

**HOME AFFAIRS PORTFOLIO
DEPARTMENT OF HOME AFFAIRS**

PARLIAMENTARY INQUIRY SPOKEN QUESTION ON NOTICE

Senate Foreign Affairs Defence and Trade Committee
Australia's Engagement in Afghanistan

2 February 2022

QoN Number: 47

Subject: Number of 449 Visa's that have now lapsed

Asked by: Kimberley Kitching

Question:

CHAIR: How many of the 449s have now lapsed?

Mr Wilden: Again, I'd have to go back and look at that. When we say 'lapsed', those who were granted—

CHAIR: I guess it's those who are finished. It was mid-August—

Mr Wilden: Yes, mid-August. At the end of November, there were 6,000 or so which had been granted. The minister extended all those onshore for 12 months. At that point it was in the late 3,000s. We have had more granted of the remainder of those, so that number keeps going up and they're current. He has also agreed to extend those for LEE and their families. That is a subset. But, in terms of lapsing, I will take that that on notice to see if we can get you a more accurate number, but I would anticipate it's in the region of 1,000.

Answer:

As at 31 December 2021, a total of 1,520 subclass 449 visas granted to evacuees from Afghanistan have ceased. This includes:

- 53 who are in Australia were determined to already hold a valid substantive visa, such as a Family visa, or who have been granted a longer term visa since arriving;
- 1,398 who never entered Australia; and
- 69 who have now left Australia. Australia assisted these people with uplift from Afghanistan on behalf of New Zealand, and were granted a subclass 449 visa for the time they spent in Australia before they travelled onward to New Zealand.

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PARLIAMENTARY INQUIRY SPOKEN QUESTION ON NOTICE

Senate Foreign Affairs Defence and Trade Committee
Australia's Engagement in Afghanistan

2 February 2022

QoN Number: 48

Subject: Number of 449 Visa's granted

Asked by: Kimberley Kitching

Question:

CHAIR: How many 449s were granted in the first place?

Mr Wilden: In the initial lot?

CHAIR: Yes.

Mr Wilden: I'll have to take that on notice. It was in the region of 3,000 to 4,000. There have been about 2,000 to 2,500 since the end of the evacuation.

CHAIR: Plus what was given after the withdrawal, the August period?

Mr Wilden: Correct. We've had a number of grants. There are people who have presented who held 449s during the evacuation. They presented and have come here. Then there have also been subsequent 449 grants. In the days after the last flight, there were still a number that were in train that were granted. That was quite a large number. It's been ongoing as people present. There are people, for example, who might present in New Delhi, where we deal with them, and we find that the person who had the 449 has five family members. Then we go to the minister, and the minister decides to grant or not. So it is very fluid, the number of people who are on the books and under consideration.

Answer:

During the evacuation phase, 6,294 persons were invited to apply for Humanitarian Stay (Temporary) (subclass 449) visas. As at 1 October 2021, a total of 5,317 subclass 449 visas had been granted. Of those granted subclass 449 visas, 2,844 people (including four babies born during the evacuation) had arrived in Australia.

Following the formal evacuation phase, Australia has continued to facilitate the ad hoc movement of smaller numbers of people, where possible, including subclass 449 visa holders who have fled Afghanistan. Between 19 August and 31 December 2021, the Department issued a total of 7,186 invitations for subclass 449 visas, granted 6,043 subclass 449 visas and facilitated the arrival of 4,328 subclass 449 visa holders to Australia.

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PARLIAMENTARY INQUIRY SPOKEN QUESTION ON NOTICE

Foreign Affairs Defence and Trade

14 February 2022

QoN Number: 50

Subject: First letters to applicants onshore

Asked by: Kimberley Kitching

Question:

In terms of the priority of allocation, we've sent out first letters to 449 applicants onshore.

CHAIR: How many letters?

