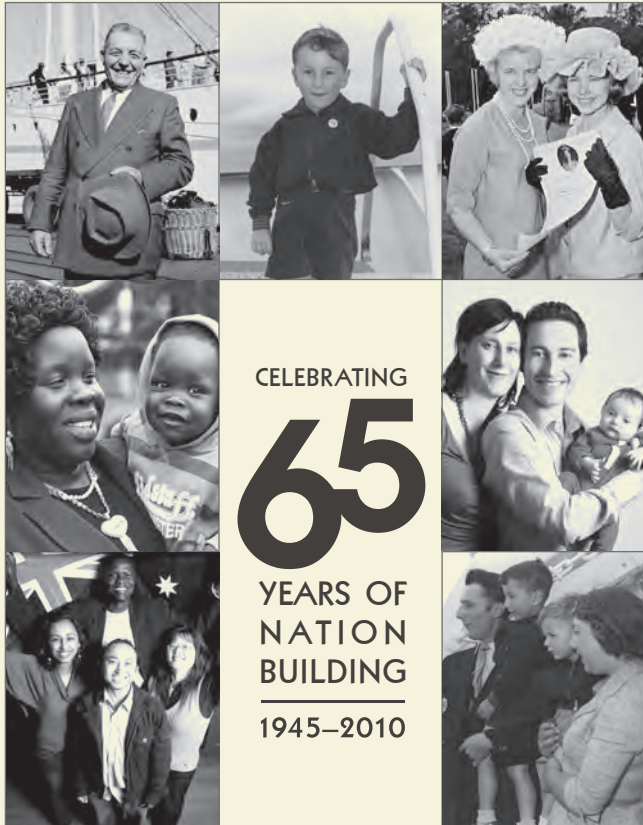




Australian Government

Department of Immigration and Citizenship



Annual Report 2009–10

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Contact:

Annual Report Editor

National Communications Branch

Department of Immigration and Citizenship

PO Box 25

Belconnen ACT 2616

Phone: 02 6264 2080

Email: annual.report@immi.gov.au

Website: www.immi.gov.au

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Australian Government
Department of Immigration and Citizenship

SECRETARY

20 October 2010

The Hon Chris Bowen MP
Minister for Immigration and Citizenship
Parliament House
Canberra ACT 2600

Dear Minister

Annual Report for 2009–10

I am pleased to present the *Department of Immigration and Citizenship Annual Report 2009–10* as required by section 63 of the *Public Service Act 1999*.

The report has been prepared pursuant to the *Requirements for Annual Reports* approved by the Joint Committee of Public Accounts and Audit as required by subsection 63(2) of the *Public Service Act 1999*.

In accordance with guidelines 1.9 and 2.8 of the *Commonwealth Fraud Control Guidelines*, I hereby certify that I am satisfied that the Department of Immigration and Citizenship has prepared fraud risk assessments and fraud control plans, and has in place appropriate fraud prevention, detection, investigation, reporting and data collection procedures and processes to meet the specific needs of the Department of Immigration and Citizenship and complies with the *Commonwealth Fraud Control Guidelines*.

The report also includes an account of the operation of the Adult Migrant English Program, as required by section 12 of the *Immigration (Education) Act 1971*.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Andrew Metcalfe'.

(Andrew Metcalfe)

people our business

6 Chan Street Belconnen ACT 2617
PO BOX 25 BELCONNEN ACT 2616 • Telephone 02 6264 1111 • Fax 02 6264 2670 | www.immi.gov.au

Reader's guide

The Department of Immigration and Citizenship's Annual Report 2009–10 has been prepared in accordance with the Department of the Prime Minister and Cabinet's *Requirements for Annual Reports for Departments, Executive Agencies and FMA Act Bodies* issued on 23 June 2010.

This year's annual report reflects Operation Sunlight—the government's reform agenda to improve the openness and transparency of public sector budgetary and financial management and to promote good governance practices.

This year, the department is celebrating its 65th anniversary since its establishment in 1945. In recognition of this, the annual report has been designed to reflect the celebratory theme. It includes a timeline to mark breaks between parts of the report as well as a number of historical photographs.

The report is divided into seven parts:

Part 1: Secretary's review

Part 1 contains a snapshot of the year's activities along with Secretary Andrew Metcalfe's review, an article about the inaugural Annual Address on Immigration and Citizenship and an article about the department's 65th anniversary celebrations.

Part 2: Overview

Part 2 contains an overview of the portfolio and the department including its role, functions, organisational structure and outcome and program structure. It also includes an article about the department's business transformation which commenced in 2009.

Part 3: Report on performance

Part 3 reports on the department's financial performance as well as its performance against the deliverables and key performance indicators set out in the department's *Portfolio Budget Statements 2009–10* and the *Portfolio Additional Estimates Statements 2009–10*.

Part 4: Management and accountability

Part 4 contains information about the department's governance, external scrutiny, fraud and risk management arrangements, workforce planning and human resources and purchasing. This part also contains other annual report requirements including occupational health and safety; freedom of information; advertising and market research; ecologically sustainable development and environmental performance; and grant programs.

Part 5: Financial statements

Part 5 contains the department's audited financial statements and a report by the Auditor-General.

Part 6: Appendices

The appendices contain information supplementary to the report such as employee classifications and salary rates, citizenship statistics, membership of advisory bodies, legal services expenditure, a transcript of the inaugural Annual Address on Immigration and Citizenship and a table demonstrating the department's transition from an outcome and output structure to an outcome and program structure.

Part 7: Reference material

Part 7 includes a list of acronyms, an index to show compliance against the Department of the Prime Minister and Cabinet's annual report requirements and an alphabetical index.

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Immigration history 1945–1955

Amid the aftermath of World War II the department opened its doors, with widespread community support. The aim was to contribute to the building of Australia as a nation—with a target of an annual population increase from immigration of 1 per cent. The department made a concerted effort to support the Australian public, business and trade union movement to generate an intake matching increases by birth in the Australian born population.

With compassion, and to assist large numbers of displaced people, Australia entered into agreements with other governments and international organisations for free or assisted passage schemes from a range of European countries and also to resettle displaced people from camps in Europe. For a time, the department also repatriated Australians from overseas.

With no ships available for movements of migrants and aircraft that could do the job years away, the government purchased a burnt-out hulk, refurbished it and named it the *New Australia*.

The first migrants from Britain arrived in January 1947 and the first displaced people arrived in Fremantle in November 1947. The program gained momentum and in 1949 alone nearly 120 000 assisted migrants arrived in Australia. One of the more enduring and tangible examples of nation-building was the Snowy Mountains Hydro-Electric Scheme—which began in 1949 and by the time it was completed in 1974 had employed more than 100 000 people from more than 30 countries, with more than 70 per cent being migrants. As early as November 1955, Australia's millionth post-war migrant, Mrs Barbara Porritt, arrived in Melbourne.

Immigration provided a myriad of people with the opportunity to start a new life. Between 1947 and 1954, Australia accepted about 170 000 displaced people from Eastern Europe. The *United Nations 1951 Convention Relating to the Status of Refugees* was ratified by Australia in January 1954.

From the outset, the department recognised that its role did not end when the migrants stepped off the ship. In 1947, an immigration advisory council was set up to advise the department on community problems in the settlement process. Migrant accommodation centres were opened and a range of programs were designed to help new arrivals settle into the society to which they were contributing. Parliament passed the *Nationality and Citizenship Act 1948*, creating the status of Australian citizen. The Act came into effect on 26 January 1949 with the first Australian citizenship ceremony taking place in Canberra on 3 February that year.

Early acknowledgment of success came in 1948 from the Commonwealth Employment Service, which reported 4000 displaced people had been placed in jobs that had alleviated shortages in hospitals, boosted home construction, saved fruit and sugar crops and repaired essential railways.

The department began with just 24 staff—six in Canberra, six in Melbourne and 12 in London. By the end of the first decade, the department's role had extended beyond planning and administering the migration program to include formulating policy and legislation, attracting and informing potential migrants overseas, issuing passports, regulating migration agents and operating migrant accommodation centres.

Photos opposite page top to bottom: International Club members catch up for a drink in Melbourne in 1954. The first Minister for Immigration, Arthur Calwell, welcomes Australia's 100 000th migrant, Isobel Savery, in 1949. People gather for an International Friendship Club singalong in Sydney in 1955.

Part 1



Secretary's review

The year at a glance

Secretary's review

Annual Address on
Immigration and Citizenship

Celebrating 65 years of
nation-building



The year at a glance

Table 1: Snapshot of activity in 2009–10¹

Migration and temporary entry	
Total permanent and temporary visas granted	4 322 710
Total visitor visas granted offshore ²	3 416 576
Electronic Travel Authority grants	2 215 234
Working Holiday and Work and Holiday visas granted	183 161
Student visas granted	269 828
Temporary residents (other) visas granted	33 075
Temporary skilled migration visas granted (subclass 457)	67 980
Family Stream outcome	60 254
Skill Stream outcome	107 868
State/Territory or Employer Sponsored visas granted	59 876
Total Migration Program outcome	168 623
Revenue generated by visa applications	\$891.7 million
Refugee and humanitarian entry	
Humanitarian Program visas granted	13 770
Border security	
Passenger and crew arrivals and departures	28.8 million
Immigration clearances refused at airports	1 573
Immigration clearances refused at seaports	67
Irregular maritime arrivals (excluding crew)	5 327
Compliance	
Percentage of temporary entrants and permanent visa holders who complied with their visa conditions	>99%
Unlawful non-citizens located	14 169
Notices issued to employers of illegal workers	609
Removals and assisted departures	8 825
Detention	
Foreign fishers taken into immigration detention	139
Foreign fishers in immigration detention on 30 June 2010	6
Visa overstayers or people who breached visa conditions taken into immigration detention	1 356

Table 1: Snapshot of activity in 2009–10¹ *continued*

Detention <i>continued</i>	
Visa overstayers or people who breached visa conditions in immigration detention on 30 June 2010	136
Irregular maritime arrivals taken into immigration detention (including crew)	5 627
Irregular maritime arrivals in immigration detention on 30 June 2010	3 867
Total number of people taken into immigration detention	8 749
Total number of people released or removed from immigration detention	5 364
Total number of people in immigration detention on 30 June 2010	4 077
Settlement	
Refugees who arrived and received help through the Integrated Humanitarian Settlement Strategy	12 578
Migrant community service grants managed through the Settlement Grants Program ³	329
Citizenship	
Number of people conferred Australian citizenship at ceremonies	119 791
People approved as Australian citizens by conferral, descent and resumption	128 517
Calls to Citizenship Information Line	452 912
Multicultural affairs	
Event registrations for Harmony Day	4 825
Diverse Australia website—number of page views	1.65 million
Client contact	
Calls to telephone service centres (general enquiries and Citizenship Information Line)	1 726 133
Telephone interpreting calls	831 108
Litigation	
Administrative law matters resolved in courts and the Administrative Appeals Tribunal	2 002
Percentage in favour of minister (that proceeded to defended hearings in court)	94%
Staff	
Australia-based staff	6 998
Overseas staff (locally engaged employees)	1 001
Total staff as at 30 June 2010	7 999

1. Rounded numbers may differ from numbers appearing elsewhere in the report.

2. This is inclusive of Electronic Travel Authority grants.

3. \$36 million was provided for 328 SGP projects in 2009–10. This included 329 funding agreements involving 172 organisations being managed. One project in NSW involved two organisations signing separate funding agreements to deliver one pilot project in partnership.

Secretary's review

On 13 July 2010, the department celebrated its 65th anniversary. This is a significant milestone for a department that has facilitated the permanent migration of more than seven million people since its establishment in July 1945. Without doubt Australia is now one of the world's most culturally diverse nations with almost half of us having direct or family links to another country.

Over the past year, the department has continued to undertake its nation-building work, delivering the 2009–10 Migration and Humanitarian Programs, while implementing significant reforms to the Migration Program, responding to complex issues associated with international students, and managing a department-wide response to the rise in asylum seekers arriving by boat in Australia. These, and many other matters arising throughout the year in our busy portfolio, have required considerable energy and commitment from the department's staff, for which I thank them.

In a year with so many competing priorities and pressures, and in the context of challenging global economic conditions, I am particularly pleased that the department was able to report an operating surplus of \$5.5 million in our 2009–10 annual financial statements, compared to a \$47.6 million operating loss in 2008–09.

This improved result reflects an increased focus on financial management in the department. It also reflects a dedicated effort throughout the year to improve efficiency and productivity in client services operations, resulting in significant savings, improved client service and enhanced processing consistency. The department has managed complex operational requirements, a large policy agenda and increasing activity levels across most program areas, while operating within its budget appropriation to successfully complete key activities and milestones.

Staff engagement has also continued to be strong, with the 2009 staff survey showing improvements in a range of areas in comparison to previous years.

Despite continuing international financial uncertainty, in 2009–10 there was an increase of 10.3 per cent in movements across Australia's borders. With other border agency partners, the department facilitated 28.8 million passenger and crew arrivals and departures, compared to 26.1 million in 2008–09. This is part of a border management program that balances the facilitation of the entry of genuine travellers with the need to detect and prevent the attempted entry of people likely to threaten the national interest.



Throughout the year, the department continued to provide responsive support to the Minister for Immigration and Citizenship, Senator Chris Evans, and the Parliamentary Secretary for Multicultural Affairs and Settlement Services, Mr Laurie Ferguson MP. The minister and parliamentary secretary led reforms in a range of policy areas and oversaw some significant developments and achievements for the department in 2009–10.

2009–10 Migration Program

In 2009–10, the outcome of the permanent Migration Program was 168 623 against a planning level of 168 700. Planning levels in 2009–10 represented a further reduction from 2008–09 when the original planning level of 190 300 was later cut to 171 800 due to the deteriorating economic climate. The reduction in the permanent migration outcome for 2009–10 represented a decrease of 11.4 per cent on the original 2008–09 planning levels.

In February 2010, Skill Stream places were redistributed. Reflecting the government's determination to deliver a more demand-driven Migration Program outcome which meets the needs of the economy, 5000 General Skilled Migration places and 1000 Business Skills places were transferred to the high priority demand-driven Employer Sponsored category.

Also in February, the government announced a series of reforms to the Skilled Migration Program to make it more responsive to the needs of the Australian economy by focusing on meeting labour market requirements. The reforms included revoking the Migration Occupations in Demand List; the development by Skills Australia of a new Skilled Occupation List (which took effect from 1 July 2010); and a review of the points test to ensure it focuses on applicants with high-value skills that will meet Australia's medium-to-long-term economic needs.

The Job Ready Program was also introduced in 2009–10, and aims to ensure that onshore General Skilled Migration applicants nominating for a trade occupation are able to perform in the Australian workplace to a standard expected by their employers. The department also continued to implement reforms to the temporary Business (Long Stay) (subclass 457) visa and, to address skills needs at a local level, developed individual state and territory migration plans to help each jurisdiction obtain the skilled migrants it needs.

In March, the minister announced a review of the effectiveness of the *Migration Amendment (Employer Sanctions) Act 2007* which introduced fault-based criminal offences for employers and labour suppliers who allow or refer illegal workers to perform work. The review is expected to conclude in late 2010.

2009–10 Humanitarian Program

The department granted 13 770 visas under the Humanitarian Program in 2009–10. The intake was drawn from the three priority regions of Africa, Asia and Middle East/South West Asia. Within the program, the Woman at Risk target of 12 per cent of refugee grants (720 grants) was exceeded with 806 visas granted.

In 2009–10, the department commissioned research on the economic, social and civic contributions of humanitarian entrants to inform future policy development. The preliminary research findings demonstrate that humanitarian entrants make a distinctive and significant contribution to Australian society and the economy.

Research activities

As part of the department's commissioned research program, research was also conducted into settlement outcomes for new arrivals to Australia, the population distribution effects of migration, the scope and potential for an analytics capability in the department and a survey into the student visa class.

International students

The department was closely involved in the government's response to international student issues in 2009–10, particularly in relation to student welfare and maintaining the integrity of the student visa program while facilitating the entry of genuine students. This included establishing an international students taskforce to coordinate the department's response to these issues. The taskforce worked with a number of government agencies to help rebuild Australia's image in India and with the Australian Institute of Criminology and other stakeholders to contribute to the institute's study on victimisation rates among international students.

Office of the Migration Agents Registration Authority

The Office of the Migration Agents Registration Authority (MARA) commenced operations on 1 July 2009, as a discrete office attached to the department, headed by a chief executive officer directly responsible to me. It was established in response to the *2007–08 Review of Statutory Self-Regulation of the Migration Advice Profession* which recommended that the government move away from self-regulation and establish a regulatory body separate from the Migration Institute of Australia.

Over the past year, the Office of the MARA has achieved a seamless transition with little apparent disruption to business as usual for the migration advice profession.

Aviation security review

During early 2010, an urgent whole-of-government review was undertaken following the attempted bombing of a Northwest Airlines flight from Amsterdam to Detroit on Christmas Day 2009. The review assessed Australia's capacity to identify and respond to a threat to aviation security. As a result, a whole-of-government response was developed that focused on improvements to pre-flight security screening and border security arrangements as well as intelligence and information sharing.

The department worked closely with the Australian Customs and Border Protection Service to identify vulnerabilities and propose enhancements to the layered approach to border security. The government has since endorsed a number of the recommended measures, several of which are being led by the department.

Asylum seekers, immigration detention, visa compliance and international engagement

Over the course of 2009–10, the number of asylum seekers arriving by boat in Australia increased significantly. At 30 June 2010, the number of people in immigration detention who had arrived in Australia by boat over the previous 12 months was 3867, an increase from 782 in 2008–09.

During the year, the department worked very closely with a number of other departments and agencies in a strong whole-of-government approach to this issue. We also engaged closely with international counterparts, our advisory bodies and stakeholders, as well as our contractors and other service providers in responding to the increased number of arrivals and people in immigration detention.

To support the department's response to the increasing number of boat arrivals, there have been significant efforts in recruitment and training of staff to provide enhanced case management and detention review, as well as enhancements to decision-making on asylum claims, independent merits review and the department's capacity to remove those who have no lawful basis to remain in Australia. There were also strong efforts to ensure that the department maintained, and improved upon, client service in our other areas of operations.

Despite the scale of the challenges we are facing, the department and our service providers have shown a strong commitment to the government's detention values and continue to work very hard to provide fair and reasonable service to people required by law to be in immigration detention.

New detention services provider

In June 2009, the department signed contracts with Serco Australia Pty Ltd for the provision of a range of immigration detention services at immigration detention facilities around Australia. In January 2010, Serco commenced providing services at all facilities on the mainland and on Christmas Island.

Onshore protection

During the year, the department processed a growing number of protection visa applications and conducted Refugee Status Assessments for a substantial number of asylum seekers arriving by boat. In all, the department made 7557 protection visa decisions, an increase of 39 per cent on 2008–09, and completed 2914 Refugee Status Assessments.

The department improved independent merits review arrangements to respond to the increase in requests for review that occurred in the course of the year. Additional reviewers for independent merits review were recruited and appointed by the minister, including a number of senior and experienced former Refugee Review Tribunal members. The department will continue to focus on improving this capability in the coming year.

In April, the government announced a suspension in the processing of asylum claims from newly arrived Sri Lankan and Afghan clients. At 30 June 2010, there were 901 clients affected by the suspension in immigration detention. Of these, 759 clients were Afghan and 142 clients were Sri Lankan. The suspension has resulted in increased time spent in immigration detention for affected clients and, following a steady flow of people arriving by boat, Christmas Island reached operational capacity early in 2010. As a result, some people are now being detained in facilities on mainland Australia.

Immigration detention facilities

On 18 April 2010, the government announced the Curtin facility in Western Australia would be recommissioned to accommodate asylum seekers who were subject to the government's processing suspension.

The department has continued to improve facilities throughout the immigration detention network including commencing work on the refurbishment of Villawood Immigration Detention Centre in Sydney.

Compliance

The department achieved some excellent milestones and outcomes in its onshore compliance program during the year. We successfully rolled out the government's *New Directions in Detention 2009–10* budget initiative which sought to improve capacity to resolve the status of its compliance clients while they remain in the community. Following a successful pilot, the Community Status Resolution Service, the Assisted Voluntary Returns Service and the Community Assistance Support Program became national programs. Some promising early results have shown these programs are delivering a more cost-effective, humane approach to resolving client status.

Overall, compliance with Australia's immigration system is very high with more than 99 per cent of temporary entrants complying with the requirement to depart prior to their visa expiring. During the year, the department increased its contact with unlawful non-citizens in Australia by about 16 per cent, both through compliance field activity, and through encouraging unlawful non-citizens to approach the department voluntarily. In addition, the numbers of clients previously located by the department whose status was resolved rose by about 17 per cent. Most notably, an increasing proportion of clients are departing voluntarily from the community rather than having to be detained and removed. In addition, there are more people engaging with the department in the resolution of their immigration status while remaining in the community on bridging visas.

International engagement

The department continued to work closely with its international partners on matters relating to people smuggling and other issues of concern in the region. The Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crime continued its assistance to regional countries to criminalise people smuggling and human trafficking through workshops on developing model legislation.

The Bali Process is part of our broader response to managing the flow of irregular maritime arrivals, including encouraging whole-of-government input into capacity-building activities through law enforcement, immigration and diplomatic avenues. It also maintains a focus on both policy and operational aspects of irregular movements of people throughout the region.

In June, I attended the annual Five Country Conference in London to meet with my counterparts and other senior immigration officials from Canada, New Zealand, the United Kingdom and the United States of America. The conference dealt with a range of matters including opportunities for further data-sharing such as biometrics and joint processing centres; improved cooperation on health requirement processes; and key developments in client services including the processing of asylum seekers.

Australia's relationship with the United Nations High Commissioner for Refugees continues on a strong basis with regular and constructive dialogue, highlighted by the visit to Australia of the Assistant High Commissioner for Protection, Ms Erika Feller, in February 2010.

Commonwealth and Immigration Ombudsman

The department works closely with important external oversight bodies such as the Ombudsman and the Australian Human Rights Commission. These bodies provide the department with important external accountability as well as advice on our administration of immigration detention. They also provide insights into our broader work and how it can be improved.

The Ombudsman's office has noted continuing improvements in the department's complaint handling capability throughout 2009–10. This has led to the decision that most complaints to the Ombudsman are referred to our Global Feedback Unit for resolution in the first instance. During the year, we finalised 517 cases, while there were 115 cases on hand as at 30 June 2010. The Ombudsman's office reports on the department's activities once every six months.

In 2005, the department referred 247 cases to the Ombudsman for investigation of whether all or any part of the period for which these people had been detained between December 1998 and March 2006 was unlawful or wrongful. We remain committed to resolving all of these cases fairly and reasonably, without recourse to formal litigation, so as to avoid undue costs and further distress to the affected people. During 2009–10, the department finalised 157 of the 247 cases, with compensation paid in 23 cases.

Australian Human Rights Commission

The department has continued its productive relationship with the Australian Human Rights Commission. During the year, 38 cases were finalised and there were 33 cases on hand as at 30 June 2010.

Other stakeholder engagement

The department continued to engage with many stakeholders throughout 2009–10 to inform policy development, identify issues and resolve concerns. This included engaging through a range of advisory bodies and client reference groups as well as maintaining effective relations with community organisations. We also undertook public consultation on many issues, including the skilled migration points test and visa simplification. This interaction is invaluable and I thank our many and diverse stakeholders for their constructive engagement with us on a wide spectrum of issues.

Among a number of other community engagement activities, the department conducted regional visits to a range of locations to discuss migration and citizenship issues with communities including the changes to Australia's Skilled Migration Program.

Settlement

Extensive community consultation and focus groups were conducted during the year to inform the development of the new Integrated Humanitarian Settlement Service. In 2009–10, the service assisted 12 578 entrants including a number of high needs refugee groups.

The Complex Case Support program also successfully completed its first full year of operation. This program provides case management services to humanitarian entrants who have complex needs that are affecting their capacity to settle. This year, 429 clients were accepted into the program.

The Adult Migrant English Program is a key part of the government's strategy to achieve the economic and social participation of migrants and refugees. The program's newly developed business model includes additional counselling support for all clients and expanded services for migrant youth who are not participating in the school system and who are not job ready.

Multicultural affairs and citizenship

On 30 April 2010, the Australian Multicultural Advisory Council presented its advice to the government on a new multicultural policy in the form of a public statement *The People of Australia*. The government is developing its response.

Harmony Day, with its message of 'Everyone belongs', continued to increase in popularity with 2010 marking the 11th year of celebration. A total of 4825 businesses, schools, organisations and community groups registered events on the department's website www.immi.gov.au

The revised Australian citizenship test resource book, *Australian Citizenship: Our Common Bond*, was launched in September 2009. The new book addresses the recommendations of the Australian Citizenship Test Review Committee to refocus on the concepts expressed in the Australian Citizenship Pledge of Commitment. The book has been rewritten in basic English and divided into testable and non-testable sections.

About 16 500 people from 130 countries became Australian citizens on Australia Day 2010—a record number of citizenship conferrals on one day. Also, in June 2010, the Melbourne Cricket Ground was the venue for one of the largest ever Australian citizenship ceremonies yet, with about 2600 conferrals from 90 countries.

'Becoming an Australian citizen shows commitment and loyalty to this country and a desire to share a common future. Australia has been enriched by the cultures and traditions of people who have chosen to come here from all over the world.'

Hon. Julia Gillard MP, January 2010

Governance, freedom of information and corporate enabling services

Our corporate areas continued to perform strongly to 'enable' the business of the department. This included a focus on training, with the launch of the department's new Learning and Development Framework in November 2009. The framework is driving greater consistency across the department in delivering high-quality learning and development services that build organisational capability.

At 30 June 2010, there were 639 matters before the courts and the Administrative Appeals Tribunal challenging migration decisions. A further 32 civil compensation claims were before the courts. The continuing trend of a reduction in the caseload before the courts is due, in large part, to the significant efforts of the department, the Attorney-General's Department and the courts to clear the backlog of migration matters. This is a pleasing result that will assist in further reducing the time taken to resolve cases for our clients.

During the year, the department responded to Freedom of Information requests within the 30-day statutory time limit 78 per cent of the time. This is the result of continued improvements in our processing methods. A pro-disclosure culture has been adopted and promoted throughout the department in preparation for the implementation of substantial amendments to the *Freedom of Information Act 1982*, which will come into effect from 1 November 2010.

A chief internal auditor was appointed in April 2010 to further enhance the department's focus on our audit responsibilities and raise the profile of audit in the department.

The *Systems for People* program is in its fourth and final year. It has been one of the largest business transformation programs undertaken in government to date. The program has delivered significant improvements to the department's systems and process across a range of areas including compliance; case management and detention; border security and record-keeping. It has also implemented a single view of a client's total dealings with the department.

Throughout the year, the department's online newsroom and a dedicated YouTube immigration channel supported journalists and others seeking quick access to internally produced broadcast and multimedia materials.

Staff engagement and wellbeing

Our latest staff survey has continued the trend for ongoing improvement shown in each of the surveys since 2005. In particular, the 2009 survey improved in areas of job, leadership and employer drivers. The department also continued to surpass the Australian Public Service mean for motivation with some areas achieving almost perfect scores. The high participation rate by staff in the survey of 85 per cent was particularly pleasing. I look forward to seeing even greater improvements in the 2011 staff survey through a continued focus on leadership and communication.

Based on the premium advice, the department's Comcare workers' compensation premium was reduced more than \$440 000 in 2009–10. This is projected to reduce by an additional \$1.5 million in 2010–11. Premium reductions over the last two financial years, along with the projected reduction in 2010–11, have been achieved with the successful integration of the department's injury and illness management procedures. These procedures focus on early intervention and an ongoing commitment to injury prevention initiatives with the implementation of the new *DIAC Injury Prevention and Management Plan 2010–12*.

This year, the department's staff have again been very generous in hosting events to raise funds for charity. More than \$47 000 was collected and distributed to more than 30 different charities.

Transformation and client service

This year marked the beginning of a renewal for the department as we embarked on an ambitious transformation program to position ourselves as the best immigration and citizenship organisation in the world. The transformation will enable the department to provide stronger border management for Australia, through strengthened visa, migration and citizenship services.

The transformation began with adjustments to the department's structure to improve both our strategic policy capability and our client service, while also clarifying accountabilities and increasing our efficiency. The transformation comprises a range of elements including visa simplification and deregulation; reform of delivery of internal business services; a focus on intelligence-led risk management across our programs; and a client services transformation strategy.

As part of the client services transformation strategy, we created a number of global manager positions in 2009–10, responsible for specific products or services that the department offers globally. These managers will help improve client service and integrity and promote consistency in delivering services and processing. Over time, the strategy will also enhance four key channels through which clients interact with the department including face-to-face, service centres, service delivery partners and eBusiness.

These changes will build on our already impressive record of client service delivery. I am very proud that our clients reported positive experiences with the department over the year. In the first phase of our 2009–10 client experience program, 82 per cent of our clients reported being satisfied, or highly satisfied, with their experience with us. Such results are due to the considerable work undertaken by our client services group in continually improving the department's client service and integrity.

Annual Address on Immigration and Citizenship

As part of the celebrations associated with our 65th anniversary, I convened an inaugural Annual Address on Immigration and Citizenship in March 2010. This year's address was presented by the Vice-Chancellor of the Australian National University, Professor Ian Chubb AC at Old Parliament House in Canberra. Special guests included Dr Mary-Elizabeth Calwell, daughter of our first minister the Right Honourable Arthur A. Calwell and Justice Dyson Heydon AC, son of Sir Peter Heydon, the second permanent head of the department. The address recognises the nation-building role of Australia's migration and citizenship programs, and will encourage discussion about the significance of migration to the nation in the years to come.

'One plank in Australia's platform supporting the transformation into a great and enlightened nation was...the ANU. Another plank was the establishment of the Department of Immigration.'

Professor Ian Chubb, AC

You can find a transcript of the address at Appendix 6 of this report or watch the video on our website immi.gov.au

Outlook

The impact of immigration on the size and sustainability of Australia's population will remain a complex area of public policy over the next few years, and contributing to the government's development of a sustainable population policy will be an important area of work for the department.

In 2010–11, we will present to the government the Long-Term Migration Planning Framework—aimed at optimising Australia's demographic and economic future—for implementation. We will draw on commissioned research on the economic and environmental effects of various immigration levels and our consultations with key stakeholders. The challenge will be to develop an appropriate balance between the needs of the economy and the social and environmental consequences of a growing population.

The management of irregular people movement will be a major body of work for the department and its global counterparts over the coming year. Higher numbers of asylum seekers fleeing from social and armed conflicts in Afghanistan, Somalia, Sri Lanka and Iraq are a major global challenge.

The department will continue to contribute to whole-of-government efforts to combat people smuggling and the increased number of irregular maritime arrivals. We will manage asylum seekers humanely and with dignity, ensuring that Australia meets its obligations under the *United Nations 1951 Convention Relating to the Status of Refugees*. We will work with our regional partners and international organisations to establish a robust regional protection framework. In the meantime, we will manage ongoing operational pressures on immigration detention facilities, settlement services and removals and reintegration processes.

The department will also support other whole-of-government priorities and challenges including border security, national security and social inclusion. We will strengthen our participation in interagency forums and partnerships in our region to support the government's counter-terrorism, people smuggling and social inclusion initiatives.

Conclusion

Our 65th anniversary has provided an opportunity to reflect on the history of the department and the contribution it has made to building our nation. In my view, a balanced assessment of the department's 65-year history will determine that it has been a major force in nation-building. It has helped millions of people forge new lives in our great country, and has helped shape Australia through the significant economic and cultural contributions of its many programs. One of our great historical successes as a nation is the way we have welcomed so many people of different cultural backgrounds and ancestry into our society, with relatively low levels of discrimination, social tension or disharmony.

We administer a complex area of public policy—millions of clients are affected by the department and the decisions we make. While overwhelmingly that is a positive experience, we also need to acknowledge that, sadly, mistakes have occurred over the years. Some have had a profound effect on people's lives. The department has worked hard to ensure that our culture, systems and processes prevent such mistakes from occurring again. Indeed, through our renewal and reform agenda, we are aiming to ensure that the services we provide continually improve in the years to come.

I am genuinely excited by the opportunities and benefits our long-term transformation program will provide to our direct clients, and to the Australian community, and look forward to reporting on the improvements and benefits it will bring in the years ahead.

I would like to thank my senior leaders and all my staff for their hard work and dedication throughout the past year, and our many stakeholders, partners and clients for their significant contribution to our nation-building work.

Andrew Metcalfe
Secretary



Annual Address on Immigration and Citizenship

Inaugural address pays tribute to Immigration's nation-building role

Retiring Australian National University Vice-Chancellor, Professor Ian Chubb AC, spoke of the fundamental role immigration has played in building the nation during the inaugural Annual Address on Immigration and Citizenship on 17 March 2010.

The address, which formed part of the department's 65th anniversary celebrations, was delivered to more than 200 people at the Museum of Australian Democracy at Old Parliament House. It honoured the first immigration minister, the Right Honourable Arthur A. Calwell, and the department's first permanent head, Sir Tasman Heyes.

Professor Chubb spoke of the close cooperation between his university and the department—they were created within a year of one another and both out of a post-war desire for nation-building—and the ongoing importance of having independent advice from universities in developing immigration policy.

He outlined the immigration challenges Australia continued to face and posed several questions to the audience, including how Australia might plan for the effect of immigration on its ageing population, its future labour force and economic growth capacity.

While concluding these questions should be approached in the spirit of Arthur Calwell—as something essential to Australia's national welfare and something that is above all sectional interest—he said Australia must also combat people smuggling while at the same time maintaining a humane approach to its victims.

In the audience were many distinguished guests, including Arthur Calwell's daughter, Dr Mary-Elizabeth Calwell, Justice Dyson Heydon AC, the son of second head of the department Sir Peter Heydon, and various ambassadors, ministers and former immigration officials.

Photo: ANU Vice-Chancellor, Professor Ian Chubb AC, speaks of a lifetime of cooperation between his university and the department during the annual address.

CELEBRATING

65

YEARS OF
NATION
BUILDING

1945–2010



In 1945, with a population of some seven million people, Australia was just emerging from World War II. The Right Honourable Ben Chifley became Australia's 16th prime minister and established the Department of Immigration on 13 July 1945. The department began with just 24 officers—six in Canberra, six in Melbourne and 12 in London.

The new Minister for Immigration, the Right Honourable Arthur A. Calwell, promoted the concept 'populate or perish'. In his first ministerial statement to the Federal Parliament on 2 August 1945, Mr Calwell said:

'If Australians have learned one lesson from the Pacific War it is surely that we cannot continue to hold our island continent for ourselves and our dependants, unless we greatly increase our numbers.'

Since that time, the department has facilitated the permanent entry of more than seven million people from around the globe to form one of the world's most linguistically, culturally and religiously diverse nations.

Over the past six and a half decades the department's nation-building role has included helping to shape post-war Australia through migration; managing Australia's vast borders; welcoming internationally displaced people and developing and applying migration policies in response to the government of the day.

The department's 65th anniversary has presented an opportunity to recognise the thousands of dedicated public servants who have worked on immigration and citizenship programs during this time, and to celebrate the substantial contribution that migrants and their families have made to this vibrant and peaceful nation.

As part of the celebrations, a 65th anniversary web page was created which contains a treasure trove of old photos, video clips and memorabilia. It can be viewed at www.immi.gov.au

Photos this page top to bottom: Children aboard *Georgic* in 1969. The parents of the 15 millionth Australian, Sally Hodgson, receive a memento from Keith Owen, Regional Director of Immigration, South Australia. A British migrant views his new home from the deck of *New Australia*, Sydney, in 1957.

Photos opposite page clockwise from top: A Burmese family in Brisbane in 2007. Some 12 000 White Russians from China sponsored by the World Council of Churches have settled in Australia. Former residents of the Bonegilla Reception Centre, near Albury, return for reunion celebrations in 1988. Dennis Porritt's workmates at Yallourn Power Station, Victoria, in 1950. Lena 'Mamma Lena' Gustin, the migrants' friend and pioneer of foreign language programs in Sydney in 1976. A childcare worker at the Annie Dennis Children's Centre, Northcote, Victoria, in 2008. A 12-year-old Adelaide boy teaches English to Greek migrant children in 1957.





Immigration history 1956–1965

Underpinned by the imperative to populate or perish, the second decade saw continued innovation through programs such as Operation Reunion—the reuniting of settlers in Australia with their relatives from overseas, the Bring out a Briton campaign launched in 1957 and visitor entry for thousands of people to attend the 1956 Olympic Games in Melbourne. The program was managed flexibly to respond to changes in the environment, for example in 1961 economic difficulties in Australia led to the suspension of assisted migrant passage schemes with both Italy and Spain. The Australian immigration presence overseas was felt in a wide range of cities, including Copenhagen, Cologne, Beirut, Nairobi and Hong Kong.

Australia's contribution to humanitarian work also expanded and 14 000 Hungarians flowed into the country following the Hungarian uprising, having been interviewed in Austrian camps by departmental officers. The turn of the decade saw Mr Otto Kampe, the 250 000th refugee, arrive in Melbourne.

The need to balance complex and potentially competing needs became evident in the department's work and was reflected by the revised Migration Act in 1958. Among other changes, the revised Act avoided references to questions of race and abolished the dictation test that had been applied to enable exclusion of people who could not answer questions in a specified language. These changes, in conjunction with the 1957 decision to allow non-European migrants with 15 years residence in Australia to become Australian citizens, were two large steps away from the White Australia Policy towards a more balanced and global migration system.

In 1959, the Commonwealth Statistician began publishing separate figures for 'settler arrivals' to distinguish the actual number of migrants from returning Australians or visitors. In 1961, Australia's population reached 10.5 million, a 43 per cent increase from 7.3 million in 1945.

This shift in policy to a more global approach was carried through to settlement matters and, from 1959, Australian citizens living in Australia could sponsor their non-European spouses and any non-married children, who would then be eligible for citizenship. By the end of this decade, there were 30 migrant accommodation centres with a capacity to house 26 225 people—such was the volume of new arrivals during this time.

Photos opposite page from top to bottom: A Scottish migrant family arrives in Sydney aboard the *New Australia* in 1957. Austrian migrants disembark from a *Vickers Viscount* on to the tarmac of the Essendon Airport in Melbourne in 1956. The first five children destined for Tresca, a homestead used for UK child migrants in Exeter, Tasmania, which was opened by the Governor of Tasmania, Sir Ronald Cross, in March 1958.

Part 2



Overview

Portfolio and departmental overview

Departmental office and post locations

Organisational structure

Senior executive

Outcome and program structure

Transforming the department

Portfolio and departmental overview

Figure 1: Portfolio and departmental structure 2009–10



The Immigration and Citizenship portfolio comprises the department, the Migration Review Tribunal and the Refugee Review Tribunal. The tribunals provide independent merits review of departmental decisions to refuse or cancel migration, temporary entry and protection visas. The tribunals report separately.

The Office of the Migration Agents Registration Authority, which reports directly to the secretary of the department, commenced operations on 1 July 2009. The office is a discrete office attached to the department headed by a chief executive officer.

The purpose of the Department of Immigration and Citizenship is: *building Australia's future through the well-managed entry and settlement of people.*

Role and functions

The Department of Immigration and Citizenship is a policy, program and service delivery agency. Its services are delivered through offices in every state and territory and more than 60 countries.

The department's objectives are to:

- contribute to Australia's future through managed migration
- protect refugees and contribute to humanitarian policy internationally
- contribute to Australia's security through border management and traveller facilitation
- make fair and reasonable decisions for people entering or leaving Australia, ensuring compliance with Australia's immigration laws and integrity in decision-making
- support migrants and refugees to settle in the community and participate in Australian society
- promote Australian citizenship and a multicultural Australia.

The services provided in Australia and overseas include:

- policy analysis and research to develop a strong evidence base for advice in relation to the role of temporary and permanent migration and humanitarian entry, in responding to changes in Australia's social, economic and international environment

- granting visas for migrants, temporary entrants (for example, skilled workers), business visitors, students and tourists, including identifying prior to arrival those entitled to lawfully enter Australia
- managing the entry and departure of people crossing the Australian border
- authenticating the identity of people entering Australia and maintaining that foundation identity for use in the Australian community
- assessing the character, health and bona fides of people applying for entry to Australia
- meeting Australia's international protection obligations and contributing to the resettlement of refugees and those in humanitarian need through the delivery of the Humanitarian Program
- deterring, identifying and responding to breaches of immigration law
- applying appropriate sanctions to business sponsors who breach sponsorship undertakings and obligations
- locating unlawful non-citizens and resolving their immigration status
- identifying and reducing irregular migration, people smuggling and trafficking in persons
- increasing the ability of new permanent residents, particularly refugee and Special Humanitarian Program entrants and Family Stream migrants with lower levels of English proficiency, to participate in Australian life, through a settlement program including English language tuition and translating and interpreting services
- promoting the value of Australian citizenship
- deciding applications for Australian citizenship and making decisions on citizenship status
- promoting the benefits of a united and diverse society, including through programs supporting the integration of migrants and enhancing social cohesion.

Strategic priorities 2009–10

The *DIAC Strategic Plan 2009–12* provides a high-level framework to guide the department's future management of policies, programs and service delivery. It is a key document in outlining how the department will work with stakeholders and the community.

As set out in the plan, the department will:

1. Contribute to Australia's future through managed migration.
2. Protect refugees and contribute to humanitarian policy internationally.
3. Contribute to Australia's security through border management and traveller facilitation.
4. Make fair and reasonable decisions for people entering and leaving Australia—ensuring compliance with Australia's immigration laws and integrity in decision-making.
5. Support migrants and refugees to settle in the community and participate in Australian society.
6. Promote Australian citizenship and a multicultural Australia.

In addition to the priorities above, a key priority for the department is to build a stronger migration, visa and citizenship service that is effective, efficient and better targeted to support Australia's migration programs and client needs.

Legislation

The department administers the following Acts, which provide a legislative framework for its functions and services:

- *Aliens Act Repeal Act 1984*
- *Australian Citizenship Act 2007*
- *Australian Citizenship (Transitional and Consequential) Act 2007*
- *Immigration (Education) Act 1971*
- *Immigration (Education) Charge Act 1992*
- *Immigration (Guardianship of Children) Act 1946*
- *Migration Act 1958*
- *Migration Agents Registration Application Charge Act 1997*
- *Migration (Health Services) Charge Act 1991*
- *Migration (Sponsorship Fees) Act 2007*
- *Migration (Visa Application) Charge Act 1997.*

A total of seven Bills went before parliament during 2009–10. In that period, four Bills passed both Houses of Parliament and became Acts upon the Royal Assent being given. In addition, 20 regulation consolidations were made.

The Acts and regulations are available on the ComLaw website, administered by the Attorney-General's Department at www.comlaw.gov.au

The relevant notices of legislative change for the calendar year 2009 can be found on the department's website at www.immi.gov.au/legislation/amendments/2009/

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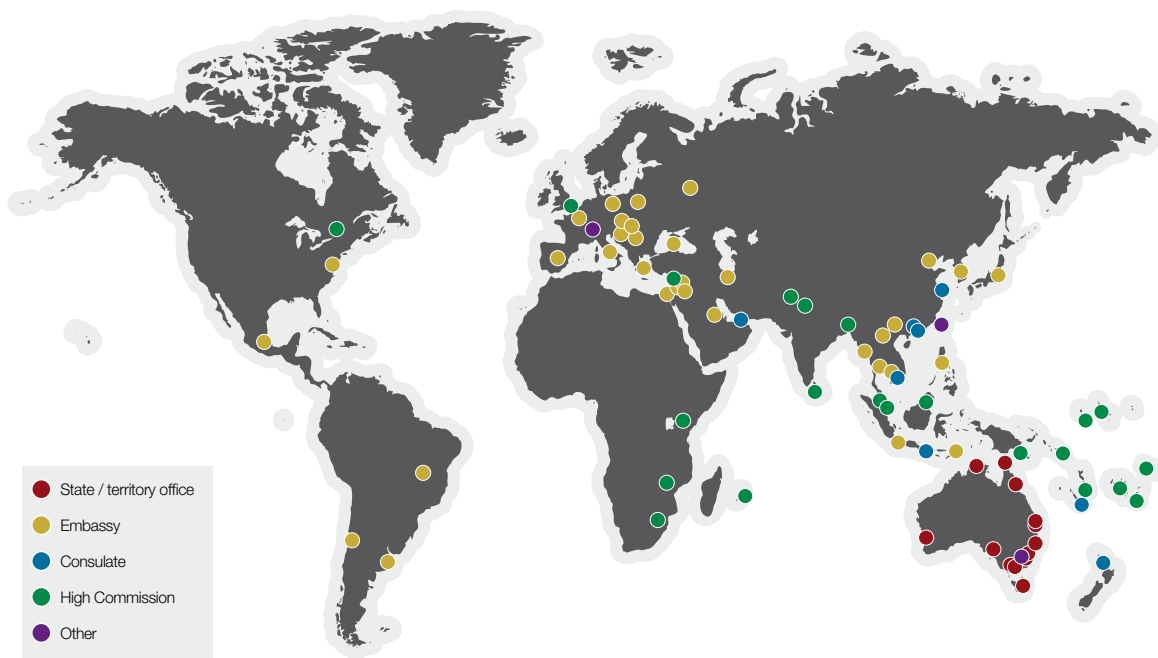
Advisory bodies

The following non-statutory bodies advised the portfolio during 2009–10:

- Australian Multicultural Advisory Council—advises the minister and the parliamentary secretary on issues related to Australia's cultural diversity.
- Council for Immigration Services and Status Resolution—provides the minister with independent advice on the development of policies, processes, services and programs necessary to achieve the timely, fair and effective resolution of immigration status for people seeking asylum or other migration outcomes in Australia.
- Detention Health Advisory Group—provides the department with independent, expert advice regarding the design, implementation and monitoring of improvements in detention health-care policy and procedures.
- Refugee Resettlement Advisory Council—advises the minister on matters relating to the settlement of Humanitarian Program entrants and migrants.

Departmental office and post locations

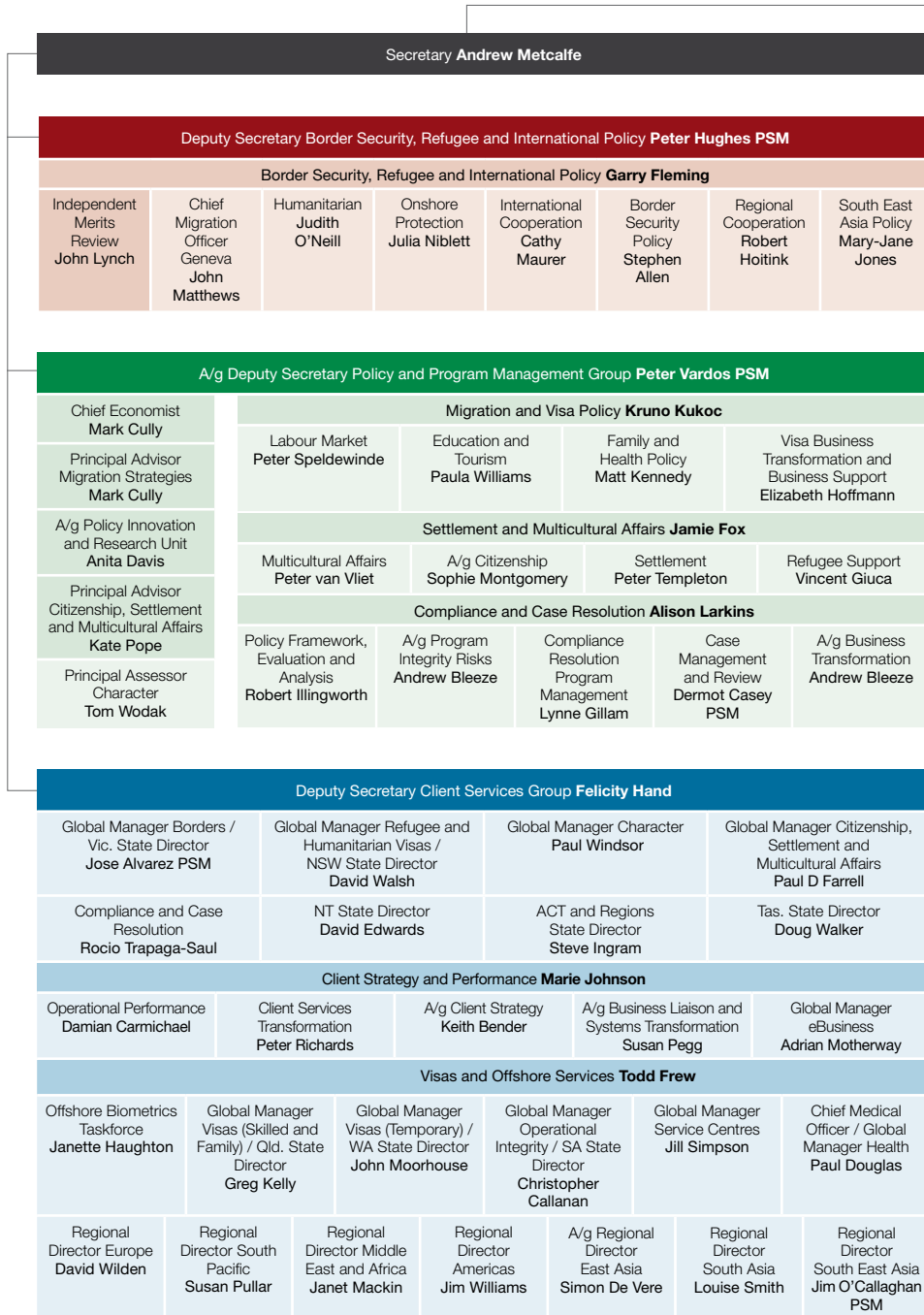
Figure 2: Departmental office and post locations



State / territory office	Embassy			Consulate	High Commission		Other	
ACT and Regions	Amman	Dili	Rome	Auckland	Apia	New Delhi	Geneva	
	Ankara	Hanoi	Santiago	Bali	Brunei	Nicosia	National Office	
Adelaide	Athens	Jakarta	Seoul	Dubai	Colombo	Nuku'alofa	Taipei	
Brisbane	Bangkok	Madrid	Tehran	Guangzhou	Dhaka	Ottawa		
Cairns	Beijing	Manila	Tel Aviv	Ho Chi Minh City	Harare	Port Louis		
Dandenong	Beirut	Mexico City	Tokyo	Hong Kong	Honiara	Port Moresby		
Darwin	Belgrade	Moscow	Vienna		Islamabad	Port Vila		
Gold Coast	Berlin	Paris	Vientiane		Noumea	Kuala Lumpur	Pretoria	
Hobart	Brasilia	Phnom Penh	Warsaw		Shanghai	London	Singapore	
Melbourne	Budapest	Pohnpei	Washington DC		Nairobi	Suva		
Parramatta	Buenos Aires	Rangoon (Yangon)	Zagreb		Nauru	Tarawa		
Perth								
Sydney	Cairo	Riyadh						
Thursday Island								

Organisational structure

Figure 3: Organisational structure as at June 2010



Chief Executive Officer
Office of the Migration
Agents Registration Authority
Christine Sykes

Deputy Chief Executive Officer
Office of the Migration
Agents Registration Authority
Stephen Wood

Special Counsel
Ian Deane

Chief Information Officer and Deputy Secretary Business Services Group Bob Correll PSM					
DIAC Transformation Program Management Office Sally Babbage		A/g Business Services Transition Manager Shaun McGuiggan		National Communications Manager Sandi Logan	
Community and Detention Services Jackie Wilson					
Services Management Fiona Lynch-Magor	Community and Detention Operations Deb Jacka	Policy and Planning Jan Tankiang	Irregular Maritime Arrivals Daniel Boyer	A/g IMA Operations Christmas Island Zdenka Zrno	
Technology Services Peter Mckeon					
Service Management Colin Haughton	Service Operations Paul Cross	A/g Knowledge Management and Reporting Roman Strausov	A/g Visa Citizenship and Settlement Systems Brian Schumacher	A/g Common Systems Alex el-Debel	Border and Case Systems Tim Drury
Business Transformation Services Nico Padovan					
A/g Program Management Jane Andrews	Generic Visa Portal and Rules Joe Gunning		Service Design Vacant	A/g Communication and Change Taskforce Frances Finney	
People and Executive Services Marilyn Prothero					
People Services Craig Farrell	Learning and Development Borko Vlatkovic	Ministerial and Executive Services Simon Schiwy		A/g Business Planning and Reporting Ben Neal	
Risk, Fraud and Integrity Gavin McCairns					
Risk Analysis and Management Phil Thurbon	A/g Fraud, Investigations and Prosecutions Hamish Lindsay	A/g Immigration Intelligence Annette Keenan		A/g Identity Cath Wilson	
Financial Strategy and Services / Chief Financial Officer Stephen Sheehan					
Property and Financial Operations James Malizani	Procurement and Contracts Tony Judge	Accounting and Financial Control Peter Hausknecht		Financial Strategy and Budgets Steve Biddle	
Governance and Legal / A/g Chief Lawyer Jackie Davis					
A/g Litigation and Opinions Catherine Seaberg		Legal Framework Sanaz Mirzabegian		Governance and Stakeholder Engagement / Chief Internal Auditor Chris Hodges	

Senior executive

Secretary Andrew Metcalfe

Mr Andrew Metcalfe is secretary of the Department of Immigration and Citizenship, responsible for its administration and strategic direction.

Mr Metcalfe oversees the department's 8000 staff, located in each state and territory and more than 60 locations around the world. He provides senior counsel to the minister on major and sensitive policy issues.

Mr Metcalfe was initially appointed as secretary in July 2005 and reappointed in 2009. He is a member of the Administrative Review Council, a board member of the National Australia Day Council and president of the Institute of Public Administration Australia (ACT Division).

From August 2002 to July 2005, Mr Metcalfe was a deputy secretary in the Department of the Prime Minister and Cabinet, where he was responsible for coordination of policy advice to the Prime Minister on national security, foreign affairs and machinery of government issues. He was the inaugural chair of the National Counter-Terrorism Committee, chaired the Australian Government Counter-Terrorism Policy Committee and was an ex-officio member of the Council of the Order of Australia.



Deputy Secretary Peter Hughes PSM

Mr Peter Hughes is deputy secretary responsible for the Policy and Program Management Group. Prior to taking up the position in August 2006, he was head of the department's Refugee, Humanitarian and International Division, which included responsibility for Australia's offshore refugee resettlement program. Mr Hughes joined the department in 1979.

The Policy and Program Management Group is responsible for policy and program management across all the department's programs including permanent and temporary visa programs, asylum, refugee and international policy, compliance and status resolution and citizenship, settlement and multicultural affairs policy.

From April 2010 until August 2010, Mr Hughes was temporarily assigned to leading the department's policy work on border security, refugee and humanitarian issues and international engagement. First Assistant Secretary Migration and Visa Policy Peter Vardos acted as Deputy Secretary for the other elements of the Policy and Program Management Group during this time.



Deputy Secretary Bob Correll PSM

Mr Bob Correll is deputy secretary responsible for the Business Services Group. He transferred to the department in 2005 from the position of Deputy Secretary Workforce Participation at the Department of Employment and Workplace Relations. Mr Correll is a council member of the Chief Information Officer Council and Fellow of the Australian Institute of Management.

Over 2009–10, Mr Correll's group moved to a shared services framework with all business staff moving into the group on 1 July 2010. The group operates as a community of professional services providing support to the department, regardless of geographic location.

Services provided by the group include: finance, property, human resources, business planning and reporting, technology, communications, risk, fraud and integrity, parliamentary and ministerial and governance and legal. The group is also overseeing the department's transformation.

Mr Correll is also responsible for the department's detention services network nationally.



Deputy Secretary Felicity Hand

Ms Felicity Hand is deputy secretary responsible for the Client Services Group. Prior to joining the department in May 2009, Ms Hand was First Assistant Secretary Corporate Management Division at the Department of Foreign Affairs and Trade.

She has more than 20 years experience in public policy, corporate affairs and client services having worked in both BHP Pty Ltd and Telstra (Sensis). She was responsible for establishing Sensis's dedicated sales and service channel for government customers. Since joining the department, she has driven an ambitious client services transformation strategy to deliver efficient, lower-cost, risk-based and globally integrated services.

Ms Hand's group is responsible for delivering the department's key immigration and citizenship programs, through a network of offices across Australia and overseas. The group's vision is to be 'one high-performing team, united to deliver high-quality services with efficiency, integrity and consistency, to every client every time'.



Outcome and program structure

New budgetary reporting framework

From the 2009–10 Budget, all general government sector entities began reporting against a new framework based on outcomes and programs. Previously, the Budget framework was presented in administered items, outcomes and output groups.

Appendix 7 contains a table representing the transition from the reporting framework used in 2008–09 to the framework used in 2009–10.

Figure 4: Outcome and program structure

Outcome 1			
Managed migration through visas granted for permanent settlement, work, study, tourism, working holidays or other specialised activities in Australia, regulation, research and migration policy advice and program design.			
Programs			
1.1 Visa and migration	1.1.1 Visa and migration— service delivery	1.1.2 Visa and migration— policy advice and program design	1.1.3 Visa and migration— Office of the Migration Agents Registration Authority
Outcome 2			
Protection, resettlement and temporary safe haven for refugees and people in humanitarian need through partnering with international agencies; assessing humanitarian visa applications; and refugee and humanitarian policy advice and program design.			
Programs			
2.1 Refugee and humanitarian assistance	2.1.1 Refugee and humanitarian assistance—service delivery	2.1.2 Refugee and humanitarian assistance—policy advice and program design	
Outcome 3			
Lawful entry of people to Australia through border management services involving bona fide traveller facilitation; identity management; document verification; intelligence analysis; partnerships with international and domestic agencies; and border policy advice and program design.			
Programs			
3.1 Border management	3.1.1 Border management— service delivery	3.1.2 Border management— policy advice and program design	

Figure 4: Outcome and program structure *continued*

Outcome 4

Lawful stay of visa holders and access to citizenship rights for eligible people through promotion of visa compliance responsibilities, status resolution, citizenship acquisition integrity, case management, removal and detention, and policy advice and program design.

Programs

4.1 Visa compliance and status resolution	4.1.1 Visa compliance and status resolution—service delivery	4.1.2 Visa compliance and status resolution—policy advice and program design
4.2 Onshore detention network	4.2.1 Onshore detention network—service delivery	4.2.2 Onshore detention network—policy advice and program design
4.3 Offshore asylum seeker management	4.3.1 Offshore asylum seeker management—service delivery	4.3.2 Offshore asylum seeker management—policy advice and program design
4.4 Illegal foreign fishers	4.4.1 Illegal foreign fishers—service delivery	4.4.2 Illegal foreign fishers—policy advice and program design

Outcome 5

Equitable economic and social participation of migrants and refugees, supported through settlement services, including English language training; refugee settlement; case coordination; translation services; and settlement policy advice and program design.

Programs

5.1 Settlement services for migrants and refugees	5.1.1 Settlement services for migrants and refugees—service delivery	5.1.2 Settlement services for migrants and refugees—policy advice and program design
--	---	---

Outcome 6

A cohesive, multicultural Australian society through promotion of cultural diversity and a unifying citizenship, decisions on citizenship status, and multicultural and citizenship policy advice and program design.

Programs

6.1 Multicultural and citizenship services	6.1.1 Multicultural and citizenship services—service delivery	6.1.2 Multicultural and citizenship services—policy advice and program design
---	--	--

Transforming the department

In October 2009, the secretary announced an ambitious transformation program to strengthen Australia's borders through the delivery of world class migration, visa and citizenship services. Over the next five years, improvements will be rolled out progressively to drive integrity, efficiency and client service benefits.

As part of the transformation, the department was realigned into three groups—Policy and Program Management, Client Services and Business Services—to allow global management of service delivery and clarify areas of accountability. To this end, a network of global managers was established to oversee the global delivery of key business streams or client channels in the department.

Global managers work with all areas of the department to ensure a high standard of client service is delivered, consistent procedures are adopted and best practice is shared, wherever work takes place. The feedback on this network has been very positive and the department is already seeing improvements in consistency across service locations and in service standards.

The Client Services Transformation Strategy has seen the implementation of a number of changes to where work is undertaken across Australia. These changes have been implemented to consolidate visa and citizenship processing streams where it makes sense to do so.

A number of improvements to client service are planned for implementation over the next five years, including migrating simple enquiries and activities to electronic channels, client self-help tools or service centres; capturing biometrics; and eliminating paper processing through the use of service delivery partners. Specialist global manager lines have been set up to manage eBusiness; service centres; and service delivery partners.

From 1 July 2010, all business services staff moved into the Business Services Group. A new shared services framework was established for the department and is being implemented progressively. Projects have commenced in each of the business service discipline areas to identify opportunities for efficiencies and capability building.

On 4 June, the Minister for Immigration and Citizenship and the Minister for Finance and Deregulation announced a Better Regulation Ministerial Partnership which will rationalise the visa framework to make it simpler and more efficient.

Specifically, the government committed to reduce the number of temporary working visa subclasses by 50 per cent by 2012 and to target a 50 per cent reduction in the total number of visa subclasses by 2015.

These changes are all part of a comprehensive blueprint for transformation to strengthen Australia's border through the delivery of world class migration, visa and citizenship services.



Case study

Global Skilled and Family Visa group commences operations

As part of the department's transformation program, its organisational structure has been realigned to allow global management of service delivery and to clarify areas of accountability and responsibility.

This means that business activities and client services are managed as global programs rather than by geographic location.

Working with onshore and offshore areas of the department, global managers ensure a high standard of client service and consistent procedures are adopted in their particular business lines and that best practice is shared, wherever the work takes place.

In November 2009, the first global manager group was established—the Global Skilled and Family Visas group—which looks after outreach and the skilled and family visa programs.

The Queensland State Director, Mr Greg Kelly, is the global manager responsible for the group and said there were significant benefits from this centralised management approach.

'Now, there is an all-encompassing view of each program, with a clear line of accountability, responsibility and engagement,' Mr Kelly said.

While the new structure has created the challenge of remote management of staff, a senior staff member within the group has a pastoral care role for all Global Skilled and Family Group staff located at their site.

'A global manager monthly feedback group has also been set up for staff to share their views and issues directly with the global manager,' Mr Kelly said.

The department is also developing strategies to improve communication and engagement across state and global lines, with telephone and video conferencing used regularly as well as half-year global manager road trips to visit staff in person.

Photo: Queensland State Director, Mr Greg Kelly, is the first global manager for the Global Skilled and Family Visa group.

Immigration history 1966–1975

The third decade saw Australia embrace a non-discriminatory migration program and further widening of the eligibility criteria to accept applications from well-qualified people regardless of their origin. In 1972, the remaining parts of the 'White Australia' policy were progressively removed, with a policy of non-discrimination on the grounds of race, colour or nationality introduced in 1973. From 1975, British, Commonwealth and Irish citizens were subject to the same visa requirements as other applicants.

The imperative to populate or perish was relaxed and a keener focus on the longer-term economic and social well-being of the country came into play. The department strived to maintain a flexible and responsive program, with the total intake from migration varying from a high of 185 000 people in 1969–70 to some 52 748 arrivals in 1975–76. While the number of agreements with overseas countries continued to grow, the department carefully planned and capped the intake to allow the Australian economy and community to absorb and adjust to the influx of people.

On the humanitarian front, the department responded to a range of natural and man-made events including an earthquake in Sicily, the intervention in Czechoslovakia by the Warsaw Pact in 1968, the overthrow of the Chilean Government in 1971 and the occupation of northern Cyprus in 1974. A number of people affected, including almost 6000 Czechs and more than 1000 people from Chile, moved to Australia.

A raft of new programs emerged to assist migrants to settle successfully, managed through the creation of an Integration Branch in 1968. The initiatives included a grants scheme for community agencies working with migrants and an early attempt to teach migrants English through a television program. Legislation came into effect in 1971 requiring the Commonwealth to provide English-language training to migrants. Two years later, a free telephone interpreter service was introduced. From 1973, Australians were no longer British subjects and all migrants, of whatever origin, became eligible to obtain citizenship after three years residence. The Committee on Overseas Professional Qualifications was established to resolve issues with the assessment and recognition of overseas professional training to help ensure migrants could compete for jobs in Australia.

By this time, to deliver the evolving and ever-increasing range of migration-related programs the department had grown to more than 1200 staff. The flexibility and divergence of the program also led to more complex research into the economic and social effects of migration. The National Population Inquiry issued its first report in 1975, which led to the creation of the Australian Population and Immigration Council.

Photos opposite page from top to bottom: Migrant children practice writing during English classes at Fitzroy High School, Melbourne, in 1970. Members of the Castellorizian (Greek) Social Club perform in 1972. All smiles at a ceremony for the 1000th new Australian citizen in Queanbeyan, New South Wales, in 1966.

Part 3



Report on performance

Summary of financial performance

Outcome 1

Program 1.1 Visa and migration

Outcome 2

Program 2.1 Refugee and humanitarian assistance

Outcome 3

Program 3.1 Border management

Outcome 4

Program 4.1 Visa compliance and status resolution

Program 4.2 Onshore detention network

Program 4.3 Offshore asylum seeker management

Program 4.4 Illegal foreign fishers

Outcome 5

Program 5.1 Settlement services for migrants and refugees

Outcome 6

Program 6.1 Multicultural and citizenship services

Summary of financial performance

The department's 2009–10 financial performance was strong despite the challenges posed by a reduced budget appropriation and complex operational demands. The 2009–10 annual financial statements report an operating surplus of \$5.5 million, compared to a \$47.6 million operating loss in 2008–09. The department's 2009–10 operating surplus has been delivered in a challenging environment as a result of the global financial crisis which affected the international demand for Australian visas; an increase in irregular maritime arrivals; and an increase in employee salary rates and related expenses.

The main factors contributing to the department's \$5.5 million operating surplus were:

- the department's strong focus on financial management and performance
- efficiencies achieved throughout the financial year, including a reduction in overhead expenditure
- improved business planning and budget reporting activities.

Factors that impacted on the department's 2009–10 financial outcome included:

- an increase in irregular maritime arrivals with a resulting impact on expenditure. The department has developed and implemented appropriate and responsive strategies to manage the increasing caseload
- activity levels for Program 1.1 Visa and Migration which were below expectations, particularly student visas, resulting in a decrease in revenue and expenses. This was due to the increased value of the Australian dollar, increased integrity checks to identify non-genuine students, and an anticipated reduction in skilled migration levels; all of which may have deterred those students whose intention was to obtain work and apply for residency
- a reduction in temporary skilled worker visas due to the tightening economic conditions following the global financial crisis, which also resulted in a reduction of forecast revenue and expenses.

The department's appropriation revenue is managed through a price-based funding model with the Department of Finance and Deregulation. The model has fixed and variable components, with variable funding adjusted to reflect actual movements in the department's key workload drivers (that is, visa finalisations, citizenship decisions and border movements).

The funding model includes funding for various prescribed activities under a no-win no-loss arrangement (such as immigration status resolution and irregular maritime arrivals). The cost of these items are fully reconciled as part of the end of financial year reconciliation process.

The department's 2009–10 statement of comprehensive income shows total revenue of \$1 247.8 million, comprising earned appropriation revenue of \$1 184.2 million and total own sourced income of \$63.6 million. The department's total expenses were \$1 242.3 million, which resulted in an operating surplus of \$5.5 million.

As at 30 June 2010, the department held total assets of \$1.269 billion, which is \$100 million greater than the department's 30 June 2009 position. This increase is predominately as a result of two factors:

- An asset revaluation which increased land and buildings reported values by \$58 million.
- An increase in appropriation receivable of \$45 million, which is predominately due to lower than expected capital expenditure.

As at 30 June 2010, the department had reported total liabilities of \$358.9 million, a decrease of \$19.6 million over the previous year's reported balance. This decline is influenced by:

- a reduction of \$15.0 million in payables as a result of reduced supplier expenditure
- a reduction of \$16.7 million in finance lease liability as a result of capital repayments on finance lease arrangements
- a reduction of \$7.2 million in employee entitlements, which is due to an increase in interest rates and the impact of a reduction in staff through the prior year redundancy program
- an increase of \$16.1 million in onerous lease liability, which is due to the increased surplus in leased office space.

Overall, the department's net asset position of \$909.9 million (assets minus liabilities) has improved in 2009–10 by more than 15 per cent or \$120.2 million.

The department's financial performance in 2009–10 reflects an increased focus on financial management matters. This ensured the department operated within its budget appropriation; while delivering key activities and achieving significant milestones in 2009–10. Tables 2 and 3 provide an overview of the department's resource statements, including available funding outlined in the department's *Portfolio Budget Statements 2009–10* and a summary of payments made during the financial year.

Table 2: All outcomes financial resources summary 2009–10

	Actual expenses 2009–10 \$'000	Budget estimate 2009–10 \$'000
Administered		
Outcome 1: Visa and migration	50	50
Outcome 2: Refugee and humanitarian assistance	31 063	31 349
Outcome 3: Border management	4 102	-
Outcome 4.1: Visa compliance and status resolution	7 038	7 178
Outcome 4.2: Onshore detention network	69 957	67 273
Outcome 4.3: Offshore asylum seeker management	210 909	183 291
Outcome 4.4: Illegal foreign fishers	6 898	8 762
Outcome 5: Settlement services for migrant and refugees	329 739	315 536
Outcome 6: Multicultural and citizenship services	2 778	4 251
Total administered expenses	662 534	617 690
Departmental		
Outcome 1: Visa and migration	540 096	525 406
Outcome 2: Refugee and humanitarian assistance	82 309	85 864
Outcome 3: Border management	182 576	188 485
Outcome 4.1: Visa compliance and status resolution	131 126	128 056
Outcome 4.2: Onshore detention network	36 119	31 765
Outcome 4.3: Offshore asylum seeker management	81 309	81 309
Outcome 4.4: Illegal foreign fishers	5 416	5 416
Outcome 5: Settlement services for migrant and refugees	102 388	103 569
Outcome 6: Multicultural and citizenship services	80 978	97 939
Total departmental expenses	1 242 317	1 247 809
Total price of departmental and administered expenses	1 904 851	1 865 499

Table 3: Financial resource statement 2009–10

		Actual available appropriation for 2009–10 \$'000	Payments made 2009–10 \$'000	Balance remaining 2009–10 \$'000
Ordinary annual services				
Appropriation receivable		242 065	-	242 065
Departmental appropriation ¹		1 222 008	1 111 457	110 551
s.31 relevant agency receipts		42 592	42 592	-
Total		1 506 665	1 154 049	352 616
Administered expenses				
Outcome 1		50	50	
Outcome 2		31 625	21 319	
Outcome 3		4 617	3 739	
Outcome 4		255 979	234 962	
Outcome 5		316 136	289 195	
Outcome 6		5 367	2 257	
Total		613 774	551 522	
Total ordinary annual services	A	2 120 439	1 705 571	
Other services				
Administered expenses				
Specific payments to states, ACT, NT and local government		-	-	
Total		-	-	
New administered expenses		-	-	
Total		-	-	
Departmental non-operating				
Equity injections		121 264	81 267	39 997
Previous years' outputs		10 371	-	10 371
Total		131 635	81 267	50 368

1. Appropriation Bill (No.1) 2009–10 and Appropriation Bill (No.3) 2009–10.

Table 3: Financial resource statement 2009–10 *continued*

		Actual available appropriation for 2009–10 \$'000	Payments made 2009–10 \$'000	Balance remaining 2009–10 \$'000
Administered non-operating				
Administered assets and liabilities		-	-	
Payments to <i>Commonwealth Authorities and Companies Act 1997</i> (CAC) bodies—non-operating		-	-	
Total		-	-	
Total other services	B	131 635	81 267	
Total available annual appropriations and payments		2 252 074	1 786 838	
Special appropriations				
Special appropriations limited by criteria/entitlement				
Migration Act s332B Special appropriation <i>Financial Management and Accountability Act 1997</i>			529 147 380	
Special appropriations limited				
By amount			-	
Total special appropriations	C		147 909	

Table 3: Financial resource statement 2009–10 *continued*

		Actual available appropriation for 2009–10 \$'000	Payments made 2009–10 \$'000	Balance remaining 2009–10 \$'000
Special accounts				
Opening balance		411		
Appropriation receipts ²		50		
Appropriation receipts - other agencies		-		
Non-appropriation receipts to special accounts		79		
Payments made			-	
Total special account	D	540	263	277
Total resourcing and payments A+B+C+D		2 252 614	1 935 010	
Less appropriations drawn from annual or special appropriations above and credited to special accounts and/or CAC Act bodies through annual appropriations		-	-	
Total net resourcing and payments for the Department of Immigration and Citizenship		2 252 614	1 935 010	

1. Appropriation Bill (No.1) 2009–10 and Appropriation Bill (No.3) 2009–10.

2. Appropriation receipts from the department's annual and special appropriations for 2009–10 included above.

The department operates on a activity based funding model and revenue adjustments are recorded in the financial statements in the financial year that the activity occurs. However, the corresponding appropriation adjustment occurs in the following financial year. Therefore, the appropriations in this table are as originally passed by Parliament. Due to variations in activity there will be a lapsing of appropriation items in 2010–11, relating to the items appropriated for the 2009–10 financial year.



Outcome 1

Managed migration through visas granted for permanent settlement, work, study, tourism, working holidays or other specialised activities in Australia, regulation, research and migration policy advice and program design.

The program managed under Outcome 1 is:

Program 1.1 Visa and migration

During 2009–10, Program 1.1 was managed by the Migration and Visa Policy Division. This program includes the Office of the Migration Agents Registration Authority (MARA)—a discrete office attached to the department which regulates the activities of the migration advice profession in Australia. This section reports on the deliverables and key performance indicators for Program 1.1 as published in the department's *Portfolio Budget Statements 2009–10* and *Portfolio Additional Estimates Statements 2009–10*.

Strategy

Outcome 1 contributes to Australia's economic and social prosperity through provision of visa services and policy and program development in relation to permanent and temporary migration, including:

- policy in line with the government's expectations to develop and implement migration and visa reform agendas including labour market initiatives and long-term migration planning framework
- program development
- robust policy and sound research and evaluation to support efficient program delivery
- promotion of client service excellence.

The department's progress is measured on development and implementation of the government's reform agendas including:

- labour market policy framework
- long-term planning migration framework
- skills targeting (permanent and temporary)
- the ongoing review of student and parent programs
- working holiday and visitor programs
- establishment of the Office of the MARA as a discrete office attached to the department to regulate the activities of the Australian migration advice profession in order to provide the consumers of migration advice services with appropriate protection and assurance
- the *Migration Legislation Amendment (Worker Protection) Act 2008*.

Major achievements for 2009–10

Reform agenda

Under Outcome 1, the department implemented the government's reform agenda to deliver a more responsive and targeted Skilled Migration Program including:

- working closely with Trades Recognition Australia, in the development and implementation of the Job Ready Program. The program aims to ensure that onshore migrants in trade occupations have the appropriate skills and experience to successfully compete in the Australian labour market within their nominated occupation
- reviewing the role of the Migration Occupations in Demand List which resulted in:
 - revocation of both the Migration Occupations in Demand List and the Critical Skills List
 - implementation of a new Skilled Occupation List (SOL) based on advice from Skills Australia—an independent statutory body which provides advice on Australia's current, emerging and future workforce skills needs and workforce development needs
 - capping and ceasing of certain offshore visa applications lodged prior to 1 September 2007
 - successfully negotiating the development of state migration plans with state and territory governments
 - a review of the General Skilled Migration points test.
- enhanced integrity and labour market performance for the provisional General Skilled Migration visa categories through the phased increase in the English language standard and the raising of skills assessment standards in a number of key occupations
- enhanced integrity for the temporary Business (Long Stay) (subclass 457) visa program through the introduction of more robust skills testing. The testing is being progressively introduced for trade and chef/cook occupations to ensure that workers nominated for these occupations have the necessary skills to perform the duties in an Australian workplace
- implementation of a worker protection reform package with the following outcomes:
 - The package has been well received by industry and implementation is largely complete.
 - The package provides greater protection to ensure vulnerable subclass 457 visa holders are not exploited. Under the *Migration Legislation Amendment (Worker Protection) Act 2008*, sponsors are required to comply with binding sponsorship obligations. These include the obligation to ensure overseas workers are provided with equivalent terms and conditions to Australian workers performing the same job in the same workplace.
 - The package is the culmination of extensive consultation with stakeholders over the past two years, including business, government and unions through the Skilled Migration Consultative Panel.
- streamlining the labour agreement process, with a template agreement established for the snow sports industry and a new template for the meat processing industry implemented following negotiations with industry stakeholders.

Long-Term Migration Planning Framework

The department made significant progress in the development of a Long-Term Migration Planning Framework. The framework, once implemented, will guide future permanent and temporary Migration Program policy settings to ensure that levels of net overseas migration over the coming decades have optimal effects on the labour force and economic growth, the environment, urban development, infrastructure and amenity, and population growth. It will also guide the distribution of the migrant population across states and territories and between metropolitan and regional Australia. The framework will highlight emerging trends and issues to promote discussion and debate on the role of Australia's permanent and temporary migration programs, with reference to sustainable population strategies and social inclusion issues. The framework underpins broader work which is being undertaken by the Treasury to develop Australia's first comprehensive population strategy.

International Student Taskforce

A significant achievement in 2009–10 was the department's involvement in the Australian Government response to international student issues, particularly student welfare.

In response to a high level of public focus on international students in Australia, an International Student Taskforce was established to coordinate the department's response. The taskforce also participated in government initiatives such as the Senate Inquiry into the Welfare of International Students.

In 2009, the government initiated a review of the *Education Services for Overseas Students Act 2000* by the Hon. Bruce Baird AM. Through the taskforce and the Students Section, the department made a detailed submission to this review and will work closely with the Department of Education, Employment and Workplace Relations in considering the recommendations handed down in the final report of the review.

Taskforce staff represented the department on the Council of Australian Governments working group on the International Student Strategy for Australia. An outcome of this work is the implementation of several significant legislative and policy changes that protect the welfare of international students. These included:

- waivers of visa application charges for students affected by the closure of their education provider
- an increase in the amount specified for annual living costs for students and their families to ensure that they are able to support themselves during their period of study
- policy changes to ensure that students have health insurance cover for the entire duration of their visa.

Protecting children

During the year, strengthened arrangements were put in place to ensure the protection of children seeking to enter Australia under partner and child visas. These arrangements include the introduction of a legislative power that requires Australian sponsors to provide police checks, together with a bar on the approval of sponsorships when the sponsor has a conviction or outstanding charge for a registrable offence. These measures help ensure children are protected from being sponsored by a person whose criminal record indicates they might pose a significant risk to a child in their care.

Visa health assessments

The department continued to pursue a vigorous expansion of its electronic health processing system known as eHealth. As a result, eHealth is now available in 21 locations across the world. More than 90 000 health cases a year are now processed in eHealth with 75 per cent of these requiring no manual intervention. The remainder are processed within 48 hours. The client service benefits are significant with medical results often being finalised in minutes, instead of four to six weeks.

Health waiver program

The year 2009–10 saw considerable progress on the expansion of the skilled health waiver program. This program assists people who are already living and working in Australia and providing a valuable service to their community but may not be eligible for permanent residency because they (or a family member) do not meet the health requirement. Almost all states and territories had signed up to participate in this program by 30 June 2010 with more than 20 visas already granted under the new scheme.

Challenges

Skilled migration

The department continued to face the challenge of managing a Skilled Migration Program where available places fall well short of demand from applicants. The minister used his powers to cap and cease some applications in 2009–10 in order to resolve some offshore applications lodged before 1 September 2007 that were unlikely to receive sufficient priority to be otherwise finalised. A temporary suspension of new offshore applications came into effect late in 2009–10 in order to allow for a smooth transition to the new Skilled Occupation List. This suspension was lifted from 1 July 2010, once the new list was in effect.

Changes in eligibility requirements for permanent migration through the Skilled Migration Program removed a number of occupations from the Skilled Occupation List. This improved the targeting of the General Skilled Migration visa categories and the incentive for future students to come to Australia simply for the purpose of a migration outcome. With the Skilled Migration Program oversubscribed, such students were unlikely to be granted permanent residence for many years. Despite generous transitional arrangements, these changes led to criticism by prospective international students or others with an interest in selling lower quality courses to prospective students interested in a pathway to permanent migration.

During 2009–10, there was a high level of public and media attention on the international education industry in Australia. This included a focus on the quality of education providers, claims of victimisation of international students and student safety concerns.

The department closely engaged with international education industry stakeholders in response to their concerns over the closures of several education providers, decreased visa application rates in some countries, and increased integrity measures announced by the minister on 9 August 2009.

Program 1.1 Visa and migration

Program 1.1 consists of seven departmental items:

- Economic migration
- Family migration
- Resident Return visas, Former Resident visas, Australian Declaratory visas and Certificates of Evidence of Resident Status
- Students
- Temporary residents (economic)
- Temporary residents (non-economic)
- Visitors and Working Holiday Makers.

There is one administered item under Program 1.1: Joint Commonwealth, state and territory research program (for payments to the Australia Population, Multicultural and Immigration Research Program account).

Program 1.1 also includes the Office of the Migration Agents Registration Authority (see Page 90).

Objectives

Permanent and temporary migration is a key contributor to Australia's economic, demographic and social needs. The department will continue to contribute to the national debate on economic and population policy including a targeted Migration Program that responds to Australia's changing economic and social needs through ongoing:

- lawful and orderly entry and stay of people
- delivery of the annual Migration Program, within the parameters set by government to respond to Australia's labour and demographic needs and, consistent with the objectives of the Long-Term Migration Planning Framework
- implementation of strategies to strengthen the economic, budgetary, cultural and social benefits from both permanent and temporary migration
- strengthening its research capacity to enable evidence-based decisions and policy in relation to population and migration issues
- review and improve Australia's temporary entry arrangements to better meet the needs of business, education and tourism
- assistance to the tourism and education industries to expand, including into new markets, whilst ensuring a high degree of immigration integrity
- delivery of the permanent Skilled Migration Program, which works effectively in conjunction with the domestic education and training agenda.

Visa and migration—deliverables

Deliverable: Continue to develop and implement strategies to strengthen the economic and budgetary position.

Result: This was achieved through granting about 107 870 permanent residence visas to skilled migrants. Skilled migrants constituted 64 per cent of the total Migration Program.

Recent modelling suggests that migrants make a positive fiscal contribution to the Federal Budget. It is estimated that migrant contribution in the Migration Program at 2009–10 levels is about \$716 million in the first year after their arrival. Their cumulative contribution increases to \$11.6 billion after 10 years.

Additionally, the continuation of the Temporary Business Entry intake at 2009–10 levels is estimated to contribute about \$728 million in the first year after arrival and deliver a cumulative benefit of \$4.6 billion, 10 years after arrival¹.

The Continuous Survey of Australia's Migrants commenced in September 2009 and a follow-up survey was undertaken in March 2010. The results from the survey will be now used to analyse the labour market outcomes of recent migrants.

1. Estimates based on the 2008–09 update to the migrant fiscal impact model, completed in April 2009 by Access Economics, and inflated to 2009–10 prices.

Deliverable: Provide benefits from both permanent and temporary migration.

Result: Since 2008, the department has undertaken a series of reviews and reforms of temporary and permanent migration policies. A particular focus has been to ensure that our skilled programs are driven by the genuine needs of the labour market. Enhancements include the introduction of a new Skilled Occupation List, along with reforms to the temporary Business (Long Stay) (subclass 457) visa program.

Deliverable: Support continued growth of the Australian education industry.

Result: The department continued to support the sustainable growth of the education industry through facilitating the entry of genuine overseas students and other temporary visas for people undertaking training and professional development. Almost 270 000 people were granted visas in these categories in 2009–10.

Deliverable: Support continued growth of the Australian tourism industry.

Result: By facilitating the entry to Australia of visitors, including Working Holiday Makers, the department supports the growth of the Australian tourism industry. More than 3.5 million people were granted visitor visas during 2009–10.

Deliverable: Pursue the development of a Long-Term Migration Planning Framework.

Result: The department is exploring options for a Long-Term Migration Planning Framework underpinned by commissioned evidence-based research to inform government. This framework will allow for whole-of-government planning and due consideration of future migration programs in line with Australia's longer-term demographic, economic, labour force and environmental needs.

Visa and migration—deliverables *continued*

Deliverable: Pursue a strategic and targeted research program on demographic and immigration issues.

Result: In 2009–10, the department undertook a range of new research projects related to demographic and immigration issues. Published research is available on the departmental website.

Deliverable: Examine through a pilot whether a seasonal worker program could contribute to foreign aid objectives and also assist Australian employers.

Result: The pilot is for three years concluding in June 2012 and provides for 2500 visa grants. It is currently being assessed through two independent evaluations. TNS Social Research is conducting an evaluation of the domestic objectives and the World Bank is conducting an evaluation of the international objectives of the pilot. Results of the domestic evaluation will be presented to government in July 2011. The Department of Education, Employment and Workplace Relations is the lead agency for the pilot and is coordinating both evaluations.

Visa and migration—key performance indicators

Performance

Indicator: Visa applications are finalised within service standards.

Result: Of all applications processed in 2009–10, 92.5 per cent were finalised within service standards.

In the permanent migration category, 80.7 per cent of economic migration visa applications and 75.6 per cent of family migration visa applications were finalised within service standards. For temporary entrants, 92.3 per cent of visa applications were finalised within service standards.

Indicator: Ensure temporary and permanent migration does not increase the incidence of tuberculosis in the Australian community.

Result: The prevalence of tuberculosis in the general Australian population has remained stable for more than 20 years despite significant increases in the number of people visiting Australia from countries with high rates of tuberculosis. Australia's current prevalence rate is six cases per 100 000 head of the population.

Indicator: Deliver the Migration Program within government targets.

Result: The Migration Program was delivered within 0.05 per cent of the annual target. There were 168 623 permanent visas granted. Skilled migrants constituted 64 per cent of the total Migration Program while family migrants constituted 36 per cent.

Visa and migration—key performance indicators *continued*

Economic migration

Indicator: Strong economic and budgetary benefits from granting permanent residence visas to skilled and business migrants, as measured by economic and fiscal models and surveys of recent migrants.

Result: Modelling from the DIAC Migrants Fiscal Impact Model suggests that skilled migrants make a positive fiscal contribution to the Federal Budget. It is estimated that the migrant contribution in the skilled program at 2009–10 levels is about \$716 million in the first year after their arrival. Their cumulative contribution to the Federal Budget increases to \$10.2 billion after 10 years. A positive fiscal contribution is a good indicator for a positive overall economic contribution by skilled migrants.

Indicator: The Skilled Migration Program works effectively in conjunction with the domestic education and training agenda, as measured by the employment outcomes of skilled migrants and labour market analysis.

Result: Data from the Longitudinal Survey of Migrants states that skilled migrants are younger and more likely to be working in a full-time job compared to workers in the general population. The participation rate of skilled migrants is between 94 and 95 per cent compared to between 65 and 66 per cent for the general Australian population.

Indicator: Temporary program delivered in accordance with service standards.

Result: Of all temporary resident (economic) applications processed in 2009–10, 71.0 per cent were finalised within service standards.

Of these 82.3 per cent of Skilled Temporary Residence (subclass 457) visa and 94.3 per cent of Entertainment (subclass 420) visa applications were finalised within service standards.

Cultural and social migration

Indicator: Develop and administer visa arrangements that further Australia's social, cultural and international relations.

Result: Visitors, working holiday makers, students and other temporary entrants to Australia further Australia's social, cultural, educational, tourism and international relations. These programs help develop linkages between Australia and other countries and promote closer ties by allowing people to engage with the Australian community. This engagement takes many forms including holidaying, studying, training, working, competing in sporting events, serving religious objectives or participating in community programs.

During 2009–10 the department developed and implemented a number of enhancements to these programs. These included increased integrity measures in the student visa and working holiday visa programs, improved access to streamlined visa processing for visitors and introduction of a new sponsorship framework designed to protect non-citizens who come to Australia temporarily for work purposes, while also protecting the employment and training opportunities of local labour.

Visa and migration—key performance indicators <i>continued</i>
Cultural and social migration <i>continued</i>
Indicator: Deliver temporary program in accordance with service standards with no significant diminution in integrity.
Result: Of all the cultural and social temporary visa applications processed in 2009 10, 93.9 per cent were finalised within service standards.
Of these 96.3 per cent of Visitors and Working Holiday visa, 66.2 per cent of student visa and 81.5 per cent of temporary resident (non-economic) visa applications were finalised within service standards. The percentage of temporary entrants who complied with their visa conditions remained high at 99.2 per cent.

Table 4: Visa and migration—performance information

Key performance indicators	2007–08 actual	2008–09 actual	2009–10 target	2009–10 actual
Economic migration				
Percentage of temporary program applications finalised within service standards ¹	70.71%	74.54%	75%	71.04%
Percentage of Critical Skills List program applications finalised within service standards ¹	Not applicable (list did not exist)	Not applicable (list did not exist)	75%	78.45%
Economic migration is delivered within government planning levels	108 540	114 777	Up to 108 000 ²	107 868
Cultural and social migration				
Percentage of temporary program applications finalised within service standards ¹	93.26%	92.88%	75%	93.85%
Family migration is delivered in line with government planning levels	49 870	56 366	Up to 60 300 ²	60 254
Special eligibility component is delivered in line with government planning levels	220	175	Up to 300 ²	501
Percentage of temporary entrants (visitors, working holiday makers, students) who abide by their visa conditions remains high or increases	99.49	99.35	>95%	99.24%
Percentage of applications from eligible caseloads lodged through eVisa ³	58.13%	80.41%	>33%	86.25%

Table 4: Visa and migration—performance information *continued*

Key performance indicators	2007–08 actual	2008–09 actual	2009–10 target	2009–10 actual
Performance				
Level of tuberculosis incidence in the Australian community stemming from migration	5.6 persons per 100 000 people	5.7 persons per 100 000 people	Contribute to the maintenance of TB rates in Australia at less than 6 cases per 100 000 people	6.2 persons per 100 000 people
Deliver the Migration Program within government targets for approved grants	158 630	171 318	168 700 ²	168 623

1. Service standards available on www.immi.gov.au

2. Changes in text from the *Portfolio Budget Statement 2009–10*.

3. The percentage of applications lodged through eVisa where the applicant had an eVisa option based on their purpose of travel (excluding electronic applications for Electronic Travel Authorities).

Departmental item—Economic migration

Through the Skill Stream of the Migration Program, the department manages the entry of skilled and business migrants into Australia. There are a number of programs which target migrants who can contribute through their skills, qualifications, entrepreneurialism and future employment potential.

These skilled migrants offer many economic benefits to Australia. They:

- offset skill loss arising from the permanent departure of Australian citizens
- increase the human capital stock of the workforce
- through sponsored migration, meet employers' skill needs that are unable to be met through local labour supply
- satisfy regional skill needs as many migrants are willing to move to areas of high labour demand in regional Australia
- boost labour force participation: skilled migrants have a strong incentive to work with very high participation and employment rates
- improve productivity, the main contributor to rising living standards, by being disproportionately employed in high-skilled professional and trades occupations
- have a strong net positive effect on the Federal Budget bottom line by contributing more in revenue than they consume in expenditure.

Some of these programs also seek to achieve specific economic outcomes, particularly in regional Australia. State-Specific and Regional Migration (SSRM) programs help regional employers, as well as state and territory governments, by providing flexible policy provisions and threshold criteria to encourage skilled and business migrants to settle in regional Australia.

Performance

The department granted a total of 107 868 visas in the Skill Stream of the Migration Program in 2009–10. Table 4 shows the economic migration outcome for 2009–10 and the previous two years, while Table 5 shows the broad categories of Skill Stream visas that were granted.

The SSRM programs continue to be a priority for the government and these programs now account for 33.9 per cent of the Skill Stream of the Migration Program. The government works with state and territory governments through these programs to assist in meeting the individual skills needs of each jurisdiction. Since the introduction of these programs in 1996, a total of 205 896 visas have been granted. A total of 36 568 visas were granted under these programs in 2009–10, representing an increase of more than 9.2 per cent over the previous year. Table 7 shows the distribution by intended residence of SSRM visa grants.

Table 5: Economic migration program outcomes against planning levels

	2007-08	2008-09	2009-10
Planning level	108 500	115 000 ¹	108 100
Result	108 542	114 777	107 868

1. The Skill Stream planning level in 2008-09 was cut from 133 500 places to 115 000 places in mid-March 2009 in response to the global economic situation.

Table 6: Economic migration program outcome by skill stream

Category	2007-08	2008-09	2009-10	Percentage change
Employer Sponsored	23 760	38 030	40 990	7.8 %
Skilled Independent	55 890	44 590	37 320	-16.3%
State/Territory Sponsored ¹	7 530	14 060	18 890	34.4%
Skilled Australian Sponsored	14 580	10 500	3 690	-64.9%
Distinguished Talent	210	200	200	0.0%
Business Skills	6 570	7 400	6 790	-8.2%
1 November ²	2	-	1	-
Total	108 542	114 777	107 868	-6.0%

Note: Numbers have been rounded and totals may not be the exact sum of the components.

1. Includes State/Territory Nominated Independent and Skilled Independent Regional.

2. Applications for 1 November 1993 visas closed on 1 August 1994.

Table 7: Distribution of State-Specific and Regional Migration visa grants

State/territory	2008-09	2009-10	Percentage change
New South Wales	2 690	2 660	-1.2%
Victoria	9 410	8 510	-9.5%
Queensland	4 240	4 590	8.2%
South Australia	7 650	9 540	24.7%
Western Australia	6 340	7 900	24.5%
Tasmania	760	570	-24.7%
Northern Territory	890	1 260	40.6%
Australian Capital Territory	1 320	1 360	3.3%
Unknown	180	180	4.6%
Total	33 470	36 570	9.2%

Note: Numbers have been rounded and totals may not be the exact sum of the components.

General Skilled Migration

The General Skilled Migration (GSM) program allows for the entry of highly skilled individuals without the sponsorship of an employer. The three broad categories of permanent visa within the GSM program are independent; state and territory sponsored visas; and family sponsored visas. All categories involve a points test, where applicants are allocated points on the basis of particular attributes. Applicants in the sponsored categories receive a concession on the points test pass mark, relative to independent applicants.

A series of reforms was implemented in 2009–10 to make the Skilled Migration Program more focused on meeting labour market demands. The reforms included a review of the Migration Occupations in Demand List which resulted in its abolition and the development of a more targeted Skilled Occupation List for introduction from 1 July 2010. A review of the points test was also conducted.

There were 59 890 visas granted in the GSM category in 2009–10.

In 2009–10, the five major source countries for GSM were India, the United Kingdom, People's Republic of China, South Africa and Sri Lanka (see Table 6).

Visa grants in the independent category of GSM comprised 35 per cent of the total visa grants under the Skill Stream of the Migration Program for 2009–10. The state and territory sponsored category made up another 18 per cent.

Figure 5 shows the growth in General Skilled Migration since 1997–98 while Figure 6 shows a breakdown by nationality of general skilled migration.

Figure 5: General Skilled Migration outcomes 1997–98 to 2009–10

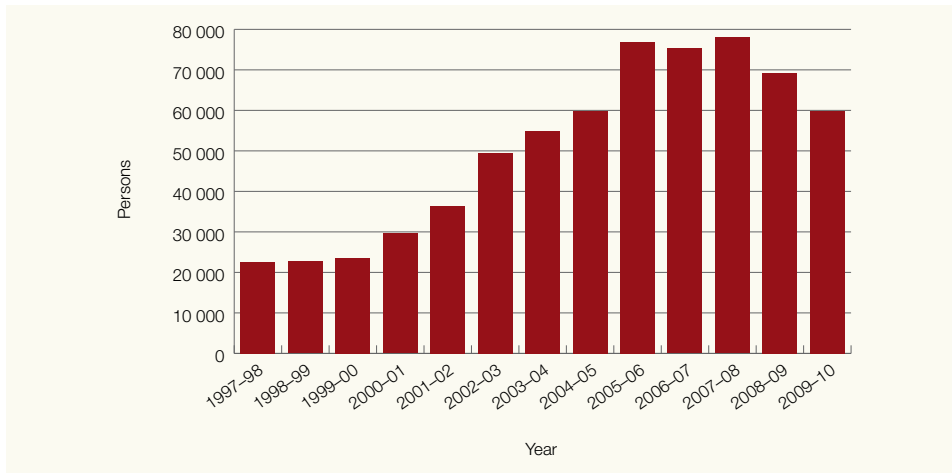
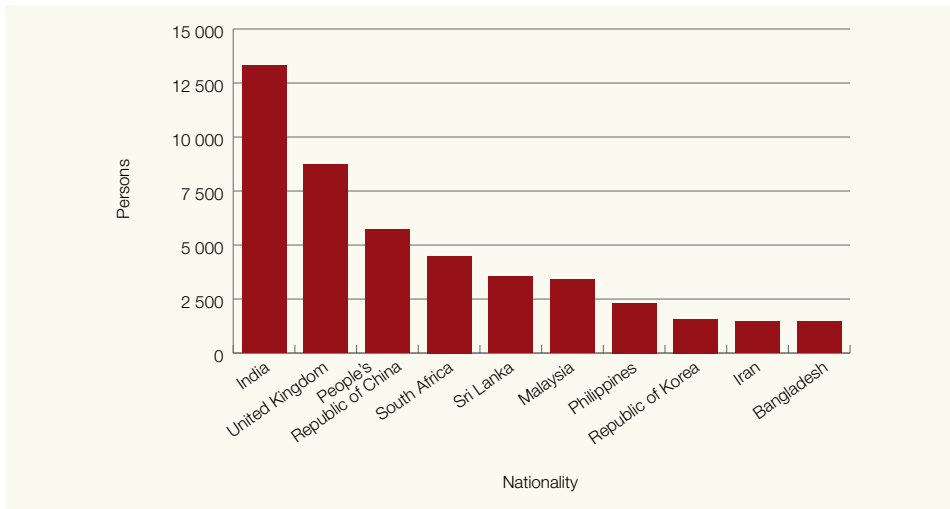


Figure 6: General Skilled Migration 2009–10—top 10 nationalities



Employer-sponsored migration

Australian employers can also seek to nominate skilled workers from overseas for permanent residence through the Employer Nomination Scheme, Regional Sponsored Migration Scheme and the labour agreement programs.

