



Australian Government
Department of Home Affairs

The Administration of the Immigration and Citizenship Programs

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Purpose

1. Immigration is central to Australia's national story. From a population of about 7 million people after the Second World War, Australia has grown to a nation of more than 25 million people in 2020. The Immigration Program has played a core role in that nation building. It comprises temporary visas, the permanent Migration Program and Child program, and the Humanitarian program. It is closely aligned with, and feeds into, Australia's Citizenship Program.
2. The Department of Home Affairs (the Department) has produced this paper to help external stakeholders understand how it administers Australia's Immigration and Citizenship Programs. This paper complements existing publicly available sources including regularly published relevant data.
3. It focuses on the 2019–20 program year (1 July 2019 to 30 June 2020), with comparisons to previous years. It outlines the impact of the COVID-19 pandemic on the Immigration and Citizenship Programs and the changing risk and threat environment.

Executive summary

4. Effective administration of the Immigration and Citizenship Programs is central to maintaining Australia's sovereignty, economic prosperity, community safety and its place as one of the most peaceful, united and culturally diverse countries in the world.
5. Since the early 1970s, these programs have been based on a universal, non-discriminatory visa system. This system focuses on the contribution a person can make to Australia rather than their ethnicity, gender or religious beliefs. Australia enjoys high levels of social cohesion and broad public support for its Immigration Program. This is partly based on confidence in having well-managed non-discriminatory migration.
6. The administration of these programs involves dual, but equally important and complementary, objectives to:
 - facilitate the entry and stay of those who legitimately seek to visit, study, work (in roles that can't be filled locally or that would build the national capability and increase competitiveness) or migrate
 - prevent entry or stay by those who disguise their true identity or intentions, or otherwise pose a risk to the security or safety of the Australian community, or to the national interest.

COVID-19's effect on program delivery

7. The COVID-19 pandemic has had a considerable effect on visa demand and processing across all visa types. The Department has continued to process visas and has focused on granting visas for critical areas that support the national response to, and recovery from, COVID-19, as well as repatriating citizens, permanent residents and their immediate family members.
8. For 2019–20, the number of non-humanitarian visa applications lodged fell by more than 2.3 million, or 24 per cent, compared to the previous year. The number of temporary visa holders in Australia has also significantly decreased, from 2.4 million at 31 December 2019 to 2.0 million at 30 June 2020.
9. Before COVID-19, tourism had been projected to grow consistent with longer-term trends. COVID-19 travel restrictions have significantly affected the number of arrivals, and visitor visa application rates, which declined by more than 27 per cent compared to the previous year.
10. Offshore student visa lodgements fell by 33.5 per cent compared to 2018–19. In contrast, onshore student visa lodgements rose by 10.1 per cent.

11. Working holiday maker (WHM) visa applications fell 23.6 per cent compared to 2018–19. However, applications for bridging visas rose by 54 per cent from 31 December 2019 to 30 June 2020. This was largely due to people unable to leave Australia having to apply for new substantive visas to remain.
12. The 2019–20 permanent Migration Program delivered 140,366 places, against a ceiling of 160,000 places. The Australian Government allocated 25,000 places for regional skilled migration under the program and despite the impacts of the COVID-19 pandemic, the Department still delivered 23,372 of these places.
13. In addition to changed global circumstances and travel restrictions in Australia and elsewhere, the program was affected by Service Delivery Partners (SDPs) not being available to provide essential support services to applicants, such as health assessments, English language tests, police clearances and biometric screening.
14. Travel restrictions in Australia and elsewhere, along with the suspension of resettlement activity by offshore business partners, including the United Nations High Commissioner for Refugees (UNHCR) and the International Organization for Migration, limited the granting of offshore humanitarian visas. This led to a shortfall in the number of visas granted, with 11,521 of the 17,100 places allocated under the 2019–20 offshore Humanitarian program filled. The onshore program of 1,650 places was delivered in full.
15. The Citizenship Program experienced moderate growth. Applications for citizenship fall within four categories: conferral (about 70 per cent of all applications), descent, adoption and resumption. After unprecedented growth in the period 2010–11 to 2017–18, and a slight reduction in 2018–19, applications for citizenship by conferral rose by six per cent in 2019–20, compared to the previous year. At the same time, the Citizenship Program substantially reduced application processing times and the number of applications on hand. The number of approved applicants who were awaiting ceremony, the final step in acquiring citizenship by conferral, reduced by over 30 per cent through the period, due to ceremonies being moved to an online format.

COVID-19's effect on service delivery

16. During the pandemic, the Department has continued to process visa applications with priority on onshore applications where applicants can meet visa requirements. Priority for offshore applications is given to travellers in the exempt categories, those who have an urgent need to travel or those who have critical skills or work in critical sectors that support Australia's response to COVID-19 and economic recovery.
17. The Department's websites play a major role in providing information to clients and the Australian community. During the COVID-19 pandemic, the Department updated its online information to provide consistent and comprehensive information about visas, citizenship, travel restrictions and support services. In March 2020, it launched the COVID-19 and the border website (covid19.homeaffairs.gov.au), which had attracted more than 6.8 million unique page views as at 30 June 2020.
18. This was followed by the COVID-19 in your language website (covid19inlanguage.homeaffairs.gov.au) in April 2020 to enhance the availability of information to communities whose first language is not English. The site contains information and more than 40 fact sheets in 63 languages on the topics of health, education, business and financial support, community safety and settlement services, and visas and the border. To ensure the accuracy of content, NAATI-certified translators (where certification is available) conduct the initial translation. A second NAATI-certified translator edits, proofreads and checks the information has been published online accurately. Where NAATI certification is not available for a particular language, professional translators who are members of their respective communities are utilised.

19. At 30 June 2020, the Department had contracts with three commercial partners to deliver services at Australian Visa Application Centres and Australian Biometrics Collection Centres in 55 countries. COVID-19 has severely affected the operations of these commercial partners, who were required to comply with local government restrictions on business operations in their host country, causing almost all SDPs to stop operating for extended periods.
20. The Department extended the operations of its global call centre during the COVID-19 pandemic. Government announcements relating to travel restrictions and support measures for industry and temporary visa holders during the pandemic led to a 22 per cent increase in call demand during February and March 2020.
21. In line with relevant state and territory government public health directions, the Department temporarily suspended in-person appointments for all immigration and citizenship services, including those provided by SDPs. To support restarting in-person appointments, it put in place COVID-19 safe measures and related messaging on all client correspondence.
22. Due to COVID-19 risks and restrictions, all in-person citizenship ceremonies were placed on hold and online ceremonies were introduced from 31 March 2020. This initiative has been critical in maintaining the Citizenship Program throughout the COVID-19 pandemic. As at 30 June 2020, Australian citizenship has been conferred on more than 45,500 individuals through online citizenship ceremonies. These online ceremonies will continue into 2020–21, where COVID-safe arrangements cannot be made for in-person ceremonies.

Outlook

23. Australia's Immigration Program will play a critical role in the economic recovery from the pandemic, including supporting key export industries, as well as in building people-to-people links, in the future. While the post-pandemic migration trajectory is still uncertain, returning to more normal numbers of visa holders with work rights entering Australia will assist in boosting economic recovery by filling skills gaps, increasing investment, and promoting new and emerging industries. An eventual easing of travel restrictions will boost key export industries such as tourism and education, which have been hard hit by the border closures. Decisions on reopening Australia's border will be made in accordance with public health advice as was the case for decisions commencing in February 2020 to impose travel restrictions.
24. In 2020-21, the Citizenship Program will focus on re-commencing face-to-face citizenship appointments and tests, and increasing appointment availability wherever possible whilst maintaining COVID-safe arrangements.
25. Worsening global economic conditions, combined with the continuing spread of the pandemic in other countries, will make Australia an even more attractive option for education and work opportunities. The Department will continue to work with partner agencies to gather and act on intelligence relating to individual and organised immigration fraud, and the exploitation of visa holders by unscrupulous employers.

Administering the Immigration and Citizenship Programs in 2019–20

COVID-19 response

26. From 1 February 2020, the Australian Government progressively announced increasingly broad travel restrictions to curb the introduction and spread of COVID-19 in Australia:
 - from 20 March 2020, travel restrictions were implemented, prohibiting all non-citizens from entering Australia, with limited exemptions
 - from 25 March 2020, travel restriction prohibited Australian citizens and permanent residents from leaving Australia, with limited exemptions.
27. The Department and Australian Border Force (ABF) jointly implemented travel restrictions in line with the Government's decisions, which were based on the advice of the Australian Health Protection Principal Committee. They have been widely acknowledged as assisting in slowing the spread of COVID-19 in Australia.
28. The pandemic has had a considerable effect on visa demand and processing across all visa types. The Department has continued to process visas, and focused on granting visas for critical areas that support the national response and compelling and compassionate travel, including:
 - prioritising visas for those with an urgent need to travel, including for immediate family members of Australian citizens, permanent residents and New Zealand citizens
 - prioritising visas for non-citizens with compelling and compassionate circumstances
 - maintaining the lawful status of non-citizens unable to depart Australia
 - facilitating entry for individuals providing critical or specialist medical services and other critical skills required to maintain the supply of essential goods and services
 - supporting economic activity and recovery by prioritising visas for individuals delivering services in sectors critical to Australia's economic recovery (where no Australian worker is available or the individual's entry would otherwise be in Australia's national interest), or who have the support of the Australian Government or a state or territory government authority.
29. Staff resources have been redirected to activities that support the Government's response, including supporting the ABF Commissioner's consideration of requests for travel restriction exemption.
30. Processing of citizenship applications continued throughout the COVID-19 pandemic. In person citizenship appointments and tests were temporarily placed on hold due to COVID-19 risks and restrictions. Staff were redirected to conducting online citizenship ceremonies.
31. In addition, the Department's staffing resources were significantly diminished around the world as countries responded to local health impacts of COVID-19. At the peak, about 75 per cent of Australian-based staff were recalled home, and 90 per cent of locally engaged staff were unable to attend work due to local restrictions. Similarly, all but three of the Department's SDP locations were closed, and providers of offshore health assessments were unavailable due to the demands of local health responses to COVID-19.