Mr Wilden: I'll come back to you on how many. We're doing them in batches. Additional funding was provided by the government, on top of existing funding, to allow legal practitioners to assist the preparation of applications for protection. We talked to them around capacity, how many they can actually do, because there is no point sending out all the letters and then finding that applications can't be done, because the way the law works in these cases is that you have a seven-day window to lodge your case. The way we're managing that is that we're sending out—it will basically be weekly—tranches of letters to people. That first letter will say, 'In 30 days time, the minister will lift the bar for you to put your application in.' So that gives them the 30-day period to prepare their case. If the lawyers have a problem, they can let us know, and we can look at later dates. The minister then lifts the bar, and they then put in their protection claim.

Answer:

The first letter has been sent for 26 family groups covering 155 subclass 449 visa holders. This first cohort has been identified as requiring access to particular services [which are only available to permanent visa holders].

This letter advises the visa holders that in coming weeks they will be receiving a notice identifying that they are able to apply for a permanent visa and they should take the identified steps to prepare. A reminder letter will be emailed two weeks after the first letter and a third letter will notify visa holders that they are able to lodge a visa application and have the legislated seven working days to do so. The purpose of the information letters is to give the 449 visa holders enough time to access the government funded legal services, if they wish, and to prepare their application form.

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PARLIAMENTARY INQUIRY WRITTEN QUESTION ON NOTICE

Senate Foreign Affairs Defence and Trade Committee
Australia's Engagement in Afghanistan

2 February 2022

QoN Number: 51

Subject: Update on granted 449 visas not arrived in Australia

Asked by: Kimberley Kitching

Question:

Home Affairs' supplementary submission notes (p. 3) provides figures showing that at 30 November 2021, just under 2,000 individuals had been granted temporary subclass 449 visas and had not yet arrived in Australia.

- a. Do you have a more recent update on this number?
- b. What does the department know about the location and circumstances of these individuals (for example, how many are still in Afghanistan and how many are in transit in other countries)?

Answer:

- a. As at 08 February 2022, there were 517 Afghans with a valid subclass 449 visa that had not yet travelled to Australia.
- b. The Department of Home Affairs is aware that around half of these visa holders are outside Afghanistan and being assisted by Australian diplomatic missions to finalise processes and arrange travel to Australia.

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PARLIAMENTARY INQUIRY WRITTEN QUESTION ON NOTICE

Senate Foreign Affairs Defence and Trade
Australia's Engagement in Afghanistan

2 February 2022

QoN Number: 52

Subject: Minister announced 18 Nov 21 - 449 Visas to be reissued for LEE outside Australia

Asked by: Kimberley Kitching

Question:

Since the Minister's announcement of 18 November 2021 that subclass 449 visas would be reissued on an extended basis for individuals linked to the Afghan LEE program who are still outside of Australia, how many of these individuals have been issued a further 449 visa?

Answer:

The Minister's announcement of 18 November stated that the decision provides an ongoing extension to visas issued to certified Locally Engaged Employees from the Department of Defence, the Department of Foreign Affairs and Trade, and the Australian Federal Police, as well as persons with other working relationships with the Australian Government and their families who were issued temporary humanitarian visas.

Between 18 November 2021 and 08 February 2022, 1,104* subclass 449 visas have been granted.

**This includes extensions of visas for applicants onshore by way of a secondary grant, a secondary visa granted to applicants offshore where their visa had expired before travel, and applicants offshore granted their first subclass 449 visa upon approval from the Minister. This may also include certified LEE who had a Class XB application pending that was not able to be finalised prior to the Taliban seizing control, and was provided a 449 visa for emergency travel to Australia but had not travelled prior to the initial 449 visa expiring. Departmental systems do not allow for reporting on these groups separately.*

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PARLIAMENTARY INQUIRY WRITTEN QUESTION ON NOTICE

Senate Foreign Affairs Defence and Trade Committee
Australia's Engagement in Afghanistan

2 February 2022

QoN Number: 53

Subject: Update for average processing time for Afghan LEE Offshore Humanitarian Visas

Asked by: Kimberley Kitching

Question:

In October 2021, Home Affairs informed the committee that the average processing time for Afghan LEE granted Offshore Humanitarian visas for 2021-22 to date was 35.8 weeks.

