<p>Can the Department provide statistics on how many people currently in detention have had their visa cancelled on the basis of:</p> <ol style="list-style-type: none"> 1) automatic cancellation of a visa following the conviction of a crime, 2) discretionary cancellation of a visa under s 501, 3) a criminal charge, 4) a breach of the Code of Conduct? 	22 May 2017, Written
BE17/159	Corporate	Executive	Senator Bilyk	Functions – Ministerial	<p>In relation to any functions or official receptions hosted by Ministers or Assistant Ministers in the portfolio since 1 March 2017, can the following please be provided:</p> <ul style="list-style-type: none"> • List of functions; • List of attendees including departmental officials and members of the Minister's family or personal staff; • Function venue; • Itemised list of costs (GST inclusive); • Details of any food served; • Details of any wines or champagnes served including brand and vintage; and • Details of any entertainment provided. 	22 May 2017, Written

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BE17/160	Corporate	Finance/CFO	Senator Bilyk	Functions – Department	<p>In relation to expenditure on any functions or official receptions etc hosted by the Department or any agencies within the portfolio since 1 March 2017, can the following please be provided:</p> <ul style="list-style-type: none"> • List of functions; • List of attendees; • Function venue; • Itemised list of costs (GST inclusive); • Details of any food served; • Details of any wines or champagnes served including brand and vintage; and • Details of any entertainment provided. 	22 May 2017, Written
BE17/161	I&C	ICT/CIO	Senator Bilyk	Laptops	<p>How many laptops are currently on issue to staff of the Department and agencies in the portfolio?</p> <p>Can an itemised list showing make and model please be provided?</p> <p>How many new laptops were purchased by the Department and agencies in the portfolio in calendar year 2016?</p> <p>What was the total cost (GST inclusive) of purchasing laptops for staff of the Department and agencies in the portfolio in calendar year 2016?</p> <p>How many laptops did the Department and agencies in the portfolio have to be replace due to damage in calendar year 2016? What was the cost of replacement (GST inclusive)?</p> <p>How many laptops were reported lost or stolen in calendar year 2016? What was the cost of replacement (GST inclusive)?</p>	22 May 2017, Written
BE17/162	Corporate	Corporate Services	Senator Bilyk	Executive office upgrades	<p>Have the furniture, fixtures or fittings of the Secretary’s office, or the offices of any Deputy Secretaries, been upgraded since 1 March 2017? If so, can an itemised list of costs please be provided (GST inclusive)?</p>	22 May 2017, Written
BE17/163	Corporate	Corporate Services	Senator Bilyk	Facilities upgrades	<p>Have the facilities of any of the Department’s premises been upgraded since 1 March 2017, for example, staff room refurbishments, kitchen refurbishments, bathroom refurbishments, the purchase of any new fridges, coffee machines, or other kitchen equipment?</p> <p>If so, can a detailed description of the relevant facilities upgrade please be provided together with an itemised list of costs (GST inclusive)?</p> <p>Can any photographs of the upgraded facilities please be provided?</p>	22 May 2017, Written

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BE17/164	Corporate	Executive	Senator Bilyk	Number of vacancies	Please provide a list of all statutory, board and legislated office vacancies and other significant appointments vacancies within the portfolio, including length of time vacant and current acting arrangements.	22 May 2017, Written
BE17/165	Corporate	Finance/CFO	Senator Bilyk	Credit card purchases	How many credit cards are currently on issue for staff in the Department and agencies within the portfolio? If possible, please provide a break-down of this information by APS/ SES level. What was the value of the largest reported purchase on a credit card in calendar year 2016 and what was it for? How much interest was paid on amounts outstanding from credit cards in calendar year 2016? How much was paid in late fees on amounts outstanding from credit cards in calendar year 2016? What was the largest amount outstanding on a single card at the end of a payment period in calendar year 2016 and what was the card holder's APS/ SES level? How many credit cards were reported as lost or stolen in calendar year 2016 and what was the cost of their replacement?	22 May 2017, Written
BE17/166	Corporate	Finance/CFO	Senator Bilyk	Credit cards - illegitimate purchases	How many credit card purchases were deemed to be illegitimate or contrary to agency policy in calendar year 2016? What was the total value of those purchases? How many purchases were asked to be repaid on that basis in calendar year 2016 and what was the total value thereof? Were all those amounts actually repaid? If no, how many were not repaid, and what was the total value thereof? What was the largest purchase that was deemed illegitimate or contrary to agency policy and asked to be repaid in calendar year 2016, and what was the cardholder's APS/ SES level? What that amount actually repaid, in full? If no, what amount was left unpaid?	22 May 2017, Written
BE17/167	Corporate	Finance/CFO	Senator Bilyk	Credit cards policy	Are any credit cards currently on issue in the Department or agencies within the portfolio connected to rewards schemes? Do staff receive any personal benefit as a result of those reward schemes? Can a copy of the Department's staff credit card policy please be provided?	22 May 2017, Written

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BE17/168	Corporate	Finance/CFO	Senator Farrell	Costs for market research	<p>For the 2016-17 financial year, what was the total amount spent by the Department on market research (either as a whole contract or as part of a contract)?</p> <p>For each contract for market research in 2016/2017, can you please provide:</p> <ul style="list-style-type: none"> • The subject of the market research; • The supplier; • Whether the supplier has been engaged previously and if so, for which contracts; • The total value of the contract; • The term of the contract (time); • The date that the decision was taken to seek market research on the topic; • The date the contract was opened to tender or selection process; • The date the supplier was engaged; • Whether the contract was subject to a tender process, including whether there was a full, partial or closed tender process; • Does the supplier exist on a pre-approved supplier list, if so, when were they added to that list; • Whether the Minister, or the Minister's Office, requested that the research be conducted; • Whether the Minister approved the decision to conduct market research; • Whether the Minister approved the contract with the supplier; • Whether the Minister or the Minister's office was consulted on questions asked; • Whether the Minister or the Minister's office received a copy of the market research; • If the decision to conduct research was initiated by the department or agency, was the Minister or their office consulted before the decision was taken to conduct research, if so – in what form did that consultation take (written, verbal other); • If the decision to conduct research was initiated by the department or agency, did Minister or their office make any amendments or changes 	22 May 2017, Written
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					<p>to the Department’s proposal for market research to be conducted, if so, what changes and to what aspects were they made;</p> <ul style="list-style-type: none"> • At any stage in the life of the proposal to conduct market research were other departments or agencies consulted? • At any stage in the life of the proposal to conduct market research were other Ministers, or the Prime Minister consulted? • At any stage in the life of the proposal to conduct market research did the expected cost change, if so how? 	
BE17/169	Transferred to another Department	Transferred to another Department	Senator Kakoschke-Moore	Human Trafficking	<p>When people think of human trafficking often they think of trafficking into the sex industry. Does this reflect the nature of trafficking in Australia today?</p> <p>What resources have been directed to address these rising concerns?</p> <p>What resources have been directed to improve communication between relevant agencies, including the Fair Work Commission and other employment and industrial bodies noting the change in types of trafficked people?</p>	22 May 2017, Written
BE17/170	Policy	Immigration & Citizenship Policy	Senator Kakoschke-Moore	457 Changes - music professionals	<p>Q – Is the Department aware of the already intensive labour market testing that leads to the need for a music professional on a 457 visa?</p> <p>Q – Was this background considered when the decision to remove music professionals from the Skilled Occupation List?</p>	22 May 2017, Written
BE17/171	Support	Border Management	Senator Griff	Number of Visa overstays currently in Australia	<p>Please provide the number of visa overstayers currently in Australia (or as at 30 June, 2017 if applicable).</p> <p>What proportion of these are estimated to be working?</p> <p>Please provide a breakdown of how many have overstayed by duration:</p> <ul style="list-style-type: none"> a. 0-3 months b. Up to 6 months c. Up to a year d. Up to 2 years e. Up to 5 years f. Up to 10 years g. Up to 15 years 	22 May 2017, Written

