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BY: MIG
Written questions to the Department of Immigration and Citizenship (DIAC)
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Joint Standing Committee on Migration

Community Care Pilot (CCP)

When the Committee visited Melbourne in September 2008, it was told by a not-for-profit group that there were no places left in the CCP for the 2008-09 financial year.

- Was this correct?

DIAC Response

No, the Community Care Pilot (CCP) continues to accept referrals in the 3 states in which it operates (NSW, VIC, QLD). As at 9 February 2009, 172 referrals had been accepted this financial year. From time to time community organisations seek to refer clients who are not eligible for assistance (for example because they do not meet the criteria relating to vulnerability) or who fall outside our current priorities or capacity to provide case management support.

- Are there a particular number of places (clients) that the CCP is able to assist this financial year based on its current budget?

DIAC Response

There is no set limit to the number of places available under the CPP. However it is generally a requirement that clients are case managed while receiving support in order to maintain a focus on achieving early resolution of the client's immigration status. The only exception to the requirement for case management is for those (non-vulnerable) clients who receive voluntary returns information and assistance through a Community Status Resolution Trial. The Pilot does have a limited budget but on current projections we expect to be able to maintain support at current client levels within budget.

- How many clients did the CCP assist in the last financial year?

DIAC Response

319 clients.

- Can the CCP provide clients with any assistance for housing or accommodation? If so, in what form?

DIAC Response

Yes. Clients in need of affordable accommodation may be assisted, on a needs basis, by the service provided under the Pilot by the Red Cross. This may include help in sourcing accommodation as well as access to rent assistance as a component of income support. Income support and rent assistance equate to 89% of the Centrelink

Special Benefit. In exceptional circumstances, the Pilot covers the cost of short term crisis accommodation.

We understand that clients for the CCP are referred to the Red Cross from DIAC case management, and that the program is intended for vulnerable clients or those with no other means of support in the community.

- **What, specifically, are the criteria for eligibility for the CCP?**

DIAC Response

The eligibility criteria, as quoted from the CCP Practitioners Guide, are as follows:

The client has been assessed as requiring DIAC case management due to the presence of one or more case management vulnerability indicators (particularly health and welfare, women, unaccompanied minors and aged clients).

Clients with exceptional circumstances considered for assistance include clients who are:

- suffering from torture and trauma;
- have significant mental health issues;
- have serious medical conditions;
- requiring support in order to undertake routine daily tasks (e.g. elderly, frail, mentally ill, disabled.);
- facing serious family difficulties including child abuse, domestic violence, serious relationship issues, and child behavioural problems;
- suicidal; and
- destitute (provided other indicators also are present).

Asylum Seeker Assistance Scheme

- **Can a person participate in the Community Care Pilot as well as the Asylum Seeker Assistance Scheme?**

DIAC Response

A person who is eligible for assistance under the Asylum Seeker Assistance (ASA) Scheme may become eligible for the CCP if he/she is identified as highly vulnerable, has complex case issues and / or has exceptional circumstances. While ASA provides a living allowance and basic health care, CCP is a more comprehensive package that also offers intensive case management, access to immigration counselling and advice, assisted voluntary return services, and visa application assistance, if required. These services are over and above ASA. It is not unusual for some members of the same family to be assisted with CCP services while other family members receive just ASA. In such instances checking on DIAC records systems occurs to ensure that there is no 'double-dipping' and that the appropriate subsistence payment is made.

Submission 129f, p. 22 says that, 'Eligible persons are applicants for Protection visas at the primary stage (seeking a departmental decision) where more than six months has elapsed (about 5% of current recipients) or where an exemption criterion is met (95% of current recipients)'

(<http://www.aph.gov.au/house/committee/mig/detention/subs/sub129d.pdf>).

- **To clarify, does this mean that 95 per cent of ASAS clients accessed the scheme before six months had elapsed? Also, is the six month time frame calculated from the date of lodgement of a protection visa application?**

DIAC Response

Yes, this does mean that 95 per cent of ASAS clients accessed the scheme before six months had elapsed.

Yes, the six month time frame is calculated from the date of lodgement of the Protection visa application. "

The December 2007 evaluation of the Case Management Framework and Community Care Pilot program was provided to the Committee in confidence.

- **May the Committee have permission to cite information from the demographic client summary from pp 32-37?**

DIAC Response

The information contained in this section of the evaluation is general and relates to client (CM and CCP) demographics. The Committee has permission to cite information from the demographic client summary from pp 32-37.

