



Australian Government

Department of Immigration and Citizenship

**‘Enhancing ethics and governance while
transforming the business’**

Mr Andrew Metcalfe

Secretary, Department of Immigration and Citizenship

Palmer and Comrie reports



Nystrom v MIMA



HIGH COURT OF AUSTRALIA

Public Information Officer

8 November 2006

MINISTER FOR IMMIGRATION AND INDIGENOUS AFFAIRS v STEFAN NYSTROM

The cancellation of one of Mr Nystrom's two visas should be taken to have cancelled the other, the High Court of Australia held today.

Mr Nystrom was born in Sweden on 31 December 1973 while his mother was visiting relatives. His parents had migrated to Australia in 1966. Mr Nystrom and his mother returned to Australia on 27 January 1974 and he has not left Australia since. He knows little of his Swedish relatives and does not speak Swedish. Mr Nystrom has a criminal record of 87 offences dating back to when he was aged 10 and he has served eight prison terms. His convictions include theft, burglary, criminal damage, armed robbery, drug offences, driving offences, arson, intentionally causing serious injury and aggravated rape. In 2004 the Minister cancelled Mr Nystrom's transitional (permanent) visa because, based on his substantial criminal record, he failed to meet the character test specified in section 501(6) of the *Migration Act*. He claimed he also held an absorbed person visa. There is no difference in the substantive rights conferred by the two visas. Mr Nystrom argued that because he had been a permanent resident for 10 years before the commission of the crimes he was not liable to removal from Australia on cancellation of a visa. He also argued that the Minister had either cancelled the wrong visa or failed to take his absorbed person visa into account.

A week in the life of DIAC

- **30 000 phone calls received onshore**
- **Around 3000 permanent visas granted**
- **Citizenship granted to nearly 2000 people**

Executive Management Committee



DIAC strategic themes



High-level planning



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and Multicultural Affairs

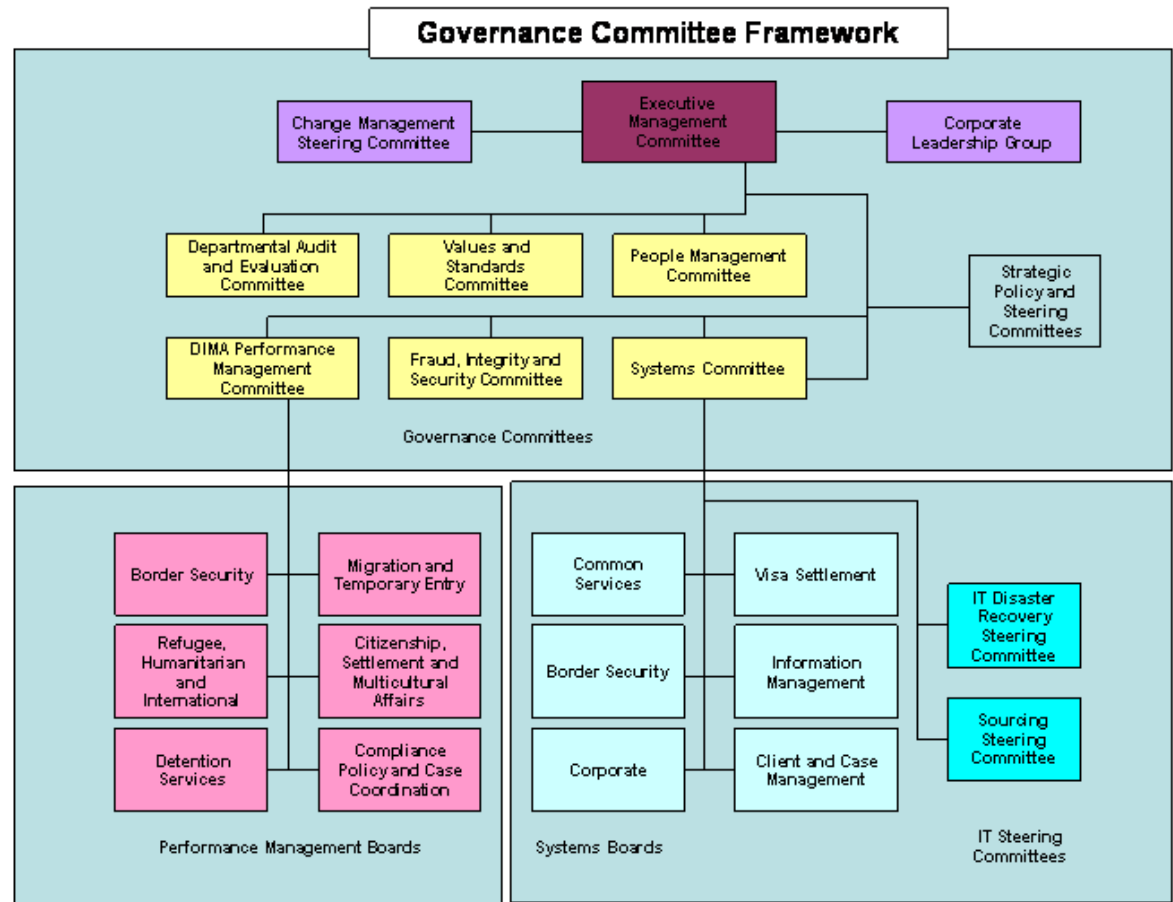
The DIMA Plan 2006-07



people our business

people our business

Governance committee framework



DIAC values

- **Teamwork**
- **Service excellence**
- **Respect**
- **Openness**
- **Commitment**

Key governance elements

- **Leadership and strategic direction**
- **Accountability**
- **Performance**
- **Controls**
- **Assurance**

DIAC leadership model

- **Provide vision and meaningful direction**
- **Operate consistently with our values**
- **Communicate constantly and meaningfully**
- **Create the environment for success**
- **Function as team players**
- **Persist to achieve good outcomes**



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