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					h. Up to 20 years i. Over 20 years	
BE17/172	Support	Border Management	Senator Griff	Visa overstays for the financial year	Please provide a breakdown of the visa type and nationality of all overstayers for the financial year-to-date.	22 May 2017, Written
BE17/173	Support	Border Management	Senator Griff	Visa overstay compliance activity	What is the annual cost of field action to locate overstayers? How many field actions has the department conducted in the financial year to date?	22 May 2017, Written
BE17/174	Support	Border Management	Senator Griff	Visa overstays compliance for the financial year	How many overstayers have been caught over the financial year to date? How many of these overstayers were employed at the time?	22 May 2017, Written
BE17/175	Support	Border Management	Senator Griff	Visa overstays Data matching	During Estimates, Mr Quaadvlieg mentioned that the Department conducts quarterly bulk data-matching with the ATO to locate unlawful non-citizens. Can the department advise whether all overstayers were subjected to data matching during 2016-17 or just a select number. a. Please advise on what dates the Department submitted information to the ATO for data matching during 2016-17. b. If the Department only submitted a select number of cases, please detail the number of names submitted, and the number for whom the ATO was able to retrieve an address. c. If a select number was submitted for data-matching, please detail the criteria for selection. Does the Department do data matching with any other department or agency to locate overstayers? If so, which ones?	22 May 2017, Written

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BE17/176	Transferred to another Department		Senator Carr	Immigration matters referred to the AAT	Please provide the number of cases relating to an immigration matter referred to the AAT in and a breakdown of the type of matter in: 2012/2013 2013/2014 2014/2015 2015/2016 2016/2017	22 May 2017, Written
BE17/177	Transferred to another Department		Senator Carr	Statistics - Breakdown of matters referred to the AAT	Provide the following for the previous financial years (2012/2013, 2013/2014, 2014/2015, 2015/2016, 2016/2017) • Number of Department or Ministerial decisions relating to refugee claims overturned by the AAT • Number of Department decisions relating to cases involving other migration matters overturned by the AAT • Number of Department or Ministerial decisions relating to refugee claims upheld by the AAT • Number of Department decisions relating to cases involving other migration matters upheld by the AAT:	22 May 2017, Written
BE17/178	Transferred to another Department		Senator Carr	Overtaken and upheld AAT decisions	Please provide the top five reasons the AAT overturns decisions by the Minister or department. Please provide the top five reasons the AAT as upheld decisions made by the Minister of department.	22 May 2017, Written
BE17/179	I&C	ICT/CIO	Senator Carr	ANAO report into Cyber Security	Please provide the number of cyber-attacks of the department and a breakdown of successful and unsuccessful attacks for 2012/2013 2013/2014 2014/2015 2015/2016 2016/2017	22 May 2017, Written

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BE17/180	Corporate	People	Senator Carr	Department and VCSG staffing numbers	<p>Please provide the number of actual staff employed by the Department and the number of actual staff employed in the Department's visa and citizenship group for:</p> <p>2012/2013 2013/2014 2014/2015 2015/2016 2016/2017</p> <p>Provide the number of staff working in visa processing over each financial year:</p> <p>2012/2013 2013/2014 2014/2015 2015/2016 2016/2017</p>	22 May 2017, Written
BE17/181	Corporate	Finance/CFO	Senator Carr	Department Staffing – Labour Hire companies	<p>Please provide the number of staff working in DIBP who are employed through a labour hire company.</p> <p>For those staff employed in DIBP through a labour hire company, provide a breakdown of the number of staff via their workgroup.</p> <p>Provide the names of all labour hire companies engaged by DIBP, the total number of staff provided by each company and the total sum of any contracts with that company for each financial year:</p> <p>2012/2013 2013/2014 2014/2015 2015/2016 2016/2017</p>	22 May 2017, Written

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BE17/182	Corporate	People	Senator Carr	Department staffing – 457 Visas	Provide the number of staff employed by DIBP who are working on a 457 visa, their position name, pay rate and employment commencement date. How many employees in the Department are on 457 visas? How many temporary employees, contractors or consultants in the Department are on 457 visas?	22 May 2017, Written
BE17/183	Corporate	People	Senator Carr	Research Units within DIBP – Staff numbers	Provide the number of officers who work research roles within the Department for: 2012/2013 2013/2014 2014/2015 2015/2016 2016/2017 Please provide the number of staff who work in the Policy Research and Statistics Branch, Strategic Policy and Planning Division for: 2012/2013 2013/2014 2014/2015 2015/2016 2016/2017	22 May 2017, Written
BE17/184	Policy	Strategic Policy & Planning	Senator Carr	Research units – restructures	Please outline any proposals to restructure any research rolls within the Department Please outline any proposals to restructure this division within the Department or to disburse these staff throughout the department.	22 May 2017, Written
BE17/185	Policy	Strategic Policy & Planning	Senator Carr	Research units within DIBP – internal and external requests for research	Please provide the number of internal and external requests for research made to the Policy Research and Statistics Branch, Strategic Policy and Planning Division for 2012/2013 2013/2014 2014/2015 2015/2016 2016/2017	22 May 2017, Written

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BE17/186	Policy	Strategic Policy & Planning	Senator Carr	Consultation on statistics	Provide the name all the agencies the Department consults with to ensure data released by the Department is accurate. Provide the date where DIBP will update their statistical divisions in line with other Government agencies.	22 May 2017, Written
BE17/187	Policy	Strategic Policy & Planning	Senator Carr	Publishing of statistics	Provide the statistical divisions used by the department in data published on data.gov.au Provide the reason DIBP relies on out of data ABS statistical divisions to publish data on data.gov.au	22 May 2017, Written
BE17/188	Corporate	Executive	Senator Carr	Department Communication s and Media staff	Please provide the number of staff in media and communications roles in the Department for the past five financial years Please provide the cost of employing these staff broken down by the past five financial years	22 May 2017, Written
BE17/189	Corporate	People	Senator Carr	Acting and public speaking training	Please provide the amount spent on acting training or public speaking training by the Department for the past five financial years Please provide a list of all staff and position titles of staff who have attended acting training or public speaking training	22 May 2017, Written
BE17/190	Corporate	Executive	Senator Carr	ABF Podcast	Please provide the figures for the number of times the Australian Border Force podcast been streamed/downloaded. Please provide a breakdown by episode	22 May 2017, Written
BE17/191	Corporate	Corporate Services	Senator Carr	FOI requests	Please provide the number of FOI requests the Department currently has pending and the number of these FOI requests that are overdue	22 May 2017, Written
BE17/192	Corporate	People	Senator Carr	Awards and recognition framework tender	Please provide the value of the contract for the successful tender in relation to the Awards and Recognition Framework tender (DIBP RFT 29/16 – Supplier to support Department of Immigration and Border Protection's Awards and Recognition Framework) Please provide the cost of the Department's Awards and Recognition Framework for the previous and upcoming financial year	22 May 2017, Written

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BE17/193	Corporate	People	Senator Carr	Awards and recognition framework	Please outline which awards are available within the Department of Immigration and Border Protection's Awards and Recognition Framework Please provide the criteria for each award Please provide a photo of each award or medal	22 May 2017, Written
BE17/194	Corporate	People	Senator Carr	Awards and recognition framework – Awards given	Please provide the number of awards given to ABF officers under the Awards and Recognition Framework broken down into award type over the last five years Please provide the number of awards given to Departmental staff under the Awards and Recognition Framework broken down into award type over the last five years Please provide the number of awards given to Executive level staff under the Awards and Recognition Framework broken down into award type over the last five years	22 May 2017, Written
BE17/195	Corporate	People	Senator Carr	Award Ceremonies	Please provide the date of all awards ceremonies over the last five years	22 May 2017, Written
BE17/196	Support	Border Management	Senator Carr	Arrivals and Departures for last 5 years	Please provide the number of travellers who passed through Australia's border for: 2012/2013 2013/2014 2014/2015 2015/2016 2016/2017	22 May 2017, Written
BE17/197	Support	Border Management	Senator Carr	Arrivals and Departures for last 5 years by port	Please provide a breakdown of arrivals and departures by each airport and port location for: 2012/2013 2013/2014 2014/2015 2015/2016 2016/2017	22 May 2017, Written