These programs allow employers to recruit skilled workers to fill skilled vacancies in their business and respond effectively to changing economic conditions.

A total of 40 990 visas were granted under these programs in 2009–10, representing an increase of 7.8 per cent from 2008–09. More than 80 per cent of these visa grants were for people who had last held a temporary Business (Long Stay) (subclass 457) visa.

The three major source countries for these programs were the United Kingdom, South Africa and India. Registered nurses comprised the biggest occupational group for these programs.

Permanent employer-sponsored visa grants comprised 38 per cent of the total visa grants under the Skill Stream of the Migration Program for 2009–10.

Business and investment migration

Overseas business people who have successful business or investment backgrounds can benefit Australia through job creation, capital transfers and exports. State and territory governments are actively involved with selecting business migrants and are responsible for sponsoring 94.2 per cent of all applicants. This sponsorship supports economic development in specific areas of the sponsoring states or territories.

All business skills migrants have to demonstrate a commitment to the promotion of business activity in Australia which creates jobs or generates new economic opportunities.

In most cases, applicants have up to four years on a provisional visa to establish a business before they can apply for permanent residence.

Some visa holders who were granted permanent residence, without the need to first hold a provisional visa, on the basis of their exceptional business talents may be subject to visa cancellation if they cannot demonstrate they have been able to successfully manage a new or existing business in Australia.

On 19 April 2010, several changes were made to the minimum eligibility requirements in order to increase the contribution of business migrants to Australia's economy. The changes increased the minimum net value of assets as well as the minimum business ownership share and removed the senior manager option of the State/Territory Sponsored Business Owner (Provisional) (subclass 163) visa.

The combined offshore and onshore Business Skills planning level was revised to a ceiling of 6800 places for 2009–10, with the offshore Business Skills visa classes formally capped at 6530.

In 2009–10, 6789 visas were granted under this category. A total of 62 visas were also cancelled in this period.

Departmental item—Family migration

Family migration facilitates the entry of close family members of Australian citizens, Australian permanent residents or 'eligible New Zealand citizens' including fiancé(e)s, partners and dependent children. It also provides opportunities for other family members such as parents, aged dependent relatives, carers and remaining relatives to join their relatives in Australia.

The Family Stream of the Migration Program contains a range of visa classes that meet broad social and family reunion objectives. The Family Stream planning level for 2009–10 was 60 300. Family Stream migration comprises partner, child, parent and other family categories.

Under the Family Stream, people are selected on the basis of their family relationship to their sponsor in Australia. Unlike the Skill Stream, there is no test for skills or English language ability. Applicants can apply for a range of family migration visas, including, but not limited to:

- partner category visas including partner (subclasses 820 and 801) visas for applicants in Australia, partner (subclasses 309 and 100) and Prospective Marriage (subclass 300) visas for applicants outside Australia. Interdependency visa subclasses, which were repealed on 1 July 2009 and no longer available to new applicants also fall under this category (people who previously applied for an interdependency visa can now apply for a partner visa). About 75 per cent of the Family Stream is comprised of partner category visas
- child category visas including child (subclasses 101 and 802) visas, Dependent Child (subclass 445) visas, orphan relative (subclasses 117 and 837) visas and Adoption (subclass 102) visas. About 5 per cent of the Family Stream is comprised of child category visas
- parent category visas including contributory parent (subclasses 173 and 143) visas for applicants outside Australia, contributory parent (subclasses 864 and 884) visas for applicants in Australia and parent (non-contributory) (subclasses 804 and 103) visas. About 16 per cent of the Family Stream is comprised of parent category visas
- other family category visas including carer (subclasses 116 and 836) visas, remaining relative (subclasses 115 and 835) visas and aged dependent relative (subclasses 114 and 838) visas. About 4 per cent of the Family Stream is comprised of other family category visas.

Performance

Table 8 shows the family migration outcome for 2009–10 compared to 2008–09. The result for 2009–10 shows an approximate increase of 7 per cent compared to the 2008–09 outcome. There has been continuing growth in the Family Stream flowing on from higher levels of general migration over the past three to five years. The department continued to support family migration through:

- increasing the number of visas allocated under the contributory parent category visas
- reviewing integrity checks to minimise the risk of non-bona fide applicants being granted family migration visas
- working closely with adoption authorities that manage inter-country adoption programs in Australia. The adoption authorities are aware of the department's procedures and inform prospective adoptive parents of visa requirements for their adoptive child. This process ensures that cases managed by state and territory adoption authorities are processed as expeditiously as possible
- strengthening measures to prevent sponsorship of dependent minors by sponsors charged with or found guilty of offences against minors.

Table 8: Family migration planning levels and outcomes

Type of visa	2008–09 planned	2008–09 granted	2009–10 planned	2009–10 granted
Partner	42 500	42 098	45 000	44 755
Child	3 000	3 238	3 300	3 544
Parent (Contributory)	6 500	6 500	7 500	7 487
Parent (Non-Contributory)	2 000	2 000	2 000	2 000
Other Family	2 500	2 530	2 500	2 468
Total family migration visas	56 500	56 366	60 300	60 254

In comparison to 2008–09, the outcome for 2009–10 resulted in:

- partner category visas increasing by 6.3 per cent from 42 098 to 44 755 places
- child category visas increasing by 9.45 per cent from 3238 to 3544 places
- parent (contributory) category visas increasing by about 15 per cent from 6500 to 7487 places
- no change to parent (non-contributory) category visas
- other family visas decreasing by about 2 per cent from 2530 to 2468 places.

Family violence provisions

Australia's Migration Program enables certain partner visa applicants to remain in Australia if their partner relationship breaks down due to family violence. The family violence provisions were introduced in response to community concerns that some partners might feel compelled to remain in abusive relationships rather than end the relationship and be required to leave Australia.

Legislation introduced in July 2005 allows the department to refer doubtful claims of family violence to an independent expert with extensive expertise in family violence matters to ensure that only genuine claimants can gain access to the provisions. The opinion of the independent expert (currently gazetted as Centrelink) is binding on the immigration decision-maker.

Departmental reports indicate that 705 applications with claims against the family violence provisions were made during 2009–10.

At 30 June 2010, there were 109 referrals to Centrelink by departmental officers, a rate of less than 16 per cent of the total number of applications with family violence claims. Of the 51 referrals finalised by Centrelink at 30 June 2010, there were 32 findings of family violence having taken place and 19 of no family violence. A total of 58 referrals have not been finalised or have been withdrawn.

A further 46 referrals to Centrelink were made by the Migration Review Tribunal. Of those finalised to 30 June 2010, there were 15 findings of family violence having taken place and 24 findings of no family violence. A total of seven referrals were not finalised by 30 June 2010 or have been withdrawn.

Departmental item—Resident Return visas, Former Resident visas, Australian Declaratory visas and certificates of status

The department:

- develops and administers visa arrangements that facilitate the re-entry of Australian permanent residents and ensure that only those people with a genuine commitment to residing in Australia, or who are contributing to Australia's wellbeing, retain the right to return and remain permanently in Australia
- develops and administers visa arrangements to facilitate the entry of former Australian permanent residents who spent nine out of their first 18 years in Australia and who have maintained close ties to Australia, and those who served in Australia's armed forces before 19 January 1981
- provides Australian Declaratory visa documentation to facilitate the entry to Australia of Australian citizen dual nationals in limited circumstances
- provides Certificates of Evidence of Resident Status to Australian permanent residents who require evidence of their status
- provides Certificates of Status for New Zealand Citizens in Australia to eligible New Zealand citizens for Centrelink purposes.

Performance

The combined number of visas granted and certificates issued in 2009–10 was 89 483. Tables 9 and 10 show the breakdown of results for 2009–10 and the previous two years.

Table 9: Resident Return visas, Former Resident visas and Australian Declaratory visas

Number of visas granted	2007–08	2008–09	2009–10
Resident Return visas	67 565	66 587	73 679
Former Resident visas	208	166	499
Australian Declaratory visas	1 109	982	925
Total number of visas granted	66 882	67 735	75 103

Table 10: Certificates of Status

Number of certificates issued ¹	2007–08	2008–09	2009–10
Certificates of Evidence of Resident Status	14 595	13 279	13 537
Certificates of Status for New Zealand Citizens in Australia	n/a	1 571	784

1. Numbers are approximate as the data source is manual and does not include the minimal number of Certificates of Evidence of Resident Status issued offshore.

Departmental item—Students

The student visa program assists in maintaining sustainable education and tourism industries through the entry to Australia of genuine international students.

The program consists of a range of visa categories that broadly correspond to education sectors. Students must study with an education provider and in a course registered on the Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS).

There are two visas in the program that are not related to specific education sectors. The Student Guardian (subclass 580) visa is available for individuals to accompany and care for minors studying in Australia. The AusAID and Defence Sector (subclass 576) visa exists for students sponsored by those Australian Government agencies.

The processing of student visa applications is determined by the immigration risk associated with each education sector and the nationality of the applicant. The risk level is based on factors such as past rates of fraud and visa non-compliance. It is represented by an assessment level that applies to each sector and country. Assessment Level 1 represents the lowest immigration risk, while Assessment Level 5 represents the highest immigration risk. A lower assessment level means fewer documentary requirements to be granted a student visa.

Table 11 shows the total student visa grants for 2008–09 and 2009–10. Table 12 shows the top 10 source countries for student visa grants in 2009–10. Table 13 shows total student visa grants by subclass.

Performance

Key indicators of the effectiveness of the student visa program include a sustainable level of visa grant rates, improved service standards and improved compliance with visa requirements.

Table 11: Total student visa grants

Location	2008–09		2009–10		Percentage change	
	Finalisations	Grants	Finalisations	Grants	Finalisations	Grants
Offshore	258 933	227 924	195 076	158 240	-24.7%	-30.6%
Onshore	97 318	92 444	118 821	111 588	22.1%	20.7%
Total	356 251	320 368	313 897	269 828	-11.9%	-15.8%

Table 12: Student visas granted by citizenship for the top 10 source countries 2009–10

Citizenship	Visas
People's Republic of China	54 409
India	29 721
Republic of Korea	16 367
Thailand	11 707
Brazil	11 444
Malaysia	10 634
United States of America	8 998
Indonesia	8 684
Vietnam	8 376
Saudi Arabia	7 309
Total student visa grants for top 10 countries	167 649
Total global student visa grants	269 828

Several factors have contributed to both a reduction in the number of student visa applications received and a decrease in the student visas granted this year compared to 2008–09. These included ongoing weakness in the global economy, the strength of the Australian dollar over this period, increased marketing activity by competitor countries, recent changes to the General Skilled Migration program and increased integrity measures in the student visa program.

Table 13: Total student visas granted by subclass

Category	2008–09	2009–10	Percentage change
Independent ELICOS ¹	36 721	35 261	-3.98
Schools	14 186	12 462	-12.15
Vocational Education and Training	104 064	71 942	-30.87
Higher Education	133 990	118 541	-11.53
Postgraduate Research	8 354	9 301	11.34
Non-Award	18 972	18 140	-4.39
AusAID/Defence	4 081	4 181	2.45
Total	320 368	269 828	-15.78

1. English Language Intensive Course for Overseas Students.

Figure 7: Sectorial distribution of visa grants

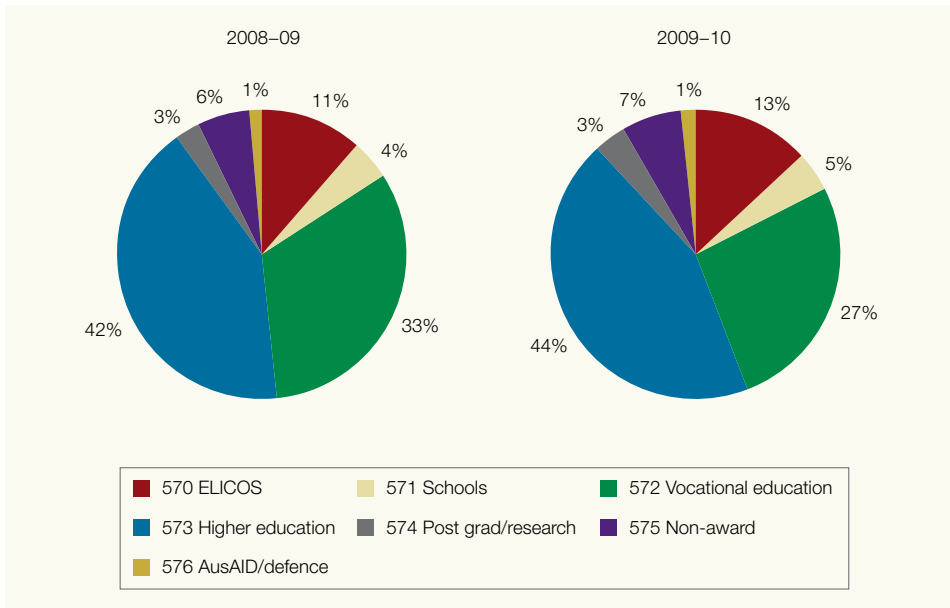
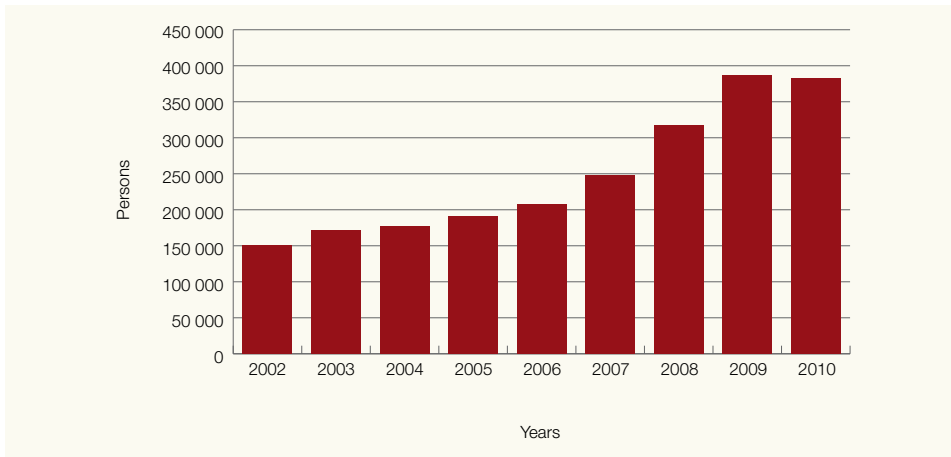


Table 14: Number of student visa holders in Australia on 30 June each year from 2008 to 2010 by citizenship

Citizenship	2008	2009	2010
India	63 558	91 887	80 340
People's Republic of China	65 411	76 060	79 910
Republic of Korea	22 028	22 444	21 540
Nepal	11 335	20 336	17 820
Malaysia	14 920	15 958	16 510
Vietnam	9 292	14 032	16 420
Thailand	11 539	13 536	13 070
Indonesia	10 911	11 608	12 190
Saudi Arabia	5 718	8 550	9 690
Hong Kong (SAR of China)	8 278	8 528	7 110
Other	94 907	103 584	108 110
Total	317 897	386 523	382 710

Figure 8: Student visa holders in Australia on 30 June each year 2002–10



At 30 June 2010, there were 382 710 people in Australia on student visas, a decrease of 1 per cent on 2008–09. During the academic term (on 31 March 2010) there were a record number of 425 860 student visa holders in Australia, which reflects an increase of 6.3 per cent compared with the corresponding period last year.

Compliance

The department continued to work to improve compliance across the overall student visa program to minimise the number of student visa holders who do not comply with their visa conditions. In August 2009, the department strengthened integrity measures for certain segments within the student visa program, especially in relation to markets where there has been high growth.

The increased focus on integrity measures has enhanced the integrity of the program thus supporting improved performance against the key indicator.

An analysis of this data shows that 1993 visas were cancelled due to non-attendance or a failure to meet course progress requirements. The remainder of cancellations were due to a variety of reasons and did not necessarily reflect non-compliance. For example, 240 student visas were cancelled at the request of the students as they had completed their courses early.

A total of 6814 student visa holders became unlawful (did not hold a valid visa) in 2009–10. The unlawful rate in 2009–10 was 1.61 per cent. This rate remains low as a proportion of the increased total number of student visa holders in Australia.

Uptake of student eVisa

The student visa program makes use of technology to provide effective client service. The student eVisa system allows students from Assessment Level 1 countries to lodge applications online either directly or using an education or migration agent who is registered to access the eVisa facility. In 2004, student eVisa was introduced as a trial for selected Assessment Level 2–4 countries, namely India, the People’s Republic of China, Thailand and Indonesia.

In 2009–10, the department increased audit activity of agents registered to use eVisa, to identify and revoke access of agents of concern.

Overall, there were fewer applications lodged through eVisa this year, reflecting the general decrease in the overall student visa application numbers and the smaller number of eVisa-registered agents resulting from the department's audit activity.

Table 15: Offshore eVisa grants in Assessment Levels 2–4 trial countries (India, Indonesia, China and Thailand)

Country	2007–08	2008–09	2009–10
India	32 885	48 971	9 475
People's Republic of China	20 667	27 529	23 994
Thailand	3 475	4 346	2 516
Indonesia	228	728	1 996
Total	57 255	81 574	37 981

Table 16: Offshore eVisa percentage take-up rates for Assessment Levels 2–4 trial countries (India, Indonesia, China and Thailand)

Country	2007–08	2008–09	2009–10
India	84.2%	86.9%	71.2%
People's Republic of China	63.6%	72.7%	74.8%
Thailand	49.4%	51.9%	38.7%
Indonesia	3.9%	13.4%	34.8%

Departmental item—Temporary residents (economic)

Skilled temporary residents make a major contribution to Australia, bringing with them new ideas, international contacts and access to cutting edge technologies and business practices. By meeting specific skill needs in Australian businesses, they help Australia remain a strong competitor in the international market. Many are also helping businesses train their Australian staff and opening up opportunities for Australian workers.

Economic visas allow skilled temporary residents to come to Australia to broaden their work experience and skills, some under reciprocal arrangements and bilateral agreements with other countries. Visa applicants must have the skills, qualifications, experience and employment backgrounds to match the requirements of the position. They may also be required to demonstrate English language proficiency.

These temporary residents come to Australia to undertake a variety of roles, for example, doctors, engineers, academics, researchers, entertainers and media personnel for overseas networks. They further Australia's economic relations in the context of an increasingly global workforce; assist business to meet key and emerging skill gaps, particularly in regional Australia; and ensure a balance of benefits to Australia by assisting businesses to meet their skill needs and protecting Australian employment and training opportunities.

Performance

Business (Long Stay) (subclass 457) visas are temporary visas, commonly known as subclass 457 visas. In 2009–10, 67 980 subclass 457 visas were granted—33 per cent lower than 2008–09. This number consists of 34 790 primary visa holders and 33 190 of their dependants. At 30 June 2010, there were 127 560 subclass 457 visa holders in Australia of which 68 400 were primary visa holders.

Under the subclass 457 visa program, employers may sponsor skilled workers to work in management, professional, technical and skilled trades positions. The program is demand-driven and is highly responsive to Australian labour market conditions. Statistics show that when the Australian unemployment rate goes down, the use of the subclass 457 visa goes up as the labour market tightens and skilled vacancies increase. When the unemployment rate goes up, employer demand for the subclass 457 visa quickly declines.

Demand for subclass 457 visas declined following the economic downturn but application rates steadily increased again over the second half of 2009–10. In recent months, both the number of primary subclass 457 visa applications and the job advertisement index have started to increase as business conditions improve and the unemployment rate declines.

The number of primary visas granted in 2009–10 was 31 per cent lower than the number granted in 2008–09 and 40 per cent lower than the number granted in 2007–08 when the program reached record numbers. It is important to note, however, that since 14 September 2009, visa holders can change employer without lodging a new visa application so comparisons with previous years should be treated with caution.

The reduction in subclass 457 visa applications is most pronounced in trade occupations. While the program already consisted substantially of professional occupations, the proportion of these has increased further since the 14 September 2009 reforms. More than 90 per cent of visa grants in 2009–10 were to managers, professionals and associate professionals while 8 per cent of visa grants were to applicants in trade occupations.



Case study

Vijay's dream becomes a reality

During 2009–10, the Migration Program helped meet Australia's critical skill shortages while also responding to changes in the labour market flowing from the economic crisis.

Dr Vijay Kumar Kanthanathan was one of many skilled migrants who welcomed the opportunity to make Australia his new home.

Originally an anesthetist in Chennai, India, Dr Kanthanathan's opportunity to fulfil his dream of escaping his chaotic urban life came when he chanced upon an advertisement in a medical journal that set in motion his move to regional Australia.

He researched Australia thoroughly and was excited about the environment and tropical climate of what was to become his new home in the Atherton tablelands of Queensland.

Arriving in Australia on a temporary Business (Long Stay) (subclass 457) visa in 2006, Dr Kanthanathan worked full-time as a general practitioner at Mareeba hospital.

Since July 2007, he has worked at the Mulungu Aboriginal Medical Centre where his skills are highly valued.

In December 2009, Dr Kanthanathan was granted permanent residence under the Regional Sponsored Migration Scheme.

He loves his job and feels that he is able to positively contribute to the local Indigenous community.

Compared to bustling Chennai, the cleaner air, less traffic, wide open spaces and relatively small population offered by Mareeba has transformed his family's life for the better.

Dr Kanthanathan's story highlights Australia's reputation for being a welcoming multicultural society that values migrants, their skills and diverse life experiences. It also exemplifies the benefits the whole community reaps when living and working in a culturally diverse society.

Photo: A happy Dr Vijay Kumar Kanthanathan, who has become a valued member of the Mareeba community since being given the chance to live his dream and move to Australia.

A contributing factor to the decline in applications in trade occupations is the introduction from 14 September 2009 of additional integrity measures such as skills assessments for certain trades.

Demand continues to be strong for health professionals, information technology professionals and senior managers. In 2009–10, the top five occupations nominated by employers were registered nurses (7.3 per cent), computing professionals (7.2 per cent), application and analyst programmers (4.1 per cent), medical practitioners in training (3.4 per cent) and general medical practitioners (3.3 per cent).

The top five source countries for the subclass 457 program in 2009–10 were the United Kingdom with 24.7 per cent of primary grants, India (16.7 per cent), United States of America (8.5 per cent), Republic of Ireland (7 per cent) and the People's Republic of China (4.1 per cent). Table 17 shows the number of subclass 457 visas granted against planning levels for the past three years while Table 18 shows the type and percentage of subclass 457 applications lodged online. Table 19 provides an overview of the subclass 457 program for the past three program years. Figure 9 shows the number of visas granted each month during 2009–10.

Table 17: Temporary residents (economic) visa grants

Program year	2007–08	2008–09	2009–10
Number of visas granted	132 195	132 786	107 553

1. Measure introduced in 2008–09.

Table 18: Percentage of subclass 457 applications lodged online

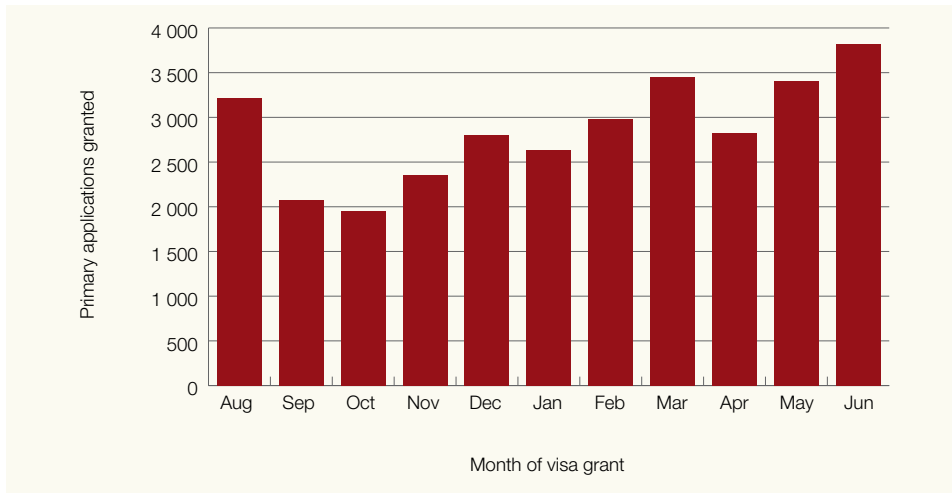
Program year	2007–08	2008–09	2009–10
Sponsorship applications	75.9%	75.0%	73.5%
Nominations	85.5%	86.1%	87.4%
Visa applications	81.7%	81.8%	84.1%

Table 19: Overview of temporary skilled migration (subclass 457)¹

Measure	2007–08	2008–09	2009–10
Visa grants to primary applicants	58 050	50 660	34 790
Total visa grants	110 570	101 280	67 980
Sponsors with a grant to a primary applicant	14 170	12 980	9 070
Average nominated base salary	\$73 100	\$77 500	\$86 400
Percentage of Australian Standard Classification of Occupations 1 to 3 primary grants	81.0%	81.8%	90.8%

1. Excludes independent executives.

Figure 9: Subclass 457 primary applications granted in 2009–10



Major reforms introduced

Major reforms to the subclass 457 visa program were implemented in 2009 to ensure that it continues to provide industry with needed skills while protecting the rights of overseas workers and not undermining local employment and training opportunities.

The reform package is the culmination of extensive consultation with stakeholders over the past two years, including business, government and unions through the Skilled Migration Consultative Panel.

On 14 September 2009, the *Migration Legislation Amendment (Worker Protection) Act 2008* came into effect. The Act has strengthened the integrity of temporary economic visas, including the subclass 457 program. The Act has substantially increased powers to sanction sponsors who are not complying with sponsorship obligations, expanded the range of sanctions imposed for non-compliance by allowing a court to impose civil penalties and provided for improved information sharing with other enforcement agencies.

The worker protection reforms ensure that overseas workers are not seen as a source of cheap labour by companies operating in Australia. To be approved as a sponsor for these visa programs, the employer must demonstrate a commitment to training Australians and attest in writing that they have a strong record of, or a demonstrated commitment to, the employment of Australian citizens and permanent residents.

Under the worker protection laws, sponsors are required to comply with binding sponsorship obligations. These include the obligation to ensure overseas workers in the subclass 457 visa program are provided with terms and conditions no less favourable than those provided to Australian workers performing equivalent work in the same workplace. This means that sponsors must pay subclass 457 visa holders the market salary rate and cannot use overseas workers to undercut local wages. Employers that do not meet this obligation may be subject to sanction action. The added cost of complying with the new suite of sponsorship obligations provides an incentive for employers to hire and train Australians in the first instance.

The worker protection laws introduced a new enforcement regime, including the introduction of inspector powers and penalties that were not previously available to the department. They introduced civil penalty provisions and a supporting civil penalty framework, which provides that, in addition to ordering payment of a pecuniary civil penalty, a court may order payment of a debt owed to a person in relation to a sponsorship obligation.

The inspector role has been introduced to enhance the capability of the department to investigate non-compliance with program requirements. The new powers are aligned closely with those provided for under the *Fair Work Act 2009*. There are 45 inspectors across Australia.

An inspector performs an enhanced monitoring officer role. One difference between an inspector and a monitoring officer is that inspectors have powers provided under the Migration Act to investigate non-compliance with the sponsorship obligations. For example, inspectors have the power to:

- enter a premises or place without force
- require a person to produce a record or documents
- inspect and make copies of documents
- interview people while at the premises or place.

Investigations are conducted by both monitoring officers and inspectors and include a combination of both office-based and field work.

While providing strong compliance mechanisms to ensure sponsors abide by the requirements of the program, the reforms also streamlined requirements for approved sponsors. From 14 September 2009, approval as a sponsor lasts for three years and there is no limit on the number of nominations for overseas workers that an approved sponsor can make in that time.

The mobility of subclass 457 visa holders between employers is an important factor in reducing their vulnerability to exploitation. Subclass 457 visa holders may now change employers to another approved sponsor without the requirement to make a new visa application. All that is required is for a new nomination to be approved. Further, all people working in Australia on subclass 457 visas are now required by law to maintain adequate insurance for their health costs for the length of their visa. This includes the health costs of family members accompanying them. This prevents employers exerting pressure on visa holders not to access health care, and provides visa holders with greater ability to change employer, reducing the risk of exploitation.

In further reforms implemented in 2009:

- the minimum English language requirement for subclass 457 visa applicants has been increased from IELTS 4.5 to a score of 5 in each testing component
- training benchmarks have been introduced which clarify the existing requirement for employers who wish to sponsor subclass 457 visa workers to demonstrate a commitment to training Australian workers
- access to semi-skilled labour is now only allowable under Labour Agreements to ensure that sponsors satisfy obligations for local training and employment
- formal skills assessments have been introduced for subclass 457 visa applicants from high-risk immigration countries in certain trade occupations as well as chefs.

Labour agreements

Labour agreements are a migration option that allows approved businesses to sponsor overseas workers when there is a demonstrated industry need. Employers can gain access to these when temporary or permanent standard migration arrangements do not meet their requirements. The program plays an important role in economic growth by helping industry to overcome constraints that result from a shortage of workers in a particular location. Because labour agreements represent a variation to standard migration programs, additional terms and conditions may apply.

To improve the transparency of the labour agreement process, employers have been required, since February 2008, to consult industry stakeholders including relevant trade unions and peak industry bodies during the negotiation of labour agreements. This consultation complements other requirements for consultation with community groups and training bodies.

From 15 May 2009, labour agreements became the only migration pathway for semi-skilled labour, in line with other integrity measures introduced in 2009.

Labour agreements are negotiated between the Australian Government, represented by the department, and employers. Each labour agreement is generally effective for three years. At 30 June 2010, there were 99 labour agreements in place and a further 65 agreements were under negotiation.

Following representations from key stakeholders in the meat industry, a new template labour agreement for the meat industry has been negotiated. A 'template' agreement is specific to an industry sector and provides the same terms to all sponsors in that industry, for example, the meat industry template agreement provides a specifically tailored pathway for meat companies to gain access to skilled overseas meat workers. It is the only avenue for employers to sponsor skilled meatworkers from overseas on a temporary or permanent basis. The ability to nominate overseas skilled meatworkers for permanent residence is a significant recent change.

At 30 June 2010, 20 companies had signed a meat industry labour agreement and a further seven agreements were under negotiation.

On 1 October 2007, access to the standard subclass 457 program was removed for on-hire employers who seek to place overseas workers with other unrelated businesses. The on-hire industry template labour agreement became the compulsory pathway for the on-hire industry to gain access to the subclass 457 visa program. This change was in line with the considerations of a review undertaken by the Council of Australian Governments. At 30 June 2010, 66 companies had signed an on-hire industry labour agreement and a further 22 agreements were under negotiation.

Labour agreements also provide a level of flexibility to the needs of small industries with specialised needs while continuing to support and strengthen the integrity of the program. Companies outside the on-hire and meat industries often request concessions in labour agreements in relation to skill level, English competency, hours of work and salary requirements. At 30 June 2010, there were 13 company-specific (non-template) labour agreements in place and a further 36 agreements were under negotiation.

Integrity of temporary skilled migration

The 2009 worker protection reforms included the introduction of the requirement for sponsors to pay overseas workers the market salary rate. This obligation replaces the previous Minimum Salary Level framework.

Market rates are the terms and conditions, including salary, that are provided, or would be provided, to an Australian employee performing equivalent work in the same location. The market rate is, by definition, local—it is the rate which applies to that occupation in that workplace. For a nomination to be approved for the subclass 457 visa program, the sponsoring employer must demonstrate that the terms and conditions they will provide to the subclass 457 visa holder are no less favourable than those offered to Australian workers performing equivalent duties in the same workplace. In other words ‘equal pay for equal work’.

In more than 90 per cent of nominations, employers cite an equivalent Australian worker on which the terms and conditions for the visa holder is based. A further criterion is that the market salary rate must be above the Temporary Skilled Migration Income Threshold (TSMIT) which was set at \$45 220 per annum. TSMIT is set at this amount in order to ensure that subclass 457 visa holders can maintain a reasonable standard of living in Australia, given they do not have access to government welfare payments. Where the market salary rate for a position is below TSMIT, the position cannot be nominated under the standard program.

The market salary rate requirement applies to all nominations approved from 14 September 2009. There were transitional arrangements in place until 31 December 2009 to provide existing sponsors with a period of time to progressively move to paying market salary rates.

From 1 January 2010, all sponsors are required to pay market salary rates. Exceptions remain for visa holders approved prior to 14 September 2009, where the market salary is lower than the Minimum Salary Level (MSL). For these visa holders there is a safety net requiring sponsors to continue to pay at least the MSL for the duration of their visa. Table 20 shows subclass 457 monitoring performance by the department.

Supporting regional needs

Statistics show that the shift to demand-driven skilled migration is delivering skilled workers where they are needed. For example, there has been an increased share of temporary skilled migrants going to the ‘high speed’ economies of Western Australia and Queensland.

As part of the reforms to the program implemented in 2009, regional concessional arrangements were removed. These had previously provided concessions to minimum salary and skill levels for workers going to regional employers. With the shift to market rates, there is no longer a need for regional concessions. The market rate is the local rate. Overseas workers doing the same work as an Australian in a regional area should be provided with at least the equivalent terms and conditions of employment. A number of occupations, including farm overseer and farm manager, that were previously only available under regional concessions, are now on the list of occupations for the standard program. Where an occupation is not on the occupation list for the subclass 457 program, employers can consider a Labour Agreement.

Pathway to permanent residence

The subclass 457 program provides a pathway for skilled workers and their dependants to apply for permanent residence, usually through an employer’s sponsorship. In 2009–10, 43 400 permanent residence or provisional visas were granted to people who last held a subclass 457 visa. The majority (95 per cent) applied for permanent entry under the Employer Nomination Scheme, Regional Sponsored Migration Scheme, Labour Agreement or Skilled Independent visa programs.

Table 20: Subclass 457 monitoring performance

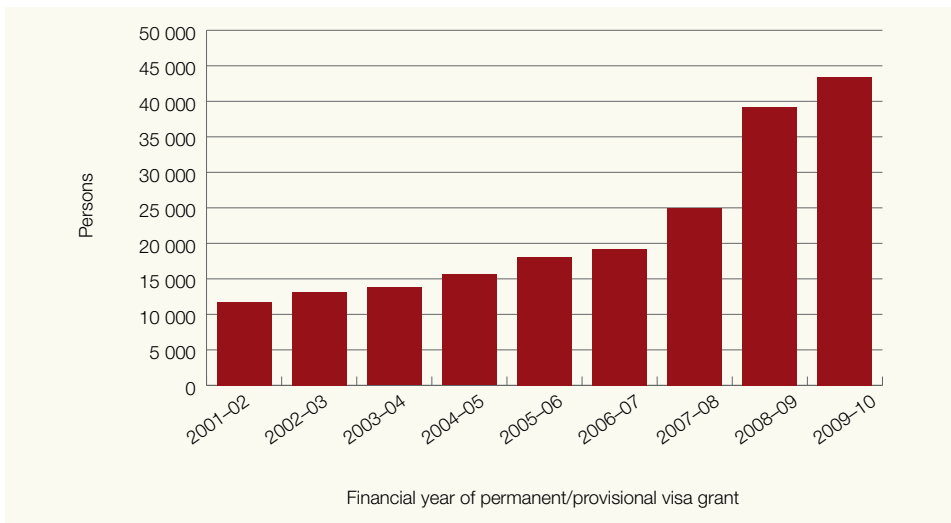
Measure	2007–08	2008–09	2009–10
Active sponsors (sponsors with a primary visa holder in Australia at the end of the financial year)	18 750	19 610	18 270
Sponsors monitored	5 293	4 348	2 546
Sponsors site visited	1 759	1 752	1 245
Sponsors formally sanctioned	192	190	164
Sponsors formally warned	1 353	941	510
Referrals to other agencies	218	154	65

Table 21: Permanent and provisional visa grants where the person last held a subclass 457 visa¹

Category	Financial year of permanent or provisional visa grant		
	2007–08	2008–09	2009–10
Economic migration	23 480	37 250	41 240
Family migration	1 460	1 920	2 160
Other	20	n/a	n/a
Total	24 960	39 170	43 400

1. Based on the last substantive visa held excluding bridging visas.

Figure 10: Trend for permanent and provisional visa grants where the person last held a subclass 457 visa¹



The Pacific Seasonal Worker Pilot Scheme

The Pacific Seasonal Worker Pilot Scheme announced by the government on 17 August 2008 is designed to examine whether a seasonal worker scheme could contribute to Australia's economic development objectives in the Pacific, while assisting Australian growers with unmet demand for seasonal labour. The pilot is limited to Australia's horticulture sector. Employers must be able to demonstrate that they have been unable to find seasonal labour in relevant Australian labour markets.

A number of organisations have been approved as employers under the pilot. With the Department of Education, Employment and Workplace Relations as the lead agency, the government continues to call for expressions of interest from employers seeking to participate in the pilot. This helps to ensure that growers across Australia can gain access to the pilot.

In summary, the pilot scheme is:

- running for three years (up to June 2012)
- allowing for up to 2500 visas to be granted over that time
- encompassing selected countries from the Pacific—Kiribati, Papua New Guinea, Tonga and Vanuatu
- placing workers in regional Australia where there is unmet demand for low-skilled workers for employment in horticultural positions
- allowing workers to stay for up to seven months in any 12-month period
- allowing workers to return each year (for the duration of the pilot)
- ensuring workers are paid in accordance with Australian salaries and conditions of employment.

In 2009–10, the scheme welcomed 63 workers to Australia. Since the inception of the pilot, 123 visas have been granted to Tongan, I-Kiribati and ni-Vanuatu workers including 21 returning workers. Demand for the program in 2009–10 was restricted due to the global economic crisis.

Pastoral care

To ensure the welfare of workers, pastoral care obligations have been incorporated into Special Program Agreements with Australian Approved Employers (AAEs). These obligations form a support structure for the workers and enable sustainable community relations.

As well as workplace relations, occupational health and safety requirements and other aspects under the agreements with AAEs, the pastoral care element aims to ensure workers:

- feel welcome in their new communities
- have comfortable and affordable accommodation
- have options available for religious observance and social contacts
- have an established support network.

Some examples of pastoral care activities undertaken by AAEs include:

- facilitating travel to church on Sundays, building sustainable relationships with community
- assisting workers to get to shopping facilities
- facilitating worker participation in local Harmony Day celebrations and other community events
- negotiating discounts with local businesses
- encouraging workers to play with, and support, local sporting teams
- assisting workers in times of need.

Departmental item—Temporary residents (non-economic)

Temporary resident (non-economic) visas cater for the temporary entry to, and stay in, Australia of people for a diverse range of purposes. These temporary migration arrangements benefit Australia's social, cultural, educational, tourism and international relations.

Australia's cultural and social development is enriched by temporary entrants who work or undertake activities in areas such as community programs, sporting activities (including sportspeople competing in high-profile events) and those directly serving the religious objectives of a religious institution.

Self-funded retirees residing in Australia during their retirement years also make a valuable contribution to the community through social engagement and voluntary work.

Many temporary entrants are involved in activities that strengthen Australia's international relations through engagement with foreign government agencies and representatives, including those with diplomatic accreditation.

Activities of temporary entrants may also include training opportunities at an occupational, trade or professional level and scientific and academic research collaboration.

Performance

In 2009–10, a decreased demand for many of these temporary residence visas appears to have occurred due to ongoing weakness in the global economy and the strength of the Australian dollar.

The introduction of the *Migration Legislation Amendment (Worker Protection) Act 2008* changes on 14 September 2009 for some temporary visas including the Visiting Academic (subclass 419) visa, Sport (subclass 421) visa, Religious Worker (subclass 428) visa and Professional Development (subclass 470) visa may have also affected the number of grants.

This legislation included a sponsorship framework aimed at strengthening the integrity of temporary residence visas, through a range of new sponsorship obligations. A significant reduction in the number of Sport (subclass 421) visas granted is due to a decline in major sporting events during the year.

During 2009–10, the department continued to support and strengthen Australia's social, cultural and international relations through the delivery of the temporary resident program in accordance with service standards and with no significant decrease in integrity.

Table 22: Percentage of temporary program applications finalised within service standards

	2007–08	2008–09	2009–10
Service standard	75%	75%	75%
Result	83.46%	85.12%	81.52%

Table 23: Temporary resident (non-economic) visas granted

Visa	2007–08	2008–09	2009–10
Investor Retirement (subclass 405) visas	142	73	80
Government Agreement (subclass 406) visas ¹	0	0	232
Retirement (subclass 410) visas ²	2 189	1 208	2 107
Foreign Government Agency (subclass 415) visas	345	353	274
Special Program (subclass 416) visas ³	2 787	2 159	2 081
Visiting Academic (subclass 419) visas	3 326	2 916	1 943
Sport (subclass 421) visas	2 743	3 118	825
Religious Worker (subclass 428) visas	1 860	1 571	1 420
Occupational Trainee (subclass 442) visas	5 439	4 945	3 726
New Zealand Citizen Family Relationship (subclass 461) visas	1 313	1 602	1 623
Professional Development (subclass 470) visas	604	557	531
Diplomatic (subclass 995) visas	2 178	2 307	2 111
Total	22 926	20 809	16 953

1. The Government Agreement (subclass 406) visa was created on 14 September 2009.

2. The Retirement (subclass 410) visa closed to new applicants from July 2005, however, existing visa holders continue to renew.

3. Excludes Pacific seasonal workers reported under the departmental item: Temporary residents (economic).

Departmental item—Visitors and working holiday makers

This program assists the entry of genuine tourists, business visitors, family visitors and working holiday makers while minimising non-return rates and contravention of visa conditions. By facilitating the entry to Australia of visitors, the department supports the continued growth of the Australian tourism industry. The entry of business visitors supports international trade and commerce, while family visitors support the needs of the community.

People who wish to visit Australia can apply for a range of visas, including, but not limited to:

- Electronic Travel Authorities (ETAs) (subclasses 956, 976 and 977), which enable passport holders from 33 countries and regions to make short-term tourism and business visits
- eVisitor (subclass 651) visas, which are available via a free online service for eligible European tourists and business visitors for stays of up to three months
- Tourist (subclass 676) visas
- Sponsored Family Visitor (subclass 679) visas, which are specifically designed for people seeking to visit family in Australia
- Business (Short Stay) (subclass 456) visas and Sponsored Business Visitor (Short Stay) (subclass 459) visas for people wishing to make short business visits to Australia
- Superyacht Crew (subclass 488) visas which allow the crew of superyachts to work on-board these vessels in Australia for up to one year
- Working Holiday (subclass 417) visas and Work and Holiday (subclass 462) visas, which provide opportunities for people aged from 18 to 30 to holiday in Australia and to supplement their travel funds through short-term employment
- Medical Treatment (Short Stay) (subclass 675) visas and Medical Treatment (Long Stay) (subclass 685) visas that enable people to travel to Australia for medical treatment or consultations.

Performance

During 2009–10, the department supported the continued growth of the Australian tourism industry by facilitating the entry of genuine visitors to Australia, through:

- finalising 96.3 per cent of visitor and Working Holiday Maker visa applications within service standards
- improving access to streamlined visa processing, including the implementation of the online e676 product to Saudi Arabia
- reviewing integrity checks to minimise the risk of non-bona fide visitors being granted visitor visas
- promoting tourism to Australia through targeted schemes such as the Approved Destination Status scheme and the Preferred Aussie Specialist program
- working cooperatively with other Australian Government and state government agencies and peak industry bodies
- providing assistance to the International Event Coordinator Network for key events such as the 2009 World Masters Games.

Table 24: Visitor visas

Key performance indicators	2007–08	2008–09	2009–10 target	2009–10 actual
Percentage of temporary entrants who abide by their visa conditions remains high or increases	99.28%	99.35%	>95%	95.25%
Percentage of applications from eligible caseloads lodged through eVisa ¹	58.13%	80.41%	>33%	86.25%

1. The percentage of applications lodged through eVisa where the applicant had an eVisa option based on their purpose of travel (excluding electronic applications for Electronic Travel Authorities).

The use of electronic visa options by eligible nationals has continued to grow over the past three program years. This can be attributed to the implementation of the eVisitor (subclass 651) visa for European Union nationals in October 2008 and the expansion of the electronic version of the Tourist (subclass 676) visa. These visa products offer streamlined processing and do not require visa applicants to have a visa label placed in their passport. The eVisitor (subclass 651) visa does not attract a visa application charge.

Table 25: Visitor visas—performance against the service standards

Category	Onshore		Offshore	
	Low risk	High risk	Low risk	High risk
Sponsored family visitor (subclass 679)				
Target	Not applied for onshore	Not applied for onshore	Not applicable	75% finalised in 1.5 months
Result	-	-	-	67.71%
Non-sponsored visitor (short stay) (subclasses 676, 976, 651 (tourism stream))				
Target	75% finalised in 1 working day	75% finalised in 1 week	75% finalised in 1 working day	75% finalised in 1 month
Result	63.28%	64.73%	98.5%	95.13%
Sponsored business visitor (subclass 459)				
Target	Not applied for onshore	Not applied for onshore	Not applicable	75% finalised in 1 month
Result	-	-	-	77.15%
Non-sponsored business visitor (subclasses 456, 956, 977, 651 (business stream))				
Target	Not applied for onshore	Not applied for onshore	75% finalised in 1 working day	75% finalised in 1 month
Result	-	-	97.86%	97.51%

In 2009–10, 97.19 per cent of visitor visas were finalised within service standards. This is consistent with 2007–08 (97.43 per cent) and 2008–09 (96.89 per cent).

Visa grants by category

Table 26: Visas granted to offshore applicants by category

Categories	2008–09	2009–10	Percentage variation
Electronic Travel Authority (ETA) (subclasses 956, 976, 977)	2 325 836	2 215 234	-4.7%
eVisitor (subclass 651) visas	223 324	393 647	76.2%
Superyacht Crew (subclass 488) visas	113	264	133.6%
Tourist (non-ETA) (subclass 676) visas	582 665	610 618	4.8%
Business visitor (non-ETA, non-eVisitor) (subclasses 456, 459) visas	170 787	171 989	0.8%
Sponsored Family Visitor (subclass 679) visas	22 899	22 457	-1.9%
Medical Treatment (subclasses 675, 685) visas	2 488	2 367	-4.8%
Total visitor visas	3 328 112	3 416 576	2.6%

Table 26 shows:

- The eVisitor (subclass 651) visa, available to European Union citizens, resulted in more than 393 000 grants, a 76.2 per cent increase over 2008–09. This reflects increasing awareness of the eVisitor option amongst EU citizens.
- The Superyacht Crew (subclass 488) visa resulted in 264 grants, a 133.6 per cent increase over 2008–09. This reflects increasing awareness of this visa option within Australia’s expanding superyacht industry.

Visitor visas

In 2009–10, there were 3 416 576 visitor visas granted offshore, an increase of 2.6 per cent from the 2008–09 figure of 3 328 112. The highest number of offshore visitor visas was granted to people from the United Kingdom.

Table 27: Main source countries for offshore visitor visa grants

Country	2007–08	2008–09	2009–10
United Kingdom	631 000	587 072	587 122
United States of America	400 096	370 866	393 245
Japan	464 878	351 307	325 656
People's Republic of China	261 016	231 953	243 671
Malaysia	134 819	160 019	165 156
Republic of Korea	197 450	150 619	162 432
Germany	144 852	136 616	145 677
Singapore	129 364	131 309	131 935
France	112 143	116 328	124 481
Canada	114 457	105 505	108 765
India	88 994	90 569	95 961
Indonesia	61 568	63 596	75 173

The overall visitor visa approval rate for 2009–10 was 97.67 per cent, which is consistent with 2007–08 (98.07 per cent) and 2008–09 (97.97 per cent).

Table 28: Trends in visitor visa approval rates

Visa category	Approval rate 2007–08	Approval rate 2008–09	Approval rate 2009–10
All offshore visitor visas	98.07%	97.97%	97.67%
ETA (subclasses 956, 976, 977) visas	99.91%	99.91%	99.96%
eVisitor (subclass 651) visas	Subclass did not exist	99.18%	99.10%
All other offshore visitor visa applications (subclasses 456, 459, 488, 676, 679)	92.40%	91.56%	91.28%

The online version of the Tourist (subclass 676) visa (known as 'e676') can only be applied for by eligible passport holders. It offers benefits including electronic payment, quicker decision-making and label-free travel. This removes the requirement for applicants to visit or post their passport to an Australian diplomatic mission to have a printed visa label placed in their passport.

Some countries also have access to the e676 autogrant facility. This allows applications where further assessment is not required (such as for health, character or bona-fide checking) to be approved within a matter of minutes.

In November 2009, the department extended access to the e676 to Saudi Arabia. This initiative has been very well received, with 1065 visas being granted.

In 2009–10, 54.8 per cent of offshore granted e676 Tourist visas were autogranter compared with 53.46 per cent in 2008–09. This slight increase can be attributed to increasing awareness of the e676 visa option amongst eligible nationalities.

Maintaining program integrity

During 2009–10, the department used a range of tools to minimise the potential for non-genuine visitors to enter or remain in Australia or to contravene their visa conditions. These tools include the 'no further stay' condition, bonds, sponsor sanctions and 'Safeguards' profiles. Safeguards is a computer-based tool for alerting decision-makers in a global working environment.

The percentage of visitor visa holders failing to leave Australia before their visas expired was 0.75 per cent in 2009–10. The rate of visitor visa holders who applied for a protection visa after arriving in Australia was 0.07 per cent (2680 people). These figures demonstrate that the vast majority of visitor visa applicants continue to be correctly assessed as genuine visitors.

Approved Destination Status (ADS) scheme

The Approved Destination Status (ADS) scheme is a bilateral tourism arrangement established in 1999 between the government of the People's Republic of China and the Australian Government, enabling Chinese tourists to travel to Australia more easily as part of organised tour groups.

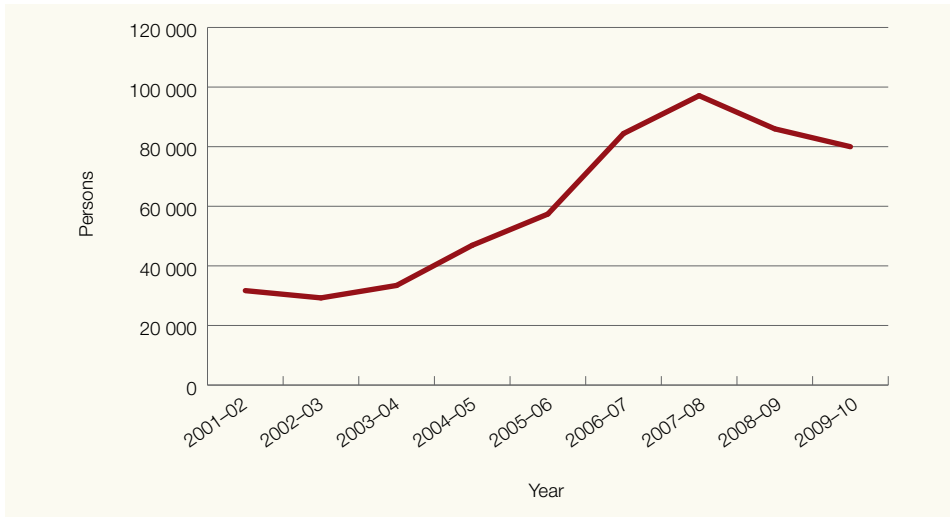
Tourists under the ADS scheme are granted a subcategory of the Tourist (subclass 676) visa and do not require a visa label. Tourist visas under the ADS scheme are only available to people travelling in tours organised by approved travel agents. In 2009–10, there were 91 Chinese travel agencies and 51 Australian travel agencies participating in the scheme.

In 2009–10, 77 804 tourists arrived under the ADS scheme, compared with 85 482 in 2008–09. The ADS scheme has provided a substantial boost to Australia's tourism industry, with 563 703 tourists travelling to Australia since the scheme began in August 1999.

The scheme has been extremely successful in allowing a large number of tourists to visit, while ensuring high levels of integrity and compliance with visa conditions. The ADS non-return rate for 2009–10 was 0.12 per cent—well below the total visitor non-return rate of 0.75 per cent.

In 2009, to mark the 10th anniversary of the scheme in Australia, both governments agreed to review the scheme and identify ways to develop ADS and tourism trade further. As a result, the department and the Department of Resources, Energy and Tourism, which jointly administer the scheme, agreed to streamline arrangements which will benefit the Australian tourism industry through improved administration.

Figure 11: Trends in Tourist (subclass 676) visas granted under the Approved Destination Status scheme



Since 2007–08, there has been a steady decline in ADS grants. In 2008–09, this was attributed to a number of external factors such as the earthquake in China, the Beijing Olympics, the H1N1 virus and the global financial crisis. The ongoing decline in ADS grants to groups of Chinese tourists is also due to an increase in independent travel by the emerging Chinese middle class.

Preferred Aussie Specialists

Preferred Aussie Specialists (PAS) are travel agents located in developing tourist centres, selected to promote tourism to Australia and facilitate the processing of Australian visitor visa applications. Agents in India, Indonesia, Mexico, Russia and Thailand are trained by Tourism Australia to promote Australia as a destination and are trained by the department in general visitor visa policy and assessing bona fides. PAS agents do not grant visas.

The PAS scheme enables visas to be processed quickly and with greater integrity.

Tourism and Visa Advisory Group

The Tourism and Visa Advisory Group provides a forum for the department to work with stakeholders from across the tourism industry. The group allows the department to interact with industry peak bodies and is a vital consultative forum for emerging issues in the tourism market and developments in tourism and immigration policy. Representatives include Tourism Australia, the Australian Tourism Export Council, the Tourism and Transport Forum, Qantas, the Board of Airline Representatives Australia, the Australian Hotels Association, the Business Events Council, state and territory tourism authorities and other Australian government agencies.

European Union short-term entry reciprocity—eVisitor (subclass 651) visa

As part of its commitment to the European Union (EU), the department introduced the eVisitor (subclass 651) visa in October 2008. This visa provides a free short-term visitor visa option for EU citizens, similar to visa arrangements available for Australian citizens visiting the EU.

The eVisitor (subclass 651) visa service offers the convenience of an online application with limited questions, but also uses technological advances to improve the screening of travellers who may present a security or immigration risk. This improved capability better upholds the integrity of Australia's border and the safety of both visitors and Australian citizens.

In 2009–10, 393 647 eVisitor (subclass 651) visas were granted, an increase of 75.85 per cent over 2008–09 (223 850 visas granted). This reflects increasing awareness of the eVisitor (subclass 651) visa option among EU citizens and the absence of a visa application charge for eVisitor (subclass 651) applications.

Clients indicate at the time of application whether they wish to visit Australia for business or tourism purposes. In 2009–10, 9.11 per cent of grants (35 876 visas) were to people who indicated an intention to engage in business activities in Australia, such as negotiations, signing of contracts and conferences.

In 2009–10, 87.19 per cent of eVisitor (subclass 651) visa applications were autograned. This means that the applications did not require further assessment by a decision-maker and were automatically granted by the eVisitor processing system within a matter of minutes.

The approval rate for eVisitor has remained above 99 per cent since its inception.

Table 29: Countries with high eVisitor (subclass 651) visa take-up rates

Country	2008–09	2009–10
United Kingdom	101 688	174 395
Germany	25 923	48 227
France	19 117	35 589
Netherlands	11 109	21 311
Republic of Ireland	8 047	14 063
Sweden	7 217	11 846
Italy	5 875	10 829
Spain	4 756	8 627
Denmark	4 873	8 274
Poland	4 893	8 194

Business visitors

Short stay business visitor visas support Australian businesses and export industries. These visas include Business (Short Stay) (subclass 456) visas, Sponsored Business Visitor (Short Stay) (subclass 459) visas, eVisitor (Business Stream) (subclass 651) visas, Electronic Travel Authorities (Business Entrant—Long Validity) (subclass 956) and Electronic Travel Authorities (Business Entrant—Short Validity) (subclass 977). They enable business people to visit Australia for business negotiations, signing of contracts, inter-company business activities, exploring investment opportunities and conferences.

In 2009–10, 378 711 short stay business visitor visas were granted, an increase of 5.9 per cent over 2008–09 (357 712 visas granted), with more than half of these issued electronically. The major source countries for short stay business visitors for the year were the United States of America and the People's Republic of China.

Table 30: Breakdown of short stay business visitor visas granted in 2009–10

Visa category	Visas granted in 2009–10	Percentage of total Business Visitor (Short Stay) visas granted
ETA business visitor visas (subclasses 956 and 977)	170 846	45.1%
eVisitor (subclass 651) (Business Stream)	35 876	9.5%
Non-electronic business visitor visas (subclasses 456 and 459)	171 989	45.4%

Table 31: Main source countries for short stay business visitor visa grants

Country	2007–08	2008–09	2009–10
United States of America	58 145	49 214	56 952
People's Republic of China	81 481	53 043	55 179
United Kingdom	35 283	33 499	36 336
India	25 175	21 511	22 107
Japan	23 998	20 283	20 103
Singapore	15 423	14 675	15 080
Indonesia	12 806	11 051	14 086
Germany	12 421	11 702	12 405
Malaysia	12 627	12 207	11 965
Canada	11 405	9 776	10 003

Superyachts

The Superyacht Crew (subclass 488) visa was introduced on 27 October 2008 to meet the needs of the superyacht industry and allow the crew of superyachts to work onboard these vessels in Australia for up to one year, with the option to extend their stay.

In 2009–10, 264 Superyacht Crew (subclass 488) visas were granted, an increase of 133.6 per cent over 2008–09 (113 visas). This reflects increasing awareness of this visa option within Australia's expanding superyacht industry.

This visa subclass supports the tourism industry and Australia's regional economic development. The superyacht industry contributes \$150 million to Australia's economy each year and this figure is expected to grow to \$500 million during the next five years.

Sponsored family visitors

The Sponsored Family Visitor (subclass 679) visa allows Australian citizens and permanent residents to formally sponsor their relatives to visit Australia. To strengthen the integrity of this program, a security bond may be required from the sponsor. The program has been successful in allowing those applicants about whom there may be some residual concerns to be granted a visa to visit family in Australia.

In 2009–10, 22 457 Sponsored Family Visitor visas were granted, a decrease of 1.9 per cent from the 22 899 visas granted in 2008–09.

International Events Coordinator Network

The International Events Coordinator Network (IECN) provides free advice and guidance to international event organisers and participants. Information regarding Australia's universal visa system, processes and requirements to ensure visa integrity is provided to stakeholders and overseas offices to assist in the facilitation of events. The IECN contributes to tourism and international relations by working closely with other Australian Government and state government agencies, peak industry bodies and international organisations involved in arranging events in Australia.

The IECN has been recognised by stakeholders as integral to the success of recent high-profile events. In 2009–10, the IECN facilitated 1318 events including the 17th World Transplant Games, 2009 World Masters Games, Parliament of the World's Religions interfaith gathering, Edinburgh Military Tattoo and the Lions Clubs' International Convention Sydney 2010.

Working Holiday Maker program

The Working Holiday Maker program is a cultural exchange program that helps to further Australia's social, cultural and international relations. The program increases people-to-people links between Australia and participating countries and promotes closer ties by allowing young people to have an extended holiday, supplemented by incidental employment.

The Working Holiday Maker program also provides Australia with economic benefits. The tourism industry benefits from these visa holders as they are a highly mobile group of individuals, who generally spend more than they earn, thus making a contribution to the creation of Australian jobs. The incidental work undertaken by visa holders supports the Australian economy by providing supplementary labour for industries needing short-term casual workers, particularly in regional areas.

The Working Holiday Maker program comprises Working Holiday (subclass 417) visas and Work and Holiday (subclass 462) visas.

Australia has 19 reciprocal Working Holiday (subclass 417) visa arrangements with other countries. These countries are Belgium, Canada, Cyprus, Denmark, Estonia, Finland, France, Germany, Hong Kong, Ireland, Italy, Japan, Malta, Netherlands, Norway, the Republic of Korea, Sweden, Taiwan and the United Kingdom.

Working Holiday (subclass 417) visa holders who have completed specified work in an eligible regional Australian area for a minimum of three months while on their first Working Holiday (subclass 417) visa may be eligible for a second Working Holiday visa.

Australia also has six reciprocal Work and Holiday (subclass 462) visa arrangements with other countries. For the Work and Holiday (subclass 462) visa, participants must be aged 18–30, have functional English and, except in the case of applicants from the United States of America (USA), have the support of their home government. Australia's first Work and Holiday (subclass 462) arrangement began in 2003 and Australia now has arrangements in place with Chile, Indonesia, Malaysia, Thailand, Turkey and the United States of America.

The reciprocal nature of the program means that Australians are also able to have working holidays in partner countries.

Many countries have expressed interest in joining the program and these requests are now considered in the context of the Work and Holiday (subclass 462) visa program. In 2010–11, the Australian Government expects to progress new Work and Holiday (subclass 462) visa arrangements with a number of countries. These new arrangements will further enhance Australia's social, cultural and international relations.

In 2009–10, 183 161 visas were granted under the Working Holiday Maker program. This figure comprised 175 739 first and second Working Holiday (subclass 417) visas as well as 7422 Work and Holiday (subclass 462) visas.

Table 32: Working Holiday Maker (subclasses 417 and 462) visas granted to applicants from the top ten countries¹

Country	2007–08	2008–09	2009–10
United Kingdom	34 145	40 182	37 056
Republic of Korea	32 635	39 506	34 870
Germany	17 438	20 319	20 880
France	11 005	16 250	18 172
Ireland	17 120	22 786	14 883
Taiwan	6 132	9 240	10 188
Canada	8 090	8 737	8 217
Japan	10 599	9 324	8 089
United States of America	2 249	4 888	6 149
Italy	3 568	4 636	5 481

1. The second Working Holiday visa was introduced on 1 November 2005 as part of a package of measures to assist in the alleviation of acute labour shortages in regional Australia.

Working Holiday (subclass 417) visa

With 175 739 Working Holiday (subclass 417) visas granted in 2009–10, and 187 696 granted in 2008–09, the program has experienced a 6.37 per cent decline. This decrease may be associated with the wider global economic downturn.

Figure 12: Working Holiday (subclass 417) visa grants (first and second visa combined)



In 2009–10, 97.85 per cent of Working Holiday (subclass 417) visas were lodged electronically through eVisa and 78.83 per cent of these were granted automatically. The continuing high eVisa take-up rate reflects the success of this facility which provides clients with easy access and faster decisions.

Work and Holiday (subclass 462) visa

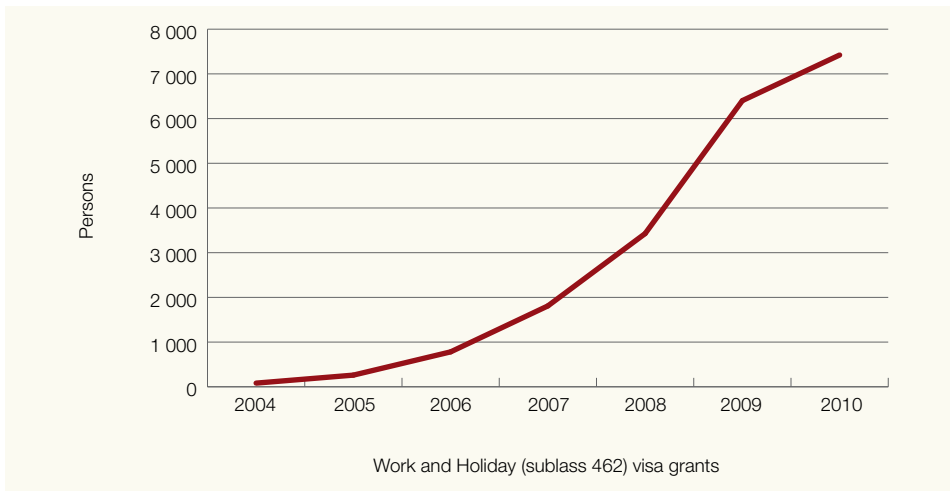
In 2009–10, 7422 Work and Holiday (subclass 462) visas were granted, a 15.84 per cent increase over the 6407 visas granted in 2008–09. Of the total grants, 80.9 per cent were lodged electronically.

Figure 13 shows the growth in Work and Holiday (subclass 462) visa grants since 2004. This growth can be largely attributed to the program's increasing popularity amongst young people from the United States of America with more than 6000 visas granted during the 2009–10 program year.

Table 33: Working Holiday Maker (subclasses 417 and 462) visa grants

Categories	2008–09	2009–10	Percentage variation
Working Holiday and Work and Holiday (subclasses 417, 462) visas	194 103	183 161	-5.6%

Figure 13: Work and Holiday (subclass 462) visa grants



Performance against service standards

The service standard for the first Working Holiday (subclass 417) visa is that 75 per cent of applications are processed within six days. The service standard for the second Working Holiday (subclass 417) visa is that 75 per cent of applications are processed within 21 days. These standards were both met in 2009–10.

In 2009–10, more than 75 per cent of Work and Holiday (subclass 462) visas were granted within six days.

Integrity initiatives

The department increased its focus on integrity initiatives for the Working Holiday (subclass 417) visa during 2009–10. In particular, the initiatives sought to minimise the number of second Working Holiday visa applications submitted with false or fabricated information. These initiatives, which included increased checks on the validity of information provided, helped to reinforce the message that the department will not tolerate fraud. The department will continue to closely monitor second Working Holiday visa applications.

Migration health requirement

Applicants for visas to visit, or migrate to, Australia are required to meet certain health requirements. These help ensure that risks to public health in the Australian community are minimised; public expenditure on health and community services is contained; and Australian residents continue to have access to a full range of health and other community services.

The table below demonstrates Australia's low rate of incidence of tuberculosis (TB) compared to the size of the overseas-born population. This indicates the success of Australia's health screening procedures for prospective migrants.

Table 34: Comparative rates of tuberculosis by population

Incidence of tuberculosis relative to the percentage of overseas born in the Australian population compared to the same ratio for other major developed countries

Country	Population ¹ (000s) 2007	Overseas born ² population percentage	TB cases ³ reported	TB rate ⁴ (cases per 100 000)	TB cases as a percentage of overseas born population
Australia	21 499	25.4	1 115	6	0.020
Canada	33 327	20.2	1 476	4	0.023
France	62 300	8.4	5 314	11	0.101
New Zealand	4 269	22.3	274	7	0.029
Sweden	9 220	13.9	460	5	0.036
United Kingdom	61 412	10.8	7 851	12	0.118
United States of America	304 060	13.7	13 299	3	0.032

1. OECD <http://stats.oecd.org>, Annual Labour Force Statistics Summary Tables: Population

2. OECD, www.oecd.org/dataoecd/7/40/45594799.xls table A.1.4 Stocks of Foreign Born Population in OECD Countries, *International Migration Outlook 2010*

3. *Global tuberculosis control 2009: surveillance, planning, financing*—World Health Organisation (WHO)

4. WHO Global Tuberculosis Database (Note: TB figures for 2008) available at www.who.int/globalatlas/dataQuery/default.asp

Expansion of electronic health processing

The department's online eHealth system records, processes and stores health examination results for Australian visa applicants. The system removes the need for processing paper-based health reports, as panel clinics are able to record all health information for visa applicants online including examination results, digital chest x-rays, specialist reports and biometric photographs. As results are submitted electronically, they are received instantly by the department, avoiding the delay associated with sending examination results to Australia.

The eHealth system helps centralise and streamline health processing with about 75 per cent of eHealth cases able to be 'auto-cleared', and the remaining cases actioned by the department, often within minutes, but usually within 24–48 hours.

Since 2009, the department has been pursuing a concentrated expansion of eHealth. As a result, eHealth is now available in 21 countries with Bangladesh, Brazil, Canada, Nepal and Saudi Arabia the most recent to go online. System enhancements have also been implemented to enable eHealth to now be available for all eVisa applications, as well as by clients who lodge paper visa applications that are processed in Australia.

These efforts have resulted in:

- significantly reduced processing times for visa applicants who use eHealth, as well as improved client service
- ongoing processing savings for the department, plus additional savings resulting from the electronic storage and retrieval of medical examination and x-ray results
- improved integrity, with less risk of health results being tampered with and panel doctors' performance able to be audited more easily.

Joint Standing Committee on Migration—June 2010: Enabling Australia: Inquiry into the Migration Treatment of Disability

On 21 June 2010, the Joint Standing Committee on Migration tabled a report entitled *Enabling Australia: Inquiry into the Migration Treatment of Disability*.

The terms of reference for this inquiry have been to:

- report on the options to properly assess the economic and social contribution of people with a disability and their families seeking to migrate to Australia
- report on the impact on funding for, and availability of, community services for people with a disability moving to Australia either temporarily or permanently
- report on whether the balance between economic and social benefits of the entry and stay of an individual with a disability, and the costs and use of services by that individual, should be a factor in a visa decision
- report on how the balance between costs and benefits might be determined and the appropriate criteria for making a decision based on that assessment
- report on a comparative analysis of similar migrant receiving countries.

The committee made 18 recommendations in relation to the operation of the Migration Act health requirement. Senators Sue Boyce and Sarah Hanson-Young made a further two recommendations.

The recommendations focus on a more flexible and individualised application of the health requirement while at the same time recommending a widening of the range of factors which should be considered when determining whether visa applicants meet the health requirement.

The department is currently reviewing the report and the recommendations ahead of providing advice for consideration by the minister and government.

Administered item—Joint Commonwealth, state and territory research program (for payments to the Australian Population, Multicultural and Immigration Research Program Account)

Objective

Provide information to assist with the formulation and assessment of migration policies by the Australian Government, state and territory ministers and departments.

Description

The Australian Population, Multicultural and Immigration Research Program (APMIRP) was established jointly by the Australian Government and state and territory governments to undertake studies of migration, migration settlement, multicultural affairs and population trends. Individual studies are designed to gather information not adequately covered by existing data and surveys.

In 2009–10, the Australian Government contributed \$50 000 to this program.

Performance

In 2009–10, the APMIRP saw the progress of research into the population distribution effects of migration. The research involves analysis of population movements and patterns within Australia over the 2001–06 intercensal period against a range of demographic, productive capital and human capital criteria and models future migration scenarios and their social policy implications at state, territory and regional levels. The final report is expected to be published in December 2010.

Table 35: Joint Commonwealth, state and territory research program (for payments to the Australian Population, Multicultural and Immigration Research Program Account)

Deliverable 2009–10	
Measure	Result
Research contributes to, and informs, government policy-making.	The research will help inform a range of government policies, including in the field of immigration and regional development.

Office of the Migration Agents Registration Authority

The Office of the Migration Agents Registration Authority (Office of the MARA) contributes to the well managed entry and settlement of people through its regulation of the migration agent profession under Part 3 of the *Migration Act 1958*. Its function is to register migration agents in Australia, manage complaints about them and approve continuing professional development activities.

At 30 June 2010, there were 4482 registered migration agents who provided immigration assistance (as defined in section 276 of the Migration Act) to visa applicants, nominators, sponsors, review applicants and/or applicants for ministerial intervention.

The objectives of the Office of the MARA are to ensure that:

- consumers understand their rights and agents understand their obligations under the regulatory framework
- only suitable people are registered as migration agents and unsuitable people are refused registration or re-registration
- registered agents maintain appropriate knowledge to enable them to provide accurate advice to consumers
- all complaints about the services of registered or formerly registered migration agents are appropriately addressed
- issues associated with previous regulatory arrangements are addressed.

The office works with the department and other bodies including prosecuting or regulatory authorities to address the activities of people acting as agents outside its mandate.

The Office of the MARA produces its own annual report available online at www.mara.gov.au

Office of the Migration Agents Registration Authority—deliverables

Deliverable: Pursue improvements to the agents' continuing professional development regime through the Office of the MARA.

Result: The Office of the MARA has implemented a range of measures to improve the continuing professional development regime. These included: implementing higher standards for activity approvals; more rigorous assessment of content; comprehensive evaluations of delivery; surveying of agents; and engagement of an independent consultant to review the continuing professional development regime and recommend further improvements. There were 20 provider visits made to ensure that appropriate quality assurance controls were in place.

Deliverable: Ensure all complaints about the services of registered, or formerly registered migration agents are appropriately addressed in line with transparent complaint handling criteria through the Office of the MARA.

Result: Measures have been put in place to ensure complaints handling is fair, robust and transparent. The Office of the MARA has published a policy and procedures manual which guides staff in handling complaints and provides details of the quality assurance measures.

Office of the Migration Agents Registration Authority—deliverables *continued*

Deliverable: Put arrangements in place with other bodies responsible for addressing the activities of agents outside of the Office of the MARA's mandate, and measure the number of relevant referrals to such bodies.

Result: The Office of the MARA has a number of arrangements in place with other bodies responsible for addressing the activities of agents outside of its mandate. In 2009–10, referrals to the department included 40 complaints involving unregistered practice and five complaints involving possible breaches of other sections of the Migration Act and fraud-related matters.

Office of the Migration Agents Registration Authority—key performance indicators

Indicator: Number of complaints about registered or formerly registered migration agents appropriately addressed in line with transparent complaint handling criteria and processes.

Result: In 2009–10, the Office of the MARA undertook a data cleansing exercise and consolidated reporting of all complaints matters. A total of 499 new complaints were received and 424 were finalised. The remaining matters are continuing to be addressed. There were 14 complaints that resulted in sanctions against eight agents. There were also 67 warning and corrective action letters issued.

Indicator: Number of relevant recommendations from the *2007–08 Review of Statutory Self-regulation of the Migration Advice Profession* appropriately implemented.

Result: A total of 57 recommendations for reform were made in the review. At the end of 2009–10, 21 were finalised or substantially finalised, 20 were in progress and 16 were unable to be progressed. Those unable to be progressed included 14 needing legislative changes and two needing further research.

Indicator: Registered agents maintain appropriate knowledge to enable them to provide accurate advice to consumers.

Result: Level of knowledge is monitored closely and registered agents are reminded quarterly of their obligations for continuing professional development. Registered agents can now view continuing professional development activities and plan their continuing professional development online.

Activities were regularly evaluated in 2009–10. Office of the MARA provided 68 reports to continuing professional development providers which gave feedback on their learning activities. The reports identified improvements to ensure providers were delivering the designed learning outcomes. Where activities did not meet the required standard, they were refused or withdrawn.

Office of the Migration Agents Registration Authority—key performance indicators *continued*

Indicator: Number of initiatives undertaken or in place to help consumers understand their rights and agents understand their obligations under the regulatory framework.

Result: Initiatives included the enhanced website and provision of information to registered migration agents about their obligations. Significant stakeholder engagement was undertaken to reinforce the role of the regulatory framework in protecting consumer rights.

Indicator: Number of persons registered as migration agents.

Result: In 2009–10, there were 4482 registered migration agents.

Indicator: Number of new registration or re-registrations finalised

Result: A total of 4648 migration agent applications were finalised in 2009–10 including invalid, refused and withdrawn applications. Of these, 845 were new applications seeking registration and 3803 were re-registration applications. Nine applications were refused. The refusals were due to applicants not being fit and proper, not holding professional indemnity insurance or not holding the prescribed qualification.

Table 36: Office of the MARA—performance information

Key performance indicators	2009–10 target	2009–10 results
Percentage of complaints about registered or formerly registered migration agents appropriately addressed in line with transparent complaint handling criteria and processes ¹ .	100%	100%
Percentage of relevant recommendations from the <i>2007–08 Review of Statutory Self-regulation of the Migration Advice Profession</i> appropriately implemented ² .	50%	37% completed 35% in progress (see below)

1. The decision-making process complies with legal requirements and is published.
2. While there has been action on all recommendations, they are at various stages of implementation. The review made 57 recommendations. Of these:
 - 21 (37 per cent) were finalised or substantially completed, including the key ones of establishing the Office of the MARA and the advisory board
 - 20 (35 per cent) were in progress
 - 16 (28 per cent) were unable to be progressed with 14 dependent on legislative change and two needing further research.

Establishment of the Office of the MARA

The Office of the MARA became a discrete office attached to the department from 1 July 2009, following the *2007–08 Review of Statutory Self-Regulation of the Migration Advice Profession* issued in December 2008. The review found consumer dissatisfaction and potential conflicts of interest under the statutory self-regulation arrangements.

Strategies to manage potential and perceived conflicts of interest in relation to the new arrangement were developed by Professional Service Integrity Asia Pacific (PSI) and endorsed by Sir Laurence Street in 2009.

Independent probity audits were carried out by PSI quarterly. The fourth review was completed in June 2010 and found that all mitigation strategies had been successfully implemented.

These strategies included the physical separation of the Office of the MARA from the department and the use of separate business systems to carry out key functions. In addition, all Office of the MARA staff have undertaken probity and conflict of interest training, and completed conflict of interest declarations.

A management-initiated review of financial and governance controls in November 2009 found all key elements of a good governance framework were either in place or identified and being developed.

An advisory board to guide the Office of the MARA was announced by the minister on 13 August 2009. The advisory board reports directly to the minister and is chaired by Mr Robert Cornall AO, former secretary of the Attorney-General's Department. The deputy chair of the advisory board is Ms Jenni Mack, a long-time consumer advocate who also chairs the Australian Securities and Investment Commission's Consumer Advisory Panel. Other members represent the community sector, the Law Council of Australia, the Migration Institute of Australia, universities and the not-for-profit immigration assistance sector.

There have been five meetings of the advisory board and valuable counsel has been provided on a number of key issues.

Reforms

The *2007–08 Review of Statutory Self-regulation of the Migration Advice Profession* recommendations provide a framework for making reforms.

A higher standard of English proficiency for new migration agents was recommended. This commenced on 1 January 2010 and involved an increase from an overall International English Language Testing System (IELTS) score of six to seven academic.

Since its introduction, a small number of applications required additional information to satisfy the delegate that the higher English language requirement was being met. No applications were refused in 2009–10 due to the higher standard.

An impact study on extending the increased English language requirement to already registered agents commenced in June 2010.

A new communications strategy with an emphasis on consumer protection was developed in consultation with the advisory board and other stakeholders. The strategy is being implemented and is publicly available on the Office of the MARA's website www.mara.gov.au

A YouTube video about unregistered migration agents entitled *Don't Get Caught Out* was produced. The video included a message by chief executive officer Ms Christine Sykes who reinforced the need for potential migrants to ensure that migration agents are registered and publicised the Office of the MARA website.

Advice was sought on taking forward the recommendations about and improvements to continuing professional development. This included a survey of registered migration agents to collect feedback on the current arrangements. Results from the survey indicated that while the majority of agents were satisfied, there are areas for improvement.

In June 2010, the Office of the MARA organised a forum for not-for-profit organisations which provide pro bono assistance for humanitarian and protection visa applicants. The forum was chaired by advisory board member, Ms Sonia Caton.

Delegates included representatives of the Refugee and Immigration Legal Service, Immigration Advice and Rights Centre, Refugee Advice and Casework Service, Refugee and Immigration Legal Centre, Salvation Army's Courtyard Legal, ACCES Services Inc, Settlement Council of Australia, Multicultural Development Association, Migrant Resource Centre of South Australia, Migration Institute of Australia, Law Council of Australia, Migration Alliance and Murdoch University. Officers from the department also attended.

The forum discussed ways to increase the number of registered migration agents working with not-for-profit organisations. Some actions from the meeting have been put in place, including the development of a kit to assist in completing 'split family' visa applications and the provision of a link on the Office of the MARA website to information for, and about, pro bono agents.

Integrity unit

An integrity unit was established to monitor and audit registered migration agents. A pilot of site visits in New South Wales, Victoria, Queensland and Western Australia validated procedures for assisting migration agents to better understand their obligations under the Code of Conduct and to deter, detect and address non-compliance. Full operations were rolled out from 1 June 2010.

In 2009–10, 15 businesses were visited. Within the businesses, 19 registered migration agents were audited with minor breaches identified in three instances. In each case, the agent rectified the identified breach.

Table 37: Outcome 1 Financial resources summary 2009–10

Managed migration through visas granted for permanent settlement, work, study, tourism, working holidays or other specialised activities in Australia, regulation, research and migration policy advice and program design.

	Budget ² 2009–10 \$'000	Actual expenses 2009–10 \$'000	Variation 2009–10 \$'000	Budget estimate 2010–11 \$'000
Program 1.1: Visa and migration services				
Administered expenses				
Ordinary annual services (Appropriation Bill 1)	50	50	-	50
Departmental expenses				
Ordinary annual services (Appropriation Bill 1) and revenues from independent sources (section 31)	525 406	540 096	14 690	451 705
Expenses not requiring appropriations in the Budget year ¹	-	-	-	28 719
Total for Program 1.1	525 456	540 146	14 690	480 474
Total expenses for Outcome 1	525 456	540 146	14 690	480 474
Average staffing level—(number)	3 732	3 760	28	3 693

1. Expenses not requiring appropriations in the Budget year are expenses relating to depreciation, for which the department is no longer funded due to Operation Sunlight.
2. Full year budget, including any subsequent adjustment made to the 2009–10 Budget.



Outcome 2

Protection, resettlement and temporary safe haven for refugees and people in humanitarian need through partnering with international agencies; assessing humanitarian visa applications; and refugee and humanitarian policy advice and program design.

Photo courtesy of MONUC, Marie Frechon

The program managed under Outcome 2 is:

Program 2.1 Refugee and humanitarian assistance

During 2009–10, Program 2.1 was managed firstly by the Refugee, Humanitarian and International Division and later by the newly created Border Security, Refugee and International Policy Division following the department's restructure as part of the business transformation program. This section reports on the deliverables and key performance indicators for Program 2.1 as published in the department's *Portfolio Budget Statements 2009–10* and *Portfolio Additional Estimates Statements 2009–10*.

Strategy

- Meet Australia's international protection obligations and contribute to the resettlement of refugees and those in humanitarian need through the delivery of the Humanitarian Program, to a high level of integrity.
- In recognition of the fact that there are about six million refugees in 30 protracted refugee situations around the world, continue to work with the office of the United Nations High Commissioner for Refugees (UNHCR) and focus the offshore Humanitarian Program on providing resettlement for people from protracted refugee situations.
- Enhance the protection framework in Australia to ensure those in need of protection receive it.
- Work closely with the UNHCR and the International Organization for Migration (IOM), with other international agencies and with partner countries to promote managed migration, enhance the functioning of the international protection system to more equitably meet the protection needs of refugees, make effective use of resettlement, reduce incentives for secondary movement and provide greater support for countries of first asylum.
- Continue to provide policy advice and program design to create a simpler and more responsive client focused humanitarian system.
- Work across government on responses to climate displacement regionally and internationally.

Major achievements in 2009–10

Offshore program

In 2009–10, a key achievement for the Humanitarian Program was the delivery of 13 770 visas, which met the increase in the number of places in the Humanitarian Program from 13 500. This number included 9236 visas granted under the offshore component and 4534 program countable visas granted under the onshore component.

This was the first program year delivered under the government's four-year planning framework for the Humanitarian Program, announced in May 2009. This long-term planning framework will further support the increased focus on the resettlement of refugees in protracted situations, where people have been living in exile for more than five years with no hope of returning to their home countries.

Of the total 13 770 visas, 43.6 per cent were granted to refugees and 23.5 per cent were Special Humanitarian Program visas. The remaining 32.9 per cent were protection and other visas granted onshore. For the offshore program, visa grants were spread across the three priority regions of Africa, Asia and the Middle East/South West Asia.

About 13.4 per cent of Refugee visas were granted to Woman at Risk cases. This exceeded the Australian Government's nominal 12 per cent target in the refugee allocation.

Australia continued to be a leading resettlement country during the year. In 2009, the United Nations High Commissioner for Refugees (UNHCR) reported that Australia remained in the top three resettlement countries, after the United States of America and Canada.

In 2009–10, the government continued to contribute to the resettlement of refugees from protracted situations and others in critical need. This included granting 138 visas to Burmese Rohingya in Bangladesh, 1144 visas to Bhutanese who had been in camps in Nepal for many years and 1821 visas to other Burmese refugees, primarily from camps along the Thai-Burma border, but also from Malaysia and India.

During the year, UNHCR made an urgent appeal to the international community to assist with the resettlement of vulnerable refugees. In response, Australia resettled vulnerable Palestinian Iraqis who had been stranded for a number of years between the borders of Iraq and Syria, as well as a group of Somali refugees from Eritrea.

One of the world's leading researchers on migration, Professor Graeme Hugo, presented his draft report from research commissioned by the department on the economic, social and civic contributions of humanitarian entrants. The preliminary research findings positively demonstrate that humanitarian entrants make a distinctive and significant contribution to the Australian economy and the wider Australian society.

Onshore program

In 2009–10, the department ensured Australia's international protection obligations were met through careful case-by-case determination of claims for protection made by people from more than 100 countries.

The department implemented the government's decision to suspend processing of new Sri Lankan and Afghan protection claimants from 9 April 2010 due to growing evidence of the evolving country situations in Sri Lanka and Afghanistan.

Consultation with the community sector and other stakeholders on policy development and implementation was strengthened, including through the Onshore Protection Consultative Group established in 2008–09 to assist the department in policy implementation and process improvement. These consultations informed the design of the Migration Amendment (Complementary Protection) Bill 2009, introduced into Parliament in September 2009. The Bill is designed to enable all claims, that may engage Australia's non-refoulement (non-return) obligation, to be considered under a single, transparent, integrated protection visa application process. As at 30 June 2010, the Bill was still before Parliament and had yet to be debated. The Bill lapsed as Parliament was prorogued on 19 July 2010.

Successful piloting of a new biometrics check involving the provision of digital facial images and fingerprints by protection visa applicants was undertaken in 2009–10. This measure is to be introduced in 2010–11 as a mandatory requirement and will contribute to strengthening program integrity.

The department is engaged in ongoing reform of the ministerial intervention process which has included the implementation of the alternative partner pathway to ministerial intervention. This change has allowed certain partners of Australian citizens, permanent residents or eligible New Zealand citizens who were previously barred from applying for a partner visa onshore to do so, where they meet certain criteria. Allowing access to the department's regulatory visa framework has provided a reviewable process for claims to be considered. The change is consistent with recommendations made by Ms Elizabeth Proust in an independent report commissioned by the minister in 2008 into the appropriate use of ministerial powers.

Challenges

The department faced a significant increase in the number of asylum seekers (including irregular maritime arrivals) in 2009–10. It responded by managing resources carefully to achieve 39 per cent more protection visa decisions and 2697 more Refugee Status Assessments compared to 2008–09.

The combined impact of irregular maritime arrivals on the overall available places in the Humanitarian Program and responding to their needs to be reunited with their families, presented a challenge to the program.

The department also responded to the increased numbers and changing circumstances in countries of origin. This was achieved by stepping up support for decision-makers through additional training, further procedural guidance, sustained focus on quality assurance and continued collection and collation of up-to-date country information.

Looking ahead, the need for strong analytical capability to inform policy development and program management in this field will continue. This will require investment in training and reinforcement of the importance of an evidence-based approach with a greater focus on the impact of the program rather than on procedures.

Access to vulnerable caseloads offshore was also a significant challenge in some locations during 2009–10 and the department continued to explore ways of ensuring the integrity of the program while maintaining the security of staff deployed to process these caseloads.

Program 2.1

Refugee and humanitarian assistance

Program 2.1 consists of two departmental items:

- Offshore Humanitarian Program.
- Protection visas (onshore).

There are seven administered items under this program:

- Allowances for persons granted visas in the Humanitarian Program.
- Immigration Advice and Application Assistance Scheme (IAAAS)—onshore protection.
- Initiatives to address the situation of displaced persons and promote sustainable returns.
- International Organization for Migration—contribution.
- Payments to the Australian Red Cross Society for the Asylum Seeker Assistance Scheme.
- Refugee and humanitarian passage, associated costs and related services.
- Secretariat for Inter Governmental Consultations on Migration, Asylum and Refugees—membership contribution.

Objectives

- Meet Australia's international protection obligations under the *1951 Refugees Convention* and other relevant conventions in relation to people claiming protection within Australia's jurisdiction.
- Contribute to the resettlement of refugees and those in humanitarian need through the delivery of the Humanitarian Program set by the government.
- Advance Australia's interests in relation to migration and refugee issues internationally through a program of multilateral and bilateral activity, including capacity-building with selected countries.

Refugee and humanitarian assistance—deliverables

Deliverable: Deliver an increase in the number of places in the Humanitarian Program from 13 500 to 13 750 in 2009–10 (inclusive of onshore places).

Result: The increase in the number of places in the Humanitarian Program was met during 2009–10, with 13 770 visas granted during the program year (inclusive of onshore places).

Deliverable: Deliver an increase from 10.5 per cent to 12 per cent in Woman at Risk grants as a proportion of allocated offshore refugee places in 2009–10.

Result: The increased target in Woman at Risk grants was met during 2009–10, with 806 visas granted to Woman at Risk applicants. This represented 13.4 per cent of the refugee category allocation.

Deliverable: Number of onshore protection applications (persons) decided: 7500

Result: A total of 7557 onshore protection applications (persons) were decided.

Table 38: Refugee and Humanitarian Assistance—deliverables

Deliverable	2007–08 actual	2008–09 actual	2009–10 target	2009–10 actual
Number of visas granted under the Humanitarian Program delivered in line with government projections ¹	13 014	13 507	13 750	13 770
Woman at Risk visas granted as a proportion of allocated offshore refugee places	13.7%	12.1%	12.0%	13.4%
Number of onshore protection applications (persons) decided ²	4 846 ³	5 426 ³	7 500	7 557

1. Only visas granted to people who have not previously held a humanitarian visa are counted against the Humanitarian Program. For example spouses of, or children born to, temporary protection visa holders who are later included in their Resolution of Status visa application are not counted against the Humanitarian Program. In addition, 41 visas were granted in 2009–10 to Iraqi locally engaged employees, which are not counted against the Humanitarian Program.
2. Applications decided include first instance decisions and decisions following review tribunal remittals.
3. These figures are revised as at 2 July 2010 and therefore may differ from statistics previously published in annual reports or elsewhere.

Refugee and humanitarian assistance—key performance indicators

Indicator: Persons in Australia’s jurisdiction in need of protection receive it and have access to appropriate support services as measured by reporting on processing standards.

Result: A total of 9900 services comprising application assistance to 1144 people and 8756 general immigration advice sessions were provided in 2009–10.

Formal quality assurance reporting shows 97.7 per cent of primary protection visa cases complied with all processing standards.

Indicator: Australia continues to be a leading resettlement country.

Result: Australia was within the top three resettlement countries during 2009–10, as per information provided in Table 39.

Refugee and humanitarian assistance—key performance indicators *continued*

Indicator: Targeted focus group consultations with clients and stakeholders:

- provide feedback on effectiveness of Humanitarian Program support and pre-departure orientation
- inform policy innovation and program design.

Result: The department continued its program of comprehensive engagement with humanitarian sector stakeholders in 2009–10. During the year:

- about 30 community information sessions on aspects of the Humanitarian Program were delivered to a variety of key community groups in all states and territories. In addition, about 15 meetings were held with key stakeholders such as Settlement Grants Program workers, legal aid and pro bono migration agents
- senior departmental officials participated in the biannual DIAC Non-Government Organisation (NGO) Dialogue on Humanitarian Issues in July 2009 and February 2010
- the minister and other senior departmental officials participated in the peak bodies meeting in January 2010, with peak refugee and humanitarian organisations, as part of community consultations on the size and composition of Australia's Humanitarian Program. The department also considered about 60 submissions from community organisations, individuals and other government agencies with an interest in the Humanitarian Program, during the consultation process
- three Special Humanitarian Program workshops were conducted with key humanitarian stakeholders to inform policy development
- several community presentations were undertaken to provide information about the Australian Cultural Orientation (AUSCO) program. An internal evaluation of the AUSCO program was also finalised in 2009. Interviews and focus groups were part of the research and evaluation methodologies used to obtain feedback from clients and key stakeholders of the AUSCO program. The recommendations in the evaluation will provide guidance for the next phase of the development of the AUSCO program.

Indicator: Satisfaction of international partner agencies with Australia's contribution to strengthening the international protection framework in countries other than Australia.

Result: The department made significant contributions to strengthening the international protection framework through cooperation with international partner agencies including the International Organization for Migration and the United Nations High Commissioner for Refugees (UNHCR). Activities included the Displaced Persons Program, Enhancement of Protection Program and engaging on the development of a regional protection framework.

The department, along with the UNHCR, NGOs and other resettlement countries, participated in the Annual Tripartite Consultations on Resettlement in June 2009. These forums provide an opportunity to review progress on resettlement issues during the year and, importantly, to come up with practical approaches to resolve refugee situations around the world through the strategic use of resettlement. The department also participated in two working groups on resettlement in October 2009 and March 2010.

Refugee and humanitarian assistance—key performance indicators *continued*

Indicator: Australia’s bilateral and multilateral activity in relation to migration and refugee issues has a positive effect on managed migration and refugee issues internationally.

Result: The department continued its engagement on international protection, refugee issues and managed migration, including hosting and participating in numerous bilateral and multilateral forums. These activities strengthened relationships, enhanced managed migration strategies and developed capacity-building initiatives.

Table 39: Refugee and humanitarian assistance—key performance indicators

Key performance indicator	2007–08 actual	2008–09 actual	2009–10 target	2009–10 actual
Percentage of onshore protection applications decided within 90 days in accordance with legislation	80.0%	77.0%	100.0%	71.8%
Percentage of onshore protection visa cases that have complied with processing standards as identified through formal quality assurance reporting	99.6%	99.5%	97.0%	97.7%
Australia’s ranking as a resettlement country ¹	Within top three countries	Within top three countries	Within top three countries	Within top three countries

1. Figures, based on calendar year, are sourced from *UNHCR Global Trends: Refugees, Asylum-seekers, Returnees, Internally Displaced and Stateless Persons* reports.

Departmental item—Offshore Humanitarian Program

Australia's Humanitarian Program comprises two components: offshore resettlement for people overseas, who have been determined to be refugees, and onshore protection for those people already in Australia who claim Australia's protection, and are found to be refugees. This section is concerned with the offshore component.

The objectives of the offshore Humanitarian Program are achieved through:

- the effective planning and delivery of the resettlement program to a high level of integrity and in line with government priorities
- support for Australia's role in sharing international responsibility for refugee protection through engagement with international partners such as the United Nations High Commissioner for Refugees (UNHCR), the International Organization for Migration (IOM), other resettlement countries and non-government organisations (NGOs)
- the provision of pre-departure services and orientation programs to enhance settlement outcomes
- the development of contingency capacity for the effective management of safe haven arrangements
- conducting and commissioning research to inform future policy development and to assist continuous improvement
- enhancing community involvement and support for the program through engagement with stakeholders and the development and distribution of public information on the program.

Performance

In 2009–10, the department met the increase in the number of places in the Humanitarian Program from 13 500 to 13 750, with 13 770 visas granted during the program year (inclusive of onshore places). This comprised 9236 (67.1 per cent) under the offshore component and 4534 (32.9 per cent) under the onshore component.

Under the offshore component, 6003 (43.6 per cent) were refugee visas and 3233 (23.5 per cent) were Special Humanitarian Program visas. This year, the department demonstrated a commitment to three priority regions—Africa, Asia and the Middle East/South West Asia region.

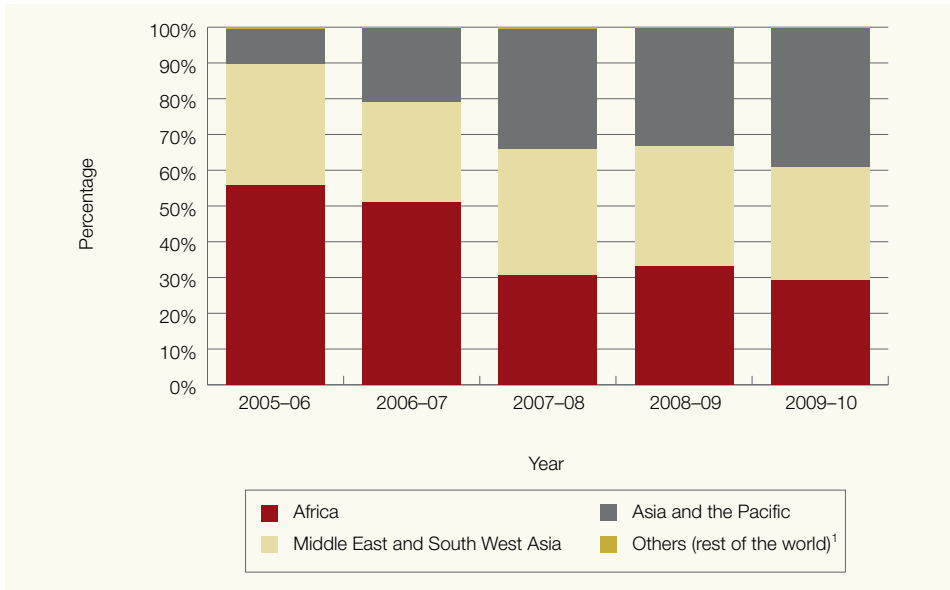
Processing times continued within the service standard of 75 per cent of applications finalised within 52 weeks, with 75 per cent finalised within 47 weeks.

Application rates remained similar to 2008–09 levels, with a total of 47 122 applications for offshore places in 2009–10. This was just 0.2 per cent more than 2008–09.

Under the offshore component, the highest number of visas granted in 2009–10 was to applicants from Asia/Pacific (38.6 per cent), followed by the Middle East/South West Asia (31.8 per cent), followed by the Africa region (29.2 per cent) with the remaining visas (0.4 per cent) granted to applicants in Europe and the Americas.

These regional outcomes are consistent with the resettlement priorities identified by the UNHCR.

