

## QUESTION TAKEN ON NOTICE

**ADDITIONAL ESTIMATES HEARING: 13 February 2006**

IMMIGRATION AND MULTICULTURAL AFFAIRS PORTFOLIO

### **(85) Output 2.1: Settlement Services**

Senator Hurley asked:

What is the current state of the 566 offshore humanitarian minor's entrants? (DIMA annual report, p.227).

- Which state has the highest number and how does the guardianship process work?
- Is there any feedback mechanism to determine if minors are ok?
- Who is responsible for feedback mechanism?

Answer:

The Department's 2004-05 Annual Report showed that at 30 June 2005 there were 566 unaccompanied humanitarian minors (UHM) who had arrived under the offshore component of the Refugee and Humanitarian Program. As at 31 January 2006, there were 595 unaccompanied offshore humanitarian minors. The Table below shows the distribution of UHMs by State.

Unaccompanied Humanitarian Minors Distribution by State  
(As at 31 January 2006)

| State | Number |
|-------|--------|
| Vic   | 218    |
| NSW   | 187    |
| Qld   | 129    |
| SA    | 61     |
| Total | 595    |

Humanitarian minors who arrive in Australia without family or relatives are designated as wards or non-wards.

Wards are humanitarian minors who do not have a parent or an adult relative to care for them in Australia. Under the *Immigration (Guardianship of Children) Act 1946* (the Act), the Minister becomes the guardian of these children. Ministerial guardianship continues until the ward turns 18 years of age, until the ward leaves Australia permanently, becomes an Australian citizen or until the Minister directs that the ward will not be covered by the Act because of circumstances such as adoption. At 31 January 2006, there were 45 wards of the Minister.

Non-wards are humanitarian minors who do not have a parent but who have a relative over the age of 21 to provide care and support for them in Australia. They are not subject to the Act and the Minister is not their guardian. A carer of a non-ward provides DIMA with a written undertaking which acknowledges that he or she will care for the minor until the minor reaches 18 years of age. Various arrangements with state welfare agencies govern DIMA monitoring of the welfare of non-wards. At 31 January 2006 there were 550 non-wards.

In recognition of the fact that the States and Territories are equipped through their child welfare laws and administrative structures to provide the care and supervision minors require, the Minister has delegated the exercise of her guardianship powers and functions under the Act to officers of the child welfare agency in each State and Territory. The agencies provide welfare, supervision and support in accordance with the Act and their child welfare laws on behalf of the Minister.

DIMA monitors the welfare of wards through day-to-day contact between officers of DIMA and state welfare agencies on particular cases, and through regular meetings on UHM program administration.