

# Agents on 'secret' immigration blacklist have their names published

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Immigration Minister Scott Morrison, whose department has denied the blacklists are still in use. *Photo: Wolter Peeters*

A blacklist of registered migration agents and lawyers the Department of Immigration tried to keep secret has been reproduced online, escalating calls for an inquiry and a possible class action against the department.

The Law Council of Australia and the Migration Institute of Australia have requested urgent meetings with departmental heads, after one of three such lists was published on a website revealing the identities of 21 agents, most of whom have never had sanctions or actions against them.

It was revealed in May a secret blacklist was being used to risk assess applications by Australians seeking visas for their partners.

Since then it had been learnt there had been several versions of the blacklist used. Despite assurances from a spokeswoman for the Minister for Immigration Scott Morrison that the lists were no longer in use, documents showed the blacklist was still being used in May to rate immigration applications.

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The national president of the MIA Angela Chan said the published list could have done "untold damage" to agents who had not been given the right to respond.

Accredited specialist immigration lawyer and the vice-convenor of the Migration Alliance Christopher Levingston said the creation and maintenance of what he called a "shit list" of registered migration agents "is a complete disgrace and shows the absolute contempt that the department has for the profession".

Mr Levingston said the department had acted deceitfully and in a manner that damaged the clients of agents because of some unspecified criteria.

He also questioned assurances from the department it had stopped using the list. "Why should any of us believe that?"

The department had previously told one award-winning lawyer who learnt she was on a list that she should never have been included. She received an apology in writing and was assured the

list had only been created in 2010. The department's first assistant secretary Garry Fleming wrote it was "of concern to me that the list was being used without appropriate oversight and control to ensure accuracy and currency".

Mr Fleming wrote "there was never any suggestion that you lacked integrity and I apologise on behalf of the department for any perception otherwise".

But fresh documents obtained by freedom of information laws showed the lists contained information going back to 2007 and an email from the director of the department's Migration Agents Policy section in March to a concerned migration agent also contradicted the claim the lists were created in 2010. It said "Lists A and B go back nearly 10 years so it is unfortunate that this has been dragged out again as they are really old ...".

Documents also revealed there was an "agents of concern" list as well as "agents of interest" notes that were kept in a spreadsheet in the department's internal computer system. The documents revealed information was able to be accessed by 26 security groups within the federal government, including the spy agency ASIO.

A spokeswoman for the Minister for Immigration Scott Morrison denied the list was still in use.

"The Minister has been advised that the agent of concern list has not been re-named and is no longer in use when processing partner visa applications. It was used in the past to allocate partner applications to more senior and experienced officers of the department. Each application is determined strictly in accordance with the legislative criteria and the evidence submitted."

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