Figure 14: Offshore Humanitarian Program visa grants–regional trend



1. Others include Europe and the Americas and constitute less than 1 per cent for each year.

Table 40: Humanitarian Program visa grants by subclass

Visa subclass	Visa grants in 2009–10
Refugee (subclass 200) visas	5 173
In-country Special Humanitarian (subclass 201) visas	24
Emergency Rescue (subclass 203) visas	0
Woman at Risk (subclass 204) visas	806
Global Special Humanitarian (subclass 202) visas	3 244 ¹
Resolution of Status (subclass 851) visas	8
Protection (subclass 866) visas	4 515
Temporary (Humanitarian Concern) (subclass 786) visas	0

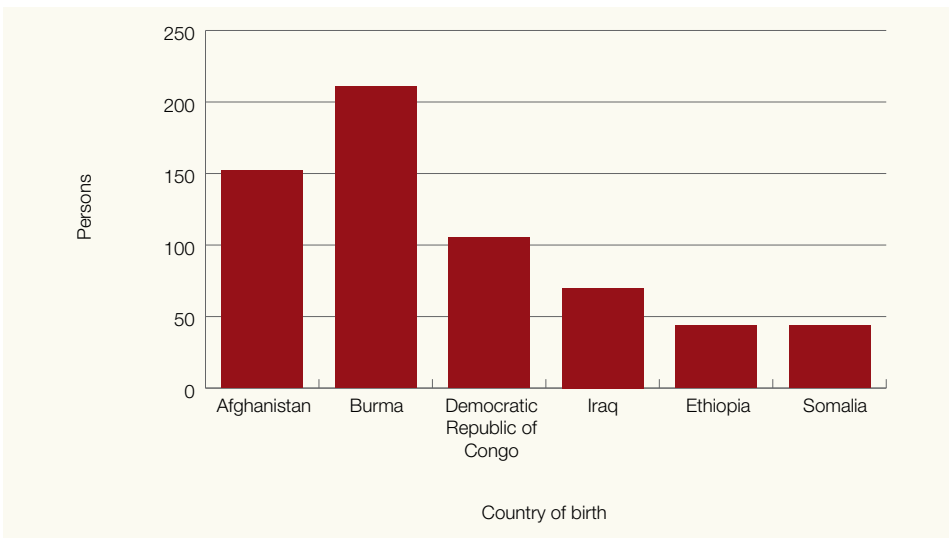
1. In addition to 3233 Special Humanitarian Program visas granted offshore, there were 11 granted in Australia through ministerial intervention.

Woman at Risk visas

During 2008–09, the government announced that the nominal annual target for Woman at Risk visas would be increased to 12 per cent for 2009–10.

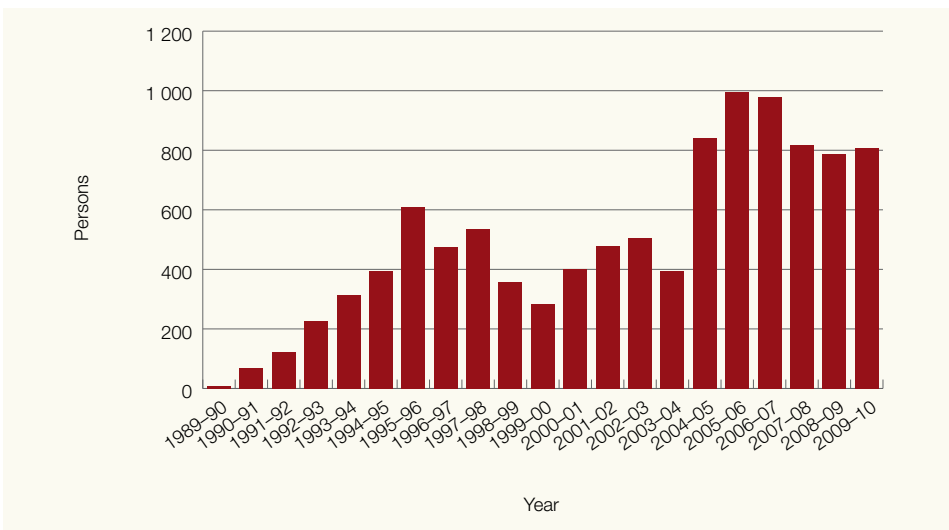
This increased target was met in 2009–10, with 806 visas granted to Woman at Risk applicants. This represented 13.4 per cent of the refugee category allocation.

Figure 15: Humanitarian Program 2009–10 Woman at Risk visa grants–top five countries of birth



Note: Somalia and Ethiopia ranked equal fifth for Woman at Risk visa grants in 2009–10

Figure 16: Humanitarian Program Woman at Risk visa grants since inception



Consultations and information

The department continued its program of comprehensive engagement with humanitarian sector stakeholders in 2009–10. Efforts to increase public understanding and support for the program were ongoing with the provision of consistent and accurate public information and through consultations with communities and stakeholders.

The DIAC–NGO Dialogue on Humanitarian Issues was held in July 2009 and February 2010. These are biannual forums between the department and peak NGOs who are major stakeholders in the Humanitarian Program, including the Refugee Council of Australia (RCOA), Amnesty International, ActionAid Australia, the International Commission of Jurists, the Settlement Council of Australia and others. Discussions were held on a range of topics including the international system of protection, global resettlement needs, asylum issues, immigration detention and case management issues, and humanitarian settlement services provided to humanitarian entrants.

Three Special Humanitarian Program workshops were conducted with key humanitarian stakeholders to inform policy development. Several community presentations were also undertaken to provide information about the Australian Cultural Orientation program.

Refugee Week was held from 20–26 June 2010. This provided an opportunity to focus public and media attention on the Humanitarian Program, the resettlement of refugees in the Australian community and to celebrate the positive contributions made by refugees to Australian society.

A range of information products was developed throughout the year to support community information sessions on particular aspects of the program and to enhance public awareness of Australia's response to refugee issues. The products include fact sheets, booklets, powerpoint presentations and an audio-visual presentation.

Clear and timely responses were provided to media and other information inquiries.

Program formulation

A consultation process occurs each year to inform the Australian Government's decisions about the size and composition of the Humanitarian Program.

In 2009–10, this included:

- consultations with states and territories and other government agencies
- consultation with peak refugee and humanitarian bodies
- consideration of UNHCR advice on global resettlement needs and priorities
- consideration of the views of the Australian community.

A submission, funded by the department, from the RCOA was also considered during the consultation process. The RCOA conducted a national consultation process to develop this submission involving representatives of more than 180 organisations across Australia and refugee and humanitarian entrants from at least 17 countries of origin.



Case study

AUSCO's innovative exchange program

This year, 13 770 refugee and humanitarian entrants were resettled in Australia and began the difficult journey of making an unknown country their home.

Many had fled trauma in their homelands and, from their arrival, faced further challenges such as finding a job, gaining access to housing and transport, and adjusting to the Australian way of life.

The Australian Cultural Orientation (AUSCO) program helps prepare people for this transition. The program is a five-day pre-departure course for humanitarian visa holders, delivered by the International Organization for Migration (IOM) on behalf of the department.

In 2009–10, an innovative exchange program, coordinated by the Refugee Council of Australia and the IOM, enabled AUSCO trainers to spend time with settlement service providers in Australia.

In return, service providers from Australia travelled overseas to support the work of AUSCO trainers and ensure the course reflected up to date information on settlement services in Australia.

Ms Neera Chaulagi, an AUSCO trainer from Nepal, came to Victoria at the end of 2009, while Mr Poly William Kiyaga, a settlement worker with the Adult Migrant English Service in Victoria, went to Nepal.

Ms Chaulagi spoke about her experience with great enthusiasm.

'The trip to Australia was fantastic,' Ms Chaulagi said. 'I was able to learn and accomplish so much in so short a time. I was able to experience the life of a case coordinator; I went everywhere they went, from airport pick-up to setting up bank accounts for new arrivals.

'Perhaps the high point of my visit was visiting some of the program's Bhutanese participants. Almost 80 people came to the meeting. They had so much to say that it was difficult to end the session.'

Photo: Ms Neera Chaulagi, an AUSCO trainer from Nepal, and Mr Poly William Kiyaga, a settlement worker in Victoria, traded places during the AUSCO exchange program in 2009-10.

International Organization for Migration No-Interest Travel Loan Fund

The International Organization for Migration (IOM) operates a No-Interest Travel Loan Fund to assist Special Humanitarian Program visa holders and their proposers to fund the cost of travel to Australia. The scheme received government funding in 2005 to enhance the number of people it could assist. The department continues to work with the IOM to increase awareness of the fund among prospective applicants.

The Australian Cultural Orientation Program

The Australian Cultural Orientation (AUSCO) program is provided pre-departure for refugee and Special Humanitarian Program visa holders preparing for resettlement in Australia. AUSCO is available to all refugees and humanitarian entrants over the age of five and is delivered, where possible, over five days.

The AUSCO course is designed for, and delivered to, four main groups—adults, youth, children and pre-literate entrants. IOM is contracted to deliver the course on behalf of the department.

In 2009–10, 234 AUSCO courses were delivered to 5297 participants in their own languages in Bangladesh, Egypt, Ghana, Guinea, India, Iran, Jordan, Kenya, Lebanon, Malaysia, Pakistan, Sierra Leone, Syria, Tanzania, Thailand, Turkey and Uganda.

The AUSCO course provides an initial introduction to aspects of Australian life which will improve visa holders' settlement prospects. It prepares people for travel and provides information about Australian culture prior to arrival. AUSCO provides initial links to the onshore services provided through the Integrated Humanitarian Settlement Strategy.

In 2009, an internal evaluation of the program was finalised. The key finding of the evaluation was that the program is widely valued by participants and supported by onshore stakeholders but there is scope to improve integration with settlement services and increase the level of awareness onshore of what AUSCO can achieve. The recommendations principally address issues around improving information flows between overseas posts and the AUSCO service provider to maximise participation; the introduction of a continuous improvement framework; updating existing program teaching resources; enhancement of the AUSCO communication strategy; and improved integration with the onshore settlement program.

The 11 recommendations in the evaluation provide guidance for the next phase of the development of the AUSCO program. The AUSCO evaluation report is available under the publications tab on the department's website www.immi.gov.au

The tender process for the contract to deliver AUSCO services from 2010 to 2013 was completed in June 2010. The IOM was successful in its tender and will continue to work with the department to deliver the AUSCO program worldwide.

Funding for UNHCR projects

Australia provided funding to UNHCR in support of the Women's Protection Clinic in New Delhi, India, which provides integration and resettlement assistance to refugee women and other asylum seekers.

International stakeholder engagement

The department continued to participate in the Annual Tripartite Consultations on Resettlement, which are usually held in June/July of each year. This forum brings together senior representatives from resettlement countries, UNHCR and NGOs, to discuss resettlement trends and priorities, current resettlement policies and activities, and to seek solutions to resolve protracted refugee situations and integration issues. Additionally, the department participated in two working groups on resettlement in October 2009 and March 2010.

As in previous years, the department and three representatives of Australian NGOs, who were invited by the minister, formed the Australian Government delegation to the UNHCR Executive Committee meeting in October 2009.

Research and policy development

Research was commissioned on the economic, social and civic contributions of humanitarian entrants. The preliminary findings demonstrate that humanitarian entrants make a distinctive and significant contribution to the wider society and economy of Australia. About 60 per cent of humanitarian entrants are under the age of 25 and often do not have family links in Australia. They are therefore more prepared to take up opportunities to settle in rural and regional areas. They have also shown a tendency to fill labour shortages in the lower-skilled employment categories, as well as participate in voluntary work.

Mobile team visits

Given the variety of environments and circumstances overseas posts face in delivering the Humanitarian Program each year, flexibility in terms of resource deployment is important. Mobile teams of departmental officers visit overseas posts where and when required, ensuring continuity of visa processing.

During 2009–10, a total of nine mobile teams were deployed to India, Indonesia, Kenya, Thailand and the United Arab Emirates.

Pre-departure medical screening

Pre-departure medical screening (PDMS) provides offshore health screening for refugee and humanitarian visa holders in the days preceding their departure for Australia.

PDMS is typically undertaken within three days of a visa holder's departure to Australia and forms a second level of health screening in addition to the stringent health screening applicants undertake to determine whether they have met the health requirements for a visa grant. PDMS also ensures that visa holders are fit to fly to Australia, recognising the possibility for changes in their health status in the period between initial health assessment and departure.

There are two models of PDMS developed to correspond to the health conditions of particular applicant populations. Depending on the model, PDMS services test for communicable diseases, provide a thorough physical examination and assess the visa holder's general health status and fitness to fly.

The location of PDMS services will continue to reflect the source locations of the refugee and humanitarian caseload.

Departmental item—Protection visas (onshore)

Under the protection visas (onshore) program, the department:

- determines if the claims of people who apply for protection visas satisfy the refugee definition under the *United Nations 1951 Convention Relating to the Status of Refugees*, or whether they are owed protection under other international treaties
- considers, through the Refugee Status Assessment arrangements, the claims of people who arrive at an excised offshore place and are unable to lodge a protection visa application unless the minister allows the application
- considers the unique and exceptional circumstances of requests for ministerial intervention under section 417 of the Migration Act by people who wish to remain in Australia but whose protection visa application refusal has been upheld by the Refugee Review Tribunal
- provides assistance for applications from asylum seekers in immigration detention and other disadvantaged visa applicants in the community under the Immigration Advice and Application Assistance Scheme.

Performance

During 2009–10, there were 8150 protection visa applications lodged, and the department decided a total of 7557 protection visa applications. Applications decided include first instance decisions and decisions following review tribunal and judicial processes.

The top 10 countries of citizenship for people applying for protection visas from 2007–08 to 2009–10 are shown in Table 41. The increase in lodgements from citizens of Afghanistan was largely related to protection visa applications following the Refugee Status Assessment process.

Table 41: Number of initial protection visa applications lodged by top 10 countries of citizenship in 2009–10 compared to 2007–08 and 2008–09

Country of citizenship	2007–08 ^r	2008–09	2009–10
1. Afghanistan	20	255	1 561
2. People's Republic of China	1 249	1 183	1 288
3. Sri Lanka	397	493	652
4. Fiji	44	116	559
5. Iran	116	209	448
6. Zimbabwe	140	317	371
7. Iraq	202	245	362
8. Pakistan	181	222	348
9. India	196	353	301
10. Malaysia	219	207	254
Other	1 245	1 702	2 006
Total	4 009	5 302	8 150

r. These figures were revised as at 2 July 2010 to include the latest information, including changes arising from late reporting and data cleansing. The figures therefore may differ from statistics previously published.

The top 10 countries of citizenship for protection visa primary grants in 2009–10 were to citizens of Afghanistan, Sri Lanka, Iraq, Iran, the People's Republic of China, Zimbabwe, Pakistan, stateless², Egypt, and Burma.

Table 42: Number of primary protection visa grants by top 10 countries of citizenship in 2009–10¹ compared to 2007–08 and 2008–09

Country of citizenship	2007–08 ^r	Primary grant rate	2008–09 ^r	Primary grant rate	2009–10	Primary grant rate
1. Afghanistan	24	92.3%	223	98.2%	1 514	99.2%
2. Sri Lanka	389	88.0%	340	78.7%	480	86.0%
3. Iraq	216	96.9%	168	88.9%	313	94.8%
4. Iran	74	76.3%	136	84.0%	271	90.9%
5. People's Republic of China	186	16.7%	175	14.6%	229	19.9%
6. Zimbabwe	63	51.6%	191	75.8%	225	74.3%
7. Pakistan	100	63.7%	138	65.7%	189	72.4%
8. Stateless ²	3	50.0%	17	68.0%	187	97.4%
9. Egypt	26	57.8%	38	41.8%	62	45.9%
10. Burma	50	87.7%	70	76.1%	60	80.0%
Other	194	13.4%	311	16.2%	328	15.8%
Total	1 325	35.4%	1 807	37.6%	3 858	55.9%

1. Primary protection visa grants are those resulting from decisions by departmental officers in the first instance.
2. A stateless person is an individual who lacks identity as a national of a state for the purpose of law and is not entitled to the rights, benefits, or protection ordinarily available to a country's nationals. Statelessness is established where no country recognises the person as holding its citizenship.
- r. These figures were revised as at 2 July 2010 to include the latest information, including changes arising from late reporting and data cleansing. The figures therefore may differ from statistics previously published.

Figure 17: Number of primary decisions by top 10 countries of citizenship in 2009–10

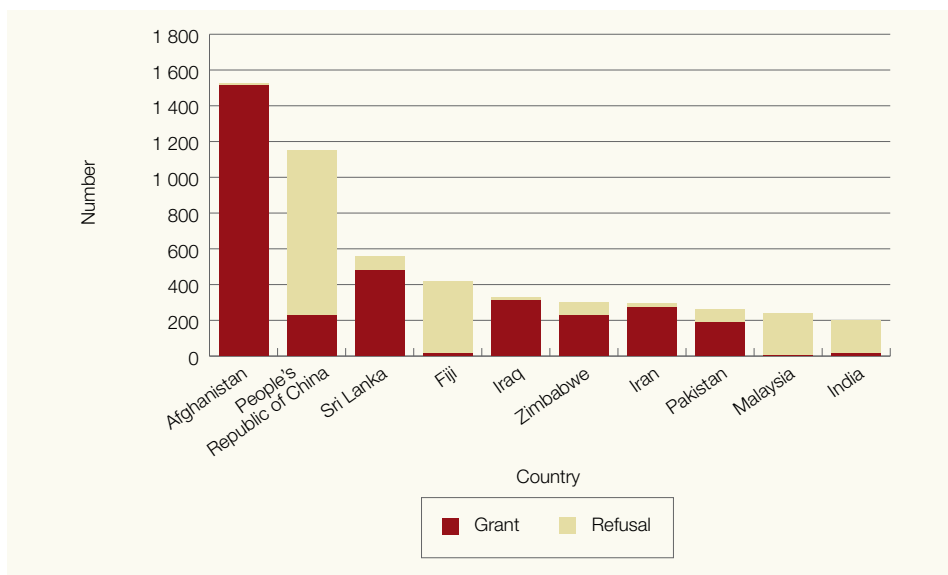


Table 43: Number of final protection visa grants by citizenship of top 10 countries in 2009–10¹ compared to 2007–08 and 2008–09

Country of citizenship	2007–08 ^r	Final grant rate	2008–09 ^r	Final grant rate	2009–10	Final grant rate
1. Afghanistan	31	96.9%	224	98.7%	1 514	99.7%
2. Sri Lanka	434	90.8%	364	90.1%	505	87.8%
3. People's Republic of China	415	37.8%	426	31.5%	492	42.0%
4. Iraq	220	96.9%	172	96.1%	321	97.3%
5. Iran	98	92.5%	146	89.0%	282	98.3%
6. Zimbabwe	87	79.8%	215	90.3%	255	85.3%
7. Pakistan	117	73.6%	158	76.7%	218	84.2%
8. Stateless ²	5	62.5%	19	86.4%	192	98.5%
9. Egypt	37	62.7%	45	56.3%	79	71.2%
10. Burma	56	91.8%	78	94.0%	78	96.3%
Other	432	25.4%	535	26.1%	579	29.4%
Total	1 932	47.8%	2 382	47.6%	4 515	66.5%

1. Final protection visa grants include grants made at the conclusion of all merits and judicial review processes.

2. A stateless person is an individual who lacks identity as a national of a state for the purpose of law and is not entitled to the rights, benefits, or protection ordinarily available to a country's nationals. Statelessness is established where no country recognises the person as holding its citizenship.

r. These figures were revised as at 2 July 2010 to include the latest information, including changes arising from late reporting and data cleansing. The figures therefore may differ from statistics previously published.

Figure 18: Number of final decisions by top 10 countries of citizenship in 2009–10

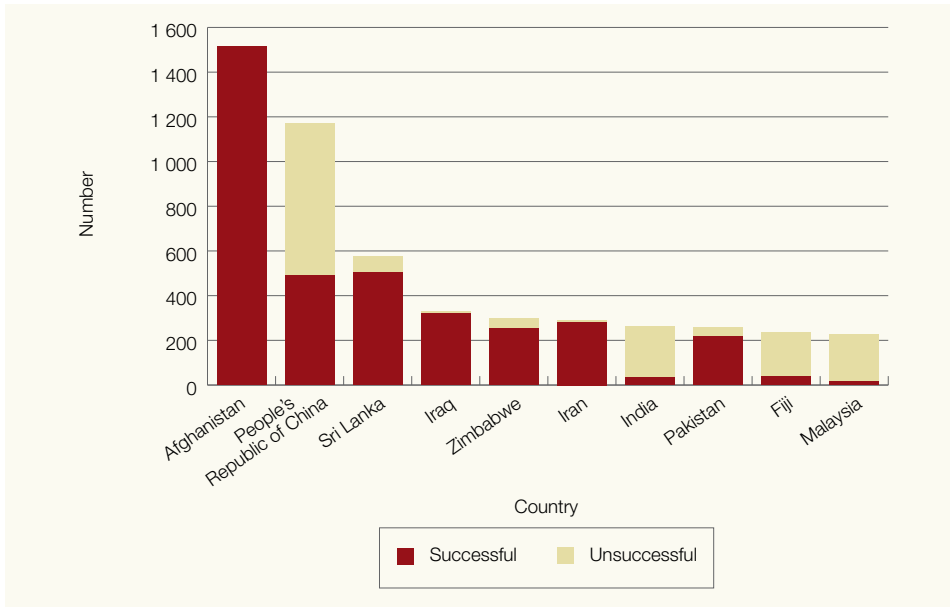


Table 44: Protection visa grants and resolution of status visa grants for 2009–10, 2008–09 and 2007–08

Grant type	2007–08 ^r	2008–09 ^r	2009–10
Grants—initial ¹	1 932	2 382	4 515
Grants—other ²	502	49	0
Resolution of status grants (to former temporary protection visa and temporary humanitarian visa holders and their families)	0	835	182
Total protection visa and resolution of status visa grants	2 434	3 266	4 697

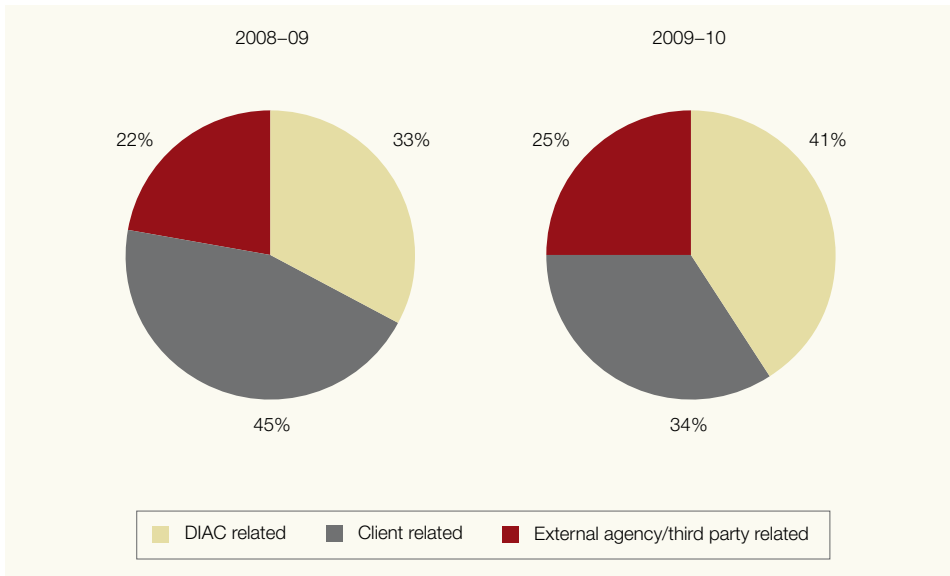
1. Grants—initial refers to protection visas granted for the first time and excludes visas counted under grants—other.
2. Includes protection visas granted to former temporary protection visa and temporary humanitarian visa holders and protection visa grants from the ministerial intervention process.
- r. These figures were revised as at 2 July 2010 to include the latest information, including changes arising from late reporting and data cleansing. The figures therefore may differ from statistics previously published.

Processing times

Processing protection visas in a timely manner is a priority for the department. In 2009–10, 71.8 per cent of initial decisions and decisions after remittal by the courts or tribunals, were made within 90 days in compliance with relevant processing standards compared to 77 per cent in 2008–09. Figure 19 shows the reasons for delays beyond 90 days in 2008–09 and 2009–10.

The median number of days taken to decide primary cases during 2009–10 was 77 days compared to 81 days in 2008–09.

Figure 19: Reasons for delays beyond 90 days in 2008–09 and 2009–10



In 2009–10, 41 per cent of protection visa decisions that took more than 90 days were DIAC-related delays due to reasons such as complexity of certain cases that required additional investigation and resource related issues.

In accordance with section 91Y of the Migration Act, monitoring of performance and reporting on processing within 90 days relates to protection visa decision making only. A similar provision does not exist for Refugee Status Assessments of people who arrive at an excised offshore place.

Ministerial intervention

The minister has a set of powers under the Migration Act which allows the grant of a visa, if it is in the public interest, to certain people who have been found by a review tribunal not to satisfy the criteria for a visa. These powers are called 'public interest powers' or more commonly, ministerial intervention.

Table 45: Ministerial intervention under section 417 of the Migration Act

Activity	2007–08 ^r	2008–09 ^r	2009–10
Requests received	3 529	2 849	2 446
Requests finalised	3 489	2 709	3 037
Requests finalised by the minister	2 110	1 790	1 937
Visas granted	754	610	558

r. These figures were revised as at 2 July 2010 to include the latest information, including changes arising from late reporting and data cleansing. The figures therefore may differ from statistics previously published.

Table 46: Number of ministerial intervention requests by top 10 countries of citizenship in 2009–10 compared to 2007–08 and 2008–09

Country of citizenship	2007–08 ^r	2008–09 ^r	2009–10
1. People's Republic of China	765	664	569
2. India	366	373	289
3. Indonesia	219	234	176
4. Malaysia	83	131	171
5. Fiji	240	158	137
6. Republic of Korea	180	130	131
7. Sri Lanka	221	114	124
8. Bangladesh	272	176	122
9. Lebanon	193	107	117
10. Pakistan	114	97	62
Other	876	665	548
Total	3 529	2 849	2 446

r. These figures were revised as at 2 July 2010 to include the latest information, including changes arising from late reporting and data cleansing. The figures therefore may differ from statistics previously published.

Table 47: Number of ministerial intervention visa grants by top 10 countries of citizenship in 2009–10 compared to 2007–08 and 2008–09

Country of citizenship	2007–08 ^r	2008–09 ^r	2009–10
1. Indonesia	90	94	78
2. People's Republic of China	47	34	64
3. Bangladesh	22	33	56
4. Sri Lanka	72	46	40
5. Fiji	68	89	36
6. Lebanon	33	28	26
7. Republic of Korea	52	32	21
8. Pakistan	13	15	20
9. Philippines	40	24	18
10. Tonga	47	16	17
10. Turkey	4	2	17
Other	266	197	165
Total	754	610	558

r. These figures were revised as at 2 July 2010 to include the latest information, including changes arising from late reporting and data cleansing. The figures therefore may differ from statistics previously published.

Table 48: Ministerial intervention visas granted by visa subclass for 2009–10, 2008–09 and 2007–08

Visa subclass	2007–08 ^r	2008–09 ^r	2009–10
Former Resident (subclass 151) visa	3	49	336
Tourist (subclass 676) visa	115	73	78
Employer Nomination Scheme (subclass 856) visa	103	82	33
Five Year Resident Return (subclass 155) visa	14	135	24
Carer (subclass 836) visa	37	5	23
Aged Dependent Relative (subclass 838) visa	30	45	16
Spouse (subclass 801) visa	5	19	15
Global Special Humanitarian (subclass 202) visa	216	49	14
Remaining Relative (subclass 835) visa	150	121	9

Table 48: Ministerial intervention visas granted by visa subclass for 2009–10, 2008–09 and 2007–08 *continued*

Visa subclass	2007–08 ^r	2008–09 ^r	2009–10
Business (Long Stay) (subclass 457) visa	4	2	3
Established Business in Australia (subclass 845) visa	5	0	2
Skilled–Graduate (subclass 485) visa	0	0	1
Skilled–Independent Regional (Provisional) (subclass 495) visa	0	0	1
Higher Education Sector (subclass 573) visa	0	0	1
Spouse (Extended Eligibility) (subclass 820) visa	18	14	1
Regional Sponsored Migration Scheme (subclass 857) visa	2	0	1
Skilled—Independent (subclass 136) visa	1	3	0
Woman at Risk (subclass 204) visa	1	1	0
New Zealand Citizen Family Relationship (Temporary) (subclass 461) visa	1	0	0
Vocational Education and Training Sector (subclass 572) visa	1	0	0
Medical Treatment (Long Stay) (subclass 685) visa	1	2	0
Temporary (Humanitarian Concern) (subclass 786) visa	0	1	0
Child (Residence) (subclass 802) visa	1	3	0
Aged Parent (subclass 804) visa	4	1	0
Distinguished Talent (subclass 858) visa	4	1	0
Contributory Aged Parent (subclass 864) visa	31	1	0
Protection (subclass 866) visa	5	2	0
Skilled—Independent Overseas Student (subclass 880) visa	2	1	0
Total	754	610	558

r. These figures were revised as at 2 July 2010 to include the latest information, including changes arising from late reporting and data cleansing. The figures therefore may differ from statistics previously published.

Non-statutory Refugee Status Assessment

The Refugee Status Assessment (RSA) process was introduced on 29 July 2008 to assess protection claims from asylum seekers who arrive at an excised offshore place. These arrangements include provision of publicly funded independent advice and assistance, independent merits review of unfavourable assessments, procedural guidance for RSA officers and external scrutiny of the process by the Commonwealth Ombudsman.

During 2009–10¹:

- 3966 Refugee Status Assessments were initiated and 2914 completed. Of those completed:
 - 2126 were assessed to be refugees
 - 788 were found not to be refugees.

All irregular maritime arrivals who receive a primary negative RSA outcome are able to seek an Independent Merits Review of their outcome. Review policy for RSA is structured to reflect the rights and entitlements that exist in the onshore statutory framework.

During 2009–10¹:

- 572 requests for independent merits review were received and 184 completed. Of those completed:
 - 81 were found to be refugees
 - 103 were found not to be refugees.

1. Provisional data only.

International engagement

Through capacity building with selected countries and support for regional forums, the department provides assistance for many projects and initiatives to develop practical solutions to strengthen border management in our region and internationally. These initiatives also advance Australia's interests in relation to migration and refugee issues.

In 2009–10, Australia made a number of significant contributions to strengthening the international protection framework through cooperation with international partner agencies. These activities included the following:

- The Displaced Persons Program provided support to the United Nations High Commissioner for Refugees (UNHCR), the International Organization for Migration (IOM) and other international organisations and non-government organisations, to assist in stabilising displaced populations, prevent vulnerable populations from being targeted by people smugglers and traffickers, and prevent and deter irregular migration, both within the region and to Australia.
- The Enhancement of Protection Program delivered protection enhancement assistance to high priority countries in the region. This included building capacity to identify irregular migrants, make decisions on refugee protection and establish processes to refer migrants for reintegration or return solutions. A key activity funded under this program in 2009–10 was working with the Papua New Guinea Immigration and Citizenship Service to determine their capacity to process refugee applications. This activity was undertaken with a view to developing procedures which will enable them to meet their international obligations independently.
- Also under the Enhancement of Protection Program, funding was provided for officers from six countries (Cambodia, East Timor, Indonesia, Malaysia, Papua New Guinea and the Philippines) in the region to participate in an International Association of Refugee Law Judges conference held in Sydney. The conference gave the participants the opportunity to understand how other countries and the UNHCR approach refugee status determinations.
- The development of a regional protection framework to better manage irregular migration in the Asia–Pacific region is an initiative Australia has been promoting in a range of forums throughout 2009–10. The framework involves developing a comprehensive approach to the management of irregular migration through cooperation with countries of transit, destination and origin as well as relevant United Nations agencies and international organisations.
- At the UNHCR's Executive Committee meeting in September/October 2009, United Nations High Commissioner for Refugees Mr António Guterres recalled his visit to Australia in February 2009 and noted how—in his view—Australia sets the benchmark for civil society engagement on protection issues. Mr Guterres also expressed his appreciation for Australia's contribution towards resettlement and immigration detention reforms.

The department continued its multilateral engagement on international protection and refugee issues and managed migration, including:

- participating in negotiations for a Conclusion on Protracted Refugee Situations which was adopted at an extraordinary meeting of the UNHCR's Executive Committee in November 2009
- hosting the 13th annual meeting of the Pacific Immigration Directors' Conference with delegates from 20 Pacific member immigration agencies—the highest attendance yet. Observers from international and regional partner organisations also attended the conference, contributing to strengthening immigration agencies in the region
- with the IOM, implementing a program of Capacity Building of Migration Management in Iraq—Phase III. Under this project, border management assessments were undertaken, an immigration training centre established in northern Iraq and equipment and training was provided.

Key bilateral activities in 2009–10 which strengthened relationships, enhanced managed migration strategies and developed capacity-building initiatives included:

- hosting the third annual Australia–New Zealand Immigration Forum, which provided an opportunity to discuss immigration issues of mutual interest and to explore ways in which to facilitate cooperation on immigration and border control
- hosting the inaugural Australia–Papua New Guinea Immigration Forum, consolidating the bilateral relationship at a senior level
- hosting the second annual India–Australia Joint Working Group on Visas, Passports and Consular Matters, providing an opportunity to discuss immigration issues of mutual interest and to strengthen cooperation on sharing information relating to border management
- participating in the 14th and 15th Australia–Indonesia Working Groups on Immigration and establishing a technical working group between the department and the Indonesian Directorate-General of Immigration in order to advance cooperation on irregular migration and people smuggling issues
- hosting visits by the Commander of the Border Guards from the Vietnamese Ministry of Defence, and by East Timor's Director of Immigration
- hosting the Malaysia–Australia Whole-of-Government Meeting on People Smuggling and Human Trafficking in Sydney.

Administered item—Allowances for persons granted visas in the Humanitarian Program

Objective

This item provides for a one-off cash payment to cover the living expenses of holders of humanitarian visas after their release from immigration detention or their arrival in Australia until their first Centrelink income-support payment is made.

Performance

There was no expenditure against this administered item in 2009–10 as there were no eligible visa grants.

Administered item–Immigration Advice and Application Assistance Scheme–onshore protection

Objective

- To provide funding to selected migration agents to help all onshore asylum seekers in immigration detention and disadvantaged protection and other visa applicants in the community with professionally qualified application assistance, including accompanying them at visa interviews and providing interpreters.
- To provide funding for more frequent or larger community information sessions and brief face-to-face or telephone advice.

Description

Under the Immigration Advice and Application Assistance Scheme (IAAAS), selected migration agents are funded to help all onshore asylum seekers in immigration detention as well as disadvantaged protection and other visa applicants in the community. This includes the use of qualified professionals such as interpreters to assist with applications, accompany applicants at visa interviews and explain decisions and next steps to applicants.

Funding in the IAAAS onshore context is also provided for community information sessions, brief face-to-face sessions or telephone advice. There are 23 providers across Australia from commercial practices, legal aid agencies and non-government community bodies providing these services to people in immigration detention and in the community.

Performance

IAAAS funding became an administered item in 2009–10, including an increase to the funding base for services by \$0.641 million, resulting in a total program allocation of \$2.954 million. This included an amount of \$0.104 million for intensive immigration assistance and advice to eligible vulnerable clients with complex needs being case-managed to resolution in the community.

In 2009–10, there were 9900 services provided to people under the IAAAS at a cost of \$3.035 million, compared to 7021 services at a cost of \$2.318 million in 2008–09. This represents a 41 per cent increase in services and a 31 per cent increase in costs compared to 2008–09.

Table 49: Immigration Advice and Application Assistance Scheme activity

Deliverables 2009–10	
Measure	Result
Application assistance to people in immigration detention and eligible clients in the community estimated at 1900	1 144 (people)
General immigration advice	8 756 (services)

Administered item—Initiatives to address the situation of displaced persons and promote sustainable returns

Objectives

The department concentrates its efforts on assisting displaced populations in protracted situations (especially those within our region) and on urgently responding to the humanitarian needs of those displaced by conflict.

Support is provided to the United Nations High Commissioner for Refugees (UNHCR), the International Organization for Migration (IOM), and other international organisations and non-government organisations, with protection expertise overseas.

Description

The program is administered by the department in consultation with the Australian Agency for International Development (AusAID). Australia has concentrated its efforts on developing and implementing durable solutions for displaced people, providing urgent humanitarian relief to stabilise populations displaced by conflict and strengthening the protection afforded to displaced populations. These activities assist in stabilising displaced populations, preventing vulnerable populations from being targeted by people smugglers and traffickers, and preventing and deterring irregular migration, both within the region and to Australia.

Performance

In 2009–10, Australia's contributions supported the development and implementation of durable solutions for displaced populations, as well as provided urgent humanitarian relief.

Funding priorities for 2009–10 were displaced Afghans, Iraqis, Rohingya and Sri Lankans in source, host and transit countries. The funding supported projects to allow displaced people to return home with dignity and allow people to remain in their countries of displacement pending a long-term durable solution. This was achieved through the provision of basic livelihood services in areas such as health, accommodation and education.

Support was provided to the UNHCR, the IOM, CARE Australia, and the Centre for Refugee Research at the University of New South Wales as follows:

In Western Asia (Jordan):

- \$320 000 for the Centre for Refugee Research, University of New South Wales to implement a community-based response in Jordan to protect vulnerable displaced Iraqi women and girls
- \$469 947 for CARE Australia to provide community assistance to vulnerable Iraqi clients in Jordan.

In South Asia (Afghanistan, Bangladesh, Iran, Pakistan and Sri Lanka):

- \$772 594 for the UNHCR to help about 350 Afghan families to construct shelters in safe areas of Afghanistan
- \$543 000 for the UNHCR to provide health, education, water and community services to Afghan refugees in Pakistan
- \$543 000 for the UNHCR to provide essential medical assistance and improve the health of Afghan and Iraqi refugees in Iran

- \$546 570 for CARE Australia to assist with the social and economic reintegration of recent Sri Lankan returnees from Australia and potential irregular migrants in northern Sri Lanka
- \$906 810 for the IOM to facilitate the suitable return and reintegration of Sri Lankans from Christmas Island and elsewhere through the provision of post-arrival support and livelihood assistance
- \$477 498 for the UNHCR to improve the basic living conditions and health of Rohingya in refugee camps in Bangladesh.

In South East Asia (Indonesia, Malaysia and Thailand):

- \$1 239 586 for the UNHCR to improve asylum seeker processing in Indonesia and reduce potential for exploitation by people smugglers
- \$300 000 to enable the UNHCR to register and assist up to 25 000 refugees in Malaysia
- \$372 500 for the IOM to improve the basic living conditions and health of Rohingya in refugee camps in Thailand.

Table 50: Initiatives to address the situation of displaced people and promote sustainable returns

Deliverables 2009–10		
Measure	Planned	Result
Australia's contributions are made throughout the financial year and support the development and implementation of durable solutions for displaced populations as well as urgent humanitarian relief	\$6.483 million	Australia's contributions in 2009–10 were disbursed on 11 different projects worth about \$6.5 million

Administered item–International Organization for Migration–contribution

Objective

Australia contributes to the administrative costs of the International Organization for Migration (IOM), an international organisation based in Geneva that is committed to the principle that humane and orderly migration benefits migrants and society. As an inter-governmental body, the IOM acts with its partners in the international community to assist in meeting the operational challenges of migration, advancing understanding of migration issues, encouraging social and economic development through migration and upholding the human dignity and wellbeing of migrants.

Description

This item supports the achievement of Australian policy objectives to promote well-managed migration, including managed humanitarian settlement and the reduction of irregular migration.

Performance

In 2009–10, Australia contributed \$841 232 towards the administrative costs of the IOM. Australia's contribution enabled the department to participate in the governance of the IOM and ensure that IOM's work reflects Australia's interests.

In the 2009 calendar year, Australia provided additional funding of US\$43.8 million in earmarked voluntary contributions towards domestic, regional and global projects with the IOM.

In 2009–10, the IOM continued to expand its global operations reflecting the increased international focus on the opportunities and challenges presented by migration. The IOM remains well-positioned to provide governments with expert policy advice and access to research to inform the development of migration policies.

Australia uses the IOM policy and governance dialogues to encourage the IOM and its members to seek practical solutions to migration issues, including in the Asia-Pacific region. The IOM's policy dialogue during 2009–10 encouraged greater international cooperation and better implementation of managed migration approaches by governments. Topics discussed included human trafficking and the link between transnationalism (the situation where people have ties with more than one society) and migration.

Table 51: International Organization for Migration–contribution

Deliverables 2009–10	
Measure	Result
Australia's annual funding contribution of \$762 000 is provided on time (estimated cost dependent on the contribution rates as determined by the organisations in question for participating countries and exchange rate calculations)	Australia's contribution of \$841 232 was paid in full and on time ¹
Australia's contribution to the administrative costs of the IOM enables the department to participate in the governance of the IOM and ensure that the IOM's work continues to reflect Australia's interests, in particular a state-driven approach to managing migration	Australia's participation and interests were maintained

1. Market fluctuations in the exchange rate accounted for the increase in the final amount paid.

Administered item–Payments to the Australian Red Cross Society for the Asylum Seeker Assistance Scheme

Objective

Consistent with Australia's international obligations under the Refugees Convention, this item provides subsistence support for asylum seekers who are in financial hardship and who meet the criteria for support. The Asylum Seeker Assistance Scheme provides income support to cover food, shelter and basic health care. Income support is capped at 89 per cent of the Centrelink Special Benefit payable to an equivalent Australian family.

Description

The Australian Red Cross Society has administered the Asylum Seeker Assistance Scheme under agreements with the Australian Government since 4 January 1993. The scheme provides limited income support, health care and other services to vulnerable protection visa applicants in the community who meet the eligibility criteria for support. Eligibility for the scheme includes both primary and review protection visa applicants in financial hardship who cannot meet their basic needs and who have no continuing and adequate support. The criteria ensure that the elderly, minors, young families, the ill (including those suffering after torture or trauma) and those who care for these groups can be assisted without delay.

Eligibility for the Asylum Seeker Assistance Scheme is activated when a decision is not made on a protection visa application within six months or where the client meets exemption criteria which allows immediate access to the scheme. Assistance at the review stage is also available where these clients meet the criteria.

The scheme also provides assistance to protection visa applicants to meet the costs of required visa health checks if they are ineligible for ongoing income support but are in financial hardship.

Performance

During 2009–10, assistance was provided to 2802 people at a cost of \$9.058 million.

Table 52: Payments to the Australian Red Cross Society for the Asylum Seeker Assistance Scheme

Deliverables 2009–10		
Measure	Planned	Result
Number of people assisted	2 500	2 802

Administered item–Refugee and humanitarian passage, associated costs and related services

Objective

Through the International Organization for Migration (IOM), this item provides for health screening, assisted passage and related costs of people approved for entry to Australia under the refugee component of the offshore Humanitarian Program. The assistance provided under this contract covers the full costs of medical examinations and airfares for eligible entrants.

Description

In November 2007, the department entered into a three-year Deed of Reimbursement with the IOM for the assisted passage of people approved for entry to Australia under the refugee component of the offshore Humanitarian Program.

Performance

In 2009–10, \$11.310 million was allocated under this program. There were 6194 refugee entrants assisted with travel and the overall expenditure on travel and associated services was \$11.708 million. A total of 6003 applicants were medically screened and 5433 pre-departure medical checks performed in 2009–10 at a total cost of \$4.277 million.

Table 53: Refugee and humanitarian passage, associated costs and related services

Deliverables 2009–10		
Measure	Planned	Result
Number of refugees moved to Australia	6 000	6 194
Number of refugee applicants medically screened for entry to Australia	12 000	11 436

Administered item–Secretariat for Intergovernmental Consultations on Migration, Asylum and Refugees–membership contribution

Objective

Australia contributes toward the administrative costs of the Intergovernmental Consultations on Migration, Asylum and Refugees (IGC), which is an informal, non-decision making forum for information exchange and policy debate on issues relevant to the management of international migratory flows. It provides an avenue for participating governments to benchmark national policies and to influence international standards and policies on a range of migration, asylum and refugee issues.

Description

The IGC operates independently of the United Nations and is one of the few multilateral consultation mechanisms through which Australia can regularly and directly engage with many Western European states on domestic migration, border control and asylum issues. The perspectives developed through participation in the IGC help to inform the department's regional and bilateral engagements as well as other multilateral engagements.

Performance

In 2009–10, Australia contributed to and maintained membership of the IGC through an annual financial contribution of CHF110 000 (Swiss francs) or AU\$123 540.

In consideration of the IGC secretariat's maintenance of a financial surplus, IGC members at the 2010 Heads of Delegation meeting agreed to maintain annual contributions of CHF110 000. The contribution rate is subsidised by the surplus and offers stability in IGC contribution levels until 2017.

In 2009–10, the IGC continued to perform strongly by providing participating states with an informal framework for sharing information and developing perspectives on current migration and asylum issues taking into account the interests of individual participating states.

IGC activities are informal, flexible and structured around three groups of issues:

- Admission, control, and enforcement.
- Asylum and refugees.
- Immigration and integration.

They also cover two cross-cutting activities:

- Technology.
- Country of origin information.

Finland chaired the IGC Full Round meeting in Helsinki in May 2010. Participating states discussed future challenges in migration, asylum and refugee protection. They also discussed the different approaches to citizenship and the interactions between citizenship and the immigration/integration processes.

Table 54: Secretariat for Intergovernmental Consultations on Migration, Asylum and Refugees—membership contribution

Deliverables 2009–10		
Measure	Planned	Result
Australia contributes to and maintains membership of the IGC	\$134 000 (estimated costs dependent on the contribution rates as determined by the organisations in question for participating countries and exchange rate calculations)	\$123 540 paid in full and on time ¹

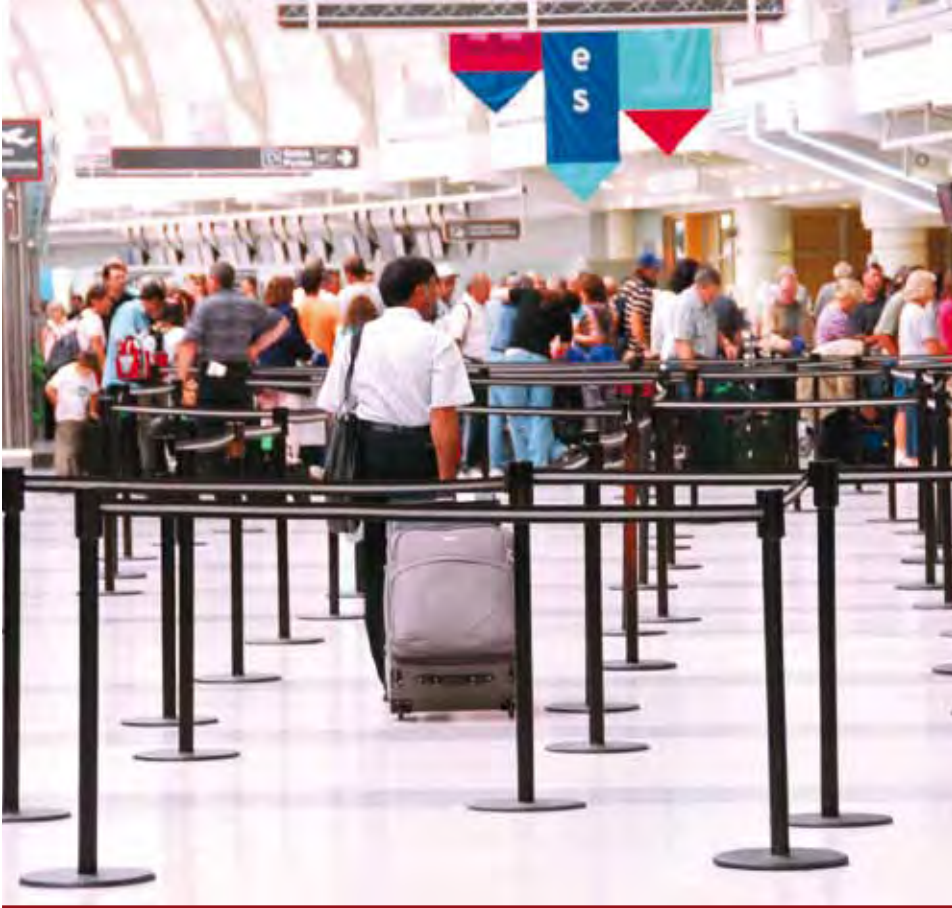
1. Market fluctuations in the exchange rate accounted for the decrease in the final amount paid.

Table 55: Outcome 2 Financial resources summary 2009–10

Protection, resettlement and temporary safe haven for refugees and people in humanitarian need through partnering with international agencies; assessing humanitarian visa applications; and refugee and humanitarian policy advice and program design.

	Budget ² 2009–10 \$'000	Actual expenses 2009–10 \$'000	Variation 2009–10 \$'000	Budget estimate 2010-11 \$'000
Program 2.1: Refugee and humanitarian assistance				
Administered expenses				
Ordinary annual services (Appropriation Bill 1)	31 349	31 063	(286)	33 188
Departmental expenses				
Ordinary annual services (Appropriation Bill 1) and revenues from independent sources (section 31)	85 864	82 309	(3 555)	80 127
Expenses not requiring appropriations in the Budget year ¹	-	-	-	6 374
Total for Program 2.1	117 213	113 372	(3 841)	119 689
Total expenses for Outcome 2	117 213	113 372	(3 841)	119 689
Average staffing level (number)	485	474	(11)	480

1. Expenses not requiring appropriations in the Budget year are expenses relating to depreciation, for which the department is no longer funded due to Operation Sunlight.
2. Full year budget, including any subsequent adjustment made to the 2009–10 Budget.



Outcome 3

Lawful entry of people to Australia through border management services involving bona fide traveller facilitation; identity management; document verification; intelligence analysis; partnerships with international and domestic agencies; and border policy advice and program design.

The program managed under Outcome 3 is:

Program 3.1 Border management

During 2009–10, Program 3.1 was managed firstly by the Border Security Division and later by the newly created Border Security, Refugee and International Policy Division following the department's restructure as part of the business transformation program. This section reports on the deliverables and key performance indicators for Program 3.1 as published in the department's *Portfolio Budget Statements 2009–10* and *Portfolio Additional Estimates Statements 2009–10*.

Strategy

- Maintain and where appropriate develop new entry policies and procedures which facilitate the orderly arrival and departure of travellers.
- Prevent and deter unauthorised and irregular entry to Australia by working closely with overseas governments, international organisations, airlines and shipping companies and other agencies through the use of information, intelligence and technology.
- Protect the integrity of the border by closely working with other border agencies to maintain and improve effective screening.
- Enhance the department's ability to detect and minimise identity and document fraud.
- Enhance the department's ability to provide identity information through the further development of biometric technology and tools.
- Contribute to whole-of-government initiatives on identity fraud and organised crime.
- Support law enforcement and security agencies in preventing the entry of people who are a direct or indirect threat to the Australian community and to national security and contribute to Australian Government efforts to counter terrorism.
- Maintain a capacity to coordinate and contribute to engagement in whole-of-government responses to offshore emergencies.

Major achievements for 2009–10

In 2009–10, the department facilitated the arrival and departure of 28.8 million passengers and crew compared to 26.1 million in 2008–09. This represents an increase of 10.3 per cent.

During the year, 1640 people were refused immigration clearance at Australia's airports and seaports, compared to 1513 in 2008–09, an increase of 8.4 per cent.

Since 1999, Australia's Advance Passenger Processing (APP) system has enabled the department to have advance notice of people arriving by air and provides assurance to airlines that travellers have authority to travel to and enter Australia. Since the introduction of the regime, reporting of APP has increased from an average of 97.8 per cent in 2004–05 to more than 99.9 per cent in 2009–10.

Challenges

During early 2010, an urgent whole-of-government review was undertaken of the attempted bombing of Northwest Airlines flight NW253 from Amsterdam to Detroit on Christmas Day 2009. The report assessed Australia's capacity to identify and respond to a threat to aviation security.

As a result of this report, a whole-of-government response was developed that focused on improvements to pre-flight security screening, border security arrangements, intelligence and information-sharing.

The department was actively engaged in this review and worked closely with the Australian Customs and Border Protection Service to identify current vulnerabilities and proposed enhancements to the layered approach to border security. The government has since endorsed a number of the recommended measures, several of which are being led by the department including:

- the Next Generation Border Security and Biometrics for Visa and Border Processing measures
- a review of the legislative powers needed to prevent the travel of people who are a threat to aviation security
- more coordinated management of alert lists across government.

The department will also continue its engagement with other agencies to enhance the capability of the Security Referral Service to cater for checking of visa applicants whose presence in Australia is, or would be, contrary to Australia's foreign policy interests or who may be directly or indirectly associated with the proliferation of weapons of mass destruction.

Program 3.1 Border management

Program 3.1 consists of two departmental items:

- Borders
- Identity.

There is one administered item under this program:

- Combating people smuggling.

Objective

Effectively facilitate entry of genuine travellers to Australia while preventing entry of those likely to threaten the national interest, as achieved through a whole-of-government, layered approach to border management.

Border management — deliverables

Deliverable: The entry to Australia of genuine travellers is facilitated.

Result: In 2009–10, there were 28.8 million passenger and crew arrivals and departures. Entry facilitation is delivered at the primary line by the Australian Customs and Border Protection Service (Customs and Border Protection) under a memorandum of understanding between that agency and the department.

In accordance with service standards, Customs and Border Protection aims to attend to 95 per cent of clients within 30 minutes of joining the passport-processing queue at an Australian airport. In 2009–10 an average of 98 per cent of all passengers were cleared within 30 minutes.

The department continues to work closely with Customs and Border Protection to automate border processing to facilitate entry by travellers using eligible ePassports through the SmartGate system—an automated process for facilitating clearance of Australian and New Zealand citizens on arrival.

The department's Entry Operations Centre provided assistance to more than 255 000 travellers in 2009–10. The centre operates on a 24/7 basis to facilitate the boarding of genuine travellers on aircraft to Australia.

Border management — deliverables *continued*

Deliverable: A high level of border integrity is maintained including work to prevent the entry of those likely to threaten the national interest.

Result: During 2009–10, 1640 people were refused immigration clearance at Australia's airports and seaports— 1573 at airports and 67 at seaports. About 55 per cent of these people had their visas cancelled on grounds that they were not genuine visitors to Australia and did not intend to comply with the conditions of their visa. The balance were people who failed to meet the character requirement for entry to Australia and people found with inappropriate documentation with the aim of illegally entering Australia.

The airline liaison officer (ALO) network, Onshore Intelligence Network and the Tactical Support Unit were involved in 169 interdictions of improperly documented passengers attempting to travel to Australia in 2009–10. During the same period, there were 85 improperly documented arrivals from ALO ports.

During 2009–10, the Border Operations Centre resolved 3.5 million potential matches for clients against identities of concern contained within the Movement Alert List (MAL). All potential matches were resolved within the Service Level Agreement with the Client Service Delivery Network. All visa and citizenship applicants are pre-grant checked against the MAL on application and at other milestones in their engagement journey with the department.

At 30 June 2010, there were 660 000 identities of concern and 1.75 million lost, stolen or fraudulently altered travel documents of interest contained in the MAL.

Deliverable: A high level of confidence in the accurate identification of people entering and departing Australia.

Result: To help departmental staff detect and prevent identity fraud in the region by impostors using genuine travel documents and by other international travellers using fraudulent travel documents, the department has developed and deploys forensic document examination and specialist facial comparison tools and services. These complement other capabilities, tools and systems which help detect and prevent identity fraud in Australia's visa and citizenship programs.

Deliverable: Contribution to the whole-of-government efforts to combat people smuggling.

Result: The department contributes to the whole-of-government effort to combat people smuggling in a number of ways. To enable greater engagement with government and non-government agencies in countries in the region, the department has deployed additional resources to posts in Indonesia, Malaysia, Vietnam, Sri Lanka and the United Arab Emirates.

In addition, source and transit countries have been assisted through a capacity building program to detect and prevent irregular people movements and people smuggling. Regular engagement with regional partners through multilateral forums such as the Bali Process on People Smuggling, Human Trafficking and Related Transnational Crime is a key strategy to achieving this outcome.

Border management—deliverables *continued*

Deliverable: Continued increase in the use of biometrics and identity management services.

Result: Building on the department's existing biometric and identity management services, biometric data sharing between Five Country Conference (FCC) members comprising Australia, the United Kingdom, the United States of America, Canada and New Zealand commenced in October 2009.

Under these arrangements, the department can refer fingerprints of up to 3000 clients a year for checking by other FCC member countries. Slightly less than 3 per cent of the department's referrals, which are mainly from the irregular maritime arrival caseload and other people in immigration detention, have matched with the records of one or more other FCC members. In some instances the data-matching has corroborated clients' claimed identity whereas in many cases undisclosed identity information, nationality, immigration history and/or criminal history has been revealed.

The department commenced the collection of biometrics (fingerprints and facial images) from consenting onshore protection visa applicants at Sydney and Melbourne offices in December 2009. Work to expand this program in 2010–11 is under way.

Border management—key performance indicators

Indicator: The percentage of people refused immigration clearance at airports and seaports as a proportion of total passenger and crew arrivals.

Result: During the year, 1640 people were refused immigration clearance at Australia's airports and seaports; 1573 at airports and 67 at seaports. This represents 0.012 per cent of all passenger and crew arrivals, compared to the 2009–10 target of 0.015 per cent.

Table 56: Border management—performance information

Key performance indicator	2007–08 actual	2008–09 actual	2009–10 target	2009–10 actual
The percentage of people refused immigration clearance at airports and seaports, as a proportion of total passenger and crew arrivals	0.011%	0.011%	<0.015%	0.012%

Departmental item—Borders

Through this program, the department aims to ensure that it has arrangements in place to facilitate the movement of legitimate travellers with a minimum of interference, maintaining border integrity and, at the same time, identifying those people who travel with the intent of damaging Australia's national interests. The various components of the program detailed below demonstrate that the department continues to achieve this objective.

Performance

In 2009–10, the total figure of 28.8 million passenger and crew arrivals and departures represented an increase of 10.3 per cent on the 2008–09 figure of 26.1 million.

The figure comprised 25.85 million air passengers, 2.06 million air crew, 0.13 million sea passengers and 0.80 million sea crew, compared to the 2008–09 figures of 23.84 million air passengers, 1.33 million air crew, 0.12 million sea passengers and 0.78 million sea crew.

There were 53 865 traditional inhabitant movements recorded in the Torres Strait Protected Zone, and 4417 ineligible people were refused entry. Papua New Guinea nationals accounted for 98 per cent and Torres Strait Islanders 2 per cent of these movements.

During the year, 1640 people were refused immigration clearance at Australia's airports and seaports, compared to 1513 in 2008–09, an increase of 8.4 per cent. Table 57 provides details of total immigration clearances and refusals for 2009–10 and the previous two years.

Table 57: Arrivals and departures

	2007–08	2008–09	2009–10
Number of passenger and crew arrivals and departures processed within the integrity framework	25.7 million	26.1 million	28.8 million
Number of people refused immigration clearance at airports	1 189	1 284	1 573
Number of people refused immigration clearance at seaports	424	229	67

Advance Passenger Processing

Advance Passenger Processing (APP) is a pre-arrival reporting system used by international passenger airlines and cruise ships to provide Australia's border agencies with advance notice of people travelling to Australia.

Airlines and cruise ships are required to provide details of all passengers and crew to Australia's immigration and customs authorities ahead of their arrival in Australia. This enables the agencies to undertake necessary checks on people before they arrive and facilitates clearance of genuine travellers on arrival.

The APP system also enables airlines and cruise ships to confirm—as part of their check-in process—that people have a valid authority to travel to Australia.

Advance Passenger Processing for airlines

At 30 June 2010, there were 46 passenger airlines flying into Australia subject to mandatory APP requirements for both passengers and crew. In 2009–10, overall airline compliance with APP reporting requirements stood at 99.92 per cent, an increase from 99.86 per cent in 2008–09 and 99.8 per cent in 2007–08.

On 1 July 2009, the government implemented the APP Infringement Regime to encourage the highest possible level of APP reporting compliance by airlines. The regime rewards high levels of reporting compliance and has a threshold rate of 99.8 per cent. Airlines that reach or exceed the threshold rate for the preceding month will not be issued with infringement notices for reporting offences committed the following month.

Since the introduction of the APP Infringement Regime, 20 airlines have failed to meet the required threshold rate of 99.8 per cent and were thus liable for infringements. Of those airlines, six were below the threshold for only one month.

Advance Passenger Processing for cruise ships

Since 2004, international cruise ships have used the APP system to check-in more than 310 000 passengers and 168 000 crew. This represents more than 99.5 per cent of cruise ship arrivals with only minor administrative errors affecting 100 per cent compliance. During 2009–10, more than 70 000 passengers and 35 000 crew were APP reported as arrivals by cruise ships.

Airline liaison officer network

Airline liaison officers (ALOs) conduct document screening of many Australia-bound passengers at key international gateways. They provide advice to airlines and host governments on passenger documentation issues and, by their visible presence, deter the activities of those involved in people smuggling.

The ALO program is run flexibly, adapting to emerging issues as required. Currently, the ALO program has 20 officers placed at 12 overseas airports with tactical real time operational support from the department's Tactical Support Unit to identify improperly documented passengers attempting travel to Australia.

The ALO program has a bank of officers able to undertake ALO missions at short notice in response to emerging people smuggling trends or as part of crisis response teams. ALOs are also supported by the department's onshore network of border intelligence officers located at most international airports and state and territory offices.

In 2009–10, the ALO network and the Tactical Support Unit were involved in 169 interdictions of improperly documented passengers attempting to travel to Australia, representing a 9 per cent increase from the 155 interdictions in 2008–09. During the same period there were 85 improperly documented arrivals from ALO ports, representing a 2.4 per cent increase from the 83 improperly documented arrivals in 2008–09. These statistics reflect the ongoing effectiveness of the ALO program in deterring and preventing irregular movement of people to Australia.

In cooperation with ALOs from other countries, Australian ALOs also helped interdict 149 people from travelling to a variety of countries other than Australia in 2009–10.

Airport clearances

The *Migration Act 1958* requires citizens and non-citizens to identify themselves to a clearance authority and provide certain information in order to enter Australia. This process is designed to regulate the entry of people to Australia and ensure that those who enter have authority to do so, that they are who they claim to be, and that they provide other information if required.

The Australian Customs and Border Protection Service (Customs and Border Protection) undertakes primary immigration clearance processing on behalf of the department at Australian airports. Any issues surrounding a person's ability to meet Australia's entry requirements must be referred to an immigration officer at the airport for resolution. Immigration officers at airports offer assistance to travellers to facilitate their processing and further investigate individual circumstances to ensure that each traveller's status is properly resolved and that an appropriate outcome is reached.

In 2009–10, 534 959 passengers were referred on arrival to departmental officers at airports. Passengers were referred for a range of reasons including data amendments, bona fides checks and travel document fraud. Of those referred to the department, the overwhelming majority were cleared to enter Australia with 0.37 per cent of non-citizens being refused immigration clearance.

Seaport clearances

There are 26 dedicated seaport officers from the department supporting Customs and Border Protection in the immigration clearance of vessels arriving at Australia's seaports. They are located in state and territory offices and regionally in Dampier and Port Hedland. Under an ongoing training program, the department has delivered immigration clearance training to Customs and Border Protection officers at most major and several smaller regional ports.

During 2009–10, departmental officers boarded 1911 vessels to examine crew and passenger documents and resolve case referrals identified by Customs and Border Protection as being of potential immigration concern. This was an increase of 4.9 per cent on 2008–09.

Refused immigration clearance

In 2009–10, 1573 people were refused immigration clearance at Australian airports. This represents an increase of 22.5 per cent over the 1284 people refused in 2008–09. The refused immigration clearance figure this year includes an increase in the number of working holiday visa holders who were refused clearance.

Working holiday visa holders who have completed specified work in an eligible regional Australian area for at least three months while on their first working holiday visa may be eligible for a second working holiday visa. There has been an enhanced focus across the department in 2009–10 on detecting and deterring fraud within the second working holiday visa caseload. This has included closer examination of the bona fides of second working holiday visa holders in immigration clearance.

In 2009–10, about 55 per cent of people refused immigration clearance had their visas cancelled due to a decision that they were not genuine visitors to Australia and did not intend to comply with the conditions of their visas. The rest included people who failed to meet the character requirement for entry to Australia and people found to have inappropriate documentation attempting to illegally enter Australia.

About 90 per cent of those refused immigration clearance at Australian airports departed Australia within 72 hours and—in most cases—on the next available flight.

In 2009–10, 67 people were refused immigration clearance at Australian seaports. This is a substantially lower figure than in the two previous years and reflects the increasing high acceptance of the maritime crew visa regime by the shipping industry.

Infringement notices for inadequate documentation

Under Australian law, international carriers entering Australia from overseas must comply with certain obligations in relation to their vessels and the people on board. It is the responsibility of the carrier to ensure that all passengers and crew are properly authorised to travel to Australia. Where a carrier brings an inappropriately documented person or an undocumented person to Australia, it may be liable, upon conviction, to a fine of \$10 000.

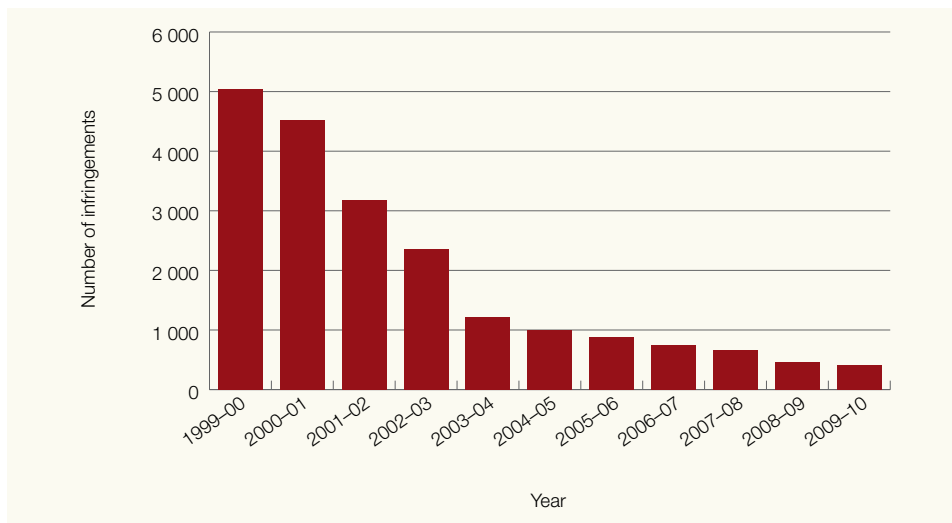
As an alternative to prosecution, the carrier may elect to pay a prescribed penalty of \$5000 for an offence (an infringement notice).

The effectiveness of Australia's border security initiatives is illustrated in the significant drop in the number of infringement notices served to airlines and ships in recent years. At the peak in 1999–00, more than 5000 infringement notices were issued to airlines.

In 2009–10, 407 infringement notices were issued to airlines, a decrease of more than 91.9 per cent since 1999–00. Figure 20 demonstrates the decline in infringement notices issued to airlines since 1999–00.

The number of infringement notices served on shipping vessels was 13 in 2009–10, compared to 14 in 2008–09. Since the introduction of the maritime crew visa in 2007, there has been improved compliance with visa requirements.

Figure 20: Infringement notices issued to airlines 1999–00 to 2009–10



SmartGate

The department continues to work closely with Customs and Border Protection to automate border processing. Changes to the *Migration Act 1958* in 2007 underpinned legislative arrangements to enable travellers using eligible ePassports to be processed by SmartGate—an automated process for verifying visas and identities.

SmartGate uses facial recognition technology to perform a 'face to passport' check to verify the ePassport holder's identity. The automated gate takes a photograph of the passport holder which is matched against the biometric facial image captured onto the chip of the ePassport.

SmartGate allows the processing of increasing traveller numbers at international airports within the same physical space.

SmartGate is currently in use in international airports in Adelaide, Brisbane, Cairns, the Gold Coast, Melbourne, Perth and Sydney. SmartGate also has kiosks at Auckland international airport for Australia-bound flights.

The initiative also allows New Zealand citizens who hold an ePassport to apply for, and be granted (where they satisfy the relevant criteria), a special category visa, and to be immigration cleared.

Torres Strait

Torres Strait Islanders living in the Torres Strait Protected Zone and traditional inhabitants from the Papua New Guinea Treaty villages may undertake traditional movements between Papua New Guinea (PNG) and Australia under the Torres Strait Treaty.

Traditional movements enable activities to be performed by the traditional Torres Strait inhabitants in accordance with local practices. These activities include: activities on land such as gardening, the collection of food and hunting; activities on water such as traditional fishing; religious and secular ceremonies or gatherings such as marriage ceremonies; and barter and market trade.

The department currently has 18 Movement Monitoring Officers (MMOs) located on the inhabited outer islands in the Torres Strait. Traditional movement of people entering or departing the Torres Strait Protected Zone is recorded by the MMOs who also ensure visitors comply with the permitted stay period set by the island manager or councillor. Traditional inhabitants obtain a visitor pass, approved and signed by the village council chairperson, prior to their departure from PNG and report to the MMO on arrival.

The number of traditional movements (that is, arrivals and departures of both PNG and Australian inhabitants for traditional purposes) across the Torres Strait in 2009–10 was about 53 900. The vast majority of these movements (98 per cent) were made by PNG nationals. This shows an 8.6 per cent decrease in movements from the 2008–09 period in which about 59 000 traditional movements were recorded.

There were 4417 cases of people refused immigration clearance into the Torres Strait. The majority of refusals were for visitors attempting to enter for non-traditional activities such as shopping and health treatment.

Deserters and stowaways

In 2009–10, there were 30 deserters from ships' crews from a total of more than 400 000 crew arrivals. There were also two stowaways reported to the department. This compares to 24 deserters and one stowaway in 2008–09 and 46 deserters and six stowaways in 2007–08.

Departmental item—Identity

In July 2009, the department's facial image comparison capability was substantially bolstered within the Identity Resolution Centre. Staff with forensic experience, qualifications and skills were recruited to develop and strengthen forensic standards in the department's impostor detection capability.

Performance

During 2009–10, the department's facial comparison specialists designed and delivered training internationally and locally for government officials from Indonesia, New Zealand, Pakistan, the Philippines and others in the Asia–Pacific region.

In September 2009, the department implemented the Five Country Conference (FCC) (Australia, the United Kingdom, the United States of America, Canada and New Zealand) Secure File Share Server. This provides a secure, electronic means of sharing biometric data. It is used to collect fingerprints from clients in immigration detention including irregular maritime arrivals, onshore protection visa applicants and from other clients whose identity is unknown or uncertain for checking against the immigration databases of FCC partners.

The sharing of fingerprint data under FCC arrangements commenced in October 2009. At 30 June 2010, Australia had referred 2745 fingerprint records to the other FCC member countries. These referrals resulted in 77 client matches, representing an overall match rate of 2.81 per cent. The FCC data sharing arrangements are proving beneficial by:

- helping to establish the true identity of people whose identities were previously unknown or uncertain
- aiding the timely removal of unlawful non-citizens where their identities and/or nationalities were previously unknown or uncertain
- improving the detection of fraudulent immigration practices and trends.

In December 2009, the department commenced collection of biometrics (fingerprints and facial images) from consenting protection visa applicants onshore at the department's Sydney and Melbourne offices.

In April 2010, the department signed a memorandum of understanding (MOU) with the Australian Government agency CrimTrac, which provides national information-sharing solutions to law enforcement agencies. The MOU enables the department to store and match biometric data on CrimTrac's National Automated Fingerprint Identification System (NAFIS) which contains fingerprints and related information used for law enforcement purposes.

In June 2010, the department signed an MOU with the Attorney-General's Department committing to ongoing participation in the National Document Verification Service. This online service enables participating agencies to check Australian-issued proof-of-identity documents against the issuing authorities, for example: citizenship certificates and visas against the department's databases, birth certificates against births, deaths and marriages databases, passports against the Department of Foreign Affairs and Trade databases and driver licences against road transport authorities' databases. The MOU will be in effect until June 2014.

During 2009–10, the department provided document examination training to more than 1060 participants in Australia comprising officers from the department and other government agencies, as well as more than 950 participants overseas. These participants included immigration and border agency officers from Afghanistan, Cambodia, East Timor, Fiji, Indonesia, Jordan, Laos, Malaysia, Pakistan, Papua New Guinea, the People's Republic of China, the Philippines, Samoa, the Solomon Islands, Sri Lanka and Vietnam.



Case study

Identity Resolution Centre at the forefront of technology

Its work might sound like something out of TV's forensic crime show CSI but the department's Identity Resolution Centre provides an essential service for departmental staff seeking to resolve complex identity-related cases.

In 2009–10, the centre's facial comparison capability was enhanced by recruiting staff with forensic experience and qualifications, and now plays an integral role in meeting the department's responsibility to 'correctly identify a person'.

'This is an exciting new field of forensic science driven by a biometric acquisition matching system of facial images,' the manager of the facial image comparison unit, Ms Catherine Carey, said. 'For that reason, we're putting a lot of thought into the methodology. It's very important that we understand the science behind the process.'

It is essential to have staff with the appropriate skills to understand the complex data provided by facial recognition technology.

'Machines don't supersede human judgement,' Ms Carey said. 'Someone has to be willing and able to stand up in court and make a declaration with professional expertise. Sometimes, the real expertise is to know when data is inconclusive and you can't say something.'

The recruited specialists have also designed and delivered a range of training programs nationally and internationally.

'We're setting the direction for the future,' Ms Carey said. 'We're training other government departments and police agencies.'

'Our training has also helped improve facial image comparison in Indonesia and Thailand, with a range of impostor detecting techniques now being implemented.'

Photo: An Identity Resolution Centre staff member with facial image comparison case notes.

Border systems

The department maintains and uses a number of systems and databases to ensure a high level of integrity in its processes and detection of persons of interest. These include the Movement Alert List, IMtel and the Safeguards System.

Movement Alert List

The Movement Alert List is the department's principal electronic alert system and an integral part of the national security and border control strategy. It records details of people of concern to the Australian community as well as information about lost, stolen, cancelled and fraudulently altered travel documents.

IMtel

IMtel is an intelligence database which features powerful search and alert capabilities and analytical tools. The software has been extensively customised to support the immigration intelligence process. Simple user interfaces allow searches and reporting while powerful charting and linking capabilities support analysts.

Tailored interfaces allow cases to be investigated overseas and in Australia by departmental officers contributing information and analysis in real time. This also supports specialised areas such as the War Crimes Unit which screens visa and citizenship applicants and individuals of war crimes concern identified through community sources.

The department has recently completed a connectivity project to enable system-generated targeted searching of IMtel's repository.

Safeguards System

The Safeguards System is an evidence-based integrity treatment tool that is used as part of the department's business processes. The system is designed to support decision-makers in assessing applications, by ensuring that appropriate integrity checks are undertaken. It enables the decision-maker to consider information, including local intelligence, before an application is decided.

Prevention of people smuggling

The government has steadily increased initiatives to combat maritime people smuggling, human trafficking and related transnational crime, including allocating additional resources to Australian agencies to increase their response capabilities, build the capacity of Australia's regional partners and support efforts by the Australian Customs and Border Protection Service to address and deter these activities.

To enable greater engagement with government and non-government agencies in countries in the region, the department has deployed additional resources to posts in the United Arab Emirates, Malaysia, Indonesia, Vietnam and Sri Lanka.

Source and transit countries have been assisted through a capacity-building program to detect and prevent irregular people movements and people smuggling. A key strategy to achieving this outcome is regular engagement with regional partners through multilateral forums such as the Bali Process on People Smuggling, Human Trafficking and Related Transnational Crime.

National security and counter-terrorism

The department works closely with Australian security and law enforcement agencies to strengthen border security and prevent the entry of non-citizens who may pose a threat to Australia's national security.

The Security Referral Service, which became operational in 2008, links the department's onshore and offshore visa processing systems to the Australian Security Intelligence Organisation for comprehensive examination and advanced analysis. This forms an important component of Australia's strengthened national security arrangements.

The department is actively involved in whole-of-government counter-terrorism efforts and also exchanges information with like-minded countries on programs and policies to promote social harmony and to prevent radicalisation and extremism.

During 2009–10, the department participated in a number of inter-agency counter-terrorism forums, including the Australian Government Counter-Terrorism Policy Committee and the Australian Government Counter-Terrorism Committee.

The department is also involved in the planning and conduct of multi-jurisdictional counter-terrorism exercises, including Mercury 10, which will take place in 2010–11 to test existing capabilities.

War crimes screening

War crimes screening is an essential element in maintaining the integrity of Australia's borders through identifying and preventing the entry of people suspected of war crimes, crimes against humanity and genocide. The department has a specialised unit that conducts war crimes screening on citizenship and visa applicants.

War crimes screening pays particular regard to applicants who are from regions where conflicts have led to human rights abuses. People who are of concern are screened by comparing the information provided by the applicant with classified and non-classified information about conflicts, human rights abuses and individuals indicted by international tribunals.

Each case is considered on its merits and after consideration of the relevant legislation, information and circumstances relating to the case.

A total of 369 cases were referred to the unit for screening advice during 2009–10.

Administered item—Combating people smuggling

Objectives

- To provide further assistance to Indonesia to enhance their national border management system.
- Enhance whole-of-government capabilities in responding to increasing irregular migration in various source and transit countries.

Description

Through the Indonesian Border Management Capacity Building Project, the department is working with Indonesia's Directorate-General of Immigration (Imigrasi) to enhance Imigrasi's alert and passenger movement systems. This includes providing integration with Imigrasi's passport and visa systems and delivering a biometric capture and matching capability. This project also supports the expansion of Imigrasi's integrated Border Control Management system to priority air and sea ports throughout Indonesia.

The department also continues to engage with regional partners both bilaterally and as a participant in multilateral forums and a range of conferences, workshops and working groups on irregular migration and border security issues.

Performance

In 2009–10, the department continued its strong cooperative relationship with Indonesia's Directorate-General of Immigration. A total of \$4.87 million was used to enhance Indonesia's border management arrangements. This relationship has served to strengthen regional efforts to combat people smuggling, human trafficking and transnational crime.

Table 58: Combating people smuggling—deliverables

Deliverables 2009–10	
Measure	Result
Further enhancements to the Enhanced CEKAL ¹ System (ECS) and Passenger Movement System (PMS) to align with the Indonesian Border Control Management Project.	<p>In line with Indonesia's Directorate-General of Immigration (Imigrasi) priorities to enhance existing systems and further integrate these systems with the Border Control Management Project, the following significant upgrades were delivered:</p> <ul style="list-style-type: none">• enhancements to ECS to enable integration with other key Imigrasi border systems• an enterprise data access service linking Imigrasi's databases and border systems• real-time validation of passenger details against Imigrasi's passport and visa databases.

Table 58: Combating people smuggling—deliverables *continued*

Deliverables 2009–10	
Measure	Result
Further enhancements to the Enhanced CEKAL ¹ System (ECS) and Passenger Movement System (PMS) to align with the Indonesian Border Control Management Project <i>continued</i> .	<ul style="list-style-type: none"> • enhancements to PMS to enable: <ul style="list-style-type: none"> – biometrics capture and storage (fingerprints and facial images) – integration of new machine readable travel document scanners that capture passport details and images and scan visa receipts and labels for Indonesia’s Visa on Arrival facility – integration of Visa on Arrival and visa label printing in the passenger clearance process – enhancements to PMS to manage data replication between ports and headquarters and to view images captured during the arrival process.
Expansion of ECS and PMS to other ports in Indonesia.	Under the project, the department assisted Imigrasi to roll out a suite of systems to 11 air and sea ports. Imigrasi will continue to roll out the system to a total of 27 ports by the end July 2010.
Development and implementation of necessary components to integrate and connect to the Asia–Pacific Economic Cooperation (APEC) Regional Movement Alert System.	The project delivered an enterprise data access service that enables validation queries against Imigrasi’s passports database. This capability is a prerequisite for participation in the APEC Regional Movement Alert System. Further development of the system interfaces is dependent on Imigrasi’s funding priorities in 2010–11.
A scoping study of Advance Passenger Processing for Indonesia.	The department and Imigrasi will finalise work priorities for the second and final year of this project in July 2010. Imigrasi’s priorities are expected to include an advance passenger processing scoping study.
Provide higher levels of engagement with regional partners and cooperation across the region through conferences and workshops on irregular migration.	The department engaged with regional partners both bilaterally and as a participant in multilateral forums, such as the Bali Process and the Association of South East Asian Nations Directors-General of Immigration Departments and Heads of Consular Affairs Divisions of the Ministries of Foreign Affairs (ASEAN DGICM) + Australia Consultations, through participation in a range of conferences, workshops and working groups on irregular migration and border security issues.

1. CEKAL was Indonesian Immigration’s original alert management system.

Table 59: Outcome 3 Financial resources summary 2009–10

Lawful entry of people to Australia through border management services involving bona fide traveller facilitation; identity management; document verification; intelligence analysis; partnerships with international and domestic agencies; and border policy advice and program design.

	Budget ² 2009–10 \$'000	Actual expenses 2009–10 \$'000	Variation 2009–10 \$'000	Budget estimate 2010–11 \$'000
Program 3.1: Border management services				
<i>Administered expenses</i>				
Ordinary annual services (Appropriation Bill 1)	4 277	4 102	(175)	4 469
<i>Departmental expenses</i>				
Ordinary annual services (Appropriation Bill 1) and revenues from independent sources (section 31)	188 485	182 576	(5 909)	189 518
Expenses not requiring appropriations in the Budget year ¹	-	-	-	23 702
Total for Program 3.1	192 762	186 678	(6 084)	217 689
Total expenses for Outcome 3	192 762	186 678	(6 084)	217 689
Average staffing level (number)	869	827	(42)	860

1. Expenses not requiring appropriations in the Budget year are expenses relating to depreciation, for which the department is no longer funded due to Operation Sunlight.

2. Full year budget, including any subsequent adjustment made to the 2009–10 Budget.



Case study

Positive results through business transformation

The department's business transformation program *Systems for People* is one of the largest business transformation programs in government.

The program enhances the department's systems and business processes across a range of areas in compliance, case management and detention services, border security, biometrics and identity management, client search, health, correspondence and client and visa services.

Systems for People provides improved recordkeeping, quality control and decision support tools, consistent business processes and a single view of all client dealings with the department.

The early focus of *Systems for People* was to redesign and implement an integrated business model for the department's compliance, case management and detention services as well as to improve border security processing and systems.

The latter half of the program has concentrated on transforming the department's visa processing systems through the introduction of new nationally consistent end-to-end business processes supported by the Generic Visa Portal and automated decision support systems.

The department's client search capabilities have been significantly enhanced through the introduction of the Client Search Portal which uses a consolidated data hub of more than 113 million client records. It is the fourth largest data hub of its type in the world and brings together client information that was stored in several separate systems.

Key organisational capabilities developed through *Systems for People*, such as business process model lead development, service oriented architecture and change management, are now core organisational capabilities, ensuring that the significant investment made by government will continue to deliver benefits into the future.

Systems for People has fundamentally transformed the department's systems and business processes and has positioned the department well for future business transformation initiatives.

Photo: *Systems for People* provides staff with the information and tools they need to do their jobs.



Outcome 4

Lawful stay of visa holders and access to citizenship rights for eligible people through promotion of visa compliance responsibilities, status resolution, citizenship acquisition integrity, case management, removal and detention, and policy advice and program design.

The programs managed under Outcome 4 are:

Program 4.1 Visa compliance and status resolution

Program 4.2 Onshore detention network

Program 4.3 Offshore asylum seeker management

Program 4.4 Illegal foreign fishers

During 2009–10, Program 4.1 was managed by the Compliance and Case Resolution Division and Programs 4.2, 4.3 and 4.4 were managed by the Community and Detention Services Division. This section reports on the deliverables and key performance indicators for Outcome 4 programs as published in the department's *Portfolio Budget Statements 2009–10* and *Portfolio Additional Estimates Statements 2009–10*.

Strategy

- To support the integrity of Australia's visa and citizenship programs by enabling staff within the department and other agencies to identify and respond to breaches of immigration and citizenship law or other irregularities in an appropriate manner.
- To maximise voluntary compliance by raising awareness of Australia's immigration and citizenship laws through a variety of media, education and training programs and communication with clients, stakeholders, unions, employer and industry groups and other interested parties such as migration agents, travel agents and foreign missions, and through collaboration with other government service providers.
- To deter non-citizens from overstaying or breaching their visa conditions through prompt and effective enforcement of immigration law throughout Australia and in all sectors of the community.
- To reduce the incidence of people working illegally, deter people smugglers, investigate offences under migration and citizenship law by migration agents, people traffickers, employers or intermediaries, and undertake employer awareness activities through an active compliance strategy.
- To administer immigration detention of unlawful non-citizens, unauthorised arrivals and illegal foreign fishers in accordance with the government's detention values.
- To provide appropriate care, facilities and options for the lawful, appropriate, humane and efficient detention of unlawful non-citizens, unauthorised arrivals and illegal foreign fishers.
- To secure the return of unlawful non-citizens, unauthorised arrivals and illegal foreign fishers to whom Australia does not owe a protection obligation or who no longer have a right to remain in Australia, to their country of origin.
- To strengthen the migration and border management capabilities of governments in the Asia-Pacific region and parts of South Asia and the Middle East.
- To assist facilitation of bona fide people movements while preventing and deterring irregular movements, including people smuggling and trafficking, in our region and in source/transit countries.
- To support international organisations for the care of irregular migrants intercepted en route to Australia.

Major achievements 2009–10

In 2009–10, overall compliance with Australia's universal visa system remained high with 99 per cent of about four million temporary entrants complying with their visa conditions.

Furthermore, a nation-wide campaign to educate employers about immigration status checking through the Visa Entitlement Verification Online (VEVO) service led to an additional 5000 parties registering to use VEVO. The number of VEVO checks during the year jumped by 200 000 to more than 800 000.

The department began trialling community outreach visits during 2009–10 in regional areas of New South Wales and Victoria including Griffith, Deniliquin, Euston/Robinvale, Mildura and Swan Hill. More than 200 clients who were currently living without visas voluntarily attended and are now being managed through the department's Community Status Resolution Service (CSRS).

The department assisted or managed the departure of more than 2000 additional people from Australia in 2009–10 compared to 2008–09 levels, a 29 per cent increase in departures.

The *Migration Amendment (Abolishing Detention Debt) Act 2009* commenced on 9 November 2009. It amended the *Migration Act 1958* to remove liability for detention costs from certain people in immigration detention and extinguished all outstanding debt.

There was an increase of 1563, or 16 per cent, of unlawful non-citizens located in the Australian community who had their immigration status resolved during 2009–10, compared to 2008–09.

The number of Bridging visa E holders engaged by the CSRS increased from 3219 in July 2009 to 4728 in June 2010, an almost 47 per cent increase. This increase has been due to additional CSRS capacity and an almost 50 per cent increase since 2006–07 in the number of unlawful non-citizens voluntarily approaching the department.

About 10 per cent of people located by the department in 2009–10 were detained. In comparison, about 13 per cent of locations were detained in 2008–09, 17 per cent in 2007–08 and 35 per cent in 2006–07. In 2009–10, people continued to be detained in the least restrictive environment commensurate with the risk. On 25 June 2010, the percentage of the detention population held outside an immigration detention centre was about 29 per cent, compared to about 30 per cent at 26 June 2009.

Of the 8749 people taken into immigration detention during 2009–10, 15 per cent were people who had been living in the community but overstayed or breached visa conditions; 2 per cent were foreign fishers, 81 per cent were unauthorised arrivals (by air and by boat); and 2 per cent in other categories.

The number of people in immigration detention at 30 June 2010 was 4077. These included 3867 irregular maritime arrivals (IMAs), six foreign fishers and 204 were in detention due to compliance-related activities or unauthorised arrival by air.

During the latter half of 2009, the department finalised the last of the three tender processes for the acquisition of: detention health services; detention services at immigration detention centres; and detention services at immigration residential housing and immigration transit housing.

During 2009–10, the department has markedly improved living conditions and amenities at Villawood Immigration Detention Centre.

Challenges

During 2009–10, an average 1350 cases were actively managed by case managers at any one time. As at 30 June 2010, however, there were 3018 cases being managed by case managers. In response to this increase, which is driven by increased irregular maritime arrivals, the case management service has significantly increased its network capacity by more than doubling the number of trained case managers available for deployment to Christmas Island and across the onshore detention network. An increase in trained staff has also been required to support senior officer reviews and external six-monthly Ombudsman reviews for all compliance-related clients in immigration detention, plus six-monthly senior officer and nine-monthly Ombudsman reviews for all irregular maritime arrival cases.

During 2009–10, 5627 IMAs were taken into immigration detention, compared to 1043 in 2008–09, and Christmas Island reached operational capacity. To address this, the government announced that the department would seek to accommodate some of these clients in the following facilities on mainland Australia.

- In April 2010, the Port Augusta Immigration Residential Housing complex was reopened.
- In June 2010, the RAAF Base Curtin facility was reopened.
- On 1 June 2010, the opening of a site in Leonora, Western Australia was announced.

Program 4.1

Visa compliance and status resolution

Program 4.1 consists of three departmental items:

- Detection onshore
- Removals
- Status resolution.

There is one administered item under this program: Compliance resolution, community care and assistance.

Objectives

To undertake an effective compliance program that appropriately responds to different levels of non-compliance risk with a mix of prevention, deterrence and enforcement activities that seek to:

- achieve adherence to Australian entry and stay requirements
- identify and respond to breaches of immigration law in Australia
- detect and locate people who have no lawful authority to be in Australia or are in breach of conditions that apply to their visa (for example, people working in breach of their conditions)
- protect the public through the cancellation or refusal of visas to non-citizens who may be of concern to the public for reasons such as their involvement in serious criminal activity
- obtain a substantive immigration outcome for unlawful non-citizens in a lawful, timely, fair and reasonable manner
- remove people who have no lawful basis to remain in Australia.

Visa compliance and status resolution—deliverables

Deliverable: General compliance activities including outreach and educational activities particularly with employers, unions and educational institutions and other government agencies.

Result: The department conducted 3752 field visits onshore, including outreach, educational activities and investigations in 2009–10.

Deliverable: The investigation of possible breaches of immigration law and, where appropriate, the prosecution of individuals or third parties involved in the systematic abuse of the immigration systems.

Result: The department commenced 164 formal investigations into possible breaches of immigration law, lodged 35 briefs of evidence with the Commonwealth Director of Public Prosecutions and secured four convictions in 2009–10.

Visa compliance and status resolution—deliverables *continued*

Deliverable: The cancellation or refusal of visas particularly for individuals who are in breach of their visa conditions or present a risk to the Australian community.

Result: The department may cancel a visa or refuse a person's visa application for a variety of reasons including where they are considered a risk to the community under the character provisions. There were 58 visas cancelled and 156 visa applications refused under the character provisions in 2009–10.

Deliverable: The initial and ongoing immigration detention of unlawful non-citizens in accordance with the government's detention values.

Result: The department continually reviews the circumstances and reasons for a person's detention to ensure that their detention is in accordance with the government's detention values. In 2009–10, 99 per cent of cases were reviewed within service standards.

Deliverable: The management of clients both in detention and the community to a substantive immigration outcome.

Result: The immigration status of 10 591 people previously located by the department was resolved in 2009–10. This is an increase of 17 per cent on 2008–09.

Deliverable: The removal of clients who have no lawful basis to remain in Australia.

Result: Overall, the department assisted or managed the departure of 8825 people from Australia, an increase of 29 per cent over 2008–09. This included the voluntary departure of people from the community as well as the removal of people, including unauthorised and irregular arrivals, from immigration detention.

Table 60: Visa compliance and status resolution—deliverable

Deliverable	2008–09 actual	2009–10 target	2009–10 actual
Field activities to investigate possible breaches of immigration law and fraud, conduct awareness visits and locate unlawful non-citizens	3 711	2 000+	3 752

Visa compliance and status resolution—key performance indicators

Indicator: The improved effectiveness of prevention and deterrence strategies to maintain voluntary compliance and lead to a reduction in the number of people who enter Australia on a temporary visa overstaying their visa.

Result: Overall compliance with Australia's immigration system was very high in 2009–10. More than 99 per cent of the more than four million temporary entrants complied with the requirements of their visas including the requirement to depart Australia prior to their visa expiring.

Visa compliance and status resolution—key performance indicators *continued*

Indicator: The increased engagement of peak employment bodies, employers, unions and labour suppliers to increase the provision of employment status information to employers through Visa Entitlement Verification Online (VEVO) and limit the opportunity for illegal work in Australia.

Result: The department conducted 1423 awareness visits to employers and educational institutions in 2009–10, compared to 2228 in 2008–09, with 19 806 registered VEVO users conducting over 800 000 VEVO checks in 2009–10.

Indicator: Effective screening of visa applications offshore to prevent people of character concern from travelling to Australia.

Result: The minister or his delegate made 1078 character-related decisions during 2009–10 including 156 visa application refusals (onshore and offshore).

Indicator: People held in immigration detention are to have the length and conditions of their detention subject to regular review to ensure that it is lawful, appropriate and neither indefinite nor arbitrary.

Result: The department continually reviews the circumstances and reasons for a person's detention to ensure that their detention is in accordance with the government's detention values. In 2009–10, 99 per cent of cases were reviewed within service standards.

Indicator: The effective management of unlawful non-citizens and resolution of their immigration status while they are in the community on Bridging visa Es does not lead to an increase in non-compliance with Bridging visa E conditions.

Result: The percentage of Bridging visa E overstayers against relevant Bridging visa E grants remained at less than 10 per cent.

Indicator: People who have no right to remain in Australia are removed by the department at the earliest practicable opportunity.

Result: In 2009–10, the percentage of people who were removed within two weeks of being detained, as a result of being located unlawfully in the community or at an airport, remained about 70 per cent.

Table 61: Visa compliance and status resolution—key performance indicators

Key performance indicators	2007–08 actual	2008–09 actual	2009–10 target	2009–10 actual
Percentage of overstayers against relevant temporary entries	<1%	<1%	<1%	<1%
Number of parties registered with VEVO	10 226	14 261	12 000+	19 806
Percentage of people held in immigration detention whose ongoing detention and placement is reviewed within service standards (available on website)	n/a	98%	98%	99% ¹
Percentage of Bridging visa E overstayers against relevant Bridging visa E grants	<10%	<10%	9–10%	<10%

1. This figure was last reported as at 31 December 2009 pending implementation of an enhanced detention control framework.

Overview

Australia has a universal visa system. All non-citizens need a visa to enter and stay in Australia. The criteria for granting visas are carefully shaped to reflect the purpose of the client's travel and to protect and promote Australia's interests.

Overall compliance with this system is very high. In 2009–10, more than 99 per cent of about four million temporary arrivals complied with the requirements of their visas including the requirement to depart Australia prior to their visa expiring.

The estimated number of people who have overstayed their visas and are in Australia at any one time was about 53 900 as at 30 June 2010. This is an increase of some 5200 over the 30 June 2009 estimate of 48 700. This reflects a downstream consequence from historical growth in Net Overseas Migration (NOM) and work in recent years to improve the integrity and targeting of the migration program to the needs of Australia—which had tended to reduce the migration avenues available to temporary entrants who want to remain.

The flow-on from the historical high NOM and Migration Program changes is expected to be reflected in the overstayer numbers over the next few years. It is important to note that the overstayer number is very low compared to the more than four million temporary entries each year. Very slight changes to the choices made by visa holders across this large cohort of people can result in noticeable changes in the size of the overstay number. The number of overstayers equates to about 0.2 per cent of Australia's population and many people only overstay for a short period before departing of their own volition.

Program 4.1 plays a key role, along with activity under other departmental programs, in maintaining this high level of compliance. Under the program, the department works to:

- maintain the current high levels of voluntary compliance with Australia's migration laws
- detect and respond effectively and early to non-compliance by non-citizens and employers, ensuring the least costly, least intrusive and least risky approach is used to re-establish compliance
- work with unlawful non-citizens and bridging visa holders to achieve timely and appropriate immigration status resolution outcomes
- manage the significant risks associated with serious breaches of Australian law by visa holders or unlawful non-citizens
- provide support to suspected victims of people trafficking through the People Trafficking Visa Framework.

The department seeks to maintain the high levels of compliance with Australia's immigration system through a broad range of strategies including:

- a layered approach to border management, with a range of screening mechanisms which aim to prevent the entry of people who may pose a security, criminal or health risk, or fail to comply with their visa conditions
- ensuring people understand their obligations under Australia's migration and other laws
- providing assistance to help people comply
- encouraging those who may not have been complying to voluntarily approach the department to resolve their immigration status.

Departmental item—Detection onshore

The department seeks to identify and find non-citizens who are not complying with their obligations under Australia's immigration system. Non-compliance generally involves non-citizens overstaying their visas, working in breach of their visa conditions or not meeting the conditions of their student visas. The department also seeks to identify and respond effectively to employers who breach their obligations to employ only those non-citizens who have a right to work in Australia.

In doing so, the department uses information provided by the Australian community through the Immigration Dob-in Line and works in partnership with Australian law enforcement agencies, other Australian Government agencies, and a broad range of community organisations, including employers and unions.

The department, in conjunction with other stakeholders, identifies a significant number of non-citizens who are not complying with their visa conditions each year. In addition, a large number of non-complying visa holders also come forward of their own volition, seeking departmental assistance and advice to resolve their visa status. The department has instituted a range of reforms to encourage these voluntary approaches resulting in a growth in the overall numbers of clients presenting voluntarily.

Where a client is identified as not complying with their visa conditions, including by overstaying, the department uses a range of approaches that seek to address the non-compliance and resolve the client's status either through an appropriate visa grant or departure. For example, the department may cancel the visa of a client found to be working in breach of a visa condition and then grant a Bridging visa E. This provides temporary lawful status for the client while they engage with the department to arrange a voluntary departure from Australia.

Where employers are identified as not meeting their obligations under Australia's immigration system, the department uses a similar graduated approach. In the first instance, employers are provided with information on their responsibilities. Subsequent infringements may result in the issuing of Illegal Worker Warning Notices or prosecution under employer sanctions legislation.

The department actively manages all clients on Bridging visa Es, working to ensure an early and sustainable immigration outcome for each client. People with specific vulnerabilities, including all clients in immigration detention, are individually case managed to ensure their particular issues are taken into account and do not impede the resolution of their cases.

