

QUESTION TAKEN ON NOTICE

BUDGET ESTIMATES – 26 – 27 MAY 2014

IMMIGRATION AND BORDER PROTECTION PORTFOLIO

(BE14/141) PROGRAMME – 2.1 and 2.2: Refugee and Humanitarian Assistance

Senator Singh (L&CA 100) asked:

Senator SINGH: I need to know where they are. You have given me a number of figures, but let us just take the 16 from the 19 that were screened in. I think you said eight were being processed?

Mr Allen: No, I said that eight have been found to be owed protection.

Senator SINGH: Where are they? Are they in community detention or in the community?

Mr Allen: If they have been found to be owed protection, I think we would need to take on notice where they are precisely in the process. My presumption would be that if they have been found to be owed protection they may well have a form of visa. In terms of the seven who are awaiting processing, again we would need to take on notice where they are—for example, whether they are in the community or whether they are in a processing area.

Senator SINGH: Could you please take that on notice. Twenty-seven were removed from the country. That still leaves eight out of the 35 who were screened out. Where are those eight?

Mr Allen: I understand that, of those eight, seven have subsequently lodged protection visa applications. That will be subsequent to them being screened out. I imagine they are under some form of consideration at the moment. One person is currently in hospital and is not available for removal.

Senator SINGH: If you cannot tell me where the seven are, other than the one in hospital, could you take that on notice?

Mr Allen: We will take on notice the details of each of those, Senator.

Answer:

As at 30 April 2014, of the eight people who were screened in and found to engage Australia's protection obligations: seven have been granted visas and are lawfully in the community (two people are on subclass 449; three people are on subclass 785; and two people are on subclass 786).

One person who was screened in and found to engage Australia's protection obligations by the department was subsequently refused under regulation 866.222. This person is awaiting consideration by the Refugee Review Tribunal and remains in held detention.

Eight people who were initially screened out at an Australian airport remain onshore. Of these people, seven have lodged applications for a Protection visa. Their current circumstances are as follows:

- Two people have been refused at the primary stage and are seeking review at the Refugee Review Tribunal. They remain in held detention.
- One person has been refused at the primary level and at merits review and is now seeking judicial review. This person remains in held detention.
- Two people have been refused at primary level and at review and remain in held detention pending removal.
- One person lodged a Protection visa application and was found to engage Australia's protection obligations. This person is lawfully in the community (on a subclass 785).
- One person was found to engage Australia's protection obligations on 27 June 2014 and remains in held detention, awaiting further visa processing.

One person has been screened out but has not yet been removed due to health issues.