

QUESTION TAKEN ON NOTICE

BUDGET ESTIMATES HEARING: 28 MAY 2009

IMMIGRATION AND CITIZENSHIP PORTFOLIO

(42) Program 2.1: Refugee and Humanitarian Assistance

Senator Fierravanti-Wells (L&CA 54) asked:

In relation to the panel being set up to review negative decisions of the unauthorised boat arrivals on Christmas Island, provide its establishment date, the cost, the framework and how that operates.

Answer:

Interim arrangements have been in place since 25 November 2008 in the form of a contract to provide independent merits review for the immediate caseload. Long term arrangements are expected to be in place in the second half of 2009.

The independent merits review process is conducted within a non-statutory framework. Common law rules of natural justice apply to safeguard the fairness of the process.

The reviews are conducted by independent people well qualified in refugee status determination processes and are a fresh merits assessment which considers all claims and any new information. Reviewers conduct interviews with claimants on Christmas Island and have access to independent country information and legal advice provided by the Refugee Review Tribunal (RRT) to assist with their review assessments. Interim procedural guidelines have been developed for reviewers, which were modelled on the RRT procedures, and are currently in use. A reviewer will provide their report and recommendation to the Minister for consideration. The Department provides administrative and logistical support to the reviewers to facilitate travel to Christmas Island and respond to any relevant requests.

The Government has provided \$0.3 million funding in FY2008-09 for establishment of the panel and \$0.13 million each year for associated reviewer costs (this funding is contingent upon fluctuations in the number of unauthorised boat arrivals seeking review of Refugee Status Assessments).