



Australian Government
Department of Immigration and Border Protection

Opening statement to Legal and Constitutional Affairs Committee

Supplementary Budget Estimates hearing
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Chair, Senators. Thank you for the opportunity to deliver an opening statement on behalf of the department. Congratulations Senator Macdonald, on your appointment as Chair of the Legal and Constitutional Affairs Committee and Senator Marshall as Deputy Chair in his absence. I would also like to welcome new members to the Committee.

I would also like to welcome Senator Cash, who is representing our Minister for the first time in Senate Estimates.

Chair, I would like to briefly update you on significant developments in the portfolio since I last appeared before the Committee on 27 and 28 May.

Machinery of Government changes to the portfolio

As you are aware, as a result of the Machinery of Government changes announced by the government after the election, the department has been renamed the Department of Immigration and Border Protection and the Australian Customs and Border Protection Service now falls under the portfolio. The settlement and multicultural affairs function has transferred to the Department of Social Services and the Adult Migrant English Programme (AMEP) function has transferred to the Department of Industry. I would like to acknowledge the contribution the Settlement, Multicultural Affairs and AMEP staff made to the portfolio and also acknowledge the ongoing partnership and collaboration which exists between us. I also welcome the opportunity for the department to work even more closely with our colleagues in Customs and Border Protection now that it falls under the same portfolio.

The government also introduced their new Border policy 'Operation Sovereign Borders' after the election and soon after established the Joint Agency Task Force (JATF) led by Lieutenant General Angus Campbell on the 18th September this year. There are 16 departments and agencies involved in this taskforce with the Immigration and Border Protection Portfolio plays a leading role. General Campbell will elaborate more on the role of the Joint Agency Task Force and Operation Sovereign Borders later today.

people our business

I would now like to say a few words about the broad range of programmes the department undertakes.

Migration Programme

The permanent migration programme continued to make a significant contribution to the economic and social well-being of Australia. I am pleased to report that the Department delivered the 2012-13 permanent migration programme to the exact planning level of 190,000 places. The Department continues to ensure that the migration program is well managed, delivered with efficiency and with high levels of integrity.

The programme delivered 128,973 places across all streams of the Skilled Programme, thus contributing much needed skilled workers in many sectors of the economy.

The skilled programme was complemented by a Family Programme of 60,185 places and a further 842 places in the Special Eligibility category.

The top five source countries for the 2012-13 permanent migration programme were India, China, the United Kingdom, the Philippines and South Africa.

The Humanitarian Programme

The 2012-13 Humanitarian Programme was fully delivered with 20,019 visas granted. This included 12,515 people resettled from overseas, of whom 1,673 were women at risk and their dependants.

I would like to reiterate my appreciation for the work of the department's offshore and onshore decision making teams who put in an extraordinary effort to achieve this result. I would also like to note the excellent cooperation of other agencies, including ASIO, the United Nations High Commissioner for Refugees and the International Organization for Migration.

The Government intends to provide 13,750 places for the 2013-14 the Humanitarian Programme, with a minimum of 11,000 places reserved for resettlement of people from outside Australia. This will include a significant increase in the Special Humanitarian Programme. This increase will allow families who have been separated by conflict and violence, many living in refugee camps for years on end, to reunite in Australia.

One of the highest priorities for Australia's refugee intake will continue to be the resettlement of vulnerable women at risk and their dependants.

Australia has committed to resettle 500 Syrian refugees who have fled to neighbouring countries in the Middle East, and the Department is working closely with UNCHR to begin processing this cohort. There will also be up to 800 places set aside for at-risk Afghan Locally Engaged Employees (and their families) who have served with the Australian mission in Afghanistan and are at risk of harm as a result.

On 18 October, the Migration Regulations were amended to reintroduce Temporary Protection visas for illegal maritime arrivals and unauthorised air arrivals. This measure gives effect to the government's pre-election commitment to restore temporary protection visas. Temporary Protection visas holders will be able to work and have access to Medicare and other benefits. Any grants of Temporary Protection visas will not count towards the onshore component of the Humanitarian Programme.