- a. Please provide an update for this figure to the present time.
- b. Are Afghan LEE visa applications still being processed at overseas posts, or has Home Affairs taken a different approach in recent months?

Answer:

- a. As at 04 February 2022, the average processing time for Afghan LEE applicants to be granted a Class XB visa is 38.9 weeks.
Given visa applicants in Afghanistan were not able to complete the requirements for their visa (biometrics collection and medical assessment) following the Taliban takeover, departmental focus shifted to providing subclass 449 visas to those LEE who had applications on hand. The LEE cases can have complications with documentation and one case took 68 weeks to finalise, whilst others can be finalised within six weeks. It is the 68 week case that caused the average processing time to increase by 3.1 weeks.
- b. Visa applications for the Afghan LEE program continue to be processed at overseas posts.

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Senate Foreign Affairs Defence and Trade Committee
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2 February 2022

QoN Number: 54

Subject: 15,000 Humanitarian and Family Visa places for Afghan Nationals

Asked by: Kimberley Kitching

Question:

The Minister for Immigration announced on 21 January 2022 that the Government will provide 'at least 15,000 places for Afghan nationals, through the Humanitarian and Family Visa Programs over four years', including 10,000 places within Australia's existing Humanitarian Program and at least 5,000 visas within the Family stream.

- a. A number of Afghan community organisations in Australia, as well as other NGOs and religious groups have called for additional humanitarian places for Afghan refugees, beyond the existing humanitarian intake cap. What was the government's rationale for allocating places within the existing cap, rather than offering new additional places?
- b. What date was this decision taken, and was it a Cabinet decision? Was the decision taken prior to the date of the announcement (21 January)?

Answer:

- A) The announcement of 15,000 places for Afghan nationals within the Humanitarian and Family Visa Programs is a significant contribution to the international response to the ongoing humanitarian situation in Afghanistan, and provides certainty on Australia's ongoing commitment to resettling the most vulnerable Afghans. The allocation of 10,000 humanitarian resettlement places over four years is a measured, proportionate response that balances the immediate needs of vulnerable Afghan citizens with broader global resettlement needs.

The increased intake is consistent with the general approach taken to managing Australia's Humanitarian Program, which aims to be flexible and responsive to changing global resettlement needs and emerging humanitarian situations.

- B) The Government considers the size of the Humanitarian Program as part of the annual budget process. In response to the COVID-19 pandemic, the size of the Humanitarian Program was set at 13,750 places for 2020-21 and 2021-22. This was set as a ceiling, not a floor or target, to allow for places to be granted up to 13,750 places during each year, recognising COVID-19 impacts could result in less places being delivered.

The composition of Australia's Humanitarian Program is determined each year by the Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs, in consultation with relevant stakeholders and colleagues, as appropriate.

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PARLIAMENTARY INQUIRY WRITTEN QUESTION ON NOTICE

Senate Foreign Affairs Defence and Trade Committee
Australia's Engagement in Afghanistan

2 February 2022

QoN Number: 55

Subject: Afghan evacuees receiving support under Humanitarian Settlement Program

Asked by: Kimberley Kitching

Question:

Home Affairs' supplementary submission notes (p. 4) that almost 4,800 Afghan evacuees received support under the Humanitarian Settlement Program (HSP). How many of these evacuees are still receiving assistance under the HSP?

Answer:

As at 9 February 2022, 5,348 evacuees are receiving assistance under the HSP.

Caveat: This information is provided by the Department of Home Affairs and was extracted from departmental systems on 9 February 2022. As data has been drawn from a dynamic system environment, the information is correct at the time of publication and figures may differ slightly from previous or future reporting. Also, Afghan evacuee data has been manually created in HSP and there may be some inaccuracies due to that.

