

QUESTION TAKEN ON NOTICE

SUPPLEMENTARY BUDGET ESTIMATES HEARING: 20 OCTOBER 2009

IMMIGRATION AND CITIZENSHIP PORTFOLIO

(64) Program: Internal Product

Senator Fierravanti-Wells asked:

1. How many reports have been commissioned by the Rudd Government in the immigration and citizenship portfolio since November 2007?
2. In relation to each report, please provide details including:
 - a. date commissioned;
 - b. date report handed to Government;
 - c. date of public release;
 - d. terms of reference;
 - e. committee members;
 - f. process of appointment of those committee members.
3. How much did each report cost? How many departmental staff were involved in each report and at what level?
4. What is the current status of each report? When is the Government intending to respond to these reports?

Answer:

1. Four reports have been commissioned by the Government in the immigration and citizenship portfolio since November 2007.
2. (i) Visa Subclass 457 External Reference Group
 - (a) Date commissioned: 17 February 2008.
 - (b) Date report handed to Government: 23 April 2008.
 - (c) Date of public release: 5 May 2008.
 - (d) Terms of reference:
 1. Concerns have been raised by the States and the resources, construction and tourism industries regarding their ability to rapidly start up new and significant projects due to skilled workforce shortages.
 2. The External Reference Group will examine how selected skilled migration measures can contribute to the alleviation of these shortages. Major infrastructure, construction, tourism and resource sectors will be the focus of the Reference Group.
 3. To give effect to this, the group will provide specific advice on:
 - a. ways to ensure the temporary work visa system (Subclass 457) operates as effectively as possible in contributing to the supply of skilled labour;

- b. the current skilled labour supply situation for each of the identified sectors;
- c. current and anticipated future employment trends; and
- d. need for overseas recruitment, including specific occupations in the identified sectors.

4. The Reference Group should be mindful that any development, priorities or initiatives complement broader labour market skills strategies.

5. At the discretion of the Minister for Immigration and Citizenship, members will be pre-eminent experts in the identified sectors.

6. The Reference Group will provide an Interim Report to the Minister for Immigration and Citizenship by 14 March 2008.

7. The Reference Group will provide a Final Report back to the Minister for Immigration and Citizenship by April 2008.

- (e) Committee members: Peter Coates (Chairman), Tim Shanahan, Melinda Cilento.
- (f) Process of appointment of members: Appointed by the Minister for Immigration and Citizenship.

(ii) Subclass 457 Integrity Review (Deegan).

(a) Date commissioned: 14 April 2008.

(b) Date report handed to Government: 31 October 2008.

(c) Date of public release: 14 November 2008.

(d) Terms of reference included examining:

- measures to strengthen the integrity of the temporary skilled migration (Subclass 457 visa) program;
- the employment conditions that apply to workers employed under the temporary skilled migration program;
- the adequacy of measures to protect 457 visa holders from exploitation;
- the health and safety protections and training requirements that apply in relation to temporary skilled workers;
- the English language requirements for the granting of temporary skilled migration workers' visas; and
- the opportunities for Labour Agreements to contribute to the integrity of the temporary skilled migration program.

(e) Review conducted by industrial relations expert, Barbara Deegan.

(f) Process of appointment: Appointed by the Minister for Immigration and Citizenship.

(iii) Review of the Personal Identifier Provisions Introduced in 2004 to *Migration Act 1958*.

(a) Date commissioned: 27 July 2009.

(b) Date report handed to Government: The report was handed to the Minister on 4 November 2009.

(c) Date of public release: As per the requirements set out in *The Migration Legislation Amendment (Identification and Authentication) Act 2004* (the Amendment Act), the Minister must table the report in both Houses of Parliament within 15 sitting days of receiving it. The report is yet to be tabled in Parliament.

(d) Terms of reference:

1. Consider the operation of the personal identifier provisions in the migration legislation (including the original 2004 legislation and all subsequent amendments), and advise:
 - whether the provisions are achieving policy objectives (assisting in identifying, verifying and authenticating the identity of DIAC clients while protecting their privacy); and
 - whether there are deficiencies or problems in the administration, operation and use by officers of the provisions and recommend improvements to the operation of the provisions to achieve policy objectives and enable effective administration, operation and use by officers.
2. As appropriate, suggest improvements to increase the integrity of DIAC's client identity assessment framework.