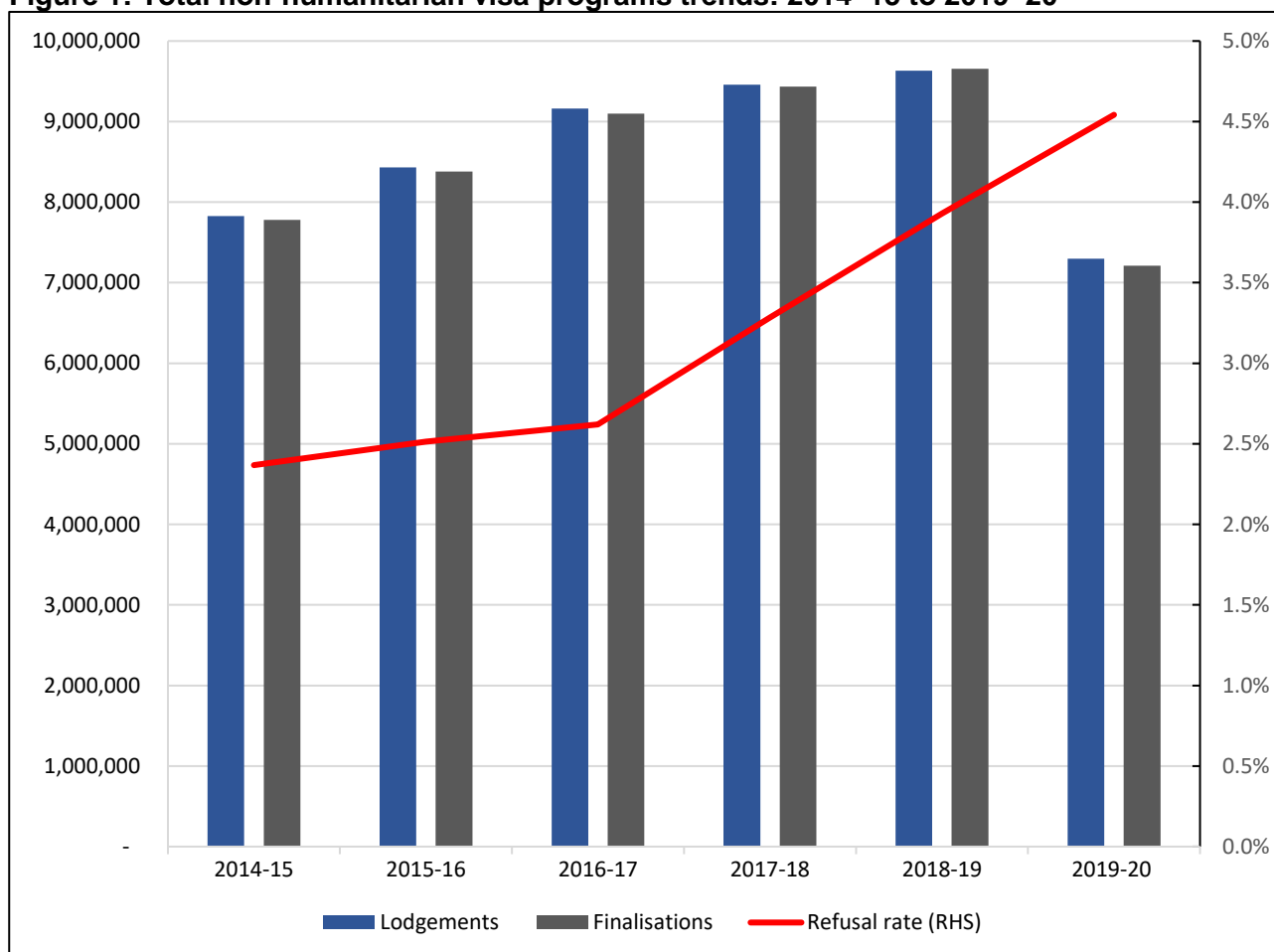
Net Overseas Migration

32. Net Overseas Migration (NOM) is the net gain or loss of population through immigration to Australia and emigration from Australia. NOM is based on international travellers' staying in or out of the country for 12 months or more over a 16-month period. The term 'international travellers' includes all visa holders, and New Zealand and Australian citizens. NOM continually varies and can be difficult to forecast accurately as it is affected by many complex domestic and international factors. Between 2008 and 2018, NOM remained between 172,100 and 315,700.
33. Since the year ending June 2006, NOM has been the key driver of Australia's population growth.
34. Migrants not only boost population, they also support increases to labour force participation rates and productivity (*Productivity Commission 'Migrant intake into Australia' Report, 2016; Treasury 'Intergenerational' Report, 2015*).
35. NOM is significantly affected by international travel restrictions and weaker labour markets domestically and globally. The 2020-21 Budget forecasts indicate Australia's population growth is expected to slow to its lowest rate in over one hundred years, falling from 1.2 per cent in 2019-20 to 0.2 per cent in 2020-21 and 0.4 per cent in 2021-22. NOM is assumed to move from a net inflow of (+) 154,000 in 2019-20 to a net outflow of (-) 72,000 persons in 2020-21, then to around (-)22,000 in 2021-22, before gradually increasing to around (+)201,000 in 2023-24.
36. Future migration levels remain highly uncertain, due to the pandemic and the nature and duration of measures taken to contain its spread at home and abroad. However, in the long term, global fertility is expected to decline, leading to more competition for migrants.
37. The NOM forecasting capability was transferred from the Department to the Centre for Population within The Treasury. More information about NOM is available on the [Australian Bureau of Statistics](#) website.

Managing uncertainty

38. Before the pandemic, the total number of people lodging non-humanitarian visa applications to enter or remain in Australia had shown consistent growth. From 2014–15 to 2018–19, temporary and permanent visa applications grew by about 1.8 million, or 23 per cent. However, in 2019–20, the effects of COVID-19 reduced visa applications by more than 2.3 million, or 24 per cent (see [Figure 1](#)), compared to the previous year.

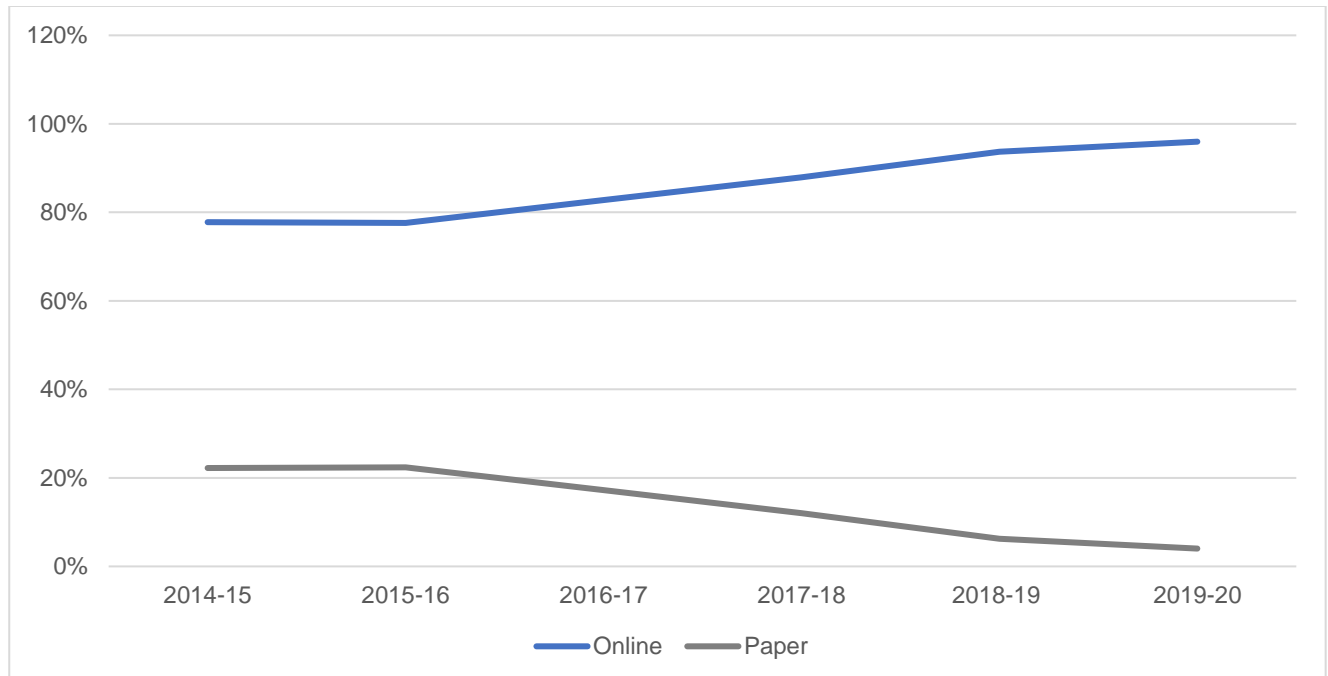
Figure 1: Total non-humanitarian visa programs trends: 2014–15 to 2019–20



39. The Department continues to assess applications on a case-by-case basis, and in line with Government priorities and visa criteria. Supporting Australia's response to the COVID-19 pandemic has been a major driver of processing priorities. Other factors that affect the processing of applications include the volume of applications received, the quality and completeness of those applications, applicants' responsiveness to requests for information, and the complexity involved in assessing genuineness, character, health and security requirements.
40. Heightened levels of risk and fraud have been a feature across most programs and have led to an increase in refusal decisions (see [Figure 1](#)) over the last five years. Between 2014–15 and 2019–20, the refusal rate across the temporary and permanent visa programs increased from 2.4 per cent to 4.5 per cent, or 88 per cent overall.
41. This increase in the refusal rate reflects the Department's use of more sophisticated risk analysis and systems to assist in the assessment of applications.
42. Despite the growing volume and risk, the Department achieved greater productivity, finalising more applications each year by:
 - encouraging the up-take of online lodgement (which reduces manual data entry and enables it to use all its processing capacity across the global delivery network)
 - continually improving systems and processes
 - increasingly consolidating visa processing into 'hubs' that improve efficiency, consistency and integrity.

43. As at 30 June 2020, more than 96 per cent of all visa applications were lodged electronically. Online lodgement for the temporary visa program increased from 78 per cent in 2014–15 to 96 per cent in 2019–20 (see [Figure 2](#)). Online lodgement was also expanded in China and India, two of Australia's largest tourism and international education markets.

Figure 2: Growth in online lodgements for the temporary visa program: 2014–15 to 2019–20



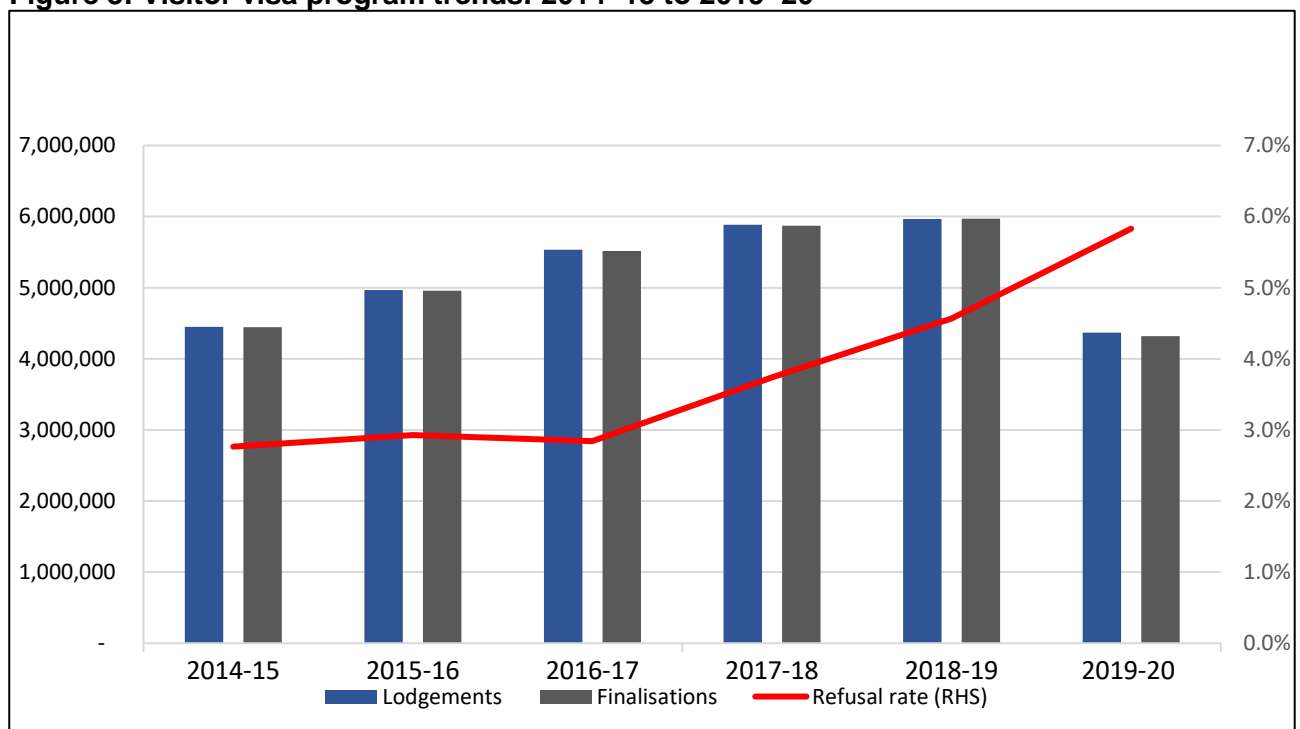
Temporary visas

44. Australia's temporary visa program is designed to allow people from other countries to come to Australia for specific purposes that benefit Australia. These include a temporary activity or work, international relations, study or training, or to visit.
45. A proportion of temporary visa holders apply for a further temporary visa. For example, a Working Holiday Maker (WHM) might want to stay for a second or third year, or a student might want to continue their study in Australia or apply for a Temporary Graduate visa after completing their study. Some people also apply to stay permanently, under the Migration Program.
46. COVID-19 has led to a decrease in the overall number of temporary visa holders in Australia. This is due to the greatly reduced number of new arrivals and the fact that many temporary visa holders have departed Australia. On 30 June 2020, there were about 2.0 million people in Australia on temporary visas. This compares to 2.2 million as at 31 December 2019.
47. Skilled temporary work visa holders are a small component of this total figure, making up 5 per cent of temporary visa holders in Australia as at 30 June 2020 (128,145 visa holders). Of the 1.7 million temporary visa holders, there were about 555,310 student visa holders (including 72,434 dependants) and 93,494 visitors as at 30 June 2020.