The department undertakes a range of activities to effect the departure from Australia of those with no lawful right to remain, including programs that support voluntary departure and, where necessary, detention and return or removal.

Performance

A particular focus during 2009–10 has been ensuring that the work done under this program is consistent with the government's immigration detention values.

Identifying and finding non-citizens who are not complying

The department seeks to encourage unlawful non-citizens to contact the department of their own volition. The department also uses a range of sources to identify and locate people who are not complying with immigration law and who do not voluntarily approach the department to resolve their immigration status.

Sources of information and cooperation

The department works with various Australian Government and state and territory government agencies to identify and find people who are not complying with their visa conditions. These include the Australian Taxation Office, the Fair Work Ombudsman and local councils. These relationships are managed through both formal and informal mechanisms. In New South Wales, for example, the Roads and Traffic Authority contacts the department when processing driver licence applications from people who may not be entitled to be in Australia.

Various Australian and international law enforcement agencies also provide significant support to the department in its operations. For example, state and territory police may assist in the department's field operations when there is a possibility of violence, or there are indicators of other criminal activity.

The police are also designated as 'officers' under the *Migration Act 1958* and are empowered to exercise a range of powers, including:

- detaining an unlawful non-citizen
- holding an unlawful non-citizen in immigration detention.

The Immigration Status Service (ISS) provides a single point of contact for police to conduct enquiries in relation to the immigration status of non-citizens 24 hours a day, seven days a week. The ISS will either advise police that the person is in Australia lawfully and, according to departmental systems, not of interest to the department or advise that the department has reason to believe the person is unlawfully in Australia. It will then advise on how to proceed.

Dob-in Line

The Immigration Dob-in Line is a free nation-wide telephone service for people to report information to the department about unlawful non-citizens, illegal workers and people suspected of breaching immigration laws or visa conditions. A free national dob-in fax service is also available.

During 2009–10, the department received about 13 800 dob-ins or pieces of fraud-related information, compared to about 11 300 in 2008–09. Callers have the option of leaving their details and will then be contacted by a compliance officer within one working day to confirm the information provided. The information is used to inform the department's field operations and investigations.

Field activity

Field operations to locate unlawful non-citizens are a significant part of compliance work. Examples of compliance activities undertaken in 2009–10 include:

- the location, detention and removal of 20 unlawful non-citizens working illegally in a Brisbane food processing plant
- the location of more than 90 unlawful non-citizens in a Victorian country town—the largest number on record to be found in a single field operation. They were working illegally in the surrounding horticultural industry
- immigration status checks of taxi drivers in Sydney and Brisbane
- the location and removal of ‘harvest trail’ workers in numerous locations.

Compliance officers also regularly assist federal, state and territory police with major operations that focus on workers in the sex industry, the transport industry and the construction industry.

Locations

The total number of clients located in 2009–10 was 14 169. Overall, this number has been steadily increasing from 12 230 in 2008–09, 10 925 in 2007–08 and 11 489 in 2006–07¹. About 80 per cent of these locations were voluntary, representing 11 788 clients in 2009–10. This shows an increase of almost 30 per cent on the previous year.

The remaining 20 per cent of locations were non-voluntary with people being located through field operations or referred to the department by police, having either overstayed their visas or breached visa conditions. Many of these clients were granted bridging visas to enable them to make their own arrangements to depart Australia. A small number were detained, prior to their removal from the country.

Responding to employers who employ non-citizens without the right to work

Illegal workers are either non-citizens who do not hold a visa, or visa holders who work in breach of a condition which prohibits or limits the work they can do. Illegal workers who breach a visa condition may have their visas cancelled and be removed from Australia.

Illegal work reduces employment opportunities for those with a right to work in Australia. It often occurs within the cash economy and may be associated with abuse of taxation, employment and welfare laws. Illegal workers may be subject to exploitation, including through organised criminal activity.

The vast majority of Australian employers do the right thing. Many successfully employ visa holders in a wide range of occupations and industries and overall compliance with visa programs is high.

The agriculture, forestry and fishing sectors continue to be where the highest number of illegal workers are located, followed by the construction and hospitality sectors, including accommodation, cafes and restaurants.

The department provides employer awareness training to educate employers, industry peak bodies and unions about an employer’s responsibility to ensure only people with the legal entitlement to work in Australia are employed.

1. As a result of updates to departmental systems, the figures provided above differ from those previously provided in the 2007–08 and 2008–09 annual reports which were 10 722 and 11 428 respectively.

The department also provides free information services to employers to assist them in ensuring that prospective job applicants are permitted to work in Australia. These services include the Visa Entitlement Verification Online (VEVO) service and the toll-free Visa Entitlement Verification Faxback Service.

During 2009–10, the department continued to encourage and support employers to ensure that they were able to meet their obligations to employ only those non-citizens who have a right to work. This has included promoting the use of the VEVO service which enables employers, labour suppliers, licensing authorities and educational institutions to check the immigration status and other entitlements of visa holders in Australia. In 2009–10, the department conducted a nation-wide employer awareness campaign within the construction industry. The aim of the campaign was to reduce the number of illegal workers by educating employers about checking their employees' immigration status through VEVO.

The department conducted 1423 awareness visits to employers and educational institutions in 2009–10, compared to 2228 in 2008–09, with more than 19 500 registered VEVO users conducting more than 800 000 VEVO checks in 2009–10.

Illegal Worker Warning Notices are issued to employers or labour supply companies who have employed or referred illegal workers. The notices advise employers that they have employed an illegal worker and warn of the possibility of prosecution.

The notices are an administrative tool to educate employers about the need to check the work entitlements of employees. Employers are issued with Illegal Worker Warning Notices for each illegal worker found to be working for them. If employers are issued subsequent warning notices, this may assist in building a case for prosecution.

A notice is not issued if an illegal worker is located and it is difficult to clearly establish who the employer is, or in cases where an illegal worker voluntarily approaches the department seeking to resolve their visa status.

In 2009–10, the department issued 609 notices, compared to 597 in 2008–09, 750 in 2007–08, 529 in 2006–07, and 1094 in 2005–06. Of the notices issued by the department, 84 employers received more than one notice.

Review of employer sanctions legislation

On 21 May 2010, the minister announced a review of the penalties facing Australian employers who recruit illegal workers as prescribed under the *Migration Act 1958*. The minister appointed independent legal expert Mr Stephen Howells to provide options for strengthening both the legislation and the suite of penalties available.

The Howells' review is examining:

- the effectiveness of the legislative offences and current penalties
- the effectiveness of current systems and processes to assist employers to comply with their obligations
- the effect of the employer sanctions provisions on business
- the level of community understanding and acceptance of the need for an employer sanctions regime.

As part of his review, Mr Howells consulted widely with Australian employers, union and industry representatives as well as Australian Government and state and territory agencies. The review is expected to be completed in 2010–11.

Managing the risks associated with serious breaches of Australia law by non-citizens

The department cancels temporary and permanent visas for a variety of reasons, including where the people holding them are found to no longer meet the character provisions of the *Migration Act 1958*.

In 2009–10, the minister or delegate made 1078 character related decisions. These decisions comprised 58 cancellations, 156 refusals and 864 warnings.

As at 1 November 2009, responsibility for determining whether visa applications should be refused under section 501 of the Migration Act was transferred from the Brisbane Character Assessment Unit to the National Character Consideration Centre (NCCC) in Melbourne.

In March 2010, the department appointed a Principal Assessor (Character) with responsibility for all serious, sensitive and complex cases that may result in the cancellation or refusal of visas under these provisions of the Migration Act.

Although the Principal Assessor makes his considerations independently, he is closely supported by the NCCC.

A non-citizen may not pass the character test due to:

- their substantial criminal record
- their current or previous association with an individual, group or organisation reasonably suspected of being, or having been, involved in criminal conduct
- their past and present criminal or general conduct
- their risk of future criminal activity.

A person's failure to pass the character test does not automatically result in visa cancellation or refusal.

Where a non-citizen fails the character test, the minister or a delegate has the discretion to refuse to grant or cancel a visa. Such a decision is not taken lightly, and is only made after full consideration of all the circumstances of the case, including the seriousness and nature of the conduct, the risk that the conduct may be repeated in future, and the impact of visa cancellation on the person and their family. Where relevant, decision-makers must also consider whether the person came to Australia as a minor, the length of time the person has been resident in Australia prior to engaging in the conduct and any relevant international law obligations.

The minister issued a new Ministerial Direction 41 on 3 June 2009 which took effect on 15 June 2009. This direction was implemented in 2009 and provides binding direction to decision-makers on how they should weigh factors in using the character cancellation and refusal power. The new direction requires decision-makers to assess the risk of harm that the person presents to the community, including individuals, by placing particular emphasis on crimes of violence, and the importance of protecting vulnerable members of the community.

At the same time, it also provides for a fairer and more reasonable response, particularly where the person has significant ties to the Australian community and presents a lower level of risk to the community. Other key changes incorporated in the new direction are:

- the inclusion of relevant international obligations as a primary consideration
- the inclusion of the length of time a person has lived in Australia and their age on arrival as a primary consideration
- greater focus on conduct that involves violence
- a redefined assessment of the 'association' ground in light of the Federal Court decision in the *Haneef* case (the Federal Court found that mere knowledge of the criminality of an associate is not, in itself, sufficient to establish association and in order to not pass the character test on this ground, the association must have some negative bearing upon the person's character).

Providing support to suspected victims of people trafficking

On 1 July 2009, a range of enhancements to the Australian Government's Anti-People Trafficking Strategy came into effect, increasing flexibility for the operation of the Support for Victims of People Trafficking Program and the People Trafficking Visa Framework.

The changes shifted the focus more towards the victims and included:

- extending the initial stage of the Support for Victims of People Trafficking Program from 30 to 45 days and making it available to identified victims regardless of their willingness to assist police. This provides all victims with an opportunity to recover and seek advice about their options
- providing up to 90 days assistance for victims who are willing but not able to assist police, due to factors such as trauma. Where the victims do not hold a valid visa they can be granted a second Bridging visa F
- making access to the Support for Victims of People Trafficking Program available to identified victims who hold any kind of valid visa, so victims do not have to relinquish existing visas in order to receive support
- providing up to 20 days transitional support so victims assisting law enforcement can consider their options, seek legal advice, arrange travel and find support networks when they leave the Support for Victims of People Trafficking Program
- removing the temporary visa stage in the Witness Protection (Trafficking) visa process, and starting the process before the completion of a prosecution. This has reduced the pathway to a permanent visa for eligible victims by at least two years
- reducing the threshold for a Witness Protection (Trafficking) Certificate from the person having made a 'significant contribution' to making 'a contribution' to a prosecution or to an investigation not resulting in a prosecution
- enabling immediate family members who are outside Australia to be included in an application for a Witness Protection (Trafficking) visa.

People identified as suspected victims of trafficking will continue to be able to apply for visas outside the People Trafficking Visa Framework depending on their individual circumstances.

Between 1 July 2009 and 30 June 2010, the department granted 77 visas under the people trafficking visa framework. A total of 21 people were granted Witness Protection (Trafficking) (Permanent) visas, including seven who formerly held Witness Protection (Trafficking) (Temporary) visas and six immediate family members.

Departmental item—Status resolution

The department seeks to actively engage overstayers and those on bridging visas to resolve their immigration status in a fair and timely manner. Resolution of a client's immigration status is reached through the granting of an appropriate visa or through the client's departure from Australia.

The guiding principles of the department's status resolution approach are to:

- engage actively with individuals at the earliest opportunity
- clearly identify, communicate and implement appropriate pathways for resolving a person's immigration status
- ensure the provision of holistic support reflecting fundamental case management principles.

The department's status resolution initiatives actively support the Australian Government's immigration detention values. This is achieved by working with clients while they remain in the Australian community to encourage voluntary compliance and ensuring decisions to detain are justified.

Unlawful non-citizens may be granted bridging visas to allow them to voluntarily depart or to remain in the community while their substantive visa application, merits or judicial review proceedings are being considered.

Clients found to have no lawful entitlement to remain in Australia are clearly informed that if they choose not to depart voluntarily they may be detained and removed.

Performance

During 2009–10, the department continued activities to resolve the immigration status of unlawful non-citizens located in the Australian community. A total of 10 591 people had their status resolved during 2009–10 which is an increase of 17 per cent from 9028 in 2008–09¹.

The department began implementing a national communication strategy to encourage those who may not currently be complying with their visa conditions, including visa overstayers, to voluntarily contact the department and resolve their visa status. Activities have included developing fact sheets translated into a range of community languages, enhancing website information www.immi.gov.au/csrs and launching a dedicated phone service for unlawful non-citizens who may be unsure of how to resolve their status. A short trial of advertisements in non-English language community newspapers also encouraged people to attend a departmental office voluntarily or to contact the department for more information on how to resolve their status.

In 2009–10, the department began trialling community outreach visits in regional areas of New South Wales and Victoria including Deniliquin, Euston/Robinvale, Griffith, Mildura and Swan Hill. More than 200 clients who were currently living without visas voluntarily attended and met with departmental officers. These clients are now being actively managed through the department's Community Status Resolution Service.

1. This accounts for all people previously located by the department whose status was resolved each financial year regardless of how that was achieved. People previously located and subsequently overstaying their Bridging visa Es prior to leaving Australia without any further engagement with the department are included.

Community Status Resolution Service

The Community Status Resolution Service (CSRS) was formally established in December 2008 and aims for timely and active intervention where clients need some level of assistance to resolve their immigration status.

The Australian Government committed funding for four years from July 2009 to expand the department's status resolution initiatives including the CSRS. In 2009–10, the department deployed an additional 60 Community Status Resolution Officers (CSROs) nationally, increasing the CSRS's overall capacity by more than 50 per cent. A comprehensive training package was also developed and delivered to more than 130 staff, including new and existing CSROs, case managers, and compliance field officers and counter staff.

Through closer engagement, CSROs aim to identify and address obstacles that may be preventing a client from reaching an immigration outcome. Where needed, CSROs connect clients to appropriate services that will support the resolution of their status, including the Assisted Voluntary Return Program and the Case Management Service.

During 2009–10, the number of Bridging visa E holders engaged by the CSRS increased from 3219 in July 2009 to 4728 in June 2010 demonstrating an almost 47 per cent increase. The growth in client numbers has been due to the roll out of additional CSRS capacity and an almost 50 per cent increase since 2006–07 in unlawful non-citizens voluntarily approaching the department. Unless unacceptable risks to the community are identified, most unlawful non-citizens who voluntarily approach the department are granted Bridging visa Es. Those with complex circumstances requiring more active management are allocated a CSRO.

Client case management

Case management is a specific approach to resolving complex cases within the compliance and status resolution program of the department. Case managers are allocated to work with clients who have complex immigration cases to achieve timely immigration status resolution through either the grant of a substantive visa or departure from Australia. Priority is given to clients who are in immigration detention.

During 2009–10, an average 1350 cases were actively managed by case managers at any one time. At 30 June 2010, there were 3018 cases being managed by case managers. During the year, case managers were present in all of the department's offices in mainland Australia and on Christmas Island, engaging with clients to ensure they understood their immigration status and resolution pathway and coordinating the provision of internal and external services to support clients through this process. This included, where available, services provided under the Community Assistance Support program. They also worked closely with the Community Status Resolution Service and the Community and Detention Services Division to achieve timely and appropriate immigration outcomes.

Priorities for the case management service continue to be children, people with physical and mental health issues and clients who have experienced trauma or have a history of torture. Where clients have these vulnerabilities, case managers ensure that immigration detention, where required, is in the least restrictive environment possible and that options such as community detention are considered. In 2009–10, an additional 109 clients were provided with a community detention placement; bringing the total number of people in community detention during 2009–10 to 161.



Case study

Resolving immigration status in the community

The department has long drawn on a range of prevention, deterrence and status resolution strategies to ensure continuing high rates of compliance with Australia's immigration system.

Increasingly, the department is expanding community-based approaches to encourage visa overstayers and people found to be breaching their visa conditions to voluntarily resolve their immigration status.

One example of such an approach is the Community Status Resolution Service, which aims to intervene early and help clients understand their immigration status and the visa or departure options available to them.

The 2009–10 Budget provided funding to boost the capacity of the service. New officers have been recruited and trained, and more clients choosing to depart voluntarily are accessing returns assistance and independent counselling through the International Organization for Migration.

Generally, these clients are managed in the community using Bridging visa Es while their cases are resolved through an appropriate visa grant or by departing Australia.

Drawing on appropriate services and focusing on addressing barriers is proving a successful mix for achieving sustainable immigration outcomes.

The service has resulted in more clients approaching the department as well as an increase in the proportion of people departing voluntarily.

Some unlawful non-citizens are still detained, but only for the shortest practical time and where they have no lawful right to remain, they do not depart voluntarily or where they present an unacceptable risk to the community.

Photo: A community status resolution officer talks a client through his immigration status and his available options.

The department significantly augmented its case management capacity in response to the increase in irregular maritime arrivals. This has been facilitated through a 67 per cent increase in training courses and a 92 per cent increase in officers who have received formal training, as compared to 2008–09. This has resulted in the number of case managers available for deployment to Christmas Island and across the onshore detention network more than doubling.

At 30 June 2010, 111 case managers were employed by the department. A total of 86 case managers had completed the comprehensive case management training course and attained a formal qualification of Certificate IV in Government (Case Management). In addition, 88 staff completed Assistant Case Management training, which is provided to staff prior to deployment, to support irregular maritime arrival clients. A further 27 staff have completed Part A of the certificate training and are yet to complete Parts B and C.

Case managers play an active role in seeking to resolve the cases of all clients in immigration detention in a timely and efficient manner. In 2009–10, the number of people held in immigration detention for a cumulative time exceeding two years declined from 29 to 18 (a decrease of 38 per cent). Of these, 14 were held in an immigration detention centre, while three were residing in community detention and one in immigration residential housing.

This continued decline in long-term detention is consistent with the focused case management strategy announced by the minister in March 2008, which has seen a reduction of 64 per cent in the number of people in immigration detention for more than two years.

Community Assistance Support program

The Community Assistance Support program was launched nationwide on 1 July 2009. It was devised as a tool for case resolution that seeks to provide support intervention to highly vulnerable clients in exceptional circumstances while their immigration outcome is being actively managed and progressed. It was preceded by the Community Care Pilot which had some success in engaging with clients with welfare needs and in addressing those needs thus contributing to a faster and more effective resolution of client status.

The Community Assistance Support program provides a package of individually assessed services including health, welfare and income support to highly vulnerable clients with exceptional circumstances in order to facilitate resolution of their immigration status.

The Australian Red Cross is the lead agency for service provision to clients. Red Cross case workers prepare a tailored plan of services for each client and submit these to the department for approval. Types of community assistance include income support, health care, medical expenses and mental health counselling.

As at 30 June 2010, the Community Assistance Support program had assisted 237 cases (or 449 clients) since its commencement in July 2009. Of the 237 cases, 30 cases (13 per cent) or 39 clients were in transitional support. These were eligible clients who have been released from immigration detention on a substantive visa to remain lawfully in Australia. A total of 108 cases (46 per cent) had been closed of which 62 cases (57 per cent) were closed due to visa grant.

New Directions in Detention

The department continued its work to implement administratively the major reforms to Australia's immigration detention policy announced by the minister in July 2008. These changes are based on seven key government immigration detention values. The new emphasis reinforces the government's commitment to mandatory detention as an element of strong border control.

Mandatory detention applies to:

- unauthorised arrivals for management of health, identity and security risks
- unlawful non-citizens who present unacceptable risks to the community
- unlawful non-citizens who repeatedly refuse to comply with their visa conditions.

The department's action

During 2009–10, the department focused on implementing the government's key immigration values administratively while developing advice for government on options for legislation changes.

This work included:

- implementing all aspects of the new arrangements for processing asylum seekers on Christmas Island including publicly funded advice and assistance, and independent merits review of unfavourable Refugee Status Assessments
- establishing the Community Status Resolution Service (CSRS) to provide active and early support for clients in the community to achieve an immigration outcome
- improving detention infrastructure to provide a wider range of detention options to accommodate people in the least restrictive form of immigration detention
- undertaking national consultations with community stakeholders on implementing the values with their feedback incorporated into operational policy guidelines
- updating the instructions that guide the delivery of humane detention conditions for those people who have to be detained
- undertaking interim improvements to Villawood Immigration Detention Centre prior to its redevelopment. The 2009–10 Budget committed \$186.7 million (excluding GST) for the redevelopment
- establishing and supporting the minister's Council of Immigration Services and Status Resolution to replace the Immigration Detention Advisory Group
- increasing CSRS capacity to become a fully supported national service from 1 July 2009 through funding committed in the 2009–10 Budget
- extending the Community Care Pilot in the 2009–10 Budget to a national program called Community Assistance Support
- expanding the department's partnership with the International Organization for Migration to refer clients for assisted voluntary returns and impartial immigration information and counselling
- developing a legislation and regulation change program including the introduction of the Migration Amendment (Immigration Detention Reform) Bill 2009 in the Senate on 25 June 2009.

Encouraging results

Indications are that the implementation of the government's key immigration detention values has led to:

- a decrease in the percentage of visa overstayers in the community located by the department being detained. About 10 per cent of such people located by the department in 2009–10 were detained. This is a decrease from about 35 per cent in 2006–07, 17 per cent in 2007–08 and 13 per cent in 2008–09
- no decrease in Bridging visa E compliance—about 90 per cent of visas granted in 2009–10 were complied with
- people continuing to be detained in the least restrictive environment commensurate with the risk. On 25 June 2010, the percentage of the detention population held outside an immigration detention centre was about 29 per cent, compared to about 30 per cent at 26 June 2009
- no increase in the overstayer rate with more than 99 per cent of temporary entrants complying with the requirement to depart Australia.

These results relate to compliance activity on the Australian mainland and do not include the increasing number of irregular maritime arrivals who were subject to mandatory detention, initially on Christmas Island, on arrival in 2009–10.

Legislation changes

On 25 June 2009, the *Migration Amendment (Immigration Detention Reform) Bill 2009* was introduced into Parliament. As at 30 June 2010, the Bill had not been debated and it subsequently lapsed when parliament was prorogued on 19 July 2010.

The *Migration Amendment (Abolishing Detention Debt) Act 2009* commenced on 9 November 2009. It amended the *Migration Act 1958* to remove liability for detention costs from certain people in immigration detention and extinguished all outstanding debt.

Detention review arrangements

The department is required to report to the Commonwealth Ombudsman under section 486N of the *Migration Act 1958* when a client has been detained for two years and at the end of each subsequent six-month period if the client remains in immigration detention. The Ombudsman subsequently produces a report on these cases that the minister is required to table in both Houses of Parliament within 15 sitting days of receipt of the report.

In July 2008, the minister announced an extension of this statutory requirement, with the introduction of internal three-monthly senior officer reviews and external six-monthly reviews, conducted by the Ombudsman under own motion powers, of clients in immigration detention.

Six-monthly Ombudsman reviews began in April 2009 and the three-monthly senior officer reviews in August 2009 for all compliance-related clients in immigration detention. In 2009–10, the department completed 150 reviews comprising 40 senior officer reviews and 110 reviews to the Ombudsman.

Six-monthly Ombudsman reviews and four-monthly senior officer reviews began in June 2009 and November 2009 respectively, for all irregular maritime arrivals (IMA) cases. In April 2010, the Ombudsman and the department agreed that the Ombudsman reviews for IMA cases would subsequently commence after a period in immigration detention of nine months. In addition to these Ombudsman's reviews, the department would complete six-monthly senior officer reviews.

In 2009–10, 261 reviews were completed, comprising 138 senior officer reviews and 123 reviews to the Ombudsman, which included reviews carried out under section 486N of the Act.

Reviews of compliance and irregular maritime arrival cases focus on progress towards case resolution, the appropriateness of continued immigration detention in that context (informed by the client's circumstances, including health and welfare needs) and the appropriateness of the client's placement. After receiving departmental reviews, the Ombudsman also conducts a review of the cases and provides a report to the secretary.

In 2009–10, the department provided 233 reviews, consisting of 110 compliance-related cases and 123 irregular maritime arrival cases, to the Ombudsman. The Ombudsman has provided 99 reports to the secretary.

Key immigration detention values

The government's seven key immigration detention values are:

1. Mandatory detention is an essential component of strong border control.
2. To support the integrity of Australia's immigration program, three groups will be subject to mandatory detention:
 - all unauthorised arrivals, for management of health, identity and security risks to the community
 - unlawful non-citizens who present unacceptable risks to the community, and
 - unlawful non-citizens who have repeatedly refused to comply with their visa conditions.
3. Children, including juvenile foreign fishers and, where possible, their families, will not be detained in an immigration detention centre.
4. Detention that is indefinite or otherwise arbitrary is not acceptable and the length and conditions of detention, including the appropriateness of both the accommodation and the services provided, would be subject to regular review.
5. Detention in immigration detention centres is only to be used as a last resort and for the shortest practicable time.
6. People in detention will be treated fairly and reasonably within the law.
7. Conditions of detention will ensure the inherent dignity of the human person.

Departmental item—Removals

Effecting departures from Australia for those with no right to stay

The department's new approach, involving early intervention and targeted assistance, has been critical in achieving accelerated immigration outcomes for clients, including voluntary returns. Under this approach, non-citizens who are willing to depart Australia but require support to do so can be referred for assistance and have their departure monitored.

Performance

Throughout 2009–10, the department assisted or managed the departure of 8825 people from Australia. This included assisted voluntary returns and monitored departures of people in the community on bridging visas as well as the removal of people (both on request and involuntarily) from immigration detention. This represents a 29 per cent increase on the 6818 departures in 2008–09.

In 2009–10, a total of 5843 compliance clients (not including irregular maritime arrivals, illegal foreign fishers or airport turnarounds) resolved their status by departing voluntarily from the community. A significant contributor to this has been the increase in assisted and monitored departures by people in the community on bridging visas.

Assisted voluntary return

The Assisted Voluntary Return Program was expanded nationally in July 2009 as a part of status resolution funding and is delivered in partnership with the International Organization of Migration (IOM).

Services provided through the IOM include:

- impartial immigration advice and counselling to help clients make informed choices
- assistance making travel arrangements, including obtaining valid travel documents or booking an airline ticket if a client is experiencing financial hardship.

Since it was expanded nationally in July 2009, the program has experienced a steady increase in its average monthly referral rates from 49 in 2008–09 to more than 80 in 2009–10.

The program is continuing to maintain high levels of voluntary outcomes. This year, 464 clients departed through the program, an increase from 387 in 2008–09 and 143 in 2007–08.

The overall rise in voluntary departures offset the downward trend in the number of unlawful non-citizens removed from Australia (excluding irregular arrivals) over the same period. The program has resulted in more clients departing Australia voluntarily, who may otherwise have had to be detained and removed in order to resolve their immigration status, reflecting a more cost effective and lower risk approach for the client and the department.

Removal activity

People who have no entitlement to remain in Australia are expected to depart voluntarily, either as an assisted voluntary return or as a monitored departure. If they do not depart voluntarily, the department is required to detain and remove or deport them as soon as reasonably practicable, under the *Migration Act 1958*.

In accordance with the government's immigration detention values, unlawful non-citizens may be detained in an immigration detention centre, in community-based detention or other detention arrangements for the purpose of removing them from Australia.

The department aims to ensure people are detained for the shortest possible time prior to their removal. The department has established effective arrangements with most countries to obtain travel documents when required to facilitate a removal and departmental staff are in close contact with foreign missions in Australia and with foreign agencies overseas.

About 70 per cent of people located in the community are removed within two weeks of being detained. Those who were detained for longer periods before they were removed had generally taken some action (such as seeking judicial review or ministerial intervention) that meant they were not available for removal for significant periods during their detention.

Irregular maritime arrivals can be removed if it is determined they are not owed Australia's protection through assessment of Australia's international obligations. During 2009–10, 139 irregular maritime arrivals (not including crew) were removed from Australia. The majority were of Sri Lankan and Indonesian nationality and most voluntarily requested removal. During the same period, 15 crew members were removed. For further information of offshore asylum seeker management see Program 4.3 on Page 192.

In 2009–10, the low number of foreign fishers reaching Australian shores continued. As a result, the department removed 136 fishers, compared to 200 in 2008–09 and more than 1200 in 2007–08. For further information of illegal foreign fishers see Program 4.4 on Page 203.

Improving the effectiveness of the program

The department undertook a range of activities during 2009–10 to improve the effectiveness of the compliance and status resolution program, including significant improvements to the Compliance, Case Management and Detention Portal, ongoing audits of detention-related decision-making and the revision of the detention-related decision-making control framework.

Systems for People—Compliance, Case Management and Detention Portal

From June 2009, there were a number of enhancements to the portal to support apprehension processing of irregular maritime arrivals and to support the character consideration process. In December 2009, there was a significant upgrade of the portal software to Siebel version 8.1 which improved reporting capability and audit functions. The upgrade was also significant as it was the first of its kind in Australia for this software, which is used widely in both public and private sectors.

In February 2010, border staff commenced recording all unauthorised air arrival detention cases in the portal. Compliance client counter staff also commenced using the portal. The third-party provider portal was released into production and the department's detention services provider Serco and the International Organization for Migration were directly linked to the portal. In March 2010, the Community Assistance Support program was included in the portal via a minor release.

Trials of computing mobility hardware and software, which enable compliance officers to access departmental systems while in the field, were commenced in the Melbourne office. Based on positive feedback, the department anticipates expanding the trial and implementing computing mobility as an ongoing capability in 2010–11.

Enhancement of the Visa Compliance and Status Resolution control framework

Throughout 2009–10, the department conducted a range of evaluation and quality assurance activities to test the overall effectiveness of the visa compliance and status resolution program in meeting program outcomes in relation to management of persons who originally entered Australia lawfully. These activities included a range of quality assurance activities and three independent audits of the department's decisions to detain unlawful non-citizens located in the community.

These audits recommended a more risk-based approach to the use of immigration detention and to the management controls applied to ensure its lawful and appropriate use. Following on from this, the department engaged Oakton Consulting to review the department's processes for detention-related decision-making in relation to onshore compliance. The review found that the current control framework was heavily geared toward mitigating the risks associated with unlawfully or unreasonably detaining people located in the community, however, there were other risks associated with the detention decision-making process that were not effectively managed. The review also found that existing controls were applied to all clients and scenarios relating to the community compliance caseload as if they presented the same, or similar, level of risk and that false comfort may be taken from the number of reviews that are conducted rather than the quality/comprehensiveness of the reviews and their ability to facilitate an immigration outcome.

The department accepted the review findings and during 2009–10 commenced work on a redesign of the visa compliance and status resolution control framework. The new framework will be implemented in 2010–11 and will provide for improved management of the risks of inappropriately detaining people located in the community, or detaining compliance clients for unnecessarily prolonged periods. It will do this by ensuring that controls are applied only to those cases of the greatest risk and applying a more streamlined process where the client risks are low. These processes will be supported by systems enhancements and improvements in training and instructions to departmental officers.

Administered item—Compliance resolution, community care and assistance

Objective

To actively, efficiently and effectively manage unlawful non-citizens and Bridging visa E holders in the community to an immigration outcome through early intervention and provision of needs-based support and assistance.

Performance

National assisted voluntary return service

The Assisted Voluntary Return (AVR) service, which is delivered in partnership with the International Organization of Migration (IOM), was expanded nationally in July 2009. The average monthly referral rate to IOM increased from 49 in 2008–09 to 82 in 2009–10. The increase in the referral rate coincided with an increase in the department's service delivery capacity, with more compliance officers working with clients in the community to engage and refer those eligible for AVR to IOM.

In 2009–10, 452 clients voluntarily departed through the AVR service, demonstrating that the program is continuing to maintain high levels of voluntary outcomes for clients who may otherwise have had to be detained and removed in order to resolve their status.

Table 62: Visa compliance and status resolution—deliverable

Deliverable 2009–10	
Planned	Result
Health, welfare and voluntary return service	Health and welfare services have been provided to eligible case-managed clients by the Australian Red Cross through the Community Assistance Support program. Immigration counselling and post-return support is provided through the International Organization for Migration.
National assisted voluntary return service	An expanded service was rolled out nationally in July 2009. In 2009–10, the average monthly referral rate of clients to the IOM increased by 67 per cent compared to 2008–09.
Expanded immigration advice and application assistance	The Immigration Advice and Application Scheme (IAAAS) provides independent advice and immigration assistance and is offered to all people in immigration detention, and the most disadvantaged protection visa applicants and other visa applicants in the community.

Programs 4.2, 4.3 and 4.4—overview

The purpose of immigration detention is to protect the Australian community from risks that may arise from the presence of an unlawful non-citizen in Australia and to assist in the resolution of an unlawful non-citizen's status. Immigration detention is administrative, not punitive. Government policy requires the department to be able to justify the immigration detention of any person. Immigration detention is only used for those clients for whom it is warranted on the basis of risk assessment.

In 2009–10, there was a 123 per cent increase in the total numbers of people held in immigration detention from 4397 people in 2008–09 to 9802 people in 2009–10.

During 2009–10, 8749 people were taken into immigration detention, compared to 3977 in 2008–09, an increase of 120 per cent.

At 30 June 2010, there were 4077 people in immigration detention compared to 1036 at 30 June 2009.

Figure 21 shows the numbers of people taken into immigration detention since 2005–06.

Figure 21: People taken into immigration detention from 2005–06 to 2009–10

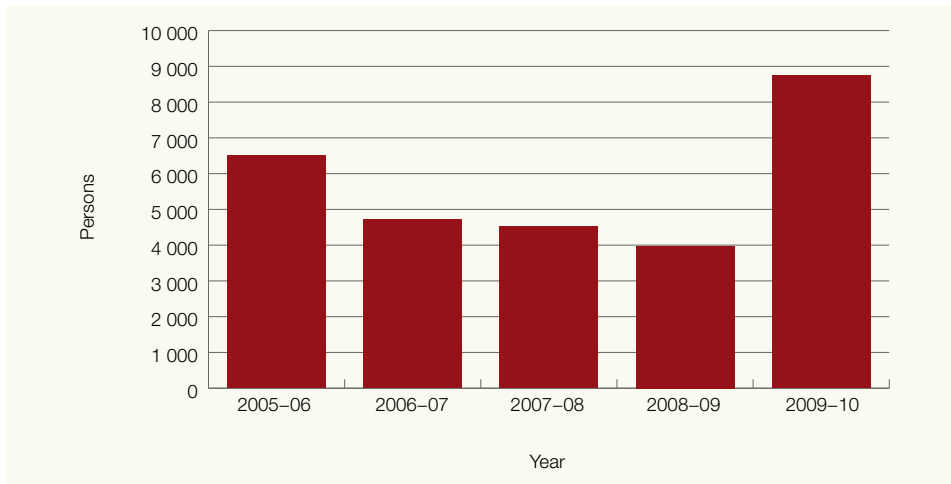


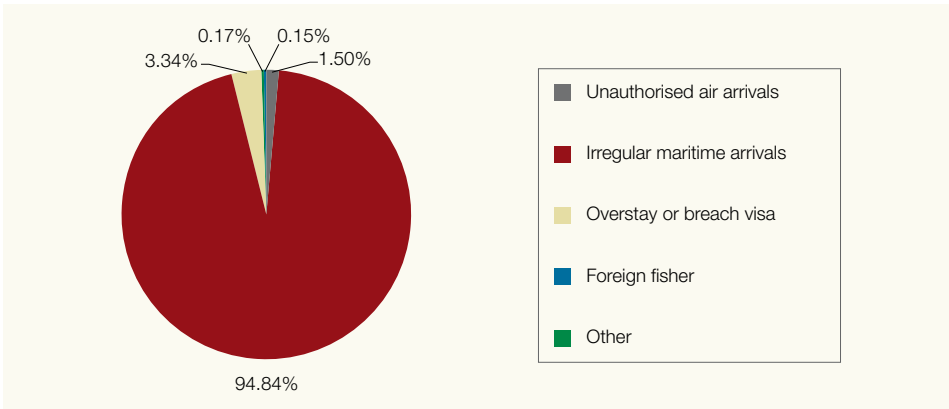
Figure 22 shows the trend in the number of people in immigration detention in Australia from 1990 to 2010. The detention of large numbers of irregular maritime arrivals is represented by peaks in 1999 and 2002. From that period onward the trend in the number of people in immigration detention was generally downward until 2009. There was an increase in numbers of irregular maritime arrivals in 2009–10.

Figure 22: Population in immigration detention from 1 December 1990 to 30 June 2010



The number of people in immigration detention at 30 June 2010 was 4077. These included 3867 irregular maritime arrivals, 61 unauthorised air arrivals, 136 people who had been living in the community but had over stayed or breached visa conditions, six foreign fishers and seven others such as stowaways and ship deserters.

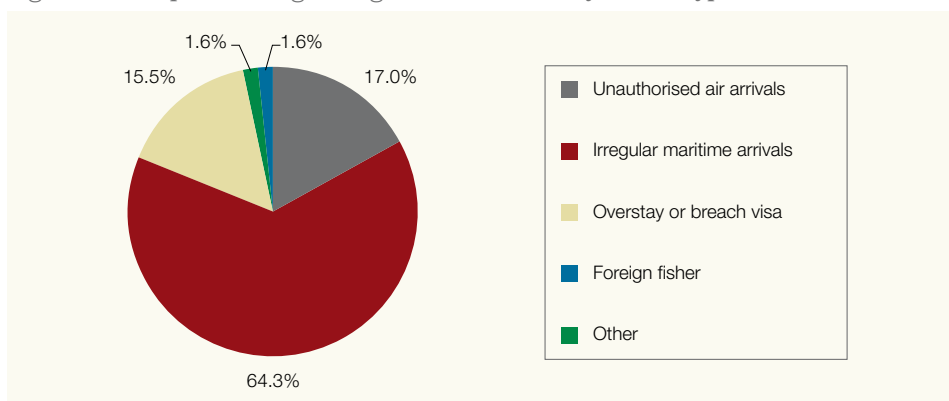
Figure 23: People in immigration detention by arrival type at 30 June 2010



Of the 8749 people taken into immigration detention during 2009–10:

- 1356 were people who had been living in the community but overstayed or breached visa conditions, representing 15 per cent of the total
- 139 were foreign fishers, representing 2 per cent of the total
- 7116 were unauthorised arrivals (1489 by air and 5627 by boat), representing 81 per cent of the total
- 138 were in other categories, representing 2 per cent of the total.

Figure 24: People entering immigration detention by arrival type in 2009–10



Community detention program

Community detention was introduced in 2005 to enable children, families with children and people with special needs to be placed in detention in the community, rather than in a secure immigration detention centre.

The program has afforded detained people the ability to live in the community, subject to certain conditions, while their immigration status is resolved.

The department works with the Red Cross to support people placed in community detention while their immigration status is resolved. These people must reside at a nominated address and comply with other conditions which include regular reporting to the department.

Currently, International Health and Medical Services are contracted to provide health services to people in community detention on the mainland. The services are provided through local community GPs.

As at 30 June 2010, there were 30 people living in the community under residence determination arrangements (18 adults and 12 children). Of the 30 people, there were four family groups, 11 individual adults and no unaccompanied minors.

Table 63: People held in community detention during 2009–10

Program	People held
Onshore	31
IMA	130
Foreign fishers	0
Total	161

Abolition of Detention Debt

The *Migration Amendment (Abolishing Detention Debt) Act 2009* commenced on 9 November 2009. It amended the *Migration Act 1958* to remove liability for detention costs from certain people in immigration detention and extinguished all outstanding debt. The liability for costs associated with the removal or deportation of unlawful non-citizens (including convicted illegal foreign fishers and convicted people smugglers) remains unchanged.

Only newly convicted illegal foreign fishers, people smugglers and liable third parties now incur a detention debt. This deterrent is appropriate given the seriousness of their offences.

People with an outstanding immigration detention debt were advised in writing that their debt no longer existed and Australia's overseas missions were similarly advised of the changes. The department's call centres were provided with information to assist people seeking advice on their particular circumstances.

Services

Detention health services and support

The overarching philosophy of detention health care is to ensure that people in immigration detention have access to clinically recommended and high quality health care that addresses their diverse and potentially complex health care needs.

Primary health care and mental health care services are delivered to people in immigration detention primarily by the department's contracted health services provider, International Health and Medical Services (IHMS). These services are provided by qualified general practitioners, nurses and mental health professionals. People in immigration detention in the community have access to the IHMS national network of general practitioners and other health care providers, who also provide specialist or allied health services to clients in immigration detention where these services are clinically recommended.

On Christmas Island, primary health care services provided to irregular maritime arrivals include regular scheduled nurse clinics, general practitioner consultations and psychological and mental health services. Dental and optometry services are provided to people in immigration detention by mainland providers who visit the island. The Indian Ocean Territories Health Service (IOTHS), which in 2009–10 was an agency of the (Commonwealth) Attorney-General's Department, provides people in immigration detention with access to tertiary care including emergency and specialist care that cannot be provided by the contracted health services provider. Where clinically indicated, people in immigration detention are transferred to a health facility on the mainland.

IHMS also provides access to a range of onsite primary health care services to people accommodated in mainland immigration detention centres and alternative places of detention such as motels and immigration transit accommodation facilities. Depending on numbers of people at a location and their potential needs, primary health care services provided on site may include registered nurses, general practitioners and mental health professionals. Access to specialist care such as psychologists, dentists and optometrists, is made available through regular onsite clinics or by referral to other community health care providers as clinically indicated.

Health care services for people accommodated in immigration residential housing or for people in community detention, are provided by community health care providers and coordinated by a local GP within the IHMS network.

All people in immigration detention have access to torture and trauma counselling. People who are initially accommodated at mainland immigration detention facilities have access to torture and trauma counselling through a Forum of Australian Services for Survivors of Torture and Trauma organisation if they make a request to see a counsellor through IHMS. All irregular maritime arrivals are automatically referred to a torture and trauma counsellor soon after their arrival on Christmas Island because of the high risk that they have suffered torture or trauma in their country of origin. Since 1 October 2009, this service has been provided by IOTHS. Prior to this date, the service was provided by a Forum of Australian Services for Survivors of Torture and Trauma organisation.

Emergency and after-hours medical services for people in immigration detention are provided by local hospitals and ambulance services.

Australian Red Cross

The department signed a contract with the Red Cross on 25 June 2010 extending the provision of services from July 2010 to 31 December 2011.

The contract includes provision of services to vulnerable clients who are awaiting refugee status determination or the resolution of their immigration status with the following programs:

- Asylum Seeker Assistance Scheme support.
- Community care and welfare services for clients in community detention.
- Community Assistance Support program.
- Restoring Family Links.

Life Without Barriers

A contract was signed with Life Without Barriers on 30 June 2010 extending the provision of services from July 2010 to 31 December 2011.

Life Without Barriers runs support programs for unaccompanied young asylum seekers. Support services are delivered to unaccompanied minors and families who arrive by boat and are being processed on Christmas Island and the mainland. These services provide direct day-to-day physical care and emotional support to each individual. Life Without Barriers also provides support and facilitates skills development opportunities, English language classes, day-to-day living skills and recreational activities.

Contract management

Details of management of contracts for community and detention services are provided in the administered items for 4.2, 4.3 and 4.4 (Pages 190, 199 and 206).

Tenders for detention services

During the latter half of 2009, the department finalised the last of the three tender processes for the acquisition of detention health services; detention services at immigration detention centres; and detention services at immigration residential housing and immigration transit housing. The contract for Immigration Transit Accommodation and Immigration Residential Housing was signed on 11 December 2009 and the transition of all sites completed by the end of January 2010.

The contract reflects the way forward for detention services, incorporating the government's *New Directions in Detention* policy and the seven key immigration detention values.

It also provides a strong contractual framework for managing the performance of the service provider, with both abatement and incentive mechanisms as part of a continuous improvement regime.

As with the Immigration Detention Centre contract, this contract strengthens partnering arrangements that have been fundamental to meeting increasing demands for provision of services in response to increased numbers of irregular maritime arrivals.

Oversight and consultation

Public Scrutiny

During 2009–10, immigration detention centres and other places of detention were visited by several independent organisations, including the Commonwealth Ombudsman's office and the Australian Human Rights Commission which provided reports and feedback to the department.

Council for Immigration Services and Status Resolution

In 2008, the minister decided to revitalise the Immigration Detention Advisory Group (IDAG) in line with the *New Directions in Detention* policy. The new group, known as the Council for Immigration Services and Status Resolution (CISSR), provides the minister with independent advice on the development of policies, processes, services and programs necessary to achieve the timely, fair and effective resolution of immigration status for people seeking asylum or other migration outcomes in Australia.

The minister invited selected IDAG members to continue their service with the new council in light of their substantial past service to the portfolio and their ability to contribute to the new focus on end-to-end service provision and immigration status resolution. This also ensured continuity of knowledge and preserved the well-established relationships that have been forged with key stakeholders and community groups. The members of CISSR were appointed for a two-year term commencing in October 2009. Details of membership can be found in Appendix 4.

CISSR met on five occasions in 2009–10. During these meetings, subgroups were established to provide advice to the minister. The subgroups are:

- Minors
- Service Delivery Framework
- Research and Evaluation
- Christmas Island
- Mainland Detention Facilities.



Case study

The Council for Immigration Services and Status Resolution

In October, Minister Chris Evans, announced the establishment of the Council for Immigration Services and Status Resolution. The council's role is to provide independent advice to the minister on the implementation of measures associated with the government's immigration policy initiatives including the *New Directions in Detention* and the national roll out of the Community Status Resolution Service.

Council members have specialist knowledge and experience in a wide range of areas associated with humanitarianism, refugee and asylum seeker support, multiculturalism and mental health.

'The government's focus is on resolving the immigration status of people quickly and fairly while ensuring they are treated humanely and with dignity and respect,' Senator Evans said. 'The council will provide independent advice on policies, services and programs to achieve timely, fair and effective resolution of immigration status for people seeking asylum or other migration outcomes in Australia.'

The council is guided by five subgroups which focus on aspects of detention and case resolution. These include: Minors; Service Delivery Framework; Research and Evaluation; Christmas Island and Mainland Detention Centres.

In addition, members of the council chair community consultative groups in each state and territory. These groups provide a forum for the council, the department, detention service providers, health service providers and other key community stakeholders to discuss ways in which they can enhance service delivery. They explore and consider issues relating to the range of services, activities and welfare opportunities available to people in immigration detention facilities.

Photo: The chair of the Council for Immigration Services and Status Resolution, Mr Paris Aristotle AM.

Detention Health Advisory Group

Over the past four years, the department has worked closely with stakeholders, particularly the Detention Health Advisory Group (DeHAG). DeHAG was formed in March 2006 in response to recommendations made in the *Inquiry into the Circumstances of the Immigration Detention of Cornelia Rau* report and its nominees come from a number of key health professional organisations including the:

- Australian Medical Association
- Royal Australian and New Zealand College of Psychiatry
- Royal College of Nursing Australia
- Public Health Association
- Royal Australian College of General Practitioners.

The Ombudsman's Office has observer status at DeHAG.

DeHAG plays a major role in providing the department with independent, professional advice on the design, implementation and monitoring of health policies and procedures in immigration detention. The committee continues to represent a significant step forward in working in an open and accountable manner with our key health stakeholders to improve the general and mental health of all people under the department's care.

In 2009–10, DeHAG has continued its schedule of inspections of places of immigration detention and provided advice on detention health policies, procedures and practices. This included visiting Christmas Island and providing advice on the delivery of health services and the accommodation arrangements in place for children and people who have mental health or behavioural issues.

Supporting vulnerable clients

Mental Health Sub-Group

The department recognises that some people in immigration detention, particularly those who are irregular maritime arrivals, may have mental health issues and are at risk of suicide and self-harming behaviour. The department has worked closely with DeHAG and its Mental Health Sub-Group which was formed in March 2007 to develop three new policies. They are:

- Identification and support of people in immigration detention who are survivors of torture and trauma.
- Psychological support program for the prevention of self-harm in immigration detention.
- Mental health screening for people in immigration detention.

These policies reflect best-practice approaches for identifying and supporting survivors of torture and trauma and for preventing self-harm in immigration detention and were developed with reference to the Department of Health and Ageing's National Mental Health Policy. The policies promote practices that aim to minimise factors leading to the deterioration of mental health including through early assessment and prompt referral for appropriate treatment and by the promotion of activities and programs aimed at keeping people active and engaged. The policies aim to ensure that people are better equipped for life once their period of immigration detention ends.

The department introduced these policies to detention staff and other key stakeholders between February and August 2010. During this time, training was provided to about 1200 personnel from seven different government and non-government agencies and organisations that have extensive contact with people in immigration detention. These include staff from:

- the department across several divisions and all regions
- Serco Australia (the contracted detention services provider)
- International Health and Medical Services
- Indian Ocean Territories Health Service
- Australian Red Cross
- Life Without Barriers
- organisations that are members of the Forum of Australian Services for Survivors of Torture and Trauma.

During 2009–10, other priorities for the DeHAG Mental Health Sub-Group included:

- advising the department on mental health-related professional development for staff working in the detention environment
- developing a model for the management of mental health concerns for places of immigration detention in remote locations.

Care of minors

As a signatory to the *United Nations Convention on the Rights of the Child*, the Australian Government takes its obligations towards minors very seriously.

In accordance with the government's key immigration detention values, minors and, where possible, their families are not accommodated in immigration detention centres and are detained for the shortest possible period of time. Minors who are required to spend time in immigration detention are accommodated in alternative places of detention or in community detention arrangements. Care and support is provided to cater to their specific educational, social and medical needs.

Unaccompanied minors are non-citizen children under the age of 18 years who arrive in Australia without parents to care for them. Some unaccompanied minors have a relative over the age of 21 years to provide care and are called non-wards. Unaccompanied minors who do not have a suitable relative become wards of the minister under the *Immigration (Guardianship of Children) Act 1946*. The Act ensures that minors who arrive in Australian territory unaccompanied have a legal guardian. This includes irregular maritime arrivals.

The minister delegates his function as guardian of wards to officers of the department. Departmental officers ensure that where a parent or guardian is unavailable, minors who are in detention receive appropriate care and have access to an independent person who ensures the child's best interests are observed during interview procedures and while signing official documents.

On 30 June 2010, the department signed a contract with Life Without Barriers for the provision of care and welfare support services to unaccompanied minors in immigration detention on the Australian mainland. The contract also includes the provision of independent observer services to unaccompanied minors on both Christmas Island and the Australian mainland. Life Without Barriers staff have experience and qualifications that cover the areas of social and youth work, education, nursing, mental health and human services.

Program 4.2

Onshore detention network

Program 4.2 consists of one departmental item: Onshore detention network.

There are two administered items under Program 4.2:

- Community and detention services contracts
- Payments under section 33 of the *Financial Management and Accountability Act 1997* (Act of Grace payments).

Objectives

To advise on, develop and provide a range of support, health and detention services in community and detention environments that seek to:

- best suit the needs of individual people in immigration detention
- treat people in immigration detention fairly and reasonably within the law
- ensure the inherent dignity of people in immigration detention
- ensure that no minors are detained in immigration detention centres
- ensure the availability for immigration processing or removal of people detained under the Migration Act
- protect the Australian community from unlawful non-citizens who present unacceptable risks to the community
- enable the management of health, identity and security risks to the community arising from unauthorised arrivals.

Onshore detention network—deliverables

Deliverable: Provision of support, health and detention services to people in immigration detention, in both community and detention environments, in accordance with the objectives and KPI targets for this program.

Result: This deliverable was met. To the fullest extent possible, people in immigration detention are managed in accordance with the government's immigration detention values. These ensure that all people in detention are treated with dignity and respect, are accommodated suitably and are provided with appropriate support and other services to meet their daily requirements.

Deliverable: Policy advice and service design to enable such provision.

Result: This deliverable was met. Reviews of policy and services occur regularly in this dynamic immigration environment.

Table 64: Onshore detention network—performance information

Key performance indicators	2009–10 target	2009–10 actual
Average total number of person-days in immigration detention per breach of standards	1 000	1 534
Percentage of people in immigration detention centres that are not known or reasonably suspected of being a minor	100%	100%
Percentage of people held in immigration detention whose ongoing detention and placement is reviewed within service standards ¹	98%	99%

1. Service standards available at www.immi.gov.au

Departmental item—Community and detention services

This program manages all people placed into immigration detention who did not arrive in Australia at an excised offshore place (see Program 4.3), except for illegal foreign fishers (see Program 4.4).

The purpose of immigration detention in these cases is to assist in the resolution of immigration status and to address any risk arising from the non-citizen entering or remaining in the Australian community. These detainees include people who have overstayed their visas and become unlawful non-citizens, people whose visas have been cancelled, and those who have arrived without authorisation by air.

Performance

In 2009–10, there was a 3.3 per cent increase in the total numbers of people held in onshore immigration detention from 3146 people in 2008–09 to 3250 people in 2009–10.

During 2009–10, 2983 people were taken into onshore immigration detention, compared to 2758 in 2008–09, an increase of 8.2 per cent.

At 30 June 2010, there were 204 people in onshore immigration detention compared to 253 at 30 June 2009.

Figure 25: People in onshore detention by placement type as at 30 June 2010

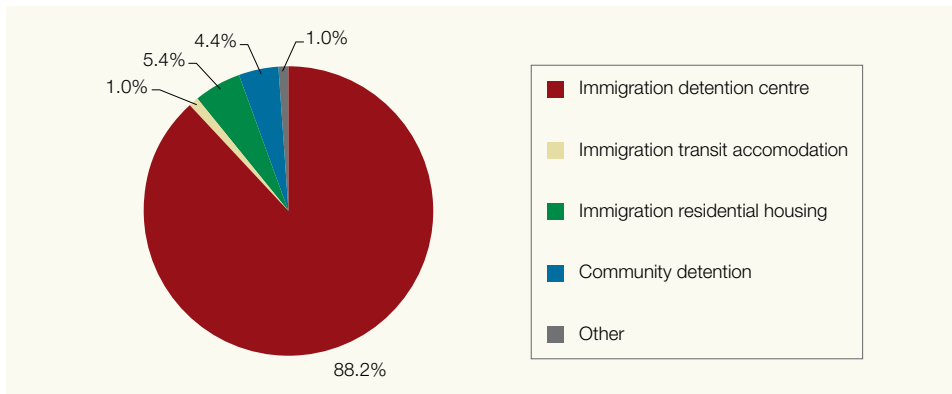
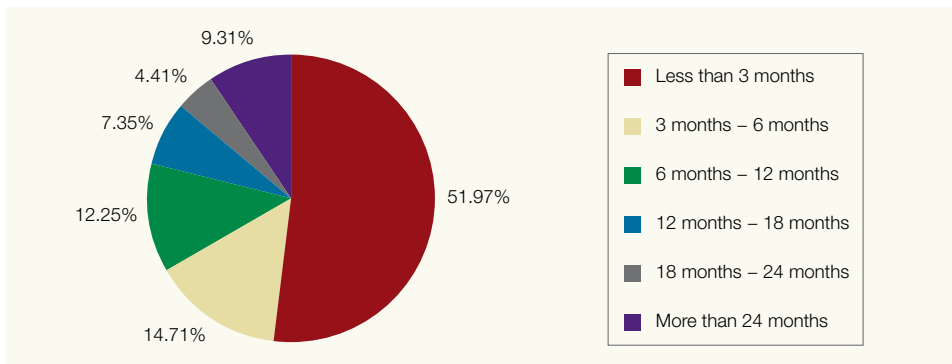


Figure 26: People in onshore detention by period detained as at 30 June 2010



Infrastructure

The department has determined a continuum of infrastructure based on operational requirements and risk of flight. This continuum spans immigration transit accommodation, immigration residential housing and immigration detention centres. To reflect the desire to provide a more humane environment for people in immigration detention, several redevelopment and refurbishment projects have been undertaken over the past five years.

Villawood redevelopment

Following the May 2009–10 Budget announcement, funding of \$186.7 million (excluding GST) was approved for the redevelopment of Villawood Immigration Detention Centre (VIDC). The redevelopment is subject to scrutiny by the Parliamentary Standing Committee on Public Works, which reviewed it in September 2009 and recommended in November that the project proceed.

This redevelopment project is being managed on behalf of the department by the Department of Finance and Deregulation and is scheduled for completion in mid-2014.

During 2009–10, the department has markedly improved living conditions and amenities at VIDC.

The department has constructed a zone for the management of clients requiring care for mental health or observation reasons within the higher security facility as well as refurbishing and extending the high-care accommodation suite in the medium security facility.

Various improvements to the pedestrian avenues through VIDC for people in immigration detention have been completed.

The department has also completed construction of a new visits building and interview rooms. The new building provides an all-weather facility in which people in immigration detention can meet their visitors in a comfortable environment with facilities for relaxation, dining, games, children's play and the internet.

The new interview rooms were required to meet an operational demand and to comply with recommendations contained in a Protective Security Report received in November 2009.

Various other minor works have been completed at VIDC in 2009–10 including the provision of additional office accommodation for departmental staff, an upgrade of the fire ring main services to meet current standards and provision of additional gymnasium facilities to meet demand from an increasing client population.

Administered item—Community and detention services contracts

Objectives

To fund provision of a range of support, health and detention services in community and detention environments that seek to:

- best suit the needs of individual people in immigration detention
- treat people in detention fairly and reasonably within the law
- ensure the inherent dignity of people in immigration detention
- ensure that no minors are detained in immigration detention centres
- ensure the availability for immigration processing or removal of people detained under the Migration Act
- enable the management of health, identity and security risks to the community arising from unauthorised arrivals.

Description

The department monitors the compliance of the contracted service provider with the requirements of the Detention Services Contract for Immigration Detention Centres and the Services Contract for Immigration Residential Housing and Immigration Transit Accommodation. The service provider delivers a range of support and detention services in various detention environments in accordance with the immigration detention values. Health services are delivered to people in detention under a separate contract with health service providers. The KPI targets are embedded in the contracts with the service provider.

Performance

During 2009–10, the detention service provider, Serco, progressively transitioned in facilities from the previous service provider, G4S. The transition to Serco was successfully completed at end of January 2010. The Serco contract, which includes this administered item and also the administered items under Programs 4.3 and 4.4, had an original value of \$367 million over five years. However, this will increase markedly to reflect the significant increase in clients and the associated increase in number of facilities being operated since the contracts were signed in 2008–09.

To ensure staff tasked with managing compliance with the contracts have necessary skills and expertise, the department engaged the Australian Public Service Commission to develop and deliver training to staff.

Incidents of non-compliance with the contracts are considered at monthly intervals. The contract administrator may raise financial sanctions against the contractor for breaches identified under the Performance Management Framework. This framework is reviewed annually.

Table 65: Community and detention services contracts—deliverable

Deliverable 2009–10	
Planned	Result
Provision of support, health and detention services to people in immigration detention, in both community and detention environments, in accordance with the objectives and KPI targets for this program.	The deliverable was achieved in accordance with the objectives and KPI targets for the program.

Administered item—Payments under section 33 of the Financial Management and Accountability Act 1997

Objective

Payments made under section 33 of the *Financial Management and Accountability Act 1997* are special discretionary compensatory payments (Act of Grace payments) made in circumstances where there is no other viable avenue of redress available and the Minister for Finance and Deregulation (or delegate) considers the payment is appropriate because of special circumstances.

Performance

During 2009–10, the department received 12 requests for Act of Grace payments. Of these, six were approved by the Minister for Finance and Deregulation or delegate, five were rejected and one is still awaiting decision.

Table 66: Payments under section 33 of the Financial Management and Accountability Act 1997—Act of Grace payments—deliverable

Deliverable 2009–10	
Planned	Result
Payments are made in accordance with legislative requirements and guidelines.	There were 18 payments made (including claims that were received in previous financial years but not paid until the 2009–10 financial year). The payments were made in accordance with legislative requirements and guidelines.

Program 4.3

Offshore asylum seeker management

Program 4.3 consists of one departmental item: Offshore asylum seeker management.

There are three administered items under Program 4.3:

- Community and detention services contracts
- Management and care of irregular immigrants in Indonesia
- Regional cooperation and capacity building.

Objectives

- To advise on, develop and provide a range of support, health and detention services in community and detention environments on Christmas Island that seek to:
 - best suit the needs of individual people in immigration detention
 - treat people in detention fairly and reasonably within the law
 - ensure the inherent dignity of people in immigration detention
 - ensure that no minors are detained in immigration detention centres
 - ensure the availability for immigration processing or removal of people detained under the Migration Act
 - enable the management of health, identity and security risks to the community arising from unauthorised arrivals.
- To strengthen the migration and border management capabilities of governments in the Asia-Pacific region and parts of South Asia and the Middle East.
- To assist facilitation of bona fide people movements while preventing and deterring irregular movements, including people smuggling and trafficking, in our region and in source/transit countries.
- To support international organisations for the care of irregular migrants intercepted en route to Australia.
- To remove from Australia offshore asylum seekers not owed protection by Australia.

Offshore asylum seeker management—deliverables

Deliverable: Provision of support, health and detention services to people in immigration detention, in both community and detention environments, in accordance with the objectives and KPI targets for this program.

Result: This deliverable was met. To the fullest extent possible, people in immigration detention on Christmas Island are managed in accordance with the government's immigration detention values. These ensure that all people in detention are treated with dignity and respect, are accommodated suitably and are provided with appropriate support and other services to meet their daily requirements.

In accordance with the government's immigration detention values, minors and their families are not accommodated in immigration detention centres.

Offshore asylum seeker management—deliverables *continued*

Deliverable: Policy advice and service design to enable such service provision.

Result: This deliverable was met. The department regularly reviews its policy and service implementation strategies in relation to the management of IMAs on Christmas Island. Policy advice is provided to the minister and departmental executive in a timely manner to ensure that information is current and appropriate to this dynamic operational environment.

Deliverable: Services to develop, implement and undertake the removal from Australia of offshore asylum seekers not owed protection by Australia.

Result: Indicator met. The department is increasingly supporting its management of offshore asylum seekers through applying status resolution principles used successfully onshore: actively engaging with clients to resolve immigration status, clearly communicating information about their immigration pathway, and providing holistic support on a needs-basis.

The department arranges the departure of offshore asylum seekers not owed Australia's protection as soon as practically possible after they become available for removal. The International Organization for Migration is funded to provide independent counselling to clients and post-return assistance to address immediate needs following a removal.

Table 67: Offshore asylum seeker management—performance information

Key performance indicators	2009–10 target	2009–10 actual
Average total number of person-days in immigration detention per breach of standards	1 000	8 009
Percentage of persons in IDCs that are not known or reasonably suspected of being a minor	100%	100%
Percentage of people held in immigration detention whose ongoing detention and placements is reviewed within service standards ¹	98%	99% ²

1. Service standards available at www.immi.gov.au

2. This figure was last reported as at 31 December 2009 pending implementation of enhanced detention control framework.

Departmental item—Offshore asylum seeker management

This program manages people in immigration detention who arrived in Australia at an excised offshore place.

Performance

In 2009–10, there was a 510.7 per cent increase in the total numbers of irregular maritime arrivals (IMAs) held in immigration detention from 1050 people in 2008–09 to 6412 people in 2009–10.

During 2009–10, 5627 IMAs were taken into immigration detention, compared to 1043 in 2008–09.

At 30 June 2010, there were 3867 IMAs in immigration detention compared with 782 at 30 June 2009.

Figure 27: Irregular maritime arrivals by placement type as at 30 June 2010

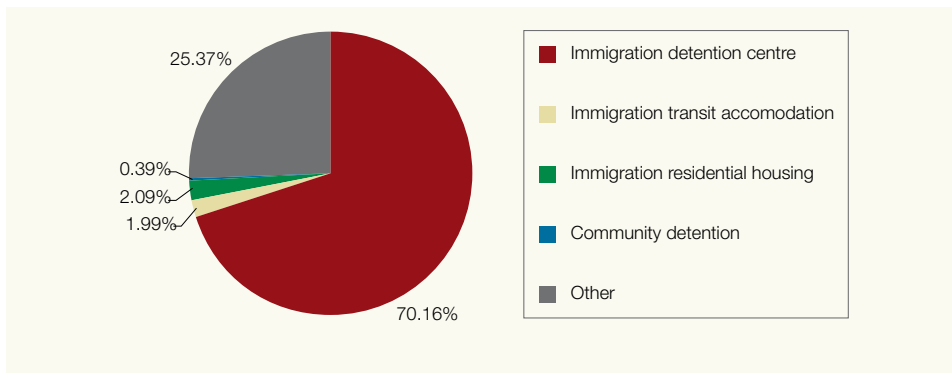
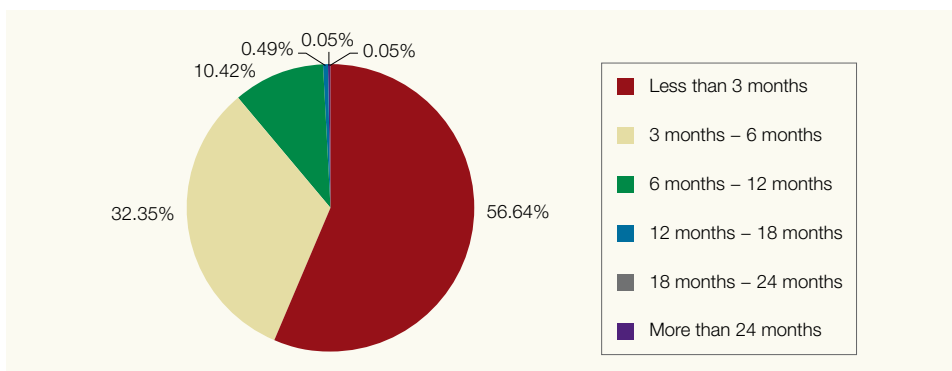


Figure 28: Irregular maritime arrivals by period detained as at 30 June 2010



In 2009–10, there were 5627 IMAs (including 300 crew) in 117 vessels intercepted in Australian waters and taken to Christmas Island for initial processing¹.

Table 68: Irregular maritime arrivals on vessels intercepted in Australian waters in 2009–10 by gender

2009–10	
Adult male	4 563
Adult female	265
Accompanied minors—male	181
Accompanied minors—female	130
Unaccompanied minors—male	470
Unaccompanied minors—female	6
Total	5 615

Note: Due to the limited information available on the people concerned, this table does not include the 12 people from the vessel *Reservoir* (SIEV 69) who were deceased at sea.

The Christmas Island Immigration Detention Centre is used to accommodate single men. Children, women, families and vulnerable clients are accommodated at the low-security Construction Camp. Other accommodation options, including Phosphate Hill and community detention, are used flexibly to respond to the specific needs of IMAs.

The increasing volume and complexity of the IMA client caseload has resulted in the transfer of certain groups and individuals to detention facilities on the Australian mainland prior to finalisation of processing.

Offshore asylum seekers status resolution

In 2009–10, 2156 IMAs were granted permanent visas and settled in Australia. People were mainly settled in Victoria, followed by New South Wales, Queensland, South Australia and Western Australia. Small numbers were also settled in the Australian Capital Territory and Northern Territory.

Table 69: Irregular maritime arrivals—client caseload for 2009–10

2009–10	
Number of IMA clients	5 627
Number of IMA clients granted visas and settled on the mainland	2 156
Number of IMA clients who have been removed	139

1. This figure includes the 12 people onboard the vessel *Reservoir* (SIEV 69) deceased at sea.

Table 70: IMAs settled in Australia by state and territory

State/Territory	Total	(%)
Victoria	874	41
New South Wales	420	20
Queensland	326	15
South Australia	323	15
Western Australia	178	8
Australian Capital Territory	31	1
Northern Territory	4	0
Total	2 156	100

Services available to people on Christmas Island and the Australian mainland

The health and well being of IMAs has remained a primary focus for the department. Mental and physical activities play a key role in the health and wellbeing of people in immigration detention. A number of programs and activities are run within, and external to, the immigration detention facilities which contribute to personal development and quality of life. These activities include cultural and lifestyle classes, sporting activities, excursions and educational programs, including English language instruction. People have access to library services and internet and telephone services. Many people participate in regular religious activities on an individual or communal basis.

Detention health arrangements on Christmas Island

Health care services are provided to people in immigration detention on Christmas Island by the department's health services providers, International Health and Medical Services and Indian Ocean Territories Health Service.

International Health and Medical Services provides primary health care services to people in Christmas Island Immigration Detention Centre, Phosphate Hill and Construction Camp. These services are provided by qualified health professionals such as general practitioners, nurses and mental health professionals.

The Indian Ocean Territories Health Service provides a range of primary and acute health care services to people in community detention, and emergency services, specialist care and torture and trauma counselling for all people in immigration detention. These services are also provided by qualified health professionals.

Management of crew

In 2009–10, 300 IMA crew members were taken to Christmas Island for initial processing. Crew are regularly transferred to mainland detention arrangements as part of their processing, whether it is for removal from Australia, for arrest or for further processing.

Prosecution matters are dealt with on the Australian mainland. Crew are removed from Australia if they are not of interest to the Australian Federal Police. In rare circumstances, some crew members seek protection visas. When this occurs they are processed as per the usual IMA processing arrangements.

Minister's announcement

On 9 April 2010, the Australian Government announced its decision to temporarily suspend the processing of new asylum claims from Sri Lanka and Afghan nationals to ensure people's claims are assessed against the most up-to-date and accurate country information given changes in the affected countries.

The department informed all existing IMA clients of the suspension as soon as possible after the decision was made. All new asylum seekers from Sri Lanka and Afghanistan were informed of the suspension during initial reception and induction processes. While a decision was made to temporarily suspend the assessment of asylum claims, initial health and identity checks were still undertaken.

Projects to reopen Curtin and other facilities

Following the steady increase of IMAs in 2009–10, Christmas Island reached operational capacity. To address this, the government announced that the department would seek to accommodate some of these clients on mainland Australia.

On 18 April 2010, the government announced that the RAAF Base Curtin facility in Western Australia would be recommissioned by the department to accommodate adult single male IMAs who are subject to the processing suspension. On 1 June 2010, the government made a further announcement that a site in Leonora, Western Australia, would be used to temporarily house family groups of IMAs.

The RAAF Base Curtin was reopened on 11 June 2010 with major works to the facility to be carried out in two phases. The first phase was completed in June 2010 and the second phase is under way with final completion expected in early 2011. These facilities are expected to provide accommodation for 1200 clients. Where possible, the department has engaged local businesses for these projects.

In April 2010, the Port Augusta Immigration Residential Housing complex in South Australia was reopened in order to provide accommodation for unaccompanied minors from Christmas Island. The housing complex was originally designed to house families and, with the addition of bunks, has housed on average 50 male clients. Noting that the clients are minors, Life Without Barriers provides the same support services to clients as at other locations where there are unaccompanied minors.

Life Without Barriers assists the young men to manage their lives while their immigration status is resolved. This means both on-site and appropriate off-site activities, including much favoured soccer games between clients. Services such as interpreters, health care, and torture and trauma counselling are provided on-site on an as-needed basis, while the clients demonstrate self-responsibility through cooking food for themselves as well as doing laundry and cleaning.

Immigration Advice and Application Assistance Scheme

IMAs are provided with publicly funded advice and assistance, using selected contracted Immigration Advice and Application Assistance Scheme (IAAAS) providers to put forward their refugee claims at the primary and merits review stages. Those found to be refugees under the *United Nations 1951 Convention Relating to the Status of Refugees* are then further assisted by their IAAAS provider to lodge a protection visa application.

During 2009–10, 3425 IMAs received assistance on Christmas Island and at onshore detention facilities at a cost of \$8.79 million.

Table 71: IAAAS activity for offshore entry persons

	2008–09	2009–10
IMAs assisted to lodge refugee claims	440	3 425
Cost of IAAAS assistance services provided to IMAs	\$1 155 382	\$8 790 298

Administered item—Community and detention services contracts

Objectives

To fund provision of a range of support, health and detention services in community and detention environments on Christmas Island that seek to:

- best suit the needs of individual people in immigration detention
- treat people in immigration detention fairly and reasonably within the law
- ensure the inherent dignity of people in immigration detention
- ensure that no minors are detained in immigration detention centres
- ensure the availability for immigration processing or removal of people detained under the Migration Act
- enable the management of health, identity and security risks to the community arising from unauthorised arrivals.

Description

The department monitors the compliance of the contracted service provider with the requirements of the Detention Services Contract for Immigration Detention Centres and the Services Contract for Immigration Residential Housing and Immigration Transit Accommodation. The service provider delivers a range of support and detention services in various detention environments in accordance with the immigration detention values. Health services are delivered to people in detention under a separate different contract with health service providers. The KPI targets are embedded in the contracts with the service provider.

Performance

During 2009–10, the detention service provider, Serco, progressively transitioned in facilities from the previous service provider, G4S. The transition to Serco was successfully completed at end of January 2010. The Serco contract, which includes this administered item and also the administered items under Programs 4.2 and 4.4, had an original value of \$367 million over five years. However, this will increase markedly to reflect the significant increase in clients and the associated increase in number of facilities being operated since the contracts were signed in 2008–09.

To ensure staff tasked with managing compliance with the contracts have necessary skills and expertise, the department engaged the Australian Public Service Commission to develop and deliver training to staff.

Incidents of non-compliance with the contracts are considered at monthly intervals. The contract administrator may raise financial sanctions against the contractor for breaches identified under the Performance Management Framework. This framework is reviewed annually.

Table 72: Compliance and detention services contracts—deliverable

Deliverable 2009–10	
Planned	Result
Provision of support, health and detention services to people in immigration detention, in both community and detention environments on Christmas Island, in accordance with the objectives and KPI targets for this program.	The deliverable was achieved in accordance with the objectives and KPIs for the program.

Administered item—Management and care of irregular immigrants in Indonesia

Objectives

- Strengthen regional cooperation arrangements in Indonesia to support international organisations to provide care and welfare of irregular migrants who are intercepted in Indonesia.
- Provide funding to the International Organization for Migration (IOM) to enhance Indonesian immigration detention and transit facilities and to improve the care and support provided to irregular migrants in Indonesia.
- Provide training in identity management to Indonesian immigration officials, in particular, facial identification techniques.

Description

This item aims to provide care and support to irregular immigrants intercepted in Indonesia through cooperative arrangements with Indonesia and through IOM.

Performance

In 2009–10, funding was provided to support IOM in enhancing Indonesia’s immigration detention network and capability through:

- providing ongoing support to improve existing facilities
- securing additional community accommodation.

This funding has been used to support IOM to arrange modest upgrades and maintenance of facilities within the Indonesian immigration detention network, including Tanjung Pinang. It is currently being used to improve immigration detention facilities at Manado, Surabaya and Kuningan.

Funding has also been used to secure community accommodation at Medan which consists of about 40 residential units and additional residential housing at Bogor and Makassar.

Training in identity management for Indonesian immigration officials is being delivered as part of a program to develop biometric capacity in Indonesia. The training aims to develop Indonesia’s counter-terrorism and law enforcement capacity and its capacity to combat people smuggling.

Table 73: Management and care of irregular immigrants in Indonesia

Deliverables 2009–10	
Measure	Result
Payment to IOM to establish an additional immigration detention and transit facility in Indonesia.	Payment was provided to IOM to enhance immigration detention and transit facilities as agreed.
Training sessions conducted for Indonesian immigration officials.	Training sessions were conducted.

Administered item—Regional cooperation and capacity-building

Objectives

- To strengthen the migration and border management capabilities of governments in the Asia-Pacific region and parts of South Asia and the Middle East.
- To assist facilitation of bona fide people movements while preventing and deterring irregular movements, including people smuggling and trafficking, in the Australian region and in source/transit countries.
- To support international organisations for the care of irregular migrants intercepted en route to Australia.

Description

Funding provided under this item supports many projects and initiatives with partner countries and international organisations to strengthen border management in the region and beyond and address the issue of irregular migration.

Performance

In the Asia region, the department continued cooperative arrangements with Australia's neighbouring countries. Key projects in 2009–10 included:

- providing support for the care and maintenance of intercepted irregular migrants en route to Australia through regional cooperation arrangements with the International Organization for Migration (IOM)
- progressing the Enhanced Migration Management Phase II Project in East Timor—a two-year capacity-building project to assist the East Timorese government to establish an autonomous migration service including developing new migration legislation and administrative processes. The project is delivering a comprehensive migration training program and is enhancing border management systems
- funding IOM to establish and maintain a network of outreach offices in Indonesia. This allows IOM to assist the Indonesian Government in monitoring migration flows and ensures suitable treatment of irregular migrants.

In the Pacific, the department funded numerous activities to build capacity in key partner countries in relation to border management and irregular migration issues across the region.

In 2009–10, these activities included:

- capacity-building and technical assistance to Papua New Guinea to assist in developing border management and governance initiatives
- funding the United Nations High Commissioner for Refugees and IOM to implement strategies including practical advice and support to Pacific Island countries. This included dealing with refugee claims and raising awareness of programs that arrange the voluntary return to their homes of people who may be stranded in the Pacific without a regular migration status and who have no other means to return
- funding IOM for the Solomon Islands Border Strengthening Program, a two-year series of activities to strengthen immigration capacity and modernise their visa system.

In the Middle East and South Asia, the department funded various international organisations to develop research and governance arrangements, including:

- IOM projects Addressing Illegal Migration by Developing Migration Law in Syria and Capacity Building for Border Management in Syria—Phase II. Activities under these projects included working with the Syrian committee in charge of developing new migration and refugee laws to enhance its capacity to develop migration and refugee laws. In addition, officers at key border posts were provided with equipment and training
- fieldwork research undertaken by the United Nations Office on Drugs and Crime into irregular movement out of Afghanistan and Pakistan. A report on this fieldwork was completed in December 2009.

Targeted training programs by the department for immigration agencies throughout the Middle East, Asia and Pacific regions have increased immigration officials' capacity in specific areas of migration management. These include:

- document examination equipment and training to front line immigration officers in airports and at land borders. The training and equipment has helped deter irregular migration by enabling more officers to confidently and accurately detect fraudulent travel documentation at borders
- training in intelligence analysis in a number of countries including Indonesia and Malaysia to boost agencies' capacity to capture data and analyse and report on trends in irregular migration throughout the region
- investigations training, run in countries including East Timor to strengthen officers' capacity to investigate criminal activity related to irregular migration
- Australia-based English language training for sponsored immigration officials from various countries to improve their English-language competency. This training increases officials' ability to conduct business transactions, particularly in relation to immigration matters.

Table 74: Regional cooperation and capacity building

Deliverables 2009–10	
Measure	Result
Provide assistance with a strong focus on working in partnership with international organisations to provide enhanced migration management (enhancements to legislation, governance and organisational structures, business processes, cross-agency coordination mechanisms and policy frameworks) identity management and document examination, immigration intelligence initiatives, support for regional forums and English language training.	In 2009–10, the department provided enhanced migration management in partnership with international organisations.
Provide support to international organisations for the care of irregular migrants intercepted en route to Australia.	In 2009–10, the department supported international organisations for the care of irregular migrants intercepted en route to Australia.

Program 4.4

Illegal foreign fishers

Objectives

- In respect of illegal foreign fishers apprehended and detained in Australian territorial waters, to advise on, develop and provide a range of support, health and detention services in community and detention environments that seek to:
 - best suit the needs of individual people in immigration detention
 - treat people in immigration detention fairly and reasonably within the law
 - ensure the inherent dignity of people in immigration detention
 - ensure that no minors are detained in immigration detention centres
 - ensure the availability for immigration processing, legal proceedings or removal of people detained under the Migration Act
 - protect the Australian community from unlawful non-citizens who present unacceptable risks to the community
 - enable the management of health, identity and security risks to the community.
- To remove illegal foreign fishers from Australia.

Illegal foreign fishers—deliverables

Deliverable: Provision of support, health and detention services to people in immigration detention, in both community and detention environments, in accordance with the objectives and KPI targets for this program.

Result: This deliverable was met. To the fullest extent possible, people in immigration detention are managed in accordance with the government's immigration detention values. These ensure that all people in detention are treated with dignity and respect, are accommodated suitably and are provided with appropriate support and other services to meet their daily requirements.

Deliverable: Policy advice and service design to enable such service provision.

Result: This deliverable was met and is ongoing as issues arise.

Deliverable: Services to develop, implement and undertake the removal of illegal foreign fishers from Australia.

Result: The department removed 136 illegal foreign fishers in 2009–10.

Table 75: Illegal foreign fishers—performance information

Key performance indicators	2009–10 target	2009–10 actual
Average total number of person-days in immigration detention per breach of standards ¹	1 000	3 328
Percentage of people in immigration detention centres who are not known or reasonably suspected to be a minor	100%	100%

1. Service standards available on www.immi.gov.au

Departmental item—Illegal foreign fishers

This program manages people in immigration detention who were detained on suspicion of breaking Australian fisheries laws.

Performance

In 2009–10, there was a 30.3 per cent decrease in the total numbers of illegal foreign fishers held in immigration detention from 201 people in 2008–09 to 140 people in 2009–10.

During 2009–10, 139 illegal foreign fishers were taken into immigration detention, compared to 176 in 2008–09, a decrease of 21 per cent.

At 30 June 2010, there were six illegal foreign fishers in immigration detention compared with one at 30 June 2009.

Figure 29: Foreign fishers by placement type as at 30 June 2010

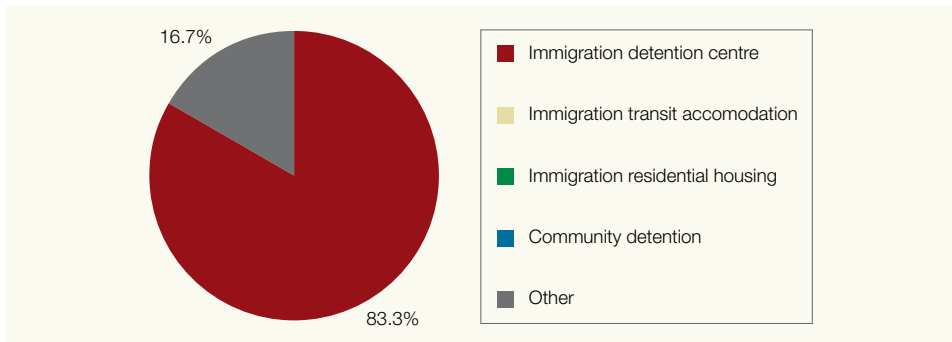
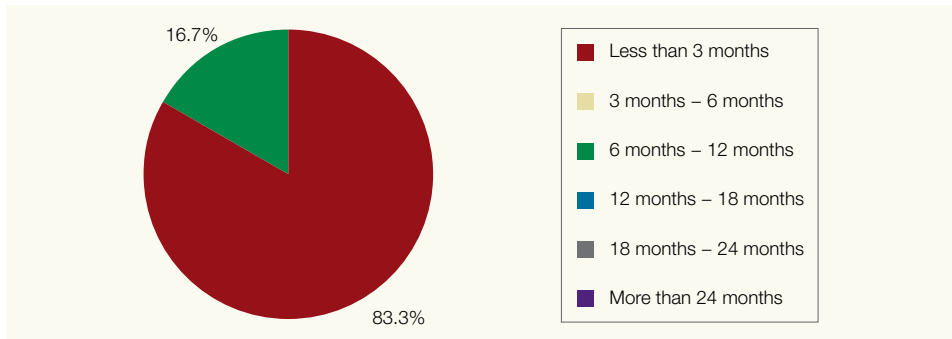


Figure 30: Foreign fishers by period detained as at 30 June 2010



Services

Illegal foreign fishers, while in immigration detention, are provided with the same level of services as those in the onshore detention network.

Administered item—Community and detention services contracts

Objectives

To fund provision of a range of support, health and detention services in community and detention environments that seek to:

- best suit the needs of individual people in immigration detention
- treat people in immigration detention fairly and reasonably within the law
- ensure the inherent dignity of people in immigration detention
- ensure that no minors are detained in immigration detention centres
- ensure the availability for immigration processing or removal of people detained under the Migration Act
- enable the management of health, identity and security risks to the community arising from unauthorised arrivals.

Description

The department monitors the compliance of the contracted service provider with the requirements of the Detention Services Contract for Immigration Detention Centres and delivers a range of support, health and detention services in community and detention environments in accordance with the immigration detention values. Health services are delivered to people in detention under a separate contract with health service providers. The KPI targets are embedded in the contract with the service provider.

Performance

During 2009–10, the detention service provider, Serco, progressively transitioned in immigration detention centres and alternative places of detention from the previous service provider, G4S. The transition to Serco was successfully completed at end January 2010. The Serco contract, which includes this administered item and also the administered items under Programs 4.2 and 4.3, had an original value of \$367 million over five years. However, this will increase markedly to reflect the significant increase in clients and the associated increase in number of facilities being operated since the contracts were signed in 2008–09.

To ensure staff tasked with managing compliance with the contracts have necessary skills and expertise, the department engaged the Australian Public Service Commission to develop and deliver training to staff.

Incidents of non-compliance with the detention services contract are considered at monthly intervals. The contract administrator may raise financial sanctions against the contractor for breaches under the Performance Management Framework. This framework is reviewed annually.

Table 76: Community and detention services contracts (illegal foreign fishers)—deliverable

Deliverable 2009–10	
Planned	Result
Provision of support, health and detention services to people in immigration detention, in both community and detention environments, in accordance with the objectives and KPI targets for this program.	The deliverable was achieved in accordance with the KPI targets for the program.

Table 77: Outcome 4 Financial resources summary 2009–10

Lawful stay of visa holders and access to citizenship rights for eligible people through promotion of visa compliance responsibilities, status resolution, citizenship acquisition integrity, case management, removal and detention, and policy advice and program design.

	Budget ² 2009–10 \$'000	Actual expenses 2009–10 \$'000	Variation 2009–10 \$'000	Budget estimate 2010-11 \$'000
Program 4.1: Visa compliance and status resolution				
Administered expenses				
Ordinary annual services (Appropriation Bill 1)	7 178	7 038	(140)	8 738
Departmental expenses				
Ordinary annual services (Appropriation Bill 1) and revenues from independent sources (section 31)	128 056	131 124	3 068	89 891
Expenses not requiring appropriations in the Budget year ¹	-	-	-	25 053
Total for Program 4.1	135 234	138 162	2 928	123 682
Program 4.2: Onshore detention network				
Administered expenses				
Ordinary annual services (Appropriation Bill 1)	60 864	66 100	5 236	53 967
Expenses not requiring appropriations in the Budget year ¹	6 409	3 857	(2 552)	7 231
Departmental expenses				
Ordinary annual services (Appropriation Bill 1) and revenues from independent sources (section 31)	31 765	36 119	4 354	27 764
Expenses not requiring appropriations in the Budget year ¹	-	-	-	4 800
Total for Program 4.2	99 038	106 076	7 038	93 762

1. Expenses not requiring appropriations in the Budget year are expenses relating to depreciation, for which the department is no longer funded due to Operation Sunlight.

2. Full year budget, including any subsequent adjustment made to the 2009–10 Budget.

Table 77: Outcome 4 Financial Resources Summary 2009–10 *continued*

	Budget ² 2009–10 \$'000	Actual expenses 2009–10 \$'000	Variation 2009–10 \$'000	Budget estimate 2010–11 \$'000
Program 4.3: Offshore asylum seeker management				
<i>Administered expenses</i>				
Ordinary annual services (Appropriation Bill 1)	183 291	210 909	27 618	332 328
Expenses not requiring appropriations in the Budget year ¹	-	-	-	25 458
<i>Departmental expenses</i>				
Ordinary annual services (Appropriation Bill 1) and revenues from independent sources (section 31)	81 309	81 309	-	109 022
Expenses not requiring appropriations in the Budget year ¹	-	-	-	4 375
Total for Program 4.3	264 600	292 218	27 618	471 183
Program 4.4: Illegal foreign fishers				
<i>Administered expenses</i>				
Ordinary annual services (Appropriation Bill 1)	8 762	6 898	(1 864)	8 907
Expenses not requiring appropriations in the Budget year ¹	-	-	-	193
<i>Departmental expenses</i>				
Ordinary annual services (Appropriation Bill 1) and revenues from independent sources (section 31)	5 416	5 416	-	8 651
Expenses not requiring appropriations in the Budget year ¹	-	-	-	264
Total for Program 4.4	14 178	12 314	(1 864)	18 015

1. Expenses not requiring appropriations in the Budget year are expenses relating to depreciation, for which the department is no longer funded due to Operation Sunlight.
2. Full year budget, including any subsequent adjustment made to the 2009–10 Budget.

Table 77: Outcome 4 Financial Resources Summary 2009–10 *continued*

	Budget ² 2009–10 \$'000	Actual expenses 2009–10 \$'000	Variation 2009–10 \$'000	Budget estimate 2010-11 \$'000
Outcome 4 totals by appropriation type				
<i>Administered expenses</i>				
Ordinary annual services (Appropriation Bill 1)	260 095	290 945	30 850	403 940
Expenses not requiring appropriations in the Budget year ¹	6 409	3 857	(2 552)	32 882
<i>Departmental expenses</i>				
Ordinary annual services (Appropriation Bill 1) and revenues from independent sources (section 31)	246 546	253 970	7 424	235 328
Expenses not requiring appropriations in the Budget year ¹	-	-	-	34 492
Total expenses for Outcome 4	513 050	548 772	35 722	706 642
Average staffing level (number)	1 189	1 291	102	1 251

1. Expenses not requiring appropriations in the Budget year are expenses relating to depreciation, for which the department is no longer funded due to Operation Sunlight.

2. Full year budget, including any subsequent adjustment made to the 2009–10 Budget.



Outcome 5

Equitable economic and social participation of migrants and refugees, support through settlement services, including English language training, refugee settlement, case coordination, translation services, and settlement policy advice and program design.

The program managed under Outcome 5 is:

Program 5.1 Settlement services for migrants and refugees

During 2009–10, Program 5.1 was managed by the Citizenship, Settlement and Multicultural Affairs Division. This section reports on the deliverables and key performance indicators for Program 5.1 as published in the department's *Portfolio Budget Statements 2009–10* and *Portfolio Additional Estimates Statements 2009–10*.

Strategy

To achieve this outcome, the department ensures high-quality settlement services are available and accessible for humanitarian entrants and migrants as soon as possible after arrival. These services will support eligible migrants and refugees in their transition to life in Australia by helping to build self-reliance, developing English language skills and fostering links with mainstream services.

The outcome is achieved through:

- providing a planning framework for the delivery of settlement services, and information for recently arrived migrants and humanitarian entrants that complements the services the government directs to all Australian residents
- providing demographic data and other information to assist service providers across the three levels of government to plan to meet the needs of newly arrived migrants and humanitarian entrants
- supporting initial settlement services delivered through the Integrated Humanitarian Settlement Strategy managed through contracted service providers
- supporting the Settlement Grants Program by helping funded organisations manage work programs, service agreements and reporting and financial accountability requirements
- supporting the Adult Migrant English Program managed by the department through contracts for English training and ancillary services
- providing translating and interpreting services.

Major achievements for 2009–10

Adult Migrant English Program

The department has been preparing for the implementation of the new Adult Migrant English Program (AMEP) business model in 2011. A tender process commenced in November 2009 to replace the existing AMEP service provider contracts and to implement enhanced business practices. In June 2010, the Parliament passed changes to the *Immigration Education (Act) 1971* which included:

- the removal of the administration fee for eligible paying clients
- an extension of the registration period from three to six months
- the introduction of a five-year timeframe for clients to access their AMEP entitlement
- the removal of eligibility to the AMEP for special category visa holders.

From 2008 to 2009, the AMEP Research Centre undertook an intensive ethnographic study which explored the interactions that AMEP clients have in English in their AMEP classrooms and in the broader community in order to better understand the language learning process. The study followed the participants over a one-year period. The final report confirms the vital role of the AMEP in early settlement. The associated teaching resource *Give it a Go: Teaching Pronunciation to Adults* is now available online at the AMEP Research Centre website.

Request for tender for the provision of humanitarian settlement services

Between June and August 2009, departmental staff, together with the Parliamentary Secretary for Multicultural Affairs and Settlement Services, the Hon. Laurie Ferguson MP, consulted members from the community services sector and government agencies as part of a review of the Integrated Humanitarian Settlement Strategy (IHSS) program.

Consultations took place in all capital cities and a number of regional locations, with more than 460 individuals representing 217 community organisations and 82 government agencies attending. In addition, focus groups were organised with past and present IHSS clients to gain a client perspective. Almost 200 clients, representing 18 different ethnic groups, participated in the focus groups.

The department also issued a discussion paper on the IHSS in June 2009 seeking submissions from interested parties about the future of initial settlement services. In total, 86 submissions were received.

The consultations and discussion paper submissions provided the department with important insights into the IHSS program and reinforced the need for improvement in various areas. These included case management, orientation to Australia, youth issues and accommodation. Information received from these consultative activities informed the development of the new Humanitarian Settlement Services (HSS) program.

The department put out a request for tender for the provision of HSS on 17 March 2010 to replace the IHSS program. The tender closed on 26 May 2010 and the evaluation process commenced in June 2010.

Increase in single humanitarian entrants

In 2009–10, there was a significant increase in the number of single client cases entering Australia under the Humanitarian Program. The proportion of single client cases referred for IHSS services increased from 33 per cent of the caseload in 2008–09 to 56 per cent of the caseload during 2009–10. This resulted in a corresponding 35.5 per cent increase in the total number of cases supported through the IHSS program (up from 3946 in 2008–09 to 5348 in 2009–10).

Settlement of humanitarian entrants in regional locations of Australia

During 2009–10, there was an increase in the numbers of humanitarian entrants initially settling in regional locations around Australia. A total of 2196 clients were settled in regional locations, compared with 1571 clients in 2008–09. Key regional locations included Albury, Coffs Harbour, Goulburn, Newcastle, Wagga Wagga and Wollongong (New South Wales); Cairns, Townsville and Toowoomba (Queensland); Launceston (Tasmania); Mount Gambier and Murray Bridge (South Australia); and Geelong, Mildura and Shepparton (Victoria).

Unaccompanied humanitarian minors

Unaccompanied humanitarian minors (UHMs) are non-citizen children who arrive in Australia under the Humanitarian Program without parents to care for them. UHMs who do not have a suitable relative to care for them become wards of the minister under the *Immigration (Guardianship of Children) Act 1946*. The minister's functions as guardian under the Act are delegated to officers in the child welfare agency in each state and territory. UHMs who have a relative over the age of 21 years to provide care are called non-wards.

The Australian Government works with state governments to provide effective monitoring and settlement support to minors until they turn 18. It is funded through cost-sharing arrangements between the Australian Government and state governments. A not-for-profit organisation has also been engaged to provide care, welfare and accommodation support to some UHMs where emergency arrangements have to be made.

The Standing Committee on Immigration and Multicultural Affairs and the Community and Disability Services Ministers' Advisory Council have agreed to examine, through a combined working party, issues concerning UHMs who arrived by boat and their care arrangements.

A principal adviser's unit was also established within the department's Citizenship, Settlement and Multicultural Affairs Division to, among other things, lead departmental work in the area of settlement needs of children and young people, including UHMs.

Complex Case Support

In 2009–10, there was steady growth in referrals to the Complex Case Support (CCS) program. There were 556 cases referred to the program with 429 cases being accepted—a 66 per cent increase over the 258 cases accepted in the inaugural year of the program. This program provides case management services to humanitarian entrants who have significant complex needs that are affecting their capacity to settle and participate fully in Australian society. CCS services are tailored to meet the needs of individual cases and complement the department's other settlement services.

Delivering interpreting services to the community

Continued consistent growth in demand for telephone interpreting services resulted in a 13.1 per cent increase to 831 108 services provided during the year. Non-English speaking clients initiated 55 per cent of requests for a telephone interpreter. Current growth trends indicate that the Translating and Interpreting Service (TIS National) will be delivering more than a million telephone interpreting services within two years.

Concurrent with this increase, TIS National experienced 19.5 per cent growth in demand for onsite interpreting services to 53 150 over this period.

Interpreter recruitment and language coverage

TIS National's coverage of languages and dialects rose to 174 during the year. This was the result of a marked increase in interpreter recruitment during 2009–10, with 387 interpreters recruited, an increase of 136 per cent on the previous year. These interpreters spoke 80 different languages and dialects.

While priority was placed on recruiting in languages associated with irregular maritime arrivals, TIS National continued with widespread recruitment in both established community languages and in extending its coverage of new and emerging languages.

The increase in interpreter recruitment was achieved through raising awareness of interpreting as a profession among new communities and in job placement advertisements in newspapers and on career websites as well as engaging with universities and other educational institutions involved in training interpreters.

TIS National supporting the response to irregular maritime arrivals

As the department's interpreting service, TIS National has played a significant role in supporting the government response to IMA activity.

Through its ongoing recruitment and deployment of interpreters in key languages to processing locations across Australia, TIS National has served as the principal source of interpreters to the department and other government agencies involved in responding to boat arrivals. As IMA activity has intensified, TIS National has, at times, supplied more than 90 onsite interpreters at any one time to the various processing centres.

In January 2010, following completion of a tendering process, TIS National established a panel of external suppliers to supplement its existing pool of interpreters for IMA activity. The panel is used to source interpreters where TIS National's capacity in these languages has been reached. TIS National manages this panel on behalf of the department.

TIS National client satisfaction survey

During April and May 2010, TIS National conducted its annual client satisfaction survey, contacting about 300 randomly selected clients. This figure included both English-speaking and non-English speaking clients. Non-English speaking clients were surveyed using a telephone interpreter, while English-speaking clients were invited to complete an online survey form.

Respondents indicated a high degree of satisfaction with the quality of services provided, although some respondents indicated that there was a need for further interpreters in new and emerging languages of the refugee settler community.

Challenges

The major challenge in delivering programs under Outcome 5 has been a change in pattern and composition of arrivals due to the increase in the number of irregular maritime arrivals. These changes have placed additional pressure on our service providers. Unlike resettled refugees from offshore, where there can be a lead time of up to three months to plan for their arrival and put appropriate service arrangements in place, IHSS service providers generally only receive notice of IMA protection visa arrivals immediately following a decision to grant a visa and release into the community.

