

QUESTION TAKEN ON NOTICE

ADDITIONAL ESTIMATES HEARINGS: 11 February 2013

IMMIGRATION AND CITIZENSHIP PORTFOLIO

(AE13/0155) PROGRAM – Migration Review Tribunal and Refugee Review Tribunal

Senator Cash (Written) asked:

With reference to Recommendation 3 of the Lavarch Review – “That a triage system for the identification of suitable cases for a fresh Departmental decision be developed and implemented consistent with the maintenance of the independence of Tribunals and the overarching policy framework of the Immigration program.” Has a triage system been developed? Has it been implemented? How does that system work and what impact has it had thus far?

Answer:

The recommendation requires a legislative mechanism to enable current tribunal applications to be returned to DIAC for reconsideration. DIAC and the tribunals are currently investigating possible amendments to the Migration Act to permit referral of cases back to DIAC.