

**Minister for Immigration, Citizenship and Multicultural Affairs**

**Category**

**1**

- **NATIONAL SECURITY**  
e.g. adverse and qualified security assessment cases, terrorism, people smuggling
- **CRIMES AGAINST HUMANITY**  
e.g. war crimes, genocide, torture, other crimes of serious international concern such as human trafficking
- **ORGANISED/GANG-RELATED CRIME**  
e.g. Criminal Disruption Team cases, OMCs, violent youth gangs, crime syndicates, and illegal tobacco syndicates
- **ORGANISED CHILD EXPLOITATION/PAEDOPHILIA** (including major production and/or distribution of pornography)
- **POST-AAT CASES REQUIRING MINISTER'S PERSONAL POWERS (s501A, s501BA)**
- **HIGH PROFILE/SENSITIVE CASES/CONTROVERSIAL VISITORS**  
e.g. where there is significant media, community, political or international interest (which may include Interpol Red Notices, community safety concerns, cases requiring decisions in the national interest); hate preachers who promote politically motivated violence, have disregard for Australian law and order, or may provoke civil unrest
- **SERIOUS VIOLENT OFFENCES**  
e.g. murder and manslaughter; kidnapping, abduction and other violent offending (with sentences more than 5 years)
- **OTHER CASES IDENTIFIED AS EXCEPTIONAL**

**Assistant Minister for Home Affairs**

- **CRIMES AGAINST CHILDREN** (sentences more than 5 years)  
e.g. sexual (including child pornography and paedophilia), violent, abuse, kidnapping, abduction, neglect, maltreatment offending

**Category**

**2**

**Assistant Minister for Home Affairs**

- **CRIMES AGAINST CHILDREN** (sentences more than 36 months) e.g. sexual (including child pornography and paedophilia), violent, abuse, kidnapping, abduction, neglect, maltreatment offending
- **SERIOUS VIOLENT, SEXUAL OR EXPLOITATIVE OFFENCES AGAINST WOMEN**  
e.g. sexual assaults, rape, kidnapping, abduction and other violent offending with sentences more than 5 years
- **FAMILY AND DOMESTIC VIOLENCE** (sentences of more than 36 months) e.g. violence against a family member, including aggravated stalking or harassment offences, persistent breaches of family/domestic violence orders
- **CASES REFERRED BY MINISTER**

**Category**

**3**

**Character Delegate**

- **CRIMES AGAINST CHILDREN** (sentences equal to or less than 36 months)
- **FAMILY AND DOMESTIC VIOLENCE** sentences equal to or less than 36 months)
- **FRAUD AND PROPERTY OFFENCES** (sentences equal to or more than 5 years)
- **OFFENDING WITH SENTENCES BETWEEN 12 MONTHS AND 5 YEARS**  
Including violent and sexual offences
- **ARMED ROBBERY, MORE SERIOUS DRUG OFFENCES**  
e.g. sentences equal to or greater than 5 years OR drug offences involving commercial quantities
- **OFFSHORE REVOCATIONS** (in consultation with Minister's Office)
- **DRIVING OFFENCES RESULTING IN DEATH**

**Category**

**4**

**Character Delegate**

- **ALL OTHER NON-VIOLENT AND LESS SERIOUS VIOLENT OFFENDING**  
e.g. fraud, property, theft, break and enter, shoplifting, minor assaults (not F/DV related, no weapons)
- **OTHER DRUG OFFENCES (NON-COMMERCIAL QUANTITIES) WITH SENTENCES UP TO 5 YEARS**
- **LOW LEVEL REPEAT OFFENDERS AND PUBLIC ORDER OFFENCES**  
e.g. disorderly conduct, unlawfully on premises, property damage, indecent language, driving offences
- **ALL OTHER CASES WITH A SINGLE SENTENCE EQUAL TO OR LESS THAN 12 MONTHS**

This matrix does not include mandatory cancellations, which are handled by delegates.

## CHARACTER CASE ALLOCATION BY CATEGORY

## CATEGORY

1

Minister for Home Affairs, Minister for Immigration and Border Protection

- **NATIONAL SECURITY / IMPORTANCE**  
e.g. adverse and qualified security assessment cases; terrorism; people smuggling; hate preachers
- **ORGANISED AND GANG-RELATED CRIME**  
e.g. Outlaw Motorcycle Gangs, violent youth gangs
- **CASES REQUIRING USE OF THE MINISTER'S PERSONAL POWERS**
- **HIGH PROFILE / SENSITIVE CASES**  
e.g. where there is media, community, political or international interest [agreed on case-by-case basis with Minister's Office]
- **CRIMES AGAINST HUMANITY**  
e.g. war crimes, genocide, torture, or other crimes of serious international concern such as human trafficking
- **CHILD EXPLOITATION & SERIOUS ABUSE / ASSAULT AGAINST CHILDREN**  
e.g. child abuse/pornographic material, child prostitution, sexual servitude, grooming, recurrent sexual abuse of multiple children, other serious abuse/assault against children where sentence is greater than 12 months [serious offences attracting 12 months or less to be agreed on case-by-case basis with Minister's Office]
- **ANY OTHER CASES WITH FACTORS IDENTIFIED AS EXCEPTIONAL**