(e) The committee members were Peter Ford (Convenor), Jonathan Curtis (Attorney-General's Department), Andrew Solomon (Office of the Privacy Commissioner).

(f) Mr Ford, was appointed via a request for quotation procurement process. Mr Curtis and Mr Solomon were appointed as per the Amendment Act which stipulated that the review include a nominee from the Attorney General (Mr Curtis) and a nominee from the Privacy Commissioner (Mr Solomon).

(iv) Citizenship Test Review

(a) Date commissioned: The Minister announced that an independent committee of seven eminent Australians would review the citizenship test on 28 April 2008.

(b) Date report handed to Government: The report of the review, *Moving Forward...Improving Pathways to Citizenship* was handed to Government on 5 August 2008.

(c) Date of public release: 22 November 2008.

(d) The terms of reference for the review were as follows:

- Australian citizenship is a common bond, involving reciprocal rights and obligations, uniting all Australians. Choosing to become an Australian citizen involves a formal commitment to Australia and its people, the values we share and our common future.
- The Australian Government places significant emphasis on the importance of citizenship and the contribution that citizens make to the strength and vitality of this nation. Those who wish to become Australian citizens are strongly encouraged to do so.
- Undertaking a citizenship test should be an important and constructive part of this journey. The Australian Government believes that a citizenship test can play a valuable role in both encouraging people to find out more about our great nation as well as understanding the responsibilities and privileges which being an Australian citizen brings. This knowledge will help ensure that people understand the significance of the words of the Pledge of Commitment which new citizens make at their citizenship ceremony. A test is also a useful mechanism for determining whether a person meets the general legal

requirements for becoming an Australian – including whether they possess a basic knowledge of the English language.

- This review has been commissioned to examine the operation of the citizenship test since its introduction on 1 October 2007 and whether there are ways to improve its operation and effectiveness as the pathway for residents to become Australian citizens. The review will consider all aspects of the content and operation of the citizenship test, the experiences of applicants, the impact on citizenship applications and any other related issues.

(e) Former Department of Foreign Affairs and Trade Secretary Richard Woolcott AC chaired the Citizenship Test Review Committee. The six other members were former Olympian Rechelle Hawkes; SBS director Paula Masselos; refugee advocate Julianna Nkrumah; National Australia Day Council CEO Warren Pearson; former Chief of Navy Vice Admiral Rtd Chris Ritchie AO RANR; and legal expert Professor Kim Rubenstein.

(f) The committee was appointed by the Minister for Immigration and Citizenship on the basis of their experience and expertise.

3. Costs and departmental staff:

(i) Visa Subclass 457 External Reference Group: \$13,041.59.

Three departmental staff provided part time secretariat support including: one SES Band 1 officer, one Executive Level 2 officer and one Executive Level 1 officer.

(ii) Subclass 457 Integrity Review (Deegan): \$345,521.56.

Three departmental staff provided secretariat support including: two Executive Level 2 officers and one APS 5 officer.

(iii) Review of the Personal Identifier Provisions Introduced In 2004 to Migration Act 1958: \$39,279.

The following departmental staff provided information and assistance to the committee members including: one Special Counsel, five SES Band 1 officers, four Executive Level 2 officers and three Executive Level 1 officers.

(iv) Citizenship Test Review: \$221,131.

At any one time, approximately four departmental staff across a range of APS levels provided part time secretariat support, prepared background briefing and information, and collated submissions.

4. Current Status:

(i) Visa Subclass 457 External Reference Group: The Government accepted 15 of the 16 recommendations and most of these have been implemented or are in the process of being implemented.

(ii) Subclass 457 Integrity Review (Deegan): The report contained 68 recommendations. Most recommendations have been accepted and implemented in the reform of the subclass 457 visa program, including addressing the payment of market salary rates and improving the mobility of visa holders through increased English language requirements and skills assessments.

(iii) Review of the Personal Identifier Provisions Introduced In 2004 to Migration Act 1958: The report has been submitted to the Minister. As per the requirements set out in the Amendment Act, the Minister must table the report in both Houses of Parliament within 15 sitting days of receiving it. There is no formal requirement for a Government response to the report.

(iv) Citizenship Test Review: The committee provided its final report to the Government in August 2008. The Government response to the review report was published in 22 November 2008. The Government supported 23 of the reports 34 recommendations and gave in-principle support to a further four.