

OFFICE OF THE
ADDITIONAL ESTIMATE

Tabled Document 2.
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Date: 21/2/11

Christine Sykes, CEO, Office

Thank you Madam Chair and members of the Committee.

The Office of the Migration Agents Registration Authority (MARA) has been operating since 1 July 2009 and I would like to provide you with an update.

Annual Report

The Office of the MARA published its first annual report in October 2010.

The annual report outlines progress towards strengthening the migration agent profession and provides details of operations in the past year. This includes ensuring a smooth transition, maintaining responsive client service and implementing reforms.

Operations

At the end of June 2010 there were 4482 registered migration agents compared to 4097 on 1 July 2009. This was an increase of over nine percent.

In the 6 months between July and December 2010, there was a slight decrease (34 agents or less than one percent) in the total number of registered migration agents bringing the total to 4448 on 31 December 2010. There was a 58% (252) reduction in the number of initial registration applications received compared to the same period in the previous year (604). However, there was an increase in repeat registration of 10.5% (2017 compared to 1825). It is too early to tell if this reflects an ongoing trend, and the change is not consistent across the sector.

Registrations by Australian Legal Practitioners continued to grow with 1211 practitioners at 31 December, compared to 1185 at the end of June 2010, a growth of over 2%.

There has also been continued growth in the number of non-commercial agents with an increase of 6.5% since 30 June. By the end of 2010, there were 262 non-commercial migration agents.

A total of 499 complaints against registered migration agents were received by the end of the 2009–10 program year. In the 6 months until 31 December 2010, 236 complaints were received which is close to pro-rata.

In 2009–10, disciplinary action was taken against 8 agents. Two agents were cautioned. Two agents were suspended (for 1 year and 3 years respectively); 1 agent was suspended until they meet certain conditions and 3 former agents were barred from re-registering for the maximum period of 5 years.

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Since June 2010, disciplinary action has been taken against 3 agents. The registration of two agents was cancelled for 5 years and one former agent was barred for a maximum period of 5 years.

At the end of June 2010 there were 626 approved Continuing Professional Development (CPD) activities through 47 providers. The majority (368) of activities were seminars. At 31 December 2010, there were 498 approved activities provided through 49 providers. The reduction in activities is due to changes in the way CPD activity approvals are reported in preparation for the introduction of CPD reforms.

CPD Changes

As part of the continued effort to improve consumer protection and lift the standard of the profession, the Office of the MARA has implemented changes to the continuing professional development requirements for re-registration.

Following consultations with registered migration agents, CPD providers and independent advisers, the changes encompass more choices for agents to develop their skills and knowledge relating to the provision of migration advice.

Changes introduced include offering new activities like mentoring. More CPD points will be awarded for some activities such as workshops that include assessments or have a focus on advanced level or small group interactions.

We are also working with providers to develop a Practice Ready program for newly registered agents and a standard training kit for a refresher course on "Ethics and Professional Practice" aimed at agents who are renewing their registration.

Communications Strategy

We have made significant progress on the implementation of the communications strategy. I mentioned at last estimates one of the products we developed was the Consumer Guide. I'd like to report that it has been very well received by stakeholders including electorate offices, migrant resource centres, education providers and the department's outreach officers. The translated brochures which are based on the Consumer Guide, will be available in March to complement the guide and improve our communication to ethnic communities.

We have also provided additional information for consumers on the register of migration agents. Since 1 February 2011, online information is available on which registered migration agents are also Australian legal practitioners. In addition to displaying the information for reach Australian legal practitioners, searches can be performed on this criterion. This change was requested by the Law Council of Australia and supported by the Advisory Board.

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Reform Agenda

The Office of the MARA continues to work closely with the Advisory Board to implement recommendations from the *2007–08 Review of Statutory Self Regulation of the Migration Advice Profession* (Hodges Review)

Of the 57 recommendations proposed by the review, by the end of June 2010, 21 were fully or substantially completed and 20 were in process. The remaining 16 were unable to be progressed due to the need for legislative change or further research. Since then, a further 4 recommendations have been finalised, bringing the total to 25 recommendations fully or substantially completed.

Advisory Board

Once again, I wish to extend my thanks to the members of the Advisory Board for their valuable insights, contributions and commitment since the establishment of the Office. The Chairman, Mr Robert Cornall AO has ably led the Advisory Board in establishing a solid work program. I look forward to continuing our achievements in partnership with the Advisory Board.

I am happy to answer questions from members of the Committee.