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Senate Foreign Affairs Defence and Trade Committee
Australia's Engagement in Afghanistan

2 February 2022

QoN Number: 56

Subject: Plans to update AUSRECEPLAN

Asked by: Kimberley Kitching

Question:

The latest Australian Government Plan for the Reception of Australian Citizens and Approved Foreign Nationals Evacuated from Overseas (AUSRECEPLAN) linked on the Home Affairs website is 2017. Is there a plan to update the AUSRECEPLAN, as suggested by the Australian Red Cross in its submission (p. 6), to strengthen future responses?

Answer:

Emergency Management Australia who administers and activates the plan will work with the Department of Foreign Affairs and Trade (DFAT) and other government departments to consider and incorporate lessons from the Afghanistan repatriation operation including the recommendation from the Australian Red Cross.

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PARLIAMENTARY INQUIRY WRITTEN QUESTION ON NOTICE

Senate Foreign Affairs Defence and Trade Committee
Australia's Engagement in Afghanistan

2 February 2022

QoN Number: 57

Subject: Red Cross recommendation on supports available for 449 visa holders

Asked by: Kimberley Kitching

Question:

The Australian Red Cross submission (Recommendation 6, p. 6.) has recommended that Home Affairs review the supports available for those on 449 or other visas used in emergency situations to ensure the visas provide enhanced supports in line with permanent protection visas. They mention specifically university fees. Is any work underway on this?

Answer:

A wide range of support is available to Afghan evacuees in Australia who hold a subclass 449 visa. They are eligible for certain payments and concession cards including, Special Benefit, Family Tax Benefit, Dad and Partner Pay, and Parental Leave Pay, Medicare and the Health Care Card.

On arrival in Australia, Humanitarian Settlement Program (HSP) service providers delivered appropriate settlement-related support, including welfare checks, help to link with remote servicing such as mental health services, and registration for income support and Medicare. On departure from quarantine, support was provided to evacuees including help to secure housing, referrals to health services, and access to social security. Based on their level of assessed need, evacuees holding a humanitarian visa may be eligible to continue to receive support from the HSP for up to 18 months.

On 14 October 2021, the Australian Government further announced new funding of \$27.1 million over two years to support recent evacuees and humanitarian arrivals from Afghanistan, which will help drive the best possible outcomes for new Afghan arrivals and the broader Australian community.

To assist this cohort to learn English, the Australian Government expanded eligibility for the Adult Migrant English Program (AMEP) to subclass 449 visa holders. As at 8 February 2022, 1173 subclass 449 visa holders (41% of adults) have registered for AMEP tuition.

The Department is also working with the Department of Education, Skills and Employment to explore various types of access and support for university and vocational education and training courses for subclass 449 visa holders.

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Senate Foreign Affairs Defence and Trade Committee
Australia's Engagement in Afghanistan

2 February 2022

QoN Number: 59

Subject: Update on DFAT LEE Program since last appearance

Asked by: Kimberley Kitching

Question:

Question transferred from DFAT - Parts c and d only for Home Affairs to answer:
Please provide an update on the DFAT LEE program since DFAT last appeared before the committee. In particular, since DFAT last provided information to the committee:

... ..

c. How many certified LEE have applied for Australian visas, and how many of these have been granted?

d. How many of these individuals have arrived in Australia?

Answer:

c) Between 01 July 2013 and 04 February 2022:

- 3,082 Afghan LEE and their families (711 LEE and 2,371 family members) lodged a Class XB offshore Humanitarian application. Of these, as at 4 February 2022:
 - 2,029 Afghan LEE and their family members (578 LEE and 1,451 family members) have been granted Class XB visas.
 - 411 Afghan LEE applications (85 LEE and 326 family members) are currently before the Department.
 - 642 Afghan LEE applications have been either withdrawn by the applicant or refused. Of those refused, 62% were secondary applicants refused as they did not meet the dependency criteria and 37% were refused as they had another resettlement option

d) As at 08 February 2022, 1,981 Afghan LEE and their families (566 LEE and 1,415 family members) have travelled to Australia.