Visitors

48. Since the outbreak of COVID-19, the Department's focus in relation to visitor visa holders has been to keep visitors in Australia lawful, and in relation to new decisions prioritising applications from people (e.g. family members of Australian Citizens) who are exempt from travel restrictions.
49. Australia's economy significantly benefits from tourism, which generates jobs, investment and growth in communities throughout the country. The Department seeks to keep processing times short, without compromising integrity or community safety, and this approach will play an important role in supporting the tourism sector's recovery from the effects of COVID-19 when health advice permits travel restrictions to be lifted.
50. Tourism is a key export sector that had been projected to grow before the outbreak of COVID-19. The pandemic and associated travel restrictions have significantly affected visitor visa application rates and arrivals. International visitors spent \$41.5 billion¹ in the year ending 31 March 2020, representing a 6.4 per cent decrease, compared to the previous year.
51. The visitor visa caseload sustained year-on-year growth before the pandemic (see Figure 3). In the 2019–20 financial year, the Department finalised 4.3 million visitor visa applications, a decline of more than 27 per cent compared to 2018–19.

Figure 3: Visitor visa program trends: 2014–15 to 2019–20



52. The Department has continued to focus on integrity, with refusal rates for visitor visas increasing from 2.8 per cent in 2014–15 to 5.8 per cent in 2019–20, as a result of decision makers using more sophisticated risk analysis and systems to assess applications.

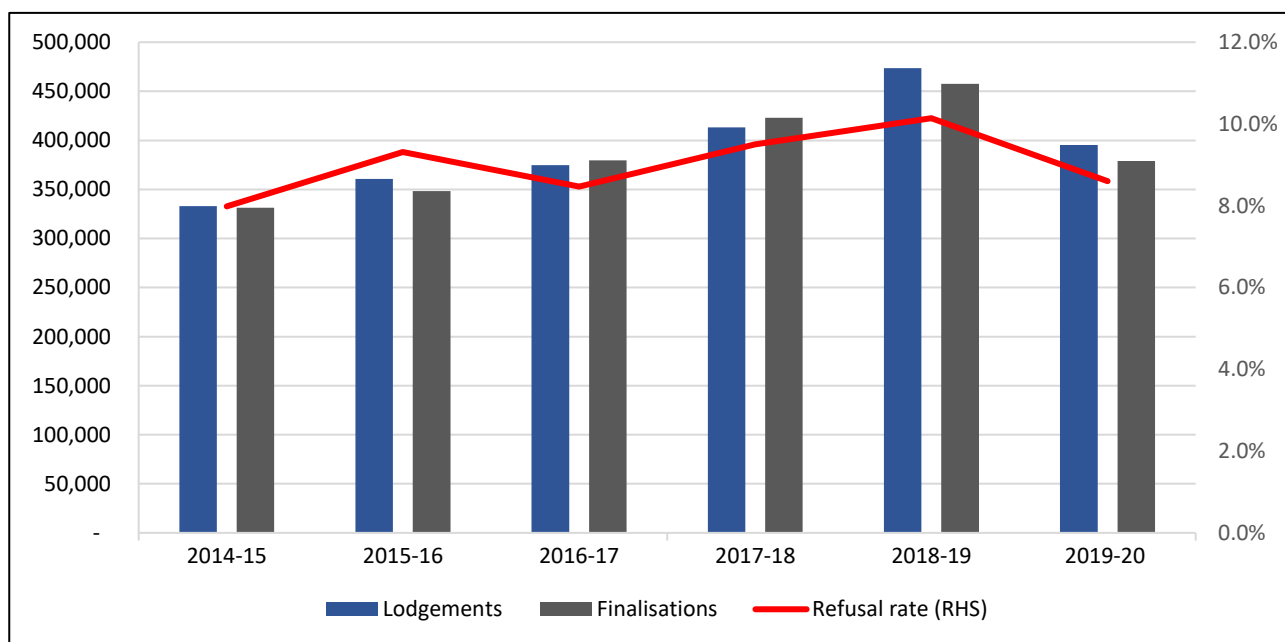
¹ Tourism Australia's International Tourism Snapshot, www.tourism.australia.com

53. The Department monitors integrity indicators across all visa programs. It continues to implement a range of initiatives to detect and prevent entry by those who may be seeking to enter Australia for purposes outside the intent of the visa for which they applied. More information about the Department's investments in improving outcomes are provided in the **Threat and risk environment** section of this paper.

Students

54. The international education, training and research sectors also make a significant economic, social and cultural contribution to Australia, including Australia's foreign policy interests and individual communities. The Department has supported continuing growth in the international education sector over time, but that sector has also been hit hard by the pandemic.
55. In 2019–20, the Department granted 340,152 student visas, including 164,866 visas to applicants outside Australia (see Figure 4). Due to COVID-19, offshore student visa lodgements fell 33.5 per cent in the 2019–20, compared to 2018–19. In contrast, onshore student visa lodgements rose 10.1 per cent over the same period.

Figure 4: Student visa program trends: 2014–15 to 2019–20



56. Some students chose to return to their home country during the pandemic. The non-award and English Language Intensive Courses for Overseas Students (ELICOS) sectors have been the most impacted, with application numbers decreasing 50.3 per cent and 37.5 per cent, respectively, in 2019–20, compared to 2018–19. The higher education sector has remained relatively stable.
57. On 4 April 2020, the Government announced a flexible approach would be taken in cases where COVID-19 had prevented international students from meeting their visa conditions. The Government announced changes on 20 July 2020 to ensure the visa status of international students was not unduly affected. These included:
- recommending the granting of student visa applications lodged in locations outside Australia

- permitting international students to lodge a further student visa application free of charge, if COVID-19 meant they were unable to complete their studies while their original visa was still valid
 - allowing student visa holders studying online outside Australia due to COVID-19 to use that study towards the Australian study requirement for a post-study work visa
 - allowing graduates who held a student visa to be eligible to apply for a post-study work visa outside Australia if they were unable to return due to COVID-19
 - giving applicants extra time to provide English language results if COVID-19 disrupted access to these services.
58. To boost the labour supply in critical sectors, the Government also relaxed work conditions to allow international students to work beyond the usual maximum of 40 hours a fortnight, if they work in critical sectors, including the aged care and disability sectors or were enrolled in nursing or medical courses.
59. The Department continues to work closely with the Department of Education, Skills and Employment, Austrade and education regulators to support a consistent whole-of-government approach to the international education sector.
60. Student visas are not capped and the demand for visas depends on factors such as education sector quality and reputation, the cost of Australia's international education, marketing, and the value of the Australian dollar.

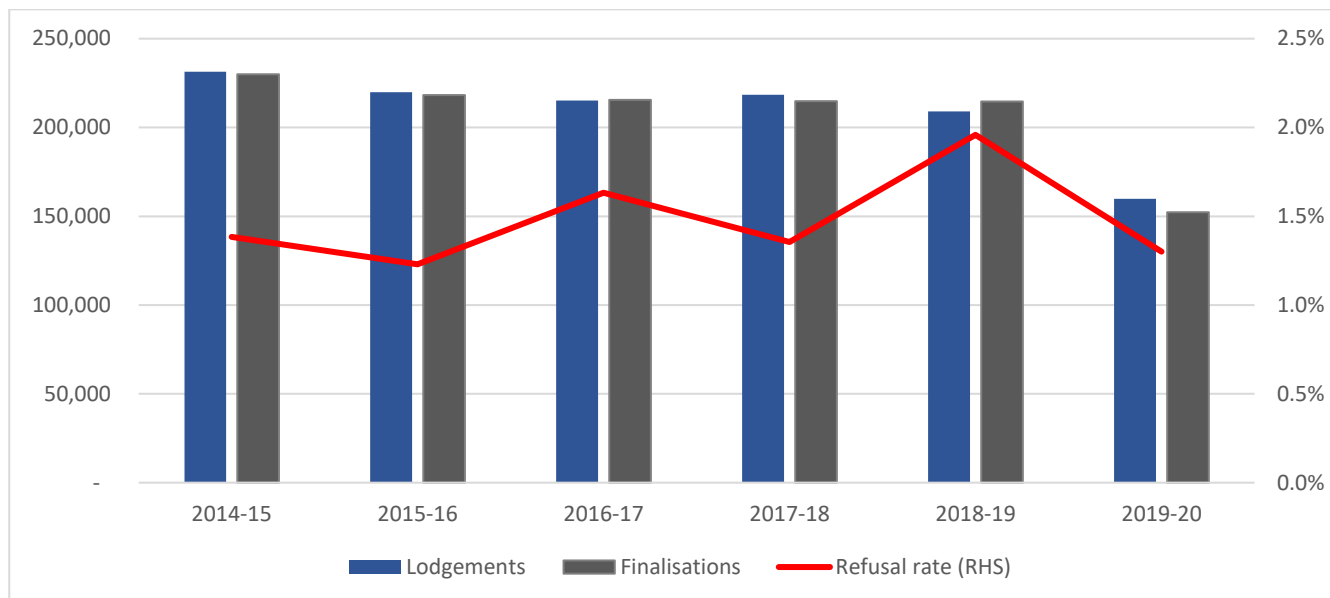
Working holiday makers

61. The working holiday maker program has been in place since 1975 and boosts people-to-people links between young adults from Australia and 44 countries. Under the program, hundreds of thousands of travellers visit and work in Australia each year, supporting the economy. WHM arrivals spent \$3.96 billion² while in Australia in the year ended 31 March 2020.
62. While WHM visa holders do not have to work at all while in Australia and are not limited in the work they can undertake, program settings do encourage young people to visit and work in regional areas, particularly on farms, to help with critical seasonal work. First WHM visa holders can apply for a second WHM visa if they have completed three months of 'specified work' in designated regional areas.
63. Second WHM visa holders who complete six months of 'specified work' can apply for a third WHM visa.
64. On 4 April 2020, the Government announced that arrangements had been made for temporary visa holders working in sectors critical to the supply of goods and services to extend their stay in Australia. Visa holders, including WHMs working in agriculture, food processing, health care, aged care, disability care and child care can now apply for a Temporary Activity visa (subclass 408) through the Australian Government endorsed event (COVID-19 Pandemic event) stream.
65. In addition, the definition of specified work for WHMs now includes critical COVID-19 roles in the healthcare and medical sectors. This change means those working in areas such as contact tracing will be eligible for a further WHM visa without leaving to carry out specified work elsewhere.

² International Visitor Survey – Austrade

66. WHMs employed in critical sectors are also exempt from the six month work limitation with one employer.
67. In 2019–20, 149,249 WHM visas were granted. This is a 28.6 per cent decrease from 2018–19, and down from a peak of 258,248 visa grants in 2012–13 (see Figure 5). In addition to the impacts of COVID-19, demand for WHM visas is generally influenced by local and international labour markets, economic conditions and changes in currency exchange rates.

Figure 5: Working holiday maker visa trends: 2014–15 to 2019–20



Case study

Nowhere in Australia has felt the impact of COVID-19 pandemic more than Victoria. Working Holiday Makers (WHMs) have provided invaluable support, working in contact management, nursing, and quarantine for the Victorian Department of Health and Human Services. The Government updated WHM arrangements to allow critical COVID-19 work in the healthcare and medical sectors counting towards a second or third WHM visa. Since August 2020, the Department has received over 100 applications from WHMs to extend their stay to support Australia's response to the pandemic.

