

QUESTION TAKEN ON NOTICE

ADDITIONAL BUDGET ESTIMATES HEARING: 21 FEBRUARY 2011

IMMIGRATION AND CITIZENSHIP PORTFOLIO

(302) Program 4.3: Offshore Asylum Seeker Management

Senator Cash asked:

1) How many people in the department have been assigned to carry out Protection Obligations Determinations? 2) How many have been done? 3) What is the average decision making time? 4) How does this differ from previous arrangements? 5) How many have been referred to the Independent Protection Assessment? 6) How many positive decisions have been made at this part of the new process? 7) How does this differ as a percentage from previous decision making regime?

Answer:

1) As at 10 March 2011, there were 156 Protection Obligations Evaluation (POE) officers.

91 independent protection assessors have also been appointed to conduct Independent Protection Assessments (IPA). These assessors are independent of the Department.

2) As at 10 March 2011, no Protection Obligations Determination (POD) cases had been finalised.

It is expected that the first POE will be finalised by mid-April 2011.

3) The POE conducted by the Department is expected to take around seven weeks with either a positive outcome or referral of the case for an IPA. The IPA is expected to take around three to four months.

4) The POD process replaced the former refugee status determination process used for irregular maritime arrivals. The primary assessment under the Refugee Status Assessment (RSA) process took approximately three to four months. The independent merits review also took three to four months.

The key difference between the two processes is that the POD process removes the need for clients to lodge a new application for review by giving officers the capacity to fast-track cases to an independent protection assessor when they conclude that protection obligations are not present.

Neither RSA nor POD models incorporate the length of time required for external checking related to health, character and security.

5) No POE cases have been finalised as at 10 March 2011, therefore there have been no referrals to the IPA.

6) No IPAs have been conducted as at 10 March 2011.

7) No IPAs have been conducted as at 10 March 2011, therefore it is not possible to compare with the previous refugee status determination process.

The percentage variance is not expected to vary significantly from the previous refugee status determination process as the POD process is about streamlined processing rather than using different criteria for assessment.