

May is Federal Budget month so a very detailed report, by the Migration Institute, on the effects on Immigration starts our Newsletter. Despite an otherwise tough Budget Migration came out unscathed. There are new programs for asylum seeker families, most of whom were found to be genuine refugees. The Budget also includes new funding for an impressive program to tackle crime.

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**Migration Institute of Australia  
2013-14 Budget Overview: Australia's Migration Program**

A preliminary reading of the DIAC Portfolio Budget Statements 2013-14 reveals:

- Total Migration Program numbers remain unchanged at 190,000;
- Skilled Program down by 700 places to 128,550;
- Family Program up by 700 to 60,885;
- Total departmental revenue is expected to increase from \$1,333.7 million to \$1,462.3 million. The movement is primarily due to an increase in revenue from Government (appropriation revenue) of \$126.7 million and an increase in DIAC's own source revenue of \$1.9 million;
- Visa and Migration Program delivery expenses increase from \$508 million to \$518 million;
- Visa compliance and status resolution expenses increase from \$87 million to \$96 million;
- Refuge expenses increase from \$118 million to \$551 million in response to the Report of the Expert Panel on Asylum Seekers, which recommended an increase in the Humanitarian Program to 20,000 places annually;
- There will be a comprehensive review into Australia's refugee status determination system;
- At least 12 percent of offshore refugee grants through the Woman at Risk Subclass;

- Settlement services expenses increase from \$479 million to \$552 million;
- Grants for multicultural affairs increase from \$732,000 to \$9.5 million;
- Enhancement and extension of biometric testing;
- Enhancement of the DIAC's capability to detect and minimise identity and document fraud;
- Subclass 457 visa application charges will increase revenue by more than \$46 million;
- Improvements to communications that increase consumers' understanding of their rights and agents' understanding of their obligations under the regulatory framework; and
- Five percent of agents to be monitored - which is not a change.

The Government's reform agenda for the Migration Program includes:

- Labour market policy framework;
- Long term migration planning framework;
- Skills targeting (permanent and temporary);
- Review of student programs;
- Working holiday, visitor and specialist entry programs;
- Visa simplification and deregulation agenda; and
- Implementation of a fairer approach to migration for people with a disability.

### **Migration comes out unscathed in tough budget**

Further information may be seen at:

- Portfolio Budget Statements 2013-14
- DIAC: Agency Overview and Resources
- DIAC: Outcomes and Planned Performance
- DIAC: Explanatory tables and budgeted financial statements

### **Migration program delivering for Australia**

Australia's migration program will be maintained at 190 000 places in 2013-14 to help fill skills shortages and reunite Australian families, Minister for Immigration and Citizenship Brendan O'Connor announced.

"The Government's top priority will always be jobs for Australians. The permanent migration program is about getting the balance right between our economic and social objectives," Mr O'Connor said. "Our migration program ensures skilled migrants will continue to fill critical gaps in regions and sectors with genuine skills shortages."

The 2013-14 program provides 128 550 places for skilled migrants, 60 885 places for family migration and 565 places for migration under special eligibility.

The government has made a small shift of 700 places - from the skill stream to the family stream - in

response to the continuing high levels of demand for family stream places from Australians, particularly in the partner category.

“Skilled migration continues to make up more than two-thirds of the program because of its obvious benefits to our economy and society,” Mr O’Connor said. “Targeted skilled migration enables Australia’s economy to grow by addressing skills gaps and bottlenecks.”

“It is important that our skilled migration program is driven by genuine skills needs.”

“We are investing for the future, putting jobs and economic growth first and protecting the important services that Australians rely on.”

<http://www.minister.immi.gov.au/media/bo/2013/bo203159.htm>

### **Responding to irregular maritime arrivals**

The Government will implement additional measures in this Budget to combat the dangerous people smuggling trade.

The government is managing the global issue of growing numbers of displaced persons at an additional cost of \$3.2 billion over the four years to 2015-16.

Official development assistance eligible expenses associated with irregular maritime arrivals are expected to be \$943 million higher over the four years to 2015-16. The government will cap the amount of expenditure in the ODA Budget for irregular maritime arrival eligible expenses at \$375 million per year.

Obviously the current arrival rate is not acceptable in terms of the risks to human life, or the impact on the Budget. The government is making reasonable provision for associated financial costs in the Budget and is taking further action to stop people from risking their lives on dangerous boat journeys.

