

QUESTION TAKEN ON NOTICE

BUDGET ESTIMATES HEARING : 23 May 2017

IMMIGRATION AND BORDER PROTECTION PORTFOLIO

**(BE17/088) - 457 Changes - other countries' processes in relation to police checks
- Programme 2.3: Visas**

Senator Hume, Jane (L&CA 35) asked:

Senator HUME: Who did the request?

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. 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.

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?

Mr Wilden: I would have to take that on notice.

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.

Answer:

Most countries have arrangements in place to check the character of visa applicants. The department does not hold any specific information about whether other countries require police checks in visa programs similar to the subclass 457. Providing this level of detail would be an unreasonable diversion of resources.