

QUESTION TAKEN ON NOTICE

BUDGET ESTIMATES HEARING: 21-22 MAY 2012

IMMIGRATION AND CITIZENSHIP PORTFOLIO

(BE12/0334) Program 4.1: Compliance and Case Resolution

Senator Cash (L&CA 51) asked:

In relation to the 23 s501 cancellations that either the Minister cancelled or refused, provide the dates the department gave the submissions to the Minister. What cases were provided? Were any of these cancellations made under the general character provisions as opposed to criminal convictions?

Answer:

As stated by the Acting Secretary of the department at the Estimates hearing on 21 May 2012 it is not the practice of the department to provide information that might identify a person, or cohort. The department is bound by the provisions of the *Privacy Act 1988* which prevents the disclosure of any information that may identify a person.

In the 2011/2012 program year to 12 June 2012, the Minister has refused three visa applications and cancelled 21 visas under section 501.

Of the 24 cases considered by the Minister, 23 of those decisions concerned an individual who did not pass the character test on the basis that they had a substantial criminal record. One of those decisions was made using the general character provisions.

For the purposes of this Question on Notice these individuals have been assigned a case number.

Case number	Date advice sent to the Minister
Case 1	28/06/2011
Case 2	29/06/2011
Case 3	30/06/2011
Case 4	08/07/2011
Case 5	12/07/2011
Case 6	28/07/2011
Case 7	02/08/2011
Case 8	05/08/2011
Case 9	18/08/2011
Case 10	01/09/2011
Case 11	06/09/2011
Case 12	07/09/2011

Case 13	09/09/2011
Case 14	19/10/2011
Case 15	28/10/2011
Case 16	10/11/2011
Case 17	02/12/2011
Case 18	02/12//2011
Case 19	10/02/2012
Case 20	13/02/2012
Case 21	24/02/2012
Case 22	23/03/2012
Case 23	22/05/2012
Case 24	04/06/2012**

**Note: Case 24 has been sent and considered by the Minister, after evidence was provided at Senate Estimates, which represents the discrepancy in the figures provided in this Question on Notice.