Pressures on service providers include: having suitable staff with appropriate cultural awareness and language ability (often at short notice) to case manage new arrivals; finding suitable accommodation at a time of pressure on housing more generally; and linking clients with community and mainstream services. These pressures are compounded because IMA entrants have a different demographic profile, with a much larger number of single adult males who have a tendency to move soon after arrival, compared to the offshore caseload which tend to be families.

Furthermore, our providers also need to deal with an increased number of unaccompanied humanitarian minors (UHMs). UHMs often arrive without carers unlike those resettled from overseas who often have an adult relative who can care for them. This can create difficulties for the department and state and territory agencies, who are delegates of the Minister under the *Immigration (Guardianship of Children) Act 1946*, to put in place culturally appropriate care arrangements and find suitable accommodation. The increase in UHMs has also required the department to enter into a contract with Life Without Barriers to provide support and care for these young people when the state and territory agencies are unable to do so.

The need to provide on-site interpreters at the various detention sites has presented another challenge. Despite TIS National expanding its pool of interpreters who are available to work at detention sites as well as its pool of telephone interpreters to help meet this challenge, there is still a limited number of accredited interpreters in key languages needed to support IMAs, such as Hazaragi. The National Accreditation Authority for Translators and Interpreters has continued to develop a New Interpreters Program with the department's support to help address this shortfall.

Program 5.1

Settlement services for migrants and refugees

Program 5.1 consists of seven departmental items:

- AMEP administration
- Humanitarian settlement services
- Settlement planning and information delivery
- Support for community services
- Free translating and interpreting services
- TIS telephone interpreting
- TIS onsite interpreting.

There are seven administered items under Program 5.1:

- Adult Migrant English Program
- Assistance for former child migrants
- Grants for community settlement services
- Humanitarian settlement services
- National Accreditation Authority for Translators and Interpreters Ltd—contribution
- Supervision and welfare for unaccompanied humanitarian minors
- Refugee Council of Australia.

Objectives

- Provide settlement services designed to support migrants and humanitarian entrants to settle and participate as fully as possible in Australian society.
- Provide demographic data and information to help service providers across the three levels of government and in the community sector plan to meet the needs of newly arrived migrants and humanitarian entrants.
- Ensure that services are responsive and accessible and eligible client groups are able to gain access to services as appropriate.

Settlement services for migrants and refugees—deliverables

Deliverable: Provide evidence-based policy advice to the government on settlement services for migrants and humanitarian entrants.

Result: There is a planning and research agenda in place to support evidence-based policy. A needs analysis is undertaken annually canvassing service providers and clients to inform the advertising and evaluation of settlement grants funding.

Settlement services for migrants and refugees—deliverables *continued*

Deliverable: Settlement planning information to support community organisations and migrants and humanitarian entrants.

Result: Settlement planning information is updated on an annual basis and is available for each state and territory on the department's website. The purpose of the information is to help service providers, including community organisations meet the needs of newly-arrived migrants and humanitarian entrants and ensure services provided are responsive to changing settlement patterns and needs.

The information includes an analysis of settlement needs and demographic data on arrival numbers, settlement locations, countries of birth, visa program type, age and gender. The department's website also provides ready access to extensive settlement information including publications about life in Australia and links to settlement services for migrants and humanitarian entrants.

Deliverable: Administration of the Adult Migrant English Program (AMEP).

Result: The AMEP is administered through 18 contracts and delivered at more than 250 locations around Australia to more than 50 000 clients from 193 countries.

Deliverable: Administration of the Settlement Grants Program.

Result: In 2009–10, \$36 million was provided for the Settlement Grants Program. A total of 328 projects were funded involving funding agreements with 329 organisations (one project was delivered as a partnership between two organisations). The organisations were funded to provide settlement services.

Deliverable: Support for humanitarian entrants by effective management of the Integrated Humanitarian Settlement Strategy (IHSS) and Complex Case Support (CCS) programs.

Result: Initial findings of the IHSS 2009–10 quality assurance review indicated service providers are achieving service standards. Intensive case management support was provided to humanitarian entrants with complex, multiple needs through the CCS program.

Deliverable: Support for the National Accreditation Authority for Translators and Interpreters Ltd (NAATI) in the provision of an effective accreditation framework for translators and interpreters.

Result: Contributions to NAATI were provided in a timely manner to support NAATI to achieve its objectives. A statement of expectations was provided to the board to guide the directions of NAATI over the 2009–10 funding period. New board appointments were made during the year due to the completion of terms of two board members.

Deliverable: Supervision and settlement of humanitarian minors without parents.

Result: Supervision, care and settlement support processes were in place for minors in the Unaccompanied Humanitarian Minors program in 2009–10.

Deliverable: Translating and interpreting for eligible clients.

Result: There was considerable growth in demand for interpreting services over the 2009–10 period with 831 108 telephone services delivered (13.1 per cent growth) and 53 150 onsite services (19.5 per cent growth). There was also a 15.9 per cent growth in free interpreting services delivered over the period.

Settlement services for eligible migrants and refugees—key performance indicators

Indicator: Settlement information and services are available to eligible migrants and humanitarian entrants nationwide.

Result: A range of new settlement information was developed, published and made available to clients and other stakeholders, including the *Beginning a Life in Australia* booklets published in English and 37 community languages.

Specialised information was developed to support settlement objectives, including through the department's website and the production of a new DVD containing settlement information for African humanitarian entrants, available in English, Amharic, Dinka, Kurundi, Swahili, Sudanese Arabic and Tigrinya.

Table 78: Settlement services for migrants and refugees—performance information

Key performance indicators	2007–08	2008–09	2009–10 target	2009–10 actual
Percentage of milestones specified in settlement grants funding agreements are met	95%	95%	95%	95%
Percentage of service level standards in integrated humanitarian services contracts are met	95%	95%	95%	95%
AMEP services are available in all identified regions across Australia	100%	100%	100%	100%

Departmental item—Adult Migrant English Program

The Adult Migrant English Program (AMEP) supports the economic and social participation of eligible migrants, including humanitarian entrants, through the provision of settlement focused English language training.

Many AMEP clients have no history of formal classroom tuition or written literacy in their first language. The program is structured flexibly to meet their diverse cultural and linguistic needs. The AMEP allows newly arrived migrants to learn at their own pace, in a manner appropriate to their individual needs. Learning options include classroom tuition and home study. The program also provides childcare for under school-aged children for parents who attend AMEP.

Dedicated AMEP contract managers in the department work closely with AMEP service providers to ensure that program outcomes are met. Contract managers assess quarterly and annual service provider reports against key performance indicators, analyse ongoing data and coordinate quarterly meetings. Contract performance is monitored through regular contract management meetings, data verification exercises, quality assurance processes as well as feedback from clients. Contract risks and fraud risks are reassessed regularly and managed closely.

Associated services

In consultation with the department, the National English Language Tuition Accreditation Scheme developed and implemented annual work plans detailing their schedules for the year. Contract managers review the plans, analyse outcomes against key performance indicators and work with providers to promptly rectify any concerns.

Performance

During 2009–10, the AMEP was administered through 18 contracts and delivered at more than 250 locations around Australia to more than 50 000 clients from 193 countries.

In 2009–10, more than 60 per cent of those migrants eligible to access the AMEP registered in the program. The registration rate varies according to visa type with 90 per cent of humanitarian entrants, 55 per cent of the family migration stream and nearly 41 per cent of the skilled migration stream registered in the program.

Departmental item—Humanitarian settlement services

Humanitarian settlement services provide humanitarian entrants with initial intensive settlement services on a needs basis. The services are generally provided for about six months but may be extended in cases of particular need. Services include case coordination; information and referrals; on-arrival reception and assistance; accommodation services; and short-term torture and trauma counselling. The services give humanitarian entrants the assistance they need to start building a life in Australia.

Performance

Integrated Humanitarian Settlement Strategy

The department undertook a quality assurance review of the Integrated Humanitarian Settlement Strategy (IHSS) program to assess the performance of service providers against contract specifications. All 16 service providers across the 20 contract regions were reviewed. The review focused on the findings and recommendations of the 2008–09 quality assurance review and an evaluation of case coordination and accommodation services.

Initial findings of the review indicate that service providers are meeting the majority of key performance indicators (KPIs) in accordance with the requirements of their contracts. Overall, service providers are achieving the standard of service for humanitarian entrants prescribed in IHSS contracts.

One of the major challenges faced by service providers was the significant change in the composition of the program and, in particular, the marked increase in the number of single entrants entering the program. Given the tight rental market across much of the country, sourcing affordable accommodation at short notice for single clients has placed significant pressure on service providers.

The large increase in single clients has also created additional pressures on case coordination services as single clients often require additional support to reduce the risk of isolation and dislocation.

Service providers have responded extremely well to these pressures and displayed considerable flexibility and creativity in their service provision. Examples of this include:

- more flexible accommodation options (such as shared or cluster accommodation models)
- delivery of more structured and tailored orientation programs
- greater emphasis on direct employer engagement and linking clients with employment opportunities (particularly in regional locations)
- community development strategies to improve community connections
- more tailored and client focused case management practices.

IHSS service providers continued to interact successfully with other settlement service providers, government agencies and community organisations to raise awareness of the needs of humanitarian clients and to promote the benefits that entrants bring to their communities.

Departmental officers managing the IHSS contracts in the states and territories worked constructively with service providers to ensure greater compliance with KPI reporting and continued to provide advice and assistance when issues arose.

Complex Case Support

The Complex Case Support (CCS) program had its first full year of operation, having commenced nationally in October 2008. Referrals to the program have continued strongly with 556 referrals and 429 accepted cases in 2009–10. The program is now providing services to some 1566 clients.

The majority of referrals to the CCS program come through settlement service providers. However, many referrals also come from other government agencies, such as health services and child protection services, as well as church and community groups. This demonstrates the broad accessibility of the program.

Unaccompanied humanitarian minors

At 30 June 2010, there were 744 unaccompanied humanitarian minors (UHMs) in the UHM program, 529 of whom arrived under the offshore component of the Refugee and Humanitarian Program and another 215 who were granted permanent protection visas onshore. During 2009–10, 447 UHMs entered the program and 247 left the program.

Departmental item—Settlement planning and information delivery

Settlement planning and information delivery provides a planning framework for the delivery of settlement services and information to recently arrived migrants and humanitarian entrants to support their successful settlement.

It also provides demographic data and information to help service providers across the three levels of government and in the community sector plan to meet the needs of newly arrived migrants and humanitarian entrants.

Performance

Regional humanitarian settlement

The department seeks to support and increase humanitarian settlement in regional areas where infrastructure, mainstream services, employment opportunities and community support are available.

The department is developing profiles of many cities and towns in regional and remote areas of Australia which may support regional settlement. The profiles comprise information on key factors that relate to successful settlement, such as employment rates in key industries, housing availability and health services. Once finalised, the profiles will be used by the settlement network to better plan and direct both refugee and humanitarian entrants to suitable regional towns and cities in cooperation with all relevant stakeholders.

Sustainable Regional Settlement Program

The Sustainable Regional Settlement Program is a small funding initiative established to improve the sustainability of humanitarian settlement in regional areas by building capacity in regional towns. Since its inception in 2007, the program has funded seven projects.

In 2009–10, the department provided funding to the Southern Queensland Institute of Technical and Further Education to support its jackaroo/jillaroo pilot project in Warwick, Queensland. The pilot combines language, vocational and employability training under the AMEP together with a Certificate II in Rural Operations and is being delivered to up to 20 refugees who are seeking to work and live in regional Queensland. Many refugees have lived in regional areas prior to their arrival in Australia and projects such as these equip them with the skills they need to gain and retain employment in a regional industry in Australia.

The Refugee Resettlement Advisory Council

The Refugee Resettlement Advisory Council (RRAC) was established in 1997 to advise the government on matters relating to refugee and humanitarian settlement matters. RRAC members are appointed by the minister on the basis of their individual experience, expertise and commitment to settlement issues, in particular, relating to humanitarian entrants. Members have a wide range of experience in working with refugees or as former refugees themselves and do not represent individual states, territories or community organisations.

In March 2008, 10 members were appointed to RRAC for its fifth term to 30 June 2010, under the chairmanship of the Hon. Bruce Baird. In its fifth term, RRAC has maintained an ongoing dialogue with both the minister and the parliamentary secretary focusing on a range of issues including housing, youth, family support, rural and regional settlement and pathways to employment.

RRAC has also engaged with various stakeholders across government on a range of issues to highlight the settlement needs of humanitarian entrants. This work is being done to support responsive services to this client group. In particular, RRAC engaged with the Australian Social Inclusion Board, to consider how vulnerable migrants and humanitarian entrants are considered within the social inclusion agenda. RRAC also met representatives from the Department of Education, Employment and Workplace Relations and the Department of Families, Housing, Community Services and Indigenous Affairs on issues facing young refugees, particularly in education and employment.

Settlement database

The Settlement Reporting Facility, within the settlement database, is an enhanced reporting tool that is now accessible on the department's website. It uses the department's settlement database to provide statistical data on permanent arrivals to Australia since January 1991. The settlement statistics represent permanent arrivals under all migration streams. The database brings together data from various internal and external sources to assist government and community agencies involved in the planning and provision of services to migrants. It is also useful for researchers and members of the general public.

In 2009–10, a large number of reports have been provided on request to departmental officers and external clients, including state and local governments, mainstream and migrant service providers, universities, researchers and members of the public. Training on how to use the Settlement Reporting Facility has been delivered so internal and external users can gain access to the database and run their own reports.

Departmental item—Support for community services

The department supports the delivery of the Settlement Grants Program (SGP) services by:

- working with funded organisations to manage work programs and funding agreements as well as reporting and financial accountability requirements
- assisting funded organisations in the delivery of settlement services through the development of a national training strategy for management committees, boards and staff consistent with the objectives of the department's grants programs and funding agreements.

Performance

Community consultations contributed to the development and implementation of the SGP. In September 2008, national advertisements invited organisations to apply for funding under the 2009–10 round with 355 applications being received. A total of 219 projects (grants) were funded in 2009–10.

The department is working to implement recommendations of the Australian National Audit Office following an evaluation of the SGP to determine its effectiveness. It is also developing a new grants management system to better support both grant managers and funded organisations in their day-to-day administration of the SGP.

Table 79: Recommended organisations and grants per state and territory for the 2009–10 funding round

State and territory	Organisations	Applications	Recommended grants
Australian Capital Territory	10	11	8
New South Wales	81	156	84
Northern Territory	4	4	4
Queensland	31	36	25
South Australia	17	31	18
Tasmania	6	15	8
Victoria	42	72	48
Western Australia	17	30	24
Total	208	355	219

Departmental item—Free translating and interpreting services

Free interpreting services are provided to approved individuals and organisations to help them communicate with non-English speaking migrants and humanitarian entrants who are Australian citizens or permanent residents. Free services are available to:

- private medical practitioners providing services under Medicare
- non-profit, non-government, community-based organisations providing settlement services and casework (subject to their funding arrangements)
- Members of Parliament for constituency purposes
- local government authorities
- trade unions
- Emergency Management Australia
- pharmacies for the purpose of dispensing PBS medications.

Free translations of personal settlement-related documents are provided to permanent residents and some temporary visa holders as well as returning Australian citizens within their first two years of arrival or grant of permanent residence.

Documents eligible for free translation include identity and relationship documents, for example, birth and marriage certificates, facilitation documents, for example, driver licences, and education and employment documents.

Performance

The number of free translation and interpreting services provided in 2009–10 was significantly higher than that provided in 2008–09. A total of 197 060 interpreting services were provided, compared to 170 005 in 2008–09. Of these services, 170 317 were telephone interpreting services and 26 743 were onsite interpreting services. The number of documents translated was 10 015, compared to 9956 in 2008–09.

The department commenced a pilot extension of free telephone interpreting services to selected real estate agents in conjunction with the Settlement Grants Program in October 2009. Evaluation of this pilot will inform decision-making on any possible future permanent extension of the service.

Table 80: Free translating and interpreting services (on-site and telephone)

	2007-08	2008-09	2009-10
Telephone	114 593	149 720	170 317
Onsite	16 490	20 285	26 743
Total	131 083	170 005	197 060

Departmental item—TIS National telephone interpreting

TIS National provides a national 24 hours a day, seven days a week, telephone interpreting service to enable accessible, high-quality communication between individuals (migrants and others) and government and non-government service providers.

The service facilitates three-way conversations between English speaking and non-English speaking parties and an interpreter through the use of a national telephone number—131 450. TIS National also provides priority lines for emergency services and medical practitioners.

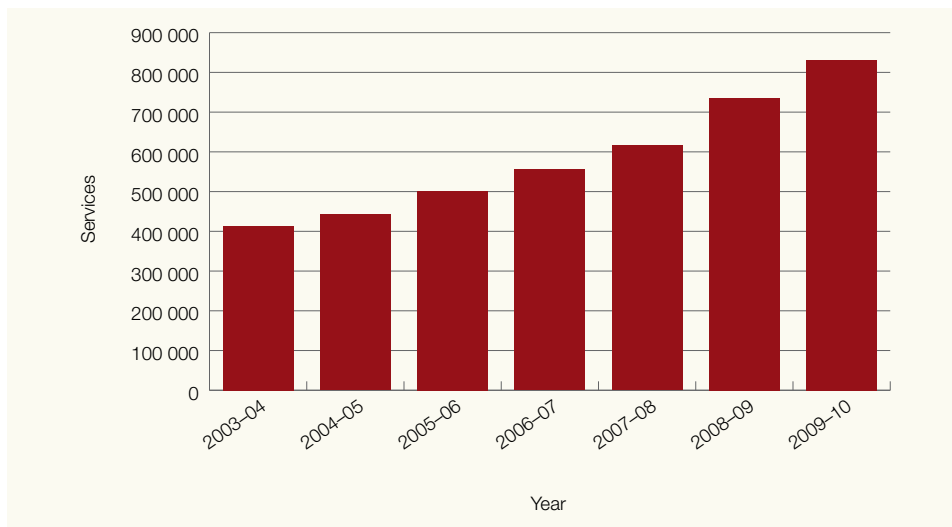
Performance

Continued consistent growth in demand for telephone interpreting services resulted in a 13 per cent increase to 831 108 services provided during the year. Non-English speaking clients initiated 55 per cent of requests for a telephone interpreter. Current growth trends indicate that TIS National will be delivering more than a million telephone interpreting services within two years.

During the year, 1 036 399 incoming calls were answered by the call centre. This marked the first time TIS National has answered one million calls during a financial year.

The 10 languages most in demand for telephone services were (in descending order): Mandarin, Arabic, Vietnamese, Cantonese, Korean, Persian, Turkish, Spanish, Greek, and Dari.

Figure 31: TIS National Telephone Interpreting



Departmental item—TIS National on-site interpreting

TIS National arranges for interpreters to provide face-to-face interpreting when required. The service is used by the department's clients as well as government agencies and service providers. Through TIS National, interpreters attend specific locations at pre-booked times.

Performance

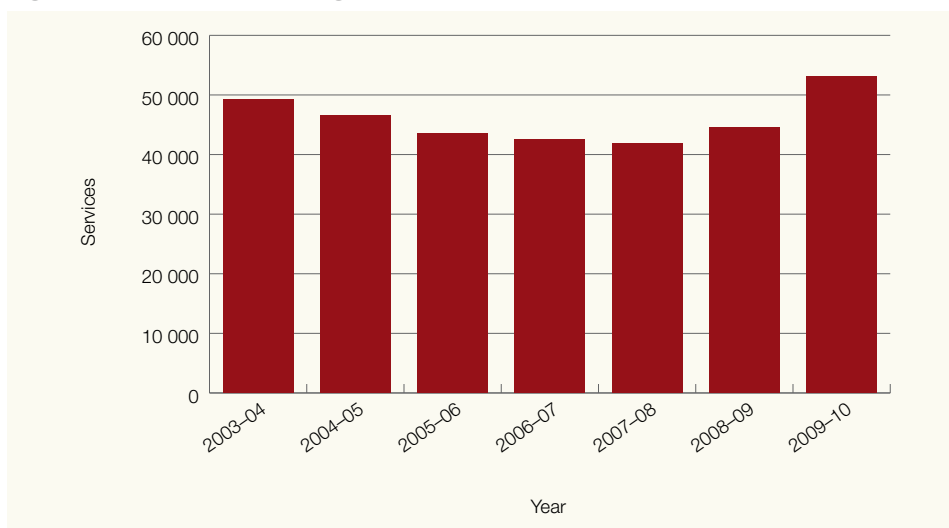
TIS National experienced a 19.5 per cent growth in demand for onsite interpreting services to 53 150 during the 2009–10 financial year.

A significant portion of this increase can be attributed to the provision of interpreters as part of the department's response to irregular maritime arrivals, as well as a marked growth in demand in the community and health sectors for the provision of onsite interpreters.

There was a slight decline in the number of onsite interpreting assignments performed by NAATI-accredited or recognised interpreters from the 2008–09 year. This was due to the higher demand for onsite interpreting services in recently introduced community languages, where NAATI accreditation or recognition is not available. TIS National has sought to address this issue in the long term by working with its interpreters in those languages to improve their credentials through the New Interpreter Project and other initiatives.

The 10 languages most in demand for onsite services were (in descending order): Arabic, Vietnamese, Mandarin, Persian, Cantonese, Dari, Serbian, Turkish, Spanish and Burmese.

Figure 32: Onsite interpreting



Administered item—Adult Migrant English Program

Objective

Provide access to a national quality settlement-focused English language tuition to eligible migrants and humanitarian entrants.

Description

The Adult Migrant English Program (AMEP) is the Australian Government's largest settlement program. The AMEP has been administered by the department or its predecessor departments since 1948.

The AMEP is managed through 18 contracts for tuition and two for associated services. The two non-tuition contracts relate to research and professional development provided by the AMEP research centre and quality monitoring and accreditation of service providers by the National ELT Accreditation Scheme (NEAS).

The *Immigration (Education) Act 1971* provides the legislative basis for the AMEP. Migrants and humanitarian entrants who do not have functional English (and qualify under certain visa subclasses) are entitled to receive up to 510 hours of English language tuition or the number of hours it takes to reach functional English (whichever comes first).

The AMEP supports the government's social inclusion agenda by providing migrants with settlement-focused English language tuition. The program is delivered in more than 250 locations around Australia to more than 50 000 clients from 193 countries.

Gaining English language proficiency is a key step for migrants to take towards successfully settling in Australia. It reflects the Australian Government's commitment to long-term sustainable settlement outcomes for newly arrived eligible migrants through integrated, targeted and well designed programs that support clients in their transition to life in Australia.

Tuition is provided flexibly and in a way that is sensitive to the different cultural and linguistic needs of clients. The AMEP provides clients with a range of learning options including classroom tuition and home study through a distance learning program or with a trained volunteer home tutor.

AMEP clients are encouraged to learn at their own pace, in a manner appropriate to their needs. Free childcare is available for under school-aged children during class time, so parents can attend tuition.

Performance

In 2009–10, the AMEP registration rate for eligible migrants was more than 60 per cent. This registration rate varies according to visa type: 90 per cent of humanitarian entrants, 55 per cent of the family migration stream and nearly 41 per cent of the skilled migration stream registered in the program.

In 2009–10, the average number of hours was 369 while in 2008–09, the average number of hours that clients remained in the program was 375 hours.



Case study

Singing for social inclusion

There is an old saying that music is the universal language and those words apply perfectly to the choir established by the Adult Migrant English Program (AMEP) at the Central Institute of Technology in Perth.

The 12 members are a range of nationalities and speak several different languages, but each week after their English language class they unite in song. AMEP manager Mr Richard Flack explained: 'The music breaks down the barriers of language and background. The choir has brought a number of people together, regardless of their visa type.'

Participation has also enhanced participants' ability to settle successfully in Australia.

'It's not a language lesson but they gain language skills in pronunciation as well as confidence,' Mr Flack said.

'One participant was very quiet in her English language class. Her transformation after joining the choir, however, was incredible—she was making friends with people above her English level, coming in on her day off to practice and singing in the corridors in her spare time; and that's not an untypical story.'

Participants meet outside of class hours to practice with a qualified singing instructor and an English as a Second Language lecturer, and have performed to large audiences at events for Harmony Day, Refugee Day and Christmas celebrations.

The choir master's contacts with a number of singing groups and an invitation from the local church have provided other pathways for participants to continue singing once they complete the program.

Photo: The AMEP choir has performed at events for Harmony Day, Refugee Day and Christmas celebrations, and has helped migrants settle in Australia.

Table 81: Snapshot of AMEP activity 2009–10

Clients and their characteristics	
AMEP clients	57 343
Languages spoken	255
Female / male ratio	66:34
Countries of birth	193
Age	
16 to 24	14.1%
25 to 44	62.3%
45 to 64	20.2%
65 +	3.5%
Location of AMEP clients (figures exclude distance learning clients)	
Metropolitan	50 985
Rural/regional	4 317

Diverse client base

The AMEP is significant in both its geographical span and the diverse nature of its clients.

In 2009–10, 57 343 clients took part in the AMEP. More than 7 per cent of clients who attended classroom tuition or trained with a home tutor were located in regional and rural areas.

Clients represented 193 countries of birth and spoke 255 languages. In 2009–10, the most common first languages of clients were Mandarin, Arabic and Vietnamese.

In 2009–10, the proportion of eligible humanitarian entrants in the AMEP increased to 87 per cent from the 2008–09 level of 82 per cent.

English language tuition and workplace training

AMEP classes teach clients language skills that can be used in day-to-day situations such as shopping or paying bills. Migrants also learn about Australian society, customs and culture and meet people who have had similar experiences to their own.

In recognition of the special needs of humanitarian entrants with limited education or difficult pre-migration experiences, such as torture or trauma, up to an additional 400 hours of tuition may be offered through the Special Preparatory Program.

The ability to participate in the workforce is seen as an integral part of the settlement process. While completing the AMEP, additional tuition is available to assist AMEP clients to gain familiarity with Australian workplace culture and practices through employment pathways and traineeships in English programs. These consist of:

- the Employment Pathways Program (EPP), which allows new arrivals to learn English while gaining familiarity with Australian workplace culture and practices. Clients participate in a work placement and learn about work ethics and culture, employment processes, occupational health and safety, taxation requirements and the role of unions
- the Traineeships in English and Work Readiness Program, which helps new arrivals make the transition into their professional field or into vocational training by offering them a combination of vocational-specific English-language tuition with work experience and mentoring.

These programs help AMEP clients make the transition into the workforce or into vocational training by offering a combination of vocational-specific English language tuition with work experience and mentoring. Work experience is offered in a wide range of fields, including retail, construction, hospitality, childcare, aged care and office administration.

The programs have delivered positive results. A review of 1047 participants undertaken in June 2009, found that more than half these people progressed to further education and training and about one-third of participants gained employment.

More recently, nine clients—predominantly refugee and humanitarian entrants—enrolled in an EPP delivered in Warwick, Queensland for jackaroo and jillaroo training. As a direct result of their participation in the course, all participants obtained Certificate II in Rural Operations and seven have obtained employment in the local rural industry.

English language achievement and measurement

The AMEP is structured to meet the individual needs of its diverse client base. It uses the Certificates in Spoken and Written English (CSWE)—a competency-based national curriculum and assessment framework, to measure English proficiency.

The CSWE framework allows for the course structure to be flexible to support the differences in clients' skill sets and levels of schooling. This can range from those with no history of formal classroom tuition or written literacy in their first language, through to those with tertiary qualifications who require greater proficiency in English. Topics covered span from the basic needs of learning how to gain access to government services, visiting the doctor and managing finances through to learning about Australian culture and current affairs.

CSWE in the AMEP consists of Pre-CSWE and three certificate levels, beginning at CSWE Level 1 and progressing through to Level 3.

AMEP clients are encouraged to learn at their own pace, in a manner appropriate to their needs. The majority of clients used classroom tuition, while some clients also used home study through a distance learning program or with a trained volunteer home tutor.

Although education levels and other factors, such as pre-migration experiences, may affect an individual's ability to make English language gains, clients exiting the AMEP demonstrated progress from the time of entry into the program. In 2009–10, 23.1 per cent of clients who exited the AMEP attained certification at CSWE Level 3, while 21.4 per cent reached CSWE Level 2. A further 41.2 per cent attained CSWE Level 1 and the remaining 14.3 per cent were awarded statements of attainment.

Ethnographic study of AMEP clients

From January 2008 until December 2009, the AMEP Research Centre undertook an intensive ethnographic study which explored the interactions that AMEP clients have in English in their AMEP classrooms and out in the broader community. The study followed the participants over a one-year period and its purpose was to gain a better understanding of the language learning process in early settlement.

The final report confirms the important role of the AMEP in developing language and social networks and its general relevance to client needs in the early settlement period. The study revealed that AMEP client satisfaction with the program is generally high and that the topics and themes delivered in AMEP classrooms were found to match closely with issues and routines encountered in early settlement. The AMEP also provides a vital source of friendships and networking, assisting in combating isolation, as well as affording social support and information at a crucial time in the settlement process.

As the study progressed, it became apparent that pronunciation and intelligibility was an area of particular concern for AMEP clients. To address this issue, a guide to teaching pronunciation to learners from different language backgrounds was developed and published as part of the study. The resource titled *Give it a Go: Teaching Pronunciation to Adults* combines theory with practical classroom activities as well as information on the pronunciation challenges faced by particular language groups in learning English. The printed version of the resource is available to AMEP service providers and is available online at the AMEP Research Centre website.

Implementing the AMEP business model

In June 2010, the Parliament introduced changes to the *Immigration (Education) Act 1971*, which reflect the government's commitment to delivering long-term sustainable settlement outcomes for newly arrived migrants through integrated, targeted and well-designed programs that support clients in their transition to life in Australia.

The amendments to the Act will provide greater settlement support, flexibility and clarity for clients. Clients will now be able to register for the program within six months of arrival, rather than three months, enabling them to concentrate on establishing themselves and their families when they first arrive in Australia.

The introduction of a five-year timeframe for completion of the English language tuition will provide clients with an incentive to fully participate in the program soon after their arrival. Clients can move on more rapidly to further education and employment, enabling them to participate in and contribute to Australian society.

The English Language Skills Program Review considered all aspects of the program, in particular, whether the program is meeting the needs of its clients. The recommendations of the review have informed the new AMEP business model which will be implemented in 2011 following the finalisation of the current tender process.

Features of the AMEP business model include:

- an increase in the number of contract regions from 18 to 26
- the introduction of the role of an AMEP counsellor to provide clients with increased support throughout their tuition and referrals to other appropriate services as required

- the introduction of the Individual Pathway Guide to be completed by the AMEP counsellor when clients register for the AMEP. The guide provides an opportunity to assist clients to understand their rights and responsibilities as learners. It also provides a greater level of guidance and support through more clearly delineated pathways to further ESL, education, employment or vocational training
- a settlement course, reinforcing that important settlement information will be delivered to all AMEP clients upon entry to, and exit from, the AMEP
- allowing for migrant youths who have exited the school system to gain access to English language and settlement training.

The new AMEP business model has been designed to encourage greater commitment from clients and to facilitate continuous, coherent, settlement-focused learning.

Table 82: Adult Migrant English Program

Deliverables 2009–10	
Planned	Result
Settlement-focused English language training is made available to all eligible humanitarian entrants and migrants through contracted service providers.	AMEP services are available in all identified regions across Australia.
Implementation of the recommendations of the English Language Skills Program Review.	A new AMEP business model was tendered in November 2009 and is anticipated to commence on 1 January 2011.

Administered item—Assistance for former child migrants

Objective

Provide funding for family tracing support, counselling services and other assistance to former child migrants who arrived in Australia post-World War II from the United Kingdom and Malta.

Description

About 3000 children came to Australia between 1947 and 1967 from the United Kingdom and Malta under approved child migrant schemes. They were placed in charitable and religious institutions in New South Wales, Queensland, South Australia, Tasmania, Victoria and Western Australia.

The government delivered a formal apology to the Forgotten Australians and former child migrants on 16 November 2009.

Performance

In the 2009–10 Federal Budget, the government committed \$450 000 over the next three financial years to the Child Migrants Trust Incorporated.

Table 83: Assistance for former child migrants

Deliverable 2009–10	
Planned	Result
Funding to the Child Migrants Trust for delivery of family tracing and counselling to former child migrants from the United Kingdom and Malta who arrived in Australia between 1945 and 1967.	During 2009–10, the Child Migrants Trust had a client base of 1149 clients including 184 new clients. Family tracing support was sought by 359 clients and 1078 clients were provided with counselling services.

Administered item—Grants for community settlement services

Objectives

Provide grants to community based organisations under the Settlement Grants Program (SGP) for the delivery of settlement services including:

- assistance to new arrivals to acquire and develop the knowledge and skills to settle in Australia
- assistance to new communities to grow and develop in a self-sustaining manner
- promotion of social participation and integration.

Description

The aim of the SGP is to fund services which help clients to become self-reliant and participate equitably in Australian society as soon as possible after arrival. The funding priorities of the SGP are determined through an annual assessment of settlement needs. This approach ensures that the services provided through the SGP are targeted toward those communities and locations in greatest need of settlement assistance and responsive to changing settlement patterns and needs.

Performance

In 2009–10, there were 328 projects operating in all state and territories and most statistical divisions with a high concentration of SGP clients.

During the year, the department funded three community development pilot projects to promote active engagement between service providers and local communities. These projects are funded over a two-year period. The aim of the projects is to help with the development of service delivery models for community development. The projects are a three-way partnership between the funded organisations, communities and the department.

The three community development pilot projects are as follows:

Youth Off the Streets with SydWest Multicultural Services Inc—New South Wales

This project is a joint venture between Father Chris Riley's Youth Off the Streets and SydWest Multicultural Services which works with newly arrived African youth in Sydney to overcome significant disadvantage by supporting their engagement with the wider community.

The Centre for Multicultural Youth—Victoria

This project aims to re-engage African youth with the broader community by recognising and developing the strengths of African young men and assisting them to make a positive contribution to their communities. The project will complement existing youth education and training services.

The Vietnamese Community of Australia and Burundi Community of South Australia—South Australia

This project aims to increase independence of the Burundi community, strengthen internal relationships to build capacity of the Burundi community and increase its access to mainstream services through a mentoring relationship with the Vietnamese Community of Australia.

Table 84: Grants for community settlement services

Deliverables 2009–10	
Planned	Result
Grant funding is allocated according to Settlement Grants Program eligibility criteria.	328 projects that best met the needs of clients were funded.
Grants recipients provide services in line with grant agreements.	Work program objectives and requirements were met by funded organisations.

Administered item—Humanitarian settlement services

Objective

To provide intensive settlement services for newly arrived refugees and special humanitarian entrants through contracted providers.

Description

This item provides humanitarian entrants with assistance on a needs basis to start building a life in Australia. The item also provides humanitarian entrants who have exceptional needs with specialised and intensive case management under the Complex Case Support program. The program provides flexible, tailored and localised responses to address the individual needs of each case.

Performance

In 2009–10, the department undertook an annual quality assurance review of the Integrated Humanitarian Settlement Strategy (IHSS) program to assess the performance of service providers against contract specifications. All 16 service providers across the 20 contract regions were reviewed. The review focused on the findings and recommendations of the 2008–09 quality assurance review and an evaluation of case coordination and accommodation services.

Initial findings of the review indicate that service providers are meeting the majority of key performance indicators (KPIs) in accordance with the requirements of their contracts. Overall, service providers are achieving the standard of service for humanitarian entrants prescribed in IHSS contracts.

One of the major challenges faced by service providers was the significant change in the composition of the program and, in particular, the marked increase in the number of single entrants entering the program. Given the tight rental market across much of the country, sourcing affordable accommodation at short notice for single clients has placed significant pressure on service providers.

The large increase in single clients has also created additional pressures on case coordination services as single clients often require additional support to reduce the risk of isolation and dislocation.

Service providers have responded extremely well to these pressures and displayed considerable flexibility and creativity in their service provision. Examples of this include:

- more flexible accommodation options (such as shared or cluster accommodation models)
- delivery of more structured and tailored orientation programs
- greater emphasis on direct employer engagement and linking clients with employment opportunities (particularly in regional locations)
- community development strategies to improve community connections
- more tailored and client-focused case management practices.

IHSS service providers continued to liaise successfully with other settlement service providers, government agencies and community organisations to raise awareness of the needs of humanitarian clients and to promote the benefits that entrants bring to their communities.

Departmental officers managing the IHSS contracts in the states and territories worked constructively with service providers to ensure greater compliance with KPI reporting and continued to provide advice and assistance when issues arose.

Complex Case Support program

In its second year of operation, the Complex Case Support (CCS) program experienced steady growth in the number of referrals. In 2009–10, 556 cases were referred to the program with 429 cases being accepted. This was a 66 per cent increase over the 258 cases accepted in the inaugural year of the program. The program provides case management services to humanitarian entrants who have significant complex needs that are affecting their capacity to settle and participate fully in Australian society. CCS services are tailored to meet the needs of individual cases and complement the department's other settlement services.

Table 85: Humanitarian Settlement Services

Deliverables 2009–10	
Planned	Result
Contracted settlement service for: <ul style="list-style-type: none"> • case coordination, information and referrals • on arrival reception and assistance • accommodation services • short-term torture and trauma counselling services • complex case support services. 	In 2009–10, a total of 12 578 humanitarian clients were assisted under the IHSS, comprising: <ul style="list-style-type: none"> • 6194 refugees • 3730 Special Humanitarian Program entrants • 2654 permanent protection visa holders. The 2009–10 quality assurance review indicates service providers are achieving the specified service standards. There were 429 cases accepted into the CCS program in 2009–10 covering some 1566 clients.

Administered item—National Accreditation Authority for Translators and Interpreters Ltd—contribution

Objective

Provide financial support to the National Accreditation Authority for Translators and Interpreters (NAATI) as specified in the funding agreement.

Description

NAATI is a company limited by guarantee and is the only national accreditation authority for interpreters and translators in Australia. The Australian Government and state and territory governments contribute to NAATI funding. NAATI aims to set and maintain high national standards in translating and interpreting, and supports the ongoing development of a pool of accredited translators and interpreters who are responsive to the changing needs of the Australian society.

Performance

NAATI continued to provide a valuable community service function through setting, maintaining and promoting high standards in the translating and interpreting industry.

In 2009–10, NAATI awarded 1755 accreditations, 75 recognitions and 21 Language-Aide certifications.

The department continued to provide funding to NAATI to deliver the New Interpreters Project in an effort to increase the availability of interpreters in new and emerging languages. NAATI further expanded the pool of languages available under the project with Khmer, Rohingya and Tamil added to the list for the period.

Work is under way between NAATI, the Australian Government and state jurisdictions to inform the development of a new funding agreement and associated strategic priorities to commence in 2011–12.

Table 86: National Accreditation Authority for Translators and Interpreters Ltd—contribution

Deliverables 2009–10	
Planned	Result
Funding paid to NAATI according to funding agreement.	Funding was paid in accordance with the agreement.

Administered item—Supervision and welfare for unaccompanied humanitarian minors (UHMs)

Objective

To have in place guardianship, monitoring and settlement support arrangements for all UHMs until they reach 18 years of age.

Description

Unaccompanied humanitarian minors are non-citizen children who arrive in Australia without parents to care for them. Some UHMs have a relative over the age of 21 years to provide care and are called non-wards. Minors who do not have a suitable relative become wards of the minister under the *Immigration (Guardianship of Children) Act 1946*. The minister's functions as guardian under the Act are delegated to officers in state and territory child welfare agencies.

The Australian Government and state governments work together to provide settlement services to minors who have a Humanitarian Program visa under the UHM program.

The program seeks to provide effective welfare supervision and settlement support to minors while they live in Australia until they become Australian citizens or until the year they turn 18. It is funded through cost-sharing arrangements between the Australian Government and state governments.

Performance

At 30 June 2010, there were 744 people in the UHM program, 529 of whom arrived on a refugee or humanitarian visa as part of the Humanitarian Program.

Table 87: Supervision and welfare for unaccompanied humanitarian minors

Deliverables 2009–10	
Planned	Result
Welfare supervision and support of UHM wards.	353 wards were in the UHM program as at 30 June 2010.
Provision of settlement assistance to all UHM non-wards.	391 non-wards in the UHM program as at 30 June 2010.

Administered item—Refugee Council of Australia

Objective

Provide a grant to the Refugee Council of Australia (RCOA) for advice on the views of the refugee and humanitarian non-government sector on the Humanitarian Program, including resettlement and onshore protection, and on humanitarian settlement issues.

Description

RCOA is the national umbrella body for refugees and the organisation and individuals who support them. It has more than 30 organisational members and 250 individual members. RCOA is a not-for-profit organisation funded through contributions from its members and project grants from philanthropic bodies and government agencies.

RCOA represents to government, the views of a diverse range of organisations in the refugee and humanitarian sector.

Performance

In 2009–10, RCOA has continued to engage with the department on policy options and operational activities, provided input into relevant research and increased public awareness and media sensitivity to refugee issues. RCOA has also represented the Australian non-government sector at a number of important international forums.

Table 88: Refugee Council of Australia

Deliverable 2009–10	
Planned	Result
Funding agreement meets government objective.	The grant has enabled the RCOA to continue to play a significant role as an influential peak body for refugee resettlement and asylum issues.

Table 89: Outcome 5 Financial resources summary 2009–10

Equitable economic and social participation of migrants and refugees, supported through settlement services, including English language training; refugee settlement; case coordination; translation services; and settlement policy advice and program design.

	Budget ² 2009–10 \$'000	Actual Expenses 2009–10 \$'000	Variation 2009–10 \$'000	Budget estimate 2010-11 \$'000
Program 5.1: Settlement services for migrants and refugees				
Administered expenses				
Ordinary annual services (Appropriation Bill 1)	315 536	329 739	14 203	321 884
Departmental expenses				
Ordinary annual services (Appropriation Bill 1) and revenues from independent sources (section 31)	103 569	102 388	(1 181)	79 826
Expenses not requiring appropriations in the Budget year ¹	-	-	-	9 535
Total for Program 5.1	419 105	432 127	13 022	411 245
Total expenses for Outcome 5	419 105	432 127	13 022	411 245
Average staffing level (number)	440	440	(0)	436

1. Expenses not requiring appropriations in the Budget year are expenses relating to depreciation, for which the department is no longer funded due to Operation Sunlight.
2. Full year budget, including any subsequent adjustment made to the 2009–10 Budget.



Case study

It's the jackeroo life for Ali

From the mountains of Afghanistan to the dark and dangerous coal mines of Pakistan, it has taken Ali Khanullah all his life so far to find his calling as a jackeroo in outback Queensland.

The 18-year-old Afghan was part of the first group of 10 migrants and refugees to undertake a Certificate II in Rural Operations at the Southern Queensland Institute of TAFE's 'jackeroo school' in Warwick this year. And, while the course might have been hard work, Mr Khanullah took it all in his stride.

'I enjoyed everything about the course—the horse riding, driving tractors, cattle work and fencing. It's all good,' Mr Khanullah said.

Having only ever ridden a donkey before coming to Australia, Ali said he was happy to trade it in for a new set of hooves. 'I like going fast!' he said with a laugh.

Mr Khanullah has since started work on a property in Goondiwindi, Queensland.

Through the department's Adult Migrant English Program, the course was modified by the Southern Queensland Institute of TAFE to include an English-language component and delivered through the Employment Pathways Program initiative, to help migrant workers adapt to the rural life.

The department's Sustainable Regional Settlement Program also provided a grant of \$28 000 to cover accommodation expenses for the students.

The federal and state governments contributed \$120 000 and \$178 000 respectively to the pilot rural operations program, which will equip an initial group of 20 migrants with the skills needed to gain employment and be effective workers in the rural industry.

And, in the true blue spirit of Australia, all the boys have given the course a 'red-hot go'.

Photo: Jackeroo Mr Ali Khanullah (centre) and his 'new set of hooves'.



Outcome 6

A cohesive, multicultural Australian society through promotion of cultural diversity and a unifying citizenship, decisions on citizenship status, and multicultural and citizenship policy advice and program design.

The program managed under Outcome 6 is:

Program 6.1 Multicultural and citizenship services.

During 2009–10, Program 6.1 was managed by the Citizenship, Settlement and Multicultural Affairs Division. This section reports on the deliverables and key performance indicators for Program 6.1 as published in the department's *Portfolio Budget Statements 2009–10* and *Portfolio Additional Estimates Statements 2009–10*.

Strategy

To achieve this outcome, the department promotes the importance of respect, fairness, inclusion and a sense of belonging in a culturally diverse society and the value of Australian citizenship. The department will:

- address issues of cultural, racial and religious intolerance
- work closely with individuals, communities and state and territory governments to address tensions and threats to social cohesion
- promote the benefits of a united and diverse Australia
- ensure that citizenship policies and procedures support the objectives of Australia's citizenship law
- implement government policy in relation to Australian citizenship
- encourage the community to value citizenship
- promote the acquisition of Australian citizenship.

Major achievements for 2009–10

Independent review of citizenship testing

In 2009–10, the department began implementing the government supported recommendations of the independent Citizenship Test Review Committee. These recommendations identified ways to improve the administration and effectiveness of the citizenship test as the pathway for permanent residents to become Australian citizens. The measures were recommended with a view to ensuring people who have a commitment to Australia and a strong desire to become Australian citizens have an opportunity to do so.

Achievements included:

- publication of a revised citizenship test study book *Australian Citizenship: Our Common Bond* on 17 September 2009. The book has been translated into 37 community languages to assist migrants study for the test in their local language
- introduction of a revised citizenship test on 19 October 2009.

Revised citizenship test

The revised citizenship test differs from the previous one in the following ways:

- The focus is on the Pledge of Commitment with three topics being Australia and its people; Australia's democratic beliefs, rights and liberties; and government and the law in Australia.
- The pass mark has risen from 60 per cent to 75 per cent.
- There are no mandatory questions.
- Questions are based on the revised citizenship test resource book *Australian Citizenship: Our Common Bond* which comprises testable and non-testable sections.

The citizenship test is computer-based and comprises 20 multiple choice questions drawn randomly from a larger bank of questions. Applicants who fail can resit the test at no additional fee and assisted tests are available for certain applicants with low levels of literacy in English or with a physical impairment.

Alternative pathway to citizenship

The independent Australian Citizenship Test Review Committee also recommended broadening citizenship testing methods to include oral and competency-based testing. The government committed to the development of a new citizenship course as an alternative pathway to citizenship to assist particularly vulnerable and disadvantaged clients, for example, those with limited literacy or prior education.

The new citizenship course commenced on 31 May 2010 in selected locations in Sydney, Melbourne, Adelaide and Perth. Additional locations, including other states, territories and regional or rural areas will be considered as demand increases.

An evaluation of the first run of courses will be undertaken before further roll out including departmental site visits to observe the course in action. In addition, feedback from teachers and the six relevant Adult Migrant English Program service providers will assist in evaluating and identifying areas for improvement to course materials and ensure the quality of future courses are of a high standard.

Throughout 2009–10, the department continued its close relationship with key stakeholders such as the National Australia Day Council (NADC), National Archives of Australia, National Museum of Australia, local government councils, community service clubs and schools to promote Australian citizenship in the community.

A new Australian citizenship affirmation website www.australianaffirmation.org.au was launched as part of the NADC partnership. The website contains information about the affirmation as well as video interviews and case studies of affirmation ceremony organisers and attendees. The website was promoted to the network of 780 local Australia Day committees as well as local council and service club organisers of Australian citizenship ceremonies.

Streamlined citizenship application processing

Prior to the business process for citizenship by conferral changing on 9 November 2009, most applicants for conferral of citizenship aged between 18 and 60 were required to complete a citizenship test successfully before making an application. Following 9 November 2009, permanent residents who were residentially eligible were required to lodge a valid application for conferral prior to sitting the citizenship test. A quicker turnaround of applications from lodgement to decision became possible for more clients as in most cases the application process can be completed on the day the client passes the citizenship test.

60th anniversary of Australian citizenship

The 60th anniversary of Australian citizenship was celebrated throughout 2009 and was used as an opportunity to encourage all Australian citizens to understand and value their responsibilities and privileges. Eligible non-citizens were also encouraged to apply for Australian citizenship during the anniversary year.

Special Australian citizenship ceremonies celebrated in 2009–10 included:

- a Constitution Day (9 July 2009) ceremony hosted in partnership with the National Archives of Australia at Government House, Canberra, with the Governor-General, Her Excellency Ms Quentin Bryce AC presiding
- Australian Citizenship Day (17 September 2009) ceremonies at Parliament House, Canberra; Government House, Hobart; and the Sydney Opera House
- Australia Day (26 January 2010) ceremonies where about 16 500 new citizens were conferred Australia-wide, setting a record for the number of new citizens on one day. There was also a record-breaking ceremony in Western Australia where about 2600 new citizens were conferred at one ceremony co-hosted by Wanneroo, Joondalup and Stirling councils in Perth
- a highlight of Harmony Day (21 March 2010) was a special citizenship ceremony at Thornlie Primary School in Western Australia as part of the school's Harmony Day celebrations. Three families became citizens on the day, including children who attend the school. The event included an Australian citizenship affirmation ceremony, speeches by students about what it means to be Australian and performances with an international theme—reflecting the diversity and talents of the students
- a mega-ceremony for about 2600 new citizens was hosted in partnership with the Australian Football League, Collingwood Football Club and the Melbourne Cricket Club at the iconic Melbourne Cricket Ground on 19 June 2010.

Australian Multicultural Advisory Council

The Australian Multicultural Advisory Council launched and handed to government its cultural diversity statement *The People of Australia* on 30 April 2010. The statement affirmed Australia as a multicultural nation and outlined its successful history of immigration and cultural diversity. The statement also provided a strong policy narrative and recommendations to the government to assist with further developing its multicultural policies and programs.

Successful multicultural initiatives

Community engagement projects received strong interest with 104 grants provided to organisations through the Diverse Australia Program and the National Action Plan to Build on Social Cohesion, Harmony and Security community grants.

Highlights included the launch of the Australian Multicultural Foundation's Cultural Diversity Training Package. The training package was developed by the foundation through a pilot program funded by the Diverse Australia Program, as a resource for business owners and managers in Australia, to recognise and encourage cultural diversity in their workplaces. The package is also designed to strengthen workplace relationships and teamwork leading to happier and more productive workplaces. The pilot program was delivered in Melbourne and Adelaide through workshop activities promoting respect, understanding and cohesive workplaces.

In Western Australia, the not-for-profit organisation Soul Gestures received funding for the African Soul at Aranmore project which will help improve the ability of African students at Aranmore College to engage with the Australian curriculum. It will also encourage their families to participate in school events and build new friendships with other parents. Soul Gestures is run by volunteers who seek to inspire and generate good through the recognition and celebration of gestures within local communities.

In New South Wales, the South Sydney Community Aid Multicultural Neighbourhood Centre received funding for the Refugee African Muslim Youth Project to encourage members of the African Muslim communities to participate in mainstream sporting, social, arts-based and other activities to lessen feelings of isolation and marginalisation. The project recently launched a publication presenting stories of African-Australian Muslim youth. The stories capture the anticipation of new shores and friendships, freedom and discovery, sorrow of lost loved ones and partings from family members, the strength of new-found friends, places and things, and the simple joys of belonging.

Program 6.1

Multicultural and citizenship services

Program 6.1 consists of three departmental items:

- Decisions on citizenship status
- Promoting the benefits of a united and diverse society
- Promoting the value of Australian citizenship.

There are seven administered items under Program 6.1:

- Citizenship test preparation
- Diverse Australia Program
- Grants for multicultural affairs
- Mirrabooka Multicultural Centre—contribution
- National Action Plan to Build Social Cohesion, Harmony and Security—community engagement
- Pacific Seasonal Worker Pilot Scheme
- Parliament of the World's Religions 2009—contribution.

Objectives

- Address issues of cultural, racial and religious intolerance by promoting mutual respect, fairness, inclusion and a sense of belonging.
- The efficient and effective delivery of the Australian Citizenship Program in line with Australia's citizenship law and government policies.
- Promoting the value of Australian citizenship.

Multicultural and citizenship services—deliverables

Deliverable: Provide research, evidence-based policy advice and support services to the minister and parliamentary secretary.

Result: A planning and research agenda is in place to provide evidenced-based policy and support for the government's multicultural and citizenship objectives. The department provided numerous research outputs, function briefings, submissions and draft responses to public representations to the minister and parliamentary secretary in relation to the government's policy objectives.

Multicultural and citizenship services—deliverables *continued*

Deliverable: Administer the grants for community relations, grants for multicultural affairs and contribution to the Parliaments of the World's Religions.

Result: The Federation of Ethnic Communities' Council of Australia (FECCA) (community relations grant) met the milestones in its 2009–10 work plan. The milestones included promoting the benefits of cultural diversity, advocating on behalf of migrant communities (for example through a national conference in Shepparton), contributing to the implementation of the government's Access and Equity Strategy and supporting capacity-building for new and emerging communities. Parliament of the World's Religions also met the milestones under its funding agreement. The December 2009 parliament event in Melbourne was attended by about 6500 people. There were about 650 events, including keynote addresses, seminars, conferences, debates, performances, concerts and exhibitions.

Deliverable: Implement community projects through partnerships with state and territory governments.

Result: There were 19 partnership projects managed under the National Action Plan (NAP) to Build on Social Inclusion, Harmony and Security in 2009–10. Of these, two projects were completed. The remaining 17 projects are expected to be completed in the 2011 calendar year.

Deliverable: Implement the Diverse Australia Program.

Result: In 2009–10, Diverse Australia Program funding was awarded to 84 community organisations to address racism, intolerance and community disharmony.

Deliverable: Implement the National Action Plan to Build on Social Cohesion, Harmony and Security.

Result: In 2009–10, the department administered 45 NAP projects, including 20 new projects.

Deliverable: Provide support services to the Australian Multicultural Advisory Council.

Result: The department supported the council's meetings in September 2009, October 2009, December 2009, February 2010 and April 2010 and the launch of its advice to government, *The People of Australia*, on 30 April 2010.

Deliverable: Encourage Australian Government agency responsiveness to cultural and linguistic diversity through implementing the Access and Equity Strategy.

Result: The department is promoting good practice to agencies through the Access and Equity Strategy including presenting four seminars during 2009–10 and through community engagement. The Federation of Ethnic Communities' Councils of Australia is also assisting with community consultations.

Deliverable: Deliver lawful citizenship decisions under Australian citizenship legislation.

Result: In 2009–10, 139 174 decisions on citizenship status were made.

Deliverable: Implement the government supported recommendations from the Australian Citizenship Test Review Committee's report *Moving Forward...Improving Pathways to Citizenship*.

Result: A new citizenship test was introduced in October 2009, supported by a revised citizenship test resource book, *Australian Citizenship: Our Common Bond*, which was launched in September 2009.

Multicultural and citizenship services—deliverables *continued*

Deliverable: Implement a communication strategy that promotes the value of Australian citizenship and encourages eligible non-citizens to become Australian citizens, including provision of an internet-based Citizenship Wizard.

Result: In 2009–10, the department continued the implementation of its communication strategy to promote the value of Australian citizenship. There were 428 242 visits to the online Citizenship Wizard.

Multicultural and citizenship services—key performance indicators

Indicator: Milestones and timelines specified in funding agreements for grants met.

Result: In 2009–10, more than 95 per cent of milestones and timelines specified in funding agreements for grants were met.

Indicator: Government agencies report increased client satisfaction with the delivery of government services.

Result: The Federation of Ethnic Communities' Councils of Australia surveyed and reported on the satisfaction with delivery of government services to culturally and linguistically diverse clients. The report was delivered in August 2010.

Indicator: Government services available and accessible nationwide

Result: The Access and Equity Strategy promotes the availability and accessibility of government services to culturally and linguistically diverse clients nationwide.

Indicator: Percentage of refusal decisions for Australian citizenship overturned through an appeal process.

Result: Less than 1 per cent of refusal decisions for Australian citizenship were overturned through an appeals process.

Indicator: Percentage of client conferral applications decided within service delivery standards.

Result: Up until 9 November 2009, the service standard for conferral applications was to decide 90 per cent within 90 days. On 9 November 2009, a new business process was introduced with a new service standard, which was to decide 80 per cent of conferral applications within 60 days. Under the old business process and service standard, 89.2 per cent of cases were decided within 90 days. Under the new business process and service standard, 80.3 per cent of cases were decided within 60 days.

Indicator: Increased awareness of, and interest in, Australian citizenship.

Result: In 2009–10, there were 428 242 visits to the department's online Citizenship Wizard. Applications for citizenship by conferral increased by 12 per cent on the 2008–09 result.

Table 90: Multicultural and citizenship services—performance information

Key performance indicators	2007–08	2008–09	2009–10 target	2009–10 actual
Visits to the Citizenship Wizard		153 168 (since 12 December 2008)	80 000	428 242
Milestones and timelines specified in funding agreements for grants met			95%	95%

Departmental item—Decisions on citizenship status

Decisions on citizenship status provides for the administration of Australian citizenship law and policy. In particular, this is managed through decisions on applications for citizenship by conferral, by descent, by adoption under full and permanent Hague Convention arrangements and by resumption. It also manages applications for evidence of citizenship and renunciation of citizenship.

In addition, this item manages arrangements for conferring citizenship and provides citizenship information services.

Performance

In 2009–10, 139 174 decisions on citizenship status (including applications for conferral, descent and resumption) were made compared to 127 006 in 2008–09, an increase of 9.6 per cent.

The number of applications for conferral received during 2009–10 was 12 per cent more than for 2008–09, while the number decided was 11 per cent more than for 2008–09. The overall approval rate of applications for conferral was 92 per cent in 2009–10.

Appendix 5 contains statistical information on the former nationality or citizenship and the previous country of residence of people who became Australian citizens by conferral in 2009–10.

The department continued to monitor citizenship application processing through its citizenship quality assurance program.

Table 91: Outcomes of citizenship applications 2007–08 to 2009–10

Citizenship outcome	Results		
	2007–08	2008–09	2009–10
People approved for conferral of Australian citizenship	92 601	101 966	112 746
People issued with Certificates of Evidence of Australian citizenship	17 342	22 803	21 169
People registered as Australian citizens by descent	13 428	15 580	15 458
People resuming Australian citizenship	807	650	313
People registered as losing Australian citizenship ¹	351	621	381

1. Loss statistics include renunciation of Australian citizenship. Source: Integrated Client Services Environment, which is a dynamic database and figures extracted may change from day to day.

Citizenship test outcomes

Outcomes of the Australian citizenship test administered during 2009–10 were as follows:

- 73 185 clients sat the Australian citizenship test
- 71 409 clients (or 97.6 per cent) passed the test
- 85 678 tests were administered, including re-sits where clients did not pass the test on their first attempt.

Departmental item—Promoting the benefits of a united and diverse Australia

Under this item, the department implements a range of activities to assist communities create a spirit of inclusiveness and help ensure all Australians are treated fairly regardless of their cultural backgrounds or circumstances.

Performance

Access and equity

The department manages the Australian Government Access and Equity Strategy, which encourages and supports all Australian Government agencies to respond to the cultural diversity of Australians in the design and delivery of policies and programs.

In 2009–10, the department held four seminars to support Australian Government agencies with their access and equity responsibilities. These seminars covered:

- use of interpreters
- innovative strategies for community engagement
- the Federation of Ethnic Communities' Councils of Australia community consultations on barriers to access and equity
- using statistics to better meet the needs of culturally and linguistically diverse clients.

Feedback from the participants indicated that the seminars were very well received.

Federation of Ethnic Communities' Councils of Australia community consultations

The Federation of Ethnic Communities' Councils of Australia (FECCA) held community consultations on the accessibility of government services in Melbourne (February 2010), Perth and Canberra (March 2010) and in Shepparton (April 2010).

These consultations allowed FECCA to gain a deeper understanding of the extent to which government agencies respond to Australia's cultural diversity in a range of government policy and program areas. This information is being used to provide recommendations to agencies on how to better meet their clients' needs.

FECCA has strengthened its links with key government agencies to discuss these recommendations. This has resulted in opportunities for the department to further engage with key government agencies.

Australian Multicultural Advisory Council

The Australian Multicultural Advisory Council provides advice to the government in practical approaches to promoting social cohesion, the engagement of migrants in Australian society, overcoming racism and intolerance, and communicating the benefits of Australia's cultural diversity to the broad community.

The department provided secretariat and logistical support for the five meetings of the council and associated workshops.

The council's primary task during its first term was to provide advice on cultural diversity policy. On 30 April 2010, the council presented its advice and recommendations on cultural diversity policy to government in a statement entitled *The People of Australia*. The statement provides a narrative of Australia's ongoing multicultural success story and aims to reach the whole Australian community.

On 22 June 2010, the Australian Government reappointed the council for a second term, which runs from 1 July 2010 until 30 June 2012. The council will continue to comprise 16 members, drawing on a range of experience and expertise.

The council's second-term priorities include providing the government with advice on how best to support migrant settlement in rural and regional locations and areas with employment opportunities; and to identify policy initiatives that work at the neighbourhood level to strengthen local communities.

Interfaith activities

Interfaith activities are one component of the government's emphasis on promoting respect and acceptance of cultural diversity in Australia. They can also contribute to social cohesion by increasing mutual understanding between the individuals and religious organisations which participate. The department coordinated the Australian Government's sponsorship of the Parliament of the World's Religions, which was held in Melbourne from 3–9 December 2009 and attracted about 6500 participants from Australia and overseas.

Social inclusion

The department participated in whole-of-government discussions on the Social Inclusion Agenda, where it advocated the vulnerability of recently arrived migrants and refugee entrants to social exclusion and the need to specifically identify this client group in policy and program development. The department is represented on a range of working groups that have been established as part of developing the agenda.

Community liaison

The department's national network of community liaison officers maintains contact with a broad range of ethnic community organisations and individuals. The network provides advice on community relations issues, disseminates information about government services and programs, and engages directly with migrant community organisations.

In this way, the community liaison officer network aims to encourage interaction with the broader Australian society, reduce marginalisation and promote community harmony, social cohesion and cultural diversity.

Community liaison officers have worked more recently with Sri Lankan and Afghan communities to convey and explain policy changes on processing of asylum claims from Sri Lanka and Afghanistan and have engaged with Indian students and the broader Indian community on migration policy changes and community safety.

The department worked closely with the Federation of Ethnic Communities' Councils of Australia during 2009–10 to ensure Australian Government outcomes for Australia's multicultural society were informed by community needs.

National Action Plan to Build on Social Cohesion, Harmony and Security—state/territory government partnerships

The National Action Plan to Build on Social Cohesion, Harmony and Security (NAP), a Council of Australian Government initiative developed in 2005–06, seeks to foster connections and understanding between Muslim and non-Muslim Australians and reinforce the major contributions that all Australians can make to Australia's future. The Australian Government along with state and territory governments worked to implement the NAP with significant commitments from Australian communities. Funding for state and territory projects ended on 30 June 2010, however, project activities are continuing.

In 2009–10, there were 19 state and territory projects managed under the NAP, including one ongoing project from previous years. Of these:

- two projects were completed in 2009–10
- the 17 remaining projects are expected to be completed in the 2011 calendar year.

Diverse Australia Program and National Action Plan to Build on Social Cohesion, Harmony and Security—community engagement

Diverse Australia Program (DAP) funding was awarded to 84 community organisations to address issues of racism, intolerance and community disharmony. A total of 868 applications for community grants were received in 2009–10.

The department also administered 45 National Action Plan to Build on Social Cohesion, Harmony and Security community projects in 2009–10, including 20 new projects.

Harmony Day continued to be a great success. There were 4825 registered Harmony Day events in 2010 and 5550 promotional kits were distributed to schools, government offices and community organisations.

A total of 1131 media articles and reports on Harmony Day and the DAP were published throughout Australia, from 25 January 2010 to 30 April 2010 (the period leading up to and immediately following Harmony Day). This represents a 23 per cent increase in volume from the same period in 2009. For 2009–10, the website www.harmony.gov.au registered 1.65 million page views for DAP and Harmony Day.

Departmental item—Promoting the value of Australian citizenship

The department undertakes a range of communication and public relations activities to promote the value of Australian citizenship and the acquisition of citizenship by eligible non-citizens.

Performance

60th anniversary of Australian citizenship

To celebrate the 60th anniversary of Australian citizenship in 2009, special citizenship ceremonies were held on days of national significance such as Constitution Day (9 July), Australian Citizenship Day (17 September), Australia Day (26 January) and Harmony Day (21 March) and received a large amount of positive media coverage. In particular, Australian citizenship and affirmation ceremonies across the country were broadcast by Sky News on Australia Day as part of the department's partnership with the National Australia Day Council (NADC).

The Australia Day media coverage also included a number of editorial pieces about the importance of ensuring that existing Australian citizens understand the meaning and value of their citizenship responsibilities and privileges.

Australia's Local Hero

For the eighth year, the department sponsored Australia's Local Hero, a category of the Australian of the Year Awards, as part of the NADC partnership. The department worked with the NADC and the eight state and territory winners to facilitate media coverage of the awards. Australia's Local Hero, Ms Ronni Kahn—founder of the OzHarvest food rescue organisation—gave numerous media interviews and presentations at schools.

Citizenship educational resources

The department developed new educational resources linked to the National Statements of Learning for Civics and Citizenship and each state/territory curricula. The resources were developed for both primary and secondary school teachers. The minister launched the new resources at Plympton Primary School, Adelaide, in November 2009, and also conferred Australian citizenship on a student and his father from the school.



Case study

Valuing Australian citizenship starts at school

In November 2009, when the department's new civic and citizenship education school resource was launched at Plympton primary school in Adelaide, the school had more than one reason to celebrate.

The Minister for Immigration and Citizenship, Senator Chris Evans' visit to the school coincided with a citizenship ceremony for student Pengyu (Kevin) Yang and his proud father Mr Zhenguo (Ken) Yang, from the People's Republic of China.

The school's principal, Mr Tom O'Callaghan, said the ceremony was a poignant experience for all involved.

'It was a very exciting day,' Mr O'Callaghan said. 'We were all very proud that one of our students was becoming a citizen.'

'Many Australian children don't usually have the chance to take part in such a formal ceremony but staff and students dressed up and the school hall was made to look special for the occasion. It was moving and the students really understood the significance of the day.'

After the ceremony, the minister launched the new civics and citizenship teaching resource *I am Australian: Exploring Australian Citizenship* to help students better understand the meaning and significance of Australian citizenship.

The resource, which contains teaching manuals for both upper primary and lower secondary school students, includes classroom activities which are linked to the civics and citizenship curriculum of each state and territory.

'Having the resource readily available supports our teachers and is a welcome addition to the classroom. It will play a key role in helping students learn about citizenship which is an important part of our curriculum,' Mr O'Callaghan said.

Photo: Mr Ken Yang and his son, Kevin, who became Australian citizens after migrating to Australia in 2005, are presented with their Australian citizenship certificates by the Minister for Immigration and Citizenship, Senator Chris Evans.

Administered item—Citizenship test preparation

Objective

Provide grants to organisations for the delivery of services to assist clients prepare to sit the Australian citizenship test in 2008–09.

Description

The Australian Government provided \$3.4 million in grants to organisations to provide support services under the Citizenship Support Program as a one-year pilot to trial different service models in 2008–09. The program helped refugees and other people overcome disadvantages such as low English proficiency, a lack of formal education, difficulty performing within a formal testing regime and little or no experience with computers.

The program demonstrated the diversity of service models ranging from the adult education environment to education in community settings, both in metropolitan and rural areas. Courses varied from individual tuition to courses of up to 13 weeks duration that targeted clients with a higher level of need.

Performance

This program terminated on 30 June 2009. The purpose of this administered item was to make final payments to grant recipients upon receipt of their final reports.

Table 92: Citizenship test preparation

Deliverable 2009–10	
Planned	Result
Final payments to be made to grant recipients.	Final payments were made.

Administered item—Diverse Australia Program

Objective

Provide grants to community organisations to build stronger community relations.

Description

The Diverse Australia Program (DAP) funding is designed to provide resources to not-for-profit organisations to develop and deliver projects that help Australians build a stronger community in a diverse society.

Performance

In 2009–10, the minister approved 84 DAP projects. Of these, 77 were under Community and Small Grants and seven projects were funded under Emerging Issues Funding.

The minister awarded funding to the 77 projects from a field of 868 applicants in the annual application process. These projects reflected the priority areas for the 2009 grants round and comprised:

- children and families
- youth
- new and emerging communities
- Indigenous Australians
- integration and community-based activities.

In 2009–10, seven projects were funded under the Emerging Issues Funding sub-program to respond to specific and identified issues of racism, intolerance and community disharmony.

In addition, the department administered 101 projects from previous years.

Table 93: Diverse Australia Program

Deliverables 2009–10	
Planned	Result
Grants awarded according to Diverse Australia Program guidelines.	84
Projects achieve agreed objectives/milestones.	Agreed milestones in funding agreements were satisfactorily met.

Administered item—Grants for multicultural affairs

Objective

Provide a grant to the Federation of Ethnic Communities' Councils of Australia (FECCA) to advise the government on the views and needs of ethnic communities in Australia.

Description

FECCA is the national peak body representing Australians from culturally and linguistically diverse backgrounds. FECCA supports multiculturalism, community harmony, social justice and the rejection of discrimination and racism. FECCA's membership comprises state, territory and regional multicultural and ethnic councils.

Performance

In 2009–10, the government provided a grant of \$421 000 (plus GST) to FECCA to assist in meeting its objectives.

During the year, FECCA focused on: advocating on behalf of migrant communities; contributing to the implementation of the government's Access and Equity Strategy; supporting capacity-building for new and emerging communities; and promoting the benefits of cultural diversity.

FECCA provided submissions to government putting forward the views of migrant Australians, including to: the Senate Inquiry into the Welfare of International Students; Inquiry into the Australian Citizenship Amendment Bill 2009; Budget Submission 2010–11; Submission to the Humanitarian Program 2010–11; Insights and Feedback on Commonwealth Government Services from FECCA's National Access and Equity Consultations with Culturally and Linguistically Diverse Communities and others. FECCA also organised a successful national conference in Shepparton, Victoria with the theme 'Strengthening multiculturalism and building social inclusion'.

FECCA substantially met the performance indicators under its 2009–10 funding agreement and work plan. One grant of \$421 000 (plus GST) was paid on time in two instalments in October 2009 and February 2010.

Table 94: Grants for multicultural affairs 2009–10

Deliverable	
Planned	Result
Funding agreement meets government objectives.	Funding agreement met government objectives.

Administered item—Mirrabooka Multicultural Centre—contribution

Objective

Contribute towards the cost of developing a multicultural centre in Mirrabooka, Western Australia.

Description

Mirrabooka Multicultural Centre will provide a supportive and culturally appropriate environment for newly arrived migrants and refugees who face a range of settlement challenges in Australia.

Migrants and refugees settling in the Mirrabooka area will benefit from the services at the centre while the broader community will benefit from the improved settlement outcomes new arrivals will achieve.

Pending contract negotiation, the new multicultural centre is to be delivered in partnership with the City of Stirling, which will manage the construction and operation of the centre.

Performance

In 2009–10, the department finalised additional budget processes to secure extra funding of \$640 000 for the project, taking the total funding commitment to \$1.64 million. The funding level was determined based on estimates of work to deliver the project. Extensive consultations about the project have taken place with various relevant stakeholders. The draft funding agreement was developed and contract negotiations commenced with the City of Stirling.

Table 95: Mirrabooka Multicultural Centre—contribution

Deliverables 2009–10	
Planned	Result
Funding enables the establishment of a multicultural centre.	Negotiations have commenced for the funding agreement for the establishment of the Mirrabooka Multicultural Centre.

Administered item—National Action Plan to Build on Social Cohesion, Harmony and Security—community engagement

Objective

Provide grants to community groups to build capacity and develop leadership skills to ensure that they are involved in the National Action Plan (NAP) to Build on Social Cohesion, Harmony and Security—community engagement and have ownership of its objectives.

Description

The NAP encourages tolerance and social cohesion through public education, employment and community activities; engaging with communities through consultations and ongoing dialogue and building leadership capacity and communications skills in Australian communities.

Performance

In 2009–10, 20 new projects were funded under NAP community engagement grants. These projects reflected the priority areas for the 2009 grants round which focused on enhancing the resilience of Muslim communities and increasing their participation and integration with, and cross-cultural understanding between, the wider non-Muslim community.

In addition, the department managed 25 projects from previous funding rounds.

Table 96: National Action Plan to Build on Social Cohesion, Harmony and Security—community engagement

Deliverables 2009–10	
Planned	Result
Grants awarded according to NAP guidelines.	There were 20 grants awarded in accordance with NAP guidelines.

Administered item—Pacific Seasonal Worker Pilot Scheme

Objective

Provide grants to identified organisations to support communities participating in the Pacific Seasonal Worker Pilot Scheme to build community capacity and promote community harmony.

Description

In August 2008, the Australian Government announced a three-year Pacific Seasonal Worker Pilot Scheme to examine the viability of a seasonal labour mobility program in Australia involving the Pacific island nations of Kiribati, Papua New Guinea, Tonga and Vanuatu.

In 2008–09, the Diverse Australia Program provided additional funding of \$1.2 million over four years to develop a community engagement strategy for the pilot scheme. The funding will allow for community relations projects to be implemented in each pilot location with the aim of promoting community cohesion. The funding is focused on:

- improving cultural awareness between employers and Pacific Islander workers
- engaging local residents to provide community support and involvement for Pacific Islander workers
- providing shared opportunities for cultural activities.

Performance

In 2009–10, two projects were funded in Mundubbera in Queensland. The projects focused on developing cultural inclusiveness in the Mundubbera community by providing opportunities for the community to engage with the Pacific seasonal workers. In addition, the department administered two projects from the previous year.

Table 97: Pacific Seasonal Worker Pilot Scheme

Deliverables 2009–10	
Planned	Result
Grants awarded to local councils in areas participating in the scheme.	There were two grants awarded to participating local councils.

Administered item—Parliament of the World's Religions 2009—contribution

Objective

Provide funding for the Parliament of the World's Religions, which was held in Melbourne in December 2009.

Description

The Parliament of the World's Religions (PWR) is one of the largest periodic gatherings of representatives from many of the world's religions and spiritual communities for discussions about peace, diversity and sustainability in the context of inter-religious understanding and cooperation. The PWR is held every five years in different cities around the world. The PWR took place in Melbourne for seven days from 3–9 December 2009. The event comprised about 650 events, including keynote addresses, seminars, conferences, debates, performances, concerts and exhibitions. It attracted about 6500 participants from Australia and around the world.

Performance

The Australian Government provided \$2 million to support the event as part of the 2007–08 Budget. The funding agreement specified the milestones that PWR must reach before the department makes each payment. The department made the final payments in 2009–10.

As part of managing the funding agreement, the department:

- attended the meetings of the PWR Melbourne Board of Management as an observer
- liaised with the event organisers on issues relating to the contract and government interests
- worked with the event organisers to identify and promote awareness of opportunities for involvement by local community organisations
- facilitated whole-of-government efforts to prepare for the event through an interdepartmental committee
- provided advice to the event organisers on visa issues.

Table 98: Parliament of the World's Religions 2009—contribution

Deliverables 2009–10	
Planned	Result
Funding agreement meets funding objectives.	Milestones were met.

Table 99: Outcome 6 Financial resources summary 2009–10

A cohesive, multicultural Australian society through promotion of cultural diversity and a unifying citizenship, decisions on citizenship status, and multicultural and citizenship policy advice and program design.

	Budget ² 2009–10 \$'000	Actual expenses 2009–10 \$'000	Variation 2009–10 \$'000	Budget estimate 2010–11 \$'000
Program 6.1: Multicultural and citizenship services				
<i>Administered expenses</i>				
Ordinary annual services (Appropriation Bill 1)	4 251	2 778	(1 473)	4 918
<i>Departmental expenses</i>				
Ordinary annual services (Appropriation Bill 1) and revenues from independent sources (section 31)	97 939	80 978	(16 961)	86 978
Expenses not requiring appropriations in the Budget year ¹	-	-	-	8 040
Total for Program 6.1	102 190	83 756	(18 434)	99 936
Total expenses for Outcome 6	102 190	83 756	(18 434)	99 936
Average staffing level (number)	571	549	(22)	565

1. Expenses not requiring appropriations in the Budget year are expenses relating to depreciation, for which the department is no longer funded due to Operation Sunlight.
2. Full year budget, including any subsequent adjustment made to the 2009–10 Budget.



Case study

Harmony Day 2010—express yourself

In its 11th year, Harmony Day on 21 March 2010 saw Australians around the country come together to celebrate our multicultural nation.

Businesses, schools, organisations and community groups registered nearly 5000 events on the Harmony Day website—a significant increase on last year.

Of the events celebrated, more than 64 per cent involved schools from around Australia. The 2010 theme was ‘Express Yourself’—sharing the importance of diversity through action, performance, fashion and food.

Some students incorporated the song ‘*Harmony Hip Hop*’, written and recorded by musicians D’Opus & Roshambo. The artists expressed their support for Harmony Day’s message—that ‘everyone belongs’.

They both agreed it had to be a really bright, positive sound but it also had to be upbeat, vibrant and engaging.

Harmony Day events were conducted over more than just one day. Many local councils, in particular, staged festivals and concerts during the week or month of Harmony Day.

Harmony Day 2010 received increased media coverage from previous years, ensuring the key messages of diversity and belonging reached most Australian communities. A total of 1131 media articles were reported, representing a 23 per cent increase from last year. Print media (958 articles) received more than 34 million views in Australia.

Many high-profile organisations were instrumental in delivering Harmony Day’s messages and encouraging Australians to understand, share and celebrate the importance of cultural diversity. Harmony Day supporters included Australian Red Cross, Railcorp NSW, Scouts, Girl Guides, Australian Football League, Australian Sports Commission, Universal McCann, Leba Media, Adcorp and Spots and Spaces.

Photo: More than 64 per cent of schools from around Australia participated in Harmony Day.

Immigration history 1976–1985

The department opened the decade with a strong focus on post-arrival policies and initiatives. In 1976, the department became the Department of Immigration and Ethnic Affairs, reflecting its multicultural role. The following year saw the establishment of an ethnic affairs branch in the department, the creation of the Australian Ethnic Affairs Council, the opening of two pilot migrant resource centres and the establishment of the National Accreditation Authority for Translators and Interpreters. The establishment of the Special Broadcasting Service was also announced. The 1978 Galbally Report was tabled, recommending further increased spending on migrant welfare.

This decade saw the demise of the use of ships for assisted migration purposes, with the last migrant ship, the *Australis*, arriving in December 1977. Between World War II and 1977, more than two million migrants had been carried to Australia by 169 ships.

The department's work continued to gain in complexity and sophistication and in 1978 the immigration program was completely reviewed, with the Numerical Multifactor Assessment System coming into effect in 1979. This gave weight to factors such as family links to Australia, skills, knowledge of English, successful settlement prospects and literacy in the client's language. The overall migration intake remained responsive to economic conditions and the numbers varied accordingly, such as from 118 000 in 1981–82 to 62 000 in 1982–83.

The demand for a new life in Australia exceeded the places available and a new layer of complexity arose as some people tried to circumvent the department's policies. As the number of overstayers grew, increased effort was applied to detection and the expensive and time-consuming process of removing these people. In 1976 and 1980, the department ran two programs offering amnesty to people who had overstayed their visas and allowing them to regularise their status.

The Immigration Review Tribunal, which investigated disputed departmental decisions on immigration and citizenship applications, was established in 1982. Significant changes to the Migration Act were introduced in 1984, meaning that all people in Australia who were not Australian citizens would be treated equally.

In the humanitarian sphere, the Vietnam War was a major influence and the department's officers travelled to South-East Asia to select refugees—and to dissuade boats from travelling to Australia with the accompanying risks of tragedy at sea. More than 155 000 refugees have been resettled from Indo-China since 1975.

The Determination of Refugee Status committee was established in 1978, with the Special Humanitarian Program introduced in 1981 to enable a humanitarian response for people subject to substantial discrimination with close ties to Australia. The Humanitarian Program was diversified further, with entrants arriving from South America, the Middle East and Africa.

Immigration continued to be the focus of significant parliamentary, media and community interest. The *Economic Effects of Immigration on Australia* report was issued in 1985, highlighting the positive effects on employment and the age of the Australian population.

Photos opposite page from top to bottom: Laotian girls receive technical training at Kambah High School in Canberra in 1982. Vietnamese family, Nguyen Huu Nhu and his wife, Minh Thi, and three children, reunite in 1982 after six years of separation. Indo-Chinese refugees in 1979 at Springvale Migrant Centre near Melbourne.

Part 4



Management and accountability

Corporate governance

External scrutiny

Client service excellence

Productivity

Management of human resources

Asset management

Purchasing

Consultants and consultancy services

ANAO access provisions

Advertising and market research

Commonwealth
Disability Strategy

Social justice and equity

Ecologically sustainable
development and
environmental performance

Grants

Corporate governance

Statement of main governance practices in place

During 2009–10, the department embarked on an ambitious transformation program which aims to position it as the best immigration and citizenship department in the world. This will be done by strengthening migration, visa and citizenship services and creating a sustainable, long-term future as a globally integrated organisation.

As part of the transformation, a new organisational structure has been implemented to support the way in which work is managed. In line with this, new governance arrangements are being implemented to streamline accountability and ensure clear responsibilities in the department.

Prior to the change, there were 76 committees and boards within the department's governance arrangements.

The new governance arrangements simplify this structure and reduce the number of committees and boards. Decision rights and responsibilities and accountabilities are clarified.

Key features of the new arrangements are as follows:

- There are three key governance bodies—the Executive Committee, the Departmental Audit Committee and the Business and Systems Integration Committee.
- Deputy secretaries, as senior line management in the organisation, are responsible for the delivery of all programs and services in their respective groups. They operate their own internal management models, but report to the Executive Committee.
- Each group is implementing simpler, more robust, consultation processes and improving stakeholder engagement to ensure good quality decisions are made. The most appropriate consultative processes are decided by decision-makers, and depend on the nature, risk and sensitivity of decisions being made.

Senior management committees

Executive Committee

The Executive Committee provides strategic, whole of organisation advice to the secretary and department's leaders to ensure effective decision making, management and oversight of the department's operations and performance. The core members of the Executive Committee are the secretary and the deputy secretaries. The chief lawyer and chief finance officer are ex-officio members and provide 'specialist' advice.

The Executive Committee is a key forum to guide cross-portfolio issues. Executive Committee meetings are structured around strategy and policy matters (including planning and implementation of departmental policy and programs as well as corporate policies) and organisational performance reporting (including program integrity and performance, service delivery standards and risk management).

Departmental Audit Committee

The Departmental Audit Committee (DAC) was established in compliance with section 46 of the *Financial Management and Accountability Act 1997*. The DAC provides independent assurance and assistance to the secretary and to the Executive Committee on the department's internal audit program, risk management, quality assurance and fraud control frameworks as well as its external accountability responsibilities.

In 2009–10, the DAC considered an annual internal audit program and a rolling three-year internal audit program based on key corporate risks. The DAC has a Financial Statements Sub-Committee which is responsible for overseeing the preparation of the annual financial statements, including resolving issues in a timely manner. The DAC reviews and clears the annual financial statements before they are submitted to the secretary.

The department works co-operatively with the Australian National Audit Office (ANAO) to co-ordinate overall audit activity within the department and to ensure that there is no duplication of the audit effort. The ANAO is invited to attend meetings of the DAC and the Financial Statements Sub-Committee.

Business and Systems Integration Committee

The Business and Systems Integration Committee (BASIC) provides assurance to the secretary that the business rules and business processes underpinning the department's business are up-to-date, correct, cohesive, robust and subject to rigorous change control. One of BASIC's key terms of reference is to provide the secretary with assurance that decision-making carried out by, or with the assistance of, automated systems is consistent with administrative law values.

BASIC was endorsed by the Executive Committee on 1 July 2009 and is chaired by the deputy secretary of the Client Services Group. BASIC members include the deputy secretaries of the Business Services Group and Policy and Program Management Group as well as other relevant senior executives across the department.

In 2009–10, BASIC approved various governance arrangements including a Chief Executive Instruction on governance of computer-aided processing, the committee's key performance indicators and an external stakeholder consultation plan.

Key departmental issues considered throughout 2009–10 included business rules affected by systems upgrades or legislative and policy changes; business process modelling of the client's life-cycle; risk tiering in the *Systems for People* program and Temporary Business (Long Stay) (subclass 457) visas; endorsement of a glossary of enterprise business terms relating to visitor and bridging visas; and development of the visa deregulation and simplification agenda.

Leadership and governance

During 2009–10, the Prominent Speaker Program continued. This program invites prominent individuals from the public, private, academic and community sectors to address the senior leadership group on a range of topics. The program aims to develop and strengthen the leadership group's appreciation of its central role in promoting good governance and leadership throughout the organisation.

The theme of the series for 2009 was 'Building a high performance culture' while the theme of the series for 2010 is 'Transformational leadership and transitioning into the future in the current economic climate'.

The program has been well supported by senior officer attendance and is recognised as an avenue for knowledge-building, information-sharing and networking. In 2009–10, the program included presentations by:

- Ms Helen Silver—Secretary, Department of Premier and Cabinet, Victoria
- Mr Geoff Leeper—Deputy Secretary, Department of Families, Housing, Community Services and Indigenous Affairs
- Professor Paul 't Hart—Australian National University
- Mr Rhys Edwards—Secretary, Department of Premier and Cabinet, Tasmania
- Mr Steve Sedgwick—Australian Public Service Commissioner.

Corporate and operational planning

Corporate and operational planning and performance reporting

The *DIAC Strategic Plan 2009–12* is an overarching plan that outlines the department's long-term strategy with further details on its objectives for the next 12 months. It forms the basis for the department's cascading business planning process and influences how staff work with each other, stakeholders and the community.

To ensure the plan continues to reflect government priorities over a three-year period, it is reviewed annually.

The department uses cascading and associated plans that define its work at the division, service delivery, branch and section level, through to individual performance and development agreements. Performance reporting against business plans occurs every four months or three times a year in line with the department's endorsed business planning cycle and associated strategic planning calendar.

Other associated corporate strategies that inform/shape lower-level planning are:

- the department's corporate/strategic risk profile
- workforce planning
- stakeholder analysis
- research and evaluation planning.

Internal audit arrangements

Internal audit and quality assurance

The internal audit function is managed by the department's Internal Audit Section which reports to the secretary. It operates under the authority of the Internal Audit Charter. During 2009–10, the internal audit program was primarily delivered by the department's principal provider, Ernst & Young. Additional capabilities in audit, risk management, fraud control and business continuity management were sourced through a panel of secondary providers. The contracts with the audit firms on the panel expired on 30 June 2010. The department undertook an open tender process to refresh the panel. The new arrangements were in place by 1 July 2010.

In line with recommendations by the Institute of Internal Auditors (Australia), the department has a strategic three-year internal audit plan and has its annual expenditure on internal audit within the Australian Public Service benchmarks.

Drawing on the National Quality Assurance Framework, the department has continued to provide quality assurance training as well as advice and guidance on consistent standards in the design and review of quality assurance processes. This enables program managers and the Departmental Audit Committee (DAC) to identify trends and emerging portfolio-wide risks. Work is ongoing across divisions in integrating quality assurance as a management assurance tool.

During the year, the department appointed a chief internal auditor reflecting the executive's concern to maintain a focus on accountability and transparency.

Risk management and fraud control measures

With the implementation of the department's business transformation, responsibility for overseeing risk management and fraud control measures moved from the Governance, Planning and Assurance Branch to Fraud Investigations and Prosecutions Branch within the newly created Risk, Fraud and Integrity Division (RFID) in December 2009.

The RFID became fully operational in May 2010 and operates within the Business Services Group. Its core business is to detect, measure and recommend treatments to mitigate multiple dimensions of risk across the department's full operations.

The creation of the RFID represents a concentration of professional capability to better position the department to effectively carry out its national and international risk and fraud control operations. These capabilities, both professional and technical, include: identity resolution; data and information analysis; intelligence gathering and assessments; and investigations of serious organised criminal activity.

Global Manager Operational Integrity

In 2009–10, the role of Global Manager Operational Integrity was created to provide integrity support to the visa and citizenship programs within the onshore and offshore service delivery network. A range of integrity-related business units have been brought together under the global manager to promote nationally and globally consistent business practices, application of policy within priorities and reporting frameworks.

The business units include: integrity officers, investigations, sponsor monitoring, spouse bona fides, student integrity, most visa cancellations, information management units and a migration integrity officer network.

Fraud Control Framework

The development of the fraud risk assessment regime has progressed substantially over the past year with a marked increase in fraud risk assessment activity. A range of program-based fraud risk assessments have been completed and the development of divisional fraud risk assessments has been embedded in the business planning process. The Australian National Audit Office noted in its audit of the 2009–10 financial statements that clear evidence exists that the department's business and fraud risk assessments have been undertaken.

In the context of the requirements of the *Commonwealth Fraud Control Guidelines 2002*, the department's achievements in the area of fraud mitigation and control in 2009–10 include:

- the commencement of the development of the 2010–12 Fraud Control Plan due in December 2010
- embedding the Fraud Risk Assessment model in the business planning process
- the finalisation of a wide range of program-specific and divisional fraud risk assessments
- the development and production of a detailed risk and treatment summary that includes risks identified from actual departmental fraud investigations. Following identification, these risks are brought to the attention of the risk owners with proposed mitigation strategies. This report is provided to the secretary and the Executive Committee every month
- the development of a schedule of fraud risk assessments for the 2009–10 financial year, which was endorsed by the DAC
- the development of a centralised fraud risk register
- the launch of an eLearning fraud awareness training package and continuing initiatives to make it a mandatory training requirement for all onshore and offshore staff, including contractors and locally engaged staff.

Serious organised criminal investigations

The department has put substantial effort into investigating and prosecuting instances of organised fraud against the department's visa and citizenship programs.

The department has an ongoing program of work focused on:

- refining fraud identification and treatment
- continuing operations in relation to organised fraud
- developing technical and resource capability
- work collaboratively with other government agencies to better understand the impact of serious organised criminal investigations
- centralising the fraud analysis capability.

Information technology and smart staff

The department has put into place a number of risk mitigation solutions using information technology. These initiatives are already producing fraud detection results leading to improvements in the integrity of visa applications. These solutions include biometrics and risk tiering.

Biometrics

Identity security is one of the top three risks identified by the Commonwealth Operational Law Enforcement Agencies meeting. The department has moved to mitigate this risk by the use of biometric data including fingerprints and digital facial images on selected caseloads. Data checking occurs against departmental records and the records of members of the Five Country Conference. This checking has resulted in biometric matches.

The matches have, in some instances, corroborated the claimed identity of irregular maritime arrivals or other clients in detention, but—in many cases—have revealed a significant difference in name, date of birth, nationality and immigration history to that claimed in Australia. In some cases, serious criminal histories have been revealed. These checks have yielded information that directly affects the client's eligibility for a visa.

Risk tiering

The department is implementing a strategy to further enhance risk management and integrity. In order to achieve this, the department is developing new, evidence-based, automated, technical solutions to predict the relative risk levels of visa applicants, based on historical data. This will enable each visa application to be assessed with a level of rigour commensurate with the perceived level of risk involved. The priority is to identify lower risk applicants to streamline visa application processing.

Immigration intelligence

Risk management and fraud control are also undertaken through the RFID's immigration intelligence collection, analysis and profiling capabilities. Skilled officers help to combat and respond to people smuggling activities, assist in identifying improperly documented passengers attempting to travel to Australia and respond to national security and war crimes concerns within the citizenship and visa caseload.

Expertise in the national security sphere ensures critical support for priorities such as border integrity. It also enhances our capacity to provide predictive warning of impending threats, including the development of appropriate risk mitigation strategies with key internal and external stakeholders. A combination of smart systems and smart people is needed in all spheres.

Risk management

During 2009–10, the department has continued to integrate risk management practices into a range of governance activities, including business planning, contract management and change management. All divisions, state and territory offices and overseas regions are required to develop risk management plans as part of the annual business planning cycle, with regular reviews to ensure relevance and currency to business activities.

The Executive Committee endorsed five overarching strategic risk statements for the department in August 2010. These statements indicate a heightened strategic focus and direct accountability for managing risk in the department with risk being allocated at the secretary and deputy secretary level. This profiling activity provides an opportunity for senior executives to review and manage key risks and informs development of the internal audit program.

The department provides training and educational material (including e-learning) to raise awareness and knowledge of the risk management framework and processes. This training is available to all staff, both onshore and offshore. To further assist education and support to staff, a risk management help desk is maintained to provide staff with advice on applying the Risk Management Framework to their work. The help desk also provides specific advice on the integration of risk management and business planning.

The department is continuously improving its risk management framework, processes and systems. This was evidenced by the result obtained in the 2010 Comcover Risk Management Benchmarking Survey. The survey indicated that the department has established a risk management framework across the agency, which contains performance measures for the accountability and management of risk. This performance resulted in a 7.8 per cent discount to the department's Comcover insurance premium.

Establishment and maintenance of appropriate ethical standards

Values and conduct

The department's values and ethical standards are set out in the *DIAC Strategic Plan 2010–11*. They include:

- having fair and reasonable dealings with clients
- being an open and accountable organisation
- having well developed and supported staff.

The Values and Conduct Section (VCS) has a key role in the overall management of the department's ethical standards and has responsibility for the development and implementation of policies related to the Australian Public Service (APS) Values and Code of Conduct under the *Public Service Act 1999* and related legislative framework. VCS also provides advice and assistance to departmental employees on these matters.

VCS is responsible for the prevention, detection and investigation of allegations of fraud and criminal behavior, as well as breaches of the APS Values and Code of Conduct by departmental employees. In 2009–10, the VCS received 195 allegations relating to the conduct of departmental employees.

VCS also provides training, development and awareness activities related to the APS Values, APS Code of Conduct and fraud prevention within the department. In 2009–10, activities included:

- ongoing management and facilitation of a variety of Code of Conduct training modules at induction training, the overseas training course, airline liaison officer training and Foundations of Supervision and Leadership course. VCS also develops and manages eLearning Code of Conduct refresher modules
- management and development of the program Immigration Dilemmas: Ethics, APS Values and Leadership (IDEAL). IDEAL was implemented across the department in 2006 to assist all staff, especially managers, to model positive leadership, ethical behaviours and sound decision-making skills. IDEAL provides staff with an opportunity to discuss ethical issues drawn from real life scenarios. Development of this program is ongoing with new discussion scenarios produced and distributed in response to new and emerging themes
- development and implementation of VCS fact sheets and ethics and conduct-related information through the department's Newsflash facility. These activities are designed to raise staff awareness of conduct-related issues and provide easily accessible information on a monthly basis.

Senior Executive Service remuneration

How nature and amount of Senior Executive Service remuneration is determined

Senior Executive Service (SES) remuneration and conditions of employment are determined by the secretary in accordance with section 24(1) of the *Public Service Act 1999*. All SES employees are required to have a comprehensive individual agreement, which typically provides for salary, superannuation, cash in lieu of a vehicle and other applicable allowances.

External scrutiny

Significant developments in external scrutiny

Reports by external bodies

In July 2009, the Ombudsman published an own motion report entitled *Invalid Visa Applications*. This investigation focused on the department's management of invalid visa applications and considered the problems that can occur when invalid visa applications are poorly managed.

The report found that although the department's management of invalid visa applications was, on the whole, effective and in accordance with current policy and legislation, there was some scope for improvement. The department agreed with all six recommendations and outlined steps being taken to address the issues raised.

The Australian Human Rights Commission (AHRC) published a report entitled *Immigration detention and offshore processing on Christmas Island* following its visit to Christmas Island in July 2009.

The report recognised recent positive reforms implemented on Christmas Island but proposed further changes. The department's response to the recommendations was contained in the report including a note that work is already under way in some of these areas. For example, improvements have been made in relation to client access to health and other services, including specialised support for children, as well as measures to streamline processing and reduce the length of time that clients are in detention.

The AHRC also tabled a report in October 2009 entitled *El Masri v Commonwealth (Department of Immigration and Citizenship) (2009)*. This report identified that certain acts and practices of the Commonwealth had breached Mr El Masri's right not to be subject to unlawful or arbitrary detention and his right to be treated with humanity and dignity while in detention. The department reviewed the findings and accepted that certain acts and/or practices were inconsistent with, and contrary to, human rights under the *Human Rights and Equal Opportunity Commission Act 1986 (Cth)*.

The department acknowledged the president's three recommendations and, in accordance with two of those recommendations, provided a formal written apology to Mr El Masri and amended the Migration Series Instructions. The department is considering the president's recommendation regarding compensation in light of Mr El Masri's ongoing litigation.

Judicial decisions and decisions of administrative tribunals

The *Migration Act 1958* provides for comprehensive merits reviews of decisions about visas. The Migration Review Tribunal (MRT) can review most visa decisions. The Refugee Review Tribunal (RRT) reviews most decisions under Article 1F, 32 and 33(2) of the *United Nations 1951 Convention Relating to the Status of Refugees*. The Administrative Appeals Tribunal (AAT) can review certain business visa cancellation decisions as well as character-related refusal and cancellation decisions, other than decisions made personally by the minister. The AAT also has jurisdiction to review decisions relating to registration of migration agents and decisions under the *Australian Citizenship Act 2007* and the *Freedom of Information Act 1982*, as well as refusal and cancellation decisions.

Decisions made by the tribunals are subject to judicial review in the courts. Most visa decisions are reviewable in the first instance by the Federal Magistrates Court. However, decisions of the AAT in relation to visa cancellation or refusal on character grounds are reviewable in the first instance by the Federal Court. Appeals can be taken from the Federal Magistrates Court to the Federal Court and then to the High Court. An appeal can only proceed in the High Court if it grants 'special leave'.

