

QUESTION TAKEN ON NOTICE

SUPPLEMENTARY BUDGET ESTIMATES HEARING: 19 OCTOBER 2010

IMMIGRATION AND CITIZENSHIP PORTFOLIO

(345) Program 2.1: Refugee and Humanitarian Assistance

Senator Cash asked:

[Answer to QON 89] Of the 34 detainees who were transferred from Christmas Island to Villawood on 5 April 2010 (as at 11 June 2010) please advise:

- (a) What is the status of the 26 persons who are undergoing Independent Merits Review?
- (b) What is the status of the 4 persons who were affirmed as not being refugees by the Independent Merits Review and were at that time awaiting removal?
- (c) What is the average time for those who have been refused refugee status to be removed from Australia?
- (d) What is the status of the three people found to be refugees and were undergoing health, character and security checking?
- (e) What is the status of the 1 person who had been issued with a Criminal Justice Stay certificate and is the subject of people smuggling charges?

Answer:

- a) 32 of this group of 34 requested Independent Merits Review and all reviews have been finalised
 - 17 were found not to be refugees. Of these, four were parties to action in the High Court.
 - 11 have been granted Protection visas having been found to be refugees on review.
 - a further four have been found to be refugees at Independent Merits Review but are awaiting the outcome of security or other clearances.
- b) The four people who had already been found not to be refugees at the time of the last status update were parties to action in the High Court and therefore have not been removed.
- c) As none of the 34 people have been removed from Australia, no average time to removal can be provided.

- d) We understand that the three clients reported in the response to Senate Estimates May 2010 QON 89 are part of a cohort of 11 who have been granted Protection visas.
- e) This individual is in AFP custody in a correctional facility. The client is undergoing an Independent Merits Review.