Following the tragic bushfires in late 2019 and early 2020, volunteer organisation including BlazeAid delivered much needed support to farmers in disaster-affected areas. Paid or volunteer bushfire recovery work also counts towards a second or third WHM visa. Between February and June 2020, the Department has granted over 100 visas to WHMs in Australia who were rebuilding fences and other structures.

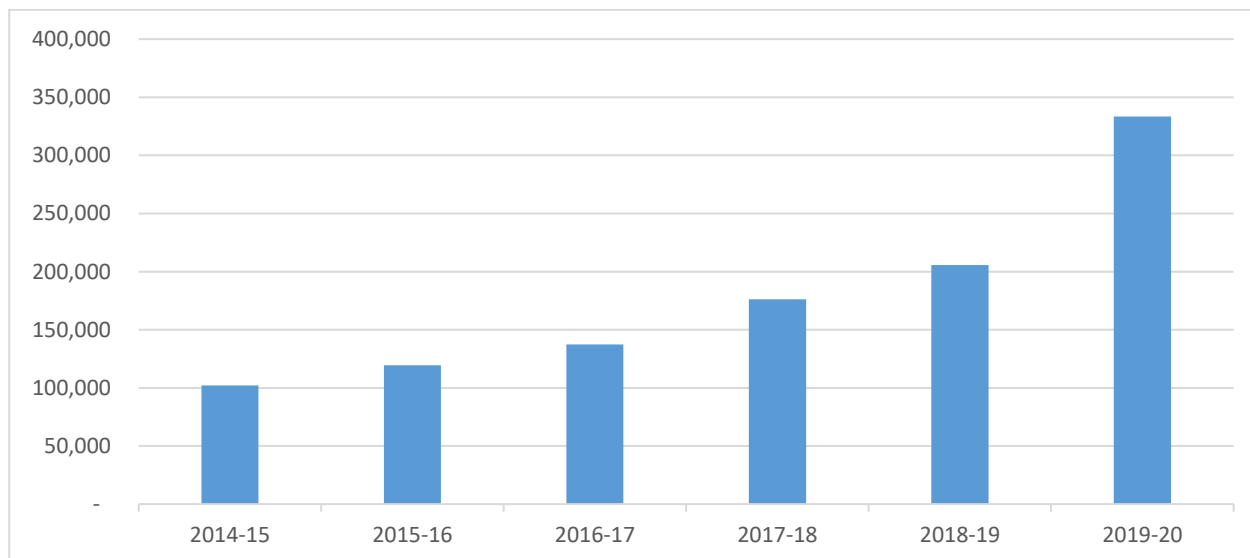
Bridging visas

68. Bridging visas have been in use since the commencement of the *Migration Regulations 1994* on 1 September 1994.
69. Bridging visas are an important tool that enables the Department to maintain a non-citizen's lawful status while they stay in Australia for a range of legitimate purposes. This includes maintaining lawful status in the community while a person is:
 - applying for a visa in Australia, or while they seek to temporarily travel overseas during the visa application process
 - appealing a decision to refuse their visa application, either at a merits review or by a court

- recovering from a human trafficking or slavery-related offence and (if they choose to) assisting an Australian Federal Police (AFP) investigation
- making arrangements to leave Australia.

70. Where a person cannot be granted a bridging visa through normal visa application processes, they may seek Ministerial Intervention.
71. The number of bridging visa holders in Australia has increased from 102,219 on 30 June 2015 to 333,516 on 30 June 2020 (see Figure 6). Due to COVID-19 Bridging visa holders increased by 54 per cent between 31 December 2019 and 30 June 2020 as people unable to depart applied for new substantive visas to remain in Australia.

Figure 6: Number of bridging visa holders in Australia: 2014–15 to 2019–20



72. As the total number of temporary visa holders increases, more applications are received from individuals seeking to stay in Australia for longer. They are granted a bridging visa while they await a decision. Of the bridging visa holders in Australia on 30 June 2020, about 30 per cent had applied for permanent migration, 23 per cent had applied for a protection visa, 46 per cent had applied for a temporary visa, and less than one per cent were granted a bridging visa for other reasons.
73. An increasing number of people are seeking a merits review or judicial review of the Department's decisions about visas.
74. Most applications for merits review are dealt with in the Migration and Refugee Division of the Administrative Appeals Tribunal (AAT). At 30 June 2017, 24,462 cases were awaiting review by this division. This increased to 63,305 active cases on hand at 30 June 2020.
75. Between 1 July 2018 and 30 June 2020, the Department's decision was unchanged in 71 per cent of cases and changed in 29 per cent of cases. This indicates the Department's ongoing strong focus on quality decision-making.
76. Status resolution officers maintain regular contact with immigration clients awaiting the outcome of a merits review or judicial review. This ensures continued engagement with the Department and promotes voluntary compliance with bridging visa conditions.

Migration Program

77. The permanent Migration Program comprises three primary programs: the Skill program, Family program and Special Eligibility program. The Government decides the number of places available in these programs, setting planning levels as part of the annual Budget process.
78. Becoming a permanent resident of Australia is a significant step and provides access to many services and benefits. Planning levels are not treated as a target—an arrangement in place since 2015—ensuring that standards are not lowered to meet an overall number. Migration Program planning levels are available on the Department's website.
79. The 2019–20 permanent Migration Program delivered 140,366 places against a planning ceiling of 160,000. The pandemic affected the 2019–20 program, including making essential support services run by Service Delivery Partners unavailable. These services include health assessments, English language testing, police clearances and biometric screening.
80. In 2019–20, the Government allocated 25,000 places for regional skilled migration under the 2019–20 Migration Program. Despite the COVID-19 outbreak, 23,372 regional places were delivered in 2019–20.

Skill program

81. The Department has implemented a range of initiatives to improve the outcomes of the Skill program. These include risk-based triaging and streamlining of low-risk applications, and allocating teams to focus on priority processing of skilled regional applications, accredited sponsors and applications under Designated Area Migration Agreements (DAMAs). Under the 2019–20 Migration Program, the Skill program had 95,843 places.
82. Demand for the Temporary Skill Shortage (TSS) visa was strong, particularly in the first half of 2019–20, with 36,330 primary visa lodgements, compared to 35,274 in 2018–19. The TSS program recorded a 19 per cent increase in lodgements in the first three quarters of 2019–20, compared to the same period in 2018–19. However, border restrictions and the prioritisation of visa processing to critical skills required to support Australia's response to COVID-19 affected the number of TSS applications received in the final quarter of 2019–20. Lodgements slowed considerably, resulting in a modest increase of three per cent. The number of accredited sponsors continues to grow, with more than 2700 currently approved under the TSS program, an increase of 1,200 from the previous year. As the other visa programs, the COVID-19 pandemic has led to an increase in processing times. Currently, 75 per cent of TSS nominations were processed in less than 49 days as at 30 June 2020, compared to eight days as at 30 June 2019.

Regional migration

83. As part of the Skill program, two new regional provisional visas commenced from 16 November 2019:
 1. the Skilled Employer Sponsored Regional (Provisional) visa is for people sponsored by an employer in regional Australia.
 2. the Skilled Work Regional (Provisional) visa is for people who are nominated by a state or territory government or sponsored by an eligible family member to live and work in regional Australia.

84. Skilled migrants settling in regional Australia can match their experience, skills and qualifications to a diverse range of available occupations. More than 650 eligible occupations are available to migrants willing to work in regional Australia. These occupations are consistent with skill needs in regional areas, including agricultural, trade and professional occupations.
85. The Department has appointed regional outreach officers to support regional engagement. This helps regional businesses to understand what visas are available to them when they cannot find Australian employees.
86. DAMAs provide access to a greater range of overseas workers than the standard Skill program visas. They operate under an agreement-based framework, providing flexibility for regions to respond to their unique economic and labour market conditions. Currently, seven DAMAs are in place in:
 - the Northern Territory
 - the Goldfields in Western Australia
 - the Great South Coast in Victoria
 - Adelaide city
 - regional South Australia
 - Orana, New South Wales
 - Far North Queensland.

Global talent

87. There is intense competition internationally for global talent, and Australia seeks to be at the forefront in attracting the best and brightest people to help grow a stronger economy and a more prosperous nation.
88. The Global Talent Independent Program was formally announced in November 2019 to identify high-calibre candidates for up to 5,000 permanent migration places in 2019–20. The program is designed to attract skilled migrants at the top of their fields for roles that are in demand. These include advanced digital; AgTech; cyber security and quantum information; data science and information communication technology (ICT); energy and mining technology; FinTech; MedTech; and space and advanced manufacturing. Eligible applicants are fast-tracked to permanent residency in Australia. In 2019–20, there were 4,109 individuals granted visas under the Global Talent Independent program.
89. Global talent officers in Australia and key overseas locations work with the world's top universities, professional associations and businesses to identify and market the Global Talent Independent program to exceptional candidates in key target sectors.
90. The Global Talent Employer Sponsored program also provides businesses with a streamlined process to sponsor overseas workers with cutting-edge skills when no suitable Australians are available.

Case study

The Department has been building Australia's future and ensuring a strong economic recovery through the Global Talent Program.

Kristi Riordan was granted a Distinguished Talent visa under the Global Talent Independent Program. Originally from the United States, Kristi is a business growth specialist and has been creating, building and leading innovative, tech-enabled organisations for 15 years with professional roles in cyber security, data science and software engineering. Now settled in Sydney with her family, Kristi provided this feedback about the Global Talent Program, "Your entire department was a delight to work with from start to finish. I look forward to contributing to the future of Australia, growing the tech economy here and being an advocate for the country abroad".

Family program

91. The Family program largely consists of partner and parent categories, enabling Australian citizens and permanent residents to reunite with close family members. The program normally comprises about 30 per cent of the Migration Program in line with proportions in place since 2017-18.
92. The Department processes visas in line with the legal framework under the *Migration Act 1958* (the Migration Act) and Regulations. The Government sets policy parameters and priorities, including the annual planning level and allocation of places within the ceiling to different categories. When demand is higher than the available places, processing times lengthen.
93. COVID-19 has had a significant effect on the Family program. Restrictions implemented in Australia and many other countries to limit and manage the health risks associated with the pandemic have disrupted the Department's visa processing services.
94. The Department has continued to process applications from Family visa applicants, prioritising onshore applicants and those offshore applicants who meet all the requirements for a visa, with priority given to immediate family with an urgent need to travel.
95. Pressure for visits and family reunions is eased through the visitor visa program and the new Temporary Sponsored Parent visa.
96. In 2019–20, the Department issued 41,961 visas under the Family program, against a planning level of 47,732 places. These places account for 30 per cent of the Migration Program.

2020-21 Migration Program

97. A carefully managed Migration Program is an important part of Australia's economic recovery and will create jobs and bring high value investment to help Australia rebound from COVID-19.
98. The 2020-21 Migration Program is designed to respond and adapt to evolving economic, border and public health challenges in an uncertain environment.
99. The Migration Program ceiling for 2020-21 will be retained at 160,000 with 79,600 places for the Skill stream; 77,300 places for the Family stream; 100 places for the Special Eligibility stream; and 3,000 places for Child visas managed outside the program ceiling.
100. A planning ceiling of 160,000 will maximise flexibility for program delivery, allowing the program to adjust and respond as required to the unpredictable trajectory of COVID-19 and uncertain economic conditions.
101. The Skill stream will focus on visa categories that will help Australia's economy rebound, with priority given to visa cohorts that drive economic growth and investment into Australia, and

provide critical skills to support recovery, including the Business Innovation and Investment, Global Talent and Employer Sponsored Programs.

102. As a temporary measure for the 2020-21 program year, the Migration Program has increased the number of places available to Family visa categories, providing 72,300 places to the Partner category.