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BE17/198	Support	Border Force Capability	Senator Carr	Number of staff at ports	Please provide the number of ABF and Departmental staff that work at each Australian airport. Please provide a breakdown by state and facility.	22 May 2017, Written
BE17/199	Policy	Strategic Policy & Planning	Senator Carr	Projected visitor numbers	Please provide the number of travellers the Department anticipates will visit Australia in: 2017/2018 2018/2019 2019/2020	22 May 2017, Written
BE17/200	Operations	Strategic Border Command (SBC)	Senator Carr and Senator Dodson	PNG Traditional visitors in Torres Strait - statistics	<p>Please provide the number of Traditional Visitor to the Torres Strait from Papua New Guinea per annum for 2014-2015 and 2015-2016 and for the six months July-December 2016</p> <p>Please provide the total number of person days (individuals multiplied by days present) spent in the Torres Strait by Traditional Visitors from Papua New Guinea per annum for 2014-2015 and 2015-2016 and for the six months July-December 2016</p> <p>Please provide the average length of stay in the Torres Strait of Traditional Visitors from Papua New Guinea per annum for 2014-2015 and 2015-2016 and for the six months July-December 2016</p>	22 May 2017, Written
BE17/201	Operations	Strategic Border Command (SBC)	Senator Carr	Traditional visitor permit protocols	Please outline the protocols including health and character checks traditional visitors to the Torres Straight Islands need to meet	22 May 2017, Written
BE17/202	Operations	Strategic Border Command (SBC)	Senator Carr and Senator Dodson	Traditional visitor permit statistics	<p>Please provide the number of Traditional Visitor Permits issued per annum for 2014-2015 and 2015-2016</p> <p>Please provide the number of Traditional Visitor Permits declined per annum for 2014-2015 and 2015-2016</p>	22 May 2017, Written

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BE17/203	Operations	Detention and Offshore Operations Command	Senator Carr	Statistics onshore detention	<p>Please provide the number of people detained in onshore detention this year</p> <p>Please outline how many transferees/detainees are currently in onshore detention, including Christmas Island</p> <p>Please outline how many stateless people remain in onshore detention and how long have they been in detention</p>	22 May 2017, Written
BE17/204	Visa and Citizenship Services	Community Protection	Senator Carr	Statistics onshore detention – characters cancellations	<p>Please provide the number of people currently in detention expected to have their visa cancelled on character grounds</p> <p>Please provide the average length of stay in detention for people who have had their visa cancelled on character grounds</p> <p>Please provide the number of these who are NZ citizens</p> <p>Please provide the average time taken for the Minister to consider an appeal for a revocation of a detainee cancelled under section 501 of the Migration Act</p>	22 May 2017, Written
BE17/205	Visa and Citizenship Services	Community Protection	Senator Carr	Voluntary returns to country of origin – Onshore detention	<p>Please provide the number of people who have voluntarily returned to their country of origin broken down by country for each of the last five financial years</p>	22 May 2017, Written
BE17/206	Operations	Enforcement Command	Senator Carr	Involuntary returns – Onshore detention	<p>Please provide the number of people forcibly returned to their country of origin for each of the last five financial years</p> <p>Please provide number of people who have accepted a reintegration assistance package broken down by country of origin and the number of deportation by month.</p>	22 May 2017, Written

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BE17/207	Operations	Detention and Offshore Operations Command	Senator Carr	Onshore Detention Christmas Island	<p>Please provide the number of people are currently detained on Christmas Island</p> <p>Please provide a breakdown of persons on Christmas Island by the reason they're being detained on Christmas island</p> <p>Please provide a breakdown by country of origin of those detained on Christmas Island</p> <p>Please provide the daily cost of detaining someone in the facility on Christmas Island</p>	22 May 2017, Written
BE17/208	Operations	Detention and Offshore Operations Command	Senator Carr	Mobile phone bans	Please provide the figure for the number of mobile phones surrendered in onshore detention	22 May 2017, Written
BE17/209	Policy	International	Senator Carr	Costa Rica Agreement	<p>Please provide the number of individuals the Department expects to settle in Australia as part of the Costa Rica Agreement</p> <p>Please provide the number of refugees referrals received by Australia as part of the Coasta Rica Agreement</p>	22 May 2017, Written
BE17/210	Corporate	Finance/CFO	Senator Carr	Lifetime costs of offshore processing in Manus and Nauru	<p>Please provide the figures for the total lifetime cost of delivering offshore processing in Manus Island and Nauru</p> <p>Please provide a breakdown of investment in Manus and Nauru of operating and infrastructure costs by year</p> <p>Please provide those figures as a total costs and broken down by financial year</p>	22 May 2017, Written
BE17/211	Policy	International	Senator Carr	Possible third country resettlement discussions with the Minister or other Departments	Please provide details of any discussions with the Minister or other Departments regarding possible resettlement countries for refugees in RPCs and the status of those negotiations	22 May 2017, Written

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BE17/212	Policy	International	Senator Carr	Possible third country resettlement discussions with UNHCR	Provide details of any discussions since the last estimates the Minister or the Department has had with the UNHCR in relation to finding third country resettlement options for the refugees in RPCs	22 May 2017, Written
BE17/213	Operations	Detention and Offshore Operations Command	Senator Carr	Manus – Country of Origin	Please provide a country of origin for all transferees currently located on Manus Island, either within the RPC or within the community?	22 May 2017, Written
BE17/214	Support	Children, Community & Settlement Services (CCSS)	Senator Carr	Manus – Negative Refugee Status Determinations	Provide how many people have been determined not to be refugees Where are they living now? Number that have voluntarily returned home? Number of involuntary returns by the PNG authorities? Number of failed involuntary returns by the PNG authorities?	22 May 2017, Written
BE17/215	Support	Children, Community & Settlement Services (CCSS)	Senator Carr	Manus – Positive Refugee Status Determinations	Provide how many people have been determined to be refugees? Where have they been resettled? Where are they living now? Number that have they taken PNG visas and are they living in the community? Provide the number of people are at the East Lorengau Refugee Transit Centre? Provide the number of many men have left Manus facilities for resettlement in PNG? Have any returned? Please provide those figures as a total cost and broken down by financial year	22 May 2017, Written
BE17/216	Operations	Detention and Offshore Operations Command	Senator Carr	Manus – Medical Treatment	How many men are being held in and around Port Moresby for medical treatment? Have there been any medical emergencies since last Estimates? If so, what was the nature of these emergencies? How many asylum seekers have been treated in the new medical facility? What has been the nature of injuries and illnesses treated in the facility?	22 May 2017, Written

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BE17/217	Operations	Detention and Offshore Operations Command	Senator Carr	Manus medical treatment - Transfers to Australia	How many asylum seekers have been transferred to Australia for treatment? What has been the nature of injuries and illnesses treated in Australia? How many asylum seekers from the RPC are currently in Australia? Where are they based and when do you expect they will return to Manus? How many have family accompanying them in Australia?	22 May 2017, Written
BE17/218	Policy	International	Senator Carr	Financial assistance to PNG	How much financial assistance is Australia giving to PNG as a result of the Manus closure?	22 May 2017, Written
BE17/219	Operations	Detention and Offshore Operations Command	Senator Carr	Manus – Incidents since last estimates	How many incidents have there been in the RPC and community involving transferees since last Estimates? What are the nature of these incidents and have there been any minor or serious injuries for detainees or staff as a result of these incidents? How many acts of self-harm were committed by men either at the MRPC or East Lorengau over the past six months? How many were classified as major or critical incidents, acts of assault and how many of those acts were guards or staff assaulting asylum seekers/refugees - and vice versa? How many assaults were asylum seeker/refugee on another asylum seeker/refugee?	22 May 2017, Written
BE17/220	Operations	Detention and Offshore Operations Command	Senator Carr	Nauru – Country of Origin	Please provide a country or origin for all transferees currently located on Nauru, either within the RPC or within the community.	22 May 2017, Written
BE17/221	Support	Children, Community & Settlement Services (CCSS)	Senator Carr	Nauru – Negative Refugee Status Determinations	Provide how many people have been determined not to be refugees. Where are they living now? Number that have voluntarily returned home?	22 May 2017, Written