We will invest in a range of measures to strengthen regional co-operation on irregular migration, including:

- Providing the AFP with resources to work with regional law enforcement agencies to arrest people smugglers and disrupt their networks
- Building capacity at international airports to detect and deter irregular migration and conducting communications campaigns in source countries
- Further international engagement and capacity building, including securing the cooperation of regional governments for the return of failed asylum seekers.

The government will continue to pursue implementation of the Malaysia Arrangement and develop other initiatives to strengthen the region’s response to irregular migration.

We took significant steps last year in working with the Sri Lankan government, which resulted in the return of over 1000 Sri Lankan arrivals since August. And we are developing similar arrangements with other source countries.

<http://www.minister.immi.gov.au/media/bo/2013/bo203163.htm>

## **Australia continues to meet its commitment to world's most vulnerable people**

The Gillard Government will continue its commitment to providing refuge for the world's most vulnerable people by accepting 20 000 people through the humanitarian program in 2013-14.

"Millions of people are displaced around the world and we should be very proud of Australia's part in providing refugees with protection," the Minister for Immigration and Citizenship, Brendan O'Connor, said.

Key features of the humanitarian program include:

- the resettlement of displaced populations in the Middle East and South West Asia, primarily Afghans and Iraqis
- higher refugee intakes from countries in the Australian region
- maintaining the focus on vulnerable women and their families through the 'woman at risk' program, which the government maintains at 12 per cent of the refugee component of the program
- introducing the community proposal pilot as part of the humanitarian program
- the resettlement of eligible Afghan locally engaged employees at risk of harm due to their employment in support of Australia's mission in Afghanistan.

The program will also include up to 500 places for people proposed under the community proposal pilot scheme to be introduced later this month, subject to the agreement of the Governor-General to several necessary regulation changes.

"This scheme will provide another avenue for humanitarian entrants with existing community ties to come to Australia, while minimising the cost to taxpayers," Mr O'Connor said.

The government would continue to work with the United Nations High Commissioner for Refugees to identify those in need of resettlement in other parts of the world such as Africa and Asia.

<http://www.minister.immi.gov.au/media/bo/2013/bo203125.htm>

## **Overwhelming majority of boat arrivals deemed to be refugees**

More than 90 per cent of asylum seekers who arrived by boat were found to be genuine refugees in the March quarter, but those who arrived by plane - despite being eligible for release into the community and not having to face years of detention on Nauru or Manus Island - were almost twice as likely to be rejected as refugees.

The new figures come after the government, with Coalition support, passed changes to the Migration Act that introduce explicit discrimination against asylum seekers based on their method of arrival.

Immigration Minister Brendan O'Connor said the figures showed the way Australia makes refugee status determinations should be reviewed.

He announced on budget day that the government would commission a review of visa determinations that would be funded from the existing immigration budget, to ensure Australia's approval rate was consistent with other countries.

"We accept that we need to abide by the refugee convention" but "we don't believe we should be doing more than that."

"This review would balance making Australia's approval system comparable with other countries, while ensuring it continued to meet its international obligations" and it "supports our government's commitment that every one of the 20,000 humanitarian places we support go to people fleeing persecution," he said.

<http://www.theage.com.au/opinion/political-news/overwhelming-majority-of-boat-arrivals-deemed-to-be-refugees-20130519-2juty.html>

### **Refugee takes new freedom challenge to High Court**

The federal government is facing another High Court challenge to the indefinite detention of more than 50 refugees deemed security risks by the Australian Security Intelligence Organisation.

The refugee who last year won a landmark judgment in the court against the government and the Immigration Department has issued new proceedings asserting his continuing detention is unlawful and seeking his release.

More than seven months after the court found that the man's detention was based on an invalid regulation, his lawyers say the government has failed to respond to the decision and process his request for a visa.

David Manne, who leads the refugee's legal team, says apparent inaction on the case has compounded the man's sense of hopelessness after 3½ years in detention - and the despair of others whose hopes rose with the October decision.

After the court's decision, the man's refugee claim was upheld by the Refugee Review Tribunal and his application for a visa was forwarded back to the Immigration Department. In response to a letter complaining at the apparent inaction since the High Court decision, a departmental official maintained the man's continuing detention was lawful because "consideration of his application is presently ongoing".

