

QUESTION TAKEN ON NOTICE

SUPPLEMENTARY BUDGET ESTIMATES HEARING: 19 OCTOBER 2010

IMMIGRATION AND CITIZENSHIP PORTFOLIO

(292) Program 4.3: Offshore Asylum Seeker Management

Senator Cash asked:

(1) What assurances will the Government seek from charities and community groups that they will make families available for removal if their claims are rejected?

(2) Is the Government confident that these groups will not seek to encourage failed asylum seekers to defy immigration orders and leave?

(3) What steps have been taken to obtain assurances from these groups?

Answer:

(1) The residence determination program is an existing program. Successful removals have occurred previously for clients in this program, which was achieved with the full cooperation of the contracted service providers. All agencies providing services to clients will operate under formal contractual arrangements, with Red Cross as the lead agency and as such will be subject to the obligations set out in the contract.

(2) Based on experience with previous cases, the Government is confident that the service providers, under the lead of Red Cross, will work cooperatively at all times with the Department, including where a client receives a negative outcome to their protection claim.

(3) See response (1). Service providers under this program will be sub-contracted to lead agency Red Cross and will be subject to certain obligations imposed under those contracts. Terms around compliance with the law and respect for immigration processes will factor into these obligations. Should a contracted service provider act unlawfully by abetting a client in breaking the conditions of the client's residence determination, the Department would have the option of terminating the provision of services from that charity or community group.