

QUESTION TAKEN ON NOTICE

SUPPLEMENTARY BUDGET ESTIMATES HEARING: 4 November 2003

IMMIGRATION AND MULTICULTURAL AND INDIGENOUS AFFAIRS PORTFOLIO

(68) Output 1.3: Enforcement of Immigration Law

Senator Bartlett asked:

- (1) How many people are currently subject to a deportation order on character grounds?
- (2) What is the average length of time of residence in Australia?
- (3) What is the average age of arrival in Australia?
- (4) What avenue or process is open to these people to appeal a decision to deport them?
- (5) What advice is given to these people regarding this process?
- (6) What is the average length of time served in prison preceding deportation orders?
- (7) How many have been deported from Australia under section 501, 200 and 201?

Answer:

The Department does not keep the details necessary to answer parts 2, 3 and 6.

- (1) As at 31 October 2003, 40 people were awaiting removal following visa cancellation under Section 501, and 33 were awaiting deportation under Section 200.
- (4) Where a visa is cancelled under Section 501 by a Minister's delegate, the individual may seek merits review through the Administrative Appeals Tribunal (AAT). Where a visa is cancelled by the Minister under Section 501, individuals may seek judicial review.

Where a person is liable for deportation under Section 200, they may seek merits review and judicial review of the decision.

- (5) Individuals are informed of their review rights at the time of visa cancellation under Section 501, or when advised of a deportation order under Section 200.
- (7) 125 between 1 July 2002 and 30 June 2003.

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(69) Output 1.3: Enforcement of Immigration Law

Senator Bartlett asked:

Health in Detention Including Nauru

1. How many people have been released from Detention who are not on visas which allow them access to social security or Medicare?
2. How many people with disabilities are currently in detention offshore and onshore? By detention centre include Nauru and Christmas Island.
3. How many with severe or chronic mental illness offshore and onshore?
4. How many detainees are on antidepressants?
5. How many detainees are regularly given medication to sleep?
6. Can we have an age and gender breakdown on those numbers?

Answer:

1. The table below provides the number of persons released from an immigration detention facility not on visas granting them access to social security or Medicare, from 1 January 2000 to 7 November 2003 *.

Number of People released from detention not on visas granting access to social security of Medicare	
2000	916
2001	1106
2002	1389
2003 *	999
TOTALS	4410

These figures reflect persons released from immigration detention facilities on non-substantive visas (including bridging visas) or temporary substantive visas. The majority of these were released from an immigration detention facility on a Bridging E visa and were visa over-stayers detected in the community.

2. Onshore:

As at 13 February 2004, there was one detainee at the Port Hedland Immigration Reception and Processing Centre (IRPC) and two detainees at the Baxter Immigration Detention Facility (all adult males) with a recorded disability.

Offshore:

The International Organization for Migration (IOM) Senior Medical Officer in Nauru advised that as at 13 February 2004 there were 2 adult males.

3. Onshore:

As at 9 January 2004, there were 27 adult male and 7 adult female detainees diagnosed with a mental illness (mainland detention centres and Christmas Island IRPC).

Offshore:

None as at 13 February 2004.

4. As at 9 January 2004, there were 66 adult male and 15 adult female detainees who were prescribed antidepressants (mainland detention centres and Christmas Island IRPC).
5. As at 9 January 2004, there were 31 adult male and 4 adult female detainees who were prescribed medication to assist with sleeping (mainland detention centres and Christmas Island IRPC).
6. Incorporated into answers 2-5 above.

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(70) Output 1.5: Offshore Asylum Seeker Management

Senator Bartlett (L&C 118) asked:

In relation to Nauru:

“Do you have or are able to get from medical staff any figures on the extent of mental illness amongst the detainees?”

Answer:

The International Organization for Migration Senior Medical Officer and Mental Health Unit in Nauru have advised that as at 26 November 2003 there were two asylum seekers with chronic mental illness. A number of other asylum seekers have also displayed symptoms of a psychological nature over time involving some treatments.

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(71) Output 2.1: Settlement Services

Senator Sherry (L&C 121) asked for a copy of the terms of reference of the high-level taskforce announced by the Minister on 27 May.

Answer:

The terms of reference of the high-level taskforce are as follows:

The taskforce, to be chaired by the Department of the Prime Minister and Cabinet, will:

1. develop a whole-of-government approach to issues identified in the report of the *Review of Settlement Services for Migrants and Humanitarian Entrants* (Review) that go beyond the specific settlement service responsibilities of the Department of Immigration and Multicultural and Indigenous Affairs (DIMIA), including:
 - pathways which connect settlement services with mainstream services; and
 - strategies to improve access to mainstream service delivery, including the range of programme and agency specific issues identified in the Review (recommendations 6 to 19 of the Review report).
2. provide advice to Government by October 2003 to inform the 2004-05 Budget process on new policy proposals and funding pressures arising from consideration of the issues identified in (1) above, identifying appropriate funding sources within mainstream allocations.