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BE17/222	Support	Children, Community & Settlement Services (CCSS)	Senator Carr	Nauru – Positive Refugee Status Determinations	Provide how many people have been determined to be refugees? Where have they been resettled? Where are they living now? Number that have they taken and are they living in the community?	22 May 2017, Written
BE17/223	Operations	Detention and Offshore Operations Command	Senator Carr	Nauru Regional Processing Centre Population	How many people are still in the RPC? How many children? What is the average time a child has been held in the RPC? What is the longest period of time? How many children are attending school in Nauru? How many of those found to be refugees are still living within the RPC? Is this by choice or because there is no housing available for them in the community?	22 May 2017, Written
BE17/224	Support	Children, Community & Settlement Services (CCSS)	Senator Carr	Nauru Refugee Status Determination	Since the last estimates, has the Nauruan Government advised the Department the expected processing time for the remaining asylum seekers?	22 May 2017, Written
BE17/225	Operations	Detention and Offshore Operations Command	Senator Carr	Nauru medical treatment - Transfers to Australia	How many asylum seekers have been transferred to Australia for medical assistance since the last Estimates? How many were children? How many of these medical transfers were for instances of self-harm? How many of these medical transfers were for instances of alleged sexual assault? How many asylum seekers are still in Australia seeking medical treatment and how many have family accompanying them in Australia?	22 May 2017, Written
BE17/226	Visa and Citizenship Services	Visa & Citizenship Management	Senator Carr	Migrants	Provide the number of people who migrated to Australia and the visa subclass they migrated under for: 2012/2013 2013/2014 2014/2015 2015/2016 2016/2017	22 May 2017, Written

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BE17/227	Visa and Citizenship Services	Visa & Citizenship Management	Senator Carr	Migration Agents Registration Authority – Numbers over last five years	Provide the number of registered migration agents in each State and Territory over each financial year: 2012/2013 2013/2014 2014/2015 2015/2016 2016/2017	22 May 2017, Written
BE17/228	Visa and Citizenship Services	Visa & Citizenship Management	Senator Carr	Complaints about Migration Agents	Provide the number of complaints made about migration agents in each State and Territory over each financial year: 2012/2013 2013/2014 2014/2015 2015/2016 2016/2017 Of the complaints made about migration agents, please provide a breakdown of the outcome of any investigation for the following financial years: 2012/2013 2013/2014 2014/2015 2015/2016 2016/2017 Provide the top five complaints received about migration agents.	22 May 2017, Written

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BE17/229	Visa and Citizenship Services	Visa & Citizenship Management	Senator Carr	Migration Agents – Compliance action	<p>Provide the number of migration agents who have compliance action taken against them in each State and Territory over each financial year:</p> <p>2012/2013</p> <p>2013/2014</p> <p>2014/2015</p> <p>2015/2016</p> <p>2016/2017</p> <p>Provide the number of migration agents who had their registration cancelled in each State and Territory over each financial year:</p> <p>2012/2013</p> <p>2013/2014</p> <p>2014/2015</p> <p>2015/2016</p> <p>2016/2017</p>	22 May 2017, Written
BE17/230	Visa and Citizenship Services	Visa & Citizenship Management	Senator Carr	Visa Processing times	<p>Provide the name of the top 10 visas which consistently fail to be finalised within the acceptable standards set by DIBP?</p> <p>How many applications have been with DIBP waiting assessment for more than:</p> <p>1 year</p> <p>2 years</p> <p>3 years</p> <p>4 year</p> <p>5 year</p> <p>10 years</p> <p>15 year</p> <p>20 years</p> <p>30 years</p> <p>35 year</p> <p>40 years</p> <p>Provide the names of all visa categories that have an assessment wait time of more than five years?</p>	22 May 2017, Written

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BE17/231	Visa and Citizenship Services	Visa & Citizenship Management	Senator Carr	Numbers of permanent residents	<p>Provide the number of permanent residents living in Australia at:</p> <p>2012/2013</p> <p>2013/2014</p> <p>2014/2015</p> <p>2015/2016</p> <p>2016/2017</p> <p>Provide a breakdown including the number and country of origin for all permanent residents in Australia in:</p> <p>2012/2013</p> <p>2013/2014</p> <p>2014/2015</p> <p>2015/2016</p> <p>2016/2017</p>	22 May 2017, Written
BE17/232	Visa and Citizenship Services	Visa & Citizenship Management	Senator Carr	Permanent Residency	<p>Provide the benefits of permanent residency.</p> <p>Provide the acceptable standard for assessing permanent residency visas.</p> <p>Provide the average time taken to assess an application for permanent residency.</p> <p>Provide the top 10 reasons an application for permanent residency will be rejected.</p>	22 May 2017, Written

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BE17/233	Visa and Citizenship Services	Visa & Citizenship Management	Senator Carr	Permanent Residency application numbers	<p>Provide the number of applications for permanent residency were approved in:</p> <p>2012/2013</p> <p>2013/2014</p> <p>2014/2015</p> <p>2015/2016</p> <p>2016/2017</p> <p>Of those approved applications for permanent residency, provide the number of applications made by children under the age of 18 years old in:</p> <p>2012/2013</p> <p>2013/2014</p> <p>2014/2015</p> <p>2015/2016</p> <p>2016/2017</p> <p>Provide the number of applications for permanent residency were declined in:</p> <p>2012/2013</p> <p>2013/2014</p> <p>2014/2015</p> <p>2015/2016</p> <p>2016/2017</p> <p>Of those declined applications for permanent residency, provide the number of applications made by children under the age of 18 years old in:</p> <p>2012/2013</p> <p>2013/2014</p> <p>2014/2015</p> <p>2015/2016</p> <p>2016/2017</p> <p>Provide the number of applications for permanent residency on hand with DIBP at 31 May 2017.</p>	22 May 2017, Written
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BE17/234	Visa and Citizenship Services	Community Protection	Senator Carr	Ministerial intervention requests	<p>Provide the number of requests for ministerial intervention were received in:</p> <p>2012/2013</p> <p>2013/2014</p> <p>2014/2015</p> <p>2015/2016</p> <p>2016/2017</p> <p>Provide the number of times the Minister or his delegate intervened in favour of the applicant in:</p> <p>2012/2013</p> <p>2013/2014</p> <p>2014/2015</p> <p>2015/2016</p> <p>2016/2017</p> <p>Provide the number of requests for Ministerial Intervention considered by the Minister in:</p> <p>2012/2013</p> <p>2013/2014</p> <p>2014/2015</p> <p>2015/2016</p> <p>2016/2017</p> <p>Provide the number of requests for Ministerial Intervention considered by the Assistant Minister in:</p> <p>2012/2013</p> <p>2013/2014</p> <p>2014/2015</p> <p>2015/2016</p> <p>2016/2017</p>	22 May 2017, Written
BE17/235	Visa and Citizenship Services	Visa & Citizenship Management	Senator Carr	Parent Visa applications	<p>Provide the number of applications on hand and the average wait time for a decision for the parent (non-contributory) visa in:</p> <p>2012/2013</p> <p>2013/2014</p> <p>2014/2015</p> <p>2015/2016</p> <p>2016/2017</p>	22 May 2017, Written

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					<p>Provide the number of applications on hand and the average wait time for the contributory parent visa in:</p> <p>2012/2013</p> <p>2013/2014</p> <p>2014/2015</p> <p>2015/2016</p> <p>2016/2017</p> <p>Provide the number of applications on hand and the average wait time for the investor retirements (subclass 405) visa in:</p> <p>2012/2013</p> <p>2013/2014</p> <p>2014/2015</p> <p>2015/2016</p> <p>2016/2017</p>	
BE17/236	Visa and Citizenship Services	Refugee & Humanitarian Visa Management	Senator Carr	Community sponsorship pilot program applications	Provide the number of applications for sponsorship made under the Community sponsorship pilot program (Community Proposal Pilot).	22 May 2017, Written
BE17/237	Visa and Citizenship Services	Refugee & Humanitarian Visa Management	Senator Carr	Community sponsorship pilot program – grants	Provide the number of visas granted and the number refused under the Community sponsorship pilot program (Community Proposal Pilot) in:	22 May 2017, Written
					2013/2014	
					2014/2015	
					2015/2016	
					2016/2017	
BE17/238	Visa and Citizenship Services	Refugee & Humanitarian Visa Management	Senator Carr	Legacy caseload statistics	<p>Please provide the number of people in the ‘legacy caseload’</p> <p>Provide all the dates when the Minister lifted the bar for legacy caseload asylum seekers to make an application for protection and the number of people for whom the bar was lifted on that day.</p>	22 May 2017, Written
BE17/239	Visa and Citizenship Services	Refugee & Humanitarian Visa Management	Senator Carr	Number of TPV holders	Provide the number of people currently in Australia on Temporary Protection Visa?	22 May 2017, Written