Student Visa Programme

Australia's student visa programme is designed to support our international education sector while at the same time maintaining the integrity of the migration programme.

On 29 October 2013 the Government announced the proposed simplification of the Assessment Level Framework and the extension of streamlined visa processing to low immigration risk non-university providers in the higher education sector in order to further facilitate the visa process for genuine international students and support sustainable growth in the industry.

Subject to the regulatory approval process, the department proposes to simplify the Assessment Level Framework by removing AL4 and AL5 and by reducing the financial requirement for AL3 students from 18 months to 12 months evidence of funds, with the condition that these funds are provided by the applicant or a close relative of the applicant. This approach will bring the financial requirement for an Australian student visa more closely in line with key competitors enabling Australian education providers to better compete internationally based on the quality of their education.

On 4 November 2013 I wrote to 22 low immigration risk non-university providers in the higher education sector in order to invite them to participate in the streamlined visa processing arrangements. These arrangements will operate similarly to the streamlined visa processing arrangements currently in place for universities and will provide a quicker and simpler visa process for eligible students.

These initiatives represent a measured and evidence based approach to increasing sustainable growth in Australia's international education sector and are made possible by other reforms, such as the Genuine Temporary Entrant requirement, which ensure that only genuine applicants are granted a visa.

Citizenship Programme

Interest in acquiring Australian citizenship has remained high, with 137,062 applications for conferral of citizenship approved in 2012-13. On Australian Citizenship Day on 17 September this year, the department hosted a special citizenship ceremony at the National Arboretum here in Canberra to welcome 100 new citizens, in recognition of the Centenary of Canberra. The ceremony was conducted by the Governor General, Her Excellency, the Honourable Quentin Bryce AC CVO. On Australia Day 26 January 2014, we will celebrate another significant Australian milestone with the 65th Anniversary of Australian Citizenship. The department is looking forward to marking this anniversary and the value of Australian citizenship during the course of the coming year.

I would also like to update the Committee on activities underway to enhance the provision of our services and strengthen the integrity of our programmes:

- The department has continued to expand its network of Australian Visa Application Centres managed by third parties under competitively tendered contracts. These outlets provide increased access and more service options to our offshore clients. A new Australian Visa Application Centre commenced operating in Guangzhou, China, on the 19th of August 2013.
- The department has facilitated over 11 million arrivals and departures during 2013-14 so far – this is an increase of over six per cent from the same period in 2012-13. If current trends continue, we anticipate that there will be over 35 million border crossings (that is, both ways) this year – well on-track to deliver an estimated 50 million border crossings by 2020.
- Of the 6 million travellers who arrived in Australia as at 31 October 2013, 64,000 were referred to Immigration Officers for further investigation. The overwhelming majority of these were cleared to enter Australia – only 1,142 travellers were refused clearance.
- Of those who were refused immigration clearance during 2013-14, the vast majority were refused immigration clearance on the grounds that they were considered not to be genuine visitors.
- Australia's Airline Liaison Officer and Tactical Support Unit programmes continue to provide significant screening support for airlines and foreign governments. The Airline Liaison Officer network has been involved in 68 interdictions of improperly documented travellers attempting to travel to Australia during 2013-14.
- We continue to use advanced analytics to enable immigration officers at airports in Australia to identify more precisely and quickly, the risk associated with people seeking to enter Australia. The Border Risk Identification System scans all 40,000 inbound travellers every day and has already contributed to 857 persons being refused immigration clearance at our airports in the first four months of this financial year. The enhanced accuracy of this technology has allowed our airport teams to manage continued growth in traveller volumes (approximately six per cent as I mentioned earlier) and reduce the number of travellers referred for additional immigration checks. Early indications are that at least 15 percent fewer travellers will need exception-management without any loss of integrity in our processing.
- The department continued to roll out biometric data exchange trials. The trials provide the opportunity to gather key data relating to people smuggling/trafficking activities and enhance the ability to identify illegal maritime arrivals. We believe these trials will prove beneficial to all countries in identifying issues related to border integrity.
- Further to my update on 27 May, as at 31 October 2013, 18,008 ImmiCards have been issued since implementation commenced on 23 March 2013. The ImmiCard is a modern polymer card the size of a credit card or drivers licence. The cards have security features and are linked to departmental records. The card is issued to Protection visa holders

