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ACTING SECRETARY
DEPARTMENT OF HOME AFFAIRS
Statement
Senate Legal and Constitutional Affairs Legislation Committee
Budget Estimates

Monday, 28 November 2022

I will make a short statement on behalf of the Secretary of the Department of Home Affairs, to address recent reports about departmental correspondence with transitory persons in Australia.

The Department of Home Affairs corresponds with transitory persons in Nauru and Australia to explain their migration options, encourage participation in third country resettlement, and to assist their departure from Australia. Approximately 48 per cent of transitory persons in Australia are actively engaged in third country migration outcomes.

In mid-September 2022, approximately 490 letters were sent to individuals temporarily in Australia who do not currently have a third country migration pathway, have withdrawn from a resettlement process, or for whom the Department did not have details of a resettlement pathway. These letters were designed to determine whether transitory persons may need additional support to engage with third country migration options. The letters also encouraged individuals to engage in United States or New Zealand resettlement or to explore assisted voluntary return.

Government policy has not changed since 2013 – transitory persons under regional processing arrangements will not settle in Australia and are expected to engage in third country migration outcomes and depart Australia. Third country migration outcomes provide individuals with the opportunity for permanent migration. This option is not available in Australia.

While the Minister was aware of the Department's intent to engage with transitory persons in Australia regarding their options for engagement via a third country migration pathway, the Minister did not clear, authorise or have visibility of the letter before it was released. In addition, a production error occurred where some emails, while sent to the correct recipient, contained an incorrect addressee line.

The Department accepts that the tone and style of the letter was inappropriate under the Minister's direction and preferences for engagement with transitory persons, and will not use this approach in future.

It was not the Department's intent to contradict the Minister. The Department understood the questions posed by the media related to the production error and not the substance of the correspondence.

The Secretary has acknowledged and apologised for the handling of this matter. The Department is ensuring it adopts a more tailored and supportive communication style for transitory persons.

ENDS