## CATEGORY

2

Minister for Citizenship and Multicultural Affairs

- **CRIMES AGAINST CHILDREN**  
e.g. child abuse/maltreatment, neglect, kidnapping, abduction, sexual assault - sentences one year or less [unless otherwise agreed with Minister's Office]
- **MINISTER-REFERRED SERIOUS / SENSITIVE CASES (from CAT 1)**

Assistant Minister for Home Affairs

- **SERIOUS VIOLENT, SEXUAL OR EXPLOITATIVE OFFENCES**  
e.g. murder, manslaughter, sexual assaults and kidnapping or abduction or other violent offences – sentence five years or more
- **FAMILY & DOMESTIC VIOLENCE**  
e.g. violence towards a family member - sentences greater than 12 months

Departmental Delegate

- **ARMED ROBBERY & DRUG OFFENCES**  
e.g. armed robbery and drug offences – sentence equal to or greater than five years; drug offences of commercial quantities – importation, cultivation, manufacture, supply or trafficking
- **FAMILY & DOMESTIC VIOLENCE**  
e.g. violence towards a family member - sentences of 12 months or less

## CATEGORY

3

Departmental Delegate

- **OFFSHORE REVOCATIONS, IN CONSULTATION WITH SENIOR MINISTER'S OFFICE**
- **OFFENDING RESULTING IN A SENTENCE OF IMPRISONMENT BETWEEN TWELVE MONTHS AND FIVE YEARS**  
e.g. aggravated violent offences including assaults with a weapon causing serious injury and armed robbery
- **FRAUD AND PROPERTY OFFENCES**  
e.g. offences resulting in a sentence of imprisonment equal to or greater than five years
- **DRIVING OFFENCES RESULTING IN A DEATH REGARDLESS OF LENGTH OF SENTENCE**

## CATEGORY

4

Departmental Delegate

- **ALL OTHER CASES INCLUDING WITH A SINGLE SENTENCE OF IMPRISONMENT EQUAL TO OR LESS THAN TWELVE MONTHS**
- **LOW LEVEL REPEAT OFFENDERS AND PUBLIC ORDER OFFENCES**  
e.g. disorderly conduct and affray
- **ALL OTHER NON-VIOLENT AND MINOR VIOLENT OFFENDING**  
e.g. theft, break and enter, shoplifting, minor assaults (not FDV)
- **OTHER DRUG OFFENCES**  
e.g. possession and or use of illicit drugs, trafficking or supply (non-commercial) with sentence up to five years

# Character Case Prioritisation Matrix

2 March 2017  
to 8 February 2018

## Programme Objectives

- To protect the Australian community from the risk of harm posed by non-citizens of character concern, in line with community and government expectations; and
- To maintain integrity and public confidence in the character assessment process.

## Caseload priorities

### Community cases and short-term prisoners\*

- Dr Sullivan's Caseload Prioritisation Tool is being applied. Those cases with serious offences and a higher likelihood of re-offending (resulting in high scores) are prioritised first.

\* Refers to those not liable for mandatory cancellation. Visa holders offshore with imminent travel – to be treated in accordance with Dr Sullivan's tool.

### Visa applicants

- Onshore applicants in detention/prison by a) 90 day rule applies or BVE will be granted b) EDOR for prison and c) other.
- Offshore applicants with strong reasons for urgent processing (business or compassionate reasons).
- Visa holders in community with ongoing applications (to be treated as per community cases).
- Other offshore applicants by a) date of travel and b) date of lodgement.

### Mandatory Cancellations

- Expected date of release (EDOR), with a focus on facilitating prison to plane removal outcomes/avoiding need for immigration detention\*.

\* Aim is to cancel well before EDOR where possible so that any revocation process can be finalised while in prison.

### Revocations

- Detention or prison cases where there are serious physical, behavioural or mental health issues, which require or will require Tier 4 accommodation or otherwise pose a serious risk to the good order of the detention centre.
- Other detention cases. As far as possible within operational requirements, priority will be given to cases with independent evidence of urgent family responsibilities towards children and long term residents. Otherwise, cases will generally be processed in order of date of detention.
- Prison cases, in order of expected date of release.
- Offshore cases.

## Tactical Considerations (may affect priority but do not override case categories)

- Requests by Minister or Assistant Minister to prioritise sensitive cases
- Advancement of Expected Date of Release
- Advancement of travel date (visa holder offshore)
- Resource availability
- Reputational risks associated with inaction
- Impact on stakeholders
- Impact on the good order of detention facilities
- Quality of information or information sources

## Case categories

### Category 1

#### Minister

##### NATIONAL SECURITY / IMPORTANCE

\* including adverse and qualified security assessment cases; terrorism; serious organised crime; human trafficking; people smuggling; hate preachers.

