

QUESTION TAKEN ON NOTICE

SUPPLEMENTARY BUDGET ESTIMATES HEARING : 19 October 2015

IMMIGRATION AND BORDER PROTECTION PORTFOLIO

(SE15/020) - People in detention due to Migration Amendment (Character and General Visa Cancellation) - Programme 1.3: Compliance and Detention

Senator Carr, Kim (L&CA 68) asked:

Senator KIM CARR: I would like to know how many people have been put in detention that you can relate to the changes in the law as of October-November 2014?

Mr Outram: We will have to do some analysis around that, because obviously section 501 existed before last year, and there were mandatory cancellations, and there have been some changes in the law. So we would have to do some analysis and take that question on notice.

Senator KIM CARR: And was that the number you anticipated when the legislation was presented to the parliament?

Mr Outram: Again, I will take that on notice.

Answer:

Legislative changes to the character provisions under section 501 of the *Migration Act 1958* (the Act) came into effect on 11 December 2014. For the period 11 December 2014 to 19 October 2015, there have been 634 non-citizens detained following the cancellation of their visas under the character provisions at section 501 of the Act.

The number of people in detention as a result of mandatory cancellation is higher than anticipated and reflects the large number of people who were mandatorily cancelled because they were already serving a prison sentence when the new legislation was introduced, and have chosen to seek revocation of that decision.