We assume that this information dates from the end of the 2006-07 year.

- **Is there any updated information on the client group available?**

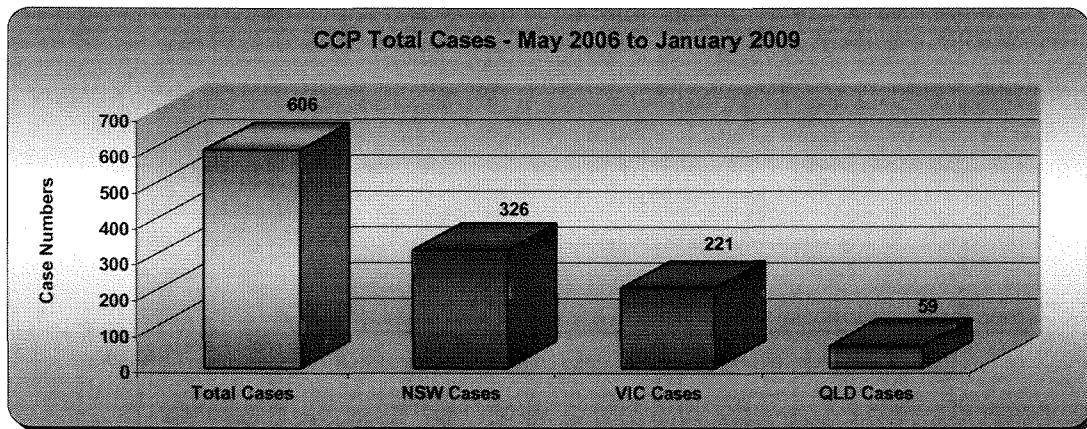
DIAC Response

The client group cited in the Case Management Framework and Community Care Pilot Evaluation were referred to the Community Care Pilot (CCP) during the period 1 May 2006 – 31 May 2007. Information was extracted from a number of sources to allow RPR Consulting to complete the evaluation.

The CCP has not maintained the ability to report to the same level of detail that was contained in the evaluation. As such, it would be difficult to update the same level of detailed client group information quickly or comprehensively.

The CCP does continue to collect demographic information on clients. The graph and tables on the following pages contain some updated information in relation to CCP clients, and may be of value to the Committee.

