

From: s.
To: Media Operations
Cc: s.
Subject: RE: For Noting: PMO EN Points on backpackers and temporary residents who breach public health orders[SEC=OFFICIAL]
Date: Saturday, 26 December 2020 9:08:50 PM

OFFICIAL

Thank you s. 22(1)(a)(ii) I will let you know when s. 22(1)(a)(ii) has noted or if he requires any further info.

Thanks
s. 22(1)(a)(ii)

Sent by Email+

OFFICIAL

From: "Media Operations" <media@homeaffairs.gov.au>
Date: Saturday, 26 December 2020 at 7:34:24 pm
To: s. 47E(d) @homeaffairs.gov.au, "Media Operations" <media@homeaffairs.gov.au> s. 22(1)(a)(ii)
s. 22(1)(a)(ii) s. 22(1)(a)(ii) @homeaffairs.gov.au
Cc: s. 47E(d) s. 47E(d) @homeaffairs.gov.au, s. 47E(d) "
s. 47E(d) @homeaffairs.gov.au, "ABF Media" <media@abf.gov.au>, s. 22(1)(a)(ii) "
s. 22(1)(a)(ii) @homeaffairs.gov.au, "Cheryl-anne MOY" s. 22(1)(a)(ii) @homeaffairs.gov.au,
s. 47E(d) @homeaffairs.gov.au, s. 47E(d) @homeaffairs.gov.au,
s. 22(1)(a)(ii) s. 22(1)(a)(ii) @homeaffairs.gov.au, "Media Operations"
<media@homeaffairs.gov.au>, s. 22(1)(a)(ii) s. 22(1)(a)(ii) @homeaffairs.gov.au s. 47E(d)
s. 47E(d) @homeaffairs.gov.au, s. 22(1)(a)(ii) s. 22(1)(a)(ii) @homeaffairs.gov.au, s. 22(1)(a)(ii)
s. 22(1)(a)(ii) @homeaffairs.gov.au, s. 22(1)(a)(ii) s. 22(1)(a)(ii) @homeaffairs.gov.au, "Ben
BIDDINGTON" s. 22(1)(a)(ii) @abf.gov.au, s. 22(1)(a)(ii) s. 22(1)(a)(ii) @homeaffairs.gov.au,
s. 22(1)(a)(ii) s. 22(1)(a)(ii) @homeaffairs.gov.au, s. 47E(d)
s. 47E(d) @homeaffairs.gov.au
Subject: For Noting: PMO EN Points on backpackers and temporary residents who breach public health orders
[SEC=OFFICIAL]

OFFICIAL

Good afternoon s. 22(1)

Please see attached, TPs and background cleared by Character and Cancellation Branch.

Please let me know if you need anything else.

Kind Regards,

s. 22(1)(a)(ii)
Public Affairs Officer | Immigration, Citizenship and Social Cohesion
Media and Communication | Executive Division
Department of Home Affairs
P: 02 s. 22(1)(a)(ii) M: s. 22(1)(a)(ii)
s. 22(1)(a)(ii) @homeaffairs.gov.au

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From: s. 47E(d) @homeaffairs.gov.au>

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Sent: Saturday, 26 December 2020 4:12 PM

To: Media Operations <media@homeaffairs.gov.au>; s. 22(1)(a)(ii) <s. 22(1)(a)(ii)@homeaffairs.gov.au>

Cc: s. 47E(d) @homeaffairs.gov.au>; s. 47E(d) @homeaffairs.gov.au>; s. 47E(d) @homeaffairs.gov.au>; s. 47E(d) @homeaffairs.gov.au>

s. 47E(d) @homeaffairs.gov.au>

Subject: For action: Points on backpackers and temporary residents who breach public health orders [SEC=OFFICIAL]

OFFICIAL

Hi

We have received a request from PMO for a few points to answer the following media question:

Whether we can deport backpackers and other temporary residents who breach state public health orders? This question has stemmed from the gatherings at Bronte Beach yesterday. Further information on the Public Health Order is here: https://www.legislation.nsw.gov.au/file/Public%20Health%20%28COVID-19%20Restrictions%20on%20Gathering%20and%20Movement%29%20Order%20%28No%207%29%202020_201221.pdf Part 29 is the relevant section relating to outdoor public gatherings.