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BE17/240	Visa and Citizenship Services	Refugee & Humanitarian Visa Management	Senator Carr	Number of SHEV holders	Provide the number of people currently on a Safe Haven Enterprise visa in each State and Territory.	22 May 2017, Written
BE17/241	Visa and Citizenship Services	Visa & Citizenship Management	Senator Carr	Permanent residency - Family violence provisions statistics	Provide the number of permanent residency visas granted after a claim made under the family violence provisions. Provide the number of permanent residency visas rejected after a claim made under the family violence provisions. Provide the top 10 most common reasons for declining an application under the family violence provisions Provide the number of applications made under the family violence provision which included children.	22 May 2017, Written
BE17/242	Policy	Immigration & Citizenship Policy	Senator Carr	Date commenced work on developing the Temporary Skilled Shortage Visa	Provide the date when the department commenced work on developing the Temporary Skilled Shortage Visa.	22 May 2017, Written
BE17/243	Policy	Immigration & Citizenship Policy	Senator Carr	Temporary skilled shortage visa Stakeholder consultation	Provide a list of all other departments consulted on the Temporary Skilled Shortage Visa, the date those departments were consulted and the date those departments provided feedback. Provide a list of all external stakeholders consulted on the Temporary Skilled Shortage Visa, the date those stakeholders were consulted and the date those stakeholders provided feedback. Provide a list of stakeholders meetings attended by the Minister to discuss changes 457 program and the creation of the Temporary Skilled Shortage Visa	22 May 2017, Written
BE17/244	Policy	Immigration & Citizenship Policy	Senator Carr	Temporary Skilled Shortage Visa correspondence	Provide the number of pieces of correspondence received by DIBP about the Temporary Skilled Shortage Visa broken down by industry, individual and union.	22 May 2017, Written

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BE17/245	Policy	Immigration & Citizenship Policy	Senator Carr	Temporary skilled shortage visa – MACSM	Provide the date and a copy of the agenda from when MACSM was consulted on the Temporary Skills Shortage Visa. Provide a broad overview of feedback provided by MACSM on the Temporary Skills Shortage Visa and the dates that feedback was provided.	22 May 2017, Written
BE17/246	Policy	Immigration & Citizenship Policy	Senator Carr	Temporary skilled shortage visa – Job selection methodology	Provide the methodology for selecting jobs to go on the occupations lists.	22 May 2017, Written
BE17/247	Policy	Immigration & Citizenship Policy	Senator Carr	Temporary skilled shortage visa – Enquiries	Provide the number of enquires received by the department on temporary skilled visas for each month in 2016 and 2017. Provide the top three issues raised in enquires received by the department on temporary skilled visas for each month in 2016 and 2017.	22 May 2017, Written
BE17/248	Policy	Immigration & Citizenship Policy	Senator Carr	Temporary skilled shortage visa – unintended consequences	Provide the unintended consequences that have emerged following the announcement of the Temporary Skilled Shortage Visa.	22 May 2017, Written
BE17/249	Policy	Immigration & Citizenship Policy	Senator Carr	Temporary skilled shortage visa – Concessions	Provide details of the types on concessions that will be made available under the Temporary Skilled Shortage visa for regional Australia.	22 May 2017, Written
BE17/250	Visa and Citizenship Services	Visa & Citizenship Management	Senator Carr	Numbers of 417 visa holders	Please provide a breakdown of people working on 417 visa currently in Australia: (a) State, (b) industry group, (c) labour hire company. Provide the number of subclass 417 visas issued in: 2012/2013 2013/2014 2014/2015	22 May 2017, Written

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					2015/2016 2016/2017 Please provide the number of 417 visa holders who were granted a second year visa in: 2012/2013 2013/2014 2014/2015 2015/2016 2016/2017	
BE17/251	Visa and Citizenship Services	Visa & Citizenship Management	Senator Carr	Numbers of 462 visa holders	Please provide a breakdown of people working on 462 visa currently in Australia: (a) State, (b) industry group, (c) labour hire company. Provide the number of subclass 462 visas issued in: 2012/2013 2013/2014 2014/2015 2015/2016 2016/2017	22 May 2017, Written
BE17/252	Visa and Citizenship Services	Visa & Citizenship Management	Senator Carr	Labour Agreements - Statistics	Please provide the number of Labour Agreements approved in: 2012/2013 2013/2014 2014/2015 2015/2016 2016/2017 Please provide a copy of all Labour Agreements entered into since 2013.	22 May 2017, Written

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BE17/253	Policy	Immigration & Citizenship Policy	Senator Carr	457 Visas – MACSM meetings	What were the dates of the meetings of the Ministerial Advisory Council on Skilled Migration (MACSM) which discussed the governments proposed abolition and replacement of the 457 visa? And which members of the council attended those meetings? Who attended these meetings representing the Department? Did the Minister attend? Did any other Departments attend these meetings? If so, which Departments?	22 May 2017, Written
BE17/254	Policy	Immigration & Citizenship Policy	Senator Carr	457 Visas - Education Visa Consultative Committee	Has the Education Visa Consultative Committee met following the announcement of the governments proposed abolition and replacement of the 457 visa? When? Were the issue of 457 visas and other government reforms discussed? What feedback was received from members of the EVCC?	22 May 2017, Written
BE17/255	Policy	Immigration & Citizenship Policy	Senator Carr	457 Visas – Cabinet and committee dates	On what date were these reforms taken to the full cabinet? On what date were these reforms take to the Expenditure Review Committee of Cabinet? On what date were these reforms take to the Science and Innovation Committee of Cabinet?	22 May 2017, Written
BE17/256	Visa and Citizenship Services	Visa & Citizenship Management	Senator Carr	457 Visas – Average salary	What is the average salary level for people on 457 visas? Can you break down and present the average salary by occupation, or broad occupation groups?	22 May 2017, Written
BE17/257	Visa and Citizenship Services	Visa & Citizenship Management	Senator Carr	Company Labour Agreements	How many company labour agreements are currently in place? Are there any applications in progress for company labour agreements? How many applications for company labour agreements have been rejected? What is the average time taken to approve a company level labour agreement?	22 May 2017, Written

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BE17/258	Visa and Citizenship Services	Visa & Citizenship Management	Senator Carr	Industry labour agreements	<p>Can you please provide the number of labour agreements by broad industry sector?</p> <p>How many industry labour agreements are currently in place? Are there any applications in progress for industry labour agreements?</p> <p>How many applications for industry labour agreements have been rejected?</p> <p>What is the average time taken to approve an industry level labour agreement?</p>	22 May 2017, Written
BE17/259	Visa and Citizenship Services	Visa & Citizenship Management	Senator Carr	Distinguished talent visa statistics	<p>When was the Distinguished Talent Visa introduced? How many visas have been issued under this program?</p> <p>Please list the number of visa's issued each year for the past five years on record?</p> <p>How many were issued per year for "a profession"?</p> <p>How many were issued per year in "the arts"?</p> <p>How many were issued per year in "sport"?</p> <p>How many were issued per year in "research or academia"?</p> <p>How many applications for DTVs has the Department received and rejected over the past five years?</p> <p>Has the Department considered a lifting the number of DTVs granted? If so, when? Has the Minister's office been involved in these discussions?</p>	22 May 2017, Written

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BE17/260	Visa and Citizenship Services	Visa & Citizenship Management	Senator Carr	Distinguished talent visa criterion	How does the Department determine whether each of these criterion for DTVs have been adequately addressed? Please provide explanations and examples. have an internationally recognised record of exceptional and outstanding achievement in a profession, a sport, the arts, or academia and research are still prominent in the area would be an asset to the Australian community have no difficulty getting employment, or in becoming established independently in your field in Australia	22 May 2017, Written
BE17/261	Policy	Immigration & Citizenship Policy	Senator Carr	457s in the manufacturing sector	In regard to 457s for the manufacturing sector, in relation to the new arrangements, what consultation took place with and what advice was received from the Department of Industry (Commonwealth) and State Departments of Industry? What consultation took place with and what advice was received from Industry peak representative bodies, in particular: Australian Industry Group Chemistry Australia Manufacturing Australia Australian Chamber of Commerce and Industry Medicines Australia?	22 May 2017, Written
BE17/262	Policy	Traveller, Customs and Industry Policy	Senator Carr	Free trade exemptions	How many countries have an exemption from these arrangements because of the provisions of bi-lateral free trade agreements?	22 May 2017, Written
BE17/263	Policy	Immigration & Citizenship Policy	Senator Carr	457 changes – Reviews	Has the Department made any announcement about possible changes at review? What were these changes? Has the Department represented that new or previously excluded categories may be added? Has the Department indicated what kind of evidence would be required to make additions of new categories of occupation?	22 May 2017, Written

