

# Visa and Citizenship Services Group Coversheet

## SUBJECT

Migration Assistance for IMA non-lodgers.

URGENT!

## ACTION REQUIRED

FYI  Signature  Clearance  Advice  Other:

## DUE DATE

Click here to enter a date.

## CONTACT OFFICER

## PHONE

s. 22(1)(a)(ii)

## DIVISION

- Visa and Citizenship Management
- Refugee and Humanitarian Visa Management
- Community Protection
- Digital Transformation and Channels
- Visa Reform Task Force

## DOCUMENT TYPE

- Minute
- Submission
- Briefing
- Other:

\* Agreement needed to commence linking IMAs w/ providers this week.

## OUTLINE

Please provide an outline of content, any relevant background, risks, consultation, next steps required, timing/deadlines/urgency and other considerations

Dear Luke  
As discussed, Minute to record decisions to date on migration assistance and clarify eligibility and referral to our providers. *mg*

## RECEIVED BY FAS EA

## Q.A. BY

s. 22(1)(a)(ii)

2017/2017

## COMMENTS



## CLEARANCE

	PRINT NAME	EA SIGNATURE*	DATE
Assistant Secretary			
First Assistant Secretary	L. Mansfield	s. 22(1)(a)(ii)	2017/2017
Deputy Secretary			

\* Please ensure SES signature is on the attached document



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**Sensitive: Cabinet**

## MINUTE

**To:** Luke Mansfield, First Assistant Secretary, Refugee and Humanitarian Visa Management Division

**Through:** Miranda Lauman, Assistant Secretary, Onshore Protection Branch

**cc:** Elizabeth Hampton, Assistant Secretary, Refugee and Humanitarian Programme Branch  
Frances Finney, Assistant Secretary, Temporary Protection Visa Assessment Branch

*my 19/07/17*

**Date:** 19 July 2017

### **MIGRATION ASSISTANCE FOR THE ILLEGAL MARITIME ARRIVAL (IMA) LEGACY CASELOAD**

#### **Timing**

At your earliest convenience to allow key decisions to be made on the migration assistance project.

#### **Purpose**

**To:**

1. Note your decision of 6 June 2017, to deliver additional migration assistance to IMAs through the Category C provisions of the IAAAS contract.
2. Agree to the proposed distribution of migration assistance to vulnerable IMAs
3. Agree to indicative allocation of referrals to IAAAS contracted migration agents
4. Agree to exercise your delegation to sign deeds of variation to IAAAS contacts to fund migration assistance for IMAs

#### **Issues**

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Distribution of migration assistance

7. In the same meeting, you also agreed to:
- a. Extend offers of migration assistance to IMAs with significant barriers to lodgement (full primary application assistance) including those who:
    - were found eligible for PAIS but for whatever reason disengaged and have not lodged an application
    - have previously unknown physical or mental health barriers to lodging an application
    - were recently detained or incarcerated.
  - b. Extend offers to families with minor children, in line with the best interests of Government (assistance to lodgement only)
8. Having assessed all IMAs yet to lodge against these criteria, there are adequate funds to extend eligibility for assistance to lodgement only, to IMAs living in rural and regional Australia. Onshore Protection Branch recommends you agree to the distribution of migration assistance to vulnerable IMAs in line with the modelling at **Attachment B**.

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**Recommendation**

It is recommended that you:

- 1) Note your decision of 6 June 2017, to deliver additional migration assistance to IMAs through the Category C provisions of the IAAAS contract. ~~Noted/Please Discuss~~
- 2) Agree to the proposed distribution of migration assistance to vulnerable IMAs at **Attachment B** ~~Noted~~  
Agreed / Approved /
- 3) Agree to indicative distribution of referrals of IMAs to IAAAS contracted migration agents at **Attachment C** Agreed / Approved /  
Noted
- 4) Agree to exercise your delegation to sign deeds of variation to IAAAS contacts to fund migration assistance for IMAs ~~Noted~~  
Agreed / Approved /

s. 22(1)(a)(ii)



Luke Mansfield

A/g Director IMA Legacy Caseload Support Section

FAS Refugee and Humanitarian Visa Management Division

19 July 2017

20 July 2017

Contact Officer: s. 22(1)(a)(ii)

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s. 47C(1)



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29. **Rural or regional locations**—there are approximately 110 IMAs currently living in remote or rural locations without adequate access to migration assistance services (raised by MCASD).