Special Eligibility program

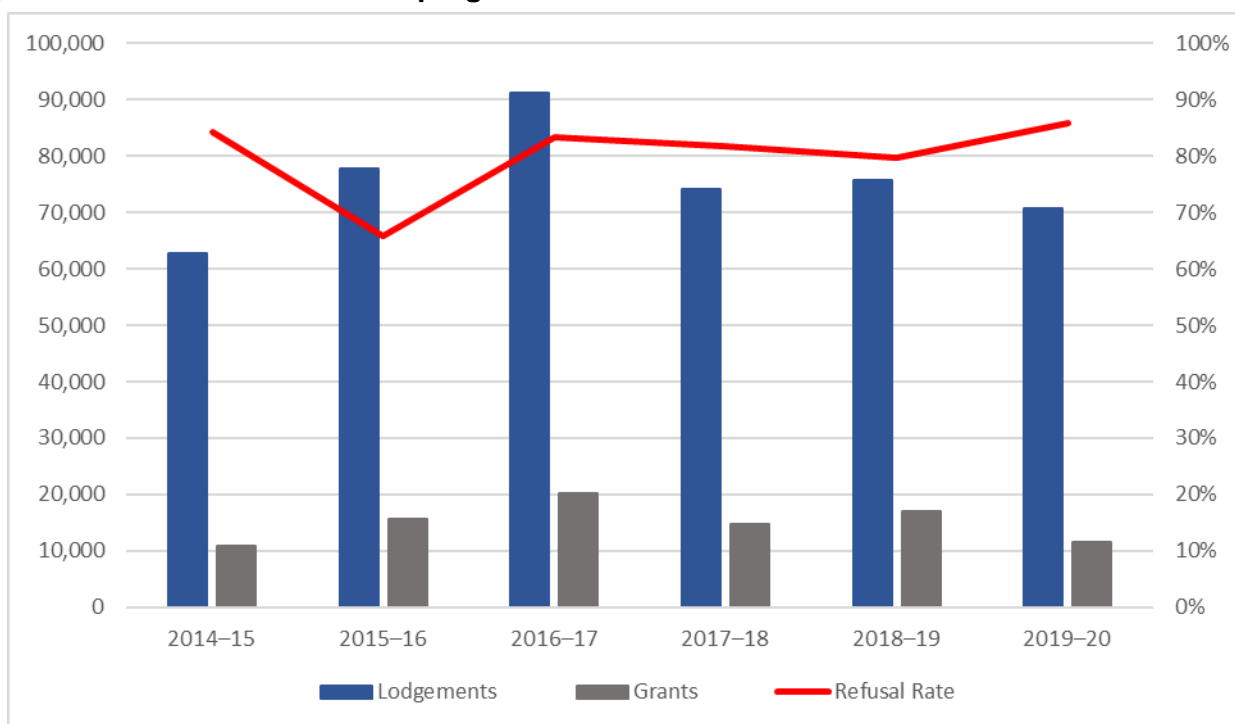
103. The Special Eligibility program, which mostly represents cases approved under Ministerial Intervention powers, had 81 places, with a ceiling of 236 places.

Humanitarian program

Humanitarian program – offshore

104. Australia is consistently ranked among the world's top permanent resettlement countries. Each year, the number of applications for offshore humanitarian visas far exceeds available places. This is despite the base program growing by more than 36 per cent in the past few years and a special additional program with 12,000 places for people displaced by conflict in Iraq and Syria, which was open between 1 July 2015 and 21 March 2017 (see Figure 7).

Figure 7: Offshore Humanitarian program trends: 2014–15 to 2019–20



105. Travel restrictions, and temporary suspension of offshore activities by partner organisations led to about 70 per cent of the 2019–20 allocation being delivered. The International Organization for Migration and the UNHCR temporarily suspended resettlement travel for refugees from 16 March to 22 June 2020. Their other general operations and services for refugees were also affected. However, despite the disruption caused by the pandemic, a small number of emergency/urgent cases supported by UNHCR were granted and travel facilitated where possible.

106. Australia's offshore Humanitarian program has a strong focus on providing resettlement for vulnerable women and children. More than 25,900 visas have been granted to vulnerable women and their dependants since the Woman at Risk program was established in 1989. This focus has expanded in recent years, from 10 per cent of places in 2017–18 to 20 per cent in 2019–20 (3420 places), with targets exceeded in 2017–18 and 2018–19. While more than 20 per cent of the program that was delivered in 2019–20 went to vulnerable women and children, the program fell short of the absolute figure (3,500 places). This was due to the impact of travel restrictions and the temporary suspension of offshore activities by partner organisations because of the COVID-19 pandemic.
107. The Department uses risk and intelligence systems to manage potential threats and attempts to undermine the integrity of the offshore Humanitarian program. More information is detailed in the Detecting threats within the Immigration Program section of the paper.

Case study

Armidale in New South Wales has welcomed more than 600 Yazidis since the Department began settling entrants in the city, under the Humanitarian program, in February 2018. Yazidi entrants are contributing to the Armidale community and economy through a range of activities, including participation in community events, hospitality and volunteering with local groups and organisations. A few are active volunteers with the NSW Rural Fire Service (RFS), and assisted with firefighting in response to the recent bushfires. They were grateful for the opportunity to serve their community. A number of other Yazidis have since registered as NSW RFS volunteers.

Humanitarian program – onshore

108. There has always been a small proportion of people who arrive on temporary visas and subsequently seek Australia's protection. In line with Australia's commitment to upholding its international obligations, those who seek protection undergo a thorough assessment to determine whether they meet Australia's protection obligations. Of about 49 million temporary visas granted between 1 July 2014 and 30 June 2020, about 115,000 holders subsequently applied for a protection visa, representing about 110,000 applicants. This equates to about 0.24 per cent of total temporary visa grants, which is low in the context of the changing pattern of arrivals in Australia. More than 93 per cent of the individuals who applied for protection in the same period have either departed Australia, been granted a visa, or remain lawfully here while they have ongoing matters before the Department or under a merits review or judicial review. Less than seven per cent do not have a valid visa and have no matters ongoing. These individuals can either voluntarily return home, or be removed from Australia by the ABF.
109. Individuals have various motives for claiming protection. In the Department's experience, and that of a number of other similar countries, some people claim protection because they genuinely fear they will face serious or significant harm if they were to return to their home country. Others apply for another purpose, such as to prolong their stay to access the labour market, or because of the comparatively better life opportunities Australia offers.
110. The Department rejected 90.2 per cent of applications for a protection visa from this cohort in 2019–20. It uses a holistic approach to detect, disrupt and respond to fraud and other attempts to undermine the integrity of the onshore Humanitarian program. This includes intelligence-informed risk profiling of visa applications, disrupting non-genuine travel through the ABF's network of airline liaison officers and ABF enforcement action onshore. The **Detecting threats within the Immigration Program** section of this paper contains more information on addressing integrity issues.

111. Based on available information, most applications for protection involve individuals opportunistically seeking entry to Australia, with a relatively low level of organisation. The Department has however, detected individuals who have sought to 'facilitate' entry to Australia through unlawful providers of immigration assistance.
112. The Department is focusing on identifying new methods and tools used by facilitators, and responding to the changing threat profile. Strategies have included conducting threat assessments of protection visa facilitators, criminality and the exploitation of workers. Where it identifies onshore facilitators, it investigates these individuals for potential prosecution.
113. Protection visa applicants who hold a visa that allows them to work in Australia have the same workplace rights as Australian citizens. Those waiting for their application to be decided can apply for work rights in Australia. They are able to access information about these rights in a range of languages and can report potential workplace issues or breaches anonymously to the Fair Work Ombudsman.
114. Strategies for preventing people seeking to prolong their stay and employment in Australia by exploiting the protection visa program have dampened the growth of protection visa lodgements. In 2019–20, applications reduced by 5 per cent, compared to 2018–19, which had also seen a decline of 12 per cent on 2017–18 applications.
115. COVID-19 has had an effect on the protection visa program, with border closures reducing the number of temporary visa holders entering Australia. This has resulted in a reduction in Permanent Protection Visa applications.
116. There is no evidence to support suggestions of large-scale or organised approaches to air arrivals claiming protection and being subsequently exploited. More information on these and related matters are detailed in the **Modern slavery, human trafficking, people smuggling and migrant worker exploitation** section of this paper.
117. It should be noted that those who arrive on temporary visas and subsequently apply for protection, have arrived with identity documents and been through a visa application process, including systems and risk checking. In contrast, those who arrive illegally commonly have little or no identity documentation and have not been subject to pre-arrival health and risk checks.

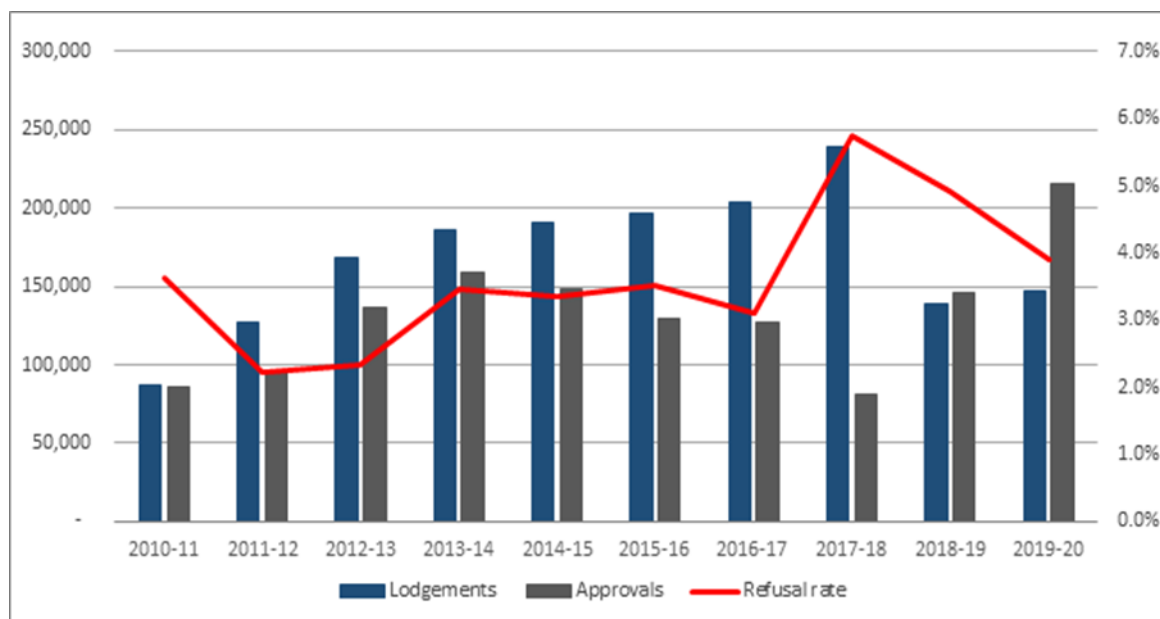
Australian Citizenship Program

118. Australian citizenship brings both responsibilities and privileges. By becoming a citizen, migrants are joining a unique national community. Australia is a vibrant democracy, and citizenship gives everyone the opportunity to participate fully in building a democratic nation. Each new citizen is ready to fulfil their responsibilities as a formal member of the Australian community. Australians believe in shared values such as the dignity and freedom of each person, the equality of men and women, and the rule of law. Australian citizenship is about living out these values in everyday life.
119. Applications for Australian citizenship generally fall within four categories: conferral (the most common way of acquiring citizenship and representing about 70 per cent of all applications), descent, adoption and resumption.

Citizenship by Conferral

120. After a period of unprecedented growth in applications for citizenship by conferral from 2010–11 to 2017–18, and a reduction in 2018–19, this category increased by six per cent in 2019–20, compared to the previous year.

