

QUESTION TAKEN ON NOTICE

ADDITIONAL ESTIMATES HEARING: 13 FEBRUARY 2012

IMMIGRATION AND CITIZENSHIP PORTFOLIO

(AE12/0495) Program 2.1: Refugee and Humanitarian Assistance

Senator Hanson-Young asked:

Refugee assessment and judicial review: Can the IPAO tell us if the delay on IMR is because the reviewers are lagging or is it because the Dept is yet to release outcomes?

Answer:

As soon as the Independent Protection Assessment Office (IPAO) receives a recommendation report from a reviewer, it is processed and sent to the Department for hand down to the claimant.

Every effort is made by the Department to notify the claimant of its acceptance of the independent merits review/independent protection assessment (IMR/IPA) recommendation within eight days of the recommendation being accepted by the Department.

The time taken to conduct fair and lawful reviews will vary, depending on the individual circumstances of each case.

The length of time required for the conduct of a review that is fair to the claimant is affected by a range of factors, including:

- the complexity of the case;
- the availability of evidence supporting the claimant's claims;
- country information;
- competent and effective IAAAS representation;
- extensions of time requested by claimants' representatives to provide additional evidence and written submissions, including post-interview;
- the raising of new claims at interview that require investigation;
- providing the claimant adequate time to comment on adverse information necessary to put to a claimant pre or post-interview;
- shifts in profile of caseload and country information requiring new research and advice to reviewers to assess claims;
- interruption to reviewer travel to Immigration Detention Centres to interview claimants;
- claimant transfers between detention centres or change of locality into and within the community;
- delays for medical reasons in respect of claimants, reviewers and interpreters;
- the size and complexity of an individual reviewer's caseload; and

- unavailability of interpreter, including where no interpreter is available with the required language/dialect.

A number of strategies are pursued by the IPAO CEO, Principal Reviewer and Senior Reviewers to ensure that, as far as practicable, cases are completed as soon as possible and within 90 days of reviewer interview.

Close consultation is maintained between reviewers and their Senior Reviewer to ensure that cases are finalised as quickly as possible. Regular reporting and monitoring of reviewer case progress is carried out to assist this process.