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BE17/264	Policy	Immigration & Citizenship Policy	Senator Carr	Citizenship – advantages of longer residency	What is the advantage to Australia of people spending longer living here permanently (as residents) before they make a commitment or pledge allegiance to Australia?	22 May 2017, Written
BE17/265	Policy	Immigration & Citizenship Policy	Senator Carr	Analysis on Proposed citizenship changes	What analysis has been done regarding the proposed citizenship changes?	22 May 2017, Written
BE17/266	Policy	Immigration & Citizenship Policy	Senator Carr	Citizenship text and applications – Questions	For the test and application questions; what questions have been drafted and given to the Minister? Have any questions been approved?	22 May 2017, Written
BE17/267	Policy	Immigration & Citizenship Policy	Senator Carr	Citizenship changes – legislation	What changes require legislation? Are the questions a legal part of the application? Will any exemptions be made for circumstances where an injustice may be caused? What is the department's strategy if the legislation is delayed?	22 May 2017, Written
BE17/268	Corporate	Finance/CFO	Senator Carr	Citizenship changes – Budget impacts	The budget for citizenship has a saving over the forward estimates. Where does the saving come from? What assumptions are you using and how did the figures get calculated? Are there any other budget impacts?	22 May 2017, Written
BE17/269	Policy	Immigration & Citizenship Policy	Senator Carr	Citizenship changes – impact on ceremonies	Will there be any impact on citizenship ceremonies? Has the number of ceremonies increased or decreased?	22 May 2017, Written
BE17/270	Visa and Citizenship Services	Visa & Citizenship Management	Senator Carr	Top 20 visa types – statistics	Can we please have a list of how many people are on each of the top 20 visa types (by number)? [excluding tourist visas] broken down by nationality / country of origin? Can we also know how long people stay on different visas (the top 20 visas is ok)? On average?	22 May 2017, Written

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BE17/271	Visa and Citizenship Services	Visa & Citizenship Management	Senator Carr	Statistics relating to permanent residents	How many people are permanent residents? Which countries are people from who are permanent residents?	22 May 2017, Written
BE17/272	Visa and Citizenship Services	Visa & Citizenship Management	Senator Carr	Statistics relating to permanent residents – Citizenship eligibility	How many are eligible for citizenship now (under existing rules)? Of those, how many people will be adversely affected by this change and required to wait? If the changes come in how many people would be ruled out?	22 May 2017, Written
BE17/273	Visa and Citizenship Services	Visa & Citizenship Management	Senator Carr	Citizenship changes - eligibility statistics	How many people are waiting for citizenship (applied before the changes and have not yet received notification)? What is the expected amount of people who will be eligible when if the legislation passes? If a date is not known, how many people will be eligible in September 2017 and December 2017?	22 May 2017, Written
BE17/274	Policy	Immigration & Citizenship Policy	Senator Carr	Cause of citizenship changes	How did the citizenship changes come about? Was the idea from the department? The report from the Hon Phillip Ruddock and Senator Fierravanti-Wells was finalised some time ago. What work happened between then and now? What was the catalyst for announcing the changes? Where did each of the 6 main ideas come from?	22 May 2017, Written
BE17/275	Policy	Immigration & Citizenship Policy	Senator Carr	Consultation regarding citizenship changes	What consultation was undertaken for each of the main 6 changes before they were announced? Can we have this in chronological order please?	22 May 2017, Written
BE17/276	Policy	Immigration & Citizenship Policy	Senator Carr	Consultation regarding citizenship changes – Expert advice	What expert advice was sought on: a) Extension of timeframes for residence requirements? b) English language level? c) The pledge? d) Test questions? e) Application questions for visas and citizenship? f) Integration evidence? g) Values?	22 May 2017, Written

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BE17/277	Policy	Immigration & Citizenship Policy	Senator Carr	Citizenship changes – Estimated failure rate	Regarding the citizenship changes, what are the estimates of the resulting failure rate for both the English and new Citizenship test, and which cohorts are likely to fail any new test? And how does this compare to current success and failure rates?	22 May 2017, Written
BE17/278	Policy	Immigration & Citizenship Policy	Senator Carr	Issues with existing citizenship process	What problems has the Department identified in relation to the existing citizenship process, and what was the process of identifying these problems?	22 May 2017, Written
BE17/279	Policy	Immigration & Citizenship Policy	Senator Carr	Citizenship changes – Alternatives considered	What were the other options considered in relation to the citizenship changes?	22 May 2017, Written
BE17/280	Policy	Immigration & Citizenship Policy	Senator Carr	Citizenship changes – Legislation backdating	Why was the legislation backdated? Was legal advice sought on backdating legislation? o If so by whom and when? o What did it say?	22 May 2017, Written
BE17/281	Policy	Immigration & Citizenship Policy	Senator Carr	Citizenship test – current IELTS equivalent	The citizenship test is currently in English. What level of English is required to do the test? What IELTS equivalent? Why was IELTS Level 6.0 decided? What IELTS level (reading, writing, speaking, listening) are current Australian citizens? Is that year 10 level? Year 12 level? What's the breakdown?	22 May 2017, Written
BE17/282	Policy	Immigration & Citizenship Policy	Senator Carr	Citizenship changes – Consultation with DSS regarding AMEP	Did the department consult with DSS and the managers of the AMEP program?	22 May 2017, Written

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BE17/283	Policy	Immigration & Citizenship Policy	Senator Carr	Citizenship changes – AMEP participants	<p>What percentage of people who do the AMEP would pass IELTS 6.0?</p> <p>a) Can that be broken down country by country?</p> <p>What is the percentage of people from the AMEP who exit with an ISLPR 2.</p> <p>a) Can that be broken down country by country?</p> <p>b) What provisions are there for those people to attain an IELTS of 6.0 as proposed by the new citizenship test?</p> <p>what is the Government doing to ensure that they are able to pass the English language requirements for citizenship?</p> <p>a) How much would this cost? Where is it in the Budget?</p>	22 May 2017, Written
BE17/284	Policy	Immigration & Citizenship Policy	Senator Carr	Citizenship changes – increase to an IELTS of 6	<p>What is the basis for increasing the English language citizenship requirement to an IELTS of 6, considering:</p> <p>a) That ISLPR 2 is the exit point for AMEP;</p> <p>b) An IELTS of 6 is entry for higher education, and;</p> <p>c) That the purpose of IELTS is different to ISLPR?</p> <p>Would this change give an advantage to people who are from English speaking countries over every other migrant?</p>	22 May 2017, Written
BE17/285	Policy	Immigration & Citizenship Policy	Senator Carr	Citizenship changes – origin of language testing concept	<p>Where did the concept of more English testing come from? Where did the specific level requirement come from?</p> <p>Has the department produced or sought advice on what level of English is required that improves integration? Social cohesion?</p>	22 May 2017, Written
BE17/286	Visa and Citizenship Services	Digital Transformation & Channels	Senator Carr	Citizenship changes – feedback from the public	<p>Since the changes were announced, how many people have contacted the department?</p> <p>what is the wait time on the phone?</p> <p>what is happening with applications received after the announcement – are they being processed, put on hold?</p> <p>What are people being advised?</p> <p>What resources do staff have to provide advice? (reports of different advice given by staff)</p>	22 May 2017, Written

