



Australian Government
Department of Immigration and Citizenship

**Opening statement to the Joint Select Committee on
Australia's Immigration Detention Network**

Parliament House, Canberra

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Secretary, Department of Immigration and Citizenship

Chair and committee members, thank you for the opportunity to deliver a short opening statement. I note the department's ongoing support of the committee's work, which has included:

- facilitating a significant number of site visits for committee members to facilities across Australia
- the provision of detailed submissions
- responding to over 1100 committee questions and requests
- the provision of over 4000 pages of written material, and
- some 26 departmental employees being made available as witnesses at hearings.

The total direct cost of the department's responding to and supporting the committee is projected to be in excess of \$970 000 by the end of the 2011–12 financial year.

people our business

Of course a lot has occurred since I last appeared before you in mid-August. This in itself is not surprising, given the complexities of managing immigration detention.

That said, the scale and pace of change seen over the last four months has been significant and sometimes challenging.

Perhaps most significant was the High Court's decisions in M70 and M106 on 31 August, and the government's subsequent announcements of 13 October and 25 November regarding the management of irregular maritime arrivals, or IMAs, and the processing of their asylum claims.

There has been much said about these issues over recent months including at the October Senate Estimates.

We have seen 27 SIEVs arrive since the August hearing, carrying almost 2000 IMAs. People smugglers continue to dispatch their passengers in sometimes dangerous conditions using unseaworthy vessels with little regard for human life. Tragically this has again recently resulted in the major loss of life such as occurred on 1 November with the sinking of a boat off the Indonesian coastline.

Between mid-August and the end of October, the detention population decreased from around 5580 to 5120, or just over 8 per cent. However I note that since the beginning of November the detention population has steadily increased to now be just over 5500.

Since the August hearing more than 1300 entry interviews have been conducted, over 1100 decisions have been handed down, and more than 1600 IMAs have been granted protection visas.

Unfortunately I also note that during that time there have continued to be a significant number of critical incidents that have occurred in detention facilities, one of which was the recent death of a young man in the Sydney immigration residential housing which was profoundly sad. On behalf of the department I would like to pass on my deepest sympathy to his family and friends. The New South Wales Coroner is in the process of examining the circumstances of his death and the department is of course assisting in all appropriate ways.

The department continues to work hard to accommodate IMAs to the best of its ability. This has increasingly included moving people into community detention. Since 16 August, around 800 IMAs have been approved for community detention, taking the total approvals to over 2500. As at 30 November, around 26 per cent of the IMAs in immigration detention were in community detention.

The large numbers of arrivals continue to place strain on the immigration detention network. We all understand the potential consequences of a return to an overcrowded and pressured detention network, and you can be assured that the department is doing all that it can to avoid this.

I note the observations of Dr Allan Hawke AC and Ms Helen Williams AO, as provided in their report on the incidents at Christmas Island and Villawood earlier this year, are timely and point to the need to continue to improve our management of immigration detention. I would like to confirm that the department is committed to implementing all 48 recommendations of their report.

Since the community status resolution approach was expanded nationally in 2009, the proportion of onshore compliance clients managed in the community instead of detention has increased. Voluntary departures from the community, which are less expensive and less risky than removals from detention, have also increased over the last three years.

The presumption of this approach is that, where appropriate, a person remains in the community until their immigration status is resolved. It also means ensuring appropriate support services are available to them if they have complex needs, such as health and welfare issues, to support their capacity to achieve an immigration outcome whether that is staying here, or leaving Australia.

The department continues to develop and refine a framework and implementation arrangements for community placement of IMAs currently in detention. In doing this work, we have involved our external stakeholders, including advocacy and community groups.

The department is determined to implement a bridging visa system for IMAs that is well thought through, sound and managed efficiently.

We have recently seen the first IMAs released into the community on bridging visas and we expect to see more released over coming months.

The first group consisted of long-term detainees, all single men, previously accommodated at a range of detention facilities across Australia and at various stages of their asylum claims. They are mostly Afghans and Sri Lankans.

Some will also be eligible for support services through existing Department of Immigration and Citizenship funded programs such as the Asylum Seeker Assistance Scheme and the Community Assistance Support program. Community detention, and the greater level of support it offers, will continue to be used for more vulnerable people or those not suited to bridging visas.

Chair, in closing I would like to sincerely thank the department's leadership team and staff, service providers, advisory groups and other partners, who provide services to the government and people in detention. We value our stakeholders immensely, not only for their constructive advice, but also for their willingness and commitment to work collaboratively with us to help deliver programs in a sensitive area of public administration.

Thank you.