<http://www.smh.com.au/national/refugee-takes-new-freedom-challenge-to-high-court-20130517-2jry5.html>

### **Asylum seeker families eligible for release on bridging visas**

Asylum seeker families will be released into the community with no work rights and just minimal financial support, under changes announced by Immigration Minister Brendan O'Connor.

He said families would be eligible for release into the community on bridging visas while their claims for protection are heard, arguing detention took a toll on people's mental health.

The announcement is expected to ease the financial pressure for the government of catering for increased flows of asylum seekers. Mr O'Connor acknowledged that keeping people in detention facilities for long periods of time was more expensive than release into the community.

However Mr O'Connor cautioned the families would still be subject to the government's "no advantage" rule, and would wait as long for their protection claims to be processed as they would if they had waited in an offshore refugee camp.

"If they are found to be refugees, they will be granted a visa to remain in Australia. If they are not, they will be expected to depart Australia."

"People released into the community on bridging visas will receive adequate support, but it will not be so generous that it encourages people to come to Australia by boat."

Mr O'Connor said when there were children in a family, family groups would spend time at modified sections of Curtin, Wickham Point or Christmas Island detention centres, for mandatory checks. They would then be eligible for release to the community.

<http://www.smh.com.au/opinion/political-news/asylum-seeker-families-eligible-for-release-on-bridging-visas-20130507-2j4sc.html>

### **Alleged PNG crime boss on 457 visa wanted over theft of \$30m**

An alleged crime boss wanted in Papua New Guinea over the theft of \$30 million has used a 457 visa issued by the Australian government to avoid arrest and prosecution.

Eremas Wartoto, accused of being one of PNG's most corrupt figures by anti-graft authorities, has been living in Cairns since mid-2011.

He obtained a 457 visa, the foreign skilled worker visa, after learning PNG authorities planned to charge him in August 2011.

Since then, Mr Wartoto has claimed to be too ill to face trial in Port Moresby over serious criminal charges laid against him in absentia two years ago.

But travel records obtained by Fairfax Media reveal that Mr Wartoto has travelled to Indonesia, Singapore, Malaysia, Fiji and the Solomon Islands during the past two years and has been able to return to live in Australia each time because of his 457 visa.

Mr Wartoto returned to PNG after Fairfax Media made inquiries about why he was in Australia but he continues to evade arrest.

Mr Wartoto's 457 visa was not rescinded - after he was charged in 2011 or after a decision last month by a Brisbane district court judge to freeze Mr Wartoto's Queensland assets under proceeds-of-crime legislation.

Mr Wartoto is one of several allegedly corrupt PNG figures a Fairfax Media investigation has found to be using Australia as a refuge from anti-graft investigators or to invest millions of dollars in dirty money.

Commonwealth agencies responsible for tracking suspicious money flows into Australia have done little to freeze or reject these funds.

The head of the PNG corruption taskforce, Sam Koim, recently called Australia "the Cayman Islands" of the Pacific because of the tens of millions of dollars corruptly siphoned from PNG and invested here.

Fairfax Media has surveyed Queensland property records, revealing that PNG citizens, including several ministers, politicians and top bureaucrats, are among the largest investors in multimillion-dollar properties in the state's north.

<http://www.smh.com.au/opinion/political-news/alleged-png-crime-boss-on-457-visa-wanted-over-theft-of-30m-20130509-2jatx.html>

### **Carr cancels 457 visa of PNG's 'most wanted' man**

Australia's Foreign Minister Bob Carr has used his special powers to cancel the 457 visa issued by the government to an alleged crime boss wanted in Papua New Guinea over the theft of \$30 million.

Senator Carr's decision to revoke the visa of Eremas Wartoto comes a week after Fairfax revealed that the powerful PNG businessman - accused of being one of PNG's most corrupt figures by anti-graft authorities - was using his 457 visa to avoid arrest and prosecution. Sources in PNG confirmed that Mr Wartoto and his immediate family members in Queensland were contacted by immigration authorities late this week and told that the federal government was cancelling their visas.