The Minister's CoS has asked for a few points to address this question.

Can we please get these today?

Happy to discuss.

Kind regards

s.
22(1)

s. 22(1)(a)(ii)

Office of the Hon Peter Dutton MP

Minister for Home Affairs

Suite MG.46, Parliament House, Canberra

P: 02 s. 22(1)(a)(ii) | M: s. 22(1)(a)(ii)

E: s. 22(1)(a)(ii) @homeaffairs.gov.au | s. 22(1) @homeaffairs.gov.au

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****Please update the classification of the document if information provided in the background is above OFFICIAL****

TALKING POINTS

Subject	<i>Backpackers and other temporary residents who breach state public health orders.</i>		
Date	26 December 2020		
Type	Ministerial		
Media Officer:	s. 22(1)(a)(ii)		Media Ph: 02 6264 2244

ISSUE

PMO asked:

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TALKING POINTS OFFICIAL

- The Australian Government is committed to protecting the health and safety of Australians and has implemented a range of measures to support Australians and visa holders during the COVID-19 period.
- Any non-citizen who breaches a COVID-19 public health order may be considered for visa cancellation and if their visa is cancelled can expect to be removed from the country.
- The Australian Government will not tolerate non-citizens who choose to engage in criminal activity or behaviour of concern, and will continue to act decisively to protect the community from the risk of harm posed by these individuals.

BACKGROUND NOT FOR PUBLIC RELEASE

(The information below is classified and should not be publicly released without the authority of the Department of Home Affairs.)

Temporary residents who breach a COVID-19 public health order may be considered for visa cancellation under s 116 (1) (e) of *The Act* where they pose a risk to the health, safety or good

OFFICIAL

order of the Australian community. The Department would require disclosable information from the relevant health/law enforcement agency to demonstrate this risk and would usually provide the visa holder with a natural justice opportunity to provide information as to why their visa should not be cancelled.

Permanent residents cannot be considered for cancellation under s 116 while onshore. A permanent resident would therefore need to be considered under s501 character provisions which are normally triggered by a criminal conviction with a sentence of 12 months or more (although cases may be considered below this threshold).

Both s116 and s501 decisions made by a departmental delegate are subject to review by the Administrative Appeals Tribunal. Decisions made by a Minister are subject to judicial review.

CLEARANCE

Drafted by	Title	Time/Date drafted
s. 22(1)(a)(ii)	Public Affairs Officer	17:05 26 December

Cleared by	Title	Time/Date cleared
s. 22(1)(a)(ii)	Acting Assistant Secretary Character and Cancellation Branch	18:22 26 December 2020
s. 22(1)(a)(ii)	Director, Media Coordination	17:18 26 December 2020 19:12 26 December 2020

MO noted	Sent to MO	Noted by MO
Full Name	Time DD Month 2018	Time DD Month 2020

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under the Freedom of Information Act 1982

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FOI

From: s. 22(1)(a)(ii)
Sent: Saturday, 26 December 2020 6:22 PM
To: Media Operations
Cc: s. 22(1)(a)(ii) David LEONARD; s. 22(1)(a)(ii) s. 22(1)(a)(ii) Andrew KEFFORD; Luke MORRISH; s. 22(1)(a)(ii) s. 47E(d) s. 22(1)(a)(ii)
Subject: RE: FOR URGENT REVIEW AND CLEARANCE: EN Points on backpackers and temporary residents who breach public health orders_PMO Office [SEC=OFFICIAL]
Attachments: Backpackers and other temporary residents who breach state public health orders_.docx

OFFICIAL

Hi s. 22(1)

TPs attached.

regards

s. 22(1)(a)
Assistant Secretary (A/g)
Character and Cancellation Branch
Immigration Integrity and Community Protection Division
Department of Home Affairs
Telephone: 03 s. 22(1)(a)
Mobile: s. 22(1)(a)(ii)

