

QUESTION TAKEN ON NOTICE

BUDGET ESTIMATES HEARING: 22 May 2006

IMMIGRATION AND MULTICULTURAL AFFAIRS PORTFOLIO

(181) Output 1.3: Enforcement of Immigration Law

Senator Nettle (L&C 126) asked:

Has the capacity for people to be on a form of bridging visa or on residence determination whilst the health and character assessment is being completed been used in the past?

Answer:

Eligibility for most bridging visas (subclasses 010, 020, 030, 040 and 050) does not require health and character assessments. Clients are granted these bridging visas for a wide range of reasons, including to provide lawful status during processing of substantive visa applications, which includes security assessment. However, people in immigration detention, particularly those who arrived in Australia as unauthorised arrivals, may not be able to apply for or be eligible for these bridging visas.

The Minister is able to place people in residence determination arrangements while security checking is underway. She is also able to grant bridging visas, including Removal Pending Bridging Visas (RPBV), while security checking is underway.

The Minister has used this capacity in the past, principally for placing families with children in residence determination arrangements. The Minister has generally chosen to grant RPBVs subject to a satisfactory security assessment.

Health implications may be considered in making decisions about residence determination arrangements and release from detention on an RPBV or Bridging Visa (Subclass 051 - which is available to unauthorised arrivals in certain circumstances).