<http://www.brisbanetimes.com.au/opinion/political-news/carr-cancels-457-visa-of-pngs-most-wanted-man-20130517-2js1l.html>

### **Asylum self-harm linked to detention time**

Commonwealth ombudsman Colin Neave has called for asylum-seeker applications to be processed within 90 days, warning rates of self-harm are strongly linked to time spent in detention.

A new report said cases of self-harm increased "rapidly" from early 2011, with recorded incidents peaking around September 2011.

This was at a time when large numbers of people were held in detention centres, with many remaining there for long periods while waiting for their refugee claims to be finalised.

Mr Neave said there was a strong link between the rise in the average time spent in detention and the increase in self-harm during 2011.

His report shows cases of self-harm peaked in September, just before the government announced it would issue more bridging visas, and fell later that year.

It has since remained relatively low from around May 2012.

Responding to the report, the immigration department said it accepted "in principle" a recommendation that it clarify the government's "no advantage" policy, whereby asylum-seekers gain no benefit by coming to Australia by boat.

<http://www.theaustralian.com.au/national-affairs/immigration/asylum-self-harm-linked-to-detention-time/story-fn9hm1gu-1226647806354>

## **New online tool sets out 457 visa rights and obligations**

Overseas workers holding 457 visas now have a new online resource to inform them of their rights and obligations in the workplace, the Minister for Immigration and Citizenship, Brendan O'Connor MP, announced recently.

He said the multilingual audio visual tool will be invaluable for sponsors to use in induction programs for their overseas workers.

"The 457 visa, when used properly, is a very good tool to provide skilled labour on a temporary basis for those businesses and sectors of our economy that clearly have shortages."

"The Government, however, has evidence that some employers are not using 457 visas the way they were intended."

"Employers of 457 visa holders are required to adhere to a number of sponsorship obligations, including providing overseas workers with the same pay and conditions of employment as Australians who perform equivalent work in the business."

"This online video will help to mitigate the exploitation of overseas workers in Australia by ensuring access to clear information on their rights and obligations in their primary language," Mr O'Connor said.

The video has been produced in English with subtitles in six additional languages – Mandarin, Korean, Indonesian, Malay, Tagalog and Hindi.

<http://www.minister.immi.gov.au/media/bo/2013/bo203403.htm>

## **Employers face tougher sanctions for hiring illegal workers**

Minister for Immigration and Citizenship Brendan O'Connor has launched a campaign to raise awareness of new measures aimed at stamping out the practice of hiring illegal workers.

The campaign targets businesses with information about new regulations, effective from June 1 2013, which impose tougher penalties for employers who hire, refer work or sub-contract workers who are not legally entitled to be employed in Australia.

"These legislative reforms are an essential part of the government's effort to stamp out illegal work practices and ensure local jobs are available for local jobseekers," Mr O'Connor said.

"The Gillard government takes a tough line on businesses that use illegal workers, which is why we have introduced effective sanctions to deal with those who wilfully exploit foreign workers."

The new regulations stem from legislative changes implemented as a result of recommendations of the *Howells Review*, and complement existing criminal offences.

New infringement notices and civil penalties will range from \$3060 to a maximum \$76 500 per illegal worker. Previously only warning notices could be issued for offences, or criminal sanctions imposed.

"Penalties imposed under this new regime will act as a real deterrent. Checking whether a potential employee is entitled to work in Australia is a simple process, and businesses doing the right thing have nothing to fear from these regulations."



"In 2011–12, almost 2000 people were caught working illegally in Australia, 77 per cent of whom have since been removed from or left the country. A further 1600 illegal workers were found to the end of March this year," Mr O'Connor said.

More information about the reforms can be found.  
See: Employing Legal Workers

<http://www.minister.immi.gov.au/media/bo/2013/bo203503.htm>

## **Federal Budget**

### **Budget Senate Estimates**

Immigration department secretary Martin Bowles, who appeared before a budget estimates hearing in Canberra, confirmed:

#### **1. Sri Lanka**

A Sri Lankan man accused of murdering his girlfriend before fleeing to Australia on an asylum boat was released into the community on a bridging visa in 2012. In April 2013, his visa was cancelled and the man was "re-detained".

#### **2. Iran**

Meanwhile, Mr Bowles said an Iranian asylum seeker wanted on drug trafficking charges had been moved to a mental health hospital.

"He's being treated for his illness - he's quite ill," Mr Bowles said.