Notable appeal decisions of the High Court during 2009–10 included the following:

- *MIAC v SZKTI* and *MIAC v SZLFX* (26 August 2009). The High Court allowed the minister's appeals from decisions of the Federal Court. The High Court overturned the Federal Court's technical interpretation of the Migration Act which had required the RRT and MRT to issue a formal written request when seeking additional information from a person who had previously provided information to the tribunal. The High Court decision held that the tribunals can request information informally, including orally.
- *MIAC v SZIAI* (23 September 2009). The High Court allowed the minister's appeal against a Federal Court decision which held that the RRT made a jurisdictional error by failing to make further inquiries before concluding that documents presented by the applicant contained false information. The High Court decision confirms that it is only in the most exceptional circumstances that a court can quash a tribunal decision on the basis that the tribunal has failed to inquire sufficiently into the facts of the case.
- *MIAC v SZIZO* (23 September 2009). The High Court allowed the minister's appeal against a Federal Court decision which held that a failure by the RRT to correctly address an invitation to a tribunal hearing resulted in jurisdictional error in the tribunal decision even though the invitation was received and the applicants attended the tribunal hearing and were not disadvantaged in any way. The High Court decision establishes that failure to comply with procedural provisions in the Migration Act will generally only result in jurisdictional error if the applicant was disadvantaged.
- *MIAC v SZJGV* (30 September 2009). The High Court allowed the minister's appeal against a Federal Court decision. This decision clarified the operation of subsection 91R(3) of the Migration Act, which prevents protection visa applicants from relying on conduct in Australia which is engaged in for the sole purpose of strengthening the refugee claim. The High Court rejected the technical interpretation adopted in the Federal Court and confirmed that the subsection operates as intended.
- *Saeed v MIAC* (23 June 2010). The High Court allowed the visa applicant's appeal against a decision of the Federal Court. The High Court held that section 51A of the Migration Act, which limits procedural fairness requirements in visa decision-making, was ineffective to limit the obligation in relation to certain categories of offshore applicants. The High Court decision emphasises that courts will only conclude that procedural fairness has been excluded if the statutory language is 'unmistakeable and unambiguous'.

Civil litigation

In addition to merits review by tribunals and judicial review by courts, the department receives a small number of claims for monetary compensation, which occasionally result in hearings before courts. The most common causes of action are false imprisonment, where it is alleged that immigration detention was not authorised by law, and negligence. Generally, these matters are settled out of court, often by mediation.

At 30 June 2010, there were 32 civil compensation claims before the courts, including three matters involving members of the 247 cases that were referred to the Ombudsman in 2005 for events occurring between December 1998 and March 2006.

During 2009–10, the department reached out of court settlements involving the payment of compensation in 23 of the 247 Ombudsman referred cases. This compares to 32 out of court settlements in 2008–09.

There were a further six non-247 formal claims that were finalised without the payment of compensation. This compares to five finalisations in 2008–09.

Reports by the auditor-general

The Australian National Audit Office (ANAO) has published the following report on performance audits which were conducted in the department during 2009–10.

Audit Report No. 41, 2009–10: Effective Cross Agency Agreements

The audit objective was to assess whether agreements between Australian Government agencies reflect sound administrative practices. To meet this objective, the audit reviewed current government policy and a range of better practice guidelines; conducted interviews with agencies; and examined cross-agency agreements to formulate suitable audit criteria and subsequently develop better practice principles.

The ANAO examined 200 agreements from a total of 1800 reported agreements between 21 Australian Government agencies, including the department.

The audit found that in a majority of cases, the agreements provided a useful basis for the function for which they were intended. The audit also found that there are opportunities to improve several aspects of the development and management of agreements to achieve a more consistent and effective basis for cross-agency relationships and whole-of-government activities.

Under the heading 'Relationship management' in the 'Principles and practice' section, the ANAO report listed the department's agreement with the Australian Taxation Office as an example of successfully utilising the governance arrangements between the two agencies. This agreement, currently being managed by the Compliance and Case Resolution Division, is for exchange of data to locate people who are in Australia unlawfully and specifies relationship managers who are responsible for the overall performance of the agreement.

A report on this audit was tabled in parliament on 26 May 2010. The better practice principles developed through this audit are valuable for the development and management of agreements with other Australian Government agencies.

Audits in progress

During 2008–09, the ANAO commenced an audit on the management of student visas which is still in progress. The objectives of this audit are to:

- assess the effectiveness of the department's management of the student visa program
- focus on the effective administration of the student visa application and decision-making process
- assess the effectiveness of activities to ensure compliance with student visa conditions
- assess the effectiveness of cooperation between the department and the Department of Education, Employment and Workplace Relations in supporting the program.

The report is expected to be tabled in February 2011.

The ANAO is also in the planning stages of an audit into the administration of the character provisions of the *Migration Act 1958* and the *Australian Citizenship Act 2007*.

Other ANAO audit activity

The ANAO will be publishing a report on a cross-agency audit entitled *Confidentiality in government contracts* which the department participated in during 2009–10.

Reports by parliamentary committees

There have been four reports by parliamentary committees relating to the department during 2009–10.

Joint Standing Committee on Migration—August 2009: Immigration detention in Australia: Facilities, services and transparency

On 18 August 2009, the Joint Standing Committee on Migration tabled its report entitled *Immigration detention in Australia: Facilities, services and transparency*. This is the third and final report on its inquiry into immigration detention in Australia.

This report examines the standards of accommodation available for people in immigration detention. The report focused on the care given for, and the wellbeing of, people in immigration detention, including the provision of appropriate facilities and levels of service.

The majority report contained 11 recommendations. In particular, the report addresses:

- options to expand the transparency and visibility of immigration detention centres
- the preferred infrastructure options for contemporary immigration detention
- options for the provision of detention services and detention health services across the range of current detention facilities, including immigration detention centres, immigration residential housing, immigration transit accommodation and community detention.

The report also contained dissenting reports by Mr Petro Georgiou MP and by Senator Sarah Hanson-Young as well as a minority report by the Hon. Dr Sharman Stone.

A formal response to the report will be finalised following the government's consideration of the committee's recommendations.

Senate Legal and Constitutional Affairs Legislation Committee—August 2009: Report on Migration Amendment (Immigration Detention Reform) Bill 2009

On 25 June 2009, the Senate referred the Migration Amendment (Immigration Detention Reform) Bill 2009 (the Bill) to the Senate Legal and Constitutional Affairs Legislation Committee for inquiry. The committee tabled an interim report on 7 August 2009 and its final report on 20 August 2009.

The Bill sought to amend the *Migration Act 1958* to support implementation of the government's *New Directions in Detention* policy, announced on 29 July 2008.

The *New Directions in Detention* policy introduced seven key immigration detention values to guide and drive ongoing immigration detention policy and practice. The values were immediately implemented administratively. The amendments in the Bill sought to give these values legislative effect. The goal was to increase clarity, fairness and consistency in the way the minister and the department respond to unlawful non-citizens.

The final report made nine majority recommendations. Broadly, the committee recommended the government consider amending the Bill to more closely reflect its adoption of the immigration detention values, particularly in relation to the best interests of the child, managing risks to the Australian community and resolving a person's immigration status in a timely manner. In addition, it recommended an officer be required to consider a request by a detainee for a Temporary Community Access Permission and the government introduce a time limit for a person to remain in immigration detention.

The report also contained a minority report by Liberal senators Guy Barnett, Mary Jo Fisher and Russell Troad, and additional comments by Senator Hanson-Young.

The Bill was listed for debate in the last sitting week of the 2009 spring parliamentary sittings, but in the event, the debate did not proceed. As at 30 June 2010, the Bill had not been debated. The Bill lapsed when Parliament was prorogued on 19 July 2010.

Senate Legal and Constitutional Affairs Legislation Committee—October 2009: Report on Migration Amendment (Complementary Protection) Bill 2009

On 9 September 2009, the government introduced the Migration Amendment (Complementary Protection) Bill 2009 in the House of Representatives. On 10 September 2009, the Bill was referred to the Senate Legal and Constitutional Affairs Legislation Committee for inquiry into the provisions of the Bill. The committee tabled an interim report on 16 October 2009 and its final report on 19 October 2009.

The Bill sought to introduce greater fairness, integrity and efficiency into Australia's arrangements for meeting human rights obligations under international law. The Bill would establish new criteria for the grant of a protection visa in circumstances that engage Australia's *non-refoulement* obligations under human rights treaties, other than the Refugees Convention.

The final report made four majority recommendations:

- Omit the words 'irreparably harmed' from the complementary protection test and replace with the words 'subject to serious harm'.
- Review the Bill to ensure it would not exclude from protection people fleeing genital mutilation or domestic violence from which there is little realistic or accessible relief available in their home country.

- Amend the proposed paragraph regarding the death penalty to clarify the risk requirement of the death penalty being carried out.
- Subject to Recommendations 1 to 3, the Bill be passed.

The report also contained a dissenting report by Liberal senators Barnett, Fisher and Concetta Fierravanti-Wells, and additional comments by Senator Hanson-Young.

At 30 June 2010, the Bill was still before Parliament and had yet to be debated. The Bill lapsed when parliament was prorogued on 19 July 2010.

Joint Standing Committee on Migration—June 2010: Enabling Australia: Inquiry into the Migration Treatment of Disability

On 21 June 2010, the Joint Standing Committee on Migration tabled its report *Enabling Australia: Inquiry into the Migration Treatment of Disability*. The focus of this inquiry was the application of the health requirement under the *Migration Act 1958* and, in particular, the assessment methodology and assumptions that underpin its current operation.

The committee made 18 recommendations in relation to the operation of the Migration Act health requirement. Senators Sue Boyce and Hanson-Young made a further two recommendations.

The recommendations focus on a more flexible and individualised application of the health requirement. At the same time, it recommended a widening of the range of factors which should be considered when determining whether visa applicants meet the health requirement.

A formal response to the report will be finalised following the government's consideration of all the committee's recommendations.

Ministerial, parliamentary and cabinet business

The department handles a high volume of ministerial and parliamentary documents as shown in Table 100.

Table 100: Handling of ministerial and parliamentary business

Type of statistical material	2007–08 ¹	2008–09	2009–10
Ministerial correspondence,	27 853	23 498	40 027
Parliamentary			
Estimates questions on notice	192	232	405
Parliamentary questions on notice	52	52	57

1. Numbers are affected by 2007 Federal election and preceding caretaker period.

Commonwealth and Immigration Ombudsman

The department received 494 complaints from the Commonwealth and Immigration Ombudsman in 2009–10, a decrease of 4.2 per cent on the previous year.

Of the 494 new complaints, 390 were resolved. Of the finalised complaints, administrative deficiency was identified in 32 cases, or about 8 per cent of cases.

In all, 517 complaints were brought to resolution in 2009–10. Of these, 390 were from this financial year and 127 had been carried over from previous years.

A total of 62 finalised complaints were reported as administratively deficient in 2009–10. Of these, 32 were from this financial year and 30 were carried over from previous years.

The most common causes for such findings were unreasonable delays in visa processing, inadequate advice provided and various procedural deficiencies.

Complaints from the Australian Human Rights Commission

The department received 65 new complaints from the Australian Human Rights Commission in 2009–10 compared to 21 in the previous year, seven in 2007–08 and 16 in 2006–07.

In all, 38 complaints were brought to resolution in 2009–10. Of these, 27 were from this financial year and 11 had been carried over from previous years.

The most common issues raised in the complaints related to visas and detention.

Freedom of Information

In line with its commitment to operate in an open and accountable manner, the department has continued to improve the way in which it processes requests for information and meets its statutory obligations under the *Freedom of Information Act 1982* (the FOI Act).

In 2009–10, the department improved its business processes to promote the government's new freedom of information (FOI) direction by implementing a range of strategies, including:

- establishing a page on the department's website listing the non-personal FOI decisions that the department is making and allowing clients to seek access to these documents outside the FOI Act
- reducing the number of unnecessary FOI requests received by improving staff understanding of what information can be released or amended under the *Privacy Act 1988*. The FOI processing centres are referring requests to business areas so they can be processed under the Privacy Act
- providing information and leadership to staff through messages from the secretary, an outreach training program, the development of FOI and privacy eLearning packages, updated advice to client contact areas and web information to drive cultural change on access to information in the department
- introduction of a new FOI case management system that streamlines FOI workflows and allows for easier and more comprehensive FOI reporting.

At 30 June 2010, the department had a total of 104 overdue requests on hand and a compliance rate of 78 per cent, compared to 211 overdue requests at 30 June 2009 and a compliance rate of 67 per cent. This is despite the number of FOI requests received increasing from more than 10 500 in 2008–09 to more than 11 500 in 2009–10.

Client service excellence

Providing responsive client service

In 2009–10, the department continued its ongoing commitment to ensuring that client needs remain central to the development and implementation of client service improvements. The year saw the department continuing to make inroads through a range of initiatives aimed at improving client service.

Significantly, this year the department began a transformation journey focused on 'strengthening Australia's borders, through the delivery of world class immigration, visa and citizenship services'.

A critical element of this transformation is the Client Services Transformation Strategy, which includes a series of initiatives that will deliver on our commitment to client services and integrity, while also improving our efficiency and consistency.

This multi-year strategy will deliver globally integrated and enhanced services to our clients, maintain the integrity of the migration program and contribute to Australia's economic growth and prosperity.

The Client Services Transformation Strategy is underpinned by four goals, to:

1. improve our client service performance
2. deliver services more efficiently and effectively
3. increase the integrity, decision accuracy and consistency in our programs
4. achieve global process consistency.

The Client Services Transformation Strategy encompasses four major initiatives which include where work is actually carried out (work placement); enhanced electronic lodgement and online self-help channels; expansion of service delivery partner arrangements; and expansion of the role of service centres (i.e. multi-channel call centres).

The Client Services Transformation Strategy aims to rebalance activity across and within channels to focus staff on core activities by:

- migrating simple enquiries and activities to electronic channels, client self-help tools and service centres
- capturing biometrics and eliminating paper processing through the use of service delivery partners
- migrating processing of lower risk products and cases onshore to centralised locations
- focusing offshore staff on sensitive and integrity-related activities requiring proximity to clients and/or local knowledge.

Improving client service

Initiatives undertaken in 2009–10 included improvements to online lodgement systems in readiness for the release of the generic visa portal. The new look online lodgement system, designed with clients in mind, has improved screens and forms, and has the same look and feel as the department's website.

As part of the transformation journey, the department has also developed a new business operating model by establishing a network of global managers. In addition, for the first time in the department's history, client service delivery is being managed end-to-end, in one group. This will deliver a better client experience and harness synergies across different programs, while maximising efficiencies.

The global manager network provides a global focus on client service improvement and program delivery. Global managers are responsible for managing the delivery of key business streams or client channels in the department. They work with all areas of the department—onshore or offshore—to ensure a high standard of client service, consistent procedures and sharing of best practice, wherever the work takes place. For example, the Global Manager Visas (Skilled and Family) is responsible for all skilled and family visas, regardless of the geographic location where the visa application is made.

As the transformation is implemented in the coming years, the department will continue to focus on improving the way services are delivered to all clients and ensuring the client is placed at the centre of all the department's work.

There were many changes in the service centre network in 2009–10, with significant performance gains achieved in the latter half of the year. Much of the improvement can be attributed to the appointment of a global manager with significant call centre expertise to manage the service centre channel. This new role brought with it an immediate focus on greater cohesion between the two service centres operating in Australia, and improved performance, achieved in part through better training and scheduling arrangements.

In 2009–10, the department also undertook a review of its Client Service Charter. The revised charter includes enhancements that respond to client feedback gathered through focus groups. The charter also reaffirms the department's commitment to be approachable and willing to hear and learn from client feedback.

A review of the Client Service Standards, also undertaken in 2009–10, has led to a number of enhancements to ensure that, while the standards continue to drive high performance, they remain realistic and achievable.

In addition to these initiatives, implementation of the Client Services Transformation Strategy commenced in 2009–10, with further consolidation of some onshore visa and citizenship processing to deliver consistent client services and efficiencies in processing.

Client satisfaction

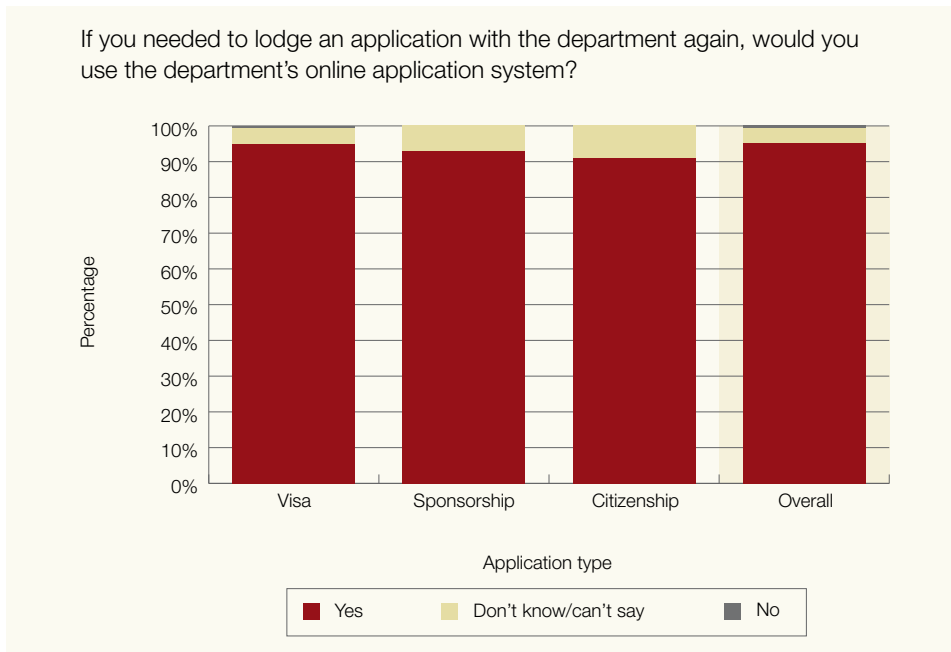
The department's efforts to improve client service in 2009–10 were, for the most part, reflected in the results from the first phase of its new Client Experience Program conducted in February and March 2010.

This program is a significant improvement on client satisfaction surveys of previous years because it expands significantly the range of products and services surveyed, and the total number of clients surveyed. In addition, the program also enables collection of qualitative and quantitative feedback from clients.

The results of the first phase of the program showed that 82 per cent of clients surveyed were satisfied with the services provided by the department. This result is particularly impressive since clients surveyed included those with both positive and negative visa and citizenship application outcomes.

Other results from the survey showed 84 per cent of clients were satisfied with their most recently used service delivery channel (online, email, phone or in-person). Clients responded that they were satisfied with the department's online application system (89 per cent), and an overwhelming 95 per cent said that if they had to lodge another visa application, they would prefer to lodge online (see Figure 33).

Figure 33: Online application system take-up rate



A high percentage of clients responded that they were treated courteously by staff when calling the department (89 per cent) and visiting the department's offices (88 per cent).

While 77 per cent of clients were satisfied with their experience over the phone, this result precedes the improvements implemented by the department's new global manager for service centres in the second half of 2009–10.

Results from Phase 1 of the Client Experience Program also showed that clients were less satisfied with information consistency and phone channel response times. Respondents also felt that the department's website could be improved as it was considered difficult to navigate.

Results from Phase 1 of the Client Experience Program also showed that clients prefer using electronic channels for communication and lodging applications, affirming the strategic direction of initiatives taken by the department under the Client Services Transformation Strategy. The consolidation of onshore caseloads, also a major activity under the Client Services Transformation Strategy, will drive service consistency and efficiency, another area highlighted by Phase 1 survey respondents as needing improvements.

Phase 2 of the Client Experience Program will commence later in 2010 and conclude in early 2011. This phase is planned to include 30 000 online survey invitations, 500 telephone surveys and 100 qualitative telephone discussions.

Client feedback

The department remained committed to ensuring clients are aware of their right to complain or provide feedback. Clients are informed about the department's feedback system and access points in a variety of ways, including through the compliments and complaints link on the department's website.

In addition, leaflets, posters, comment cards and information brochures are provided for client service areas and airports to display in client areas. Information on the feedback handling processes is also provided with client correspondence and decision records.

To assist staff in managing feedback, the department's centralised feedback mechanism, the Global Feedback Unit, continued to provide valuable support to clients and help staff respond to any concerns. Through the centralised recording and active management of feedback, the department is able to identify systemic issues and trends, service shortfalls and overcome barriers to achieving good client service outcomes within established service standards.

Client feedback recorded by the Global Feedback Unit grew by 14 per cent to 17 580 in 2009–10, an increase from 15 372 in 2008–09. Compliments (5482) and suggestions (2322) increased by 21 per cent and 50 per cent respectively, while complaints (8049) increased by only 5 per cent. The remaining 1727 items of feedback included enquiries, provision of information and issues related to other agencies.

Monthly statistical and performance reporting is provided to all business areas, overseas posts, and state and territory offices to assist with the provision of improved client service models. Reports are also being developed for the newly established global manager networks.

Recognising client service excellence

The department's client service excellence awards framework provides the opportunity to recognise and support staff efforts to maintain the highest standards of professionalism and integrity, while providing excellent client service. The awards include the bi-monthly Secretary's Award for Client Service Excellence (ACSE) and the annual Secretary's Client Service Challenge.

The ACSE embeds client service excellence through the promotion and recognition of outstanding staff efforts. Since its inception in 2005, 52 staff from business areas all over the world, including Nairobi and Christmas Island, have received awards.

Clients can elect to nominate a departmental officer who has provided them with excellent client service.

Purchaser/provider arrangements

The department has arrangements in place with the Department of Foreign Affairs and Trade (DFAT) and Austrade for the purchase of management services at overseas posts.

The Service Level Agreements (SLAs) remove the potential for duplication of administrative services and support an efficient, whole-of-government use of resources overseas. The SLAs detail the provision of management services, agency responsibilities, performance indicators and cost recovery arrangements. Management services include personnel, office, property and financial services.

The department's agreement with DFAT started on 1 September 2007 and applies until 30 June 2011. The department's purchaser agreement with Austrade continues until 31 October 2010.

The department pays global service fees to DFAT and Austrade for delivering the services. The fees are calculated on the basis of the cost of locally engaged staff salaries, the time spent by those staff delivering management services for the department and the number of departmental Australia-based and/or locally engaged employees at post. The department's total 2009–10 SLA costs were \$4 555 391 (DFAT) and \$628 826 (Austrade).



Case study

Ankara Post—the quiet achievers

While not attracting the attention of some of the department's major overseas offices, the Ankara Post in Turkey is a quiet achiever.

'Ankara has the smallest staffing number in the Middle East region but effectively and efficiently processes a large amount of visa applications in a variety of categories,' the team's principal migration officer, Mr Steven Weeks, said.

'In 2009–10, the team maintained a high standard of client service, despite an increase in workload across the visitor, family and student caseloads.'

The 'quiet achiever' is helped by its wealth of talent and knowledge, with most staff having 10–20 years experience at the post.

The team consists of two Australia-based officers and 11 locally engaged employees who speak at least 10 languages between them.

'It makes a huge difference for our staff to be able to engage with our clients in their own language,' Mr Weeks said. 'Our clients speak a number of languages and we are very lucky to have immediate access to staff who can assist them with their enquiries over the counter and on the phone.'

The team's resilience was tested by an increase in humanitarian and refugee applicants during the year but Mr Weeks said the ability to grant such visas was one they handled with much humility.

'Many of our refugee applicants have been through extremely difficult times in Iraq and Iran,' Mr Weeks said. 'It is often confronting to hear their stories but, of course, we need to be provided with an accurate account of alleged persecution.'

'It is demanding, sometimes frustrating, and exhausting but always rewarding work.'

Photo: Senior migration officer, Mr Wayne Tranulis, and Ms Sema Ohri, a long-term DIAC locally engaged employee, stand on the balcony at the Australian embassy in Ankara, Turkey.

Productivity

The department continuously seeks to improve how productively it delivers programs and services across the entry and settlement of people.

In particular, the service delivery network's performance framework includes a range of indicators that measure performance across people, business, client and finance areas. In addition to tracking productivity in activity-generating areas such as visas and citizenship, the department regularly reviews and improves its business processes to ensure services are delivered efficiently and consistently. The department's transformation program has been designed to improve the productivity of the department's internal business services, such as financial, learning and development, human resources, information technology and legal services, as well as improve productivity in client service delivery through the Client Services Transformation Strategy.

There are a number of critical correlating factors that influence productivity, including excellent staff engagement and low levels of unscheduled absence. Throughout 2009–10, the department's overall unscheduled absence decreased from 13.4 to 12.6 days per employee and, in particular, significant improvements were achieved in the service delivery network.

There were positive levels of engagement in the 2009 staff survey, for example, the department recorded improvements across a range of motivating drivers, including job, leadership and employer drivers. The department remains higher than the Australian Public Sector mean for motivation, with some areas achieving near perfect scores on a number of measures. More information about the staff survey is on Page 293 and about unscheduled absence is on Page 299.

Management of human resources

Workforce planning, staff retention and turnover

The department is committed to ensuring it has a well trained and supported workforce through attracting, recruiting and retaining motivated staff and creating opportunities for advancement and development.

Departmental employees are located across each state and territory and 67 overseas posts. At 30 June 2010, the department employed 6998 ongoing and non-ongoing staff. There were 2752 staff in National Office, 4092 in state and territory offices and 154 staff providing services overseas comprising 125 Australia-based staff at overseas posts, 19 airline liaison officers, six employees on short-term missions and four employees in Papua New Guinea working as part of the whole-of-government Strongim Gavman Program. The department employed an additional 1001 locally engaged employees in overseas locations, who are administered by the Department of Foreign Affairs and Trade on the department's behalf.

The department's workforce consists of:

- 93.5 per cent ongoing employees and 6.5 per cent non-ongoing employees, showing an increase of 5.4 per cent non-ongoing employees from the June 2009 results
- 86.3 per cent full-time employees and 13.7 per cent part-time employees, which has remained stable compared to the June 2009 results of 86.8 per cent and 13.2 per cent
- a high proportion of female employees with 62.2 per cent female ongoing staff compared to 57.5 per cent in the wider Australian Public Service (APS).

The average age of ongoing employees is 40.9 compared to the APS median of 42.

Table 101 shows the age and gender profile of the department's workforce.

Table 101: Age and gender profile

Gender	Department of Immigration and Citizenship	Australian Public Service
Female	62.2%	57.5%
Male	37.8%	42.5%
Average age	40.9	42

Note: APS averages from the *State of the Service Report 2009*

The department continues a trend of low staff turnover with a voluntary separation rate of 4.4 per cent for ongoing employees in 2009–10 compared to 6.8 per cent in 2008–09. This figure includes employee-initiated separations and ongoing transfers to other APS agencies.

People management initiatives

The *DIAC People Plan 2008–11* is the department's overarching strategic planning document for its human resources and learning and development programs. The three-year plan provides a clear framework and specific actions for building a sustainable, well managed and efficient workforce. The plan identifies five objectives:

1. Attract and retain our people.
2. Develop the capabilities of our people.
3. Develop the department's leadership and management capability.
4. Ensure our culture supports the delivery of our business.
5. Ensure the visibility of the department's people management performance through accurate reporting and evaluation.

Key initiatives that have been developed and implemented in the past 12 months are:

- the *Injury Prevention and Management Plan 2010–12*
- a flexible working arrangement strategy
- a performance management strategy
- a learning and development strategy
- code of conduct guidelines
- the 'Be WELL, BEING here' organisational health and wellbeing program.

Most of these initiatives will be completed in 2010. A new people plan will be developed by the end of the 2010–11 financial year to reflect changes in the labour market, the increased demand for the department's services, organisational transformation, and support for the new global manager structure.

Workplace diversity

The department's *Workplace Diversity Plan 2008–2010* details specific recruitment and retention strategies to support the employment of people with disabilities, mature-aged workers, Indigenous Australians and people from linguistically and culturally diverse backgrounds.

The department has continued its membership with the Diversity Council of Australia and the Australian Network on Disability. It has also continued its accreditation with the Australian Breastfeeding Association. In addition, the department has finalised its *Reconciliation Action Plan* which has been endorsed by Reconciliation Australia. The plan supports the vision to work in partnership with Aboriginal and Torres Strait Islander peoples to develop business practices that support Indigenous people to have the same social and economic opportunities as other Australians.

National Staff Consultative Forum

The National Staff Consultative Forum (NSCF) is the department's peak consultative body of union, employee and management representatives, through which the department consults on significant organisational change and employment issues affecting employees in the workplace. The NSCF is constituted under the terms of the *DIAC Enterprise Agreement 2010–2011*, and usually meets three times a year with additional meetings convened when necessary. In 2009–10 the NSCF met twice, in August and December.

Staff survey

Utilising an existing contract, the department commissioned Hinds Workforce Research to administer the 2009 DIAC Staff Survey. The 2009 survey remeasured cultural clusters within the department and their impact on motivation, a measurement last completed in 2007.

Results of the survey showed:

- the department surpassed the Australian public sector mean for motivation, with some areas achieving near perfect scores on a number of measures
- employee motivation is measured through the measurement of seven drivers (job, alignment, employer, development, influence, leadership and manager) providing outcomes against three indicators (interest, satisfaction and commitment). The three critical drivers, job, leadership and employer, showed improvement against the 2008 results. This pleasing outcome demonstrates the department is well placed to achieve its strategic objective of well trained and supported staff and the ultimate aim of becoming the best immigration and citizenship organisation in the world
- improvements for staff training, accountability, manager effectiveness and contribution to the department's nation building role.

The survey results also showed employees:

- are actively participating in a range of motivating practices and programs such as formal and informal performance discussions
- had higher than average levels of employee motivation in most external client service centres
- are dedicated to excellent client service
- are committed to being the 'best in the world'.

Action plans are being developed across the department to address the individual drivers which need improvement for particular business units. The results will promote employee engagement and productivity across the department. Progress will be measured in the next staff survey scheduled for early 2011.

Impact and features of enterprise or collective agreements, determinations, common law contracts and AWAs

Enterprise agreement

The department's new *DIAC Enterprise Agreement 2010–11* was given effect by Fair Work Australia on 24 March 2010, with 74.7 per cent of staff voting 'yes' to its terms. It was negotiated with, and supported by, the Community and Public Sector Union, the Media, Entertainment and Arts Alliance, and four individual bargaining agents in consultation with staff throughout the development process.

Consistent with the Australian Government Employment Bargaining Framework, the Enterprise Agreement has a nominal expiry date of 30 June 2011, and provides for an annualised salary increase of 3 per cent and other improved working conditions in return for increased productivity. This increased productivity is linked primarily to an increase in the length of the standard working day, a streamlined underperformance management framework, arrangements to reduce annual leave liability and continued management of unscheduled absence.

Training and development

Learning and development framework

In November 2009, a new integrated, evidence-informed learning and development framework was launched. The framework describes the vision for learning and development in the department and will drive greater consistency across the department in delivering high-quality learning and development outcomes that build organisational capability.

The framework is supported by the *Learning and Development Strategic Plan 2009–12*, which sets out key actions, performance measures, accountabilities and timeframes. It is also underpinned by the Global Integrated Curriculum which articulates the learning programs that will support the development of staff at all levels in the department. Implementation of the framework and curriculum began in 2009.

A department-wide learning needs analysis survey has been undertaken to validate the curriculum, help inform prioritisation of current learning needs and identify future learning needs as part of the broader business planning process.

During 2009–10, the work of the Learning and Development Branch has been guided by the framework and has included:

- providing training for sensitive operational roles through the College of Immigration
- providing orientation and core foundation learning to ensure staff are job ready
- providing specialist role-based training for staff undertaking offshore postings
- providing a range of online learning opportunities for all departmental staff, including access to virtual classroom technology, as well as corporate and specialist training programs
- conducting graduate development programs, leadership and management development programs including the Strengthening Leadership Program
- conducting a review of the Fundamentals of Supervision and Leadership training program, which resulted in the development of a nationally consistent program called Foundations of Supervision and Leadership
- developing a new Senior Executive Service (SES) succession program, aimed at better equipping high performing Executive Level (EL) 2 staff for the SES
- preparation of a range of programs for executive level staff, including Manager as Coach, EL Conversations and the DIAC Leading and Managing People Program
- joining The Leadership Consortium—a business-based leadership organisation where staff can gain access to cutting edge development programs to improve their skills and capabilities. The consortium also provides an opportunity for staff to interact with those at similar stages of development drawn from the diverse membership base
- providing consultancy services and advice to business areas across the department
- evaluating learning and development activities to ensure that learning is effective and continuously improving.

College of Immigration

The college continued to work in partnership with the department's business areas to develop and deliver robust role-based learning and development that is subject to external validation and, where appropriate, accreditation and/or internal certification. During the year, programs were delivered to staff in compliance, case management, border entry, removals, citizenship and community liaison officer roles.

The college also provided training to operational staff requiring capability in mental health, cultural awareness, managing challenging behaviours and interview techniques.

To increase the capability of staff deployed to Christmas Island, the college designed, developed and delivered dedicated training programs for these people. These included programs for staff interviewing irregular maritime arrivals and staff working in detention operations as well as case managers and staff working in Refugee Status Assessment roles.

Occupational health and safety

Health and safety management arrangements

The department is committed to providing a safe and healthy work environment for staff, contractors and visitors. This commitment is reflected in the department's Health and Safety Management Arrangements developed in consultation with staff and their representatives as required under the *Occupational Health and Safety Act 1991* and endorsed by the secretary on 14 September 2008.

A formal review of this document, including stakeholder consultations, will be completed during the last quarter of the 2010 calendar year in line with legislative requirements.

Injury prevention and management

The *DIAC Injury Prevention and Management Plan 2006–2009* was endorsed in February 2007 and formed the basis for a range of initiatives aimed at improving the department's injury prevention and management performance. Over the life of this plan, the department's workers compensation premium rate decreased from 1.89 per cent in 2007–08 to 1.1 per cent for 2009–10.

These reductions can be attributed to a decrease in the number of workplace injuries and illnesses as well as effective early intervention processes that, during the life of the plan, achieved timely, safe and durable return to work outcomes.

The *DIAC Injury Prevention and Management Plan 2010–12* was developed to build on the success of the previous plan and focus ownership of occupational health and safety at all levels of the department. The plan demonstrates the department's commitment to continuous improvement in relation to injury prevention and injury management.

Health and safety representatives

Under section 24 of the *Occupational Health and Safety Act 1991*, designated work groups are established when the department moves into new office locations. Nominations are sought for health and safety representatives as vacancies are identified.

Occupational health and safety training

Occupational health and safety (OHS) training was provided as part of mandatory orientation programs for all new departmental staff. The Foundations of Leadership and Supervision training program, delivered to new supervisors and managers nationally, also contains a module dedicated to injury prevention and management.

Specialised OHS and rehabilitation training was also provided as a component of various role-based training sessions in the department including, the Overseas Training Course, compliance officer training and subclass 457 visa monitor officer training.

Health and safety committees

In line with legislative requirements to consult with staff and their representatives on OHS issues, the department convenes quarterly meetings of health and safety committees in all national, state and territory offices. Key OHS issues are referred to the DIAC National OHS Committee, which met four times during 2009–10.

Health, safety and wellbeing

To promote health, safety and wellbeing, the department provided employees and contractors with a range of services and activities in 2009–10 including:

- a national influenza vaccination program, with more than 2000 staff vaccinated nationally
- health and wellbeing activities during DIAC Safe Work Australia Week including displays in departmental offices and a national ‘fun walk’
- the annual departmental Health and Safety Awards
- the launch of the DIAC National Walk@Work program provided in partnership with the Australian Heart Foundation
- rehabilitation services with the aim of reducing the human and financial costs of work-related and non-work-related injury and illness
- the Employee Assistance Program and support services which provide employees with confidential and professional counselling assistance
- eyesight testing for screen-based activities
- ergonomic workstation assessments and ergonomic office furniture
- training for all new health and safety representatives
- first-aid kit refreshers and training for first-aid officers.

Health and safety outcomes

During 2009–10, there was a decrease in lost time injuries and prescribed incapacity. Early intervention and rehabilitation strategies continue to reduce the time lost due to injury.

The department’s Comcare premium was reduced by more than \$440 000 in 2009–10 as a result of the successful management of claims and return to work processes associated with injury and illness. These results reflect a reduction in the department’s ‘claims frequency’ or the number of claims per million dollars of payroll.

The department has also adopted active, targeted approaches to high cost and/or complex claims and implemented a range of strategies underpinned by the *DIAC Injury Prevention and Management Plan 2010–12* to prevent injury and effectively manage employees’ return to work following an injury.

In 2009, the department was a finalist in the Leadership Award for Injury or Disease Prevention and Management category in the Safety Rehabilitation and Compensation Commission awards. The department received a commendation in this category.

Mechanism of injury

The department, in consultation with Comcare, identifies actions, events and exposures that cause serious injury and disease. The 'mechanism of injury' descriptors are based on the national type of occurrence classification system that assists with identifying injury trends and setting injury prevention performance targets.

Table 102: Three-year summary of mechanism of injury for accepted claims

Accepted claims	2007–08	2008–09	2009–10
Falls, trips and slips	17	13	7
Hitting objects	6	3	0
Being hit by moving objects	4	0	0
Sound and pressure	0	0	0
Body stressing	52	22	30
Heat, electricity and other environmental	0	2	1
Chemicals and other substances	0	1	0
Biological factors	1	0	0
Mental stress	4	0	3
Other or unspecified	0	2	3
Total	84	43	44
Total (Australia-based staff)	7 106	7 027	6 998

Workers' compensation premiums

The primary drivers of the department's compensation premium are claim frequency and time lost with time lost the biggest driver of total costs. During 2009–10, the department's premium decreased in terms of total dollar premium and as a percentage of payroll.

Table 103: Three-year summary of incapacity for accepted claims

	2007–08	2008–09	2009–10
Lost time injuries ¹	55	51	52
Prescribed incapacity ²	40	34	41
Total weeks incapacity³	1 589.34	1 478.24	1 536.81
Total (Australia-based staff)	7 106	7 027	6 998

1. 'Lost time injuries' represent the number of accepted claims with incidents resulting in one or more working days incapacity.
2. 'Prescribed incapacity' refers to the number of accepted claims with incidents resulting in incapacity for 30 or more successive working days or shifts.
3. 'Total weeks incapacity' represents the total weeks lost for claims with incapacity determined in the financial year.
4. Previous financial years worker's compensation data is subject to variation due to the retrospective lodgement and determination of claims and reversals of previous decisions made by Comcare on claims following formal appeal processes.

Table 104: Three-year summary of Comcare premiums

	2007–08	2008–09	2009–10
Premium	\$9 269 058	\$6 437 473	\$5 996 181
Percentage of payroll	1.89	1.42	1.10
APS-wide average percentage of payroll	1.55	1.36	1.25

Section 29 (Provisional Improvement) Notices

There were no Provisional Improvement Notices issued under section 29 of the *Occupational Health and Safety Act 1991*.

Section 41 Investigations

There were three investigations conducted by Comcare under section 41 of the *Occupational Health and Safety Act 1991*. These investigations pertained to the following matters:

- an incident in Western Australia where a client self-harmed—the department was found to have breached section 17 of the Act
- a proactive investigation into infection control at Australian international airports. The department was found to have breached subparagraph 16(2)(b)(i) of the Act
- the finalisation of an investigation into the loss of immigration response vessel the *Malu Sara* in 2005—the department was found to have breached subsection 16(1), and sections 17 and 68 of the Act.

As an outcome of each investigation, the department will continue to address identified issues and take recommended actions in conjunction with Comcare, service providers and other stakeholders.

Section 45 (Workplace Not Be Disturbed) Directions

There were no ‘do not disturb’ directions issued under section 45 of the *Occupational Health and Safety Act 1991*.

Section 46 (Prohibition) Notices

There were no Prohibition Notices issued under section 46 of the *Occupational Health and Safety Act 1991*.

Section 47 (Improvement) Notices

There were no Improvement Notices issued under section 47 of the *Occupational Health and Safety Act 1991*.

Section 68 (Notification and Reporting of Accidents and Dangerous Occurrences)

‘Notifiable fatality’ refers to any work-related death of an employee, contractor or member of the public. In 2009–10, the department did not record any work-related fatalities.

A ‘serious personal injury’ refers to a work-related incident resulting in a person requiring emergency treatment by a registered medical practitioner, or treatment in a hospital as a casualty or admission to a hospital. In 2009–10, the department notified Comcare of eight serious personal injuries.

A 'prescribed incapacity' refers to a work-related incident causing an employee to be incapacitated for 30 or more successive working days or shifts. In 2009–10, the department did not record any prescribed incapacities.

A 'dangerous occurrence' is an incident with the potential to cause serious personal injury, prescribed incapacity or death. The department reported 15 dangerous occurrences to Comcare during 2009–10.

Support programs for staff

The department is committed to providing best-practice psychological support for all its employees, particularly those performing demanding roles both onshore and offshore in remote locations. To support staff, the department has implemented a number of improvements to its OHS management system.

It became apparent that staff processing irregular maritime arrivals (IMAs) at remote locations such as Christmas Island required additional support in terms of their psychological wellbeing. In 2009, the department implemented a 'resilience and self-care support program' for staff deployed to these locations to ensure staff wellbeing before, during and after deployment.

The program is tailored to suit the length of the deployment. Officers on deployment for longer than three months receive:

- pre-deployment medical screening
- pre-deployment resilience assessments and self-care support plans
- mandatory pre-deployment briefings and post-deployment debriefings
- on-site counselling services (including crisis counselling)
- access to the full range of employee assistance program services on return from deployment.

Officers on short-term deployments (three to six weeks) receive:

- access to on-site counselling services (including crisis counselling)
- access to the full range of employee assistance program services on return from posting.

The department's IMA resilience and self-care program was designed to provide a greater understanding of individual operating preferences in higher pressure situations as well as self-awareness strategies for staff operating in an ever changing and dynamic work environment.

The implementation of resilience and self-care support programs has increased the capacity of the department to ensure that staff being deployed to demanding working environments are suitable for the roles involved and are provided with the best available support. While deployed away from their usual support networks, staff can now gain access to support resources specific to their individual needs, reducing the risk of psychological injury and/or illness.

Unscheduled absence management

In March 2009, the secretary commissioned a national working group to address the department's high rate of unscheduled absence. The working group examined the department's unscheduled absence data and provided a report to the Executive Committee in April 2009, identifying the drivers of unscheduled absence in the department.

The report also proposed a set of key principles for the management of unscheduled absence and a number of short-term and long-term initiatives aimed at reducing unscheduled absence rates. The Executive Committee endorsed the findings of the report in May 2009. A taskforce was then established to implement the initiatives proposed in the report.

The taskforce has overseen the implementation of a number of these initiatives to help reduce the rate of unscheduled absences. One such initiative was the development of the department's 'Be WELL, BEING here' absence management and wellbeing program, which is scheduled to be launched nationally in late 2010. This program engages and assists managers to address unscheduled absence in their work area.

The overarching principles of the 'Be WELL, BEING here' program are 'engagement', 'wellbeing' and 'absence management'. The program includes information, resources and support materials designed to create an environment that fosters attendance and participation in the workplace, and guides managers in managing unscheduled absence using early intervention principles.

Engaging business areas

Injury prevention and management is being progressively integrated into the department's business models and practices. Business areas in the department are engaged with injury prevention and management via:

- the annual departmental business planning cycle, including the *Strategic Risk Profile 2010–2011*
- departmental injury prevention and management policies and procedures
- national health and wellbeing initiatives
- regular all-staff communications
- targeted health and safety strategies for high-risk operations.

The circulation of the *DIAC Injury Prevention and Management Plan 2010–2012* will promote the engagement of business areas within the department.

The Health and Safety Section (National Office) and state and territory office OHS coordinators and rehabilitation case managers provide a range of services across all departmental business areas to ensure best-practice support and advice. The department's health and safety teams nationally are known as 'centres of excellence' in providing injury prevention as well as management support and advice.

Staffing statistics

Workforce composition

At 30 June 2010, the department had 7999 employees, including locally engaged employees (who are administered by the Department of Foreign Affairs and Trade on the department's behalf), representing a decrease from 2008–09. Tables 105 and 106 show the staffing profile by classification, full-time/part time status and gender for the past two years. Tables 107 and 108 show the numbers of SES for the past two years and Table 109 shows the staffing profile by location for the past two years.

Table 105: Staffing levels by classification (as at 30 June 2010)

Classification	Ongoing as at 30 June 2010						Non-ongoing as at 30 June 2010 ¹						Overall result ²	
	Ongoing Full time			Ongoing Part time			Non-ongoing Full time			Non-ongoing Part time				
	Male	Female	Result	Male	Female	Result	Male	Female	Result	Male	Female	Result		
Cadet	1	3	4	-	-	-	-	-	-	-	-	-	-	4
Graduate	6	19	25	-	-	-	-	-	-	-	-	-	-	25
APS Level 1	3	3	6	7	2	9	4	2	6	2	-	-	-	23
APS Level 2	12	11	23	5	3	8	13	26	39	-	1	1	1	71
APS Level 3	146	320	466	22	100	122	69	168	237	1	5	6	6	831
APS Level 4	454	761	1 215	22	193	215	18	39	57	-	4	4	4	1 491
APS Level 5	380	639	1 019	23	166	189	6	15	21	-	4	4	4	1 233
APS Level 6	541	722	1 263	21	164	185	10	8	18	2	2	4	4	1 470
Executive Level 1	500	529	1 029	18	136	154	24	4	28	3	1	4	4	1 215
Executive Level 2	195	168	363	3	18	21	2	3	5	-	-	-	-	389
Medical Officer 2	3	-	3	1	5	6	-	-	-	-	-	-	-	9
Medical Officer 3	1	1	2	1	2	3	-	-	-	-	-	-	-	5
Medical Officer 4	1	1	2	-	-	-	-	-	-	-	-	-	-	2

Table 105: Staffing levels by classification (as at 30 June 2010) *continued*

Classification	Ongoing as at 30 June 2010						Non-ongoing as at 30 June 2010 ¹						Overall result ²
	Ongoing Full time			Ongoing Part time			Non-ongoing Full time			Non-ongoing Part time			
	Male	Female	Result	Male	Female	Result	Male	Female	Result	Male	Female	Result	
Public Affairs Officer 1	-	2	2	-	-	-	3	-	3	-	-	-	5
Public Affairs Officer 2	5	4	9	-	-	-	-	-	-	-	-	-	9
Public Affairs Officer 3	4	10	14	-	1	1	-	-	-	-	-	-	15
Senior Public Affairs Officer	2	1	3	-	-	-	1	-	1	-	-	-	4
Legal Officer	7	6	13	-	-	-	2	5	7	-	1	1	21
Senior Legal Officer	16	19	35	3	9	12	1	-	1	-	-	-	48
Principal Legal Officer	2	9	11	-	2	2	-	-	-	-	-	-	13
SES Band 1	51	34	85	-	1	1	-	-	-	2	-	2	88
SES Band 2	11	7	18	-	1	1	3	-	3	-	-	-	22
SES Band 3	2	1	3	-	-	-	-	-	-	1	-	1	4
Secretary	1	-	1	-	-	-	-	-	-	-	-	-	1
Total	2 344	3 270	5 614	126	803	929	156	270	426	11	18	29	6 998

1. Non-ongoing figures include irregular/intermittent staff.

2. Results exclude locally engaged employees.

Note: Figures are actual classifications which includes people acting as at 30 June 2010.

Table 106: Staffing levels by classification (as at 30 June 2009)

Classification	Ongoing as at 30 June 2009						Non-ongoing as at 30 June 2009 ¹						Overall result ²	
	Ongoing Full time			Ongoing Part time			Non-ongoing Full time			Non-ongoing Part time				
	Male	Female	Result	Male	Female	Result	Male	Female	Result	Male	Female	Result		
Cadet	1	1	2	-	-	-	-	-	-	-	-	-	-	2
Graduate	18	33	51	-	-	-	-	-	-	-	-	-	-	51
APS Level 1	3	2	5	7	3	10	-	1	1	-	-	-	-	16
APS Level 2	12	2	14	5	3	8	13	36	49	-	-	-	-	71
APS Level 3	207	400	607	17	112	129	52	121	173	8	13	21	930	
APS Level 4	474	792	1 266	15	183	198	15	37	52	1	6	7	1 523	
APS Level 5	412	672	1 084	21	160	181	10	12	22	-	2	2	1 289	
APS Level 6	502	684	1 186	18	147	165	5	3	8	1	2	3	1 362	
Executive Level 1	487	493	980	13	135	148	13	6	19	4	1	5	1 152	
Executive Level 2	177	173	350	3	20	23	3	3	6	1	1	2	381	
Medical Officer 2	5	2	7	2	4	6	-	-	-	-	-	-	-	13
Medical Officer 3	1	1	2	1	1	2	-	-	-	-	-	-	-	4
Medical Officer 4	1	1	2	-	-	-	-	-	-	-	-	-	-	2

Table 106: Staffing levels by classification (as at 30 June 2009) *continued*

Classification	Ongoing as at 30 June 2009						Non-ongoing as at 30 June 2009 ¹						Overall result ²
	Ongoing Full time			Ongoing Part time			Non-ongoing Full time			Non-ongoing Part time			
	Male	Female	Result	Male	Female	Result	Male	Female	Result	Male	Female	Result	
Public Affairs Officer 1	1	2	3	-	-	-	1	1	2	-	-	-	5
Public Affairs Officer 2	7	5	12	-	-	-	-	-	-	-	-	-	12
Public Affairs Officer 3	5	8	13	-	2	2	-	-	-	-	-	-	15
Senior Public Affairs Officer	1	2	3	-	-	-	-	-	-	-	-	-	3
Legal Officer	9	7	16	-	1	1	1	2	3	-	-	-	20
Senior Legal Officer	20	29	49	1	6	7	2	-	2	-	-	-	58
Principal Legal Officer	4	9	13	-	2	2	-	-	-	-	-	-	15
SES Band 1	47	31	78	-	1	1	-	-	-	1	-	1	80
SES Band 2	10	7	17	-	-	-	1	-	1	-	-	1	19
SES Band 3	2	1	3	-	-	-	-	-	-	-	-	-	3
Secretary	1	-	1	-	-	-	-	-	-	-	-	-	1
Total	2 407	3 357	5 764	103	780	883	116	222	338	17	25	42	7 027

1. Non-ongoing figures include irregular/intermittent staff.

2. Results exclude locally engaged employees.

Note: Figures are actual classification which includes people acting as at 30 June 2009.

Table 107: Senior Executive Service as at 30 June 2010

Actual classification	Male	Female	Total
SES Band 1	53	35	88
SES Band 2	14	8	22
SES Band 3	3	1	4
Total	70	44	114

Note: Figures include people acting on the above date.

Table 108: Senior Executive Service as at 30 June 2009

Actual classification	Male	Female	Total
SES Band 1	48	32	80
SES Band 2	12	7	19
SES Band 3	2	1	3
Total	62	40	102

Note: Figures include people acting on the above date.

Table 109: Staffing levels by location (headcount)

Location	As at 30 June 2009	As at 30 June 2010
National Office	2 890	2 752
New South Wales	1 350	1 369
Victoria	967	1 021
Queensland	446	435
South Australia	460	429
Western Australia	438	521 ¹
Tasmania	152	134
Northern Territory	67	67
ACT and regional offices	105	116
Overseas (Australia-based staff)	124	125
Overseas (other)	28 ²	29 ³
Australia total	7 027	6 998
Overseas (locally engaged employees) ⁴	1 016 ²	1 001 ⁵
Total	8 043	7 999

1. Figure includes 81 staff located on Christmas Island

2. Figure includes 18 airline liaison officers, seven employees on short-term missions located overseas, and three employees in Papua New Guinea as part of the whole-of-government Strongim Gavman Program.

3. Figure includes 19 airline liaison officers, six employees on short-term missions located overseas and four employees in Papua New Guinea as part of the whole-of-government Strongim Gavman Program.

4. Locally engaged employees are staff administered by the Department of Foreign Affairs and Trade on behalf of the department.

5. As at 1 July 2010

Enterprise Agreements and Australian Workforce Agreements

A new enterprise agreement was negotiated in 2009–10. Table 110 shows the department's salary range by classification level. The range reflects the full range available under the enterprise agreement. Appendix 1 provides a breakdown of salary ranges within each level.

Table 110: Salary ranges for employees as at 30 June 2010

Classification ¹	Range of salaries ²
APS Level 1	\$13 725 – \$42,283
APS Level 2	\$43 147 – \$47 995
APS Level 3	\$49 143 – \$53 698
APS Level 4	\$53 500 – \$63 500
APS Level 5	\$59 314 – \$83 500
APS Level 6	\$65 657 – \$87 000
Executive Level 1	\$84 505 – \$113 287
Executive Level 2 ³	\$97 435 – \$219 500
SES Band 1	\$132 590 – \$191 454
SES Band 2 / SES Band 3	\$167 368 – \$255 214

1. Classifications such as medical officers, public affairs officers and legal officers have been reported under the relevant APS classification in accordance with the *Public Service Classification Rules 2000*.
2. Salary ranges reflect the *DIAC Enterprise Agreement 2010–11* and employees on individual agreements.
3. The Executive Level 2 classification category also includes salaries for the relevant medical officer classification as per the *Public Service Classification Rules, 2000*.

Individual agreements

A number of staff are on Australian Workplace Agreements (AWAs), section 24(1) determinations under the *Public Service Act 1999* or Individual Flexibility Arrangements. Table 111 shows details for 2009–10.

Table 111: Number of departmental staff on individual agreements as at 30 June 2010 (nominal)

Classification	Staff on AWAs	Staff on section 24(1)s	Staff on Individual Flexibility Arrangements	Total
APS Level 3	6	0	1	7
APS Level 4	11	8	6	25
APS Level 5	17	4	8	29
APS Level 6	22	7	4	33
Executive Level 1	75	58	5	138
Executive Level 2	106	48	1	155
SES ¹	0	87	0	87
Total	237	212	25	474

1. Does not include the secretary.

Performance pay

Table 112: Employees by classification who received performance based pay (nominal)

Classification	Number of employees who received performance pay ¹
APS Level 3	5
APS Level 4	15
APS Level 5	19
APS Level 6	26
Executive Level 1	93
Executive Level 2 / SES Band 1 ²	144
Total	302

1 Numbers relate to employees who were paid a performance bonus for the appraisal period 1 July 2009 to 30 June 2010.

2. The majority of performance payments were made to Executive Level 2 employees.

Table 113: Average bonus payment and range of payments by classification level (nominal)

Classification	Average payment	Range of payments
APS Level 3	\$4 133	\$3 025 – \$5 542
APS Level 4	\$3 505	\$980 – \$6 350
APS Level 5	\$5 555	\$2 275 – \$13 000
APS Level 6	\$5 127	\$1 520 – \$10 950
Executive Level 1	\$8 703	\$1 316 – \$15 750
Executive Level 2 / SES Band 1 ¹	\$11 111	\$1 606 – \$24 840

1. The majority of performance payments were made to Executive Level 2 employees.

Table 114: Aggregated amount of performance payments by classification level (nominal)

Classification	Aggregated amount of performance pay ¹
APS Level 3	\$20 666
APS Level 4	\$52 576
APS Level 5	\$105 540
APS Level 6	\$133 306
Executive Level 1	\$809 373
Executive Level 2 / SES Band 1 ²	\$1 599 972
Total	\$2 721 433

1. Payments relate to the appraisal period 1 July 2009 to 30 June 2010.

2. The majority of performance payments were made to Executive Level 2 employees.

Other non-salary benefits

The range of benefits, other than base salary, provided to employees under the department's enterprise agreement and individual agreements include:

- flexible working arrangements including flextime, flexible time off arrangements, variable working hours, part-time employment, job sharing and home-based work
- flexible leave such as maternity leave, adoption leave, parental leave, purchased leave, annual leave, half pay annual leave, ceremonial leave, personal leave, compassionate leave, defence reserve leave, emergency duty with state emergency services leave, jury leave and study leave
- carer's rooms
- access to the Employee Assistance Program

- salary packaging
- a range of allowances including:
 - community language allowance
 - first-aid officer allowance
 - volunteer allowance to recognise responsibilities as a health and safety representative, harassment contact officer or emergency control volunteer
 - departmental liaison officer allowance for employees performing liaison duties between the department and the offices of the minister and parliamentary secretary.

Rewards and recognition

Providing positive feedback to staff and recognising their achievements is an important part of the department's culture and business practice. The department's Reward and Recognition Scheme provides a framework to acknowledge and reward employees for achieving corporate goals.

Individual and team achievements are also recognised through a number of internal and external awards. These include the secretary's citations, Australia Day awards, awards for client service excellence and external awards such as the Order of Australia and the Public Service Medal.

The department's Australia Day awards recognise the outstanding achievements of staff in leadership roles and staff who improve the quality of departmental services, working environment and management. The bi-monthly Secretary's Award for Client Service Excellence recognises a member of staff or a team for service excellence on the basis of positive client feedback.

Online performance management

In August 2009, the department implemented a new online performance management system to enable staff to complete, store and review their Performance and Development Agreements (PDAs) on their desktops. The system features an online form which is created by the employee in the staff easySAP function, and can be viewed by employees and their managers at any time. The online performance management system also encompasses an online application for studies assistance.

The system has an optional feature that allows employees to seek 360-degree feedback. This function provides an employee with the option of requesting feedback from internal clients, stakeholders and/or colleagues. The feedback from this process can then be used to inform the employee's development needs with training activities identified, recorded and applied for via the PDA.

The new online performance management system has received positive feedback from its users.

Asset management

The department manages non-current assets with a gross book value of \$1.128 billion (net value of \$0.921 billion). The main asset classes are land and buildings, leasehold improvements, plant and equipment and intangible assets (software).

During the 2009–10 financial year, the gross book value of assets decreased by \$70.403 million. The decrease is primarily due to the assets revaluation carried out during the year, which is offset by the increases in:

- the continued delivery of the *Systems for People* program
- the construction of additional detention facilities on Christmas Island
- minor updates to office accommodation leasehold improvements.

The department manages its assets through an annual capital plan which reflects both government priorities and ongoing business requirements while also ensuring compliance with the government's financial management framework. The department monitors the management of this capital plan on a regular basis and has undertaken at least one review to ensure that planned capital expenditure reflects the department's business requirements.

The department undertakes an annual stocktake of assets which is used to update and verify the accuracy of asset records and to review the condition and ongoing utility of its assets. The review includes a reassessment of depreciation rates, useful lives and residual values. The outcomes of the process are considered by the Australian National Audit Office as part of its assessment of the annual financial statements.

The department's assets, including those leased under contract from various service providers, are maintained through specific maintenance programs.

Additional information on the value, acquisition and disposal of assets can be found in this report's annual financial statements.

Purchasing

The department's procurement policies are consistent with the provisions of the *Financial Management and Accountability Act 1997* and the *Commonwealth Procurement Guidelines* (CPGs). The Procurement and Contracts Branch in the Financial Strategy and Services Division, provides specialist advice and assistance to all areas of the department engaged in procurement, through:

- a dedicated help desk for procurement and contracting advice
- in-house legal and probity advice and the management of external legal advice in relation to procurement
- services that provide hands-on support for larger tender processes to ensure value for money and compliance with legal and policy requirements
- development and maintenance of policy documentation and guidance including a comprehensive procurement manual and procurement and contracting templates
- the coordination of the department's procurement reporting responsibilities
- the provision of internal and external procurement and contracting training.

The department uses the Australian Government tender system, AusTender, for publishing its procurement documentation in accordance with the requirements of the CPGs and other relevant guidelines. During 2009-10, the department has also introduced an internal reporting system to enhance its contract reporting accountability and controls.

Consistent with the commitment to ensuring that the department has well trained and supported staff, a series of government procurement and contract management education and training courses have been delivered to a range of departmental staff, including staff posted overseas. These courses include the Certificate IV in Government Procurement and the Diploma of Government (Contract Management). Cost centre managers and SES staff have also been provided with procurement training as a component of a broader program to enhance financial management skills.

Additionally, the department conducts a wide range of courses starting from procurement fundamentals to more advanced topics for officers regularly engaged in purchasing and contract management. In 2009-10, the department successfully trained 18 officers in the Certificate IV in Government Procurement and 34 officers in the Diploma of Government (Contract Management).

Consultants and consultancy services

The department's policy for selecting and engaging consultants is in accordance with the *Commonwealth Procurement Guidelines* and is based on the core principle of value for money.

The annual report contains information about actual expenditure on contracts for consultancies. Information on the value of contracts and consultancies is available on the AusTender website www.tenders.gov.au

During 2009–10, the department entered into 72 new consultancy contracts, involving total actual expenditure of \$6 157 411. In total, 39 ongoing consultancy contracts were active during 2009–10, involving total actual expenditure of \$5 173 560.

Selection processes

Open tender is a procurement procedure in which a request for tender is published inviting all businesses that satisfy the conditions for participation to submit tenders. Public tenders are generally sought from the Australian Government AusTender site.

Select tender is a procurement procedure in which the procuring agency selects which potential suppliers are invited to submit tenders (this includes tenders submitted through Multi Use Lists). This procurement may only be used under certain defined circumstances.

Direct sourcing is a form of restricted tendering, available only under certain defined circumstances, with a single potential supplier or suppliers being invited to bid.

Justification for decisions for the use of consultancy services

- A. skills currently unavailable within agency
- B. need for specialised or professional skills
- C. need for independent research or assessment.

Table 115 shows consultancy services of \$10 000 or more in value, which were entered into during 2009–10.

Table 115: Consultants and consultancy services let during 2009–10 of \$10 000 or more

Consultant name	Description	Selection process	Justification	Contract price \$ (GST inclusive)
Outcome 1: Managed migration through visas granted for permanent settlement, work, study, tourism, working holidays or other specialised activities in Australia, regulation, research and migration policy advice and program design				
Booz and Company	Visa simplification and deregulation review	Open	B	296 718
Australian National University	Population and Migration—net overseas migration modelling	Direct	B	165 000
Adelaide Research and Innovation Unit	Research into the population distribution effects of migration	Select	C	110 000
PSI Asia Pacific	Probity advice	Direct	C B	70 560
Access Economics	Economic analysis of the cost threshold used to determine if visa applicants to Australia meet the health requirement.	Direct	A B C	79 999
Allen Consulting Group Pty Ltd	Review of educational requirements for admission to the migration agent profession	Select	C B	77 996
CPR Communications and Public Relations Pty Ltd	Development of a communications strategy for the Office of the Migration Agents Registration Authority (MARA)	Select	B	66 294
Deakin University	Review of the continuing professional development framework for registered migration agents	Select	C B	63 937
Walter Turnbull	Panel for Audit, Risk Management and Fraud Control	Open	B	59 053
North South Consultants Pty Ltd	Research into settlement issues of African refugee youth in Victoria and New South Wales	Direct	B	50 000

Table 115: Consultants and consultancy services let during 2009–10 of \$10 000 or more *continued*

Consultant name	Description	Selection process	Justification	Contract price \$ (GST inclusive)
KPMG Australia	Management initiated review of migration agent registration application process	Open	C	26 470
Protiviti	Management initiated review of governance arrangements for the Office of the MARA	Open	C	11 625
Australian Survey Research Group	Conduct and analysis of Impact Survey for English language requirements for agents	Select	C	20 000
Outcome 2: Protection, resettlement and temporary safe haven for refugees and people in humanitarian need through partnering with international agencies; assessing humanitarian visa applications; and refugee and humanitarian policy advice and program design.				
Refugee Council of Australia Inc	Submission on the 2010–11 Humanitarian Program	Direct	C	79 976
Outcome 3: Lawful entry of people to Australia through border management services involving bona fide traveller facilitation; identity management; document verification; intelligence analysis; partnerships with international and domestic agencies; and border policy advice and program design.				
Protiviti	Privacy impact assessment on the Movement Alert List	Open	C	40 243
Booz and Company	Review of UK Visa Application Centre Pilot Scheme	Open	C	26 488
Outcome 4: Lawful stay of visa holders and access to citizenship rights for eligible people through promotion of visa compliance responsibilities, status resolution, citizenship acquisition integrity, case management, removal and detention, and policy advice and program design.				
Booz and Company	Advice in relation to detention health contract variation	Open	A B C	219 780
Walter Turnbull	User acceptance testing	Open	B	218 644
Booz and Company	Provision of high-level strategic business advice	Open	C B	157 467
Think Place Consulting	Information management and investigations units review	Open	A B C	119 938
The Open Mind	Enforced removals in Australia and selected OECD countries	Select	B	111 712

Table 115: Consultants and consultancy services let during 2009–10 of \$10 000 or more *continued*

Consultant name	Description	Selection process	Justification	Contract price \$ (GST inclusive)
University of New South Wales	Comparative analysis of immigration detention	Direct	C B	79 722
The College of Asia and the Pacific, Australian National University	Research on compliance with migration law	Direct	C B	78 000
Walter Turnbull	End of term financial reconciliation	Open	B	72 683
University of New South Wales	Literature review on immigration detention	Direct	C B	70 427
Environmental Resources Management Australia	Conservation management plan for Villawood Immigration Detention Centre	Direct	A B C	52 015
Phillipa Milne and Associates	Development of a model of health service delivery	Direct	A B C	51 000
Walter Turnbull	Audit into the Christmas Island facility expansion pricing structure	Open	B	49 243
Ian V Johnsen	Professional supervision services 2010	Direct	B	19 728
Phillipa Milne and Associates	Development of a model of health service delivery	Direct	A B C	12 211
Outcome 5: Equitable economic and social participation of migrants and refugees, supported through settlement services, including English language training; refugee settlement; case coordination; translation services; and settlement policy advice and program design				
DLA Phillips Fox	Legal advice on tenders for the Adult Migrant English Program (AMEP) and Integrated Humanitarian Settlement Strategy (IHSS) services	Open	B	975 000
PriceWaterhouse Coopers	Financial advisory services for the AMEP and HSS tender projects	Open	B	330 000
Walter Turnbull	Financial advisory services for the AMEP and HSS tender projects	Open	B	260 000

Table 115: Consultants and consultancy services let during 2009–10 of \$10 000 or more *continued*

Consultant name	Description	Selection process	Justification	Contract price \$ (GST inclusive)
KPMG Australia	Probity advice for the AMEP IHSS tenders	Open	B	140 000
SGS Economics and Planning Pty Ltd	Develop and cost accommodation models for the IHSS	Direct	B	60 500
Cogent Business Solutions	Basic price infrastructure reconciliation	Direct	B	32 500
ARTD Consultancy Pty Ltd	Development of an approach to evaluate the Settlement Grants Program	Open	C	29 900
Outcome 6: A cohesive, multicultural Australian society through promotion of cultural diversity and a unifying citizenship, decisions on citizenship status, and multicultural and citizenship policy advice and program design.				
Per Capita Australia Limited	Inputs for cultural diversity policy development and facilitation of workshops	Direct	B	73 700
Open Mind Research Group Holdings Pty Ltd	Research project on community attitudes to cultural diversity policy, programs and messaging	Direct	B	67 320
Don Watson	Specialist advice on policy drafting and messaging	Direct	B	13 200
Cross Outcome				
Acumen (Oakton)	DIAC project assurance review	Open	A	75 487.50
Booz and Company	Specialist advice on the development and implementation of a shared services model	Open	B	958 000
Clayton Utz	Legal advisory services	Open	B	708 774
Technology Partners International	Business advisory services	Open	B	612 500
The Nous Group	Redesigning the department's organisational structure	Open	B	426 200

Table 115: Consultants and consultancy services let during 2009–10 of \$10 000 or more *continued*

Consultant name	Description	Selection process	Justification	Contract price \$ (GST inclusive)
Booz and Company	Development of client services transformation	Direct	B	354 200
Booz and Company	Extension of services for the development of client services transformation	Direct	B	308 154
ORIMA Research	DIAC 2009 – 2010 Client Experience Program	Open	C	218 637
Ernst and Young	A baseline appraisal of the department's analytics capability	Select	B	200 000
Booz and Company	Business case support	Direct	C	189 851
Technology Partners International	Financial advice services in relation to <i>Systems for People</i>	Open	B	150 000
Booz and Company	Extension of services for the development of client services transformation	Direct	B	132 066
DLA Phillips Fox	ICT infrastructure services tender project	Open	B	98 642
The Nous Group	SES succession planning	Open	A B C	92 000
Helmshman International Pty Ltd	Business analysis capability and assessment framework and implementation training	Direct	B	88 000
Protiviti	Panel for audit and business continuity	Open	B	85 300
KPMG Australia	Panel for audit, risk management, business continuity and fraud control	Open	B	81 782
PriceWaterhouse Coopers	Analysis of internal processes and structure	Select	B	69 999
The Knuckey Family Trust	Services in the position of external chair of the Departmental Audit Committee	Open	B	57 200

Table 115: Consultants and consultancy services let during 2009–10 of \$10 000 or more *continued*

Consultant name	Description	Selection process	Justification	Contract price \$ (GST inclusive)
C3 Business Solutions	Development of a business intelligence strategy and roadmap	Direct	A B C	54 680
KPMG Australia	Probity advice	Open	B	50 000
KPMG Australia	Panel for audit, risk management, business continuity and fraud control	Open	B	38 390
Ernst and Young	Identify fraud control gaps	Direct	C B	38 038
Technology Partners International	Rules project follow-up review	Open	C	35 000
Technology Partners International	<i>Systems for People</i> rules deliverables review	Open	C	35 000
Vo-Van Associates Pty Ltd	ID Palmer-Comrie documents for DIAC-ANZSOG study	Direct	B	33 000
Hansen and Searson Executive Search	Provision of executive search and recruitment services for the position of Chief Financial Officer	Open	B	30 250
ARTD Consultancy Pty Ltd	Advice and training on program logic	Open	B	23 860
PriceWaterhouse Coopers	Probity auditor services	Open	B	22 680
Primary Sources Pty Ltd	Systems Committee meetings	Direct	C	20 000
Roy Morgan Research	Facilitate focus group discussions	Open	C	19 470
Clark Corporate Consulting Pty Ltd	Services in the position of external member of the Departmental Audit Committee	Open	B	18 650
CallCentres.net Pty Ltd	Contact centre industry information	Direct	C	13 200

ANAO access provisions

The department's standard contract templates include provisions allowing the Australian National Audit Office (ANAO) gain access to a contractor's premises. There are, however, a limited number of contracts that do not contain the ANAO access provisions.

These include, for example, cases where specific industry-based standard contracts have been used rather than the department's standard contract template or where there is an international contract.

Table 116: Contracts in excess of \$100 000 that do not contain the Australian National Audit Office access provisions

Name of contractor	Description	Value
Walter Turnbull Ltd Pty	Assurance services for the set up of the Office of the Migration Agents Registration Authority	150 000

Exempt contracts

Details of all contracts that have a value of \$10 000 or more have been published on AusTender in accordance with the reporting requirements of the *Commonwealth Procurement Guidelines*. The department did not let any contracts in excess of \$10 000 which were exempt from being published on AusTender during 2009–10.

Advertising and market research

The following table lists expenditure on advertising and market research contracts during 2009–10.

Table 117: Expenditure on advertising and marketing

Media advertising	Contract value (GST inclusive)
Adcorp Australia Limited: Media booking authority	15 066
Adcorp Australia Limited: Advertising for Humanitarian Settlement Services request for tender	25 778
Adcorp Australia Limited: Advertising for Adult Migrant English Program request for tender	17 218
Adcorp Australia Limited: Settlement Grants Program advertising	33 945
Adcorp Australia Limited: People and Executive Services advertising	100 000
Market research organisations	
The Research Forum: Anti-people smuggling information plan	49 170
Roy Morgan Research: Facilitate client service charter focus groups	19 470
ORIMA Research: Undertake client experience program	218 637
Callcentres.net Pty Ltd: Research to support call centre strategy	13 200
CPR Communications and Public Relations Pty Ltd: Focus group research for a communications strategy for the Office of the MARA	66 294
Australian Survey Research Group Pty Ltd: Client impact survey and report on implementation of English language requirements for registered migration agents	18 437
Advertising Agencies	
Universal McCann: Community Status Resolution Service	26 173
Universal McCann: Advertising citizenship changes	163 473

Commonwealth Disability Strategy

The Commonwealth Disability Strategy is a framework for Australian Government departments to help them improve access to government programs, services and facilities for people with disabilities. Departments are required to report on their performance in implementing the strategy in their annual reports.

Disability support for staff

The department's *DIAC People Plan 2008–11* identifies encouraging and supporting workplace diversity, including people with a disability, as a way to achieve the strategic objective of attracting and retaining staff.

The strategy for the employment of people with disability in the *Workplace Diversity Plan 2008–10* addresses ways in which the department can attract, recruit and retain people with disabilities.

It includes a strategy for the employment of people with disabilities, developed in line with the *Disability Discrimination Act 1992*. The strategy demonstrates the department's commitment to the elimination of disability discrimination.

In its recruitment, the department is committed to the provision of high-quality candidate care, with all candidates treated with courtesy, consideration, and respect, and in a fair and non-discriminatory manner.

The department's employment website has a number of features to enhance accessibility to information for potential job applicants. Candidates are advised that they may wish to specify any special requirements they have in relation to the selection process, for example, mobility assistance, visual aids or signing for hearing impaired candidates.

The department ensures its workplace environment complies with OHS legislation and provides additional services beyond those requirements. Specific initiatives for people with disabilities which are either complete or under way, include:

- ongoing accessibility and usability testing with users of assistive technology for every product
- adjustments to the workplace including ergonomic equipment and aids
- the development of a national DIAC 'reasonable adjustment' policy
- appointment of a senior manager to champion the inclusion of people with disabilities
- access to flexible working arrangements
- provision of access to a rehabilitation case manager for staff members who experience health issues affecting their ability to function at optimal capacity in the work environment. The case manager works with the staff member, managers and appropriate support agencies to facilitate the employee's ongoing participation and contribution in the workplace.

The department's *Enterprise Agreement 2010–11* acknowledges parties to the agreement are jointly committed to the recruitment, retention and career development of people from a range of diverse groups, including people with a disability, and to developing programs to increase the level of recruitment, retention and career development.

The agreement sets out procedures for disputes under the agreement, as well as occupational health and safety disputes in the department. The procedures apply to all employees.

The department is a member of the Diversity Council of Australia, which provides information and advice to businesses on diversity, and the Australian Network on Disability, which promotes including people with disabilities in business. Specifically, the Diversity Council of Australia provides the department with contemporary research, advice, and support on workplace diversity issues, while the Australian Network on Disability provides the department with:

- training on a range of disability related issues, including mental health
- assistance with the development of strategies designed to increase the representation of people with disability in the workplace
- tactics aimed at enhancing the employment experiences of employees with disabilities.

Disability support for clients

The department seeks to provide appropriate support to clients with disabilities.

The department's *Client Service Charter* commits the department to treating clients with respect and courtesy, and to be fair, open and reasonable. The charter also provides contact options for the National Relay Service for clients who have a hearing, speech or communication impairment.

The department's *Compliments and Complaints Policy* affirms the right of all clients and stakeholders to provide feedback, and to have any dissatisfaction with the department's services dealt with fairly, reasonably, impartially and confidentially.

The department is committed to providing websites that are accessible to the widest possible audience, regardless of technology or ability. It applies a range of usability and accessibility guidelines so that different assistive technologies such as read aloud, text magnification, screen reading and speech recognition software can be employed by users to interact with our systems.

The department plays a key role in the Australian Government's aims to achieve fairer and more accessible government services and programs through its *Access and Equity Strategy*. It is working to further increase the accessibility and usability of its websites and has commenced work to ensure that all websites and web applications meet the Web Content Accessibility Guidelines 2.0 (WCAG 2.0) conformance levels. Conformance with these guidelines will help make the web more user-friendly for all people.

For humanitarian entrants, settlement service providers are made aware of client needs before arrival and appropriate care plans are put in place, such as ensuring accommodation is wheelchair accessible, where required. Humanitarian entrants are met upon arrival in Australia and linked with mainstream and specialist support services, including disability support services as needed.

Settlement service providers have strong networks with state and local governments and community, social and mainstream services to ensure clients' needs are identified and addressed appropriately.

The Translating and Interpreting Service may be used by visually impaired people who are not sufficiently proficient in English.

All permanent visa applicants to Australia undergo medical screening where their health needs can be assessed. An outcome of the visa system is to prevent non-citizens who pose a health risk from entering Australia. In this way, the department protects the Australian community from public health risks, minimises health cover and community service costs, and contains access to services in short supply.

Citizenship by conferral applicants aged from 18 to 60 are not required to sit the citizenship test if they suffer from a substantial impairment or loss of hearing, speech or sight, or can provide specialist medical evidence of a permanent or enduring physical or mental incapacity which means they are not capable of:

- understanding the nature of their application, or
- demonstrating a basic knowledge of the English language, or
- demonstrating an adequate knowledge of Australia and of the responsibilities and privileges of citizenship.

On 21 June 2010, the Joint Standing Committee on Migration tabled its report *Enabling Australia: Inquiry into the Migration Treatment of Disability*. The focus of this inquiry was the application of the health requirement under the *Migration Act 1958* and, in particular, the assessment methodology and assumptions that underpin its current operation.

A formal response to the report will be finalised following the government's consideration of all the committee's recommendations.

Departmental offices and facilities

The department is committed to meeting or exceeding regulatory standards required in providing high-quality and effective accommodation. Departmental policy requires that departmental properties in Australia have, to the extent reasonably practical, disabled access in accordance with OHS requirements and Australian Standard 1428 (Design Rules for Access by the Disabled).

In accordance with the government's seven key immigration detention values, the department ensures that clients with a disability are provided with appropriate accommodation whilst they are in immigration detention or an alternative place of detention.

Departmental policy for posts overseas also requires that offices meet Australian OHS standards. The department's posts overseas are mostly leased from the Department of Foreign Affairs and Trade.

Contracts and procurement

The department's long and short form contracts require contractors to adhere to the *Disability Discrimination Act 1992* and to the principles and practices of the *Australian Government's Accessible Government Services for All*.

Social justice and equity

The department plays an important role in supporting clients from disadvantaged backgrounds, including migrants and refugees. A wide range of policies, programs and services assist clients from culturally and linguistically diverse backgrounds to help them fully participate in Australian society.

The department provides translation services, English language education and settlement services for newly arrived migrants, humanitarian entrants and other eligible clients. It ensures that information and services are culturally inclusive and accessible for all client groups.

The department also manages the government's *Access and Equity Strategy*, which encourages Australian Government agencies to be responsive to cultural and linguistic diversity.

The whole-of-government Access and Equity Strategy coordinated by the department supports Australian Government departments and agencies to be responsive to the needs of all Australians, irrespective of their place of birth, cultural or linguistic backgrounds or religious beliefs.

In April 2009, the Parliamentary Secretary for Multicultural Affairs and Settlement Services agreed to a range of measures facilitated by the department to 'reinvigorate' the strategy. The measures include:

- an increased focus on community engagement to identify barriers to access and equity. This is achieved through a broad community consultation process facilitated by the Federation of Ethnic Communities' Councils of Australia (FECCA)
- FECCA reporting to the department on community feedback and providing active advocacy and engagement with Australian Government agencies on issues arising from the consultations
- greater support to agencies to meet their access and equity responsibilities through measures such as seminars run by the department on key access and equity issues
- exploring and building stronger links with other relevant government initiatives such as the Diversity Network in the Department of Families and Housing, Community Services and Indigenous Affairs.

Access and equity reporting is an important part of the strategy. An annual access and equity report on Australian Government agencies' performance against an access and equity framework has been tabled in both houses of parliament since 1993.

In April 2009, the Parliamentary Secretary, the Hon. Mr Laurie Ferguson agreed to change the frequency of reporting to every two years to allow for a wide range of good practice examples on how the community and government have partnered to identify and address access and equity issues. The *Access and Equity Report 2008–10* is currently being drafted.

In 2009–10, the department:

- assisted newly arrived humanitarian entrants to settle successfully in Australia through the Integrated Humanitarian Settlement Strategy (IHSS), the Adult Migrant English Program (AMEP) and prior to arrival in Australia, the Australian Cultural Orientation program

- provided to humanitarian entrants through the IHSS, torture and trauma counselling services as well as raised awareness among mainstream health-care providers of health issues arising from torture and trauma
- promoted the benefits of a united and diverse society through funding grants to projects through the Diverse Australia Program, the National Action Plan to Build Social Cohesion, Harmony and Security, and Harmony Day
- consulted with communities and clients groups in developing and revising departmental programs, including the IHSS and the Humanitarian Program
- provided, through the Translating and Interpreting Service (TIS National), a national 24 hours a day, seven days a week, telephone interpreting service to enable accessible communication between migrants, asylum seekers, people in immigration detention and other non-English speaking background clients, and government and non-government service providers
- provided advice on community relations issues, disseminated information about government services and programs and engaged directly with migrant community organisations through the community liaison network
- encouraged new arrivals' interaction with the broader Australian society to reduce marginalisation and promote community harmony, social cohesion and cultural diversity
- promoted the value of Australian citizenship and encouraged eligible non-citizens to become Australian citizens
- made available information on department programs in a variety of formats and languages, including on the department's website www.immi.gov.au and on the department's YouTube channel, ImmiTV
- conducted research on a range of issues affecting newly arrived migrants including humanitarian entrants. The results of this research inform the development of more carefully targeted policies and programs.

Ecologically sustainable development and environmental performance

The department has continued to focus on ecologically sustainable development and environmental performance during 2009–10. The department is seeking to reduce the direct environmental impact of its operations by making more efficient use of energy, water, paper and procurement of materials.

In 2009–10, the department continued to develop its national environmental management framework, clearly reflecting its commitment to fostering the sustainable use of the Earth's resources while providing a workplace that conforms to Commonwealth Occupational Health and Safety responsibilities. A number of initiatives have been expanded to provide wider environmental awareness within the department Australia-wide.

The following provides a summary of the department's environmental management performance and activities during 2009–10.

National Environmental Policy

Since the secretary endorsed the National Environmental Policy in 2009, the department has progressed work on the benchmarking and tracking of its effect on the environment in order to set realistic key performance indicators and targets for the reduction of environmental impacts. The policy continues to provide the foundation for environmental stewardship within departmental offices. It sets out the level of environmental responsibility and performance required by the department.

Under the National Environmental Policy, the department:

- continually reviews and improves its environmental performance by setting objectives and targets appropriate to the nature, scale and impact of its operations
- ensures the use of processes, practices, techniques, materials, products, services and/or energy to avoid, reduce or control the creation, emission or discharge of any type of pollutant or waste in order to reduce adverse environmental effects
- complies with applicable Australian Government as well as state and territory governments' environmental legislation, regulations, policies, initiatives and other requirements which relate to the department's environmental aspects.

Environmental Management System

The department has developed an Environmental Management System (EMS) to help it meet the objectives of its National Environmental Policy. While benchmarking and initial target setting is under way, it is expected that the EMS will be formally implemented in late 2010. The EMS will be a strategic tool for managing the effects of the department's activities on the environment. Additionally, it will provide a structured approach to the department's daily operations by assisting in the planning and the implementation of environmental protection measures.

The development of the EMS is based on the international standard AS/NZS 15045. Through the implementation of the EMS, the department aims to set an example of leadership in the field of EMS.

Green initiatives

During 2009–10, the department has undertaken several environmental initiatives including:

- promotion and participation in Business Clean Up Day, Earth Hour and World Environment Day
- continuation of mobile phone recycling in National Office, leading to a \$5000 donation to the Spastic Centre of Australia
- a continued commitment to recycling used printer cartridges which assisted in raising funds for the Royal Flying Doctor Service
- finalisation of the rollout of the three-stream waste disposal system of bins (landfill, recyclables and organic) already used in National Office to state and territory offices
- continued replacement of fleet vehicles at lease end with smaller, more fuel efficient vehicles and the continued use of ethanol e10/petrol blended fuel where possible
- inclusion and management of the Green Lease Schedule (GLS) in new building leases within Australia as required by the Energy Efficiency in Government Operations Policy. The leases for 5 Chan Street in Canberra, 836 Wellington Street in Perth, 9 Wentworth Street in Parramatta and 188 Collins Street in Tasmania have established active management committees, as part of the GLS, to ensure ongoing environmental performance to the National Australian Built Environment Rating System (NABERS) standards as set in the policy
- a continued commitment to sourcing properties with NABERS ratings of 4.5 stars or more
- detailed analyses of offices' energy performance to ensure environmental and financial improvements are realised
- continued participation in the Government Agencies Environmental Network to initiate and share best-practice ideas and initiatives across Australian Government agencies.

ICT initiatives

The department has analysed the energy usage of its technology. This analysis has enabled the development of a green ICT strategy resulting in reductions in equipment and energy consumption.

During 2009–10, the following initiatives were implemented:

- a reclamation of excess desktop hardware, resulting in more than 2000 items (second monitors, additional PCs and stand-alone printers) being removed
- a decrease in the ICT footprint in the 6 Chan Street Belconnen data centre, which resulted in a 16 per cent ICT power reduction at that site
- an increase in communicating and promoting the department's policy of shutting down PCs after hours.

Environmental Sustainability Network

As part of the commitment to foster environmental responsibility across all its offices within Australia, the department has continued to support the National Sustainability Network which comprises representatives from each office.

The network supports the implementation of environmental initiatives. It is a network of environmental 'champions' who promote environmental awareness among staff by:

- explaining waste separation to new employees
- advising colleagues of new environmental initiatives as they arise
- helping to monitor, implement and review environmental programs
- arranging staff training sessions, if required.

Heritage Strategy

The *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) requires all agencies to assess the properties they control for heritage significance against the Commonwealth heritage criteria, establish a register of heritage properties and develop or review conservation management plans for those properties to be included on the Commonwealth heritage list.

The objective in managing Commonwealth heritage properties is to identify, protect, conserve, present and transmit, to all generations, their Commonwealth heritage values. These values can include places important to Indigenous people, places prized for their natural and biodiversity values or places which have historical significance.

During 2009–10, the department developed a Heritage Strategy, which will enable the responsible management of the heritage property at the Villawood Immigration Detention Centre. The strategy will be presented to the Australian Heritage Council in December 2010 for formal endorsement.

The department's Heritage Strategy outlines key actions that will be completed to address the requirements under the EPBC Act over the next three years, including:

- the development of a conservation management plan for the Villawood site
- the compilation of a heritage register
- consultation with other agencies and the community in the maintenance of the department's heritage register
- education of departmental staff and contractors in relation to their obligations for heritage sites.

Energy performance

Table 118 outlines the department's energy performance against *Energy Efficiency in Government Operations* targets for 2011–12:

During 2009–10, the department achieved a reduction of 8.9 per cent in tenant light and power energy consumption. The department achieved this result by implementing initiatives such as:

- timers on hot water units
- virtualisation of information technology network servers around the country, which has resulted in a halving of the number of servers
- removal of excess and unused telephone handsets
- removal of dual personal computers, monitors and stand alone-printers.

During 2009–10, there was a 77 per cent reduction in the department's central services energy usage. This is due to the department vacating an older and less efficient office location in Canberra.

Table 118: Ecologically sustainable development and environmental performance

	2006–07	2007–08	2008–09	2009–10
Tenant light and power (MJ pp pa) (Target 7 500 MJ by 2012)	7 479	7 486	7 268	6 618
Central services (MJ m ² pa) (Target 400 MJ by 2012)	639	575	435	101

MJ pp pa = Megajoules per person per annum

MJ m² pa = Megajoules per square metre per annum

Grants

Discretionary grants are payments where the portfolio minister or paying agency has discretion in determining whether or not an applicant receives funding and may or may not impose conditions in return for the grant.

The department administered the following discretionary grant programs for the period 1 July 2009 to 30 June 2010:

- Settlement Grants Program
- Diversity and Social Cohesion Program
- Diverse Australia Program
- National Action Plan to Build on Social Cohesion, Harmony and Security.

Information on grants awarded by the department during the period 1 July 2009 to 30 June 2010 is available at www.immi.gov.au/about/reports/grants/

Immigration history 1986–1995

The global movement of people, on either a permanent or temporary basis, continued to grow. The fifth decade started with the migration program exceeding 100 000 for the 1986–87 year. To meet the unprecedented demand, innovation and technology became increasingly important. In 1987, the department began using computers in its overseas posts to issue visitor visa applications, with new measures introduced to expedite the processing of temporary business visa applications. In 1990, with the introduction of IRIS II, the department became a world-leader, operating the most advanced visa computer system in the world. The department also developed the Electronic Travel Authority during 1995–96—another leading-edge initiative.

In 1988, the FitzGerald Immigration Policy Review reported on the principles it believed should guide Australia's immigration policies and led to the establishment of a research capacity—the Bureau of Immigration, Multicultural and Population Research. The focus on economic migration and ongoing reviews and studies into the net effect of migration drew parliamentarians' attention to the matter that Australia's population was ageing—and to the positive effects of attracting younger migrants.

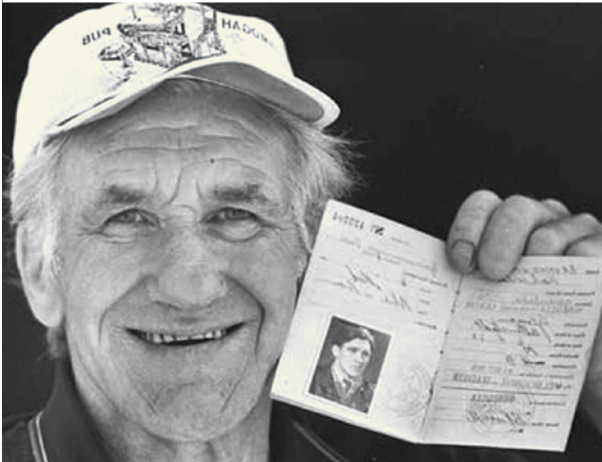
Then prime minister Bob Hawke proclaimed 1989 as the Year of Citizenship and people eligible for Australian citizenship were encouraged to apply. In 1989–90, more than 130 000 people were granted citizenship. In 1991, the Access and Equity Plan was released, aimed at ensuring all clients had fair access to the department's services.

On the humanitarian entry front, the Tiananmen Square incident in late 1989 led to thousands of Chinese students in Australia seeking asylum.

The department adopted a layered approach, balancing facilitating the entry of lawful applicants with the imperative to deter those who would circumvent policy. Other reforms introduced included mandatory detention in 1992 and the Refugee Review Tribunal in 1993. In 1994, the Migration Reform Act was passed, requiring all applications to be assessed against detailed criteria set down in law. By the close of this decade, the annual migration program was about 82 500 places, with 15 000 Humanitarian Program places and 2.6 million visitors.

Photos opposite page from top to bottom: Two young girls at the Indo-Chinese Children's Centre, Victoria, in 1987. A man shows off his old travel documents at the Bonegilla Reception Centre reunion in 1988—near Albury, New South Wales, it was the largest and longest operating centre in the post-war era. Minister for Immigration and Ethnic Affairs, Senator Nick Bolkus, who launched the 'Migration Oz' kits, talks with Adelaide High School's head prefects, Sallie James and Bill Gonis, on 14 October 1993.

Part 5



Financial statements

Independent auditor's report

Statement by the chief executive and chief finance officer

Financial statements

Notes to and forming part of the financial statements



INDEPENDENT AUDITOR'S REPORT

To the Minister for Immigration and Citizenship

Scope

I have audited the accompanying financial statements of the Department of Immigration and Citizenship for the year ended 30 June 2010, which comprise: the Statement by the Chief Executive and Chief Financial Officer; Statement of Comprehensive Income; Balance Sheet; Statement of Changes in Equity; Cash Flow Statement; Schedule of Commitments; Schedule of Contingencies; Schedule of Asset Additions; Schedule of Administered Items and Notes to and Forming Part of the Financial Statements, including a Summary of Significant Accounting Policies.

The Responsibility of the Chief Executive for the Financial Statements

The Department of Immigration and Citizenship's Chief Executive is responsible for the preparation and fair presentation of the financial statements in accordance with the Finance Minister's Orders made under the *Financial Management and Accountability Act 1997*, including the Australian Accounting Standards (which include the Australian Accounting Interpretations). This responsibility includes establishing and maintaining internal controls relevant to the preparation and fair presentation of the financial statements that are free from material misstatement, whether due to fraud or error; selecting and applying appropriate accounting policies; and making accounting estimates that are reasonable in the circumstances.

Auditor's Responsibility

My responsibility is to express an opinion on the financial statements based on my audit. I have conducted my audit in accordance with the Australian National Audit Office Auditing Standards, which incorporate the Australian Auditing Standards. These auditing standards require that I comply with relevant ethical requirements relating to audit engagements and plan and perform the audit to obtain reasonable assurance whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgement, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor

GPO Box 707 CANBERRA ACT 2601
19 National Circuit BARTON ACT 2600
Phone (02) 5203 7300 Fax (02) 5203 7777

considers internal control relevant to the Department of Immigration and Citizenship's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Department of Immigration and Citizenship's internal control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by the Department of Immigration and Citizenship's Chief Executive, as well as evaluating the overall presentation of the financial statements.

I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my audit opinion.

Independence

In conducting the audit, I have followed the independence requirements of the Australian National Audit Office, which incorporate the requirements of the Australian accounting profession.

Auditor's Opinion

In my opinion, the financial statements of the Department of Immigration and Citizenship:

- (a) have been prepared in accordance with the Finance Minister's Orders made under the *Financial Management and Accountability Act 1997*, including the Australian Accounting Standards; and
- (b) give a true and fair view of the matters required by the Finance Minister's Orders including the Department of Immigration and Citizenship's financial position as at 30 June 2010 and its financial performance and cash flows for the year then ended.

Australian National Audit Office



Ian Goodwin
Principal Advisor
Delegate of the Auditor-General

Canberra
3 September 2010


DEPARTMENT OF IMMIGRATION AND CITIZENSHIP
STATEMENT BY THE CHIEF EXECUTIVE AND CHIEF FINANCIAL OFFICER

In our opinion, the attached financial statements for the year ended 30 June 2010 are based on properly maintained financial records and give a true and fair view of the matters required by the Finance Minister's Orders made under the *Financial Management and Accountability Act 1997*, as amended.



Andrew Metcalfe
Chief Executive

3 September 2010



Stephen Sheehan
Chief Financial Officer

3 September 2010

Department of Immigration and Citizenship statement of comprehensive income

for the period ended 30 June 2010

	Notes	2010 \$'000	2009 \$'000
Expenses			
Employee benefits	3A	584 319	617 384
Supplier expenses	3B	525 526	555 434
Depreciation and amortisation	3C	115 506	113 610
Finance costs	3D	2 739	4 140
Write-down and impairment of assets	3E	14 006	15 337
Foreign exchange losses	3F	46	485
Losses from asset sales	3G	48	135
Other expenses		127	166
Total expenses		1 242 317	1 306 691
Less:			
Own-source income			
Own-source revenue			
Sale of goods and rendering of services	4A	40 644	24 810
Fees and fines	4B	7 128	7 364
Rental income	4C	1 779	3 381
Royalties	4D	3 337	2 984
Other revenue	4E	6 060	8 157
Total revenue		58 948	46 696
Gains			
Sale of assets	4F	76	1 277
Foreign exchange	4G	1 163	75
Reversals of previous asset write-downs and impairment	4H	1 407	1 666
Other gains	4I	1 999	769
Total gains		4 645	3 787
Total own-source income		63 593	50 483
Net cost of (contribution by) services		1 178 724	1 256 208
Revenue from Government	4J	1 184 216	1 208 620
Surplus (Deficit) attributable to the Australian Government		5 492	(47 588)
Other comprehensive income			
Changes in asset revaluation reserves		63 519	(3 442)
Total other comprehensive income		63 519	(3 442)
Total comprehensive income (loss) attributable to the Australian Government		69 011	(51 030)

Department of Immigration and Citizenship balance sheet

as at 30 June 2010

	Notes	2010 \$'000	2009 \$'000
Assets			
Financial assets			
Cash and cash equivalents	6A	5 606	3 840
Trade and other receivables	6B	329 673	278 222
Other financial assets	6C	927	1 234
Total financial assets		336 206	283 296
Non-financial assets			
Land and buildings	7A	607 833	556 587
Property, plant and equipment	7B,C	45 635	60 503
Intangibles	7D,E	267 709	253 903
Other non-financial assets	7F	11 370	13 899
Total non-financial assets		932 547	884 892
Total assets		1 268 753	1 168 188
Liabilities			
Payables			
Suppliers	8A	96 400	100 476
Other payables	8B	43 094	54 006
Total payables		139 494	154 482
Interest bearing liabilities			
Leases	9	21 324	37 991
Total interest bearing liabilities		21 324	37 991
Provisions			
Employee provisions	10A	145 907	153 088
Other provisions	10B	52 130	32 937
Total provisions		198 037	186 025
Total liabilities		358 855	378 498
Net assets		909 898	789 690
Equity			
Parent entity interest			
Contributed equity		831 993	780 796
Reserves		125 411	61 892
Retained surplus (accumulated deficit)		(47 506)	(52 998)
Total Equity		909 898	789 690

The above statement should be read in conjunction with the accompanying notes.

Department of Immigration and Citizenship
statement of changes in equity
for the period ended 30 June 2010

	Retained Earnings		Asset Revaluation Reserves		Contributed Equity/Capital		Total Equity	
	2010 \$'000	2009 \$'000	2010 \$'000	2009 \$'000	2010 \$'000	2009 \$'000	2010 \$'000	2009 \$'000
Opening balance								
Balance carried forward from previous period	(52 998)	(5 410)	61 892	65 334	780 796	784 053	789 690	843 977
Adjusted opening balance	(52 998)	(5 410)	61 892	65 334	780 796	784 053	789 690	843 977
Comprehensive income								
Other comprehensive income – Changes in asset revaluation reserves	-	-	63 519	(3 442)	-	-	63 519	(3 442)
Surplus (Deficit) for the period	5 492	(47 588)	-	-	-	-	5 492	(47 588)
Total comprehensive income	5 492	(47 588)	63 519	(3 442)	-	-	69 011	(51 030)
of which:								
Attributable to the Australian Government	5 492	(47 588)	63 519	(3 442)	-	-	69 011	(51 030)
Transactions with owners								
Distributions to owners								
Returns of capital:								
Restructuring (Note 11)	-	-	-	-	(12 060)	-	(12 060)	-
Return of contributed equity	-	-	-	-	-	(39 617)	-	(39 617)
Contributions by Owners								
Appropriation (equity injection)	-	-	-	-	55 894	36 360	55 894	36 360
Restructuring (Note 11)	-	-	-	-	7 363	-	7 363	-
Sub-total transactions with owners	-	-	-	-	51 197	(3 257)	51 197	(3 257)
Closing balance at 30 June	(47 506)	(52 998)	125 411	61 892	831 993	780 796	909 898	789 690
Closing balance attributable to the Australian Government	(47 506)	(52 998)	125 411	61 892	831 993	780 796	909 898	789 690

The above statement should be read in conjunction with the accompanying notes.