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Department of Immigration and Border Protection  
Supplementary Estimates – October 2017

**KEY BRIEF**

**Illegal Maritime Arrival Legacy Caseload – implementation of the 1 October deadline**

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**Key Talking Points**

- Between 2008 and 2014, around 50,000 IMAs arrived in Australia.
- By the time Operation Sovereign Borders was established on 18 September 2013, around 30,500 illegal maritime arrivals (IMAs) remained in Australia with an unresolved status.
- On 21 May 2017 the Minister announced that IMAs seeking protection in Australia must lodge an application for a Temporary Protection visa (TPV) or Safe Haven Enterprise visa (SHEV) before 1 October 2017. Around 7500 IMAs were yet to lodge a TPV or SHEV application at the time.
- The Department implemented a comprehensive strategy to ensure these IMAs were aware of the deadline and able to engage with the protection process.
  - This included the provision of additional application assistance in the form of interpreter support and for the most vulnerable, funded access to migration agents.
  - The Department also directly worked to contact all individual IMAs who had not lodged through a range of channels and undertook broad community awareness raising activities.

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### Direct engagement

- In May 2015, the Department commenced sending IMAs an invitation letter indicating that the Minister had lifted the bar to allow them to lodge an application.
  - By October 2016, with the exception of a small number of individual cases, all IMAs had been advised that the bar was lifted by October 2016 (These letters were sent in English).
- From early December 2016, the Department progressively sent reminder letters to those who were invited to apply the earliest and had not lodged an application. By May 2017, reminder letters had been sent to 2,432 IMAs (Letters were translated into the IMAs preferred language).
- After the Minister announced the application deadline on 21 May 2017, IMAs who were yet to lodge an application and had not received a reminder letter were sent a letter notifying them of the deadline. This letter was sent on 9 June 2017.
- Further letters offering Government funded migration assistance were sent to eligible IMAs between 29 June 2017 and 20 July 2017.
- Status Resolution Service Support (SRSS) providers that were connected with IMAs were asked to ensure all of their clients were aware of the deadline and pointed to information available on the Department's website to assist with lodgement.
- During August and September 2017, the Department made phone contact with IMAs who had not made an application and were not connected with a SRSS provider. In most cases, contact was successfully made after one or more attempts.

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- On 8 September, a further reminder letter was sent to IMAs who had not made an application by that time.
- On 22 September 2017, a final reminder letter was sent, notifying these IMAs that the Minister had made a decision to impose the application bar on making an application and that this would take effect from 1 October 2017.
- With the exception of a number of IMAs who some years ago absconded from immigration detention and whose whereabouts are unknown to the Department, each non-lodger received a minimum of three formal communications from the Department about the requirement to apply if they were seeking protection in Australia and the consequences of not applying.

#### General awareness raising

- In addition to the direct engagement mechanisms, the Department undertook a range of general awareness raising activities, including through ethnic media, engagement with community groups and through the production of posters and leaflets highlighting the deadline in key IMA languages.
- The Department also maintained regular and open channels of engagement with the Migration Institute of Australia and key NGOs who were providing pro bono assistance, including the provision of details by state and territory of the numbers of IMAs yet to lodge an application.
- The Department's website was also updated to include information on the 1 October deadline and the consequences of not lodging an application.

#### ***What support was provided to IMAs to help them lodge an application before 1 October?***

- Thousands of IMAs demonstrated that they were able to lodge applications without assistance from Government or NGOs. Independent lodgement was supported by:
  - departmental website information explaining how to apply, translated into key IMA languages
  - audio aids in Tamil, Rohingya and Hazaragi that took IMAs through the application process and each question on the application form
  - direct contact with departmental officers on technical matters around forms, fee payment and lodgement requirements
  - the establishment of an electronic lodgement channel from 1 July 2017.
- 5360 IMAs were offered Government-funded application assistance and 3890 took up this offer. Almost all of those who didn't take up the offer lodged independently. The remainder departed or indicated they did not wish to lodge.
- IMAs who had not lodged a TPV or SHEV application by 1 July 2017 were offered Government-funded interpreting assistance through TIS. There were 1176 calls made to this service. The main language groups were Farsi, Rohingya, Tamil and Arabic.
- 18,682 IMAs engaged migration agents either independently or Government funded, to assist with making an application.
- Several thousand (exact numbers not known) sought out or were offered assistance from community groups to lodge an application.