The man arrived on a boat in December and was transferred to Australia's offshore processing centre on Nauru the following month.

The immigration department in March decided to transfer the man to a mental health facility on the Australian mainland. (Source: World News Australia)

<http://www.dailymirror.lk/news/30048-lankan-accused-murderer-given-bridging-visa.html>

### **Budget Funding to tackle crime**

The 2013-14 Federal Budget includes \$149.9 million in new funding over the forward estimates to target gang violence, organised crime and the illegal firearms market and to fund community safety infrastructure and youth outreach programs.

It is a critical part of the Gillard Government's focus on making Australia stronger, smarter and fairer.

The plan to tackle crime includes:

- \$64.1 million to establish a National Anti-Gang Taskforce to fight gang-related crime across Australia;

- \$40.9 million to target crime hotspots through the National Crime Prevention Fund;
- \$30.2 million to establish a National Border Targeting Centre to target high risk international passengers and cargo;
- \$9.1 million to establish an Australian Ballistics Identification Network to analyse firearms that are seized from criminals; and
- \$5.6 million to expand the work of the successful Taskforce Polaris which was established in Sydney in 2010 to investigate organised crime on the waterfront. The taskforce is being expanded to Brisbane and Melbourne.

The National Anti-Gang Taskforce will be made up of 70 members from the Australian Federal Police and State Police Forces and will include officers from the Australian Crime Commission, the Australian Customs and Border Protection Service, the Department of Immigration and Citizenship, the Australian Taxation Office and Centrelink.

The National Crime Prevention Fund will use funds confiscated from criminals to fund community safety infrastructure like closed-circuit television (CCTV) systems and street lighting.

The Fund will also expand youth mentoring and outreach programs run by Father Chris Riley's Youth Off The Streets, Police-Citizens Youth Clubs and other not-for-profit organisations that target young people at risk of falling off the tracks and getting involved in crime.

Law enforcement experts advise that intelligence is the key to seizing drugs and other contraband on the streets and at the border.

To enhance Australia's intelligence capability in this area, a new National Border Targeting Centre will be established to target high-risk international passengers and cargo.

The national roll-out of the ABIN will build a database of all firearms used in crimes across all states and territories and will enhance the investigative capability of police across Australia.

The ABIN is part of a package of reforms, agreed to by the State and Territory Police Ministers, to tackle the illegal firearms market from every angle – to seize the illegal firearms, to break the code of silence, to improve ability to trace illegal firearms, to strengthen laws and harden the border.

The Federal Government established Taskforce Polaris in 2010 to investigate organised crime on the waterfront in Sydney. Polaris involves officers from the Australian Federal Police and the New South Wales Police Force as well as officials from Customs, the Australian Crime Commission and the New South Wales Crime Commission.

Taskforce Polaris has resulted in more than 30 arrests and 154 charges being laid to date.

<http://www.ministerhomeaffairs.gov.au/Mediareleases/Pages/2013/Second%20Quarter/14May2013-Extra149-9milliontotacklecrime.aspx>

## Department of Attorney-General

### Reviews of counter-terrorism laws

The Attorney-General Mark Dreyfus QC has tabled two important and detailed reviews of counter-terrorism and national security laws - the Council of Australian Governments (COAG) Review of Counter-Terrorism Laws and the second annual report of the Independent National Security Legislation Monitor.

"These reviews are part of the Gillard Government's commitment to protecting Australians, and ensuring national security and counter-terrorism laws are administered in a fair and balanced way," Mr Dreyfus said.

The COAG Committee examined and made recommendations about the counter-terrorism laws enacted in the Commonwealth and the States and Territories following the 2005 London bombings.

"There is no greater responsibility for a Government than protecting its national security. This Government takes National Security matters extremely seriously."

"Under Australia's counter-terrorism framework four major terrorist attacks on Australian soil have been disrupted."

"In light of the recent terror attack in Boston, it is clear that it is as important now as it ever was to maintain strong capabilities in the fight against terrorism. Our counter-terrorism framework has held us in good stead so far, but we must remain vigilant," he said.

The Gillard Government created the Independent National Security Legislation Monitor to review Australia's national security laws and counter-terrorism laws on an ongoing basis and determine whether they remain necessary, effective, proportionate and consistent with our international human rights obligations.

Both Reviews are available online.