##### CASES REQUIRING USE OF THE MINISTER'S 'NATIONAL INTEREST' POWERS

##### HIGH PROFILE / SENSITIVE CASES

e.g. where there is media, community, political, Foreign Minister, or international interest; when an offender is a victim of institutionalised child sex abuse.

##### CRIMES AGAINST HUMANITY

\* includes war crimes, genocide, torture, or other crimes of serious international concern.

##### ANY CRIMES AGAINST CHILDREN

\* including sexually based offences, indecent dealings and child pornography, kidnapping or abduction.

##### ANY OTHER CASES WITH FACTORS IDENTIFIED AS EXCEPTIONAL

### Category 2

#### Assistant Minister

##### VERY SERIOUS VIOLENT, SEXUAL OR EXPLOITATIVE OFFENCES

\* such as murder, manslaughter, sexual assaults and kidnapping or abduction.

\* other violent offences – sentence equal to or greater than five years.

\* domestic violence – any length of sentence of 12 months or more.

#### Delegate

##### ARMED ROBBERY AND DRUG OFFENCES

\* armed robbery – sentence equal to or greater than five years.

\* drug offences with sentence equal to or greater than five years.

\* drug offences of commercial quantities – importation, cultivation, manufacture, supply or trafficking.

\* domestic violence – any sentence up to 12 months.

### Category 3

#### Delegate

##### OFFENDING RESULTING IN A SENTENCE OF IMPRISONMENT OF MORE THAN TWELVE MONTHS AND LESS THAN FIVE YEARS

\* such as aggravated violent offences including assaults with a weapon causing serious injury and armed robbery.

##### FRAUD AND PROPERTY

\* offences resulting in a sentence of imprisonment equal to or greater than five years.

##### DRIVING OFFENCES

\* resulting in a death – any length of sentence.

### Category 4

#### Delegate

##### ALL OTHER CASES INCLUDING WITH A SINGLE SENTENCE OF IMPRISONMENT EQUAL TO OR LESS THAN TWELVE MONTHS

##### LOW LEVEL REPEAT

\* offenders, and public order offences such as disorderly conduct and affray.

All other non-violent and minor violent offending, including:

- \* theft
- \* break and enter
- \* shoplifting
- \* minor assaults (not DV)

##### DRUG OFFENCES

\* including possession and use of illicit drugs, trafficking or supply in non-commercial quantities.

Released by the Department of Home Affairs under the Freedom of Information Act 1982



# CASELOAD REFERRAL MATRIX AS AT 19 AUGUST 2016

19 August 2016 to 1 March 2017

## Category 1

### Minister

#### NATIONAL SECURITY / IMPORTANCE

\* including adverse and qualified security assessment cases; terrorism; serious organised crime; human trafficking; people smuggling; hate preachers.

#### CASES REQUIRING USE OF THE MINISTER'S 'NATIONAL INTEREST' POWERS

#### HIGH PROFILE CASES

e.g. where there is media, community, political, Foreign Minister, or international Interest.

#### CRIMES AGAINST HUMANITY

\* includes war crimes, genocide, torture, or other crimes of serious international concern.

#### ANY CRIMES AGAINST CHILDREN

\* including sexually based offences, indecent dealings and child pornography, kidnapping or abduction.

#### ANY OTHER CASES WITH FACTORS IDENTIFIED AS EXCEPTIONAL

## Category 2

### Assistant Minister

#### VERY SERIOUS VIOLENT, SEXUAL OR EXPLOITATIVE OFFENCES

\* such as murder, manslaughter, sex offences and kidnapping or abduction.

\* armed robbery – sentence equal to or greater than five years.

\* assault – sentence equal to or greater than five years.

\* assault of a family member (DV) – any length of sentence.

#### DRUG OFFENCES

\* with sentence equal to or greater than five years.

\* drug offences of commercial quantities – importation, cultivation, manufacture, supply or trafficking.

## Category 3

### Delegate

#### OFFENDING RESULTING IN A SENTENCE OF IMPRISONMENT OF MORE THAN TWELVE MONTHS AND LESS THAN FIVE YEARS

\* such as aggravated violent offences including assaults with a weapon causing serious injury and armed robbery.

#### FRAUD AND PROPERTY

\* offences resulting in a sentence of imprisonment equal to or greater than five years.

#### DRIVING OFFENCES

\* resulting in a death – any length of sentence.

## Category 4

### Delegate

#### ALL OTHER CASES INCLUDING WITH A SINGLE SENTENCE OF IMPRISONMENT EQUAL TO OR LESS THAN TWELVE MONTHS

#### LOW LEVEL REPEAT

\* offenders, and public order offences such as disorderly conduct and affray.

All other non-violent and minor violent offending, including:

- \* theft
- \* break and enter
- \* shoplifting
- \* minor assaults (not DV)

#### DRUG OFFENCES

\* including possession and or use of illicit drugs, trafficking or supply in non-commercial quantities.