Department of Immigration and Citizenship cash flow statement

for the period ended 30 June 2010

	Notes	2010 \$'000	2009 \$'000
Operating activities			
Cash received			
Goods and services		40 410	31 315
Appropriations		1 236 113	1 308 531
Net GST received		40 750	57 158
Other cash received		17 919	16 223
Total cash received		1 335 192	1 413 227
Cash used			
Employees		607 014	595 423
Suppliers		550 587	616 763
Borrowing costs		2 739	4 140
Cash transferred to the Official Public Account		122 610	107 576
Other cash used		19	74
Total cash used		1 282 969	1 323 976
Net cash from (used by) operating activities	12	52 223	89 251
Investing activities			
Cash received			
Proceeds from sales of property, plant and equipment		110	2 066
Total cash received		110	2 066
Cash used			
Purchase of property, plant and equipment		46 786	50 399
Purchase of intangibles		67 257	66 421
Total cash used		114 043	116 820
Net cash from (used by) investing activities		(113 933)	(114 754)
Financing activities			
Cash received			
Contributed equity		81 268	44 899
Total cash received		81 268	44 899
Cash used			
Repayment of borrowings		17 792	20 734
Total cash used		17 792	20 734
Net cash from (used by) financing activities		63 476	24 165
Net increase or (decrease) in cash held		1 766	(1 338)
Cash and cash equivalents at the beginning of the reporting period		3 840	5 178
Cash and cash equivalents at the end of the reporting period	6A	5 606	3 840

The above statement should be read in conjunction with the accompanying notes.

Department of Immigration and Citizenship schedule of commitments

as at 30 June 2010

	2010 \$'000	2009 \$'000
By type		
Commitments receivable		
Sublease rental income	1 008	3 016
GST recoverable on commitments	66 122	77 292
Total commitments receivable	67 130	80 308
Commitments payable		
Capital commitments		
Land and buildings ¹	17 865	6 196
Property, plant and equipment ²	1 729	1 622
Intangibles ³	1 967	13 627
Total capital commitments	21 561	21 445
Other commitments		
Operating leases ⁴	415 941	468 076
IT services ⁵	308 392	399 543
Detention ⁶	970	4 161
IHSS	-	38
Other commitments ⁷	24 892	28 636
Total other commitments	750 195	900 454
Net commitments by type	704 626	841 591
By maturity		
Commitments receivable		
Operating lease income		
One year or less	776	2 218
From one to five years	232	798
Total operating lease income	1 008	3 016
GST receivable		
One year or less	22 255	22 606
From one to five years	32 045	40 311
Over five years	11 822	14 375
Total GST receivable	66 122	77 292

Department of Immigration and Citizenship schedule of commitments *continued*

as at 30 June 2010

	2010 \$'000	2009 \$'000
Commitments payable		
Capital commitments		
One year or less	21 407	21 445
From one to five years	154	-
Total capital commitments	<u>21 561</u>	<u>21 445</u>
Operating lease commitments		
One year or less	66 938	74 816
From one to five years	214 707	221 718
Over five years	134 296	171 542
Total operating lease commitments	<u>415 941</u>	<u>468 076</u>
Other commitments		
One year or less	176 119	175 767
From one to five years	158 135	256 611
Total other commitments	<u>334 254</u>	<u>432 378</u>
Net commitments by maturity	<u>704 626</u>	<u>841 591</u>

NB: Commitments are GST inclusive where relevant.

1. Land and buildings commitments represent amounts attributable to works at immigration detention centres.
2. Property, plant and equipment commitments relate primarily to fencing and other security at detention centres.
3. Intangible commitments relate predominantly to project work involving Systems for People initiatives.
4. Operating lease commitments include leases for onshore and offshore accommodation.
5. IT service commitments include costs for CSC, Unisys and Optus.
6. Detention commitments relate to Christmas Island telecommunications, hiring of equipment, and maintenance of detention centres.
7. Other commitments include costs primarily for the outsourcing of office services, and the provision of cleaning and maintenance services for office accommodation.

Nature of lease/General description of leasing arrangement

Lease for office accommodation

Lease payments are subject to fixed annual increases or annual increases in accordance with movements in the Consumer Price Index. The initial periods of office accommodation leases are still current and each may be renewed for up to five years at exercise of option.

Agreements in relation to support costs for computer equipment, software and telecommunications.

The department has three agreements relating to support costs. The telecommunications support agreement has two years remaining. The two agreements for computer equipment (including software) have one and three years remaining. Options for extension exist for each of the three agreements.

Department of Immigration and Citizenship schedule of contingencies

as at 30 June 2010

	2010 \$'000	2009 \$'000
Contingent liabilities		
Indemnities	1 170	1 167
Claims for damages or costs	<u>4 696</u>	<u>2 664</u>
Total contingent liabilities	<u>5 866</u>	<u>3 831</u>

As at 30 June 2010 the department had no quantifiable contingent assets or guarantees (2009: nil).

Details of each class of contingent liabilities and contingent assets listed above are disclosed in Note 13: Contingent Liabilities and Assets, along with information on significant remote contingencies and contingencies that cannot be quantified.

The above schedule should be read in conjunction with the accompanying notes.

**Department of Immigration and Citizenship
schedule of asset additions**

for the period ended 30 June 2010

The following non-financial non-current assets were added in 2009-10:

	Land \$'000	Buildings \$'000	Buildings – leasehold improvements \$'000	Other property, plant and equipment \$'000	Intangibles \$'000	Total \$'000
By purchase - appropriation equity	2 640	27 777	2 469	1 528	46 666	81 080
By purchase - appropriation ordinary annual services	-	2 121	1 017	9 637	20 626	33 401
By finance lease	-	-	-	2 840	-	2 840
Assets received as gifts/donations	-	-	-	1 417	-	1 417
From acquisition of entities or operations (including restructuring)	-	7 363	-	-	-	7 363
Total additions	2 640	37 261	3 486	15 422	67 292	126 101

The following non-financial non-current assets were added in 2008-09:

	Land \$'000	Buildings \$'000	Buildings – leasehold improvements \$'000	Other property plant and equipment \$'000	Intangibles \$'000	Total \$'000
By purchase - appropriation equity	990	10	5 781	12	57 107	63 900
By purchase - appropriation ordinary annual services	-	61	39 971	938	11 148	52 118
By finance lease	-	-	-	15 871	-	15 871
Total additions	990	71	45 752	16 821	68 255	131 889

The above schedule should be read in conjunction with the accompanying notes.

Department of Immigration and Citizenship schedule of administered items

	Notes	2010 \$'000	2009 \$'000
Income administered on behalf of Government <i>for the period ended 30 June 2010</i>			
Revenue			
Non-taxation revenue			
Sale of goods and rendering of services ¹	17A	7 674	8 507
Fees and fines ¹	17B	936 644	807 019
Recovery of detention costs		3 775	20 738
Other revenue		20 398	9 824
Total non-taxation revenue		968 491	846 088
Total revenues administered on behalf of Government		968 491	846 088
Gains			
Reversal of previous asset write-downs and impairments	17C	269	1 614
Foreign exchange	17D	140	600
Total gains administered on behalf of Government		409	2 214
Total income administered on behalf of Government		968 900	848 302
Expenses administered on behalf of Government <i>for the period ended 30 June 2010</i>			
Suppliers expenses	18A	592 585	377 786
Subsidies	18B	9 455	16 074
Personal benefits	18C	17 784	9 786
Grants	18D	38 065	39 734
Write-down and impairment of assets	18E	3 857	21 996
Foreign exchange losses	18F	-	64
Other expenses	18G	788	1 066
Total expenses administered on behalf of Government		662 534	466 506
1. Comparatives have been adjusted for the reclassification of the second instalment of Visa Application charges from Sale of goods and rendering of services to Fees and fines.			
This schedule should be read in conjunction with the accompanying notes.			

Department of Immigration and Citizenship
 schedule of administered items *continued*

	Notes	2010 \$'000	2009 \$'000
Assets administered on behalf of Government <i>as at 30 June 2010</i>			
Financial assets			
Cash and cash equivalents	19A	9 697	8 423
Receivables	19B	17 203	9 274
Other financial assets	19C	12 608	7 054
Total financial assets		39 508	24 751
Total assets administered on behalf of Government		39 508	24 751
Liabilities administered on behalf of Government <i>as at 30 June 2010</i>			
Payables			
Suppliers	20A	130 039	76 930
Subsidies	20B	5 635	4 965
Personal Benefits	20C	2 609	1 379
Grants	20D	21	101
Other payables	20E	75	1 892
Total payables		138 379	85 267
Provisions			
Bonds	20F	50 366	56 409
Total provisions		50 366	56 409
Total liabilities administered on behalf of Government		188 745	141 676
This schedule should be read in conjunction with the accompanying notes.			

Department of Immigration and Citizenship
schedule of administered items *continued*

	Notes	2010 \$'000	2009 \$'000
Administered cash flows			
<i>for the period ended 30 June 2010</i>			
Operating activities			
Cash received			
Immigration Fees ¹		934 944	807 616
Bonds received		135 153	154 188
Sales of goods and rendering of services ¹		9 343	10 295
Fines		4 801	2 536
Net GST received		41 274	25 935
Other		5 039	5 109
Total cash received		<u>1 130 554</u>	<u>1 005 679</u>
Cash used			
Grant payments		38 361	39 937
Bonds paid		129 733	159 556
Subsidies paid		7 277	14 436
Personal benefits		16 557	9 051
Suppliers		594 895	366 736
Refunds paid		3 780	3 640
Total cash used		<u>790 603</u>	<u>593 356</u>
Net cash flows from or (used by) operating activities		<u>339 951</u>	<u>412 323</u>
Net Increase (Decrease) in Cash Held		<u>339 951</u>	<u>412 323</u>
Cash and cash equivalents at the beginning of the reporting period		8 423	6 346
Cash from Official Public Account for:			
-Appropriations		781 583	588 222
		<u>790 006</u>	<u>594 568</u>
Cash to Official Public Account for:			
- Appropriations		1 120 259	998 468
		<u>1 120 259</u>	<u>998 468</u>
Cash and cash equivalents at the end of the reporting period 19A		<u>9 697</u>	<u>8 423</u>
1. Comparatives have been adjusted for the reclassification of the second instalment of Visa Application Charges, from Sale of goods and rendering of services to Immigration fees.			
This schedule should be read in conjunction with the accompanying notes.			

Department of Immigration and Citizenship
schedule of administered items *continued*

	2010 \$'000	2009 \$'000
Administered commitments <i>as at 30 June 2010</i>		
By type		
Commitments receivable		
GST recoverable on commitments	10 311	6 836
Total commitments receivable	<u>10 311</u>	<u>6 836</u>
Commitments payable		
Other commitments		
Grants ¹	19 445	17 918
Suppliers ²	91 457	55 946
Other commitments ³	27 063	34 775
Total other commitments	<u>137 965</u>	<u>108 639</u>
Net commitments by type	<u>127 654</u>	<u>101 803</u>
By maturity		
Commitments receivable		
Other commitments receivable		
One year or less	4 028	5 214
From one to five years	6 283	1 622
Total other commitment receivables	<u>10 311</u>	<u>6 836</u>
Commitments payable		
Other commitments		
One year or less	55 539	69 016
From one to five years	82 426	39 623
Total other commitments	<u>137 965</u>	<u>108 639</u>
Net commitments by maturity	<u>127 654</u>	<u>101 803</u>
NB: Commitments are GST inclusive where relevant.		
1. Grant commitments relate primarily to the delivery of the Migrant Community Services and Citizenship testing program.		
2. Supplier commitments relate primarily to contracts for the Integrated Humanitarian Settlement Scheme and detention centre contracts.		
3. Other commitments relate primarily to funding for the International Organisation of Migration for assisted voluntary return services and the United Nations Office on Drugs and Crime for the development of computer based training.		
This schedule should be read in conjunction with the accompanying notes.		

Department of Immigration and Citizenship
 schedule of administered items *continued*

	2010 \$'000	2009 \$'000
Administered Contingencies		
<i>as at 30 June 2010</i>		
Administered contingent liabilities		
Claims for damages or costs	<u>5,851</u>	<u>9,135</u>
Total administered contingent liabilities	<u><u>5,851</u></u>	<u><u>9,135</u></u>

As at 30 June 2010 the department had no quantifiable contingent assets or guarantees (2009: nil).

Details of each class of contingent liabilities and contingent assets in the above table are disclosed in Note 22: Administered Contingent Assets and Liabilities, along with information on significant remote contingencies and contingencies that cannot be quantified.

The above schedule should be read in conjunction with the accompanying notes.

Note 1: Summary of significant accounting policies

1.1 Objectives of the department

The Department of Immigration and Citizenship (the department) is an Australian Government controlled entity. The department's purpose is: building Australia's future through the well-managed entry and settlement of people. The department's business is to:

- contribute to Australia's future through managed migration;
- protect refugees and contribute to humanitarian policy internationally;
- contribute to Australia's security through border management and traveller facilitation;
- make fair and reasonable decisions for people entering or leaving Australia, ensuring compliance with Australia's immigration laws and integrity in decision making;
- support migrants and refugees to settle in the community and participate in Australian society; and
- promote Australian citizenship and a multicultural Australia.

The department is structured to meet six outcomes:

Outcome 1: Managed migration through visas granted for permanent settlement, work, study, tourism, working holidays or other specialised activities in Australia, regulation, research and migration policy advice and program design.

Program 1.1: Visa and Migration

Outcome 2: Protection, resettlement and temporary safe haven for refugees and people in humanitarian need through partnering with international agencies; assessing humanitarian visa applications; refugee and humanitarian policy advice and program design.

Program 2.1: Refugee and Humanitarian

Outcome 3: Lawful entry of people to Australia through border management services involving bona fide traveller facilitation, identity management, document verification, intelligence analysis, partnerships with international and domestic agencies and border policy advice and program design.

Program 3.1: Border Management

Outcome 4: Lawful stay of visa holders and access to citizenship rights for eligible people through promotion of visa compliance responsibilities, status resolution, citizenship acquisition integrity, case management, removal and detention, and policy advice and program design.

Program 4.1: Visa Compliance and Status Resolution

Program 4.2: Onshore Detention Network

Program 4.3: Offshore Asylum Seeker Management

Program 4.4: Illegal Foreign Fishers

Outcome 5: Equitable economic and social participation of migrants and refugees, supported through settlement services, including English language training, refugee settlement, case coordination, translation services and settlement policy advice and program design.

Program 5.1: Settlement Services for Migrants and Refugees

Outcome 6: A cohesive, multicultural Australian society through promotion of cultural diversity and a unifying citizenship, decisions on citizenship status, and multicultural and citizenship policy advice and program design.

Program 6.1: Multicultural and Citizenship Services

The department's activities contributing toward these outcomes are classified as either departmental or administered. Departmental activities involve the use of assets, liabilities, revenues and expenses controlled or incurred by the department in its own right. Administered activities involve the management or oversight by the department, on behalf of the government, of items controlled or incurred by the Government.

The continued existence of the department in its present form and with its present programs is dependent on government policy and on continuing appropriations by Parliament for the department's administration and programs.

1.2 Basis of preparation of the financial statements

The financial statements and notes are required by section 49 of the *Financial Management and Accountability Act 1997* and are general purpose financial statements.

The financial statements have been prepared in accordance with:

- Finance Minister's Orders (FMO) for reporting periods ending on or after 1 July 2009; and
- Australian Accounting Standards and Interpretations issued by the Australian Accounting Standards Board that apply for the reporting period.

Note 1: Summary of significant accounting policies *continued*

The financial statements have been prepared on an accrual basis and in accordance with the historical cost convention, except for certain assets and liabilities at fair value. Except where stated, no allowance is made for the effect of changing prices on the results or the financial position.

The financial statements are presented in Australian dollars and values are rounded to the nearest thousand dollars unless otherwise specified.

Unless an alternative treatment is specifically required by an accounting standard or the FMO, assets and liabilities are recognised in the balance sheet when and only when it is probable that future economic benefits will flow to the entity or a future sacrifice of economic benefits will be required and the amounts of the assets or liabilities can be reliably measured. However, assets and liabilities arising under Agreements Equally Proportionately Unperformed are not recognised unless required by an accounting standard. Liabilities and assets that are unrecognised are reported in the Schedule of Commitments or the Schedule of Contingencies.

Unless alternative treatment is specifically required by an accounting standard, revenues and expenses are recognised in the statement of comprehensive income when and only when the flow, consumption or loss of economic benefits has occurred and can be reliably measured.

Administered revenues, expenses, assets and liabilities and cash flows reported in the Schedule of Administered Items and related notes are accounted for on the same basis and using the same policies as for departmental items, except where otherwise stated at Note 1.21.

1.3 Significant accounting judgements and estimates

In 2009-10 the department continued to make provisions for onerous contracts and restoration obligations (see note 10B). The provision for onerous contracts reflects the impact of a downturn in the property market, resulting in surplus leased space and a lower likelihood of the department's ability to sublease that space. The value of this provision will be affected by future changes in the property market as well as future changes in visa activity levels and government policy.

The provision for restoration relates to leased office accommodation both in Australia and overseas where the department is required to restore the premises upon termination of the lease. Although the quantum for restoration was provided by property consultants, the value of this provision will be affected by future changes in inflation rates as well as foreign exchange rates.

All other significant accounting judgements or estimates used in the preparation of the financial statements have been disclosed in the relevant note.

1.4 New Australian accounting standards

The department is a not-for-profit entity and therefore applies the requirements specific to such entities in accordance with the Australian International Financial Reporting Standards (AIFRS).

Adoption of new Australian accounting standard requirements

No accounting standard has been adopted earlier than the application date as stated in the standard. The following revised standards were issued prior to the signing of the statement by the Chief Executive and Chief Financial Officer, were applicable to the current reporting period and had an impact on the department:

AASB 101 Presentation of financial statements

This revised standard primarily includes some changes to terminology, a new requirement to prepare a Statement of Comprehensive Income (replacing the Income Statement), a new Schedule of Asset Additions table, a new Note 6: Other Comprehensive Income and a revised Statement of Changes in Equity. These changes have been incorporated throughout the financial statements.

AASB 107 Statement of cash flows

This standard requires some other heading changes and the cash flow reconciliation to include a reconciliation of 'net cost of services to net cash from operating activities'. These changes have been applied to Note 12: Cash Flow Reconciliation.

AASB 7 Financial instruments – disclosure

This standard states that entities with minimal exposure risk or that have basic financial instruments only need to provide a text description rather than complete the Liquidity Risk table. This change has been applied to Note 16: Financial Instruments and Note 24: Administered Financial Instruments.

Other new standards that were issued prior to the signing of the statement by the Chief Executive and Chief Financial Officer and are applicable to the current reporting period did not have a financial impact, and are not expected to have a future financial impact on the entity.

Note 1: Summary of significant accounting policies *continued*

Future Australian accounting standard requirements

New standards/revised standards/interpretations/amending standards that were issued prior to the signing of the statement by the Chief Executive and Chief Financial Officer and are applicable to future reporting periods are not expected to have a future financial impact on the entity.

1.5 Revenue

Revenue from government

Amounts appropriated for departmental output appropriations for the year (adjusted for any formal additions and reductions) are recognised as revenue when the department gains control of the appropriation, except for certain amounts that relate to activities that are reciprocal in nature, in which case revenue is recognised only when it has been earned.

The current price based model that provides the basis for the department's revenue was approved by Government and took effect from 1 July 2008. The model has fixed and variable components, with variable funding adjusted to reflect actual movements in workload in line with movements in the department's key workload drivers (i.e. visa finalisations, citizenship decisions and border movements). The variable component comprises fixed unit prices and estimated activity levels that are adjusted, in year, through the Additional Estimates process and reconciled with the Department of Finance and Deregulation (Finance) at the end of the financial year. The fixed funding element and unit prices are adjusted each financial year by the Wage Cost Index less the Efficiency Dividend. The funding model also includes funding for some prescribed activities under a no-win no-loss arrangement (i.e. status resolution and irregular people movements). The cost of these items is fully reconciled as part of the end of financial year reconciliation process.

As part of the year end reconciliation process for no win – no loss activities, any revenue earned is incorporated into the reconciliation. In this context, to the extent that revenues exceeded costs for these activities, the excess revenue is returned to government.

Other types of revenue

Revenue from the sale of goods is recognised when:

- the risks and rewards of ownership have been transferred to the buyer;
- the seller retains no managerial involvement nor effective control over the goods;
- the revenue and transaction costs incurred can be reliably measured; and
- it is probable that the economic benefits associated with the transaction will flow to the entity.

Revenue from rendering of services is recognised by reference to the stage of completion of contracts at the reporting date. The revenue is recognised when:

- the amount of revenue, stage of completion and transaction costs incurred can be reliably measured; and
- the probable economic benefits associated with the transaction will flow to the entity.

The stage of completion of contracts at the reporting date is determined by reference to the proportion that costs incurred to date bear to the estimated total costs of the transaction.

Receivables for goods and services, which have 30 day terms, are recognised at the nominal amounts due less any impairment allowance account. Collectability of debts is reviewed at end of reporting period. Allowances are made when collectability of the debt is no longer probable.

1.6 Gains

Resources received free of charge

Resources received free of charge are recognised as gains when, and only when, a fair value can be reliably determined and the services would have been purchased if they had not been donated. Use of those resources is recognised as an expense.

Resources received free of charge are recorded as either revenue or gains depending on their nature.

Contributions of assets at no cost of acquisition or for nominal consideration are recognised as gains at their fair value when the asset qualifies for recognition, unless received from another government agency or authority as a consequence of a restructuring of administrative arrangements (Refer to Note 1.7).

Sale of assets

Gains from disposal of assets are recognised when control of the asset has passed to the buyer.

Note 1: Summary of significant accounting policies *continued*

1.7 Transactions with the government as owner

Equity injections

Amounts appropriated which are designated as 'equity injections' for a year (less any formal reductions) are recognised directly in contributed equity in that year.

Restructuring of administrative arrangements

Net assets received from or relinquished to another Australian Government agency or authority under a restructuring of administrative arrangements are adjusted at their book value directly against contributed equity.

Other distributions to owners

The FMO require that distributions to owners be debited to contributed equity unless in the nature of a dividend. In 2009-10, the department has no agreement with the Department of Finance and Deregulation to make distributions to owners (2009: \$39 617 000).

Lapsing appropriations

Departmental and non-operating appropriations do not lapse at the end of the financial year. However, the responsible Minister may decide that part or all of a departmental or non-operating appropriation is not required and request the Finance Minister to reduce that appropriation. The reduction in the appropriation is effected by the Finance Minister's determination and is disallowable by Parliament.

1.8 Employee benefits

Liabilities for 'short-term employee benefits' (as defined in AASB 119 *Employee Benefits*) and termination benefits due within twelve months of balance date are measured at their nominal amounts.

The nominal amount is calculated with regard to the rates expected to be paid on settlement of the liability.

Long-term employee benefits are measured as net total of the present value of the defined benefit obligation at the end of the reporting period minus the fair value at the end of the reporting period of plan assets (if any) out of which the obligations are to be settled directly.

Leave

The liability for employee benefits includes provision for annual leave and long service leave. Long service leave does not accrue for overseas posts' locally engaged employees who commenced after 12 December 1976. No provision has been made for sick leave as all sick leave is non-vesting and the average sick leave taken in future years by employees of the department is estimated to be less than the annual entitlement for sick leave.

The leave liabilities are calculated on the basis of employees' remuneration at the estimated salary rates that will apply at the time the leave is taken, including the department's employer superannuation contribution rates to the extent that the leave is likely to be taken during service rather than paid out on termination.

The liability for long service leave has been determined by reference to an actuarial review. The estimate of the present value of the liability takes into account attrition rates and pay increases through promotion and inflation.

Locally engaged employees at post

Locally engaged employees (LEE) are covered by individual employment contracts which are negotiated between the employee and the Department of Foreign Affairs and Trade (DFAT) on behalf of the department. These contracts are negotiated at post level in order to ensure compliance with local labour laws and regulations. The individual contracts are supported and expanded upon by the LEE Conditions of Service Handbook which is specific to each post. Where there is conflict between the two documents the individual contract takes precedence. Provisions for employee entitlements including unfunded liabilities are recognised in accordance with conditions of service at each post.

Separation and redundancy

Provision is made for separation and redundancy benefit payments. The department recognises a provision for termination when it has developed a detailed formal plan for the terminations and has informed those employees affected that it will carry out the terminations.

Superannuation

Staff of the department are members of the Commonwealth Superannuation Scheme (CSS), the Public Sector Superannuation Scheme (PSS) or the PSS accumulation plan (PSSap).

The CSS and PSS are defined benefit schemes for the Australian Government. The PSSap is a defined contribution scheme.

The liability for defined benefits is recognised in the financial statements of the Australian Government and is settled by the Australian Government in due course. This liability is reported by the Department of Finance and Deregulation as an administered item.

Note 1: Summary of significant accounting policies *continued*

The department makes employer contributions to the employee superannuation scheme at rates determined by an actuary to be sufficient to meet the current cost to the Government of the superannuation entitlements of the department's employees. The department accounts for the contributions as if they were contributions to defined contribution plans.

From 1 July 2005, new employees are eligible to join the PSSap scheme.

The liability for superannuation recognised as at 30 June represents outstanding contributions for the final fortnight of the financial year.

1.9 Leases

A distinction is made between finance leases and operating leases. Finance leases effectively transfer from the lessor to the lessee substantially all the risks and rewards incidental to ownership of leased assets. An operating lease is a lease that is not a finance lease. In operating leases, the lessor effectively retains substantially all such risks and benefits.

Where an asset is acquired by means of a finance lease, the asset is capitalised at either the fair value of the lease property or, if lower, the present value of minimum lease payments at the inception of the contract and a liability is recognised at the same time and for the same amount.

The discount rate used is the interest rate implicit in the lease. Leased assets are amortised over the period of the lease. Lease payments are allocated between the principal component and the interest expense.

Finance leases exist in relation to IT and communications equipment, and are non-cancellable. The department guarantees the residual values of all assets leased.

Operating lease payments are expensed on a straight line basis which is representative of the pattern of benefits derived from the leased assets. Where leases are considered surplus, the operating rent has been brought to account in accordance with AASB 137 *Provisions, contingent liabilities and contingent assets*.

Lease incentives taking the form of 'free' leasehold improvements and rent holidays are recognised as liabilities. These liabilities are reduced by allocating lease payments between rental expense and reduction of the liability.

1.10 Borrowing costs

All borrowing costs are expensed as incurred.

1.11 Cash

Cash and cash equivalents include notes and coins held and any deposits in bank accounts with an original maturity of three months or less that are readily convertible to known amounts of cash and subject to insignificant risk of changes in value. Cash is recognised at its nominal amount.

1.12 Financial assets

The department classifies its financial assets in the following categories:

- financial assets at fair value through profit or loss; and
- loans and receivables.

The classification depends on the nature and purpose of the financial assets and is determined at the time of initial recognition.

Financial assets are recognised and derecognised upon trade date.

Effective interest method

The effective interest method is a method of calculating the amortised cost of a financial asset and of allocating interest income over the relevant period. The effective interest rate is the rate that exactly discounts estimated future cash receipts through the expected life of the financial asset, or, where appropriate, a shorter period.

Income is recognised on an effective interest rate basis except for financial assets that are recognised at fair value through profit or loss.

Loans and receivables

Trade receivables, loans and other receivables that have fixed or determinable payments that are not quoted in an active market are classified as 'loans and receivables'. Loans and receivables are measured at amortised cost using the effective interest method less impairment. Interest is recognised by applying the effective interest rate.

Note 1: Summary of significant accounting policies *continued*

Impairment of financial assets

Financial assets are assessed for impairment at the end of each reporting period.

Financial assets held at amortised cost – if there is objective evidence that an impairment loss has been incurred for loans and receivables or held to maturity investments held at amortised cost, the amount of the loss is measured as the difference between the asset's carrying amount and the present value of estimated future cash flows discounted at the asset's original effective interest rate. The carrying amount is reduced by way of an allowance account. The loss is recognised in the Statement of Comprehensive Income.

1.13 Financial liabilities

Financial liabilities are classified as either financial liabilities 'at fair value through profit or loss' or other financial liabilities.

Financial liabilities are recognised and derecognised upon 'trade date'.

Financial liabilities at fair value through profit or loss

Financial liabilities at fair value through profit or loss are initially measured at fair value. Subsequent fair value adjustments are recognised in profit or loss. The net gain or loss recognised in profit or loss incorporates any interest paid on the financial liability.

Other financial liabilities

Other financial liabilities, including borrowings, are initially measured at fair value, net of transaction costs.

Other financial liabilities are subsequently measured at amortised cost using the effective interest method, with interest expense recognised on an effective yield basis.

The effective interest method is a method of calculating the amortised cost of a financial liability and of allocating interest expense over the relevant period. The effective interest rate is the rate that exactly discounts estimated future cash payments through the expected life of the financial liability, or, where appropriate, a shorter period.

Supplier and other payables are recognised at amortised cost. Liabilities are recognised to the extent that the goods or services have been received (and irrespective of having been invoiced).

1.14 Contingent liabilities and contingent assets

Contingent liabilities and contingent assets are not recognised in the balance sheet but are reported in the relevant schedules and notes. They may arise from uncertainty as to the existence of a liability or asset or represent an asset or liability in respect of which the amount cannot be reliably measured. Contingent assets are disclosed when settlement is probable but not virtually certain and contingent liabilities are disclosed when settlement is greater than remote.

1.15 Financial guarantee contracts

As at 30 June 2010 the department held no financial guarantee contracts (2009: nil).

1.16 Acquisition of assets

Assets are recorded at cost on acquisition except as stated below. The cost of acquisition includes the fair value of assets transferred in exchange and liabilities undertaken. Financial assets are initially measured at their fair value plus transaction costs where appropriate.

Assets acquired at no cost, or for nominal consideration, are initially recognised as assets and income at their fair value at the date of acquisition, unless acquired as a consequence of restructuring of administrative arrangements. In the latter case, assets are initially recognised as contributions by owners at the amounts at which they were recognised in the transferor agency's accounts immediately prior to the restructuring.

1.17 Property, plant and equipment

Asset recognition threshold

Purchases of property, plant and equipment are recognised initially at cost in the balance sheet, except for purchases costing less than \$2 000, which are expensed in the financial year of acquisition (other than where they form part of a group of similar items which are significant in total).

The initial cost of an asset includes an estimate of the cost of dismantling and removing the item and restoring the site on which it is located. This is particularly relevant to 'make good' provisions in property leases recognised by the department where there exists an obligation to restore the property to its original condition. These costs are included in the value of the department's leasehold improvements with a corresponding provision for the 'make good' recognised.

Note 1: Summary of significant accounting policies *continued*

Revaluations

Fair values for each class of asset are determined as shown below:

<i>Asset class</i>	<i>Fair value measured at</i>
Land	Market selling price
Buildings exc. Leasehold improvements	Market selling price
Leasehold improvements	Depreciated replacement cost
Property, plant and equipment	Depreciated replacement cost (other than motor vehicles which are measured at market selling price)

Following initial recognition at cost, property plant and equipment are carried at fair value less accumulated depreciation and accumulated impairment losses. Valuations are conducted with sufficient frequency to ensure that the carrying amounts of assets do not differ materially from the assets' fair values as at the reporting date. The regularity of independent valuations depends upon the volatility of movements in market values for the relevant assets.

Revaluation adjustments are made on an asset class basis. Any revaluation increment is credited to equity under the heading of asset revaluation reserve except to the extent that it reverses a previous revaluation decrement of the same asset class that was previously recognised in the surplus/deficit. Revaluation decrements for a class of assets are recognised directly in the surplus/deficit except to the extent that they reverse a previous revaluation increment for that class.

Any accumulated depreciation as at the revaluation date is eliminated against the gross carrying amount of the asset and the asset is restated to the revalued amount.

Depreciation

Depreciable property plant and equipment assets are written-off to their estimated residual values over their estimated useful lives to the department using, in all cases, the straight-line method of depreciation.

Leasehold improvements are depreciated on a straight-line basis over the lesser of the estimated useful life of the improvements or the unexpired period of the lease.

Depreciation rates (useful lives), residual values and methods are reviewed at each reporting date and necessary adjustments are recognised in the current, or current and future reporting periods, as appropriate.

Depreciation rates applying to each class of depreciable asset are based on the following useful lives:

	2010	2009
Buildings on freehold land	25 to 40 years	30 to 50 years
Leasehold improvements	Lesser of lease term or 10 years	Lease term or 10 years
Plant and equipment	3 to 10 years	3 to 10 years

Impairment

All assets were assessed for impairment at 30 June 2010. Where indications of impairment exist, the asset's recoverable amount is estimated and an impairment adjustment made if the asset's recoverable amount is less than its carrying amount.

The recoverable amount of an asset is the higher of its fair value less costs to sell and its value in use. Value in use is the present value of the future cash flows expected to be derived from the asset. Where the future economic benefit of an asset is not primarily dependent on the asset's ability to generate future cash flows, and the asset would be replaced if the department were deprived of the asset, its value in use is taken to be its depreciated replacement cost.

Derecognition

An item of property, plant and equipment is derecognised upon disposal or when no further future economic benefits are expected from its use or disposal.

1.18 Intangibles

The department's intangibles primarily comprise internally developed software for internal use. These assets are carried at cost less accumulated amortisation and accumulated impairment losses. The recognition threshold for internally developed software is \$100 000 and for purchased software \$10 000 per licence.

Software is amortised on a straight-line basis over its anticipated useful life. The useful lives of the department's software range from three to ten years (2009: three to ten years).

All software assets were assessed for indications of impairment as at 30 June 2010.

Note 1: Summary of significant accounting policies *continued*

1.19 Taxation

The department is exempt from all forms of taxation except Fringe Benefits Tax (FBT) and the Goods and Services Tax (GST).

Revenues, expenses and assets are recognised net of GST except:

- where the amount of GST incurred is not recoverable from the Australian Taxation Office; and
- for receivables and payables.

Commitments are reported GST inclusive where relevant.

1.20 Foreign currency

Transactions denominated in a foreign currency are converted at the exchange rate at the date of the transaction. Foreign currency receivables and payables are translated at the exchange rates current as at balance date. Associated currency gains and losses are not material.

1.21 Reporting of administered activities

Administered revenues, expenses, assets, liabilities and cash flows are disclosed in the schedule of administered items and related notes.

Except where otherwise stated below, administered items are accounted for on the same basis and using the same policies as for departmental items, including the application of Australian accounting standards.

Administered cash transfers to and from the official public account

Revenue collected by the department for use by the Government rather than the department is administered revenue. Collections are transferred to the Official Public Account (OPA) which is maintained by the Department of Finance and Deregulation. Conversely, cash is drawn from the OPA to make payments under Parliamentary appropriation on behalf of government. These transfers to and from the OPA are adjustments to the administered cash held by the department on behalf of the Government and reported as such in the Statement of Cash Flows in the Schedule of Administered Items and in the Administered Reconciliation Table in Note 21.

Revenue

All administered revenues are revenues relating to the course of ordinary activities performed by the department on behalf of the Australian Government.

Fees are charged for visa applications and migration applications under the *Migration Act 1958* and in accordance with the *Migration (Visa Application) Charge Act 1997*. Fines are charged for non-compliance with the *Migration Act 1958*. Administered fees are recognised when collected by the department. Administered fines are recognised in the period in which the breach occurs. Revenue is recognised at its nominal amount due, less any impairment allowance. Collectability of debts is reviewed at balance date. Allowance is made when collection of the debt is judged to be less rather than more likely.

Receivables

Receivables are carried at amortised cost using the effective interest method. Losses due to impairment, derecognition and amortisation are recognised through surplus and deficit.

Indemnities

The maximum amounts payable under the indemnities given is disclosed in the Schedule of Administered Items – Contingencies. At the time of completion of the financial statements, there was no reason to believe that the indemnities would be called upon, and no recognition of any liability was therefore required.

Grants and subsidies

The department administers a number of grant and subsidy schemes on behalf of the Government.

Grant and subsidy liabilities are recognised to the extent that (i) the services required to be performed by the grantee have been performed or (ii) the grant eligibility criteria have been satisfied, but payments due have not been made. A commitment is recorded when the Government enters into an agreement to make these grants but services have not been performed or criteria satisfied.

Bonds

The department collects and repays bonds on behalf of the Australian Government for the purposes of compliance with the provisions of the *Migration Act 1958* and regulations. The department collects three types of bonds, namely compliance bonds, visitor visa bonds, and professional development visa securities. Receipts from these bonds are treated as liabilities until such time they are either forfeited or refunded to the customers. Revenue, and the corresponding asset, are only recognised at the point of forfeiture.

Note 2: Events after the reporting period

In accordance with the conclusion of the department's Financial Health Review considered by ministers in April 2008, all assets relating to detention activities, currently reflected in the Departmental Balance Sheet, will be transferred to Administered items with effect from 1 July 2010. The assets comprise land, buildings, property, plant and equipment with a total net book value of \$522 882 000 as at 30 June 2010.

No other events have occurred after the reporting date that would have a significant effect on the 2009-10 financial statements.

Note 3: Expenses

	2010 \$'000	2009 \$'000
Note 3A: Employee benefits		
Wages and salaries	407 384	408 341
Superannuation: Defined contribution plans	77 744	77 898
Leave and other entitlements	69 717	87 459
Separation and redundancies	3 723	19 707
Other employee expenses	25 751	23 979
Total employee benefits	584 319	617 384
Note 3B: Suppliers		
Goods and services		
IT and communications	136 610	136 762
Contractors and consultants	109 628	118 240
Travel	30 944	28 133
Office operating related	29 654	29 837
Property related	22 862	29 764
Legal	19 910	24 790
Training	6 818	8 073
Bank fees	6 683	6 430
Others	55 730	68 531
Total goods and services	418 839	450 560
Goods and services consist of:		
Provision of goods – related entities	3	313
Provision of goods – external parties	9 005	10 127
Rendering of services – related entities	37 236	44 219
Rendering of services – external parties	372 595	395 901
Total goods and services	418 839	450 560
Other supplier expenses		
Operating lease rentals – related entities:		
Minimum lease payments	8 929	9 661
Sublease	15 818	17 766
Operating lease rentals – external parties:		
Minimum lease payments	76 387	70 826
Worker's compensation expenses	5 553	6 621
Total other supplier expenses	106 687	104 874
Total supplier expenses	525 526	555 434

Note 3: Expenses *continued*

	2010 \$'000	2009 \$'000
Note 3C: Depreciation and amortisation		
Depreciation:		
Property, plant and equipment	6 979	7 395
Buildings	13 019	10 140
Leasehold improvements	28 976	34 991
Total depreciation	48 974	52 526
Amortisation:		
Assets held under finance leases	15 052	21 458
Intangibles – computer software	51 480	39 626
Total amortisation	66 532	61 084
Total depreciation and amortisation	115 506	113 610
Note 3D: Finance costs		
Finance leases	2 052	3 295
Unwinding of discount	687	845
Total finance costs	2 739	4 140
Note 3E: Write-down and impairment of assets		
Asset impairments from:		
Financial instruments	4 285	8 052
Intangible assets	1 910	6 419
Asset write-downs from:		
Land and buildings	2 308	17
Property, plant and equipment	5 442	192
Intangible assets	61	657
Total write-down and impairment of assets	14 006	15 337
<p>The Integrated Client Service Environment software (ICSE) was impaired by the functionality replaced by Systems for People and Revenue Receipting. The total write-off relating to software impairment where the carrying amount exceeded the recoverable amount of the assets was \$1 910 000. (2009: \$6 419 000). See also Note 7D.</p>		
Note 3F: Foreign exchange losses		
Non-speculative losses	46	485
Total foreign exchange losses	46	485
Note 3G: Losses from assets sales		
Property, plant and equipment		
Proceeds from sale	(17)	(1 959)
Carrying value of assets sold	65	2 093
Selling expense	-	1
Total losses from assets sales	48	135

Note 4: Income

	2010 \$'000	2009 \$'000
Revenue		
Note 4A: Sale of goods and rendering of services		
Provision of goods – related entities	-	159
Provision of goods – external parties	167	195
Rendering of services – related entities	19 581	5 260
Rendering of services – external parties	20 896	19 196
Total sale of goods and rendering of services	40 644	24 810
Note 4B: Fees and fines		
Electronic travel authority fees	7 128	7 364
Total fees and fines	7 128	7 364
Note 4C: Rental income		
Operating lease:		
Property rental	1 779	3 381
Total rental income	1 779	3 381
Note 4D: Royalties		
Software	3 337	2 984
Total royalties	3 337	2 984
Note 4E: Other revenue		
Recovery of costs	4 953	7 157
Comcover	29	-
Other revenue	1 078	1 000
Total other revenue	6 060	8 157

Note 4: Income *continued*

	2010 \$'000	2009 \$'000
Gains		
Note 4F: Sale of assets		
Land and buildings		
Proceeds from sale	3	2 000
Carrying value of assets sold	-	(752)
Property, plant and equipment		
Proceeds from sale	91	34
Carrying value of assets sold	(17)	(4)
Selling expense	(1)	(1)
Net gain from sale of assets	76	1 277
Note 4G: Foreign exchange		
Non-speculative gains	1 163	75
Total foreign exchange gains	1 163	75
Note 4H: Reversals of previous asset write-downs and impairments		
Write back of debtors	1 322	1 636
Write back of non-current assets	85	30
Total reversals of previous asset write-downs and impairments	1 407	1 666
Note 4I: Other gains		
Resources received free of charge	1 999	769
Total other gains	1 999	769
Note 4J: Revenue from government		
Appropriations:		
Departmental outputs	1 184 216	1 208 620
Total revenue from government	1 184 216	1 208 620

Note 5: Other comprehensive income

Note 5: Reclassification adjustments

No reclassification adjustments have been recognised in other comprehensive income.

Note 6: Financial assets

	2010 \$'000	2009 \$'000
Note 6A: Cash and cash equivalents		
Cash on hand or on deposit	5 029	3 503
Cash held by outsiders	577	336
Total cash and cash equivalents	5 606	3 840
Note 6B: Trade and other receivables		
Good and Services:		
Goods and services – related entities	3 030	1 177
Goods and services – external parties	10 819	12 874
Total receivables for goods and services	13 849	14 051
Appropriations receivable:		
For existing outputs	301 820	236 007
For additional outputs	-	20 473
Total appropriations receivable	301 820	256 480
Other receivables		
GST receivable from the Australian Taxation Office	7 914	5 458
GST accrued receivable	6 467	6 252
Accrued revenue	2 030	1 370
Total other receivables	16 411	13 080
Total trade and other receivables (gross)	332 080	283 611
Less: impairment allowance account:		
Goods and services allowance	(2 407)	(5 389)
Total trade and other receivables (net)	329 673	278 222
Receivables are expected to be recovered in:		
No more than 12 months	329 673	278 222
Total trade and other receivables (net)	329 673	278 222
Receivables are aged as follows:		
Not overdue	320 838	275 526
Overdue by:		
0 to 30 days	5 621	1 358
30 to 60 days	979	742
61 to 90 days	495	708
More than 90 days	4 147	5 277
Total receivables (gross)	332 080	283 611
The impairment allowance account is aged as follows:		
Not overdue	956	599
Overdue by:		
0 to 30 days	-	90
30 to 60 days	-	414
61 to 90 days	208	479
More than 90 days	1 243	3 807
Total impairment allowance account	2 407	5 389

Note 6: Financial assets *continued*

Reconciliation of the impairment allowance account:

Movements in relation to 2010

	Goods and services \$'000	Other receivables \$'000	Total \$'000
Opening balance 1 July 2009	5 389	-	5 389
Amounts written off	(4 339)	-	(4 339)
Amounts recovered and reversed	(277)	-	(277)
Increase/(decrease) recognised in net surplus	1 634	-	1 634
Closing balance 30 June 2010	2 407	-	2 407

Movements in relation to 2009

	Goods and services \$'000	Other receivables \$'000	Total \$'000
Opening balance 1 July 2008	8 153	-	8 153
Amounts written off	(7 053)	-	(7 053)
Amounts recovered and reversed	(144)	-	(144)
Increase/(decrease) recognised in net surplus	4 433	-	4 433
Closing balance 30 June 2009	5 389	-	5 389

Note 6C: Other financial assets

Property bonds	834	901
Education bonds	22	140
Comcare	71	193
Total other financial assets	927	1 234

All other financial assets are current assets.

Note 7: Non-financial assets

	2010 \$'000	2009 \$'000
Note 7A: Land and buildings		
Land at fair value	70 420	51 483
Buildings on freehold land:		
Work in progress	26 165	71
Fair value	359 511	359 697
Accumulated depreciation	(57)	(17 842)
Total buildings on freehold land	456 039	393 409
Leasehold improvements:		
Work in progress	4 932	15 022
Fair value	159 860	238 848
Accumulated depreciation	(12 998)	(90 692)
Total leasehold improvements	151 794	163 178
Total land and buildings	607 833	556 587

All revaluations were conducted in accordance with the revaluation policy stated at Note 1. In January 2010, Preston Rowe Paterson NSW Pty Ltd conducted the revaluations.

Revaluation increments of \$16 297 000 for land (2009: decrement of \$3 442 000) and increments of \$38 638 000 for buildings on freehold land (2009: \$0), and \$13 639 000 for leasehold improvements (2009: \$0) were credited to the asset revaluation reserve by asset class and included in the equity section of the balance sheet. These increments were net of the impact of a management decision to apply the lesser of lease term or ten years depreciation policy (see Note 1.17) of \$10 813 000.

As a result of the revaluation, buildings in Broadmeadows have been impaired (\$2 955 000) due to the plan to demolish the buildings in the near future. Useful lives of buildings and leasehold improvements were reviewed, including adjustments made to reflect the impact of weather conditions on Christmas Island and Thursday Island.

No land or buildings are expected to be sold within the next 12 months. However, effective from 1 July 2010, land and buildings relating to Detention Centres (\$500 130 000) will be transferred from Departmental to Administered Items.

	2010 \$'000	2009 \$'000
Note 7B: Property, plant and equipment		
Other property, plant and equipment:		
Fair value	57 752	145 376
Accumulated depreciation	(12 117)	(84 873)
Total property, plant and equipment	45 635	60 503

Revaluation increments of \$2 308 000 (2009: \$0) for plant and equipment were credited to the asset revaluation reserve by asset class and included in the equity section of the balance sheet.

The useful life of property, plant and equipment was reviewed, including adjustments made to reflect the impact of weather conditions on Christmas Island and Thursday Island.

Plant and equipment under finance leases were subject to a revaluation decrement of \$5 245 000 (2009:\$0). The carrying amount is included in the valuation referred to above.

No property, plant or equipment is expected to be sold or disposed of within the next 12 months. However, effective from 1 July 2010, assets relating to Detention Centres (\$22 752 000) will be transferred from Departmental to Administered Items.

Note 7: Non-financial assets continued

	Land \$'000	Buildings \$'000	Buildings – leasehold improvements \$'000	Total land and buildings \$'000	Other property plant and equipment \$'000	Total \$'000
Note 7C: Reconciliation of the opening and closing balances of property, plant and equipment (2009-10)						
As at 1 July 2009						
Gross book value	51 483	359 768	253 870	665 121	145 376	810 497
Accumulated depreciation and impairment	-	(17 842)	(90 692)	(108 534)	(84 873)	(193 407)
Accumulated depreciation value opening adjustments – reclassifications	-	(10 809)	10 809	-	-	-
Net book value 1 July 2009	51 483	331 117	173 987	556 587	60 503	617 090
Additions:						
By purchase	2 640	29 898	3 486	36 024	11 165	47 189
By finance lease	-	-	-	-	2 840	2 840
By donation/gift	-	-	-	-	1 417	1 417
From acquisition of entities or operations (including restructuring)	-	7 363	-	7 363	-	7 363
Revaluations and impairments recognised in other comprehensive income	16 297	31 275	13 639	61 211	2 308	63 519
Revaluations recognised in the operating result	-	-	-	-	(5 246)	(5 246)
Reclassifications	-	(839)	704	(135)	169	34
Depreciation expense	-	(13 019)	(28 976)	(41 995)	(22 031)	(64 026)
Other movements:						
Write-offs	-	(176)	(2 132)	(2 308)	(196)	(2 504)
Other	-	-	(350)	(350)	(1 715)	(2 065)
Disposals:						
From disposal of entities or operations (including restructuring)	-	-	(8 564)	(8 564)	(3 496)	(12 060)
Other	-	-	-	-	(83)	(83)
Net book value 30 June 2010	70 420	385 619	151 794	607 833	45 635	653 468
Net book value as of 30 June 2010 represented by:						
Gross book value	70 420	385 676	164 792	620 887	57 752	678 639
Accumulated depreciation ¹	-	(57)	(12 998)	(13 055)	(12 117)	(25 171)
	70 420	385 619	151 794	607 833	45 635	653 468

1. The accumulated depreciation balance as at 30 June 2010 reflects the impact of the revaluation process.

Note 7: Non-financial assets continued

	Land \$'000	Buildings \$'000	Buildings – leasehold improvements \$'000	Total land and buildings \$'000	Other property plant and equipment \$'000	Total \$'000
Note 7C: Reconciliation of the opening and closing balances of property, plant and equipment (2008-09)						
As at 1 July 2008						
Gross book value	53 931	274 204	295 171	623 306	131 592	754 898
Gross book value opening adjustments – reclassifications	-	85 493	(85 493)	-	-	-
Accumulated depreciation and impairment	-	(7 702)	(56 265)	(63 967)	(57 081)	(121 048)
Net book value 1 July 2008	53 931	351 995	153 413	559 339	74 511	633 850
Additions:						
By purchase	990	71	45 752	46 813	950	47 763
By finance lease	-	-	-	-	15 871	15 871
Revaluations and impairments recognised in other comprehensive income	(3 442)	-	-	(3 442)	-	(3 442)
Reclassifications	4	-	(227)	(223)	313	90
Depreciation expense	-	(10 140)	(34 991)	(45 131)	(28 853)	(73 984)
Other movements:						
Write-offs	-	-	(17)	(17)	(192)	(209)
Disposals:						
Other	-	-	(752)	(752)	(2 097)	(2 849)
Net book value 30 June 2009	51 483	341 926	163 178	556 587	60 503	617 090
Net book value as of 30 June 2009 represented by:						
Gross book value	51 483	359 768	253 870	665 121	145 376	810 497
Accumulated depreciation	-	(17 842)	(90 692)	(108 534)	(84 873)	(193 407)
	51 483	341 926	163 178	556 587	60 503	617 090

Note 7: Non-financial assets *continued*

	2010 \$'000	2009 \$'000
Note 7D: Intangibles		
Computer software:		
Internally developed – in progress	41 690	60 845
Internally developed – in use	342 491	261 881
Purchased	<u>65 445</u>	<u>65 445</u>
Total computer software (gross)	<u>449 626</u>	<u>388 171</u>
Accumulated amortisation	<u>(181 917)</u>	<u>(134 268)</u>
Total computer software (net)	<u>267 709</u>	<u>253 903</u>
Total intangibles	<u>267 709</u>	<u>253 903</u>

The Integrated Client Service Environment software (ICSE) was impaired by the functionality replaced by Systems for People and Revenue Receipting. The total write-off relating to software impairment where the carrying amount exceeded the recoverable amount of the assets was \$1 910 000. (2009: \$6 419 000).

No intangible assets are expected to be sold or disposed of within the next 12 months.

Note 7: Non-financial assets *continued*

	Computer software internally developed \$'000	Computer software purchased \$'000	Total \$'000
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Note 7E: Reconciliation of the opening and closing balances of intangibles (2009-10)

As at 1 July 2009

Gross book value	322 726	65 445	388 171
Accumulated amortisation and impairment	(118 358)	(15 910)	(134 268)
Net book value 1 July 2009	204 368	49 535	253 903

Additions:

Internally developed	67 292	-	67 292
Impairments recognised in the operating result	(1 910)	-	(1 910)
Reclassifications	(35)	-	(35)
Amortisation	(50 809)	(671)	(51 480)
Other movements:			
Write offs	(61)	-	(61)

Net book value 30 June 2010	218 845	48 864	267 709
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Net book value as of 30 June 2010 represented by:

Gross book value	384 181	65 445	449 626
Accumulated amortisation and impairment	(165 336)	(16 581)	(181 917)
	218 845	48 864	267 709

Note 7E: Reconciliation of the opening and closing balances of intangibles (2008-09)

As at 1 July 2008

Gross book value	288 330	40 741	329 071
Gross book value opening adjustments – reclassifications	(24 413)	24 413	-
Accumulated amortisation and impairment	(82 684)	(13 947)	(96 631)
Net book value 1 July 2008	181 233	51 207	232 440

Additions:

By purchase	-	291	291
Internally developed	67 964	-	67 964
Impairments recognised in the operating result	(6 419)	-	(6 419)
Reclassifications	(90)	-	(90)
Amortisation	(37 663)	(1 963)	(39 626)
Other movements:			
Write offs	(657)	-	(657)

Net book value 30 June 2009	204 368	49 535	253 903
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Net book value as of 30 June 2009 represented by:

Gross book value	322 726	65 445	388 171
Accumulated amortisation and impairment	(118 358)	(15 910)	(134 268)
	204 368	49 535	253 903

Note 7: Non-financial assets *continued*

	2010 \$'000	2009 \$'000
Note 7F: Other non-financial assets		
Prepayments	<u>11 370</u>	<u>13 899</u>
Total other non-financial assets	<u>11 370</u>	<u>13 899</u>
No indicators of impairment were found for other non-financial assets.		
Total other non-financial assets – are expected to be recovered in:		
No more than 12 months	11 178	13 529
More than 12 months	<u>192</u>	<u>370</u>
Total other non-financial assets	<u>11 370</u>	<u>13 899</u>

Note 8: Payables

	2010 \$'000	2009 \$'000
Note 8A: Suppliers		
Trade creditors and accruals	90 741	99 672
Operating lease rentals	5 659	804
Total supplier payables	96 400	100 476
Supplier payables expected to be settled within 12 months:		
Related entities	16 309	10 491
External parties	80 091	89 985
Total supplier payables	96 400	100 476

Settlement is usually made net 30 days.

Note 8B: Other payables

Salaries and wages	12 333	11 074
Salary sacrifice payable	1 077	1 013
Superannuation	1 532	1 225
Separations and redundancies ¹	4 379	18 082
Unearned income	-	17
Operating leases	13 749	11 072
Lease incentives	9 148	10 467
Other	876	1 056
Total other payables	43 094	54 006
Total other payables are expected to be settled in:		
No more than 12 months	18 858	32 446
More than 12 months	24 236	21 560
Total other payables	43 094	54 006

1. 'Separations and redundancies' was classified as Employee Provisions in 2009.

Note 9: Interest bearing liabilities

	2010 \$'000	2009 \$'000
Note 9: Leases		
Finance lease liability ¹	21 324	37 991
Total finance leases	21 324	37 991
Payable:		
Within one year		
Minimum lease payments	13 564	19 843
Deduct: future finance charges	(1 103)	(2 052)
In one to five years		
Minimum lease payments	9 364	21 457
Deduct: future finance charges	(501)	(1 257)
Finance leases recognised on the balance sheet	21 324	37 991

1. Finance leases exist in relation to certain information technology and communications equipment assets. The leases were non-cancellable and for fixed terms averaging 4 years. The interest rate implicit in the leases averaged 5.99% (2009: 6.47%). The leased assets secure the lease liabilities. The department guarantees the residual values of all assets leased. There are no contingent rentals.

Note 10: Provisions

	2010 \$'000	2009 \$'000
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Note 10A: Employee provisions

Leave	138 827	146 164
Other employee provisions	7 080	6 924
Total employee provisions	145 907	153 088

Employee provisions are expected to be settled in:

No more than 12 months	51 022	42 113
More than 12 months	94 885	110 975
Total employee provisions	145 907	153 088

Note 10B: Other provisions

Restoration obligations ¹	20 507	17 376
Onerous contract ²	31 623	15 561
Total other provisions	52 130	32 937

Other provisions are expected to be settled in:

No more than 12 months	11 120	4 411
More than 12 months	41 010	28 526
Total other provisions	52 130	32 937

	Provision for restoration \$'000	Provision for onerous contract \$'000	Total \$'000
Carrying amount 1 July 2009	17 376	15 561	32 937
Additional provisions made	3 996	19 077	23 073
Amounts used	(74)	(3 595)	(3 669)
Amounts reversed	(1 478)	(193)	(1 671)
Unwinding of discount or change in discount rate	687	773	1 460
Closing balance 2010	20 507	31 623	52 130

1. Restoration obligations – The department currently has approximately eighty agreements for the leasing of premises which have provisions requiring the department to restore the premises to their original condition at the conclusion of the lease. The department has made a provision to reflect the present value of the obligations.
2. The department currently has seven agreements for the leasing of premises which have surplus lease space. These leases are non-cancellable and therefore the unavoidable costs of meeting the obligations under the contracts exceed the economic benefits expected to be received under it. The department is actively seeking to sublease the premises. The department has made a provision to reflect the present value of the obligations.

Note 11: Restructuring

2010
\$'000

Note 11: Departmental restructuring

1. Baxter

During 2007-08 the Baxter Immigration Detention Centre was closed with ownership of the assets transferred to the Department of Families, Housing, Community Services and Indigenous Affairs and the site returned to the Department of Defence. A final transfer to the Department of Defence occurred in 2009-10.

The net book value of departmental assets transferred to the Department of Defence in 2009-10 for no consideration and recognised as at the date of transfer was:

Total assets relinquished	
• Land and buildings	8 564
• Property, plant and equipment	3 300
Net assets relinquished	11 864

2. Woomera

During 2007-08 the Woomera Immigration Reception and Processing Centre (IRPC) was decommissioned with the return of the site to the Department of Defence. The ownership of demountable buildings, plant and equipment assets from the Woomera IRPC were transferred to the Department of Families, Housing, Community Services and Indigenous Affairs and the Department of Defence. A final transfer occurred in 2009-10.

The net book value of departmental assets transferred to the Department of Families, Housing, Community Services and Indigenous Affairs in 2009-10 for no consideration and recognised as at the date of transfer was:

Total assets relinquished – Property, plant and equipment	196
Net assets relinquished	196

3. Christmas Island

The Department of Finance and Deregulation was responsible for the management of the design and construction of the Immigration Detention Centre (IDC) on Christmas Island. The transfer from Department of Finance and Deregulation in 2009-10 represents the final costs incurred during the defect liability period of the IDC in June 2010, following the issue of the final certificate of occupancy on 25 March 2010.

The net book value of departmental assets transferred from the Department of Finance and Deregulation for no consideration and recognised as at the date of transfer was:

Total assets recognised – Land and buildings	7 363
Net assets assumed	7 363
Net increase (decrease) in net assets during the financial year	(4 697)

Note 12: Cash flow reconciliation

	2010 \$'000	2009 \$'000
Reconciliation of cash and cash equivalents as per balance sheet to cash flow statement		
Cash and cash equivalents as per:		
Cash flow statement	5 606	3 840
Balance sheet	5 606	3 840
Difference	-	-
Reconciliation of net cost of services to net cash from operating activities:		
Net cost of services	(1 178 724)	(1 256 208)
Add revenue from Government	1 184 216	1 208 620
Adjustments for non-cash items		
Depreciation /amortisation	115 506	113 610
Net write down of non-financial assets	9 721	7 285
Gain on disposal of assets	(28)	(1 142)
Resources received free of charge – goods	(1 417)	(18)
Changes in assets / liabilities		
Assets recognised for the first time	(85)	(30)
(Increase) / decrease in net receivables	(76 165)	1 275
(Increase) / decrease in accrued revenues	(660)	1 309
(Increase) / decrease in prepayments	2 529	6 499
(Increase) / decrease in other financial assets	307	93
Increase / (decrease) in employee provisions	(7 181)	25 292
Increase / (decrease) in supplier payables	(4 076)	(37 902)
Increase / (decrease) in other provisions	19 193	17 122
Increase / (decrease) in lease incentives	(1 319)	(1 661)
Increase / (decrease) in other payables	(9 592)	5 107
Net cash from / (used by) operating activities	52 223	89 251

Note 13: Contingent liabilities and assets

	Indemnities		Claims for damages or costs		Total	
	2010 \$'000	2009 \$'000	2010 \$'000	2009 \$'000	2010 \$'000	2009 \$'000
Contingent liabilities						
Balance from previous period	1 167	1 195	2 664	3 864	3 831	5 059
New	-	-	1 314	2 398	1 314	2 398
Re-measurement	3	(28)	1 583	(826)	1 586	(854)
Liabilities recognised	-	-	(125)	(2 762)	(125)	(2 762)
Obligations expired	-	-	(740)	(10)	(740)	(10)
Total contingent liabilities	1 170	1 167	4 696	2 664	5 866	3 831

As at 30 June 2010 the department had no quantifiable contingent assets or guarantees (2009: nil).

Quantifiable contingencies

The schedule of contingencies reports net contingent liabilities in respect of indemnities and claims for damages/costs of \$5 866 000 (2009: \$3 831 000). The figures for indemnities have been determined through reference to the amounts stated in the contracts. The claims for damages/costs amount represents an estimate of the department's liability based on precedent cases. The department is defending the claims.

The scheme for Compensation for Detriment Caused by Defective Administration (CDDA) is a method for agencies to provide for compensation to persons who have been adversely affected by the maladministration of agencies, but who have no legal means to seek redress, such as a legal claim. As at 30 June 2010 the department has 2 claims outstanding (2009: 4) under the CDDA scheme.

The Commonwealth and Immigration Ombudsman investigated the cases of 247 persons who were held in immigration detention and were recorded on Departmental systems as being "released not unlawful". Following release of the Ombudsman's final reports, the 247 cases were reviewed by the department to determine what, if any, remedial action may be appropriate, including compensation.

The amounts reported in the schedule represent an estimate of the department's liability based on a preliminary analysis of the claims made. The department is investigating these claims.

The department's insurer (Comcover) is notified of all claims for compensation as required by the terms of our insurance coverage.

Unquantifiable contingencies

As at 30 June 2010 the department had a number of legal claims against it including the matter of Giles & Anor v Commonwealth & Ors (a class action arising from British child migrant scheme). The department has responded to these claims in accordance with its obligations as a model litigant under the Attorney-General's Legal Services Directions. Some of these claims are being defended in the courts whilst others are in the process of being resolved by negotiated settlement. It is not possible to estimate the amounts of any eventual payments that may be required in relation to these claims.

The department has entered into a contract with IBM Australia (IBM) for the provision of systems development services for the department. The arrangement facilitates the delivery of the new departmental program Systems for People. The department has agreed to limit IBM's liability to an overall maximum of \$150 million for certain causes of action.

Significant remote contingencies

As at 30 June 2010 the department has a further seven claims under the CDDA scheme for which payment has been assessed as remote. The reported amounts in the schedule represent an estimate of the department's liability based on a preliminary analysis of the claims made. The department is investigating these claims.

The department has entered into a deed of agreement with the British Broadcasting Corporation (BBC) for the subscription to BBC monitoring online which contains a contractor indemnity clause. The indemnity clause may be invoked if information provided by BBC monitoring is used for purposes outside the agreement guidelines. This indemnity is capped at \$650 000.

Note 14: Senior executive remuneration

	2010	2009
Note 14A: Actual remuneration paid to senior executive¹		
Table 1: Number of senior executives who received:		
less than \$145 000*	2	2
\$145 000 to \$159 999	2	6
\$160 000 to \$174 999	3	1
\$175 000 to \$189 999	4	9
\$190 000 to \$204 999	16	13
\$205 000 to \$219 999	18	16
\$220 000 to \$234 999	5	11
\$235 000 to \$249 999	8	5
\$250 000 to \$264 999	7	6
\$265 000 to \$279 999	2	8
\$280 000 to \$294 999	1	2
\$295 000 to \$309 999	4	-
\$310 000 to \$324 999	1	1
\$340 000 to \$354 999	1	1
\$355 000 to \$369 999	1	1
\$385 000 to \$399 999	-	1
\$490 000 to \$504 999	1	-
\$595 000 to \$609 999	-	1
Total	76	84

* Excluding acting arrangements and part-year service.

Table 2: Total expense recognised in relation to senior executive employment

	\$'000	\$'000
Short-term employee benefits:		
Salary (including annual leave taken)	12 255 876	12 095 517
Changes in annual leave provisions	144 194	151 576
Performance bonus ²	47 305	1 034 009
Other ³	2 496 356	2 699 204
Total Short-term employee benefits	14 943 731	15 980 306
Superannuation (post-employment benefits)	2 274 017	2 611 977
Other long-term benefits	(50 180)	363 512
Total	17 167 568	18 955 795

During the year the entity paid \$0 in termination benefits to senior executives (2009: \$402 802)

Notes

- The total remuneration package includes:
 - Salary (including annual leave taken)
 - Movement in the annual and long service leave provisions
 - Superannuation
 - Motor vehicle and other allowances
 - Fringe benefits
- Performance bonus was rolled into salary with effect from 1 July 2009.
- "Other" includes motor vehicle allowances and other allowances.

Note 14: Senior executive remuneration *continued*

Note 14B: Salary packages of senior executives

Average annualised remuneration packages for substantive senior executives⁴

	As at 30 June 2010			As at 30 June 2009		
	No. SES	Base salary (including annual leave)	Total remuneration package	No. SES	Base salary (including annual leave)	Total remuneration package
Total remuneration:						
\$175 000 to \$189 999	4	140 908	185 224	5	134 461	184 332
\$190 000 to \$204 999	26	147 177	199 417	27	136 630	197 484
\$205 000 to \$219 999	15	151 659	210 605	12	136 656	212 271
\$220 000 to \$234 999	7	163 358	229 720	8	151 752	229 776
\$235 000 to \$249 999	7	171 091	243 985	7	154 623	244 947
\$250 000 to \$264 999	6	183 730	255 268	8	161 461	257 374
\$265 000 to \$279 999	4	202 591	268 602	6	178 130	270 786
\$280 000 to \$294 999	3	193 725	287 649	-	-	-
\$295 000 to \$309 999	4	216 684	304 021	1	183 065	306 464
\$310 000 to \$324 999	3	225 212	322 760	2	217 350	321 949
\$325 000 to \$339 999	1	255 214	330 007	-	-	-
\$490 000 to \$504 999	1	411 553	499 185	-	-	-
\$505 000 to \$519 999	-	-	-	1	399 608	511 328
Total	81	-	-	77	-	-

4. The total remuneration package includes:

- (a) Agreed base salary (including annual leave)
- (b) Superannuation
- (c) Motor vehicle and other allowances
- (d) Fringe benefits

Major differences between Note 14A and 14B

Note 14A includes amounts paid (and payable) to senior executives (including acting arrangements and part year service where the \$145 000 threshold was reached during the year). Note 14B reflects only substantive senior executives packages in existence as at 30 June.

These amounts may differ to the remuneration package disclosed in Note 14A depending on: the amount of leave taken during the year; part-year service; periods of leave without pay; acting arrangements; changes to base salary, salary for superannuation purposes and allowances during the year; and revaluations of employee provisions.

Note 15: Remuneration of auditors

	2010 \$'000	2009 \$'000
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Financial statement audit services are provided free of charge to the department.

The fair value of the services provided was:

Financial statement audit	<u>475</u>	<u>640</u>
	<u>475</u>	<u>640</u>

No other services were provided by the Auditor-General.

Note 16: Financial instruments

	2010 \$'000	2009 \$'000
Note 16A: Categories of financial instruments		
Financial assets		
Loans and receivables		
Cash and cash equivalents	5 606	3 840
Goods and services receivable	11 442	8 662
Carrying amount of financial assets	<u>17 048</u>	<u>12 502</u>
Financial liabilities		
At amortised cost:		
Finance leases	21 324	37 991
Trade creditors	90 741	99 672
Operating lease creditors	5 659	804
Carrying amount of financial liabilities	<u>117 724</u>	<u>138 467</u>
Note 16B: Net income and expense from financial assets		
Loans and receivables		
Impairment	(4 285)	(8 052)
Net gain/(loss) from financial assets	<u>(4 285)</u>	<u>(8 052)</u>
Note 16C: Net income and expense from financial liabilities		
At amortised cost:		
Interest expense	(2 052)	(3 295)
Net gain/(loss) from financial liabilities	<u>(2 052)</u>	<u>(3 295)</u>

The net expense from financial assets not at fair value from profit and loss is \$6 337 000 (2009: \$11 347 000)

The carrying amount of financial instruments is a reasonable approximation of fair value.

Note 16: Financial instruments *continued*

Note 16D: Credit risk

The maximum exposure to credit risk is the risk that arises from potential default of a debtor. This amount is equal to the total amount of trade receivables of \$13 849 000 in 2010 (2009: \$14 051 000). The department has assessed the risk of the default on payment and has allocated \$2 407 000 in 2010 (2009: \$5 389 000) to an allowance for doubtful debts account. The department holds no collateral to mitigate against credit risk.

Credit quality of financial instruments not past due or individually determined as impaired

	Not past due nor impaired 2010 \$'000	Not past due nor impaired 2009 \$'000	Past due or impaired 2010 \$'000	Past due or impaired 2009 \$'000
Financial assets				
Loans and receivables				
Cash and cash equivalents	5 606	3 840	-	-
Goods and services receivable	753	5 192	13 096	8 859
Total	6 359	9 032	13 096	8 859

Ageing of financial assets that were past due but not impaired for 2010

	0 to 30 days \$'000	31 to 60 days \$'000	61 to 90 days \$'000	90+ days \$'000	Total \$'000
Financial assets					
Loans and receivables					
Goods and services receivable	5 621	979	239	2 680	9 519
Total	5 621	979	239	2 680	9 519

Ageing of financial assets that were past due but not impaired for 2009

	0 to 30 days \$'000	31 to 60 days \$'000	61 to 90 days \$'000	90+ days \$'000	Total \$'000
Financial assets					
Loans and receivables					
Goods and services receivable	1 181	279	197	938	2 595
Total	1 181	279	197	938	2 595

The following assets have been individually assessed as impaired for 2010

	Not Past Due \$'000	1 to 30 days \$'000	31 to 60 days \$'000	61 to 90 days \$'000	90+ days \$'000	Total \$'000
Financial assets						
Loans and receivables						
Goods and services receivable	1 854	-	-	256	1 467	3 577
Total	1 854	-	-	256	1 467	3 577

The following assets have been individually assessed as impaired for 2009

	Not Past Due \$'000	1 to 30 days \$'000	31 to 60 days \$'000	61 to 90 days \$'000	90+ days \$'000	Total \$'000
Financial assets						
Loans and receivables						
Goods and services receivable	775	177	463	510	4 339	6 264
Total	775	177	463	510	4 339	6 264

Note 16: Financial instruments *continued*

Note 16E: Liquidity risk

The department's financial liabilities are trade creditors, finance leases and operating lease creditors. The exposure to liquidity risk is based on the notion that the department may encounter difficulty in meeting its obligations associated with financial liabilities. This is highly unlikely due to appropriation funding and mechanisms available to the department (e.g. Advance to the Finance Minister) and internal policies and procedures put in place to ensure there are appropriate resources to meet the department's financial obligations.

Maturities for non-derivative financial liabilities 2010

	On demand \$'000	Within 1 year \$'000	1 to 2 years \$'000	2 to 5 years \$'000	Total \$'000
Finance leases	-	12 461	6 786	2 077	21 324
Trade creditors	-	90 741	-	-	90 741
Operating lease creditors	-	5 659	-	-	5 659
Total	-	108 861	6 786	2 077	117 724

Maturities for non-derivative financial liabilities 2009

	On demand \$'000	Within 1 year \$'000	1 to 2 years \$'000	2 to 5 years \$'000	Total \$'000
Finance leases	-	17 791	15 843	4 357	37 991
Trade creditors	-	99 672	-	-	99 672
Operating lease creditors	-	804	-	-	804
Total	-	118 267	15 843	4 357	138 467

The department has no derivative financial liabilities in either the current or prior financial year.

Note 16F: Market risk

The department holds basic financial instruments that do not expose the department to material market risk.

Notes to the schedule of administered items

Note 17: Income administered on behalf of government

	2010 \$'000	2009 \$'000
Revenue		
Note 17A: Sale of goods and rendering of services¹		
Adult Migrant English Program charge	7 674	8 507
Total rendering of services	<u>7 674</u>	<u>8 507</u>
Total sale of goods and rendering services	<u>7 674</u>	<u>8 507</u>
Note 17B: Fees and fines¹		
Visa application fees	891 667	773 960
Citizenship fees	27 868	22 844
Immigration fines	4 801	2 535
Other fees	<u>12 308</u>	<u>7 680</u>
Total fees and fines	<u>936 644</u>	<u>807 019</u>
Gains		
Note 17C: Reversal of previous asset write-downs and impairments		
Write back of debtors	<u>269</u>	<u>1 614</u>
Total reversals of previous asset write-downs and impairments	<u>269</u>	<u>1 614</u>
Note 17D: Foreign exchange		
Non-speculative	<u>140</u>	<u>600</u>
Total foreign exchange gains	<u>140</u>	<u>600</u>
1. Comparatives have been adjusted for the reclassification of the second instalment of visa application charges from sale of goods and rendering of services to fees and fines.		

Note 18: Expenses administered on behalf of government

	2010 \$'000	2009 \$'000
Expenses		
Note 18A: Suppliers		
Goods and services		
Adult Migrant English Program	203 273	174 517
Detention centres and detainee related	191 104	100 302
Refugees settlement and related	136 164	84 802
Travel and transport	27 644	9 173
Contractors and consultants	12 964	708
Other	21 436	8 284
Total goods and services	592 585	377 786
Goods and services consist of:		
Rendering of services – related entities	18 795	2 463
Rendering of services – external parties	573 790	375 323
Total goods and services	592 585	377 786
Total suppliers expenses	592 585	377 786
Note 18B: Subsidies		
Payable to external parties	9 455	16 074
Total subsidies	9 455	16 074
Note 18C: Personal benefits¹		
Direct	4 834	444
Indirect	8 619	7 042
State payment – refugee minors	4 331	2 300
Total personal benefits	17 784	9 786
1. Personal benefits are current transfers for the benefit of individuals or households that do not require any economic benefit to flow back to Government, and include asylum seekers assistance and payments to refugee minors.		
Note 18D: Grants		
Private sector:		
Non-profit organisations	38 065	39 734
Total grants	38 065	39 734
Note 18E: Write-down and impairment of assets		
Asset write-downs from		
Receivables	2 550	21 541
Waived debts	1 307	453
Losses	-	2
Total write-down and impairment of assets	3 857	21 996
Note 18F: Foreign exchange losses		
Non-speculative losses	-	64
Total foreign exchange losses	-	64
Note 18G: Other expenses		
Act of grace payments	112	227
Gifting of public property	676	839
Total other expenses	788	1 066

Note 19: Assets administered on behalf of government

	2010 \$'000	2009 \$'000
Financial assets		
Note 19A: Cash and cash equivalents		
Cash on hand or on deposit	9 697	8 423
Total cash and cash equivalents	9 697	8 423
Note 19B: Receivables		
Goods and services:		
Goods and services receivable – external parties	4	20
Total receivables for goods and services	4	20
Other receivables:		
Fees	889	601
Detainee debts	127	8 041
GST accrued receivable	7 767	6 652
GST receivable from ATO	8 416	2 032
Total other receivables	17 199	17 326
Total receivables (gross)	17 203	17 346
Less: Allowance for impairment:		
Goods and services	-	(9)
Other receivables	-	(8 063)
Total allowance for impairment	-	(8 072)
Total receivables (net)	17 203	9 274
All Receivables are expected to be recovered in no more than 12 months.		
Receivables are aged as follows:		
Not overdue	16 709	10 359
Overdue by:		
0 to 30 days	55	622
31 to 60 days	24	745
61 to 90 days	37	279
More than 90 days	378	5 341
Total receivables (gross)	17 203	17 346
The allowance for impairment is aged as follows:		
Not overdue	-	1 444
Overdue by:		
0 to 30 days	-	550
31 to 60 days	-	716
61 to 90 days	-	237
More than 90 days	-	5 125
Total allowance for impairment	-	8 072
All receivables are current assets.		
Goods and services receivables are with entities external to the Australian Government. Credit terms are net 30 days (2009: 30 days).		

Note 19: Assets administered on behalf of government *continued*

Reconciliation of the allowance for impairment: Movements in relation to 2010

	Goods and services receivables \$'000	Other receivables \$'000	Total \$'000
Opening balance	9	8 063	8 072
Amounts written off	-	(8 016)	(8 016)
Amounts recovered and reversed	(9)	(47)	(56)
Increase/decrease recognised in net surplus	-	-	-
Closing balance	-	-	-

Movements in relation to 2009

	Goods and services receivables \$'000	Other receivables \$'000	Total \$'000
Opening balance	-	7 649	7 649
Amounts written off	-	(4 473)	(4 473)
Amounts recovered and reversed	-	(27)	(27)
Increase/decrease recognised in net surplus	9	4 914	4 923
Closing balance	9	8 063	8 072

	2010 \$'000	2009 \$'000
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Note 19C: Other financial assets

Accrued revenue – detainee debts	-	20 669
Other accrued revenue	12 608	7 054
Provision for unrecoverable accrued revenue	-	(20 669)
Total other financial assets	12 608	7 054

All other financial assets are current assets.

The *Migration Amendment (Abolishing Detention Debt) Act 2009* came into effect on 9 November 2009. The Act abolished the imposition of the cost recovery associated with placing unlawful non-citizens in detention, with the exception of illegal foreign fishers and people smugglers. The Act extinguished all unpaid detention related debt, including debt which has been historically written-off as uncollectible.

Note 20: Liabilities administered on behalf of government

	2010 \$'000	2009 \$'000
Payable		
Note 20A: Suppliers		
Trade creditors – related entities	10 926	4 805
Trade creditors – external parties	<u>119 113</u>	<u>72 125</u>
Total suppliers	<u>130 039</u>	<u>76 930</u>
All supplier payables are expected to be settled within 12 months. Settlement is usually made within 30 days.		
Note 20B: Subsidies		
Payable to external parties	<u>5 635</u>	<u>4 965</u>
Total subsidies	<u>5 635</u>	<u>4 965</u>
All subsidies payable are expected to be settled within 12 months.		
Note 20C: Personal benefits		
Indirect benefits	<u>2 609</u>	<u>1 379</u>
Total personal benefits	<u>2 609</u>	<u>1 379</u>
All personal benefits payable are expected to be settled within 12 months.		
Note 20D: Grants		
Private sector:		
Non-profit organisations	<u>21</u>	<u>101</u>
Total grants	<u>21</u>	<u>101</u>
All grants payable are expected to be settled within 12 months. Settlement is usually made according to the terms and conditions of each grant. This is usually within 30 days of performance or eligibility.		

Note 20: Liabilities administered on behalf of government *continued*

	2010 \$'000	2009 \$'000
Note 20E: Other payables		
Unearned income	75	-
GST payable	-	1 892
Total other payables	<u>75</u>	<u>1 892</u>
All other payables are expected to be settled within 12 months.		
Note 20F: Other provisions		
Provision for bonds	<u>50 366</u>	<u>56 409</u>
Total other provisions	<u>50 366</u>	<u>56 409</u>
Other provisions are expected to be settled in:		
No more than 12 months	48 694	53 092
More than 12 months	<u>1 672</u>	<u>3 317</u>
Total other provisions	<u>50 366</u>	<u>56 409</u>
	Provision for bonds \$'000	Total \$'000
Carrying amount 1 July 2009	56 409	56 409
Additional provisions made	135 153	135 153
Amounts used	(129 733)	(129 733)
Amounts reversed	<u>(11 463)</u>	<u>(11 463)</u>
Closing balance 30 June 2010	<u>50 366</u>	<u>50 366</u>
The department collects and repays securities for the purpose of compliance with the provisions of the <i>Migration Act 1958</i> and regulations. Currently the department collects three types of securities; compliance, visitor visa and professional development visa bonds. The bonds are held until such time they are either forfeited or refunded to the clients.		

Note 21: Administered reconciliation table

	2010 \$'000	2009 \$'000
Opening administered assets less administered liabilities as at 1 July	(116 925)	(88 476)
Adjusted opening administered assets less administered liabilities		
Plus: Administered income	968 900	848 303
Less: Administered expenses (non CAC)	(662 534)	(466 506)
Appropriation transfers from Official Public Account:		
Annual appropriations for administered expenses (non CAC)	736 881	559 575
Administered assets and liabilities appropriations	44 702	-
Special appropriations (unlimited) (non CAC)	-	28 647
Transfers to Official Public Account	<u>(1 120 259)</u>	<u>(998 468)</u>
Closing administered assets less administered liabilities as at 30 June	<u>(149 235)</u>	<u>(116 925)</u>

Note 22: Administered contingent assets and liabilities

	Claims for damages or costs		Total	
	2010 \$'000	2009 \$'000	2010 \$'000	2009 \$'000
Contingent liabilities				
Balance from previous period	9 135	-	9 135	-
New	-	9 135	-	9 135
Re-measurement	-	-	-	-
Liabilities recognised	(176)	-	(176)	-
Obligations expired	(3 108)	-	(3 108)	-
Total contingent liabilities	5 851	9 135	5 851	9 135

As at 30 June 2010 the department had no quantifiable administered contingent assets, indemnities or guarantees (2009: nil).

Quantifiable contingencies

The Schedule of Administered Contingencies reports net contingent liabilities in respect of indemnities and claims for damages/costs of \$5 851 000 (2009: \$9 135 000).

An act of grace payment can be granted by the Finance Minister to a person who has been unintentionally disadvantaged by the effect of Australian Government legislation, actions or omissions and who has no other means of compensation. As at 30 June 2010 the department has no claims for act of grace payments (2009: two). The amounts in the schedule represent an estimate of the department's liability based on a preliminary analysis of the claims made. The department is investigating these claims.

Unquantifiable contingencies

At 30 June 2010, the department has no unquantifiable administered contingencies.

Significant remote contingencies

As at 30 June 2010 the department has no claims for act of grace payments which have been assessed as remote (2009: two). The amounts in the schedule represent an estimate of the department's liability based on a preliminary analysis of the claims made. The department is investigating these claims.

Ex-gratia payments are made to groups or individuals who have suffered a loss or financial detriment and cannot seek redress for that loss under an established government program or legal mechanism. The department has received a claim for an ex-gratia payment relating to a refusal to process 457 visas. All ex gratia claims are assessed on their individual merits. The amount in the schedule represents an estimate of the department's liability based on a preliminary analysis of the claim made. The department is investigating this claim.

The department has entered into a contract with Serco Pty Ltd (Serco), effective 1 July 2009, to deliver immigration detention services in Australia on behalf of the Australian Government at immigration detention centres. In this contract, the department has agreed to limit Serco's liability to the department to a maximum of any insurance proceeds recovered by Serco and \$75 million. Serco's liability is unlimited for specific events defined under the contract.

In a separate contract with Serco which commenced on 11 December 2009, to deliver immigration detention services in Australia on behalf of the Australian Government at immigration residential housing, immigration transit accommodation and alternative places of detention, the department has agreed to limit Serco's liability to the department to a maximum of any insurance proceeds recovered by Serco and \$17 million. Serco's liability is unlimited for specific events defined under the contract.

Note 23: Administered investments

The department does not hold any administered investments.

Note 24: Administered financial instruments

	2010 \$'000	2009 \$'000
Note 24A: Categories of financial instruments		
Financial assets		
Loans and receivables financial assets		
Cash and cash equivalents	9 697	8 423
Goods and services receivable	4	20
Carrying amount of financial assets	9 701	8 443
Financial liabilities		
Other liabilities		
Trade creditors	130 039	76 930
Subsidies payable	5 635	4 965
Personal benefits payable	2 609	1 379
Grants payable	21	101
Carrying amount of financial liabilities	138 304	83 375
The carrying value of financial instruments is a reasonable approximation of their fair value.		

Note 24: Administered financial instruments *continued*

Note 24B: Credit risk

The maximum exposure to credit risk is the risk that arises from potential default of a debtor. This amount is equal to the total amount of goods and services receivable (2010: \$4 000 and 2009 equivalent: \$20 000).

The department has assessed the risk of the default on payment and has allocated \$0 in 2010 (2009 equivalent: \$9 000) to an allowance for doubtful debts account.

The department holds no collateral to mitigate against credit risk.

Credit quality of financial instruments not past due or individually determined as impaired

Financial assets	Not past due nor impaired 2010 \$'000	Not past due nor impaired 2009 \$'000	Past due or impaired 2010 \$'000	Past due or impaired 2009 \$'000
Loans and receivables				
Cash and cash equivalents	9 697	8 423	-	-
Goods and services receivable	-	4	4	16
Total	9 697	8 427	4	16

Ageing of financial assets that were past due but not impaired for 2010

Financial assets	0 to 30 days \$'000	31 to 60 days \$'000	61 to 90 days \$'000	90+ days \$'000	Total \$'000
Loans and receivables					
Goods and services receivable	1	1	1	1	4
Total	1	1	1	1	4

Ageing of financial assets that were past due but not impaired for 2009

Financial assets	0 to 30 days \$'000	31 to 60 days \$'000	61 to 90 days \$'000	90+ days \$'000	Total \$'000
Loans and receivables					
Goods and services receivable	-	-	-	-	-
Total	-	-	-	-	-

The following list of assets have been individually assessed as impaired for 2010

Financial assets	Not Past Due \$'000	1 to 30 days \$'000	31 to 60 days \$'000	61 to 90 days \$'000	90+ days \$'000	Total \$'000
Loans and receivables						
Goods and services receivable	-	-	-	-	-	-
Total	-	-	-	-	-	-

The following list of assets were individually assessed as impaired for 2009 equivalent

Financial assets	Not Past Due \$'000	1 to 30 days \$'000	31 to 60 days \$'000	61 to 90 days \$'000	90+ days \$'000	Total \$'000
Loans and receivables						
Goods and services receivable	2	-	3	5	6	16
Total	2	-	3	5	6	16

Note 24: Administered financial instruments *continued*

Note 24C: Liquidity risk

The department's financial liabilities are trade creditors. The exposure to liquidity risk is based on the notion that the department may encounter difficulty in meeting its obligations associated with financial liabilities. This is highly unlikely due to appropriation funding and mechanisms available to the department (e.g. Advance to the Finance Minister) and internal policies and procedures put in place to ensure there are appropriate resources to meet the department's financial obligations.

Maturities for non-derivative financial liabilities 2010

	On demand 2010 \$'000	Within 1 year 2010 \$'000	Total 2010 \$'000
Other liabilities			
Trade creditors	-	130 039	130 039
Subsidies payable	-	5 635	5 635
Personal benefits payable	-	2 609	2 609
Grants payable	-	21	21
Total	-	138 304	138 304

Maturities for non-derivative financial liabilities 2009

	On demand 2009 \$'000	Within 1 year 2009 \$'000	Total 2009 \$'000
Other liabilities			
Trade creditors	-	76 930	76 930
Subsidies payable	-	4 965	4 965
Personal benefits payable	-	1 379	1 379
Grants payable	-	101	101
Total	-	83 375	83 375

Note 24D: Market risk

The department holds basic financial instruments that do not expose the department to material market risk.

Note 25: Appropriations

Table A: Acquittal of authority to draw cash from the consolidated revenue fund for ordinary annual services appropriations

Particulars	Administered expenses												Total 2009 \$'000				
	Outcome 1		Outcome 2		Outcome 3		Outcome 4		Outcome 5		Outcome 6			Total administered		Departmental outputs	
	2010 \$'000	2009 \$'000	2010 \$'000	2009 \$'000	2010 \$'000	2009 \$'000	2010 \$'000	2009 \$'000	2010 \$'000	2009 \$'000	2010 \$'000	2009 \$'000		2010 \$'000	2009 \$'000	2010 \$'000	2009 \$'000
Balance brought forward from previous period (Appropriation Acts)	43 925	554	60 115	20 982	-	-	35 627	-	57 603	-	296	-	104 040	21 536	242 065	217 164	238 700
Adjustment to opening balances ¹	(43 925)	-	(49 601)	-	-	-	35 627	-	57 603	-	296	-	104 040	21 536	242 065	217 164	238 700
Adjusted balance brought forward from previous period	-	554	10 514	20 982	-	-	-	-	-	-	-	-	-	-	-	-	-
Appropriation Act:																	
Appropriation Act No. 1, 3(3) 2009-2010 as passed	50	177 283	31 625	309 737	4 617	-	183 407	-	316 136	-	5 367	-	541 202	487 020	1 188 659	1 763 181	1 675 679
Comover receipts (Appropriation Act s16)	-	-	(2 585)	(10 469)	-	-	(14 193)	-	(84 842)	-	-	-	(51 620)	(10 489)	29	-	(51 620)
Appropriations reduced (Appropriation Act sections 10, 11 & 12)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Advance to the Finance Minister (Appropriation Act section 13)	-	-	-	-	-	-	72 572	-	-	-	-	-	72 572	-	-	-	72 572
FMA Act:																	
Repayments to the Commonwealth (FMA Act section 30)	-	2 842	2	15	-	-	188	-	170	-	37	-	387	2 857	38 988	3 513	38 985
Appropriations to take account of recoverable GST (FMA Act section 30A) ²	-	9 004	688	18 737	42	-	18 989	-	26 986	-	506	-	46 611	27 741	47 285	59 667	93 906
Relevant agency receipts (FMA Act s 31)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	42 992	50 938	42 992
Transfer of agency functions (FMA Act s 32)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	(6 521)	(6 521)
Total appropriation available for payments	50	189 683	40 244	339 972	4 669	-	295 990	-	368 053	-	6 206	-	719 202	528 655	1 592 948	1 519 409	2 048 064
Cash payments made during the year (GST inclusive)	(60)	(145 753)	(29 938)	(278 857)	(3 781)	-	(274 973)	-	(338 112)	-	(3 096)	-	(650 950)	(624 615)	(1 240 332)	(1 277 344)	(1 701 959)
Appropriations credited to special accounts (GST exclusive)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Balance of authority to draw cash from the Consolidated Revenue Fund for ordinary annual services appropriations and as represented by:	-	43 925	10 306	60 115	878	-	21 017	-	26 941	-	3 110	-	82 232	104 040	352 616	242 065	414 868
Cash at bank and on hand	-	-	-	-	-	-	-	-	-	-	-	-	-	-	5 606	3 840	5 606
Departmental appropriations receivable	-	-	-	-	-	-	-	-	-	-	-	-	-	-	251 452	190 739	251 452
Undrawn, unapplied appropriations	-	-	10 306	60 115	878	-	21 017	-	26 941	-	3 110	-	82 232	104 040	28 395	28 395	90 647
Net GST payable (to)/fromATO	-	-	-	-	-	-	-	-	-	-	-	-	-	-	276	(63)	276
Adjustments under s 101.13 of the Finance Minister's Orders not reflected above	-	-	-	-	-	-	-	-	-	-	-	-	-	-	66 887	19 124	66 887
Total as at 30 June	-	43 925	10 306	60 115	878	-	21 017	-	26 941	-	3 110	-	82 232	104 040	352 616	242 065	414 868

1. As of 1 July 2009, the department moved from two to six outcomes. This line allocates opening balances to the new outcome structure.

2. The amounts in this item are calculated on an accrual basis to the extent that an expense may have been incurred that includes GST but has not been paid by the end of the financial year.

Table A2: Acquittal of authority to draw cash from the consolidated revenue fund for ordinary annual services appropriations (reduction in administered items)

Particulars	Administered expenses												Total Administered 2010 \$'000		
	Outcome 1		Outcome 2		Outcome 3		Outcome 4		Outcome 5		Outcome 6			Total Administered	
	2010 \$'000	2009 \$'000	2010 \$'000	2009 \$'000	2010 \$'000	2009 \$'000	2010 \$'000	2009 \$'000	2010 \$'000	2009 \$'000	2010 \$'000	2009 \$'000		2010 \$'000	2009 \$'000
Reduction in administered items ¹	50 000.00	50 000.00	31 625 000.00	43 243 320.61	4 617 000.00	-	255 979 000.00	136 254 608.00	316 136 000.00	301 188 900.39	5 367 000.00	6 282 162.00	613 774 000.00	487 020 000.00	
Total administered items appropriated 2009-2010	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Less administered items required by the agency as per Appropriation Act s17 ² :															
Appropriation Act (No. 1) 2009-2010	50 000.00	50 000.00	27 249 000.00	40 658 530.00	4 102 325.21	-	230 833 000.00	122 061 598.00	316 091 000.00	266 247 259.00	2 777 254.83	6 282 162.00	581 102 580.04	435 239 549.00	
Appropriation Act (No. 3) 2009-2010	-	-	4 376 000.00	-	-	-	25 146 000.00	-	45 000.00	100 000.00	-	-	29 567 000.00	100 000.00	
Total administered items required by the agency	50 000.00	50 000.00	31 625 000.00	40 658 530.00	4 102 325.21	-	255 979 000.00	122 061 598.00	316 136 000.00	266 347 259.00	2 777 254.83	6 282 162.00	610 669 580.04	435 339 549.00	
Total reduction in administered items – effective 2010-11	-	-	-	2 584 790.61	514 674.79	-	14 193 010.00	-	34 642 650.39	2 587 746.17	-	-	3 104 419.96	51 620 451.00	

1. Numbers in this section of the table must be disclosed to the court.

2. Administered items for 2009-10 were reduced to these amounts when these financial statements were tabled in the Parliament as part of PRIMA Agency's 2009-10 annual report. This reduction is effective in 2010-11 and the amounts in the Total Reduction row will be reflected in Table A1 in the 2010-11 financial statements in the row 'Appropriations reduced (Appropriation Act sections 10, 11 & 12)'.

Departmental and non-appropriations do not lapse at financial year-end. However, the responsible Minister may decide that part or all of a departmental or non-appropriation is not required and request the Finance Minister to reduce that appropriation. The reduction in the appropriation is effected by the Finance Minister's determination and is cost-awful by Parliament.

Note 25: Appropriations continued

Table B: Acquittal of authority to draw cash from the consolidated revenue fund for other than ordinary annual services appropriations

Particulars	Operating				Non - operating				Total 2010 \$'000	2009 \$'000
	Outcome 1 SPPs		Outcome 2 SPPs		Previous years' outputs		Equity			
	2010 \$'000	2009 \$'000	2010 \$'000	2009 \$'000	2010 \$'000	2009 \$'000	2010 \$'000	2009 \$'000		
Balance brought forward from previous period (Appropriation Act)	-	-	1,416	1,900	65,370	113,897	371	-	67,157	115,797
Appropriation Act (No. 2, 466) 2009-2010 as passed	-	-	-	4,196	55,894	35,989	10,000	371	65,894	40,556
Appropriations reduced (Appropriation Act sections 12, 138, 14)	-	-	-	(949)	-	-	-	-	(949)	-
Advance to the Finance Minister (Appropriation Act section 15)	-	-	-	-	-	-	-	-	-	-
FMA Act	-	-	-	-	-	-	-	-	-	-
Repayments to the Commonwealth (FMA Act section 30)	-	-	-	-	-	-	-	-	-	-
Appropriations to take account of recoverable GST (FMA Act section 30A)	-	-	-	-	-	-	-	-	-	-
Transfer of agency functions (FMA Act s 32)	-	-	-	-	-	-	-	-	-	-
Total appropriations available for payments	-	-	468	4,548	121,264	149,886	10,371	371	132,103	154,805
Cash payments made during the year (GST inclusive)	-	-	(468)	(3,132)	(81,267)	(84,516)	-	-	(81,735)	(87,648)
Appropriations credited to special accounts (GST exclusive)	-	-	-	-	-	-	-	-	-	-
Balance of authority to draw cash from the Consolidated Revenue Fund for other than ordinary annual services appropriations and as represented by:	-	-	-	1,416	39,997	65,370	10,371	371	50,368	67,157
Cash at bank and on hand	-	-	-	-	-	-	-	-	-	-
Departmental appropriation receivable	-	-	-	-	-	-	-	-	-	-
Unclear, unapplied administered appropriations	-	-	-	1,416	39,997	65,370	10,371	371	50,368	65,741
Net GST payable (to)/from ATO	-	-	-	-	-	-	-	-	-	1,416
Total as at 30 June	-	-	-	1,416	39,997	65,370	10,371	371	50,368	67,157

1. The amounts in this line item are calculated on an accrual basis to the extent that an expense may have been incurred that includes GST but has not been paid by the end of the financial year.