- COAG Review of Counter-Terrorism Laws
- Second annual report of the Independent National Security Legislation Monitor

<http://www.attorneygeneral.gov.au/Mediareleases/Pages/2013/Second%20quarter/14May2013-ReviewsOfCounter-TerrorismLawsReleasedToday.aspx>

## Human Rights

### DisabilityCare Australia

The Gillard Government will invest \$14.3 billion over seven years to roll out DisabilityCare Australia, the national disability insurance scheme, across the country.

This Budget makes the responsible decisions to fully fund DisabilityCare Australia for the long term. This unprecedented long term funding security will provide people with significant and permanent disability, their families and carers the certainty they deserve.

DisabilityCare Australia will give people with disability, their families and carers the care and support they need over their lifetimes.

The Government has secured agreements for a full scheme roll out by July 2018. These agreements are based on agreed funding and governance arrangements, with the Commonwealth contributing over half of the costs of the scheme once it is fully rolled out and they mean around 90 per cent of Australians will be covered by DisabilityCare Australia in the event they are born with or acquire a disability.

<http://www.pm.gov.au/press-office/gillard-government-delivers-disabilitycare-australia>

In the lead up to launching DisabilityCare Australia from July this year, the Australian Government has secured a strong, stable funding stream to support the rollout of the full national scheme. This will provide Australians with a disability, their families and their carers with the certainty they deserve – so all Australians can have confidence that this vital reform will be locked in place for the long term.

Legislation has passed through Parliament that provides for a half a percentage point increase in the Medicare levy.

This will increase the Medicare levy from 1.5 to 2 per cent of taxable income from 1 July 2014, with every cent raised to be put towards funding DisabilityCare Australia.

Once the scheme is fully rolled out, it will provide support for around 460,000 people who have a significant and permanent disability that affects their communication, mobility, self-care or self-management.

<http://www.ndis.gov.au/>

### **Disability leadership program welcomes 40 new participants**

The Parliamentary Secretary for Disabilities and Carers, Amanda Rishworth, has congratulated 40 people selected to take part in a Gillard Government leadership program for people with disability.

She said the 40 participants from across the country make up the fifth intake of the successful \$3 million Leaders for Tomorrow program.

“The Government’s Leaders for Tomorrow initiative is a 12-month program which supports people with disability to develop their leadership skills. This important program is tailored according to each participant’s leadership aspirations to help committed and talented Australians achieve their leadership goals. By linking participants with appropriate training, support and mentoring, Leaders for Tomorrow helps participants overcome barriers to work and education so they can become leaders in their chosen field.

As well as our 40 new starters, I want to congratulate two current participants of the program who are attending the Retreat this week to graduate and help inspire our new intake.

Daniel Michel, one of the graduates, entered the program as a high school student and bocce enthusiast. Since starting the program, he has successfully competed in a number of bocce competitions, winning gold at the Victorian State Titles, and silver in both the NSW State Titles, and National Titles. Being interviewed by media at the National Titles about his future endeavours and his passion for bocce gave him a great opportunity to exercise his public speaking skills, one of the goals he identified when he came into Leaders for Tomorrow.

Our other graduate, Marie Hatch, works as a Leading Hand at Challenge Disability Services in Narrabri. Since starting the program, she has completed a raft of training and new qualifications including a Senior First Aid Certificate, Certificate I in Waste Management, a Workplace Health and Safety Certificate, and public speaking training. She is currently enrolled in a Certificate III in Disability.

The Leaders for Tomorrow program enables participants like Marie and Daniel to develop the skills and confidence to hone their skills and become leaders in business, the community and government," Ms Rishworth said.

<http://amandarishworth.fahcsia.gov.au/node/48>

### **New system begins on reporting gender equality at work**

The reporting requirements of employers under the new gender equality in the workplace laws have been tabled in Parliament, the Minister for the Status of Women Julie Collins has announced. Ms Collins said the gender reporting requirements provide clarity for employers and are the result of a constructive consultation process led by eminent business leader Ms Carol Schwartz AM.

"The reporting requirements strike the right balance as we try to drive the cultural change necessary to achieve gender equality in the workplace. The new reporting will be simpler for employers - they will no longer be required to provide lengthy descriptions of their workplace programs.

