

QUESTION TAKEN ON NOTICE

SUPPLEMENTARY BUDGET ESTIMATES HEARING: 15 October 2012

IMMIGRATION AND CITIZENSHIP PORTFOLIO

(SE12/0139) PROGRAM – Internal Product

Senator Humphries (written) asked:

Portfolio wide - Commissioned Reports: How many Reports were commissioned by the Government in your department/agency in 2011-12 and the financial year to date? Please provide details of each report including date commissioned, date report handed to Government, date of public release, Terms of Reference and Committee members.

Answer:

The response to this question can be found at [Attachment A](#).

Name of the Report	Access and Equity for a Multicultural Australia. Inquiry into the responsiveness of Australian Government services to Australia's culturally and linguistically diverse population.
Date Commissioned	Panel established 18 November 2011.
Date Report Handed to Government	27 June 2012
Date of Public Release	29 June 2012
Terms of Reference	<ol style="list-style-type: none"> 1. Inquire into the Australian Government's current approach to Access and Equity and its implementation. 2. Provide prioritised recommendations to the Government for improving the responsiveness for Australian Government services to a culturally and linguistically diverse population.
Committee Members	<ul style="list-style-type: none"> • Mr Peter Hughes, PSM, Chair, former Department of Immigration and Citizenship Deputy Secretary, from Canberra. • Ms Maria Dimopoulos, member of Australian Lawyers for Human Rights and International Commission of Jurists and recipient of an Amnesty International Human Rights Award, from Victoria. • Ms Jatinder Kaur, a cultural diversity consultant, from Queensland. • Mr Pino Migliorino, Chair of the Federation of Ethnic Communities' Councils of Australia, from New South Wales. • Judge Rauf Soulio, Chair of the Australian Multicultural Council, <i>ex-officio member</i>, from South Australia.
Cost of Each Report	The costs associated with the Inquiry Panel will be absorbed by the Citizenship, Settlement and Multicultural Affairs divisional budget.
Departmental Staff and Level	The Secretariat is located in the Multicultural Policy Section of the Multicultural and Settlement Policy Branch and includes one A/g EL 1, one part-time EL 1 and one APS5.
Current Status of Report	Delivered to Government on 27 June 2012.

Name of the Report	Report on the Increased Workload of the Migration Review Tribunal (MRT) and the Refugee Review Tribunal (RRT)
Date Commissioned	5 December 2011
Date Report Handed to Government	20 April 2012
Date of Public Release	29 June 2012
Terms of Reference	<p style="text-align: center;">Strategic review – Responding to the growth of MRT and RRT lodgements</p> <p>Overview The Migration Review Tribunal (the MRT) and the Refugee Review Tribunal (the RRT) review visa and visa-related decisions made by officers of the Department of Immigration and Citizenship (the Department), acting as delegates of the Minister for Immigration and Citizenship (the Minister).</p> <p>The Tribunals are established under the <i>Migration Act 1958</i> (the Act) and operate administratively as a single body. In reviewing matters to make the correct or preferable decision, the tribunals are required to be 'fair, just, economical, informal and quick' (ss. 353(1) for the MRT and ss. 420(1) for the RRT).</p> <p>The Tribunals have experienced a very large increase in caseload in the last two years. The increased caseload has been particularly noticeable in the student visa and the sponsored family visitor visa cohorts.</p> <p>Matters for review The objectives of the review are to prepare a report on options for the Minister to:</p> <ul style="list-style-type: none"> - develop strategies to allow the smooth transition to the RRT of reviews from decisions relating to whether Irregular Maritime Arrivals are owed protection obligations or not, including dealing with matters arising under the Complementary Protection legislation; - develop strategies to reduce the backlog of tribunal cases; - improve efficiencies in the MRT/RRT operations; - review the work level standards and productivity expectations of Members; - review the increasing backlogs in the MRT/RRT workload and consider how the MRT/RRT could prioritise its work, including: <ul style="list-style-type: none"> (a) case allocation and case management policies and practices, including case priorities, time standards, the use of task forces and the triaging of cases; (b) the provision of relevant records and documents by the Department to the Tribunals and to applicants; (c) consider alternative models of staff support for

Members, including a possible pilot project for "associates" to assist Members with their work, including drawing upon existing resources and skills within the Tribunals;

(d) review the backlogs of student cases and sponsored family visitors cases and recommend options for dealing with them, including, for example, internal review by the Department;

(e) consider and make recommendations in relation to the range of matters which the Tribunals have jurisdiction, alternate ways in which matters may be settled or disposed of quickly, whether the existing legal framework is the most appropriate, and the statutory procedures which apply to the conduct of reviews; and

(f) deal with such other related matters that arise during the course of the review.

Reviewer responsibilities

In undertaking this role, the reviewer will:

- prepare working papers for discussion on identified issues, as required;
- analyse issues brought to his attention;
- identify and discuss potential strategies/options to meet operational outcomes, taking into account relevant legislation, regulations and government policy;
- when raising issues for discussion, provide the relevant supporting documents;
- where possible, assist in the preparation of any documents created in relation to the operational outcomes; and
- where appropriate, interact with officers to progress issues to meet operational outcomes.

Report

The reviewer is to prepare a final report for the Minister by 31 January. The reviewer will therefore prepare a draft report by 16 January 2012, for comment by the Department and the Tribunals by 23 January 2012.

Secretariat

The tribunals and the Governance & Tribunals Section in the Governance and Audit Branch in the Department will each provide two officers to provide secretariat services to the review.

The secretariat's duties include working with the reviewer to:

- schedule and arrange meetings
- prepare working papers
- prepare the report

The Tribunals and the Department are each responsible for costs in supporting their respective secretariat officers.

	The Department will meet the costs of the reviewer.
Committee Members	Completed by Professor the Hon Michael Lavarch
Cost of Each Report	\$75,000
Departmental Staff and Level	Assistance was provided by the Governance and Tribunals Section (1x EL1 and 1x EL2) in the Department and staff within the Tribunals (primarily 1 x EL1).
Current Status of Report	Delivered to the Government on 20 April 2012.
Government Response	The former Minister for Immigration and Citizenship agreed to the recommendations from the review in May 2012 and released the report on 29 June 2012. The recommendations from the review are being progressively implemented.