

QUESTION TAKEN ON NOTICE

SUPPLEMENTARY BUDGET ESTIMATES HEARING: 21 OCTOBER 2008

IMMIGRATION AND CITIZENSHIP PORTFOLIO

(82) Output 1.5: Detention

Senator Fierravanti-Wells asked:

Since July 2008, what have been the costs associated with provision of legal advice to illegal arrivals? Please provide a breakdown of such costs including the number of arrivals who have been legally assisted and the nature of such assistance.

Answer:

The DIAC-funded Legal Advice Scheme gives unrepresented applicants who seek judicial review of an adverse Refugee Review Tribunal decision in NSW and WA the option of access to independent legal advice from a panel of legal practitioners. Figures for the provision of assistance under the Legal Advice Scheme do not differentiate between advice given to lawful and unlawful arrivals. The Department is unaware of any cases of unlawful arrivals since July 2008 receiving assistance under the Scheme. The total cost of assistance provided under the Scheme in the financial year 2007-08 was \$700,000.

The Attorney-General's Department funds State and Territory legal aid commissions to provide legal assistance to disadvantaged persons in Commonwealth matters before Australian Courts. In the course of doing so, it is possible that legal aid commissions provide legal advice and assistance to persons who have arrived in Australia unlawfully. Statistics provided to the Attorney-General's Department by legal aid commissions do not distinguish between services provided to unlawful entrants and other persons. Data collected by the Attorney-General's Department indicates that nationally 35 people received grants of legal aid in relation to a migration matter in 2007-08 at a cost of \$198,000.