

QUESTION TAKEN ON NOTICE

BUDGET ESTIMATES HEARING : 23 May 2017

IMMIGRATION AND BORDER PROTECTION PORTFOLIO

(BE17/093) - Legacy caseload - Legal assistance PAIS eligibility - Programme 2.4: Refugee and Humanitarian Assistance

Senator McKim, Nick (L&CA 39) asked:

Senator McKIM: So, of that 7,194, only 500 have been assessed as eligible for PAIS support. Are the criteria publicly available? How do you assess eligibility?

Mr Pezzullo: I think we have given evidence on that before, and it might be that the—

Senator McKIM: I am happy for you to take that on notice.

Mr Pezzullo: I think we have tabled it in this committee before, if memory serves me.

Senator McKIM: If you have, that is fine; if you have not, perhaps you could provide it through the response on notice.

Mr Pezzullo: Yes, we will.

Answer:

Departmental officers assessed each Illegal Maritime Arrival (IMA) individually, against the criteria established for the Primary Application Information Service (PAIS), which are set out below.

PAIS Eligibility Criteria

A person who is:

- an unlawful air arrival (UAA) who entered Australia on or after 13 April 2015
or
- an illegal maritime arrival (IMA) (irrespective of their arrival date);

may be eligible for assistance under the PAIS if they satisfy either criteria 4 or all of criteria 1-3 below.

1. At the time of the relevant PAIS assessment, they have not engaged a registered migration agent for assistance in relation to a temporary or permanent protection visa application
2. They have not previously had a valid protection application considered in Australia
3. They are, at the time of assessment, an adult in relation to whom the Department considers it to be in the best interests of Government to provide assistance to

ensure their claims are presented and able to be considered, in particular, a person regarded as being exceptionally vulnerable.

OR

4. They are, at the time of assessment, an unaccompanied minor.