Graph 1: CCP Cases - May 2006 to January 2009



Graph 2: CCP Client Referrals by Months - May 2006 to January 2009

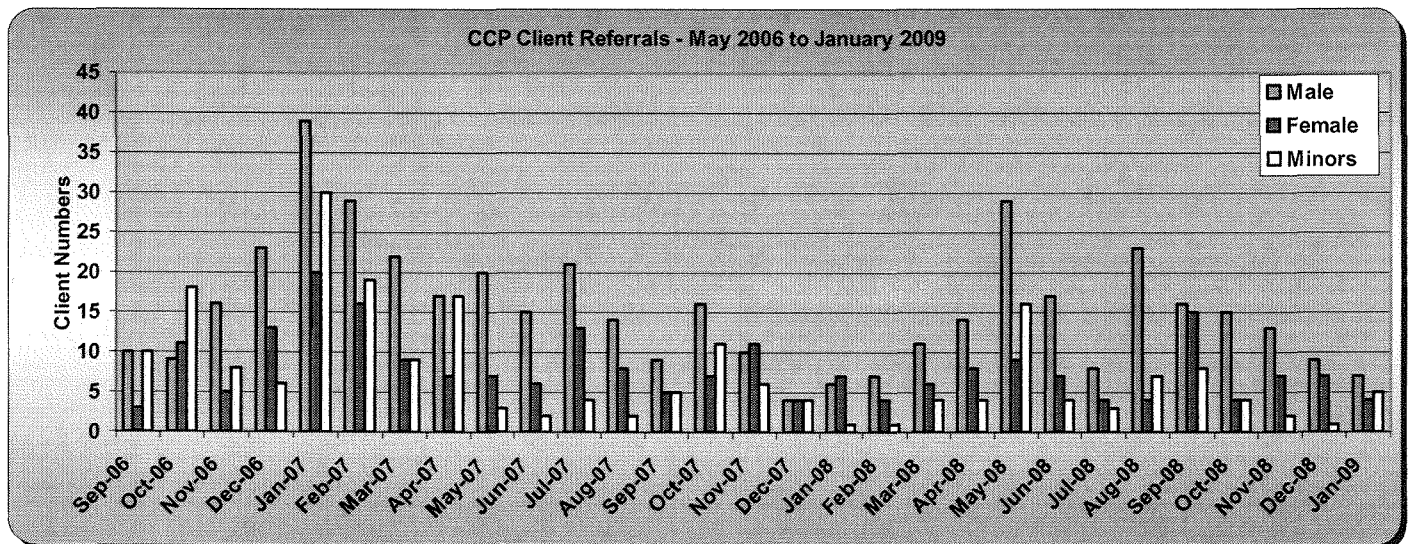


Table 1: CCP Client Nationalities May 2006 – Jan 2009

Afghanistan	14	Ireland	2	Sierra Leone	5
Albania	12	Israel	6	Singapore	5
Algeria	1	Italy	1	Somalia	8
Austria	1	Ivory Coast	1	South Africa	5
Azerbaijan	2	Jamaica	2	South Korea	26
Bangladesh	25	Japan	4	Spain	1
Bulgaria	1	Jordan	6	Sri Lanka	82
Burma	1	Kenya	6	Sweden	1
Burundi	1	Korea	15	Sudan	3
Cambodia	5	Kuwait	4	Syria	5
Cameroon	3	Laos	1	Taiwan	1
Canada	2	Lebanon	36	Tanzania	3
Chad	1	Macedonia	4	Thailand	6
China	171	Malaysia	14	Tibet	1
Columbia	2	Mauritius	2	Tonga	15
East Timor	8	Morocco	1	Trinidad	1
Egypt	9	Nepal	7	Turkey	26
Eritrea	2	Netherlands	2	UK	12
Ethiopia	7	New Zealand	7	Ukraine	5
Fiji	46	Nigeria	10	USA	9
France	1	Pakistan	13	USSR	3
Germany	6	Palestine	1	Uzbekistan	1
Ghana	1	PNG	10	Vanuatu	1
Guyana	4	Philippines	23	Vietnam	17
Hong Kong	3	Poland	1	Yugoslavia	11
India	36	Romania	8	Zambia	6
Indonesia	42	Rwanda	2	Zimbabwe	15
Iran	22	Samoa	5	Stateless	1
Iraq	19	Senegal	1		

Table 2: Overview of CCP Activity May 2006 – January 2009

<p>1. Total CCP client numbers as at 31/01/2009 (includes adults and minors and clients who have exited the Pilot)</p> <ul style="list-style-type: none"> • Total no of clients accepted by Sydney • Total no of clients accepted by Melbourne • Total no of clients accepted by Brisbane • Total no of families assisted by the CCP • Total no of cases 	<p style="text-align: right;">918</p> <p style="text-align: right;">467</p> <p style="text-align: right;">352</p> <p style="text-align: right;">99</p> <p style="text-align: right;">134 (446 clients)</p> <p style="text-align: right;">606</p>
<p>2. Client numbers accepted by ARC</p> <p>Total ARC cases</p>	<p style="text-align: right;">635</p> <p style="text-align: right;">404</p>
<p>3. Client numbers accepted by IOM</p> <p>Total IOM cases</p>	<p style="text-align: right;">415</p> <p style="text-align: right;">251</p>
<p>4. Client numbers accepted by IAAAS</p> <p>Total IAAAS cases</p>	<p style="text-align: right;">99</p> <p style="text-align: right;">66</p>
<p>5. Total clients receiving DIAC BROKERAGE</p> <p>Number of referrals</p>	<p style="text-align: right;">74</p> <p style="text-align: right;">58</p>
<p>6. Total clients that exited the Pilot</p>	<p style="text-align: right;">560</p>
<p>7. Total clients currently in the Pilot</p>	<p style="text-align: right;">358</p>

- **What measures are currently taken against bridging visa holders who fail to abide by their conditions, such as not providing DIAC with a current address or failing to report at the required intervals?**

DIAC Response

The Department has commenced a Community Status Resolution Service (CSRS) which actively engages clients to resolve their immigration status, particularly by encouraging clients to voluntarily depart when they have no lawful entitlement to remain in Australia. Pivotal to the early intervention strategy which underpins the CSRS, are the principles of coordination, consistency and communication within service delivery areas and with our clients.

Depending on need, clients may be offered support and assistance as necessary to facilitate an immigration outcome, including referral to the International Organization for Migration for independent immigration advice and counselling and assistance with departure arrangements. The CSRS allows clients to remain lawfully in the community on a BVE while their status is being resolved so that detention is not necessary.

