



Australian Government
Department of Immigration and Citizenship

SECRETARY

26 October 2010

Committee Secretary
Senate Standing Committee on Foreign Affairs, Defence and Trade
PO Box 6100
Parliament House
Canberra ACT 2600

Dear Dr Dermody

Inquiry into Matters Relating to the Torres Strait

Thank you for the opportunity provided to the Department of Immigration and Citizenship to appear before the Senate Committee on Foreign Affairs, Defence and Trade Inquiry into Matters Relating to the Torres Strait on 18 June 2010. A question was raised through the course of the hearing, which was taken on notice. Please find attached the response to the question.

Yours sincerely

(Andrew Metcalfe)

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QUESTIONS TAKEN ON NOTICE

INQUIRY INTO MATTERS RELATING TO TORRES STRAIT- ADDITIONAL HEARING – JUNE 2010

IMMIGRATION AND CITIZENSHIP PORTFOLIO

In relation to comparison levels of overstays, Senator Bishop enquired,

1) I am interested in the comparison levels of overstays - I guess in one respect they are illegal immigration attempts - in a particular port of entry up there and other ports where we have people coming into this country, to see if there is any aberration.

Answer. A small number of people travelling to Australia are refused entry to Australia. In 2009-10, 1572 persons were refused immigration clearance (RIC) on arrival at Australian international airports. In 2009-10, there were 67 persons refused clearance at seaports. This outcome is a result of an effective layered approach to our borders, comprising a universal visa regime, Advanced Passenger Processing (APP), infringement regime, Airport Liaison Officer activities and border checking. On arrival, the Department of Immigration and Citizenship is required to ensure that persons who seek temporary entry to Australia will adhere to the conditions associated with their visa and that they hold acceptable travel documentation for entry to Australia. The most common reason for refusal is where a person's visa has been cancelled following an adverse bona-fides assessment. An example of this is where a person demonstrates an intention to act in breach of the conditions specified in their visa, such as an intention to work.

Entry arrangements at Torres Strait, on the other hand, take place in a different environment - there is no visa requirement for traditional inhabitants to move around the Torres Strait region. This is to ensure that Torres Strait Treaty continues to provide flexibility for traditional free movements. In 2009-10, there were 4417 persons refused clearance in the Torres Strait. Although the overall number of persons refused immigration clearance in Torres Strait is higher than at international ports, differences between the two contexts pose challenges in terms of quantitative comparison of RIC outcomes.

Figure 1