Table B: Acquittal of authority to draw cash from the consolidated revenue fund for other than ordinary annual services appropriations (reduction in administered items)

Particulars	Operating		Total 2009
	Outcome 1 SPPs 2010	Outcome 2 SPPs 2009	
Reduction in administered items ¹	-	-	-
Total administered items appropriated 2009-2010	-	4,196,000.00	4,196,000.00
Less administered items required by the agency per Appropriation Act s12 ² :	-	-	-
Appropriation Act (No. 2) 2009-2010	-	3,248,333.00	3,248,333.00
Total administered items required by the agency	-	3,248,333.00	3,248,333.00
Total reduction in administered items - effective 2010-11	-	947,667.00	947,667.00

1. Numbers in this section of the table must be disclosed to the cent.
2. Administered items for 2009-10 were reduced to these amounts when these financial statements were tabled in the Parliament as part of PRIMA Agency's 2009-10 annual report. This reduction is effective in 2010-11 and the amounts in the Total Reduction row will be reflected in Table B1 in the 2010-11 financial statements in the row 'Appropriations reduced (Appropriation Act sections 12, 138, 14)'.
Table C: Acquittal of authority to draw cash from the consolidated revenue fund - special appropriations (unlimited amount)

Migration Act 1958 - section 332B (Administered)	2010		2009
	Outcome 1 SPPs \$'000	Outcome 2 SPPs \$'000	
Purpose: To deal with registration applications and monitor the conduct of registered agents in paying the provision of migration assistances.	(629)	(6,536)	-
Cash payments made during the year	-	-	-
Appropriations credited to Special Accounts	-	-	-
Repayments to the Commonwealth (net) (FMA Act section 30)	-	-	621
Appropriations to take account of recoverable GST (FMA s30A)	(629)	(6,215)	-
Total charged to appropriation	(629)	(6,215)	-
Estimated actual	(630)	(6,250)	-

Table D: Acquittal of authority to draw cash from the consolidated revenue fund - special appropriations (refund provisions)

Financial Management and Accountability Act 1997 - s28 (Administered)	2010		2009
	Outcome 1 SPPs \$'000	Outcome 2 SPPs \$'000	
Purpose: To provide an appropriation where an Act or other law requires or permits the repayment of an amount received by the Commonwealth and no specific appropriation exists.	(147,380)	(167,217)	-
Cash payments made during the year	-	-	-
Appropriations credited to Special Accounts	-	-	-
Repayments to the Commonwealth (net) (FMA Act section 30)	3,676	(2,041)	-
Appropriations to take account of recoverable GST (FMA s30A)	58	3	3
Total charged to Special Appropriation	(143,654)	(169,255)	-
Budget estimate (FMA Act section 28)	-	-	-

Note 26: Special accounts

Australian Population, Multicultural and Immigration Research Program (APMIRP) Special Account (administered)	2010 \$'000	2009 \$'000
Appropriation: <i>Financial Management and Accountability Act 1997</i> section 20.		
Establishing Instrument: Financial Management and Accountability Determination 2006/38		
<i>Purpose:</i>		
(1) The purposes of the Australian Population, Multicultural and Immigration Research Program Special Account, in relation to which amounts may be debited from the Special Account, are to:		
(a) conduct research into migration, migration settlement, multicultural affairs and population trends, in accordance with approval from the responsible minister in consultation with relevant state and territory ministers; and		
(b) carry out activities that are incidental to the purpose mentioned in paragraph (a); and		
(c) repay to an original payer amounts credited to the Special Account and residual after any necessary payments made for a purpose mentioned in paragraph (a) or (b); and		
(d) reduce the balance of the Special Account (and, therefore, the available appropriation for the Account) without making a real or notional payment; and		
(e) repay amounts where an Act or other law requires or permits the repayment of an amount received.		
(2) To avoid doubt, incidental activities include:		
(a) the administration of the Special Account; and		
(b) dealing with direct and indirect costs.		
Balance brought forward from previous period	220	143
Appropriations to take account of recoverable GST (FMA Act section 30A)	5	2
Other receipts	95	105
Total increase	320	250
Payments made	55	30
Total decrease	55	30
Balance carried to next period (excluding investment balances) and represented by:	265	220
Cash – held in the Official Public Account	265	220
Total balance carried to the next period	265	220

Note 26: Special accounts *continued*

Other trust moneys account (special public money)	2010 \$'000	2009 \$'000
Appropriation: <i>Financial Management and Accountability Act 1997</i> section 20		
Establishing Instrument: Financial Management and Accountability Determination 2008/15, Initial Determination to Establish Components of the Reserved Money Fund (31/12/97)		
<i>Purpose:</i>		
(a) For expenditure of moneys temporarily held on trust or otherwise for the benefit of a person other than the Commonwealth, and		
(b) To credit another Special Account to which amounts held on trust or otherwise for the benefit of a person other than the Commonwealth may be credited.		
Balance brought forward from previous period	191	3 989
Other receipts	29	2 466
Total increase	220	6 455
Payments made	208	6 264
Total decrease	208	6 264
Balance carried to next period (excluding investment balances) and represented by:	12	191
Cash – held in the Official Public Account	5	-
Cash – held by the agency	7	191
Total balance carried to the next period	12	191

Services for other governments and non-agency bodies special account (special public money)	2010 \$'000	2009 \$'000
Appropriation: <i>Financial Management and Accountability Act 1997</i> section 20		
Abolishing Instrument: Financial Management and Accountability Determination 2009/28 – Services for other Governments and Non-agency Bodies Special Accounts Abolition 2009		
<i>Purpose:</i>		
For expenditure in connection with services performed on behalf of other governments and bodies that are not agencies under the FMA Act.		
For the financial year ended 30 June 2009 and period ended 11 September 2009, the commencement date of Determination 2009/28, this special account had nil balances and no transactions were credited or debited to the account.		

Note 27: Compensation and debt relief

	2010 \$'000	2009 \$
Departmental		
No 'Act of Grace' expenses were incurred during the reporting period. (2009: No expenses).	-	-
One waiver of amounts owing to the Australian government was made pursuant to subsection 34(1) of the <i>Financial Management and Accountability Act 1997</i> . (2009: eight waivers).	6 300	116 097
Sixty eight payments were provided under the Compensation for Detriment caused by Defective Administration (CDDA) Scheme during the reporting period. (2009: fifty nine payments).	91 772	126 845
No ex-gratia payments were provided for during the reporting period. (2009: nil payments).	-	-
One payment was provided in special circumstances relating to APS employment pursuant to section 73 of the <i>Public Service Act 1999</i> during the reporting period. (2009: nil payments).	100 000	-

Note 27: Compensation and debt relief *continued*

	2010 \$'000	2009 \$
Administered		
Eighteen 'Act of Grace' expenses were incurred during the reporting period. (2009: twenty four expenses).	<u>135 994</u>	<u>194 299</u>
Amounts reported were on cash basis. None of the above expenses were paid on a periodic basis. (2009: nil on periodic basis).		
Two waivers of amounts owing to the Australian Government were made pursuant to subsection 34(1) of the <i>Financial Management and Accountability Act 1997</i> . (2009: eleven waivers).		
Uddin affected cases ¹	1 077	-
Ombudsman 247 caseload ²	-	15 234
Other ³	<u>73 949</u>	<u>437 789</u>
	<u>75 026</u>	<u>453 023</u>
1. One Debt waiver approved for students affected by the decision of the Federal Magistrates Court in Uddin v MIMIA (FMCA 841 07 June 2005).		
2. Debt waivers approved for 3 clients released from detention proven "not unlawful". These clients were part of the 247 cases referred to the Commonwealth Ombudsman by the Palmer Inquiry into the circumstances of the immigration detention of Cornelia Rau.		
3. For the financial year ended 30 June 2010, debts waived consisted of detention costs for one applicant (2009: eight).		
No payments were provided under the Compensation for Detriment caused by Defective Administration (CDDA) Scheme during the reporting period. (2009: nil payments).	<u>-</u>	<u>-</u>
No ex-gratia payments were provided for during the reporting period. (2009: nil payments).	<u>-</u>	<u>-</u>
No payments were provided in special circumstances relating to APS employment pursuant to section 73 of the <i>Public Service Act 1999</i> during the reporting period. (2009: nil payments).	<u>-</u>	<u>-</u>

Note 28: Reporting of outcomes

The department uses a driver-based costing system to determine the attribution of its shared items. The basis of attribution in the table is consistent with the basis used for the Budget.

Note 28A: Net cost of outcome delivery

	Outcome 1		Outcome 2		Outcome 3		Outcome 4		Outcome 5		Outcome 6		Total	
	2010 \$'000	2009 \$'000	2010 \$'000	2009 \$'000	2010 \$'000	2009 \$'000	2010 \$'000	2009 \$'000	2010 \$'000	2009 \$'000	2010 \$'000	2009 \$'000	2010 \$'000	2009 \$'000
Expenses														
Administered	50	5 918	31 063	40 360	4 102	-	294 802	144 263	329 739	268 719	2 778	7 226	662 534	466 506
Departmental	540 096	574 706	82 309	94 987	182 576	196 950	253 970	253 871	102 388	92 774	80 978	93 403	1 242 317	1 306 691
Total	540 146	580 624	113 372	135 347	186 678	196 950	548 772	398 154	432 127	361 493	83 756	100 629	1 904 851	1 773 197
Income from non-government sector														
Administered														
Other	915 860	790 217	113	556	4 800	2 535	8 200	22 396	12 001	9 709	27 926	22 889	968 900	848 302
Total administered	915 860	790 217	113	556	4 800	2 535	8 200	22 396	12 001	9 709	27 926	22 889	968 900	848 302
Departmental														
Activities subject to cost recovery	8 525	14 483	868	937	8 982	5 952	3 380	3 082	17 186	16 792	1 264	1 167	40 205	42 413
Total departmental	8 525	14 483	868	937	8 982	5 952	3 380	3 082	17 186	16 792	1 264	1 167	40 205	42 413
Total	924 385	804 700	981	1 493	13 782	8 487	11 580	25 478	29 187	26 501	29 190	24 056	1 009 105	890 715
Other own-source income														
Departmental	2 755	2 080	195	121	1 133	839	2 899	401	16 030	4 477	376	152	23 388	8 070
Total	2 755	2 080	195	121	1 133	839	2 899	401	16 030	4 477	376	152	23 388	8 070
Net cost/(contribution) of outcome delivery	(366 994)	(226 156)	112 196	133 733	171 763	187 624	534 293	372 275	366 910	330 515	54 190	76 421	872 358	874 412

Note 28: Reporting of outcomes continued

Note 28B: Major classes of departmental expense, income, assets and liabilities by outcomes

	Outcome 1		Outcome 2		Outcome 3		Outcome 4		Outcome 5		Outcome 6		Total	
	2010	2009	2010	2009	2010	2009	2010	2009	2010	2009	2010	2009	2010	2009
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
Departmental Expenses:														
Employees	289 744	300 263	42 310	44 575	76 636	87 107	116 926	99 904	38 578	37 610	40 125	47 925	584 319	617 384
Suppliers	225 745	229 912	34 378	44 233	79 515	89 329	97 511	107 882	55 298	46 061	33 079	37 997	525 526	555 434
Depreciation	37 573	34 932	4 668	4 886	23 686	16 866	35 814	43 693	6 960	7 163	6 805	6 070	115 506	113 610
Other	7 034	9 599	953	1 273	2 739	3 648	3 719	2 382	1 552	1 940	969	1 411	16 966	20 263
Total	540 096	574 706	82 309	94 987	182 576	196 950	253 970	253 871	102 388	92 774	80 978	93 403	1 242 317	1 306 691
Departmental Income:														
Revenue from Government	514 126	519 394	84 801	76 687	178 370	201 746	240 267	238 712	70 353	72 445	96 299	99 636	1 184 216	1 208 620
Sales of goods and services	2 885	3 208	193	106	786	1 200	3 810	362	32 615	19 801	355	133	40 644	24 810
Other non-tax revenue	8 395	13 355	870	952	9 329	5 591	2 469	3 121	601	1 468	1 285	1 186	22 949	25 673
Total	525 406	535 957	85 864	77 745	188 485	208 537	246 546	242 195	103 569	93 714	97 939	100 955	1 247 809	1 259 103
Departmental Assets														
Cash	1 041	1 692	470	262	748	621	612	721	2 601	239	134	305	5 606	3 840
Appropriation receivable	110 246	112 063	20 178	15 815	42 517	44 208	74 231	45 149	19 034	17 291	35 614	21 954	301 820	256 480
Trade and other receivables	9 076	7 903	1 291	1 174	3 637	2 907	6 119	3 291	6 366	5 191	1 364	1 276	27 853	21 742
Other financial assets	735	1 003	35	45	31	66	63	48	23	19	40	53	927	1 234
Land and buildings	46 245	56 896	5 915	5 348	17 400	15 317	526 445	465 573	5 765	6 183	6 063	7 270	607 833	556 587
Infrastructure, plant and equipment	10 910	20 881	1 409	2 786	5 097	8 940	25 103	21 501	1 709	3 607	1 407	2 788	45 635	60 503
Intangibles	95 863	87 362	10 288	12 514	83 532	76 105	37 274	44 792	19 381	16 624	21 391	16 506	267 709	253 903
Other non-financial assets	5 445	7 152	750	1 034	1 839	2 325	1 877	1 402	744	1 104	715	862	11 370	13 899
Total	279 561	294 952	40 316	38 978	154 801	150 489	671 724	582 477	55 623	50 258	66 728	51 034	1 268 753	1 168 188
Departmental Liabilities														
Suppliers	37 653	39 372	5 452	7 540	15 418	17 051	19 501	21 665	12 020	8 218	6 356	6 630	96 400	100 476
Unearned income	-	9	-	1	-	3	-	1	-	2	-	1	-	17
Lease incentives	3 659	5 520	690	730	1 406	1 548	2 175	1 145	619	791	599	733	9 148	10 467
Other payables	16 421	21 947	2 271	3 165	4 499	6 043	6 514	6 487	2 257	2 632	1 984	3 248	33 946	43 522
Finance lease liability	10 102	17 917	1 400	2 488	4 073	7 285	2 184	3 958	2 112	3 754	1 453	2 579	21 324	37 991
Employee provisions	65 592	71 212	10 005	11 412	20 279	22 460	30 521	27 061	9 155	9 175	10 355	11 768	145 907	153 088
Other provisions	27 049	17 869	2 620	1 410	7 928	5 246	9 007	3 771	2 525	2 309	3 001	2 332	52 130	32 937
Total	160 476	173 846	22 438	26 746	53 603	59 646	69 902	64 088	28 688	26 881	23 748	27 291	358 855	378 498

Note 28: Reporting of outcomes continued

Note 28C: Major classes of administered expenses, income, assets and liabilities by outcomes

	Outcome 1		Outcome 2		Outcome 3		Outcome 4		Outcome 5		Outcome 6		Total	
	2010	2009	2010	2009	2010	2009	2010	2009	2010	2009	2010	2009	2010	2009
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
Administered expenses														
Suppliers expenses	-	5 868	15 043	18 395	4 102	-	284 447	121 145	288 992	231 415	1	983	592 565	377 786
Subsidies	50	50	7 441	14 888	-	-	1 388	-	566	1 156	-	-	9 455	16 074
Personal benefits	-	-	8 579	7 041	-	-	4 312	68	4 893	2 677	-	-	17 784	9 786
Grants	-	-	-	-	-	-	-	-	35 288	33 471	2 777	6 263	38 065	39 734
Write-down and impairment of assets	-	-	-	-	-	-	3 857	21 996	-	-	-	-	3 857	21 996
Foreign exchange losses	-	-	-	56	-	-	-	8	-	-	-	-	-	64
Other expenses	-	-	-	-	-	-	788	1 066	-	-	-	-	788	1 066
Total	50	5 918	31 063	40 360	4 102	-	294 802	144 283	329 739	268 719	2 778	7 226	662 534	466 506
Administered income														
Sale of goods and rendering of services	-	-	-	-	-	-	-	-	7 674	8 507	-	-	7 674	8 507
Fees and fines	903 976	781 641	-	-	4 800	2 535	-	-	-	-	27 868	22 843	936 644	807 019
Recovery of detention costs	-	-	-	-	-	-	3 775	20 738	-	-	-	-	3 775	20 738
Other revenue	11 884	8 576	3	-	-	-	4 126	-	4 327	1 202	58	46	20 398	9 824
Gains	-	-	110	556	-	-	299	1 658	-	-	-	-	409	2 214
Total	915 860	790 217	113	556	4 800	2 535	8 200	22 396	12 001	9 709	27 926	22 889	968 900	848 302
Administered assets														
Cash and cash equivalents	-	114	457	765	60	-	4 283	2 316	4 856	5 091	41	137	9 697	8 423
Receivables	399	673	763	789	590	-	7 281	2 421	8 102	5 250	68	141	17 203	9 274
Other financial assets	6 322	4 579	-	300	-	-	2 026	2 171	4 070	-	190	4	12 608	7 054
Total	6 721	5 366	1 220	1 854	650	-	13 590	6 908	17 028	10 341	299	282	39 508	24 751
Administered liabilities														
Suppliers	22	608	4 962	3 294	551	-	70 444	33 111	53 980	39 750	80	227	130 039	76 930
Subsidies	-	-	5 633	4 965	-	-	2	-	-	-	-	-	5 635	4 965
Personal Benefits	-	-	950	813	-	-	116	-	1 543	566	-	-	2 609	1 379
Grants	-	-	-	-	-	-	9	33	4	30	8	38	21	101
Other payables	75	1 892	-	-	-	-	-	-	-	-	-	-	75	1 882
Bonds	50 366	56 409	-	-	-	-	-	-	-	-	-	-	50 366	56 409
Total	50 463	58 909	11 545	9 012	551	-	70 571	33 144	55 527	40 346	88	285	188 745	141 676

* Assets and liabilities that can not be reliably attributed to outcomes.

Immigration history 1996–2005

Global movement increased exponentially, and by 2005–06 the annual migration program had grown to 143 000 places, with more than 14 000 humanitarian visas and 3.5 million visitor visas granted.

The department was a key player in the 2000 Olympic and Paralympic Games staged in Sydney, processing more than 60 000 applications for the Olympic Travel Authority and facilitating about 110 000 overseas visitors. The department continued to be a leader in using technology. The 'e-Visa' used the internet to create a convenient visa lodgement option for clients. In 2005–06, more than 2.9 million Electronic Travel Authorities were granted—comprising 80 per cent of all visitors.

The temporary business visa program had been in place for 10 years. In 2005–06, some 39 800 subclass 457 visas were granted to primary applicants—an increase of about 42 per cent on the previous year, highlighting the value of the program to the many employers facing substantial skill shortages.

In May and June 1999, nearly 4000 Kosovars were given safe haven in Australia. Operation Safe Haven was an unprecedented humanitarian operation, led by the department. Some 2000 East Timorese were also given safe haven in Australia. Australia maintained a high profile on the international stage through innovative policy approaches to managing asylum flows and irregular migration—engaging intensely with the United Nations High Commissioner for Refugees, the International Organization for Migration as well as a number of regional forums, including the Bali Process.

The decade was one of substantial community and political interest in the department. A particular focus of the government throughout was on irregular migration and enhancing border security to detect and deter people seeking to enter Australia without a visa. Temporary protection visas were introduced as well as processing centres in Nauru, Papua New Guinea and Christmas Island.

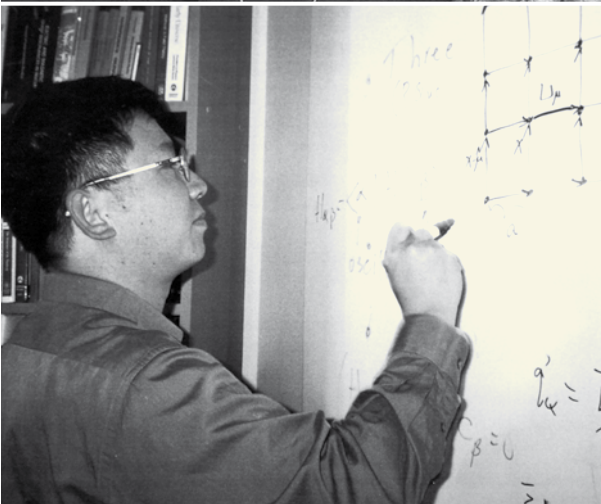
The Living in Harmony initiative of 1998 comprised interlinked elements of community grants, partnerships and a public information strategy. One hundred grants totalling \$5 million were awarded to a range of community groups throughout Australia to advance community harmony. Progress was made on the framework of multicultural policy with the launch in May 1999 of the National Multicultural Advisory Council's report, *Australian multiculturalism for a new century: Towards inclusiveness*.

In October 2005, the department established the Integrated Humanitarian Settlement Strategy. This strategy strengthened coordination across settlement service delivery and allowed for an assessment of each entrant's needs and the development and implementation of case coordination plans.

In 2005, the Palmer and Comrie reports identified criticism and concerns about the department and brought the department under significant public scrutiny. In response, the department initiated an agency-wide program to change its culture, performance, systems and business.

Photos opposite page from top to bottom: Australia's six millionth migrant since World War II, Cristina Jurado from the Philippines, is welcomed on arrival in Sydney on 18 March 2002. Department of Immigration and Multicultural Affairs Sydney staff member Larry Tanner welcomed many of the Kosovars to the 'Safe Haven' in June 1999. University of Adelaide physicist, Dr Jianbo Zhang, came to Australia from China on a skilled business visa in 2003—he is a researcher at the Centre for Sub-Atomic Structure of Matter.

Part 6



Appendices

- 1 Classifications and salary rates
- 2 Legal services expenditure
- 3 Freedom of Information
- 4 Membership of advisory bodies
- 5 Citizenship statistics
- 6 Inaugural Annual Address on Immigration and Citizenship—transcript
- 7 Transition from outcomes and outputs to outcomes and programs structure
- 8 Correction of material errors

Appendix 1: Classifications and salary rates

Table 119: Classifications and salary rates—Indigenous cadets and graduates

APS classification	Salary points prior to commencement of Enterprise Agreement	Salary on commencement of Enterprise this Agreement (3.0 per cent)	Salary effective 25 November 2010 (0.8 per cent)
Indigenous cadets' pay rates during full time study. 60 per cent of full time APS1 junior rates	\$13 325	\$13 725	\$13 835
	\$15 546	\$16 012	\$16 140
	\$17 989	\$18 529	\$18 677
	\$20 209	\$20 815	\$20 982
	\$22 208	\$22 874	\$23 057
APS1 and Indigenous cadets during practical training	\$22 208 ¹	\$22 874	\$23 057
	\$25 909 ²	\$26 686	\$26 900
	\$29 981 ³	\$30 880	\$31 127
	\$33 683 ⁴	\$34 693	\$34 971
	\$37 014	\$38 124	\$38 429
	\$38 501	\$39 656	\$39 973
	\$39 777	\$40 970	\$41 298
	\$41 051	\$42 283	\$42 621
Graduate APS3	\$47 712	\$49 143	\$49 537
	\$48 953	\$50 422	\$50 825
	\$50 421	\$51 934	\$52 349
	\$51 855	\$53 411	\$53 838

1. Under 18 years old (60 per cent)
2. 18 years (70 per cent)
3. 19 years (81 per cent)
4. 20 years (91 per cent)

Table 120: Classification and salary rates—APS level employees

APS classification	Salary points prior to commencement of Enterprise Agreement	Salary on commencement of this Enterprise Agreement (3.0 per cent)	Salary effective 25 November 2010 (0.8 per cent)
APS Level 1	\$22 208 ¹	\$22 874	\$23 057
	\$25 909 ²	\$26 686	\$26 900
	\$29 981 ³	\$30 880	\$31 127
	\$33 683 ⁴	\$34 693	\$34 971
	\$37 014 ⁵	\$38 124	\$38 429
	\$38 501	\$39 656	\$39 973
	\$39 777	\$40 970	\$41 298
	\$41 051	\$42 283	\$42 621
APS Level 2	\$41 890	\$43 147	\$43 492
	\$43 042	\$44 333	\$44 688
	\$44 171	\$45 496	\$45 860
	\$45 322	\$46 682	\$47 055
	\$46 597	\$47 995	\$48 379
APS Level 3	\$47 712	\$49 143	\$49 537
	\$48 953	\$50 422	\$50 825
	\$50 421	\$51 934	\$52 349
	\$51 855	\$53 411	\$53 838
APS Level 4	\$53 177	\$54 772	\$55 210
	\$54 868	\$56 514	\$56 966
	\$56 297	\$57 986	\$58 450
	\$57 886	\$59 623	\$60 100

Table 120: Classification and salary rates—APS level employees *continued*

APS classification	Salary points prior to commencement of Enterprise Agreement	Salary on commencement of this Enterprise Agreement (3.0 per cent)	Salary effective 25 November 2010 (0.8 per cent)
APS Level 5	\$59 314	\$61 093	\$61 582
	\$61 172	\$63 007	\$63 511
	\$63 036	\$64 927	\$65 446
APS Level 6	\$65 657	\$67 627	\$68 168
	\$67 455	\$69 479	\$70 034
	\$70 844	\$72 969	\$73 553
	\$73 804	\$76 018	\$76 626

1. Under 18 years old (60 per cent)
2. 18 years (70 per cent)
3. 19 years (81 per cent)
4. 20 years (91 per cent)
5. Bottom salary point of adult salary rate

Table 121: Classification and salary rates—executive level employees

APS classification	Salary points prior to commencement of Enterprise Agreement	Salary on commencement of Enterprise this Agreement (3.0 per cent)	Salary effective 25 November 2010 (0.8 per cent)
Executive Level 1	\$82 044	\$84 505	\$85 181
	\$84 227	\$86 754	\$87 448
	\$86 299	\$88 888	\$89 599
	\$89 457	\$92 141	\$92 878
Executive Level 2	\$94 597	\$97 435	\$98 214
	\$99 801	\$102 795	\$103 617
	\$103 531	\$106 637	\$107 490
	\$107 261	\$110 479	\$111 363
	\$110 852	\$114 178	\$115 091

Table 122: Classification and salary rates—legal officers

APS classification	Local title	Salary points prior to commencement of Enterprise Agreement	Salary on commencement of this Enterprise Agreement (3.0 per cent)	Salary effective 25 November 2010 (0.8 per cent)
APS Level 4	Legal Officer	\$56 297	\$57 986	\$58 450
APS Level 5		\$61 172	\$63 007	\$63 511
APS Level 6		\$65 657	\$67 627	\$68 168
		\$67 455	\$69 479	\$70 034
		\$70 844	\$72 969	\$73 553
		\$73 804	\$76 018	\$76 626
Executive Level 1		Senior Legal Officer	\$82 044	\$84 505
	\$89 457		\$92 141	\$92 878
	\$97 064		\$99 976	\$100 776
	\$100 223		\$103 230	\$104 056
Executive Level 2	Principal Legal Officer	\$110 274	\$113 582	\$114 491
		\$113 863	\$117 279	\$118 217

Table 123: Classification and salary rates—public affairs officers

APS classification	Local title	Salary points prior to commencement of Enterprise Agreement	Salary on commencement of this Enterprise Agreement (3.0 per cent)	Salary effective 25 November 2010 (0.8 per cent)
APS Level 4	Public Affairs Officer 1	\$54 868	\$56 514	\$56 966
		\$57 741	\$59 473	\$59 949
APS Level 5		\$61 172	\$63 007	\$63 511
		\$63 036	\$64 927	\$65 446
APS Level 6	Public Affairs Officer 2	\$67 455	\$69 479	\$70 034
		\$69 149	\$71 223	\$71 793
		\$70 844	\$72 969	\$73 553
		\$73 011	\$75 201	\$75 803
		\$75 971	\$78 250	\$78 876
Executive Level 1	Public Affairs Officer 3	\$89 457	\$92 141	\$92 878
		\$95 118	\$97 972	\$98 755
		\$97 064	\$99 976	\$100 776
		\$100 223	\$103 230	\$104 056
Executive Level 2	Senior Public Affairs Officer B	\$104 100	\$107 223	\$108 081
		\$107 688	\$110 919	\$111 806
	Senior Public Affairs Officer A	\$109 842	\$113 137	\$114 042
		\$113 432	\$116 835	\$117 770

Table 124: Classification and salary rates—medical officers

APS classification	Salary points prior to commencement of Enterprise Agreement	Salary on commencement of Enterprise this Agreement (3.0 per cent)	Salary effective 25 November 2010 (0.8 per cent)
Medical Officer Class 2	\$105 810	\$108 984	\$109 856
	\$109 987	\$113 287	\$114 193
Medical Officer Class 3	\$118 272	\$121 820	\$122 795
	\$122 191	\$125 857	\$126 864
Medical Officer Class 4	\$128 989	\$132 859	\$133 922
	\$134 022	\$138 043	\$139 147
	\$136 550	\$140 647	\$141 772
	\$140 139	\$144 343	\$145 498

Appendix 2: Legal services expenditure

This is a statement of legal services expenditure by the Department of Immigration and Citizenship for 2009–10, published in compliance with paragraph 11.1 (ba) of the *Legal Services Directions 2005*.

Table 125: Legal services expenditure

Description	Cost (excluding GST)
Total legal services expenditure	\$30 354 060
Total external legal services expenditure	\$17 843 358
External expenditure on solicitors ¹	\$15 212 124
External expenditure on counsel	\$2 120 443
Number of matters in which male counsel briefed—547	
Estimated value of briefs to male counsel ²	\$1 523 276
Number of matters in which female counsel briefed—250 ²	
Estimated value of briefs to female counsel ²	\$570 162
Disbursements on external legal services	\$510 792
Total internal legal services expenditure	\$12 510 702
Employees	\$11 903 763
Overheads (for example, office stores and stationery, training and travel)	\$606 939

1. As the department has entered into a fixed fee arrangement for the payment of some of its litigation matters, this figure will also include some expenditure on counsel and disbursements that cannot be separately identified.

2. These statistics relate to litigation matters only.

Appendix 3: Freedom of Information

This information complies with section 8 of the *Freedom of Information Act 1982*.

Information about the department, including its structure, appears earlier in this report. Decision-making powers are vested in the minister and/or the secretary under various Acts. The minister or the secretary may delegate most of their powers to departmental staff.

Generally, the department prefers to provide access to documents in the form of copies. These are available in either paper or electronic form. Clients are able to examine their personal files by making an appointment at the relevant state or regional office.

Initial telephone inquiries in relation to Freedom of Information (FOI) matters may be made through the client service hotline on 131 881.

FOI requests with contact addresses in Victoria, Western Australia, South Australia, Tasmania and the Northern Territory should be sent to:

Freedom of Information Section
Department of Immigration and Citizenship
GPO Box 241
MELBOURNE VIC 3001

FOI requests with contact addresses in New South Wales, Queensland and the Australian Capital Territory should be sent to:

FOI and Subpoenas Section
Department of Immigration and Citizenship
GPO Box 9984
SYDNEY NSW 2001

Table 126: FOI documents maintained

Type	Description
Documents of decision-making bodies ¹	Documents that relate to the business of these bodies including agenda, minutes and other records.
Cabinet documents ¹	Records of cabinet matters including cabinet submissions and cabinet minutes.
Representations to the Minister for Immigration and Citizenship and the parliamentary secretary ¹	The minister and the parliamentary secretary receive a large number of written representations each year concerning all aspects of migration, population, settlement, citizenship policies and portfolio administration.
Documents on internal departmental administration ¹	These documents include personnel records, organisation and staffing records, and internal operating documentation such as internal working documents and correspondence.

Table 126: FOI documents maintained *continued*

Type	Description
Program documents ¹	These documents contain information relating to grants provided to various organisations under the programs the department administers and programs administered under enactments including the <i>Migration Act 1958</i> and the <i>Australian Citizenship Act 2007</i> .
Personal information documents ¹	The department holds information about applications for migration and Australian citizenship. Personal information incidental to these applications is also collected. This information is located on individual files and departmental databases.
Documents available for access or purchase subject to a fee or other charge	The department's annual report is available on the internet. Legislation and policy instructions are available for purchase via an online subscription service, LEGENDcom, or the website. The <i>Freedom of Information Handbook</i> is available from our FOI units.
Documents available free of charge on request ²	The department holds and makes available on request (free of charge) a range of documents including fact sheets, some research documents, general information leaflets (some in a number of languages) and a leaflet about FOI that is published by the Department of the Prime Minister and Cabinet. In addition, non-personal FOI releases (since 30 April 2009) are listed on the department's website.

1. Some records are either not available or only available to the public under the FOI Act, where access may be subject to a charge.
2. These are available on the department's website www.immi.gov.au and at the public inquiry counters of the department's Australian and overseas offices.

Appendix 4: Membership of advisory bodies

Australian Multicultural Advisory Council

Mr Andrew Demetriou (chair)
Judge Rauf Soulio (deputy chair)
Dr Hass Dellal OAM
Ms Joumanah El Matrah
Dr Sylwia Greda-Bogusz
Ms Voula Messimeri AM
Ms Nola Randall-Mohk
Mrs Katie Young OAM
Mr Susai Benjamin
Ms Gail Ker OAM
Ms Carmen Garcia
Dr Casta Tungaraza
Professor Samina Yasmeen
Inspector Craig Waterhouse

Council for Immigration Services and Status Resolution

Mr Paris Aristotle AM (Chair)
Air Marshal Ray Funnell AC (Retired)
(Deputy Chair)
Ms Kerrin Benson
Mr Noel Clement
Ms Caz Coleman
Ms Libby Lloyd AM
Dr Maryanne Loughry AM
Associate Professor Harry Minas
Professor Nicholas Procter
Dr Jamal Rifi
Professor Samina Yasmeen

Detention Health Advisory Group

Professor Louise Newman
Dr Tim Lightfoot
Mr Jorge Aroche
Dr Maxine Whittaker
Ms Sandy Eagar
Dr Paul Kotala
Dr Gillian Singleton
Ms Helen Fleming
Dr Paul Douglas
Dr Choong-Siew Yong
Ms Amanda Gordon
Dr Jamal Rifi

Refugee Resettlement Advisory Council

The Hon. Bruce Baird AM (Chair)
Mr Paris Aristotle AM
Ms Samia Baho
Ms Carmel Guerra
Mr Mohamad Issa
Mr Kevin Liston
Ms Margaret Piper
Mr Paul Power
Ms Jenny Semple
Mr Daniel Zingifuaboro

Appendix 5: Citizenship statistics

The following tables show the number of people who were conferred as Australian citizens at ceremonies, details of their former nationality/citizenship, and the country in which they were ordinarily resident before entering Australia.

Table 127: Previous country of nationality or citizenship of people who were conferred in 2009–10

Previous country of nationality or citizenship	Persons	Previous country of nationality or citizenship	Persons
Afghanistan	1 340	Burundi	318
Albania	101	Cambodia	454
Algeria	27	Cameroon	12
Argentina	160	Canada	1 132
Armenia	18	Chad	7
Austria	97	Channel Islands	1
Azerbaijan	21	Chile	288
Bahamas	6	China, People's Republic of	11 103
Bahrain	13	Colombia	432
Bangladesh	2 939	Congo, Democratic Republic of	192
Barbados	4	Congo	134
Belarus	52	Cook Islands	1
Belgium	170	Costa Rica	10
Belize	6	Cote d'Ivoire	16
Benin	2	Croatia	112
Bhutan	1	Cuba	27
Bolivia	17	Cyprus	21
Bosnia and Herzegovina	137	Czech Republic	86
Botswana	19	Czechoslovakia, former	5
Brazil	575	Denmark	36
Brunei Darussalam	22	Djibouti	3
Bulgaria	69	Dominica	1
Burkina Faso	2		

Table 127: Previous country of nationality or citizenship of people who were conferred in 2009–10 *continued*

Previous country of nationality or citizenship	Persons	Previous country of nationality or citizenship	Persons
Dominican Republic	1	Iran	916
Ecuador	36	Iraq	1 538
Egypt	544	Ireland	1 279
El Salvador	21	Israel	453
Eritrea	180	Italy	588
Estonia	18	Jamaica	9
Ethiopia	276	Japan	150
Fiji	1 453	Jordan	254
Finland	122	Kazakhstan	29
France	639	Kenya	483
French Polynesia	2	Kiribati	4
Gabon	1	Korea, Democratic People's Republic of	7
Gambia	5	Korea, Republic of	2 409
Georgia	10	Kosovo	12
Germany	850	Kuwait	4
Ghana	142	Kyrgyzstan	31
Greece	107	Laos	33
Guatemala	5	Latvia	31
Guinea	15	Lebanon	1 134
Guyana	1	Lesotho	4
Haiti	3	Liberia	304
Hong Kong (SAR of PRC)	1 713	Libya	15
Honduras	2	Lithuania	13
Hungary	170	Luxembourg	4
Iceland	11	Macau (SAR of PRC)	52
India	17 781	Macedonia, Former Yugoslav Republic of	237
Indonesia	1 449		

Table 127: Previous country of nationality or citizenship of people who were conferred in 2009–10 *continued*

Previous country of nationality or citizenship	Persons	Previous country of nationality or citizenship	Persons
Madagascar	2	Oman	10
Malawi	19	Pakistan	1 724
Malaysia	2 211	Palestinian Authority	70
Maldives	28	Panama	8
Mali	2	Papua New Guinea	159
Malta	196	Paraguay	3
Mauritania	2	Peru	238
Mauritius	479	Philippines	4 503
Mexico	143	Poland	489
Micronesia, Federated States of	1	Portugal	140
Moldova	34	Qatar	2
Mongolia	34	Romania	273
Montenegro	4	Russian Federation	756
Morocco	48	Rwanda	49
Mozambique	10	Saint Lucia	2
Myanmar (Burma)	829	Samoa	58
Namibia	16	Sao Tome and Principe	2
Nauru	7	Saudi Arabia	8
Nepal	551	Senegal	10
Netherlands	417	Serbia, Republic of	56
Netherlands Antilles	1	Serbia and Montenegro, former	118
New Caledonia	4	Seychelles	24
New Zealand	4 164	Sierra Leone	316
Nicaragua	4	Singapore	1 354
Nigeria	246	Slovakia	183
Norway	20	Slovenia	35
		Solomon Islands	35

Table 127: Previous country of nationality or citizenship of people who were conferred in 2009–10 *continued*

Previous country of nationality or citizenship	Persons	Previous country of nationality or citizenship	Persons
Somalia	174	Tuvalu	3
South Africa	5 207	USSR, former	11
Spain	136	Uganda	35
Sri Lanka	3 411	Ukraine	273
Sudan	1 285	United Arab Emirates	16
Swaziland	6	United Kingdom	22 832
Sweden	274	United States of America	1 735
Switzerland	205	Uruguay	54
Syria	193	Uzbekistan	79
Taiwan	1 036	Vanuatu	12
Tanzania	38	Venezuela	138
Thailand	1 761	Vietnam	2 000
Timor-Leste, Democratic Republic of	32	Yemen	13
Togo	34	Yugoslavia, Federal Republic of	216
Tonga	106	Zaire	2
Trinidad and Tobago	22	Zambia	70
Tunisia	8	Zimbabwe	1 277
Turkey	406	Not stated/other	850
Turkmenistan	5	Grand Total	119 791

Table 128: Previous country of residence of people who were conferred in 2009–10

Previous country of residence	Persons	Previous country of residence	Persons
Afghanistan	991	Bulgaria	58
Africa (so stated)	8	Burundi	91
Albania	78	Cambodia	438
Algeria	19	Cameroon	12
American Samoa	3	Canada	1 124
Andorra	2	Chad	1
Angola	2	Channel Islands	30
Antigua and Barbuda	1	Chile	290
Argentina	166	China, Peoples Republic of	10 951
Armenia	18	Colombia	411
Austria	84	Congo	51
Azerbaijan	24	Congo, Democratic Republic of	128
Bahamas	8	Cook Islands	13
Bahrain	101	Costa Rica	9
Bangladesh	2 796	Cote d'Ivoire	13
Barbados	3	Croatia	87
Belarus	46	Cuba	21
Belgium	147	Cyprus	44
Belize	4	Czech Republic	72
Benin	28	Czechoslovakia, former	7
Bermuda	16	Denmark	50
Bhutan	2	Djibouti	6
Bolivia	16	Dominican Republic	1
Bosnia and Herzegovina	143	Ecuador	38
Botswana	111	Egypt, Arab Republic of	829
Brazil	547	El Salvador	19
Brunei Darussalam	88		

Table 128: Previous country of residence of people who were conferred
in 2009–10 *continued*

Previous country of residence	Persons	Previous country of residence	Persons
Eritrea	68	Ireland	1 207
Estonia	19	Isle Of Man	12
Ethiopia	238	Israel	440
Fiji	1 442	Italy	526
Finland	111	Jamaica	9
France	539	Japan	241
French Polynesia	12	Jordan	322
Gabon	1	Kazakhstan	31
Gambia	6	Kenya	835
Georgia	10	Kiribati	3
Germany	824	Korea, Democratic Peoples Republic of	6
Ghana	236	Korea, Republic of	2 319
Greece	138	Kosovo	32
Grenada	2	Kuwait	81
Guam	3	Kyrgyzstan	31
Guatemala	3	Laos	34
Guinea	190	Latvia	33
Guyana	3	Lebanon	1 124
Haiti	3	Lesotho	5
Honduras	2	Liberia	140
Hong Kong (SAR of PRC)	2 470	Libya	16
Hungary	160	Lithuania	12
Iceland	11	Luxembourg	5
India	16 161	Macau (SAR of PRC)	72
Indonesia	1 432	Macedonia, Former Yugoslav Republic of	233
Iran	1 121	Madagascar	3
Iraq	1 112		

Table 128: Previous country of residence of people who were conferred
in 2009–10 *continued*

Previous country of residence	Persons	Previous country of residence	Persons
Malawi	43	Oman	107
Malaysia	2 177	Pakistan	1 710
Maldives	27	Palestinian Authority	35
Mali	1	Panama	8
Malta	202	Papua New Guinea	241
Mauritania	1	Paraguay	3
Mauritius	467	Peru	224
Mexico	139	Philippines	4 170
Micronesia, Federated States of	1	Poland	473
Moldova	33	Portugal	88
Mongolia	33	Puerto Rico	1
Montenegro	11	Qatar	77
Morocco	41	Romania	241
Mozambique	18	Russian Federation	726
Myanmar (Burma)	548	Rwanda	26
Namibia	31	Samoa	53
Nauru	18	Sao Tome and Principe	2
Nepal	533	Saudi Arabia	145
Netherlands	413	Senegal	7
Netherlands Antilles	2	Serbia and Montenegro, former	28
New Caledonia	16	Serbia, Republic of	184
New Zealand	4 322	Seychelles	42
Nicaragua	1	Sierra Leone	223
Nigeria	190	Singapore	2 198
Norfolk Island (so stated)	11	Slovakia	181
Norway	32	Slovenia	34

Table 128: Previous country of residence of people who were conferred
in 2009–10 *continued*

Previous country of residence	Persons
Solomon Islands	37
Somalia	84
South Africa, Republic of	5 233
Spain	143
Sri Lanka	3 150
St Lucia	1
Sudan	922
Swaziland	17
Sweden	271
Switzerland	236
Syria	297
Taiwan	1 029
Tanzania	310
Thailand	2 046
Timor-Leste, Democratic Republic of	41
Togo	3
Tonga	97
Trinidad and Tobago	20
Tunisia	7
Turkey	425

Previous country of residence	Persons
Turkmenistan	3
Tuvalu	3
Uganda	207
Ukraine	271
United Arab Emirates	820
United Kingdom	21 734
United States of America	1 899
Uruguay	53
USSR, former	19
Uzbekistan	62
Vanuatu	18
Venezuela	141
Vietnam	1 991
Yemen	17
Yugoslavia, Federal Republic of	132
Zambia	159
Zimbabwe	1 390
Not stated/other	1 630
Grand Total	119 791

Appendix 6: Inaugural Annual Address on Immigration and Citizenship—transcript

Professor Ian Chubb AC, Vice-Chancellor
The Australian National University

17 March 2010



Introduction

I am very pleased to present this inaugural address on immigration and citizenship.¹ Let me begin by joining with the previous speakers in acknowledging the traditional owners of this land on which we meet today.

I will take the opportunity today to reflect on the long-standing and productive collaboration between two important Australian institutions—the Department of Immigration and Citizenship (DIAC) in its various forms and guises, and the Australian National University (ANU)—with its various forms over the years though we've kept the one name.

When we were established, our founders had high aspirations for us. They wanted ANU to *advance the cause of learning and research in general and take its rightful place among the great universities of the world. With the establishment of a national university...Australia will have taken one more step to align itself with the great and enlightened nations of the world.*² The last point is particularly pertinent and worth emphasising—they had the ambition to transform Australia into one of the *great and enlightened nations of the world*—and we were to play a part in that transformation.

Our ANU founders have not been the only ones openly concerned about building nations and the place of universities in the process. A nice essay about the need for a national university for America goes back to 1787³, when one Dr Benjamin Rush declared that the war (of independence) may have been over but the revolution would not be completed until the United States had perfected its *new form of government and prepared the principles, morals and manners of our citizens for these forms of government*. He argued that a *federal university* would be one in which *everything connected to government, such as history—the law of nature and nations—the civil law—the municipal laws...and the principles of commerce would be taught by competent professors*. Enrolments would be restricted to those who had *'imbibed federal and republican ideas'*.

1. I wish to thank Ms Barbara Edgar, PhD candidate in the Australian Demographic and Social Research Institute at ANU, for her research and writing work for this speech, and also to acknowledge the input of my ANU colleagues Professor Peter McDonald and Professor James Jupp in their discussions with me regarding the links between ANU and DIAC.
2. The Hon J.J. Dedman MP, Minister for Post-War Reconstruction, 'Second Reading Speech—Australian National University Bill 1946 – 19 June 1946'. House of Representatives: *Official Hansard*.
3. Albert Castel (1964), 'The Founding Fathers and the Vision of a National University', *History of Education Quarterly*, Vol 4, No. 4, p. 280.



In 1789, the US had 20 colleges, with no true university and many of the 20 described as *hardly more than backwoods grammar schools*. The largest of them, Harvard, had just 150 students. The Founding Fathers were convinced that their experiment in republican government could not succeed unless the people and their officials were properly educated. They endorsed learning for its own sake; and wanted to raise the level of higher education in America. Two principles pursued by the Australian founders of ANU.

As H.C. Coombs reminds us in his autobiography—when writing about a particular activity that had taken a long time to surface at ANU—*good ideas never die*.⁴ Around 157 years after Dr Rush we built a national university (and Coombs was an important advocate) even though the US did not (I readily concede that they haven't done badly, however, I can make no comment on the standard of the *principles, morals and manners* of their citizens and whether they would have been better or worse if they had). Maybe our founders were just stronger or more determined or maybe the needs of a small and, in those days, isolated country were greater and more compelling in a world so different from 1787. I will make no comment on the *principles, morals and manners of our citizens*.

Anyway, one plank in Australia's platform supporting the transformation into a *great and enlightened nation* was in place—the ANU.

4. H.C. Coombs, *Trial Balance* (Macmillan, 1981) p. 178.

Photo: The Museum of Australian Democracy at Old Parliament House in Canberra was the venue for the inaugural Annual Address on Immigration and Citizenship. Photo courtesy of Stuart Hay, ANU Photography.

Another plank was the establishment of the Department of Immigration. The two of us were created within months of each other in the aftermath of the Second World War. Both were intended to support the ambitions of the government of the day—the governments of Curtin and Chifley.

The migration, settlement and citizenship policies implemented by the department today have come a long way from those early post-war years. The old policies of white Australia and assimilation are no more.

Australia's needs and the world environment have changed. Policy has had to respond to the challenges of increasing population diversity, large flows of displaced people, a mobile international labour force, economic swings, and globalism.

Australia's well-managed and evolved immigration and settlement programs have become the envy of the world.

For its part, the ANU is pleased to have played an important role in informing policy development and promoting public discussion in these important areas.

Our combined story provides an important example of the vital role our universities and government agencies can play together – in providing informed advice so that government can develop, justify and fine-tune its policies to meet the needs of our changing times.

Let me begin the story with the department.

Founding of the Immigration Department

Prime Minister Curtin had suggested creating a separate immigration portfolio as early as 1944. One of the first acts of his successor, Ben Chifley, was to do so—and the Department of Immigration was established in 1945, with Arthur Calwell as its first minister.

This was a time when millions of people displaced in Europe urgently needed sanctuary.

Meanwhile, the war had brought home Australia's vulnerabilities. These and a desperate shortage of labour encouraged the view that Australia needed a larger population—highlighted in the catch cry 'Populate or Perish'.

One of Calwell's first acts as minister was to set in train the nation-changing immigration scheme.

Its aim was to increase Australia's population by 1 per cent a year, matching the natural population increase from the burgeoning birth rate.

Virtually all sections of the community supported this extraordinary program. It was to underpin an economic boom over the next two decades and gradually it would transform Australian society.

Successive governments have maintained the Migration Program—adjusting it along the way to take account of changing economic, social and political environments.

It has produced seven million new settlers for Australia.

Its success is founded on the contributions of Sir Tasman Heyes and Sir Peter Heydon, the first two permanent heads of the Immigration Department. Their period of administration covers the establishment of the migration program, through to the first steps to dismantle the ‘White Australia’ policy.

Their personal qualities set the program’s direction and gave it a great start.

Sir Tasman Heyes was appointed the first Secretary of the Department of Immigration in 1946. He had risen through the public service ranks from relatively humble beginnings, including a period of service on the Western Front during the First World War.

He was dedicated to his work, and was a man of great personal charm, friendliness and vision.

Heyes faced the daunting tasks of building a new department and managing a radical policy shift – which saw a dramatic increase in migrants from continental Europe alongside the stream of settlers from the UK and Ireland.

By the time Heyes retired in 1961, the department had a staff of 1200, including nearly 400 overseas. Over the same period, net migration increased eight-fold, from a little over 11 000 in 1947 to 89 000 in 1960.

Heyes continued his public service work after retirement—serving on the Commonwealth Immigration Planning Council, the Australian Broadcasting Control Board, and as chairman of the Commonwealth Hostels board of directors.

He was knighted in 1960 and in 1962 was awarded the Nansen medal by the United Nations—in recognition of his, and Australia’s, contribution to the resettlement of refugees.

Arthur Calwell wrote that the name of *Tas Heyes...ranks with the best and most highly successful departmental heads in the history of our Federation.*⁵

The early years of the ANU Demography Department

The Australian National University was established by the Chifley government within a year of the Immigration Department, in 1946.

Like the department, the ANU was created out of the post-war desire for nation-building—and the place of Australia in the world.

It was the country’s first concerted attempt to encourage research in our universities — and to grow a research culture to support the nation’s development. Our (then) six universities did not produce a PhD graduate until 1948. In a manner of speaking, the establishment of ANU was an Australian ticket to a seat at the table; our founders had seen close up the consequences of our essentially mendicant position. And they knew that if you (we) did not contribute to the fare you were left with the crumbs that fell off – no place to be if you also aspired to be a *great and enlightened nation*.

5. Cited in Andrew Markus, ‘Sir Tasman Hudson Eastwood Heyes (1896-1980),’ Australian Dictionary of Biography at <http://adbonline.anu.edu.au/biogs/A140513b.htm>

The Social Sciences were a key part of the ANU brief:

*We are still a young and virile people. Our institutions are not yet fully determined, and for that reason, apart from many others, our opportunities for research into the social sciences are unique.*⁶

The founders observed that there was no research base for the study of Australia's population in the country at that time. They considered that a knowledge and understanding of Australia's demography was vital for future planning.

The first academic appointment in the social sciences at ANU was the appointment in 1949 of Mick Borrie as Research Fellow in Demography—upgraded a few months later to Senior Research Fellow.

Borrie's appointment to the Chair of Demography a few years later, in 1957, was the first Chair of Demography anywhere in the world.

From the beginning, ANU demographers have been at the forefront of research into Australian population trends, immigration history and policy, and the integration of immigrant groups in Australia.

Their success was built on Mick Borrie's drive and achievement, and the team of talented people he fostered.

Professor Jack Caldwell succeeded Borrie in 1970 as the second Head of Demography at the ANU. International demographers have placed Caldwell among the two most influential demographers of the second half of the 20th century.

He worked tirelessly to promote informed and balanced consideration of complex population policy issues, including explicit population targets for Australia.

Early collaborations between Immigration and ANU

From the early days there was strong collaboration between Immigration officials and ANU researchers. A key example is the relationship between Sir Peter Heydon and Professor Jerzy Zubrzycki.

Peter Heydon was appointed the second Secretary of the Department of Immigration in 1961, following a successful diplomatic career.

He soon won respect and admiration for his conscientious, businesslike approach, and his ability to set high standards and foster staff spirit.

Meanwhile, Jerzy (George) Zubrzycki had joined the ANU in 1956 as a Research Fellow to study European immigrant groups in Australia. In 1971, he was to become ANU's Foundation Professor of Sociology.

Sociologist Jean Martin had obtained her doctorate from ANU in 1954. In 1965 she was appointed Foundation Chair of Sociology at La Trobe University, before returning to ANU in 1974.

6. The Hon J.J. Dedman MP. Minister for Post-War Reconstruction, 'Second Reading Speech—Australian National University Bill 1946 – 19 June 1946'. House of Representatives: *Official Hansard*.

Zubrzycki has described conversations with Heydon and Martin *well past the official business hours...over a glass of sherry in Heydon's office*. Topics...

ranged widely over a number of issues which Heydon, more than any single public servant of his generation, identified as challenges of the next decade of Australia's immigration experience.

'We talked about the plight of migrant children for whom no special provision was being made in Australian schools, about non-recognition of overseas professional and trade qualifications, about those unskilled migrants for whom no prospect of advancement was in store and, above all about the wisdom of persevering with the policies of assimilation...'

Zubrzycki continues:

*'The outcome of these talks was a request that Heydon put to me to write a wide-ranging review of these problem areas and to discuss alternative approaches to migrant settlement. I did this in a pamphlet entitled *The Questing Years...which outlined the model of cultural pluralism that "stands for the retention of ethnic identity and continued participation of individual settlers in minority group activities"*.'*⁷

These conversations, back in the late 1960s, foreshadowed the creation of the Adult Migrant English Program and other ground-breaking settlement programs.

Zubrzycki served on a series of government inquiries and committees, out of which multicultural policy was born. He was widely described as 'the father of multiculturalism'. George died last May, at the age of 89.

Andrew, I note that you have publicly acknowledged the enormous influence George had on the work of your department and successive Australian governments, and the major contribution he made in the area of multiculturalism.⁸

It is clear that the early friendship between Peter Heydon and Jerzy Zubrzycki, the public servant and the academic, laid the foundation for the successful multicultural society we find in Australia today.

The beginning of the end of the 'White Australia' policy

Heydon gave Australia another important legacy—he began the process to abolish the white Australia policy.

Back in 1901, one of the first decisions of the new Commonwealth Parliament was to pass an Act which limited migration to people of primarily European origin.

After this, the low proportion of the population born outside English-speaking countries fell even further. By 1947, just 2 per cent of Australian residents were born outside of Australia, the British Isles and New Zealand.

7. *The Evolution of the Policy of Multiculturalism in Australia 1968-95*. Address by Jerzy Zubrzycki to the Global Cultural Diversity Conference, 1995, Sydney at <http://www.immi.gov.au>

8. Mr Andrew Metcalfe, Secretary, Department of Immigration and Citizenship, Address to the Settlement Council of Australia Conference, Canberra, 29 May 2009.



In 1966, with the support of his minister Sir Hubert Opperman, Heydon persuaded the government to liberalise this restrictive policy. It was a key turning point.

It was decided that prospective migrants were to be assessed on the basis of their suitability as settlers, their ability to integrate readily, and their possession of qualifications useful to Australia.

A number of temporary residents from countries outside Europe were permitted to become residents and citizens after five years—the same as for Europeans—instead of 15 years.

Heydon genuinely valued the advice of external consultative bodies, accurately representing their views to ministers even when they diverged from the policy of the day.

He was by all accounts a splendid raconteur—with that endearing Australian trait of being able to laugh at himself. He told a story of once arranging a flag for ‘Doc’ Evatt’s official car in London—only to be informed by the minister that it was, in fact, the flag of New Zealand!

Heydon was knighted in 1970.

Photo: Professor Chubb spoke of the strong and positive relationship between the department and the Australian National University. Photo courtesy of Stuart Hay, ANU Photography.

Enquiries and reforms in the 1970s and 1980s

The government has long used enquiries and reports as an instrument for refining immigration and population policies, as well as for validating existing policies. This was particularly the case between 1975 and 1996.

ANU researchers were influential in shaping the thinking of advisory committees and in drafting their reports and recommendations to government. In this way, they made an important contribution to public policy development.

I have spoken about the work of Jerzy Zubrzycki in the multicultural area.

In the early 1970s, the government invited ANU demographer Mick Borrie to conduct a National Population Inquiry. This produced the most comprehensive report on Australia's population ever undertaken.

By showing the effects of population growth on society and the environment, the 1975 report provided for the first time a systematic basis for immigration policy-making.

There was wide public debate about Australia's population, migration and refugees.

New immigration policies were developed to provide a framework for Australia's population development. These included more relaxed criteria for family reunion and a more consistent approach to migrant selection.

The first numerical scoring system for migrant selection was introduced in 1979. It gave points to prospective migrants based on factors such as family ties and occupational and language skills, which were seen to increase the probability of successful settlement.

ANU demographer Charles Price—who died last August—was a leading member of the committee which undertook the first major review of this system in 1981.⁹ The committee developed a model for migrant settlement which remained influential for many years.

Price served effectively on many committees related to immigration and settlement, and was an important adviser to government. His work shed light on the processes of migration and settlement, and the social consequences of Australia's immigration program.

In 1989, points testing on the skilled migration categories was introduced into Australian law. Points testing aimed to identify objectively the characteristics of prospective migrants that would benefit Australia or assist with settlement.

These characteristics related to education, work experience, English proficiency and age. Labour market research had found these to be associated with more rapid adjustment among new migrants.

9. The DIEA Committee of Review on Migrant Assessment also included Justice Gobbo, Jim Samios and David Cox. The system reviewed was called the Numerical Multifactor Assessment System (NUMAS).

ANU economist and policy analyst Glenn Withers played a key role in developing the immigration points system. He also chaired a number of government bodies, notably the Population Issues Committee of the National Population Council.

By the late 1980s, the ANU Centre for Immigration and Multicultural Studies had been established in the Research School of Social Sciences and was led by James Jupp.

He was funded by the Bicentennial Authority to edit a seminal encyclopedia, *The Australian People*, which was published in 1988. The second edition was published for the Centenary of Federation in 2001.

I am told that these volumes have been an invaluable resource for staff in the department, with their intricate histories of the many diverse immigrant groups in Australia.

Jupp also chaired the government's Review of Migrant and Multicultural Programs and Services in 1986.¹⁰ The review ratified multiculturalism and a newly proposed strategy called 'access and equity'.¹¹

The BIR / OMA period of research

Jupp's 1986 review advocated independent research, and expertise, to guide policy.

In the late 1980s, the government created two significant research bodies. The Bureau of Immigration Research (BIR) was created as part of the Immigration Department in 1989 and the Office of Multicultural Affairs (OMA) as part of Prime Minister and Cabinet in 1987.¹²

Until their abolition in 1996, these bodies funded an extraordinary immigration and population research effort that arguably has had no parallel before or since. In its last bulletin, the bureau lists 112 reports and publications, 55 projects in progress and 12 newly funded projects.¹³

ANU academics contributed to this research effort. The ANU Demography Department had a good relationship with both bodies, and with the Immigration Department more broadly.

ANU demographers such as Jerzy Zubrzycki, Charles Price and James Jupp undertook various contract research projects, while many others worked on independent research studies with keen policy relevance. I will mention a few examples.

In the 1980s, there was a belief that immigration could substantially hold back the ageing of the population. The work of ANU demographer Christabel Young effectively challenged the view that large-scale immigration was a sensible response to population ageing.

10. *Don't Settle for Less – Report of the Review of Migrant and Multicultural Programs and Services* (Canberra: Australian Government Publishing Service, 1986).

11. *Access and Equity in the Role of the Commonwealth Government*. Address by Dr Andrew Theophanous to the Global Cultural Diversity Conference, 1995, Sydney www.immi.gov.au

12. The Bureau of Immigration Research (1989 to 1996) and Office of Multicultural Affairs (1987 to 1996) succeeded the Australian Institute of Multicultural Affairs (1979-1986).

13. Bureau of Immigration, Multicultural and Population Research Bulletin, issue no. 17 (Aug. 1996).

Gordon Carmichael was funded to coordinate a review of migration between New Zealand and Australia by scholars in both countries. His work informed the deliberations of the Australian and New Zealand governments.

Lincoln Day wrote papers on the consequences of immigration. One paper examined what Australia's policy should be towards immigration in general and refugee immigration in particular.

Recent developments since 1996—ADSRI and DIAC

Since 1996, the role of universities as providers of expert advice, independent of government, has become if anything more crucial. A significant research effort in the areas of immigration and multicultural affairs is needed more than ever.

The number of temporary migrants including skilled workers and students has increased solidly since the late 1990s, helping to meet new labour needs. At the same time we have a historically large number of permanent settlers, many of whom arrived on temporary visas, liked it here, and decided to stay.

High levels of immigration, the asylum issue, international conflicts and the spectre of terrorism have contributed to public concerns about social cohesion and the ability of migrants to integrate.

Others are worried about the costs of immigration on Australia's fragile environment in a context of climate change.

There is wide discussion about the future challenges Australia will face from its ageing population.

The good news is that the department is very open to expert advice and research. The collaboration between DIAC and the ANU continues to be positive and strong.

Two leaders whose friendship has helped cement the productive relationship between DIAC and the ANU in recent years are Abul Rizvi and Peter McDonald.

Until recently, Abul Rizvi was a deputy secretary in DIAC, having joined the department in 1992.¹⁴ It is on the public record that he made, in that time, *a major contribution to the development of the migration policies and programs for which Australia is internationally recognised*.¹⁵

Abul identified strategies to improve the design and delivery of visas in a challenging environment—where increasing numbers of people are travelling across Australia's borders, fast visa processing is essential, but there is increasingly sophisticated visa fraud.¹⁶

14. Mr Rizvi is now Deputy Secretary, Department of Broadband, Communications and the Digital Economy.

15. Statement by secretary Metcalfe to Senate Estimates, Parliament House, Canberra, 21 May 2007.

16. Abul Rizvi (2004). 'Designing and delivering visas', *People and Place* vol 12, no 2.

At the ANU, Professor Peter McDonald has led the demography program since 1996. In that time, the Australian Demographic and Social Research Institute, or ADSRI, has come into being at the university, and ANU demographers have conducted a number of significant research projects for and with the collaboration of the Immigration Department.

For example, ANU demographers Rebecca Kippen and Peter McDonald published an important paper in 1998 called *Achieving Population Targets for Australia: An Analysis of the Options*. The paper was presented to over 200 staff at the Immigration Department and the minister made frequent public reference to it.

ANU demographers Siew-Ean Khoo and Peter McDonald, together with Graeme Hugo from the University of Adelaide, have conducted surveys of temporary skilled migrants and their employers to understand the factors motivating temporary skilled migration and the implications for Australia's immigration policies.

The findings have been helpful to the department in recent reviews of the temporary migration visa.

In 2008, DIAC commissioned Peter McDonald and Jeromey Temple to undertake modeling research into the relationship between Australia's projected population directions and its future labour supply.

I am pleased to say that Minister Evans, in announcing changes to Australia's skilled migration program last month, acknowledged that Peter's work has informed the development of the government's longer-term planning framework for skilled migration.¹⁷

The changes announced by the minister are important. I welcome the government's overhaul of the skilled migration program. Shonky colleges and unscrupulous migration agents have been promoting sub-standard courses as an easy pathway to permanent residence in Australia, to the detriment of too many international students and to our reputation as a quality education provider. Nevertheless, the education/migration link as an option for graduates of quality university programs must not be overlooked in the reform process – our academic and research workforces require renewal urgently and international students, particularly higher degree by research students, will provide an increasingly important source of talent for this task.

Conclusion

I have given you a snapshot of the shared journey of the Immigration Department and the ANU over the past 65 years. Time does not permit me to acknowledge all the dedicated and talented men and women who have contributed to this nation-building journey.

Also, my remarks this evening have focused on the strong collaboration between ANU and the department in the immigration area—but we have also made significant contributions to citizenship policy.

17. Speech by Senator Evans, Changes to Australia's skilled migration program, 8 February 2010 at www.minister.immi.gov.au

Kim Rubenstein of our College of Law, for example, served as a consultant to the department on the redraft of the 1948 Citizenship Act which culminated in the *Australian Citizenship Act 2007*, and was a member of the minister's independent committee that reviewed the citizenship test in 2008.

It is a historical fact that there has been strong public interest in immigration and population in Australia virtually since the arrival of the first Europeans.

The current debate about Australia's future population size and composition is not new—but the environmental and economic challenges we face over the next half century, as our population ages and as, metaphorically, the world becomes smaller, are different from those that faced previous generations.

The increasing pace of social and technological change adds to the urgency and importance of having an informed, balanced discussion about population.

Future policy-makers and scholars will have to grapple with some big questions, just like the architects of Australia's modern immigration system had to do 65 years ago. They will be (just a few of many) questions like:

- What policy approaches will ensure that immigration plays the part that it needs to play in meeting the short- and longer-term skill needs of Australia?
- How do we plan for the impact of immigration on our ageing population, our future labour force, and our prosperity?
- How can we employ migration strategies to address labour shortages in particular regions and industries? Is there a role for temporary migrant workers in meeting low-skilled labour shortages in Australia? How can we ensure that workers and students living temporarily in Australia have a sense of inclusion in Australian society?
- How do we plan for the impact of immigration on the sustainability of our society, on our environment and our infrastructure?
- How can Australia combat people smuggling while at the same time maintaining a humane approach to its victims?
- How do we influence settlement patterns so that socio-economic inequalities are reduced and the benefits of migration spread widely, so that the possibilities for alienation from mainstream society and the development of extremist views are reduced?

We need to approach all these questions in the same spirit that Arthur Calwell demonstrated when he launched the immigration scheme in this chamber in 1945 —as *something essential to our national welfare and something that is above all sectional interest*.¹⁸

18. The Hon Arthur Calwell MP, Minister for Immigration; Minister for Information, 'Migration Speech', House of Representatives, 2 August 1945: Official Hansard.

Australia has a long history of innovative research and policy-making in the areas of immigration and population. It is vital that this continues—and important that our universities play their role.

Just last year, the Prime Minister outlined his vision for a re-invigorated strategic relationship between the ANU and the Australian Government. It should be, he said, *a relationship that puts education and research at the centre of building robust public policy. A relationship that grows excellence in policy analysis, policy advice and public sector strategic leadership.*¹⁹

The relationship between DIAC and ANU is a good story. It is an example of how the walls between academia and public administration can be broken down, in keeping with Prime Minister Rudd's vision for the betterment of our nation. It is an example of how by working together, all of us, we can ensure that Australia will continue an important role as a *great and enlightened nation* in the new, different and hopefully better world we are all now building.

Thank you.

19. The Hon Kevin Rudd MP, Prime Minister of Australia, 2009 Annual Burgmann College Lecture, Burgmann College, Australian National University, 27 August 2009.

Appendix 7: Transition from outcomes and outputs to outcomes and programs structure

Figure 34: Transition table

2008-09 Budget year

Outcome 1: Contributing to Australia's society and its economic advancement through the lawful and orderly entry and stay of people.

Output Group 1.1: Migration and temporary entry

Departmental Outputs:

- Economic migration
- Family migration
- Resident Return Visas, Former Resident Visas, Australian Declaratory Visas and Certificates of Evidence of Resident Status
- Students
- Temporary residents (economic)
- Temporary residents (non-economic)
- Visitors and working holiday makers

2009-10 Budget year

Outcome 1: Managed migration through visas granted for permanent settlement, work, study, tourism, working holidays or other specialised activities in Australia, regulation, research and migration policy advice and program design.

Program 1.1.1: Visa and migration—service delivery

Departmental items:

- Economic migration
- Family migration
- Resident Return Visas, Former Resident Visas, Australian Declaratory Visas and Certificates of Evidence of Resident Status
- Students
- Temporary residents (economic)
- Temporary residents (non-economic)
- Visitors and working holiday makers

Program 1.1.2: Visa and migration—policy advice and program design

Departmental items:

- Economic migration
- Family migration
- Resident Return Visas, Former Resident Visas, Australian Declaratory Visas and Certificates of Evidence of Resident Status
- Students
- Temporary residents (economic)
- Temporary residents (non-economic)
- Visitors and working holiday makers

Figure 34: Transition table *continued*

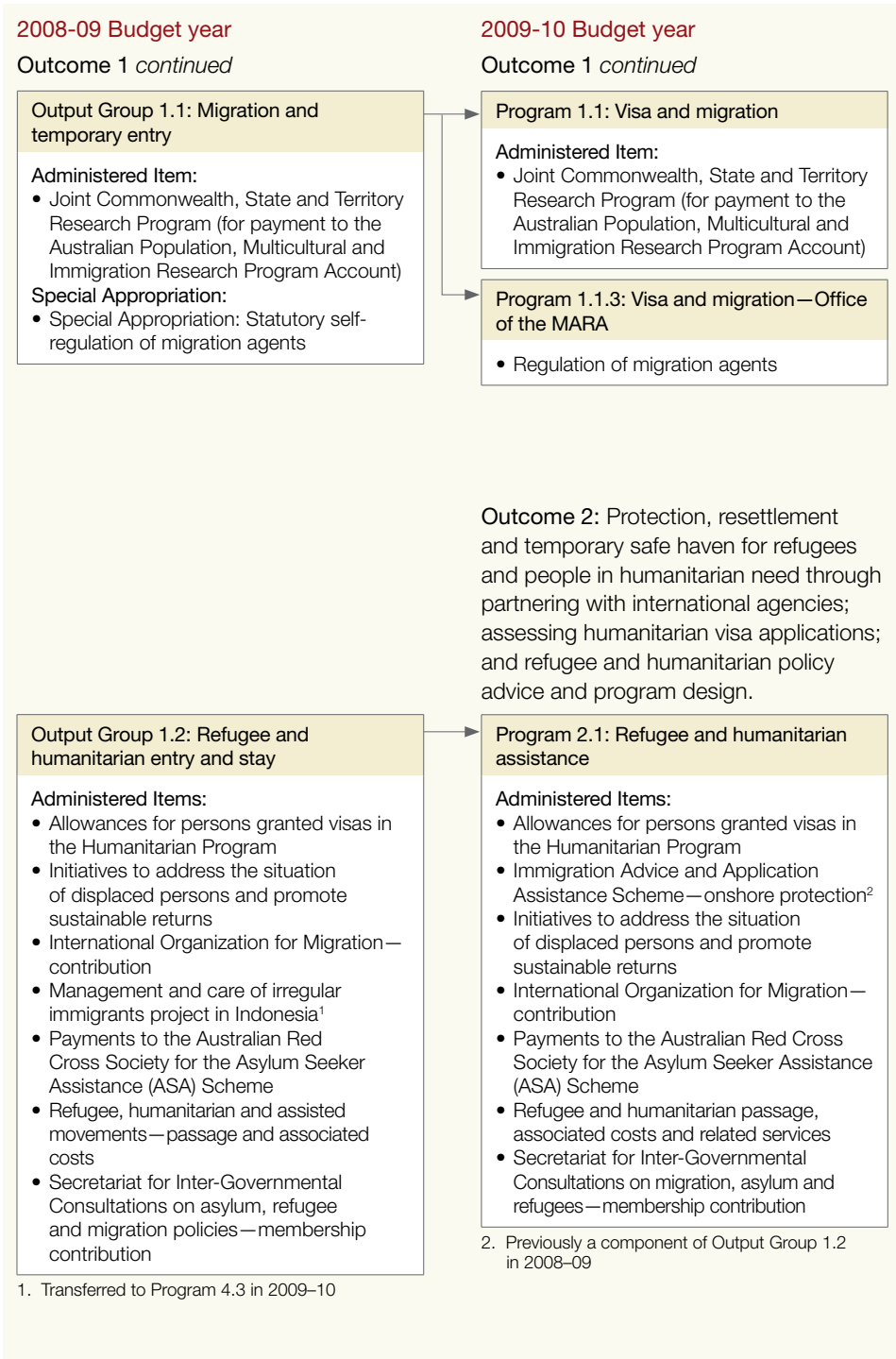


Figure 34: Transition table *continued*

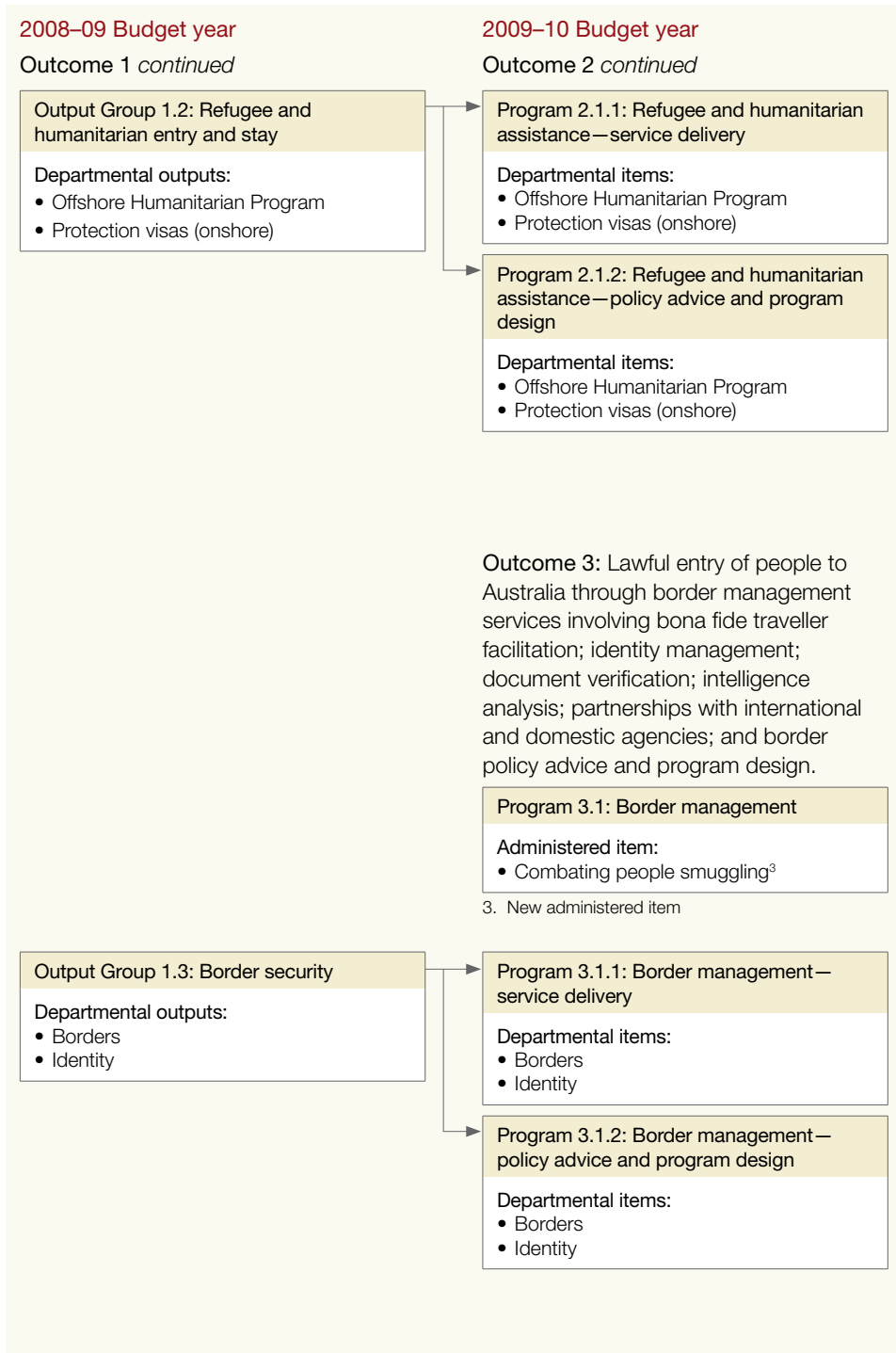


Figure 34: Transition table *continued*

2008–09 Budget year

Outcome 1 *continued*

Output Group 1.4: Compliance

Administered items:

- Reintegration allowances⁴

Departmental outputs:

- Detection onshore
- Removals
- Status resolution

4. Discontinued in 2009–10

2009–10 Budget year

Outcome 4: Lawful stay of visa holders and access to citizenship rights for eligible people through promotion of visa compliance responsibilities, status resolution, citizenship acquisition integrity, case management, removal and detention, and policy advice and program design.

Program 4.1: Visa compliance and status resolution

Administered items:

- Compliance resolution, community care and assistance⁶

6. Previously a component of Output Group 1.2 and Output Group 1.4 in 2008–09

Program 4.1.1: Visa compliance and status resolution—service delivery

Departmental items:

- Detection onshore
- Removals
- Status resolution

Program 4.1.2: Visa compliance and status resolution—policy advice and program design

Departmental items:

- Detection onshore
- Removals
- Status resolution

Figure 34: Transition table *continued*

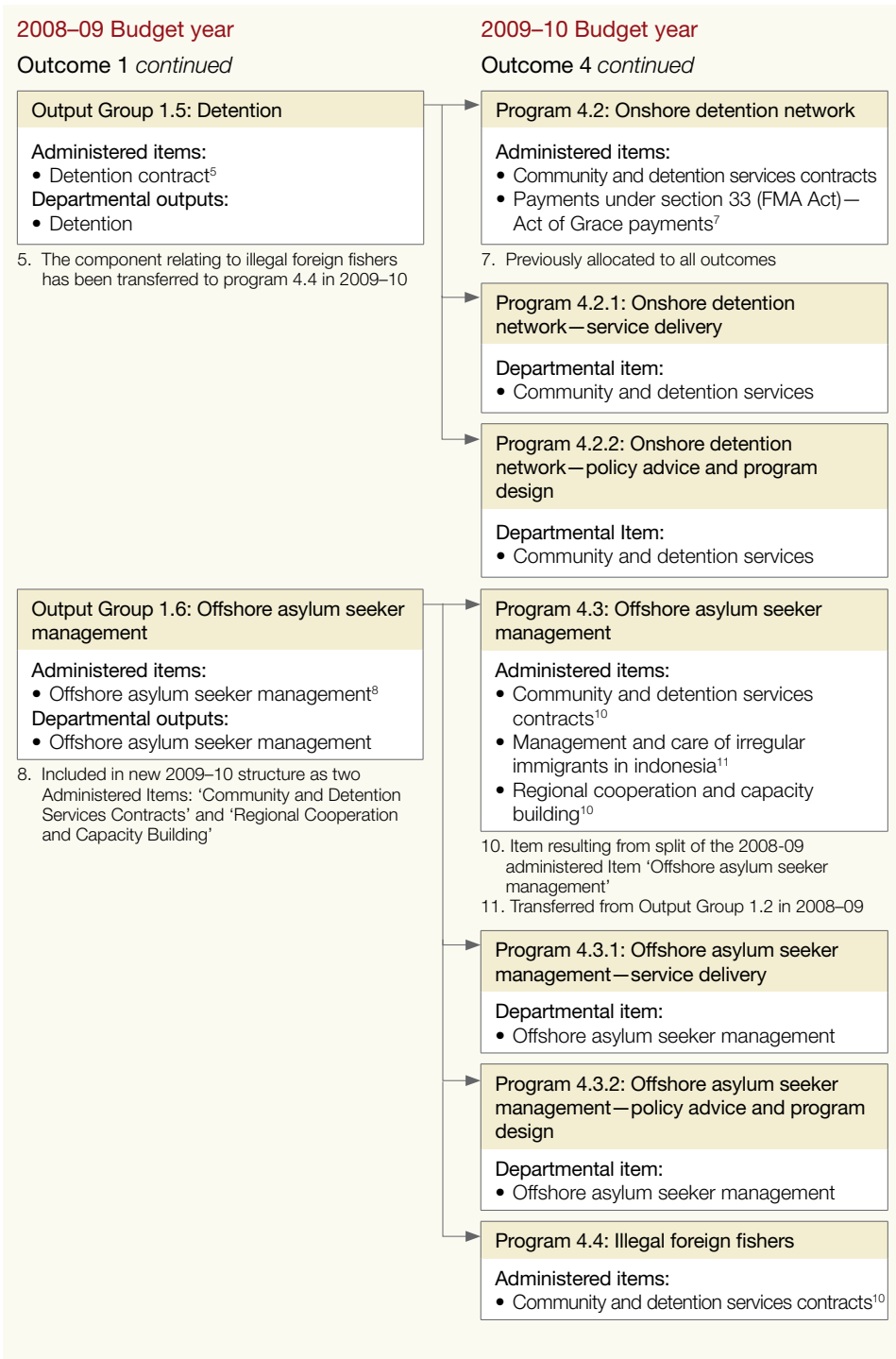


Figure 34: Transition table *continued*

2008-09 Budget year

Outcome 1 *continued*

Output Group 1.7 *Systems for People*
 Departmental outputs:
 • *Systems for People*⁹

9. Attributed across all programs in 2009–10

Outcome 2: A society which values Australian citizenship and social cohesion, and enables migrants and refugees to participate equitably.

Output Group 2.1: Settlement services
 Administered items:
 • Adult Migrant English Program (AMEP)
 • Assistance for former child migrants
 • Grants for migrant community services
 • Humanitarian settlement services
 • National Accreditation Authority for Translators and Interpreters Limited—contribution
 • Supervision and welfare support for unaccompanied humanitarian minors (SPP Bill No.2)

2009-10 Budget year

Outcome 4 *continued*

Program 4.4.1: Illegal foreign fishers—service delivery
 Departmental item:
 • Illegal foreign fishers¹²

Program 4.4.2: Illegal foreign fishers—policy advice and program design
 Departmental item:
 • Illegal foreign fishers¹²

12. Previously a component of Output Group 1.5 in 2008–09

Outcome 5: Equitable economic and social participation of migrants and refugees, supported through settlement services, including English language training; refugee settlement; case coordination; translation services; and settlement policy advice and program design.

Program 5.1: Settlement services for migrants and refugees
 Administered items:
 • Adult Migrant English Program (AMEP)
 • Assistance for former child migrants
 • Grants for community settlement services
 • Humanitarian settlement services
 • National Accreditation Authority for Translators and Interpreters Ltd—contribution
 • Supervision and welfare for unaccompanied humanitarian minors (COPE Bill No.1)



Figure 34: Transition table *continued*

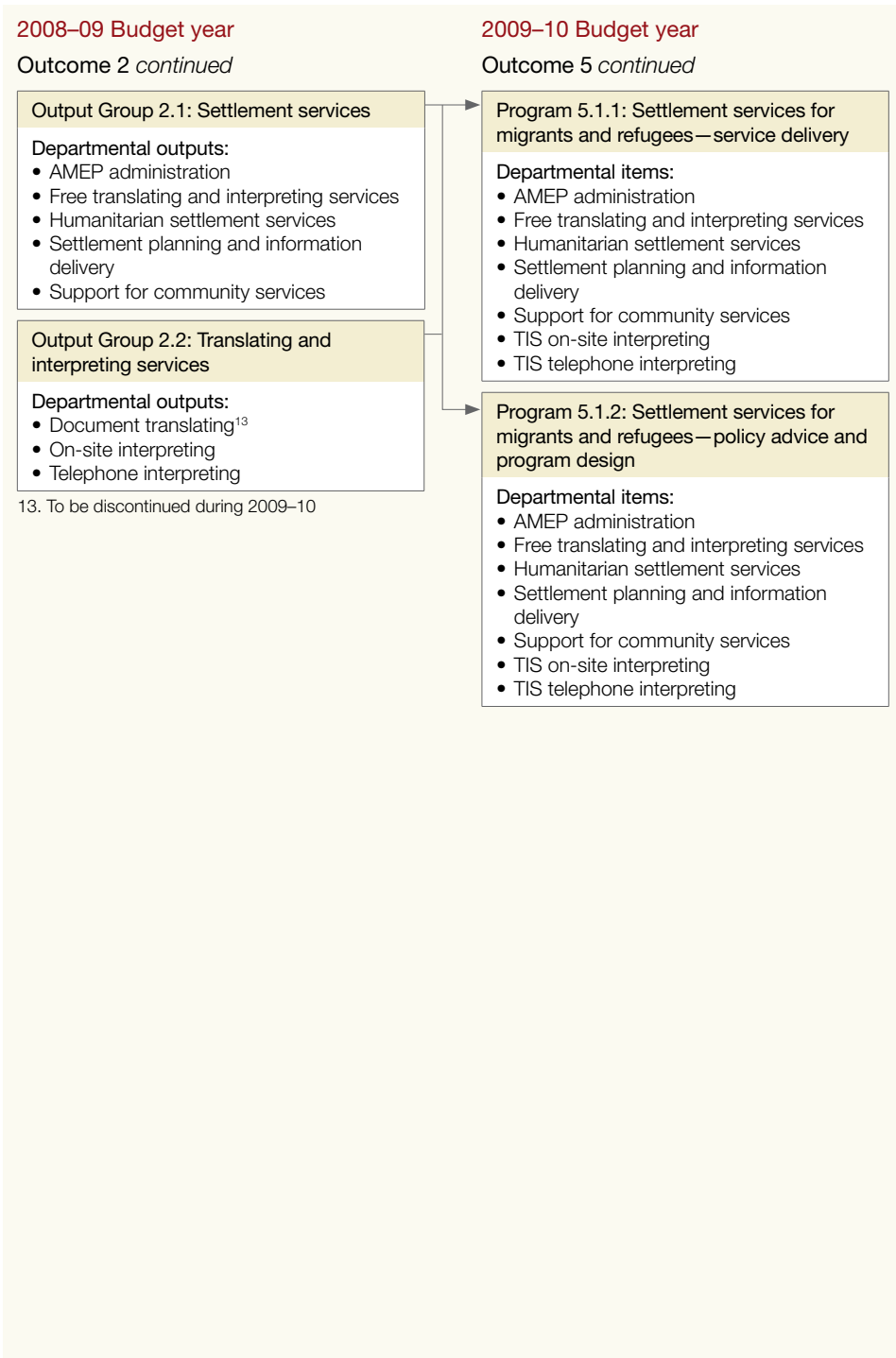
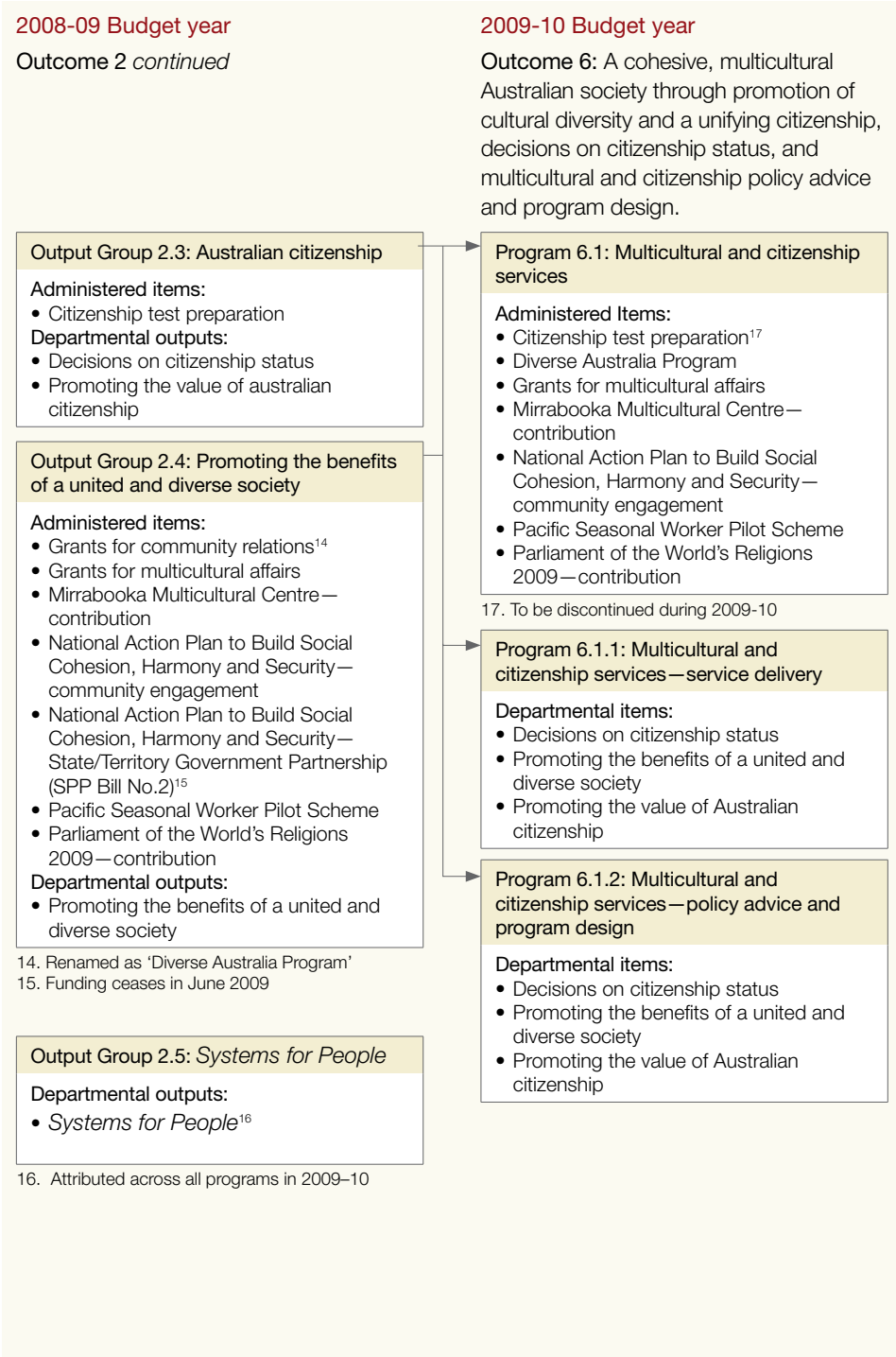


Figure 34: Transition table *continued*



Appendix 8: Correction of material errors

The following errors were detected after the publication of the Annual Report 2008–09.

Page 183

The total number of documents translated was incorrectly reported as 7136 in the text. The correct figure is 9956.

Page 161

Some figures reported in this administered item incorrectly included activities funded through a departmental appropriation. This administered item should read: A total of 7420 applicants were medically screened and about 6036 pre-departure medical checks performed in 2008–09 for a total cost of \$5.81 million. The result in Table 57 for the number of refugee applicants medically screened for entry into Australia should be 13 456. This is a higher number than the planning level and reflects increased medical screening activity associated with the resettlement of locally engaged staff of the Australian Defence Force in Iraq.

Immigration history 2006 to today

Since the department was established on 13 July 1945, seven million people have been granted a visa for permanent migration. As a result, Australia is among the world's most culturally diverse nations. About 45 per cent of all Australians were born overseas, or have at least one parent who was born overseas

Australia has derived substantial economic benefits from the skilled migration and temporary entry programs during the past 65 years. Skilled migrants are filling positions that remain in chronic shortage despite the effects of the global economic crisis. International students and visitors to Australia contribute to our foreign exchange revenue. Social benefits have been reaped through the high levels of community harmony and cohesion which draw Australia's diverse society together—Australians are regarded internationally as a friendly, respectful and welcoming people.

During this decade, the department's nation-building activities will continue to support the government's priority of 'building a stronger Australia' through the lasting economic contributions of skilled migrants and temporary entrants and the civic contributions of citizens.

The department also supports the priority of 'building a fairer Australia' through its administration of humanitarian programs and settlement programs that give new arrivals a strong start in Australia. Cultural diversity programs encourage respect in the community for the cultural associations of all Australians.

The department continued its program of reform and remained the focus of substantial community and political interest. By 2010, the department had accomplished the majority of its reforms, which, through the *Systems for People* program, included the introduction of more robust and globally consistent business processes underpinned by more agile and improved systems. Other reforms were in areas including skilled migration, student visas, the introduction of a new Citizenship Act, the introduction and review of the citizenship test and implementation of the government's *New Directions in Detention* policy.

By 2009–10, the migration program was 168 623, with 13 770 humanitarian visas, and 3.4 million visitor visas granted. In addition, 67 980 people were granted subclass 457 visas and 269 828 granted student visas. As the year closed, 7999 staff (including 1001 staff overseas) were engaged in delivering improved and responsive client service across a global network and engaging with a diverse range of stakeholders.

Photos opposite page from top to bottom: A Burmese humanitarian entrant in Brisbane in 2007, who posed for the department's *New Beginnings* publication, an overview of the government's assistance to new arrivals. Departmental staff member Kantharao Sajja, who migrated to Australia from India 10 years ago, with his wife Kalpana, and daughters Apoorva (left) and Saraaga at Harmony Day 2010 celebrations in Canberra. Regina Ahmed and her daughter, Ayisha, enjoy Harmony Day 2010 in Canberra.

Part 7



Reference material

Acronyms

Compliance index

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Acronyms

A/g	Acting	ASAS	Asylum Seeker Assistance Scheme
AAE	Australian Approved Employers	ASCO	Australian Standard Classification of Occupations
AAT	Administrative Appeals Tribunal	ASEAN	Association of South East Asian Nations
AC	Companion of the Order of Australia	ASIO	Australian Security Intelligence Organisation
ACSE	Award for Client Service Excellence	ASL	Average Staffing Level
ADS	Approved Destination Status	AusAID	Australian Agency for International Development
AHRC	Australian Human Rights Commission	AUSCO	Australian Cultural Orientation
ALO	Airline Liaison Officer	AVR	Assisted Voluntary Return
AM	Member of the Order of Australia	BASIC	Business and Systems Integration Committee
AMAC	Australian Multicultural Advisory Council	CAC Act	Commonwealth Authorities and Companies Act 1997
AMEP	Adult Migrant English Program	CCS	Complex Case Support
AMF	Australian Multicultural Foundation	CEI	Chief Executive Instruction
ANAO	Australian National Audit Office	CEP	Client Experience Program
AO	Order of Australia	CHF	Swiss Francs
APEC	Asia-Pacific Economic Cooperation	CISSR	Council for Immigration Services and Status Resolution
APOD	Alternative Place of Detention	CPG	Commonwealth Procurement Guideline
APP	Advance Passenger Processing	CRICOS	Commonwealth Register of Institutions and Courses for Overseas Students
APS	Australian Public Service	CSRO	Community Status Resolution Officer

CSRS	Community Status Resolution Service	EPP	Employment Pathways Program
CSTS	Client Services Transformation Strategy	ESL	English as a second language
CSWE	Certificates in Spoken and Written English	ETA	Electronic Travel Authority
DAC	Departmental Audit Committee	ETAS	Electronic Travel Authority System
DAP	Diverse Australia Program	FASSTT	Forum of Australian Services for Survivors of Torture and Trauma
DEEWR	Department of Education, Employment and Workplace Relations	FaHCSIA	Department of Families, Housing, Community Services and Indigenous Affairs
DeHAG	Detention Health Advisory Group	FC	Federal Court
DFAT	Department of Foreign Affairs and Trade	FCC	Five Country Conference
DGICM	Directors-General of Immigration Departments and Heads of Consular Affairs Divisions of the Ministries of Foreign Affairs	FECCA	Federation of Ethnic Communities' Councils of Australia
DIAC	Department of Immigration and Citizenship	FMC	Federal Magistrates Court
EA	Enterprise Agreement	FOI	Freedom of Information
EC	Executive Committee	GFU	Global Feedback Unit
ECS	Enhanced CEKAL System	GLS	Green Lease Schedule
EL	Executive Level	GSM	General Skilled Migration
ELT	English Language Training	GST	Goods and Services Tax
EMMP2	Enhanced Migration Management Phase II Project	HC	High Court
EMS	Environmental Management System	HSS	Humanitarian Settlement Services
EPBC	Environment Protection and Biodiversity Conservation Act 1999	IAAAS	Immigration Advice and Application Assistance Scheme
		ICT	Information and communication technology

IDAG	Immigration Detention Advisory Group	MOU	Memorandum of Understanding
IDC	Immigration Detention Centre	MMO	Movement Monitoring Officer
IDEAL	Immigration Dilemmas: Ethics, APS Values and Leadership	MRT	Migration Review Tribunal
IECN	International Events Coordinator Network	MSL	Minimum salary level
IELTS	International English Language Testing System	NAATI	National Accreditation Authority for Translators and Interpreters
IGC	Intergovernmental Consultations	NABERS	National Australian Built Environment Rating System
IHMS	International Health and Medical Services	NADC	National Australia Day Council
IHSS	Integrated Humanitarian Settlement Strategy	NAFIS	National Automated Fingerprint Identification System
IMA	Irregular Maritime Arrival	NAP	National Action Plan to Build on Social Cohesion, Harmony and Security
IOM	International Organization for Migration	NCCC	National Character Consideration Centre
IOTHS	Indian Ocean Territories Health Service	NEAS	National ELT Accreditation Scheme
IPG	Individual Pathway Guide	NGO	Non-government organisations
IRC	Identity Resolution Centre	NOM	Net Overseas Migration
IRH	Immigration Residential Housing	NSCF	National Staff Consultative Forum
ISAV	Information Service for Australian Visas	OHS	Occupational Health and Safety
ISS	Immigration Status Service	PAS	Preferred Aussie Specialist
KPI	Key Performance Indicator	PDA	Performance and Development Agreement
LEE	Locally engaged employee	PDMS	Pre-departure medical screening
MARA	Migration Agents Registration Authority		
MODL	Migration Occupations in Demand List		

PMS	Passenger Movement System	SIA	Social Inclusion Agenda
PNG	Papua New Guinea	SIEV	Suspected Irregular Entry Vessel
PSI	Professional Service Integrity Asia Pacific	SLA	Service Level Agreement
PSP	Prominent Speaker Program	SOL	Skilled Occupation List
PSWPS	Pacific Seasonal Workers Pilot Scheme	SQIT	Southern Queensland Institute of TAFE
PRC	People's Republic of China	SSRM	State-Specific and Regional Migration
PV	Protection Visa	TB	Tuberculosis
PWR	Parliament of the World's Religions	TEWR	Traineeships in English and Work Readiness
RAAF	Royal Australian Air Force	TIS	Translating and Interpreting Service
RAMY	Refugee African Muslim Youth	TSMIT	Temporary Skilled Migration Income Threshold
RCOA	Refugee Council of Australia	UHM	Unaccompanied Humanitarian Minor
RFID	Risk, Fraud and Integrity Division	UK	United Kingdom
RRAC	Refugee Resettlement Advisory Council	UN	United Nations
RRT	Refugee Review Tribunal	UNHCR	United Nations High Commissioner for Refugees
RSA	Refugee Status Assessment	UNODC	The United Nations Office on Drugs and Crime
SAR	Special Administrative Region	USA	United States of America
SDB	Settlement Database	VCS	Values and Conduct Section
SES	Senior Executive Service	VEVO	Visa Entitlement Verification Online
SfP	<i>Systems for People</i>	VIDC	Villawood Immigration Detention Centre
SGP	Settlement Grants Program	WCAG 2.0	Web Content Accessibility Guidelines 2.0
SHP	Special Humanitarian Program		

Compliance index

This report is prepared in accordance with the Requirements for Annual Reports approved by the Joint Committee of Public Accounts and Audit under subsections 63(2) and 70(2) of the *Public Service Act 1999*. This index refers to mandatory and suggested reporting items.

Table 129: Compliance index

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Review by departmental secretary	Mandatory	4–14
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