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BE17/287	Visa and Citizenship Services	Refugee & Humanitarian Visa Management	Senator Mckim	Protection Visa applications following receipt of a reminder letters	What is the total number of people who have applied for a protection visa following receipt of 60 day reminder letters – broken down by number of people who have lodged without assistance from a legal representative or migration agent?	22 May 2017, Written
BE17/288	Visa and Citizenship Services	Refugee & Humanitarian Visa Management	Senator Mckim	Status Resolution support payments	What is the number of persons who have had Status Resolution support Payments cut-off as a result of not applying within the stipulated timeframe (60 days + 30 day extension)	22 May 2017, Written
BE17/289	Visa and Citizenship Services	Refugee & Humanitarian Visa Management	Senator McKim	Legacy caseload - Cost per person - Legal assistance costs in comparison to original projections	Senator McKIM: In those figures you have provided to me, given that we have talked about the number of people assisted and also the cost, do you have a cost-per-person-assisted figure? Ms Lauman: We do, but I am not sure it is in the papers, so I might need to come back to you on that.	23 May 2017, Page 39
BE17/290	Visa and Citizenship Services	Refugee & Humanitarian Visa Management	Senator McKim	Legacy Caseload - Number on waiting lists	Senator McKIM: My questions are all for the minister, but I note that Ms Lauman has returned to the table and she was responding to questions in this area previously. Ms Lauman, you indicated in your evidence earlier that you have a stakeholder group that consists, at least in part, of some members of the refugee legal sector. Has the department been made aware through that group, or through any other process, how many applicants there are in the cohort that has yet to apply—that is the 7,194 people as of 14 May—who have approached legal services and are on waiting lists to make their applications? If you are aware, could you provide the committee with the number that the department has been informed of? Ms Lauman: We have a general indication, but we do not have specific numbers. Senator McKIM: The department has not been provided with a list of people? Ms Lauman: Some legal service providers have provided lists, but	23 May 2017, Page 37 and 38

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					<p>others have chosen not to. So it is by no means definitive.</p> <p>Senator McKIM: What, to the best of the department's knowledge, is the number?</p> <p>Ms Lauman: I do not have that on me at the moment, I am afraid.</p> <p>Senator McKIM: Okay. You do not know that off the top of your head?</p> <p>Ms Lauman: Not off the top of my head. Certainly we are aware of media statements that have been made, but—</p> <p>Senator McKIM: Yes.</p> <p>Ms Zakharoff: Senator McKim—</p> <p>Senator McKIM: Is that a response to that question?</p> <p>Ms Zakharoff: I just want to make the point that not everyone requires legal services, nor do they—</p> <p>Senator McKIM: I understand that.</p> <p>Ms Zakharoff: So it would be an imperfect answer that we are able to provide, because not everyone who is yet to apply will seek legal services.</p> <p>Senator McKIM: I appreciate that and I take no issue with that comment, but the answer will be perfect to the best of the department's capacity—</p> <p>Ms Zakharoff: Yes.</p> <p>Senator McKIM: because the question I asked was: is the department aware of the number that are on waiting lists that the department has been informed of? If you could take that on notice please and provide that to the committee, thank you.</p>	
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BE17/291	Operations	Detention and Offshore Operations Command	Senator Watt	Involuntary returns – Onshore detention and Regional Processing	<p>Senator WATT: Ms Zakharoff, what did you say about involuntary returns from Australia?</p> <p>Ms Zakharoff: I did not answer the question about involuntary returns; I simply said that the program that we run does not apply. Mr Woodford-Smith may well know the number of involuntary returns from detention.</p> <p>Senator WATT: Do you know that?</p> <p>Mr Woodford-Smith: Yes, I can run through involuntary removals.</p> <p>Senator WATT: In the interests of time, I might get you to give those figures on notice. Deputy Commissioner Newton gave them back to 2013, so why don't we get them from 2013 for onshore and offshore? I would also be interested in knowing countries of origin and number of deportations by month.</p>	22 May 2017, Page 137
BE17/292	Visa and Citizenship Services	Community Protection	Senator Rhiannon	Bassem Tamimi	<p>On 4 April this year the Australian government granted Bassem Tamimi a visa to visit Australia. On April 5 this visa was revoked as set out in a letter from the department to Mr Tamimi that stated in part “there is a risk that members of the public will react adversely to your [Tamimi’s] presence in Australia regarding your views of the ongoing political tensions in the Middle East”.</p> <p>(a) Did Australia’s Ambassador to Israel or Australia’s Representative Office in Palestine or any department officer provide evidence or any advice that contributed to Mr Tamimi’s visa being revoked?</p> <p>(b) Is the government aware that denying entry to an individual on the basis of their political views is a violation of freedom of speech and an act of political censorship?</p> <p>(c) When the Israeli Prime Minister visited Australia there were protests in a number of Australian cities reflecting what some call an “adverse public reaction”.</p> <p>i. How does the “adverse public reaction” that the Israeli Prime Minister visit precipitated differ from what it was anticipated Mr Tamimi’s visit would cause?</p> <p>(d) Does the government agree or recognise that some of the Israeli Prime Minister’s policies including the expansion of West Bank settlements that have been criticised by the United Nations result in “a strong adverse reaction” from some people in Australia?</p>	22 May 2017, Written

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					(e) It has been reported that Mr Tamimi as a result of the revoking of his visa is now banned from applying for an Australian visa for three years. Did the Australian ambassador to Israel or representatives of the Australian Representative Office of any DFAT department officer give evidence to Minister Peter Dutton on the Department of Immigration about this matter? (f) Was any advice passed on once the ban was in place?	
BE17/293	Visa and Citizenship Services	Visa & Citizenship Management	Senator Roberts	Total number of migrants since 1901	How many people have legally and illegally immigrated to Australia since 1901 (or at least 1967) along with when, from where and what race and religion? What were the foreign employment, income and criminal status of these people prior to arriving in Australia? What were the domestic employment, income and criminal status of these people over time after arriving in Australia?	22 May 2017, Written
BE17/294	Corporate	Legal	Senator Carr	Statistics - Breakdown of refugee matters referred to the AAT	Provide the following for the previous financial years (2012/2013, 2013/2014, 2014/2015, 2015/2016, 2016/2017) • Number of refugee cases overturned by the AAT where the Immigration Minister has appealed or sought a judicial review: • Number of refugee cases overturned by the AAT where the Immigration Minister has unsuccessfully appealed or sought a judicial review • Number of other migration matters cases overturned by the AAT the Immigration Minister has successfully appealed • Number of other migration matters overturned by the AAT the Immigration Minister has unsuccessfully appealed:	22 May 2017, Written
BE17/295	Policy	Immigration & Citizenship Policy	Senator Pratt	Citizenship test - advantage for native english speakers	Would the citizenship changes in regard to English language give an advantage to people who are from English speaking countries over every other migrant?	22 May 2017, Written

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BE17/296	Policy	Immigration & Citizenship Policy	Senator Kakoschke-Moore	Distinguished Talent Visa - Waiting list and cap	<p>Distinguished Talent Visa</p> <p>During estimates I was advised that migrants who have previously used 457 visas to enter the country for elite dance and music positions should apply for a Distinguished Talent Visa.</p> <ul style="list-style-type: none"> • Is the Department aware of how many people are awaiting acceptance for the Distinguished Talent Visa as the cap has now been reached? • Was this issue of the 200 person cap considered when a decision was made to remove elite artists from the 457 visa list? • Was the Department of Education and Training consulted about this change? • Has the Department considered how this may affect the arts in Australia? 	22 May 2017, Written
BE17/297	Corporate	Finance/CFO	Senator Cameron	Skilling Australians Fund	<p>Skilling Australians Fund</p> <p>Please outline the assumptions behind the modelling for the Skilling Australians Fund. Please include assumptions related to historical visa usage and any adjustment made to those estimates over the forwards, and the rationale for those adjustments.</p> <ul style="list-style-type: none"> • How many employers will contribute to the Fund each financial year based on the government's modelling? • Please break down by businesses with over \$10 million in annual turnover, and those with under \$10 million in annual turnover. • If visas granted exceed projections will the 'extra' funding flow into the Skilling Australian's Fund? • In the modelling used to establish the Skilling Australians Fund budget, how much of revenue for the Fund relies on Temporary Skills Shortage visas? Please provide totals and break down annually (financial years), by visa type. • How much of the Fund will rely on permanent visa classes? Please provide totals and break down annually (financial years) by visa type. 	22 May 2017, Written
BE17/298	Corporate	Executive	Senator Roberts	Muslim Migrant in Australia - Statistics	<p>Please outline the assumptions behind the modelling for the Skilling Australians Fund. Please include assumptions related to historical visa usage and any adjustment made to those estimates over the forwards, and the rationale for those adjustments.</p>	22 May 2017, Written

