

QUESTION TAKEN ON NOTICE

ADDITIONAL BUDGET ESTIMATES HEARING: 24 FEBRUARY 2009

IMMIGRATION AND CITIZENSHIP PORTFOLIO

(38) Output 1.5: Detention

Senator Hanson-Young asked:

Internationally and domestically, what empirical data or other evidence is available about the effectiveness of alternative measures to detention in preventing absconding and ensuring satisfactory resolution of protection visa applications?

What evidence is available about the cost effectiveness of alternatives to detention?

Answer.

International experience with alternatives to detention

- The Department routinely monitors and refers to international practice in relation to alternatives to detention, including developments in Canada, the UK, the US and Sweden. Each of these countries has trialled or introduced programs aimed at managing clients in the community rather than in detention.
- In Canada, for example, a State-funded alternative detention project called the *Failed Refugee Project*¹ achieved an 80% success rate in effecting mandatory removal with consent, that is, without resorting to detention. The project operated on the basis of counselling, practical assistance and giving failed applicants time to put their affairs in order to leave the country of their own accord.
- In 2005, some 15 650 clients were removed from the UK. Of these, 3236 (21%) were returned under various assisted voluntary return programs delivered by the International Organization for Migration.² Australia's Community Status Resolution Trial (see below) has successfully drawn on this approach.

Australia's experience with alternatives to detention

- The Department's approach, consistent with the Government's key immigration detention values, is to increase our capacity to promote immigration resolution for clients in the community, with a particular

¹ <http://www.unhcr.org/protect/PROTECTION/4474140a2.pdf>

² http://www.biduk.org/pdf/res_reports/alternatives_to_detention_july_2006.pdf

focus on reducing the incidence and duration of detention. We have been formally testing this approach through the Community Status Resolution Trial and the Community Care Pilot. These programs include:

- Providing services to highly vulnerable clients including health, welfare and income support, together with immigration advice and application assistance. This allows vulnerable families, including children, who otherwise would be detained, to be managed in the community.
- Providing an assisted voluntary return (AVR) service to facilitate departure from the community while the client is lawful on a Bridging E visa, without the need to detain first. This facilitates voluntary returns for destitute people, for example.
- This approach is more cost effective than the conventional 'locate, detain and remove' model. For example, non-common costs³ of an assisted voluntary return from the community under the AVR service (non-common costs of about \$1500) are about one third of those under the 'locate, detain and remove' model (approx \$5000).
- The Department also monitors developments in related areas of domestic policy (particularly in the women's custodial, juvenile justice and mental health sectors) that actively seek to provide the least intrusive and controlling accommodation and detention arrangements, appropriate to the assessed risk of each client.

Community Status Resolution Trial outcomes

- The trial, which tested an early intervention strategy and an AVR service for bridging visa holders who were open to discussions about return, was evaluated in September 2008.
- The evaluation found that:
 - 41% of trial participants departed voluntarily. Of these, nearly 50% did so within five weeks of engagement, and 76% within 15 weeks. This was despite participants on average having been in Australia more than five years, having lodged two Ministerial intervention requests, and having held 11 Bridging E visas. Some had also been previously detained.

³ Some costs between both 'detain and remove' and AVR are similar (i.e. airfares and various staffing costs) so such a comparison is best demonstrated by comparing the non-common costs (i.e. location, detention vs counselling, allowances) which allows for a conservative estimate of the costs to be compared.

- The Department's experience and data analysis indicates a strong link between early intervention and closer client engagement with voluntary departure outcomes.
- The trial experience and findings from independent research commissioned by DIAC statistically show that the longer clients are left unmanaged, the more complex, expensive and difficult to resolve their cases become. Conversely, the sooner a client who has overstayed their entry/substantive visa is actively engaged, the lower the time taken and total cost to resolve their immigration status.
- The findings also show that where one or more vulnerabilities are identified, those cases will take longer and cost more to resolve.

Community Care Pilot outcomes

- The Community Care Pilot (CCP) provides highly vulnerable clients with needs-based health and welfare support, along with access to independent immigration advice and application assistance, and access to immigration counselling and assisted voluntary return services. The impact of such interventions and support on the resolution of a client's immigration status are being tested through the CCP, which is currently funded to 30 June 2009.
- With appropriate health and welfare support, 72.9% of clients who exited the CCP between its commencement in May 2006 and 28 February 2009 (or 48.8% of all CCP clients) reached an immigration outcome. On average, they were in the CCP for approximately 6 months despite the median stay in Australia prior to entering the CCP being 6 years. These clients were particularly vulnerable and some had previously been detained.