

## **QUESTION TAKEN ON NOTICE**

**ADDITIONAL ESTIMATES HEARINGS: 11 February 2013**

IMMIGRATION AND CITIZENSHIP PORTFOLIO

**(AE13/0156) PROGRAM – Migration Review Tribunal and Refugee Review Tribunal**

Senator Cash (Written) asked:

With reference to Recommendation 4 of the Lavarch Review – “That consideration is given to legislative amendment to the extent necessary to facilitate the Department’s withdrawal of its original decision and the replacement of this decision with one favourable to the applicant.” Evidence given at the October 2012 Estimates was that the Tribunals were “in discussion with the department”. How are those discussions progressing? Who has been involved in discussions with the Minister in relation to this?

*Answer:*

Discussions are progressing. DIAC and the tribunals have identified different statutory approaches in other jurisdictions with a view to finding suitable options that will best achieve the aims of Lavarch. The discussions with the Minister are a matter for the Department to progress.