onshore and illegal maritime arrivals in the community on Bridging Visa E arrangements, to assist them to establish their status. The robust and convenient polymer replacement is welcomed by community agencies as well as holders, and will be made available to greater cohorts over the next phases.

- The department continues to respond to activities that are not sanctioned under the *Migration Act 1958*, the *Citizenship Act 1948*, the *Passports Act 1938* and the *Financial Transaction Reports Act 1988*. This has been highlighted during the month of October 2013 with two cases, totaling over five years of custodial sentencing being handed down. Further sentencing dates are set down for November and December as part of the department's continuing successful prosecutions.
- On 6 November, the department's new website was launched. The design incorporates the latest features and web technologies to ensure our clients can easily find the information they need, particularly visa related materials. In addition to more accessible, plain English content, highlights of the site include better mobile optimisation for access by tablets and smartphones, and a new 'find a visa tool'.

Onshore Compliance Program

Overall compliance with Australia's immigration system is very high and the department continues to achieve strong outcomes from its active status resolution programme which provides support and assistance to people to resolve their immigration status in a timely manner.

Since the implementation of the status resolution approach in 2008–09, the department has increased by 27 per cent the number of people it is able to locate who are breaching their visa conditions or overstaying their visa. This is against a background of an increase of 630,000 temporary visa holders entering the country.

At the same time there has been a significant increase in the number of people voluntarily presenting themselves to the department. Additionally, the number of people being managed on a Bridging Visa E (BVEs) for more than five years has fallen by 30 per cent between 2008 and 2013.

The increased use of BVEs to manage people in the community has not led to greater non-compliance. The percentage of people complying with their BVE conditions has remained around 90 per cent.

The number of people of interest to compliance whose status was resolved through a visa grant or departure has increased by 42 per cent from 2008–09 to 2012-13. In the same period, the number of removals from detention has also increased by 78 per cent, and within the period of 2012-13, 94 per cent of such removals were voluntary.

Illegal Maritime Arrivals

From September 2008 to 15 November 2013 we have seen some 51,399 people arrive illegally excluding crew. Of this number around 5,800 are in held detention, around 3,300 are in community detention, around 22,900 in the community on a Bridging Visa and around 1,800 in Offshore Processing Centres. The remainder have either, been voluntarily or involuntarily removed or been granted a permanent visa. There is also a small number who are still to be processed, in prison, or deceased. In this financial year to date, as at 15 November, there have been 7,152 illegal maritime arrivals on 96 boats.

Australia's immigration detention network is required to respond to high priority enforcement, compliance and border protection activity, including the management of illegal maritime arrivals, visa overstayers, character cancellations, unauthorised air arrivals and illegal foreign fishers. Accommodation capacity and needs across the immigration detention network are continuously monitored and adjustments are made as required for operational reasons, including the management of different cohorts such as single adult males, families and unaccompanied minors.

As you can see the portfolio covers many issues across the economic, social and national security policy areas of government. The day is structured to ensure we can have the right people in attendance to answer your questions as best we can so I ask for your forbearance as we may have to defer questions to the relevant part of the hearing.

In closing, I would like to take this opportunity to put on the record my sincere appreciation to all our staff for their dedication, ongoing hard work, commitment and outstanding efforts in a sensitive and challenging area of public policy.

Thank you