

Question on notice no. 81

Portfolio question number: AE22-081

2021-22 Additional estimates

Legal and Constitutional Affairs Committee, Home Affairs Portfolio

Senator Nick McKim: asked the Department of Home Affairs on 14 February 2022

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During Senate Estimates on 14 February 2022, Mr Willard advised: "We're seeing an acceleration in grants. There's been 763 grants of 300s and 309s to Afghan nationals since July 2021. As I said, because we've gone through that exercise of reviewing the cases and issuing 1,700 requests for further information to allow us to finalise the application, we're starting to see an acceleration. The latest advice I've got from the team is that in the week ending 28 January there were 54 grants...I've got some advice from the team that they think there's around 700 cases that could be coming towards finalisation over the course of this financial year." With around 7,204 applications for 300 and 309s waiting to be processed (as at 31 December 2021) , how long will it take the Department to clear the backlog of partner visa applications for Afghan nationals, particularly for those applications lodged before 2019?

Answer —

Please see the attached answer.

**SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS
ADDITIONAL BUDGET ESTIMATES
14 FEBRUARY 2022**

**Home Affairs Portfolio
Department of Home Affairs**

Program 2.2: Visas

AE22-081 - Timeframe to clear backlog of 300 and 309 Afghan National Visa applications

Senator Nick McKim asked:

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Answer:

On 21 January 2022, as part of the Australian Government's response to the ongoing humanitarian situation in Afghanistan, the Government announced that it will provide 15,000 visas to Afghan nationals through the Humanitarian and Family Visa programs over four years. This includes at least 5,000 visas estimated to be granted within the Family stream, primarily for partners of Australian citizens and permanent residents.

The Department has established a specialised team in Melbourne to progress complex cases, with a particular focus on the Direction 80-impacted caseload and applications by citizens of Afghanistan.

In 2021-22 as at 28 February 2022, a total of 905 Partner (subclass 309) and Prospective Marriage (subclass 300) visa applications have been granted to Afghan nationals (including primary and secondary applicants). The Department is on track to deliver approximately 1,500 Family visa grants to Afghan nationals in 2021-22, towards the minimum 5,000 grants to be provided over the next four years.

The time taken to process Partner and Family visa applications can vary according to the individual circumstances of each case. Assessments of a permanent visa often cannot be completed quickly, due to the need to consider the visa application against a range of criteria in migration legislation.

Processing times are impacted by the quality and completeness of applications, the complexity often involved in assessing relationship, character, identity, health and security criteria, and the application of Ministerial Direction 80 made under section 499 of the Migration Act 1958, which relates to the order for considering and finalising Family visa applications. The current situation in Afghanistan is creating additional processing complexities, including a lack of access to required visa medical and biometrics services in the country.