

QUESTION TAKEN ON NOTICE

ADDITIONAL BUDGET ESTIMATES HEARING: 21 FEBRUARY 2011

IMMIGRATION AND CITIZENSHIP PORTFOLIO

(267) Program 4.3: Offshore Asylum Seeker Management

Senator Hanson-Young asked:

Do UAMs have assigned legal resources, i.e. lawyers who support the children for the entirety of the case?

Answer:

UAMs, like other irregular maritime arrivals (IMAs), are allocated an Immigration Advice and Application Assistance Scheme (IAAAS) provider at the commencement of the refugee determination process. The provider then allocates a registered migration agent to the IMA as required under IAAAS contracts. The agent is not necessarily a lawyer and provides assistance and advice in the preparation of statements of claims against the Convention definition of a refugee. The agent does not provide legal advice as such.

The same provider/agent will remain with the UAM (or IMA) throughout the refugee determination process, unless there is some substantive reason to change provider. The UAM (or IMA) is always consulted before there is a change of provider/agent, to maintain their confidence in the process and in the quality of the assistance they are getting.