Clients who are on a departure pathway, that is those who have had a substantive visa refused and who have subsequently exhausted their merits review options up to the Ministerial Intervention stage, are expected to make arrangements to depart Australia. These clients are interviewed to ensure they fully understand what the Department's expectations of them are and to explain their obligations, including any conditions applied to their BVE. This could include either one or a combination of conditions such as 8510 (Present Valid Passport), 8511 (Present Valid Ticket) and 8512 (Depart by Specified Date), 8505 (reside at a specified address) and 8401 report regularly to the Department.

Despite all efforts to proactively engage with clients and provide appropriate support, there will in a minority of cases be circumstances where clients either do not cooperate or do not engage with the Department. Where a person repeatedly refuses to comply with visa conditions then they may be detained for the purposes of removal. In cases where a person chooses to disengage with the Department that person may become the subject of a Compliance field visit for location, detention and removal.

To ensure any period of detention is kept to a minimum, the history of previous engagement with the client is used to gather information to assist in targeting location activity, preparation of pre-detention briefs, and undertaking pre-removals processes such as obtaining travel documents and identifying fitness for travel issues.

- **Does DIAC have data on the average length of time clients spend on a bridging visa E, F or R before case resolution or departure from the country?**

DIAC Response

Between 1 July 2008 to 31 December 2008, the average length of time clients spent on bridging visa E before departure from Australia was 79 days. This average does not include bridging visa F or R which could not be sourced by the given time.

This average represents client groups who may resolve their status relatively quickly, principally because they have overstayed their visa unintentionally and will depart within a short period of coming to notice. However, there are other groups, for example those who are involved in judicial review or ministerial intervention processes, who have been on BVEs for significantly longer periods. Approximately 40% of the BVE caseload has been in Australia for more than 2 years since the grant of their first BVE; about 20% has been in Australia for more than 5 years.

In 2007-08, around 9.7% of people granted a BVE (around 3 500) overstayed their visa at some stage during the year.

- **What proportion of bridging visa clients, awaiting a departmental decision on a substantive visa, depart the country after receiving a negative decision, without applying for merits or judicial review or ministerial intervention?**

DIAC Response

This data is not available at this time. However, updates of Departmental systems should allow for ready extraction of this information by June 2009.

- **In response to a question on notice at the public hearing on 24 September 2008, DIAC replied that there were currently 48,500 people unlawfully in the community who were liable for removal. Is data available on what proportion of these people were formerly bridging visa holders, more specifically, holders of BE, F or R?**

DIAC Response

Of the 48,500, some 96% had held either a student, visitor or temporary resident visa immediately before becoming an overstayer. Holders of the BVE, F and R together with some other low use categories of temporary visas, such as Maritime Crew Visas, collectively comprise the remaining 4% of the estimate. Being an estimate only, further disaggregation of the 4% is not undertaken: the application of standard error rates to such a small percentage would erode reliability.

- **Is there any data available on whether people with work rights are more or less likely to depart the country after receiving a negative decision, without applying for merits or judicial review or ministerial intervention?**

DIAC Response

This data is not available at this time. However, updates of Departmental systems should allow for ready extraction of this information by June 2009.

- **Submission 129f, p. 8**
(<http://www.aph.gov.au/house/committee/mig/detention/subs/sub129f.pdf>), states the numbers of people holding bridging visas E (050 and 051), F and R as at 30 June 2008. Of these, how many are protection visa applicants, including those seeking merits or judicial review or ministerial intervention?

DIAC Response

As at 10 October 2008, 1,890 protection visa applicants, including those seeking merits review of the adverse decision on their visa application, held a bridging visa. This figure is inclusive of all bridging visa subclasses. Of these, some 1,120 (59%) had work rights. Departmental systems are unable to provide statistical reports on the BV status of people seeking judicial review of unsuccessful PV applications.

- **Across all classes of bridging visa, how many protection visa applicants are living in the community, including those seeking merits or judicial review or ministerial intervention?**

DIAC Response

The response to the preceding question gives the number of protection visa applicants living in the community on a bridging visa of any subclass, including those seeking merits review. In addition, there are a further 4,200 former protection visa applicants who are seeking judicial review or Ministerial intervention and who are living in the community on a bridging visa of any subclass. These numbers do not include those protection visa applicants who may be lawfully in the community on a visa other than a bridging visa. Departmental systems are currently unable to provide statistical reports on those cohorts.