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BE17/299	Corporate	Executive	Senator Roberts	Muslim migrants in Australia - Islam and the Koran	<ul style="list-style-type: none"> • How many employers will contribute to the Fund each financial year based on the government's modelling? • Please break down by businesses with over \$10 million in annual turnover, and those with under \$10 million in annual turnover. • If visas granted exceed projections will the 'extra' funding flow into the Skilling Australian's Fund? • In the modelling used to establish the Skilling Australians Fund budget, how much of revenue for the Fund relies on Temporary Skills Shortage visas? Please provide totals and break down annually (financial years), by visa type. • How much of the Fund will rely on permanent visa classes? Please provide totals and break down annually (financial years) by visa type. 	22 May 2017, Written
BE17/300	Corporate	Legal	Senator Pratt	AAT appeal rate	<p>Senator PRATT: Has the department identified any gaps, issues or problems with the framework in which the AAT currently works?</p> <p>Mr Pezzullo: That is getting a bit closer to home, so I am happy to answer that. As Ms De Veau made clear, and we provide the minister with advice on these matters, if we are of the view that a decision—and this is a matter of jurisprudence; it is not about whether the AAT is operating beyond its remit. I simply have no view on those matters. But if a decision in our mind or, indeed, if the minister wishes to ask for advice it should be appealed, or certainly at least there should be discussion about appeal. That goes to your question. Then that relates to matters of law. As Ms De Veau said, you go through a process of judicial review and there are matters that we appeal are there not? I do not have the stats in my head, but Ms De Veau might assist me. We suggest or act on the minister's instructions to appeal any number of decisions at any particular point in time. Perhaps Ms De Veau can—</p> <p>Ms De Veau: I might take the appeal rate from the AAT on notice and come back to you. I have some lengthy statistics in relation to matters before the courts.</p>	22 May , p 14
BE17/301	Corporate	Legal	Senator Pratt	AAT - Judicial review for 6 cases	<p>Senator PRATT: Has the minister asked the department to prepare a case for judicial review of the AAT decisions in relation to these cases?</p> <p>Mr Pezzullo: When the staff brief me on how we have handled the six cases historically and how we intend to handle them prospectively, I</p>	22 May, p 29

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					will look at that in terms of what we have taken on notice.	
BE17/302	Corporate	Legal	Senator Macdonald	AAT - year of arrival for 6 cases	CHAIR: Okay. Thank you. On notice, are you able to tell me the year of arrival of these six particular cases, without identifying those cases? Mr Pezzullo: That is a subset of the question we have taken on notice from Senator Pratt, so we will look at those question in those terms.	22 May, p 35
BE17/303	Corporate	People	Senator Pratt	Reduction in workforce	Senator PRATT: That was not my question—and I have quite limited time for asking questions. Were they redundancies, voluntary redundancies or not filling positions? Mr Pezzullo: We had some targeted voluntary redundancies at various levels of classification. We had incentives to retire for some of our SES officers. But otherwise, generally speaking, the reduction has been achieved through attrition. Senator PRATT: If you could take on notice the breakdown of those positions in terms of the people that have left the department, that would be great.	22 May, p 47
BE17/304	Corporate	People	Senator Pratt	Reduction in workforce in VCSG - impact on visa grant waiting times	Senator PRATT: What has been the impact on waiting times? How do waiting times compare from 2015-16 to 2016-17 relative to the staffing levels? Mr Pezzullo: I would have to take on notice the attribution, if you will, per capita as to FTE, because there are two factors at play there. The per capita rate in one year might have been set, but the same number or, indeed, fewer officers have had to be even more productive to deal with the volumes that are going up. So it is a three-way equation. It is resourcing—and you are drawing attention to that—it is streamlining of your processes and the application of technology, and it is the volume growth in the size of the business area. Those three variables operate together; you cannot isolate one. Senator PRATT: I appreciate you cannot isolate them, but you have said you are only at the early stages of implementing technology. Mr Pezzullo: Yes. Senator PRATT: Therefore, in the main, your number of staff should	22 May, p 48-9

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					<p>be relative to the number of applications—</p> <p>Mr Pezzullo: Why? Sorry—</p> <p>Senator PRATT: and should have a correlation to the processing times.</p> <p>Mr Pezzullo: Perhaps I need to be clearer. That assumes we are a department for visa management and that is all we do. I have just drawn attention to—</p> <p>Senator PRATT: No, for this part of the—</p> <p>Mr Pezzullo: I am sorry. It would be irresponsible of the commissioner and I, when we set our priorities, to say, 'That's a discrete part of our business. We are sort of nominally a Department of Immigration and Border Protection, but each silo or fragment or element of the business is self-contained.'</p> <p>Senator PRATT: I understand there have been considerable changes to a wide range of visa policies which would affect a wide range of things.</p> <p>Mr Pezzullo: Sorry, I am not just drawing attention to visa policies; I am talking about counter-narcotics, counterterrorism and exploited migrant workers, and the deliberate shift in resources—I am not sugar-coating this—whereby some areas are impacted more heavily than other areas has been a conscious decision on the part of the commissioner and I in responding to the direction of government to bolster certain areas that have got nothing to do with visas.</p> <p>Senator PRATT: I understand that. Please provide on notice the number of staff in that particular unit relative to the number of applications and the waiting time.</p>	
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BE17/305	I&C	Corporate Services	Senator Pratt	Staff employed through Labour hire companies	<p>Senator PRATT: Are there staff other than those ICT contractors that are employed through labour hire companies?</p> <p>Mr Pezzullo: Ms Connell might know. I do not know that readily to hand.</p> <p>Ms Connell: We will get some further detail. We use a number of labour hire firms for different arrangements. We use them for our—</p> <p>Mr Groves: Telephony.</p> <p>Ms Connell: telephony interpretation service—thank you. We have a specific labour hire arrangement just for our telephonic interpreters. We do employ contractor consultants through a variety of means, but I would have to take on notice exactly which—</p> <p>Senator PRATT: If you could take that on notice please.</p>	22 May, p 58
BE17/306	Corporate	Corporate Services	Senator Watt	List of labour hire companies engaged by the Department	<p>Senator WATT: Would we be able to get a copy of the names of each of the labour hire agencies that have been engaged and for what purposes?</p> <p>Mr Pezzullo: I think Ms Connell effectively took that on notice, but if she did not I will take that on notice.</p> <p>Senator WATT: We were not sure whether we were going to get a full list or just—</p> <p>Mr Pezzullo: We will provide on notice a list of all the labour hire and labour intermediary firms that we use and the purpose for which they are engaged.</p> <p>Senator WATT: And maybe the number of people engaged via those agencies.</p> <p>Mr Pezzullo: We will put that as the cherry on top.</p> <p>Senator WATT: Thank you.</p>	22 May, p 62
BE17/307	Operations	OSB JATF	Senator Carr	Turnbacks	<p>Please provide the number of vessels turned back by the ABF, the dates on which they were turned back, the number of adults and the number of children on board, and the country where the vessel departed from for:</p> <p>2012/2013</p> <p>2013/2014</p> <p>2014/2015</p> <p>2015/2016</p> <p>2016/2017</p>	22 May, Written

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BE17/308	Policy	International	Senator Carr	Cambodia resettlement	<p>Please provide the number of people resettled under the Cambodia resettlement agreement and the dates on which those refugees resettled, Please provide the number of refugees who have resettled in Cambodia who are still living in Cambodia at 31 May 2017.</p> <p>Please provide the cost of resettling these individuals</p> <p>Please provide the overall cost of the Cambodia resettlement deal</p> <p>Please outline how many more individuals are expected to be resettled under the Cambodia resettlement deal</p>	22 May, Written
BE17/309	Visa and Citizenship Services	Visa & Citizenship Management	Senator Carr	Family Violence provisions - number of family violence claims by visa type	<p>Provide the number of family violence claims by visa type over years:</p> <p>2012/2013</p> <p>2013/2014</p> <p>2014/2015</p> <p>2015/2016</p> <p>2016/2017</p>	23 May, Written