Figure 8: Citizenship by conferral trends: 2010–11 to 2019–20



121. More than 228,300 citizenship by conferral applications were finalised in the 2019-20 program year, representing an increase of 43 per cent in comparison to the 2018-19 program year.
122. In 2019–20, 204,817 people were conferred Australian citizenship—a 60 per cent increase on the previous financial year and the highest number on record. This was achieved through a combination of business improvements and additional staff.
123. Nationality rankings within the top ten nationalities of people who became Australian citizens by conferral in 2019-20 were broadly in keeping with recent years, as set out in Figure 9. The top two nationalities were unchanged from 2018-19 (India and the United Kingdom), with China and the Philippines at rankings three and four respectively (reverse order to 2018-19, but both with increased numbers as compared to the previous year), and applicants from Pakistan rounding out the top five nationalities.

Figure 9: Top 10 countries conferred Australian citizenship: 2016–17 to 2019–20

2016–17		2017–18		2018–19		2019–20	
Country of nationality	No. of people	Country of nationality	No. of people	Country of nationality	No. of people	Country of nationality	No. of people
India	24,442	India	17,756	India	28,470	India	38,209
United Kingdom	21,237	United Kingdom	13,874	United Kingdom	13,364	United Kingdom	25,011
Philippines	9,196	Philippines	4,925	Philippines	9,267	China*	14,764
China*	6,683	South Africa	3,368	China*	7,974	Philippines	12,838
South Africa	4,938	Sri Lanka	3,264	Sri Lanka	4,861	Pakistan	8,821
Sri Lanka	4,551	Republic of Ireland	2,673	Vietnam	3,501	Vietnam	6,804
Pakistan	4,521	South Korea	2,028	Pakistan	3,360	Sri Lanka	6,195
Republic of Ireland	4,313	Malaysia	1,982	Nepal	3,294	South Africa	5,438
Vietnam	3,894	New Zealand	1,842	Iraq	3,087	New Zealand	5,367
New Zealand	3,623	China*	1,720	South Korea	3,062	Afghanistan	5,102
Other countries	51,880	Other countries	27,217	Other countries	47,434	Other countries	76,268
Total	139,278	Total	80,649	Total	127,674	Total	204,817

* 'China' denotes mainland China only and does not include the special administrative regions of Hong Kong and Macau.

The Department of Home Affairs must be consulted regarding any requests to use this data for purposes not originally intended or discussed.

124. The Citizenship Program achieved substantial reductions in application processing times and the number of applications on-hand during 2019-20. From a peak of 247,000 applications for citizenship by conferral on-hand in July 2018, this reduced to around 113,000 in March 2020. Both on-hand application numbers and processing times increased from April 2020, due to citizenship appointments and testing being placed on hold.
125. The impact of COVID-19 resulted in changes to the delivery of the Citizenship Program from March 2020, most notably, the introduction of online citizenship ceremonies for citizenship by conferral applicants who had an approved application but were unable to attend an in-person citizenship ceremony to say the pledge of commitment, the final step to acquiring Australian citizenship.
126. From 31 March 2020 to 30 June 2020, 45,597 individuals acquired Australian citizenship at online ceremonies. These ceremonies were presided over by departmental officers, Federal Members of Parliament and local government council officials.
127. Online citizenship ceremonies were conducted using a modified format compared to traditional in-person ceremonies. This focused on meeting the legal requirements for

citizenship by conferral. They were generally one on one, involving the presiding officer and an individual conferee or small family group. A conferee immediately becomes an Australian citizen upon completion of the online ceremony.

128. As COVID-19 health directives were revised in each state and territory, in-person ceremonies recommenced from June 2020, where COVID safe requirements could be met. During June 2020, 366 individuals acquired Australian citizenship at in-person ceremonies.
129. Citizenship by conferral applicants must meet residential and other general eligibility provisions to apply. They must also satisfy the decision maker of their identity and be of good character. Generally, applicants aged between 16 and 60 must possess basic English language skills, and demonstrate knowledge of Australia, and the responsibilities and privileges that come with Australian citizenship.
130. It is important that only people who meet the legislative requirements for Australian citizenship are accorded this privilege. Once citizenship is conferred, it can be revoked only in extremely limited circumstances. From July 2014 to 30 June 2020, 41 individuals had their Australian citizenship revoked for criminal conduct, including for citizenship or migration fraud.
131. The Department has implemented a range of initiatives to respond to growth and improve efficiency, without compromising integrity. These include an enhanced capability to triage applications according to risk, identifying cases with similar characteristics to harness processing efficiency, automating business processes and expanding online lodgement capability.

Case study

In response to the COVID-19 pandemic, all face-to-face citizenship appointments and ceremonies were placed on hold while the Department developed COVID safe service delivery offerings and adapted its service delivery model. This included online citizenship ceremonies for the first time under the program.

The first online ceremony was piloted on 31 March 2020. Following the success of the first trial, the Department progressively rolled out online ceremonies, delivered via secure videoconferencing, across all Australian jurisdictions. Ceremonies were generally delivered 'one to one', with a departmental officer presiding over a ceremony for a single conferee, or a family group residing at the same household. Over 300 departmental officers who would normally have processed citizenship applications and met with clients for the citizenship test appointments were redeployed to arranging and presiding over online ceremonies, providing staff with a unique opportunity to be involved as clients undertook the final step in acquiring Australian citizenship. By 30 June 2020, over 45,000 individuals had acquired citizenship through online ceremonies.

The use of the online videoconferencing system also provided the opportunity for the Department to support Federal Members of Parliament and local government council officials to preside over online citizenship ceremonies, including the Acting Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs, the Hon Alan Tudge MP, who personally presided over an online ceremony for a family in Melbourne on 21 April 2020.

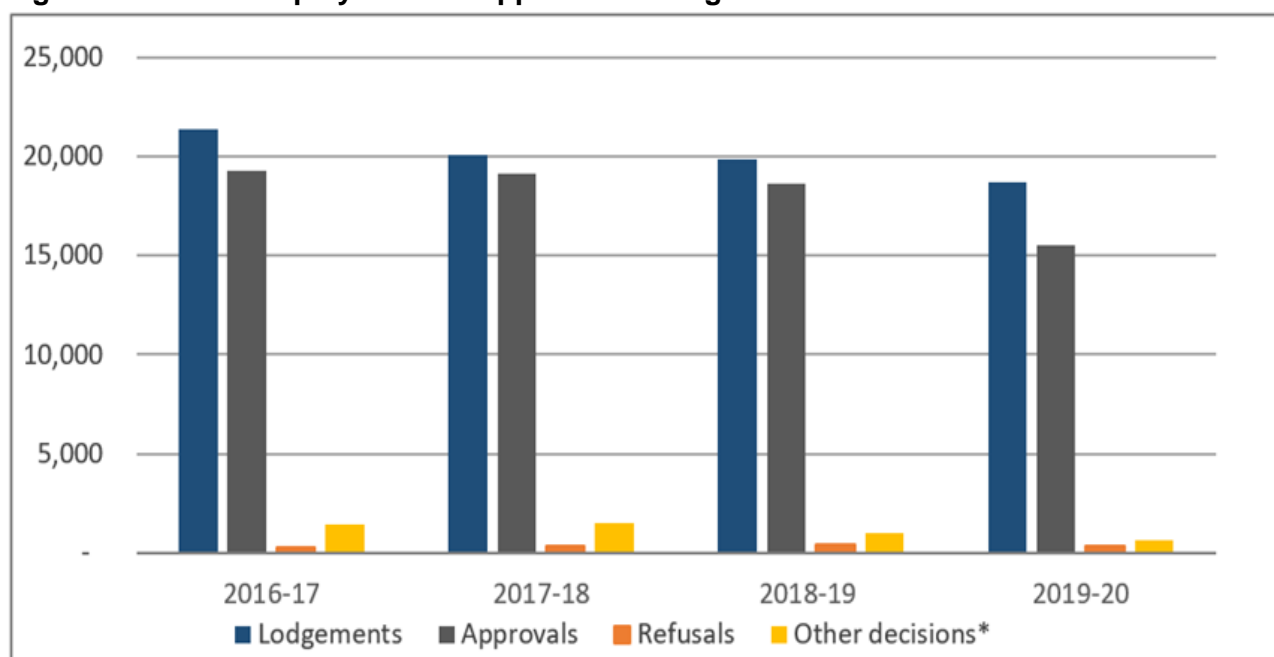
132. The Department has considered various innovations to enable continuation of business continuity despite COVID-19, which resulted, among other initiatives, in online ceremonies. Citizenship tests cannot be done online at the moment. The critical nature of the tests, central to the citizenship application process, and the need for integrity, as well as the associated risks and the potential negative impact, have restricted the use of online tests for citizenship applications.
133. Instead, since in-person client services were on hold, the Department focused on reallocation of resources to ensuring that applications that were approved for conferrals were fast tracked, with a view to recommence face-to-face appointments and tests as soon as it was safe to do

so. Risk management tools and templates, client service logistics preparation and staff training were all completed to enable smooth transition to 'business as usual' where possible, when COVID-19 restrictions allow.

Citizenship by descent

134. People born outside of Australia, who at the time of their birth had a parent who was an Australian citizen (or the parent later became an Australian citizen on 26 January 1949), may apply for Australian citizenship by descent regardless of their age.
135. During 2019-20, 15,518 people acquired Australian citizenship by descent. This represents a decrease over the previous year when 18,590 people acquired Australian citizenship by descent.

Figure 10: Citizenship by descent applications lodged and finalised: 2016–17 to 2019–20



* "Other decisions" include invalidated applications, applications withdrawn by the client and administrative finalisations.

136. In 2019-20, 276 children born through surrogacy arrangements were approved as Australian citizens by descent. The main countries of birth of these children were the United States of America, Ukraine, Canada, Georgia, and Thailand.

Citizenship by Adoption

137. Forty children were approved Australian citizenship by adoption in 2019-20, a slight decrease from 52 in 2018-19.

Citizenship by Resumption

138. People who previously renounced their Australian citizenship, or lost it automatically under historical provisions, may apply to resume Australian citizenship if they are of good character. In 2019-20, 130 people resumed Australian citizenship.

Threat and risk environment

139. Australia's visa and citizenship programs primarily focus on people. Clients have different (and changing) motivations, circumstances and connections. While the majority of people enter and remain in Australia for legitimate purposes, individuals—including people smugglers, professional facilitators of migration fraud, and organised crime groups—still seek to identify and exploit vulnerabilities. Having appropriate controls in place provides levers to actively assess and reassess cases to prevent risks from being realised, and actively mitigate the consequences when they do.
140. In recent months, Australia's response to the COVID-19 pandemic was underpinned by unprecedented steps to enhance biosecurity at the border. This began with strengthened border measures and followed by successive risk-based travel restrictions. These culminated in the decision on 20 March 2020 that non-Australian citizens and non-residents would no longer be allowed to enter Australia unless they fall within certain specified exceptions.
141. While Australia's current travel restrictions have temporarily suppressed threats to the Immigration Program from individuals offshore, immigration-related threats and vulnerabilities continue with visa holders who remain in Australia. Worsening global unemployment and economic conditions, combined with the continuing COVID-19 pandemic globally, will continue to make Australia an attractive option for education and work opportunities. Some temporary visa holders will seek to exploit visa arrangements, such as engaging professional facilitators to prolong their stay, achieve work rights or pursue permanent residency. Additionally, in an effort to support themselves while based in Australia, individuals may be vulnerable to worker exploitation by unscrupulous employer and labour hire intermediaries. The Department will continue to work closely with the Fair Work Ombudsman and other Government agencies to effectively manage this risk.
142. Some individuals or organised crime networks based offshore will seek to further exploit Australia's Immigration Program when the border reopens. They will do so by either waiting to resume their exploitative methods or change their methods in an attempt to take advantage of perceived new vulnerabilities within a changed immigration system, for individual benefit or to cause harm to Australia. As these opportunistic individuals or organised networks adapt their exploitation methods in response to the changing environment, the Department will respond to this dynamic environment by proactively identifying threats to the Immigration Program.
143. Transnational serious and organised crime is an expanding and unrelenting threat, which continually adapts and diversifies in its endeavour to breach the Australian border. Operating globally, its complex and evolving methodologies facilitate criminal activities that affect the well-being of individuals and Australia's health, and national and economic prosperity. Infiltrating the supply chain and undermining visa and migration programs, these individuals endeavour to facilitate the movement of illicit commodities, the provision of illegal labour, human trafficking, and smuggling and financial offending.
144. The constantly changing face of extremism presents as a paramount concern. Terrorist actors, ideologues, financiers and recruiters, though effectively disrupted by current travel restrictions associated with COVID-19, will again seek to exploit perceived efficiencies in international travel and visa processes to further their cause, undetected.