*What kind of migration assistance was funded by the Government?*

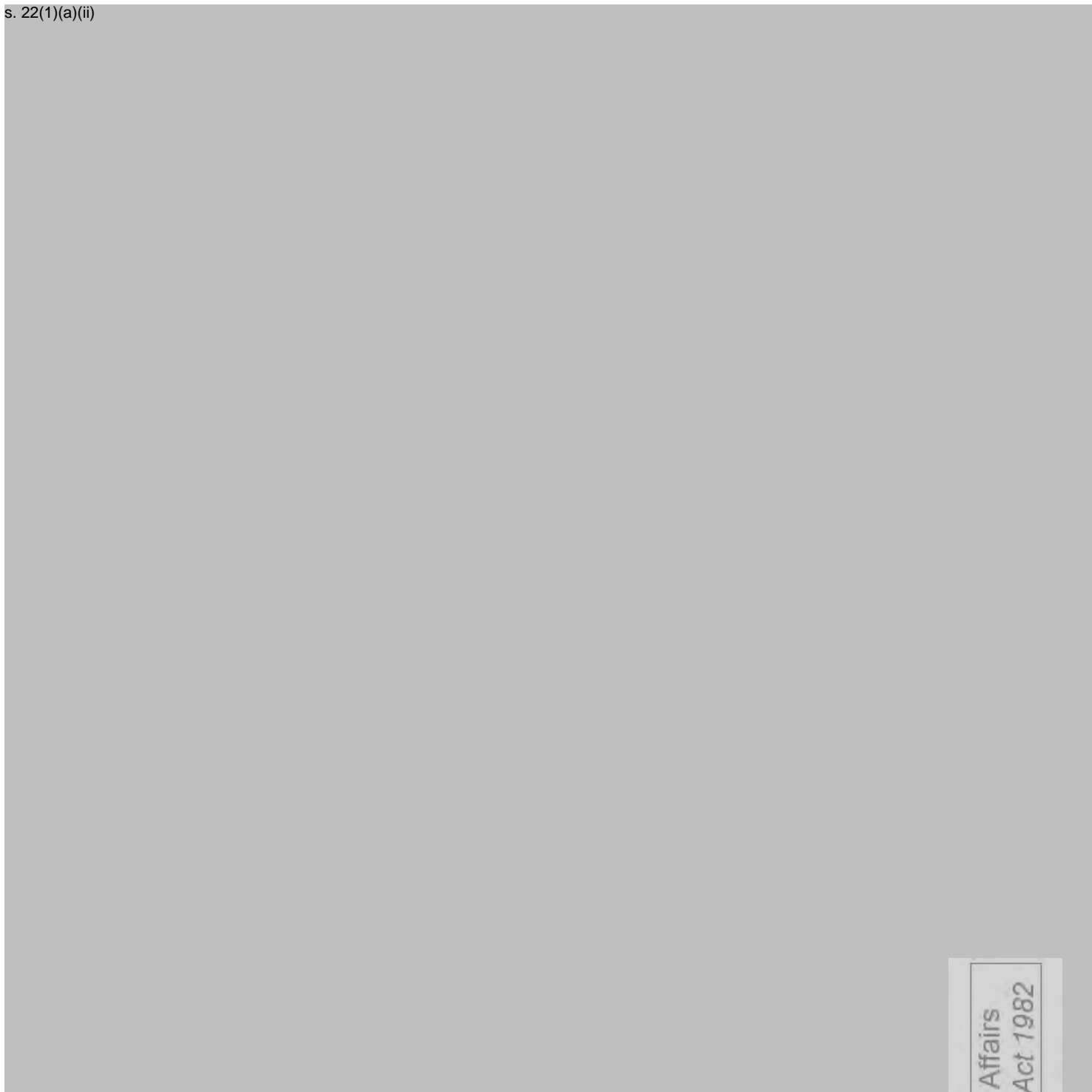
- The Government provided funded migration assistance for highly vulnerable IMAs and other IMAs where the assistance would alleviate barriers to lodging an application.
- Between 2015 and 30 June 2017, this migration assistance was provided through a programme known as the Protection Application Information Service (PAIS).
- An IMA was offered assistance with a PAIS provider where they:
  - had not engaged a registered migration agent for assistance in relation to a temporary or permanent protection visa application
  - had not previously had a valid protection application considered in Australia
  - were considered by the Department to be a person where it was in the best interests of Government to provide assistance to ensure their claims are presented and able to be considered, in particular, a person regarded as being exceptionally vulnerable (including unaccompanied minors).
- From 1 July 2017, the Government extended funded migration assistance to other groups where that assistance would alleviate barriers to an IMA lodging an application.
  - Assistance to lodge an application was offered to:
    - IMAs in a family with minor children
    - IMAs living in rural/regional Australia
    - IMAs identified with acute health barriers to lodging an application.

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Onshore Protection Branch

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**Responsible Officer**

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Migration assistance <sup>6</sup>		
	Individuals	Cases
Total offered migration assistance	1,635	583

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Row Labels	Sum of Count (individual)	Sum of Primary applicant count
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<b>Grand Total</b>	<b>1693</b>	<b>589</b>