"For the first time, the reports will contain actual data including the number of women and men in a workplace, what roles they fill and how much they are paid. These are the things that really count in terms of measuring the experiences of women and men in Australian workplaces," Ms Collins said.

The reporting requirements are part of the Workplace Gender Equality Act passed by the Parliament last November and apply to employers with 100 or more employees.

The new simplified system came into effect on April 1 and enables information to be gathered against six key gender equality indicators:

1. Gender composition of the workforce.
2. Gender composition of governing bodies of employers.
3. Equal remuneration between women and men - information relating to base and total remuneration data by gender and workplace profile categories.
4. Availability and utility of employment terms, conditions and practices relating to flexible working arrangements for employees and to working arrangements supporting employees with family or caring responsibilities.
5. Consultation with employees on issues concerning gender equality in the workplace.
6. Sex-based harassment and discrimination - information on whether sex-based harassment and discrimination prevention strategies or policies are in place.

<http://juliecollins.fahcsia.gov.au/node/325>

## **Human Rights standards for immigration detention**

This publication, Human rights standards for immigration detention, sets out benchmarks for the humane treatment of people held in immigration detention.

For more than a decade, the Commission has made periodic inspections of Australia's immigration detention facilities to assess whether conditions of detention meet internationally-accepted human rights standards. The Commission has also received complaints and conducted inquiries into conditions in immigration detention facilities.

The Commission has prepared the Standards under section 11(1)(n) of the Australian Human Rights Commission Act, which enables the Commission to publish 'guidelines for the avoidance of acts or practices' which may be inconsistent with or contrary to any human right. The Commission anticipates that the Standards may be revised in coming years, to reflect any issues that emerge from their practical application.

The purpose of these Standards is to assist independent monitors, such as the Australian Human Rights Commission, to monitor and inspect Australia's immigration detention facilities.

Immigration detainees should enjoy the least restrictive environment possible, and the maxim that human rights are a floor, not a ceiling, should be at the forefront of decisions relating to conditions of detention for immigration detainees. The primary concern of immigration detention authorities should be one of care for the well-being of detainees.

<https://www.humanrights.gov.au/publications/human-rights-standards-immigration-detention>

## **Comcare welcomes Human Rights Commission publication**

Comcare welcomed the publication by the Human Rights Commission of benchmark standards for the humane treatment of people held in Australian detention centres. CEO Paul O'Connor said he was pleased that the new Standards reflected the language used in model work health and safety laws.

"This means that in centres in Australia and overseas, employers, workers and detainees will be clearer on the duties and obligations that impact these unique facilities. A number of key stakeholders were consulted during the development of the Standards. They cover a broad spectrum of aspects of immigration detention. This includes critical work health and safety components. Comcare was pleased to offer support and assistance in the development of these parts of the Standards," he said.

[http://www.comcare.gov.au/news\\_and\\_media/media\\_centre/comcare\\_welcomes\\_human\\_rights\\_commission\\_publication](http://www.comcare.gov.au/news_and_media/media_centre/comcare_welcomes_human_rights_commission_publication)

Comcare is a statutory authority of the Australian Federal Government established under the Safety, Rehabilitation and Compensation Act. Comcare administers the Commonwealth's workers' compensation scheme and the Occupational Health and Safety Act.

The department is headquartered in Canberra, and has offices in Melbourne, Sydney, Brisbane, Adelaide, Perth and Newcastle.

Comcare provides advice to the Minister for Education, Employment and Workplace Relations on issues relating to the administration of the Commonwealth's occupational health and safety and workers' compensation frameworks.

Comcare's vision statement is "Australia's Safest Workplaces", and the mission statement is "To work in partnership with our customers to reduce the human and financial costs of workplace injuries and disease in the jurisdiction".

Comcare has identified three key result areas achieving safe and healthy workplaces, early and safe return to work and accessible and affordable compensation.

<http://en.wikipedia.org/wiki/Comcare>

## Resources

1. The *Worker Rights and Obligations* video is now available on DIAC's YouTube channel, ImmITV.

See: ImmITV

2. A copy of the Howells Report can be found on the Department of Immigration and Citizenship's website.

See: 2010 Howells Review of Employer Sanctions

3. *Leaders for Tomorrow* is a national program which will provide up to 12 months of leadership support to 200 people with disability to 30 June 2014.

See: the Leaders for Tomorrow website

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