145. Reopening the border to international travellers following COVID-19 will need to be carefully managed in order to not add to current risks as people seek to resume travel for licit and illicit reasons. Australia will remain a destination of choice for tourism, safety, education and lifestyle. Scenarios under which the border is reopened carry varying degrees of threat of criminal exploitation of Australia's migration program. A proportion of travellers will continue to seek to travel with no reliable documentation or provide false information to obfuscate their identity.
146. The Department continues to use an intelligence-informed approach to mitigate risk across the immigration and citizenship continuum, focusing on early treatment to prevent travel to Australia by those who are identified as posing a significant threat or risk. This approach is multi-layered. The Department's human and technological assets work hand-in-glove to ensure risk systems that support visa processing are underpinned by the latest environmental information, trends and data. This process of constant review and adjustment in risk responses is vital—those who seek to exploit visa programs become aware of the processes, and adjust their strategies quickly. The Department is, and needs to remain, just as agile.
147. At the strategic level, key Immigration Program risks are linked to the broader objectives of the Department, with a focus on how effective risk management supports Government objectives and safeguards the community.
148. At the operational level, the Department focuses on risk in individual programs and those risks that cross program boundaries. It does this by identifying and assessing trends and anomalies, as well as considering links with border and onshore outcomes.
149. At the tactical level, risk management is supported at the decision-making front line, with appropriate risk tools, risk-focused procedural instructions, training and quality assurance processes in place.

Modern slavery, human trafficking, people smuggling and migrant worker exploitation

150. Between 1 July 2015 and 30 June 2020, the Department and the ABF refused more than 1.46 million visa applications and over 18,596 travellers' entry at an Australian airport. During the same period, the ABF's network of airline liaison officers prevented more than 3,600 people from boarding flights to Australia.
151. These measures contribute to strong border protection. They include the detection and prevention of potentially exploitative practices, such as modern slavery and human trafficking, worker exploitation, and people smuggling well before travellers reach Australia. They also facilitate the movement of legitimate travellers.

Modern slavery and human trafficking

152. In Australia, modern slavery refers to a range of serious exploitative practices, including human trafficking, slavery and slavery-like practices (such as forced marriage, forced labour, domestic servitude and debt bondage). These are criminalised in the *Criminal Code Act 1995* (Cth) (the Criminal Code).
153. In the context of the Immigration Program, the Australian Government is aware of a very small proportion of non-citizens who are suspected victims of modern slavery or human trafficking (75), identified in the 2019-20 program year, representing 0.0011 per cent of all visas granted (6.84 million visa grants).

154. Between 1 July 2015 and 30 June 2020, 925 matters were referred to the AFP for investigation of possible modern slavery and human trafficking offences (including Australian citizens who may be victims³). These include referrals made by the Department and the ABF, as well as other bodies. For the same period, the AFP referred 279 suspected victims (including Australian citizens) of these types of crime to the Government's Support for Trafficked People Program (support program).⁴
155. During 2019–20, the AFP identified 87 suspected victims of modern slavery or human trafficking (including the 75 non-citizens) and referred them the support program. Of these, 21 claimed protection, with nationals of Fiji (28), India (six), Afghanistan (five) and Pakistan (five) comprising the largest groups within the broader cohort of victims. The nationality of victims can change significantly from year to year, including where cases involve multiple victims. Forced marriage and labour exploitation were the main offence types for non-citizen victims referred to the support program in 2019–20.
156. Law enforcement activity has found no evidence to support claims that a large volume of non-citizens arriving through Australian airports are then claiming protection and being subject to criminal exploitation. During the 2019-20 program year (as at 30 June 2020), only 75 non-citizens were identified as suspected victims of modern slavery or human trafficking by the AFP, and referred to the support program. Of these, 21 had claimed protection.
157. Between 1 January 2004 and 30 June 2020, 25 people were convicted of modern slavery and human trafficking offences, including 17 Australian citizens.
158. Australia's response to modern slavery and human trafficking is broadly consistent with its Five Eyes partners. Each has comprehensive criminal offences, a national action plan, and government support programs for victims. Evidence suggests that all Five Eyes countries experience substantial challenges identifying victims. According to the US State Department's *Trafficking in Persons Report* in 2020, Australia has demonstrated serious and sustained efforts to eliminate human trafficking and consistently rates as a Tier 1 country in this regard.

People smuggling

159. People smuggling involves organising or facilitating consenting non-citizens who have no lawful right to enter Australia doing so by sea or air, generally in return for financial or other material benefit. People smuggling is an offence under the Migration Act and the Criminal Code, and the AFP leads the Australian Government's operational response to people smuggling offences.
160. Between 1 January 2015 and 30 June 2020, six people were convicted of people smuggling offences in Australia. It should be noted that the low number of domestic convictions is largely a result of the increased focus on deterring and disrupting people smuggling at its source (that is, offshore) as part of a layered approach to border security.
161. Between 2008 and 17 September 2013, more than 50,000 people travelled illegally to Australia on more than 820 individual maritime people smuggling vessels. During this period, more than 1200 people drowned while attempting to reach Australia on small and often unseaworthy vessels that were unsuited to long voyages across the open ocean.
162. In response to the maritime people smuggling threat, the Australian Government established the multi-layered Operation Sovereign Borders (OSB) under a military-led Joint Agency Task Force. Following the launch of OSB on 18 September 2013 until 27 July 2014, 1,309 people

³ This information was provided by the Australian Federal Police.

⁴ This information was provided by the Department of Social Services.

arrived illegally on boats linked to 23 people smuggling ventures. Since then, there have been no more illegal arrivals by boat.

163. Since the inception of OSB, Australia has intercepted 38 maritime people smuggling ventures and safely returned 873 potential illegal immigrants to their country of departure or home country. It has been more than six years since the last death at sea during a people smuggling venture targeting Australia, and more than five and a half years since the last such vessel reached Australia. An essential element of the OSB multi-layered approach is deterrence and disruption in source and transit countries. This has involved a continuous dynamic strategic communications campaign that has deterred thousands of people and seen foreign law enforcement disrupt 82 vessels involving 2652 potential illegal immigrants, and make 629 arrests. Despite the success of OSB, the threat of illegal maritime ventures remains and will require ongoing vigilance.

Migrant worker exploitation

164. In some cases, serious exploitation of migrant workers may meet the criminal threshold for modern slavery or human trafficking-related offences. In this report, migrant worker exploitation refers to exploiting non-citizen visa holders, such as by underpaying wages for labour or services, in violation of Australian workplace laws. Worker exploitation is not, however, restricted to non-citizens or migrant workers. Australian citizens are also affected.
165. The Attorney-General's Department and the Fair Work Ombudsman's office lead the Government's overall response to this issue. The Fair Work Ombudsman is responsible for providing education, assistance and advice about Australian workplace laws, as prescribed under the *Fair Work Act 2009* (Cth). The Attorney-General's Department is responsible for policy in relation to the Fair Work Act and other workplace matters.
166. Over the past five years (as at 30 June 2020), the number of temporary visa holders in Australia has increased by more than 10 per cent (190,000 people), resulting in an increase in the number of non-citizens seeking to work in Australia.
167. The Department and the ABF play a specific role by ensuring non-citizens hold visas allowing them to work where appropriate, that they are complying with their visa conditions, and (where necessary) that workers are sponsored by approved business sponsors who meet their sponsorship obligations.
168. Under the Migration Act, the Department and the ABF, are able to sanction employers who allow (or refer non-citizens for) illegal work in Australia, without having taken reasonable steps to confirm that the person is a legal worker. A range of sanctions can be imposed, from administrative warnings and infringements to civil penalties and criminal prosecution for serious and repeat offences.
169. Between 1 July 2014 and 30 June 2020, the ABF conducted 6,280 employer awareness activities, focusing on ensuring employers know their legal obligations and that workers hold valid visas with appropriate work rights.
170. Australian businesses are able to sponsor suitably skilled migrant workers to fill a position for which they cannot find an appropriately skilled Australian worker. Between 1 July 2019 and 30 June 2020, 428 businesses were sanctioned for breaching their sponsorship obligations. Of these, 82 were sanctioned for breaches that could potentially be associated with foreign worker exploitation—for example, not ensuring equivalent terms and conditions of employment to Australian citizens or permanent residents, not ensuring the worker is operating in the nominated occupation and not recovering costs from workers.

171. The ABF has a range of enforcement options available for businesses that breach their sponsorship obligations, including cancellation of a sponsorship approval or barring a business from further sponsorship to issuing infringement notices and civil prosecution. In 2019–20, the ABF issued 36 infringement notices to employers not meeting sponsorship obligations.
172. The ABF collaborates with a range of law enforcement organisations; Commonwealth, state and territory governments; and regulatory agencies to combat foreign worker exploitation. It does this by applying the full spectrum of enforcement measures, ranging from education and field compliance activities to criminal prosecution and international engagement. This work supports the whole-of-government response to migrant worker exploitation.
173. The ABF and the Fair Work Ombudsman continue to leverage cross-agency capabilities and deliver migrant worker, employer and sponsor education and compliance outcomes. Where the ABF becomes aware of worker exploitation, it will take appropriate action and refer it to, or work with, the relevant regulatory authority or law enforcement agency.
174. Between 3 December 2018 and 30 June 2020, the ABF conducted a national operation (*Operation Battenrun*), targeting unscrupulous labour hire intermediaries suspected of foreign worker exploitation. This resulted in the execution of 79 search warrants, the cancellation of 25 visas, and the detention and removal of 154 individuals from Australia, including labour hire intermediaries. In addition, it performed 139 employer awareness activities, and issued 79 Illegal Worker Warning Notices and five infringement notices to facilitators of illegal work.
175. The Department also works closely with the Fair Work Ombudsman to ensure that visa holders with work rights who have reported exploitation to the Fair Work Ombudsman will generally not have their visa cancelled. The agencies established an Assurance Protocol in early 2017 to encourage visa holders to come forward with their workplace complaints. As at 30 June 2020, the Fair Work Ombudsman had referred 64 visa holders to the Department under the Protocol. No member of this cohort has had their visa cancelled.
176. Non-citizens have access to the same workplace protections and entitlements as Australian citizens. The final *Report of the Migrant Workers' Taskforce* estimates that in 2017–18, migrant workers accounted for 6 per cent of the Australian workforce. Disputes from non-citizen visa holders constitute a very small proportion of overall non-citizen visa holders (0.015 per cent of the 6.84 million visa grants in 2019–20). However, the Fair Work Ombudsman reports that 20 per cent of the 5,395 formal disputes resolved in 2019–20 involved non-citizen visa holders.
177. In 2019–20, the top three industries in which visa holders requested assistance from the Fair Work Ombudsman were accommodation and food services (32 per cent), construction (11 per cent) and retail trade (9 per cent). These were also the top three industries represented in all requests for assistance made to the Fair Work Ombudsman; that is, requests relating to Australian citizens and non-citizens.
178. Between 1 July 2014 and 30 June 2020, the main type of workplace exploitation allegations received by the Fair Work Ombudsman for non-citizen visa holders related to the non-payment and underpayment of wages.
179. All workers in Australia have the same rights and protections at work, regardless of citizenship or visa status. Non-citizens are supported and encouraged to report any evidence or information about workplace exploitation to the Fair Work Ombudsman (FWO).

180. To assist non-citizens, the Department and the ABF make information about worker rights and entitlements available through a range of channels. These channels include information provided to visa holders about their work conditions and entitlements in their visa grant notices and via 'push' messaging sent to Working Holiday Maker visa holders and text messages at different points of their visa pathway. Information on workplace rights is also available on the Department's and the FWO's websites.

