

## QUESTION TAKEN ON NOTICE

**ADDITIONAL ESTIMATES HEARINGS: 11 February 2013**

IMMIGRATION AND CITIZENSHIP PORTFOLIO

### **(AE13/0426) PROGRAM – 5.1: Settlement Services for Migrants and Refugees**

Senator Cash (Written) asked:

Outline the guardianship arrangements that apply for UHMs that have received a protection visa

*Answer:*

The *Immigration (Guardianship of Children) Act 1946* (IGOC Act) provides that the Minister is the guardian of certain unaccompanied non-citizen minors (UAMs) who arrive in Australia with the intention of becoming permanent residents. The Minister remains guardian of these minors until they turn 18, leave Australia permanently, become an Australian citizen, or an order is made under section 11 of the IGOC Act to exclude the minor.

The Minister's guardianship obligations are discharged through arrangements with service providers who deliver appropriate care, welfare, education and recreational activities. In the context of UAMs who have been granted a protection or humanitarian visa (also referred to as unaccompanied humanitarian minors or UHMs), there are a number of care arrangements in place:

- most UHMs who do not have a pre-existing carer are placed in the care of an NGO service provider. The Minister's guardianship responsibilities are delegated to a departmental officer and the service provider provides for the clients' day to day care including a live-in carer;
- for UHMs who have pre-existing carers, the Minister's guardianship is delegated to officers of state and child welfare agencies.