OFFICIAL

From: Media Operations <media@homeaffairs.gov.au>
Sent: Saturday, 26 December 2020 5:24 PM
To: s. 22(1)(a)(ii) <s. 22(1)(a)(ii) homeaffairs.gov.au>
Cc: Media Operations <media@homeaffairs.gov.au>; s. 22(1)(a)(ii) <s. 22(1)(a)(ii) homeaffairs.gov.au>; David LEONARD <s. 22(1)(a)(ii) homeaffairs.gov.au>; s. 22(1)(a)(ii) <s. 22(1)(a)(ii) homeaffairs.gov.au>; s. 22(1)(a)(ii) <s. 22(1)(a)(ii) homeaffairs.gov.au>
Subject: FOR URGENT REVIEW AND CLEARANCE: EN Points on backpackers and temporary residents who breach public health orders_PMO Office [SEC=OFFICIAL]
Importance: High

OFFICIAL

Good Afternoon s. 22(1)

Please see below an urgent request from the PMO requesting dot points on whether we can deport backpackers and other temporary residents who breach state public health orders? This question has stemmed from the gatherings at Bronte Beach yesterday.

Grateful for your review and clearance in the attached document including any background as soon as possible please.

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under the Freedom of Information Act 1982

Thank you in advance.
Kind Regards,

s. 22(1)(a)(ii)

Public Affairs Officer | Immigration, Citizenship and Social Cohesion
Media and Communication | Executive Division

Department of Home Affairs

P: 02 s. 22(1)(a)(ii) M: s. 22(1)(a)(ii)

s. 22(1)(a)(ii) homeaffairs.gov.au

OFFICIAL

From: s. 47E(d) <s. 47E(d) homeaffairs.gov.au>

Sent: Saturday, 26 December 2020 4:12 PM

To: Media Operations <media@homeaffairs.gov.au>; s. 22(1)(a)(ii) <s. 22(1)(a)(ii) homeaffairs.gov.au>

Cc: s. 47E(d) <s. 47E(d) homeaffairs.gov.au>; s. 47E(d) <s. 47E(d) homeaffairs.gov.au>; s. 47E(d) <s. 47E(d) homeaffairs.gov.au>

s. 47E(d) <s. 47E(d) homeaffairs.gov.au>

Subject: For action: Points on backpackers and temporary residents who breach public health orders [SEC=OFFICIAL]

OFFICIAL

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Happy to discuss.

Kind regards

s. 22(1)(a)(ii)
s. 22(1)(a)(ii)

Senior Departmental Liaison Officer

Office of the Hon Peter Dutton MP

Minister for Home Affairs

Suite MG.46, Parliament House, Canberra

P: 02 s. 22(1)(a)(ii) | M: s. 22(1)(a)(ii)

E: s. 22(1)(a)(ii) homeaffairs.gov.au | s. 22(1) homeaffairs.gov.au

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****Please update the classification of the document if information provided in the background is above OFFICIAL****

TALKING POINTS

Subject	Backpackers and other temporary residents who breach state public health orders.		
Date	26 December 2020		
Type	Ministerial		
Media Officer:	s. 22(1)(a)(ii)		Media Ph: 02 6264 2244

ISSUE

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TALKING POINTS OFFICIAL

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order of the Australian community. The Department would require disclosable information from the relevant health/law enforcement agency to demonstrate this risk and would usually provide the visa holder with a natural justice opportunity to provide information as to why their visa should not be cancelled.

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Both s116 and s501 decisions made by a departmental delegate are subject to review by the Administrative Appeals Tribunal. Decisions made by a Minister are subject to judicial review.

CLEARANCE

Drafted by	Title	Time/Date drafted
s. 22(1)(a)(ii)	Public Affairs Officer	26 December 17:05

Cleared by	Title	Time/Date cleared
Full Name	Position	Time DD Month 2018
		Time DD Month 2018
s. 22(1)(a)(ii)	Director, Media Coordination	Time DD Month 2018

MO noted	Sent to MO	Noted by MO
Full Name	Time DD Month 2018	Time DD Month 2018

s. 22(1)(a)(ii)

OFFICIAL: Sensitive

From: Luke MORRISH <[REDACTED]@homeaffairs.gov.au>
Sent: Tuesday, 29 December 2020 8:55 PM
To: [REDACTED] <[REDACTED]@homeaffairs.gov.au>, [REDACTED]
[REDACTED]@homeaffairs.gov.au>
Subject: Fwd: Temporary visa holders and NYE celebrations[SEC=OFFICIAL]

OFFICIAL

Hi

Please see below email from Mr Hawke's office can we please engage with NSWPol as appropriate. Perhaps a heads up to ABF and and ISS as well.