Detecting threats within the Immigration Program

181. The Department is focusing on leveraging its systems and data to deliver intelligence assessments that effectively and efficiently identify threats and vulnerabilities within the Immigration Program. It targets initiatives and operational decision-making at the earliest possible point in time. Examples of how the Department is uplifting its capabilities to better detect threats and vulnerabilities within the ever evolving Immigration Program environment include:

- developing, improving and strengthening its targeted and layered approach to assessing individuals and border movements, supported by technology and data that is fit for purpose, agile and responsive
- garnering and fostering collaborative efforts, engagements and partnerships with onshore and offshore agencies.

Lifting intelligence capability support for the Immigration Program

182. Before July 2015, Australia's immigration intelligence capability was immature, split across a range of agencies and dispersed individual teams. It did not inform a joined-up response to risks across the apply, decide, travel, stay and depart continuum. Visa decisions were made through the prism of assessing the risk of immigration non-compliance with the Migration Act. Decision-making lacked a joined-up threat lens and, in many cases, did not benefit from intelligence held by other intelligence and law enforcement agencies. For example, decision-making by immigration officers overseas, Customs officers at the border, and immigration visa and compliance officers in Australia was undertaken on different systems, and lacked a coherent approach to individuals. The Department lacked robust mechanisms to detect and assess individuals who may present a threat to Australia.

183. Today, the Department is developing an intelligence capability to support the management of the Immigration Program across the border continuum. Threats spanning multiple border domains are identified by exploiting information from the Department, the ABF, the national intelligence community and international partners. Intelligence is also enabling earlier operational outcomes, including refusing to grant immigration clearance to individuals at the border, offshore interdictions, and offshore visa cancellations. This contributed to the detection of more than 361 improperly documented travellers in 2019–20, with significant numbers of nationals identified from the People's Republic of China, Malaysia and Sri Lanka. Additional capabilities including the following:

- at the strategic level, intelligence capability assesses migration-related threats and systemic vulnerabilities that threaten the integrity of the Immigration Program. This includes visa fraud and non-compliance, criminality, exploitation of labour, and human trafficking
- at the operational and tactical level, intelligence directly supports the Immigration Program through a network of intelligence analysts integrated with operational teams, and specialist enforcement and investigative capabilities. This intelligence targets serious and organised crime and serious and deliberate non-compliance

- an increasing spectrum of risks and proposed treatments are captured within visa and border processing systems and provided to relevant decision makers for consideration and action.

Case study

The convergence of threats manifesting in one domain continue to lead to discoveries in other domains and the disruption of organised criminal activity in Australia. The recent arrest of South American nationals involved in cocaine distribution in Sydney provides a practical example of how threats converge in the migration, cargo and traveller domains. Agile responses by the Department, the ABF and the AFP led to the coordinated discovery and targeting of the criminal activity in both the visa and traveller domains, and disruption of syndicate activity. This level of immediate cross-domain analysis, threat identification and Department-wide responses would not have been possible previously, and demonstrates the power of a more robust and joined-up border intelligence effort.

Biometrics and integrity screening in the Immigration Program

184. Over the past 10 years, the Department has increased its use of biometrics to facilitate legitimate trade and travel, and protect the border and community from threats including criminal activity and terrorism. Australia collects biometrics from visa applicants living in Australia and 48 other countries to detect persons of concern. The biometrics collected from applicants are checked against departmental data, with higher-risk cohorts checked against data held by law enforcement and Australia's Migration 5 (M5) partners (Canada, New Zealand, the United Kingdom and the United States) using a Secure Real Time Platform.
185. The application of biometrics to historical paper-based records (where the applicant's identity has remained consistent in applications over an extended period) has led to streamlining more than 3,000 high-risk cases into low- to medium-risk processing due to more confidence in the applicant's identity. Additionally, it has enabled the identification of 1,700 fraud cases as well as resolving the identity of 25 individuals in long-term detention.
186. Intelligence sharing with law enforcement agencies and M5 has strengthened since the establishment of the Department. This has resulted in the addition of more than 3000 individuals confirmed or suspected of transnational serious and organised crime to watch-lists to ensure any visa applications they make are individually scrutinised. The Department works with domestic and international law enforcement partners to ensure an effective response to transnational crime and the prosecution of offenders, including through extradition.

Improving immigration integrity and community protection outcomes

187. All non-citizens granted a visa must meet, and continue to meet, the character and other eligibility requirements set out in the Migration Act. Consistent with community views and expectations, the Australian Government has a very low tolerance for criminal behaviour. For non-citizens, entering and staying in Australia is a privilege, not a right, and the Australian community expects that the Government can and should refuse entry to non-citizens or cancel their visas if they do not abide by the law. Non-citizens convicted of a violent crime against women or children should generally expect to be denied entry or forfeit the privilege to live in Australia.

188. Under the Migration Act, only the Minister or a delegate can grant, refuse or cancel a visa. Visa cancellation may be discretionary or mandatory, or occur by law. The Department is conscious of the magnitude of cancellation decision-making and achieves fair and reasonable outcomes by using an evidence-based approach for all its decisions.
189. The Department's suite of cancellation powers allows it to respond rapidly and flexibly to emerging threats, whether they are posed by an individual or organised crime group, or through integrity threats to the Migration Program.
190. In 2019–20, there were 1,021 visas cancelled and 352 people were refused visas under the character provisions of the Migration Act. The Migration Act provides for mandatory cancellation of visas in circumstances where the individual engages in serious criminal conduct and is serving a custodial sentence of 12 months, or has been convicted for a child sex offence. In cases where the individual poses an imminent risk to the Australian community, discretionary cancellation powers are available that enable consideration of cancelling a visa where the presence of such an individual in Australia may or does pose a risk to the health, safety or good order of the Australian community. In 2019–20, 538 visas were cancelled using this power.
191. The ability to cancel a visa while the visa holder is offshore is significant, as it mitigates the risk posed by the individual ahead of their arrival at the border. In 2019–20, 53,664 visas were cancelled offshore. Cancellation offshore may be appropriate when the visa holder's travel is imminent and information suggests they may pose a risk to the Australian community or an individual in Australia. Offshore cancellations are also used when visa holders don't comply with the conditions of the visa.
192. The Department continues to proactively identify and act upon ways to better safeguard the Australian community and work closely with partner agencies such as the AFP, the Australian Criminal Intelligence Commission and the Australian Transaction Reports and Analysis Centre.
193. As a result of the increasing use of biometrics, leveraging intelligence and other new information sources domestically and internationally, and deploying new risk capabilities and tools, the Department has successfully detected and responded to thousands of cases of visa and identity fraud, as well as serious criminality and security concerns. This includes refusals and cancellations for providing fraudulent documents, committing identity fraud, and providing incorrect and/or misleading information on visa applications. Visa applicants who are refused the grant of a visa for committing fraud are subject to a three- or 10-year exclusion period, which prevents them from being granted an Australian visa. In 2019–20, 216 visas were cancelled for providing incorrect information and/or false documents (under section 109 of the Migration Act) and 2,232 were cancelled for non-compliance with visa conditions.
194. In April 2019, two new visa cancellation grounds were introduced for implementation in immigration clearance at ports of entry. These grounds allow for the cancellation of:
- visitor visas where the visa holder has contravened the *Biosecurity Act 2015* by failing to properly declare goods that threaten Australia's biosecurity on their incoming passenger card and/or providing false information to a biosecurity officer at airports and seaports
 - temporary visas where the visa holder has been found to have contravened the *Customs (Prohibited Imports) Regulations 1956* by bringing in objectionable goods and materials, such as child exploitation material or material that incites or advocates terrorism, crime or violence without permission
 - If a person's visa is cancelled, they are refused entry to Australia and generally won't be able to apply for another visa for three years.

195. The Department has cancelled 14 Visitor visas under the new biosecurity requirements for very serious breaches of the biosecurity act, including for importation of raw pork, and other prohibited food items. Undeclared pork items could have a devastating impact on Australia's animal industry because of threat of disease such as African Swine Fever (ASF)—a virulent disease that has devastated domestic and wild pig populations around the world. ASF has never been detected in Australia but it could damage our trade and the economy.
196. The cancellation of tourist visas sends a very strong signal to all travellers that Australia's biosecurity requirements need to be taken seriously.
197. When an onshore client's visa is cancelled, the Department's status resolution service engages with them. A status resolution officer explains their current options and the likely effect of the decisions they make. A status resolution officer also connects the client with relevant services that may assist in resolving their immigration status.

Status resolution

198. The Department is working to ensure clients retain their lawful status in Australia. With the closure of international borders due to the COVID-19 pandemic, a large number of international flights have ceased. This has meant temporary visa holders and unlawful non-citizens have been unable to depart Australia. This has caused a large increase in the volume of Bridging visa E (subclass 050) applications as these individuals seek lawful status while they remain temporarily in Australia. Since the pandemic began, the Department has finalised 18,282 such applications (as at 30 June 2020), about 68 per cent more than in the same period last year.
199. The Department continues to assist clients to return to their countries through the Return and Reintegration Assistance program (RRAP). Due to the COVID-19 pandemic, the RRAP has seen an increase in referrals from non-citizens and family groups seeking to return home without the financial means to do so. Service providers are managing flights and the acquisition of travel documents to facilitate the return of eligible non-citizens.

Case study

2020 has been a challenging year for achieving status resolution outcomes for non-citizens seeking to voluntarily depart Australia.

The COVID-19 pandemic has reduced opportunities for non-citizens to depart Australia as countries have reduced their flight path offerings to Australia and, in some cases, are no longer issuing travel documents. In August, the Department, in conjunction with the International Organization for Migration, was able to facilitate the voluntary return of a group of non-citizens on a repatriation flight to their country of origin.

When the flight became available, the Department's service delivery partner worked closely with the foreign government to urgently extend the validity of recently expired travel documents for some of these non-citizens and they were subsequently able to depart.

Migration compliance

200. The comprehensive information, guidance and advice published by the Department is a result of collaborating with a range of public and private sector stakeholders. The Department is also an active participant in international forums that share information, innovative practices and emerging technologies to enhance compliance policy.

Maturing future administration of the Immigration Program

201. The Immigration Program will remain central to maximising Australia's economic well-being. While COVID-19 will have a major impact throughout the next few years, over the longer term, immigration is crucial to Australia's economic security.
202. Prior to the pandemic, the number of people crossing Australia's borders is expected to reach nearly 50 million by 2030. In the decade ahead, as travel volumes eventually return to pre-pandemic levels, the Department anticipates the threats and risks faced today will continue to evolve. In administering the Immigration and Citizenship Programs, it will continue to develop and advance its systems, processes and capabilities, while also enhancing threat and risk mitigation as the environment changes.
203. Over the short to medium term, the Department anticipates building its capabilities by working closely with industry, domestic agencies within and beyond the Department, and international partners. It will focus on:
 - identifying emerging threats and vulnerabilities at the earliest point possible and using this information to develop, deploy and regularly update analytic models, profiles and risk systems that prevent the entry of those who would seek to cause harm to the community, and Australia's national interests
 - further developing and embedding a consistent, whole-of-immigration system-wide approach to risk and assurance, which supports robust governance and focuses on achieving and maintaining immigration integrity
 - refining integrity controls that contribute to the mitigation of the risks inherent in the Immigration Program, not only at the service delivery or tactical level, but also at the broader strategic and cross-program operational levels
 - further automating manual processing activities, and consolidating and connecting fraud, criminality, risk and security threat information from an expanded range of sources to support timely decision-making and recurrent risk checking
 - enhancing biometrics collection to anchor identity at the earliest possible point, together with advanced matching and validation capabilities
 - improving the quality and consistency of decision-making through enhanced vocational training for visa decision makers; a single global approach to processing; better real-time reporting for Immigration Program managers; an integrated model of quality assurance and regular operational practice reviews
 - introducing other initiatives to improve the client experience for genuine travellers and migrants.