



Australian Government

Department of Immigration and Border Protection

**Attachment A**

**DECISION RECORD**

**Request Details**

FOI Request FA 14/08/00326

File Number ADF2014/28067

**Scope of request**

*Documents detailing the number of people living in Australia unlawfully after their visas expired.*

*The documents sought includes a breakdown of the number of expired visas where people are not known to have left the country by visa type and country of origin or passport. Also sought is the number of such visas that have been expired for:*

- 1. Six or more months;*
- 2. 12 or more months;*
- 3. two or more years;*
- 4. five or more years and*
- 5. 10 or more years.*

*I also wish to know the number of people expelled from Australia after their visas expired for each of the years 2011, 2012 and 2013, and from January 1, 2014 to June 30, 2014, with a breakdown for each of those periods of the visa types and countries or origin or passport.*

**Documents in scope**

1. Electronic document – Data about Unlawful Non-citizens - containing 1 folio.
2. Electronic document – Data about Departures (returned) – containing 12 folios

**Authority to make decision**

I am an officer authorised under section 23 of the FOI Act to make decisions in respect of requests to access documents or to amend or annotate departmental records.

### **Information considered**

In reaching my decision, I have considered the following:

- The *Freedom of Information Act 1982*.
- The Australian Information Commissioner's FOI guidelines.
- Departmental documents (identified above).
- Consultation with the relevant business area of the department.

### **Reasons for decision**

I am satisfied that I have been provided with all the relevant documents to consider in my decision. I have considered the documents provided and I am satisfied that no exemptions apply. Therefore, I am releasing the relevant documents in full.



Janelle Raineri  
Authorised decision maker  
FOI and Privacy Policy Section  
Parliamentary and Executive Coordination Branch  
Department of Immigration and Border Protection

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3 December 2014



**Australian Government**

**Department of Immigration and Border Protection**

**Attachment B**

**SCHEDULE OF DOCUMENTS TO DECISION RECORD**

**Request Details**

FOI Request FA 14/08/00326

File Number ADF2014/28067

**Electronic documents:**

<b>Document</b>	<b>Folios</b>	<b>Description</b>	<b>Decision</b>	<b>Legislation</b>
1	1	Data about Unlawful Non-citizens	Release in full	
2	14	Data about Departures (Return / Removed)	Release in full	

Unlawful Non-Citizens (UNC's)** as at 30 June 2014	
Unlawful Non-Citizens	30-Jun-14
<b>TOTAL</b>	<b>62 100</b>

Estimated number of Unlawful Non-Citizens (UNC's)** as at 30 June 2014 by Citizenship	
Country of Citizenship	Total
China	7 020
Malaysia	6 980
United States of America	5 240
United Kingdom	3 660
India	3 010
Indonesia	2 860
South Korea	2 690
Phillipines	2 370
Vietnam	2 150
Thailand	2 050
Germany	1 460
France	1 340
Japan	1 330
Ireland	1 170
Tonga	1 150
Fiji	990
Canada	990
Nepal	970
Italy	770
<b>OTHER*</b>	<b>13 880</b>
Total	62 100

OTHER\*\* includes all Citizenships where the total number of Unlawful Non-Citizens is less than 700

\*\* There are known errors in the Estimate of Unlawful Non-Citizens and numbers are provided as an estimate only. Numbers are rounded which can result in rounding errors and Estimate of Unlawful Non-Citizens numbers are only provided yearly.

Estimated number of Unlawful Non-Citizens (UNC's)** as at 30 June 2014 by major visa group				
Visitor	Student	Temporary Resident	Other	Total
44 840	10 060	3 770	3 430	62 100

Unlawful Non-Citizens (UNC's)** by Length of Overstay as at 30 June 2014		
Length of Overstay	30-Jun-14	%
6 or more months	55 970	90.12%
12 or more months	51 580	83.06%
2 or more years	44 880	72.27%
5 or more years	31 550	50.80%
10 or more years	23 420	37.71%

