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(72) Output 2.1: Settlement Services

Senator Sherry (L&C 122) asked: "When did the task force commence?"

Answer:

The first meeting of the Settlement Services taskforce took place on 22 July 2003.

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IMMIGRATION AND MULTICULTURAL AND INDIGENOUS AFFAIRS PORTFOLIO

(73) Output 2.1: Settlement Services

Senator Sherry (L&C 122-123) asked:

- (a) For a document outlining the achievements since the release of the review of settlement services and (b) whether they involve any new funding or reprioritising of existing funding.
- (c) Indicate, in approximate figures, where there has been additional funding and provide information where it involves a reallocation and where there is an estimate.

Answer:

(a) Since the release of the *Report of the Review of Settlement Services for Migrants and Humanitarian Entrants* on 27 May 2003 nine recommendations have been implemented.

- A tenancy training program has been introduced into the Integrated Humanitarian Settlement Strategy (IHSS).
- The package of goods available under the IHSS's household formation support service has been enhanced.
- IHSS service providers' responsibilities for assisting entrants to access medical attention has been clarified in contract variations.
- A pilot pre-embarkation cultural information and orientation program for humanitarian entrants at Kakuma and other refugee camps in Kenya has commenced.
- An improvement plan for the Settlement Database has been developed.
- Performance assessment of Migrant Resource Centres (MRCs) and Migrant Service Agencies (MSAs) is being made on the basis of potential client numbers, physical accessibility, ability to promote community capacity building and mainstreaming, ability to network and effective management.
- Support for the development and maintenance of community language assistance programs through the Adult Migrant English Program's (AMEP's) Home Tutor Scheme Enhancement Program continues.
- Research has been commissioned to identify the availability, eligibility requirements and use of English as a Second Language courses provided by State/Territory governments.
- Effective strategies for service providers to recruit volunteer tutors to assist AMEP delivery are being identified through further research.

- (b) Most of the achievements since the release of the Review have taken place on a policy level and therefore have been accommodated within the existing DIMIA budget.
- (c) The IHSS service enhancements are being funded from within additional funding provided for Outcome 2 in the 2003-04 Budget, as advised in Budget Related paper No 1.12. The amount of funding will range between \$4 - 7m and includes funding of the pilot pre-embarkation program for humanitarian entrants.

The research and AMEP materials development initiatives are being funded from within existing funding. The two research initiatives have been costed at \$34,000 and \$46,000 respectively. The AMEP materials development initiatives have been costed at \$233,000 and \$1.5m respectively.

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(74) Output 2.1: Settlement Services

Senator Sherry (L&C 123) asked, "Have there been any discussions held with the states on joint funding models, cost sharing or issues of that type?"

Answer:

Discussions with State and Territory Governments have not covered joint funding models, cost sharing or issues of that type. The focus has been on implementation of specific review recommendations and community reaction in general.

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(75) Output 2.1: Settlement Services

Senator Sherry (L&C 125) asked for further detail of the additional funding for IHSS.

Answer:

The current estimate of the additional cost in 2003-04 of the enhancements to the Integrated Humanitarian Settlement Strategy (IHSS) is in the range of \$4-7m. Approximately 77% of this additional cost is expected to be for enhancements to household formation support, around 10% for pre-embarkation and successful tenancy training, and the balance for accommodation support and early access to health services. These proportions are estimates only and are subject to change in the light of the actual household composition of new arrivals and patterns of client usage of IHSS services.

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(76) Output 3.1: Indigenous Policy

Senator Crossin (L&C 5) asked for a copy of the press release that announced the four remaining COAG trial sites.

Answer:

Four Indigenous COAG trials announced since the last time information was provided to the Committee (20 June 2003) are:

East Kimberley (WA) – announced on 2 July 2003

Shepparton (Vic) – announced on 30 July 2003

Tasmania – announced on 28 August 2003

Murdi Paaki (NSW) – announced on 1 September 2003 (also signed Shared Responsibility Agreement at the time)

Copies of relevant media releases, and an additional release in respect of the signing of a Shepparton shared responsibility agreement on 4 September 2003, are attached. They are also available on the website www.icc.gov.au

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(77) Output 3.1: Indigenous Policy

Senator Crossin (L&C 8) asked for a copy of the COAG framework for reporting on Indigenous disadvantage

Answer:

The framework can be found on pages 2, 18 and 19 in the attached report: *Overcoming Indigenous Disadvantage: Key Indicators 2003 – Overview*.