Thanks

Luke

Sent by Email+

OFFICIAL

From: [REDACTED] " [REDACTED] <[REDACTED]@homeaffairs.gov.au>
Date: Tuesday, 29 December 2020 at 8:24:38 am
To: "Luke MORRISH" [REDACTED]@homeaffairs.gov.au>
Cc: "Justine JONES" [REDACTED]@homeaffairs.gov.au>, [REDACTED] " [REDACTED]@homeaffairs.gov.au>, [REDACTED]@homeaffairs.gov.au>, [REDACTED]@homeaffairs.gov.au>, [REDACTED]@homeaffairs.gov.au>
Subject: Fwd: Temporary visa holders and NYE celebrations[SEC=OFFICIAL]

OFFICIAL

Good morning Luke,

Please see an email from one of Minister Hawke's advisors regarding letting the office know if any temp visa holders breach public health orders.

Providing to you because of the relationships your branch has with law enforcement agencies.

Thanks, [REDACTED]
[REDACTED]

Office of the Hon Alex Hawke MP
Sent by Email+

OFFICIAL

From: s. 22(1)(a)(ii) " <s. 22(1)(a)(ii)>
Date: Monday, 28 December 2020 at 8:07:19 pm
To: "s. 47E(d)" <s. 47E(d)> i@homeaffairs.gov.au>, "s. 22(1)(a)(ii)"
s. 22(1)(a)(ii) @HOMEAFFAIRS.GOV.AU>
Cc: s. 22(1)(a)(ii) s. 22(1)(a)(ii) >
Subject: Temporary visa holders and NYE celebrations [SEC=OFFICIAL]

OFFICIAL

Hi s. 22(1)(a)(ii),

In relation to New Year's Eve celebrations, could the Department please liaise with NSW authorities (in the normal course of business), and bring to Minister Hawke's attention any cases it becomes aware of where temporary visa holders disobey public health orders? (Minister Hawke will refer to this issue on radio tomorrow morning.)

Happy to chat.

Regards,

s. 22(1)(a)(ii)

OFFICIAL

From: s. 47F(1)
To: [Media Operations](#)
Subject: Bronte Beach backpackers media request
Date: Tuesday, 29 December 2020 10:02:17 PM

Hi there

I work for the s. 22(1)(a)(ii) in the UK. Getting in touch regarding threats to deport temporary visa holders who breached Covid rules at Bronte Beach on Xmas day.

Is there any suggestion those present were British, or have there been any discussions about UK counterparts regarding potential deportations of Brits for breaching rules at the party.

Conflicting reports online so if you can provide some guidance on this issue that would be tremendous

Thank you

This email is from the s. 22(1)(a)(ii). For more information, see s. 22(1)(a)(ii). This email may contain confidential information. Only the addressee is permitted to read, copy, distribute or otherwise use this email or any attachments. If you have received it in error, please contact the sender immediately. Any opinion expressed in this email is personal to the sender and may not reflect the opinion of the s. 22(1)(a)(ii). Any email reply to this address may be subject to interception or monitoring for operational reasons or for lawful business practices.



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MEDIA ENQUIRY

Subject: Bronte Beach & Temp visa holders		
Deadline: N/A		
Journalist: s. 47F(1)		Outlet: s. 22(1)(a)(ii)
Phone: N/A	Mobile: N/A	Email: s. 47F(1)
Enquiry Received (Time & Date): 10:01pm, 29 December		
Media Officer: s. 22(1)(a)(ii)		Media Ph: 02 6264 2244

QUESTION / ISSUE

Journalist asked:

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Is there any suggestion those present were British, or have there been any discussions about UK counterparts regarding potential deportations of Brits for breaching rules at the party.

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RESPONSE UNCLASSIFIED

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CLEARANCE:

Drafted by	Title	Time/Date drafted
		XX December 2020

Cleared by	Title	Time/Date cleared

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