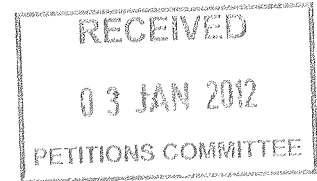




The Hon Chris Bowen MP
Minister for Immigration and Citizenship



The Hon John Murphy MP
Chair of Standing Committee on Petitions
PO Box 6021
Parliament House
CANBERRA ACT 2600

Dear Mr Murphy

Thank you for your letter of 25 August 2011 regarding a petition submitted to the Standing Committee on Petitions in relation to people in immigration detention.

The Australian Government is committed to treating asylum seekers and refugees humanely and fairly while maintaining its commitment to managing risks to the Australian community. Immigration detention of all unauthorised arrivals is mandatory for the purposes of determining any health, identity or security risk presented by unauthorised people arriving at the border. This is in contrast to those who arrive in Australia lawfully and have been assessed during the visa application process in relation to matters such as identity, security, bona fides and health.

The Government is conscious of the need to ensure people are not held in immigration detention for long periods, however, time is required to determine whether a person meets the criteria for grant of a visa. The processing delays can be due to a number of factors including the volume of cases, difficulty in satisfactorily determining a client's identity, complexity of claims, developments in country information and, for those who have been found to be a refugee, finalisation of other immigration related criteria such as the security clearance process.

On 18 October 2010, the Prime Minister and I announced that the Government would move the majority of children, and a significant number of vulnerable families, into community detention (formally known as Residence Determination) by the end of June this year.

The Government has delivered on its commitment. As at 23 September 2011, I have approved 1981 clients (1077 adults and 904 children) for community-based detention arrangements. Of these, 1060 clients (616 adults and 444 children) are residing in community detention arrangements. Around 800 clients have left the program after being granted protection visas. Consistent with the Government's announcement, priority is being given to unaccompanied minors and vulnerable families. My Department is also continuing to place a small number of vulnerable single adult males.

Community-based detention arrangements were introduced in June 2005 and are a form of immigration detention that enables people to reside in the community without needing to be escorted. Community-based arrangements provide accommodation and care arrangements and access to socially inclusive activities, such as children attending their local school and parents participating in community activities. The Australian Red Cross is the lead agency implementing this program and their activities include linking people to a range of activities and volunteering opportunities.

As announced by the Prime Minister and I last month, as part of a new approach to detention and processing of irregular maritime arrivals (IMAs), after initial health, security and identity checks, they may be eligible to be placed into the community on bridging visas while their protection claims are assessed.

Since this announcement, my Department has been working on a framework and implementation arrangements for IMAs in detention – both existing clients and new arrivals. The Department has also been consulting across government and with non-government service providers and stakeholders. As part of this, the department is continuing to assess the detention population for suitability for temporary visa grant. This will be an ongoing staged process to ensure an orderly transition to the community. The department will continue to use the community detention program and the support it offers for more vulnerable clients or those not suitable for grant of a bridging visa.

Minors in immigration detention are processed as a matter of priority to resolve their immigration status as quickly as possible. Minors and their families or unaccompanied minors found to be owed protection by Australia and are granted permanent protection visas are allowed to live permanently in Australia. Visa grant entitles them to the full range of Australian Government benefits and services.

I note the petitioners' request that Australia increase the number of people it resettles under the Humanitarian Program.

Australia is proud of its record of resettling refugees from around the world. The first refugees arrived in Australia just after the Second World War. Since then, more than 750 000 refugees have found a new home in Australia. Australia is one of the top three countries who have helped refugees in this way.

The size of Australia's Humanitarian Program has increased twice in recent years, increasing by 500 in 2008–09 and 250 places in 2009–10. The Program is managed flexibly which allows it to respond to changing global situations and emerging humanitarian needs. As only a small number of refugees are able to be offered a chance to settle in Australia each year, every effort is made to help those in greatest need.

The success of the Humanitarian Program is not only measured by how many humanitarian entrants are resettled, but also to what extent refugees are able to rebuild their lives and contribute to the Australian community. The Government is committed to ensuring that people settling in Australia have the help they need to rebuild their lives and become fully functioning members of the community.

Settlement services are an important part of Australia's commitment to providing a path and a means for new arrivals to achieve full participation in, and adjustment to, their new society. Such services are critical, particularly early on in the settlement journey, and the Government is always seeking new and better ways to help people settle as quickly as possible.

I welcome hearing from communities about their views on the Humanitarian Program as part of the Government's annual consultations. The consultation process usually takes place towards the end of the year and further details about how groups and individuals can take part and put forward their views will be available on the Department's website at www.immi.gov.au at that time.

I trust the information provided is helpful.

Yours sincerely

CHRIS BOWEN

15 DEC 2011