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(78) Output 3.1: Indigenous Policy

Senator Crossin (L&C 8) asked for a diagram of the COAG reporting responsibilities in respect of the Indigenous indicators framework.

Answer:



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(79) Output: Aboriginal and Torres Strait Islander Services

Senator Crossin (L&C 11) asked, "Will some conditions apply to the funding of the Cape York credit union?"

Answer:

In August 2003 ATSIIS provided a grant of \$99,000 inclusive of GST to the Cape York Community Financial Project Ltd to assess and develop a business plan for the development of the Cape York Credit Union.

The grant funding was conditional on the funds being used for the activity for which the grant was approved, and acceptance of the standard Grant Conditions applicable to all grant funding provided by ATSIIS.

In addition, funding was given on the basis that it could be demonstrated that the development of the Cape York Credit Union was the most cost effective and sustainable method of providing financial services, that the grant must only be drawn down if each stage of the assessment process indicates the venture will be commercially viable, that ATSIIS holds the right to engage financial support from other agencies where the business plan proves commercial viability and that the business plan provides a practical exit strategy for the venture.

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(80) Output: Aboriginal and Torres Strait Islander Services

Senator Crossin (L&C 23) asked, "When was the decision made to use the PinPlan product?"

Answer:

Our records indicate that the decision to use the PinPlan Product was made by the Review Panel in mid to late December 2002.

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(81) Output: Aboriginal and Torres Strait Islander Services

Senator Crossin (L&C 12) asked, "Why has there been a significant increase in the estimates salaries since 2001-02?"

Answer:

The employee expenses figure for 2001-02, which appeared in the 2001-02 annual report, was \$79.437m. This figure has subsequently been amended to \$82.631m. The difference relates to the reclassification of some supplier expenses (eg. FBT, Comcare, Temporary Accommodation allowance, etc.) as employee expenses. The reclassification of these items was requested by the ANAO in the course of their audit of the 2002-03 financial statements. The revised employee expenses figure of \$82.631m has since been published in the 2002-03 annual report and appears in the comparatives column of the 2002-03 financial statements.

Total employee expenses in 2002-03 were \$85.349m. This represents an increase of \$2.718m or 3.3% on the prior year. The estimated employee expenses in 2003-04 are \$85.822m (ATSIC \$7.939m and ATSI \$77.943m). This represents an increase of \$0.473m or 0.6% on the prior year.

The increase in the employee expenses is primarily due to salary increases negotiated under certified agreements. Staff received an increase of 3% with effect from June 2002 and a further 3.75% increase with effect from June 2003. The average staffing level (ASL) figure for ATSIC in 2001-02 was 1,309. The corresponding figure in 2002-03 was 1,288. The estimated ASL figure for 2003-04 is 1,247 (ATSIC 75 and ATSI 1,172).

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(82) Output: Aboriginal and Torres Strait Islander Services

Senator Crossin (L&C 13) asked, "What is the breakdown for the ATSIC salaries in the on-costs?"

Answer:

Salaries	\$6,524,500
Superannuation	\$ 592,000
Below The Line (BTL)	\$ 282,500
Controlled Entities	\$ 540,000
Total	\$7,939,000

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(83) Output: Aboriginal and Torres Strait Islander Services

Senator Crossin (L&C 13) asked, "Do you know exactly how many ATSIC staff have been employed and at what salary level?"

Answer:

In total thirty-eight staff have been employed to provide support to the Chairman, Deputy Chairman and Commissioners. The table below indicates the classification level and salary range for these staff.

Staff Level	Salary Range
<u>Commissioner's Support (including Chair Support)</u>	
2 of EL 2 Level Officer	74,384 – 84,334
1 of EL 1 " "	64,495 – 69,642
18 of APS 6 " "	50,308 – 57,790
17 of APS 3 " "	37,469 – 40,441

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(84) Output: Aboriginal and Torres Strait Islander Services

Senator Crossin (L&C 14) asked, "Have other Indigenous organisations been affected by this new policy that has been established since 1 September? What I am after is organisations that might have been promised funding under ATSIC and have now been told to reapply because ATSI are evaluating and looking at the grants."

Answer:

ATSI does not believe that there were any Indigenous organisations that had been promised funding from the Business Development Program (BDP) by the Aboriginal and Torres Strait Islander Commission (ATSIC) who were then required to reapply to ATSI after its commencement on 1 July 2003.

At the commencement of ATSI, some clients had lodged applications to ATSIC for funding under BDP, which had not been assessed or finalised. ATSI issued a letter to all those clients advising that ATSIC no longer had responsibility for delivering the BDP program and requested that the client assign their application for funding under BDP to ATSI for assessment under the policy and procedures of ATSI. All of those clients complied with this request.