

QUESTION TAKEN ON NOTICE

BUDGET ESTIMATES HEARINGS: 24 MAY 2011

IMMIGRATION AND CITIZENSHIP PORTFOLIO

(BE11/0595) Program 4.3: Offshore Asylum Seeker Management

Senator Cash asked:

Have any claimed minors who have subsequently been found to have lied about their age had their visas refused or cancelled. If not why not?

Answer:

Where a determination is made about a client's age, this determination is just one aspect of assessing that client's refugee claims. In order to be granted a Protection visa, a client must be found to be a refugee under the *1951 Convention relating to the Status of Refugees and its 1967 Protocol*, and must meet health, character and security requirements.

A refugee is a person who has a well-founded fear of persecution for reasons of race, religion, nationality, political opinion or membership of a particular social group. In most cases a person's age (or a change in their age) will have little or no bearing on the outcome of their refugee assessment. A change in age may raise questions about the overall credibility of a client, and departmental officers would need to give due consideration to the years not accounted for by the client. Of itself, providing incorrect or false information regarding their age does not mean any or all other information provided by the client during the assessment process is incorrect or inaccurate. The client may also provide acceptable reasons for incorrectly stating their age. The fact that a client is found to have a different age than stated is a matter to be taken into account as part of an overall assessment of the client's identity and their credibility.