

Outcome one: Administered items

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Allowances for temporary humanitarian visa holders

Objective

Pay a cash allowance to eligible holders of temporary humanitarian visas.

The maximum payment of \$222 per adult and \$78 per child is reduced by a dollar for every dollar the visa holder possesses.

Description

This item provides for a one-off cash payment to cover the living expenses of holders of temporary humanitarian visas after their release from detention or arrival in Australia until their first Centrelink income-support payment.

Performance

A total of 11 holders of temporary humanitarian visas received a cash allowance in 2008–09, compared to 100 in 2007–08. Expenditure of \$1774 was recorded. The reduction was the result of the closure in August 2008 of three of the four qualifying visa subclasses.

Table 49: Allowances for temporary humanitarian visa holders—
performance information

Key performance indicators	2008–09
Quality: This program is demand driven	
All payments are made in accordance with eligibility criteria	A total of 11 payments were made in accordance with the criteria

Detention contract

Objective

This item seeks to provide lawful, appropriate, humane and efficient community and detention services to unlawful non-citizens.

Description

This item relates to the payments to external contractors for the:

- provision of services for people detained in immigration detention centres
- provision of health services for people in immigration detention
- provision of services for people in immigration detention in the community, in immigration residential housing and immigration transit accommodation.

Performance

Immigration Detention Centre

The Performance Linked Fee Matrix (PLFM) is the process whereby the department monitors, tests and, if appropriate, may sanction the detention services provider for non-compliance with the detention services contract.

There have been ten instances of non-compliance with the Immigration Detention Standards that have been raised in the PLFM reports. Of these, six were in relation to security inside the facilities and while on escorts or excursions, and as a consequence of successful or attempted escapes.

Monitoring and reporting were also mentioned as being of concern with insufficient information being included and delays in finalising reports.

The Performance Management Unit (a sub-group of the Contract Management Section) has established the Performance Management Review Planning Committee. At its fortnightly meetings the committee, which is made up of representatives from all branches within the division as well as representatives from the service provider, discusses the PLFM reports and follows through on compliance with the required improvements in service delivery. The committee also identifies potential systemic issues and ensures the risks are mitigated before there is a need to raise them in PLFM reports.

Table 50: Detention contract—performance information

Key performance indicators	2008–09
Quality: The performance of contracted service providers will be measured quarterly against agreed performance standards (as measured through quality performance reviews).	
Planned	Service standards are met
Result	Clients in all forms of detention received an appropriate level of care and accommodation. The department monitored contractor performance via monthly reporting and weekly meetings between departmental staff and service providers including G4S and the Australian Red Cross. Quarterly meetings were held between executive departmental staff and the service providers. The contract administrator may raise financial sanctions against the contractor for breaches identified in the PLFM.

Health services for people in immigration detention

Health care is delivered to people in immigration detention through contracted arrangements with the health service providers and also through agreements with state and territory health departments for acute in-patient hospital services.

The department's primary health service provider facilitates access to all health services across the detention network including the development of a community-based general practitioner network and other primary health care requirements.

The department has a range of primary health care services available in immigration detention centres including registered nurses and general practitioners. For immigration transit accommodation, a smaller range of on-site primary health services (registered nurses) is available. In immigration residential housing and community detention, the health service provider facilitates and coordinates access to general practitioners who refer on to other health providers as required.

While the department provides general primary health care services as well as mental health services to people in immigration detention, acute care services are accessed through the public system.

Agreements are in place with all state and territory health departments (excluding the Australian Capital Territory) and formal memorandums of understanding (MOUs) are in place with Victoria, South Australia, Northern Territory and Tasmania. An MOU with Queensland is being finalised and negotiations continue with New South Wales and Western Australia.

In January 2009, the department signed a contract with International Health and Medical Services to provide a range of health services to people in immigration detention around Australia.

Community detention

The community detention program was delivered predominantly by the Australian Red Cross who provided appropriate care to clients on the mainland. Other services were delivered by Department of Families South Australia. The individualised nature of the program requires a constant level of communication between the service provider and the department to ensure appropriate service levels to clients and to prevent under or over-servicing when individual client requests are made.

A total of 141 clients have been provided with welfare services by the Australian Red Cross in 2008–09 at a program cost of \$863 328, to cover Australian Red Cross service delivery costs.

Initiatives to address the situation of displaced persons and promote sustainable returns

Objective

Fund the development and implementation of durable solutions for displaced persons (whether through voluntary repatriation, local integration or resettlement) and strengthen the protection afforded to displaced populations throughout the world.

Description

The program is administered by the department in consultation with the Australian Agency for International Development (AusAID). Australia has concentrated its efforts on developing and implementing durable solutions for displaced persons, providing urgent humanitarian relief to stabilise populations displaced by conflict, and strengthening the protection afforded to displaced populations. These activities assist in stabilising displaced populations, preventing vulnerable populations from being targeted by people smugglers and traffickers, and preventing and deterring

irregular migration, both within the region and to Australia.

Performance

Australia's contributions supported the development and implementation of durable solutions for displaced populations, as well as provided urgent humanitarian relief.

The additional \$10 million for one year approved by the Australian Government in 2008–09 helped address the protracted situation of displaced Iraqis. The funding supported projects in neighbouring and transit countries that allowed people to remain in their countries of displacement, through the provision of basic livelihood services in areas such as health, accommodation and education, pending a long-term durable solution.

In addition, the program has also focused on improving the situation of displaced Burmese and Afghans and internally displaced persons in Sri Lanka.

Table 51: Initiatives to address the situation of displaced persons— performance information

Key performance indicators	2008–09
Quality: Contributions are made in accordance with government priorities and the level of financial assistance provided.	
Planned	\$16 536 000 (estimated) Contributions meet government priorities
Result	A total of \$16 568 206— \$10 million to help address the protracted situation of displaced Iraqis and \$6.5 million to address the situation of other priority populations. Australia's contributions in 2008–09 were disbursed on 22 different projects

Support was provided to the United Nations High Commissioner for Refugees (UNHCR), the United Nations Children's Fund (UNICEF), the International Organization for Migration (IOM), CARE Australia, Austcare and the Forced Migration Review as follows:

Western Asia (Jordan, Syria, Turkey):

- \$1 128 828 to IOM to strengthen governmental capacity to manage and protect displaced Iraqis in Egypt, Lebanon and Turkey
- \$935 469 to Austcare to develop the capacity of Jordanian non-government organisations to engage with Iraqi refugees
- \$778 845 to CARE Australia for community assistance to displaced Iraqis in Jordan, including psychosocial and livelihood support
- \$892 074 to IOM in Jordan to support the psychosocial needs of displaced Iraqi children and youth in Jordan
- \$1 660 167 to UNHCR to provide refugee assessment and registrations for a further 40 000 displaced Iraqis to enable access to a wider range of support services in Syria
- \$178 231 to UNHCR to strengthen refugee status determination in Turkey.

South Asia (Afghanistan, Bangladesh, Iran, Pakistan, Sri Lanka):

- \$665 678 to CARE Australia for vocational training, microfinance and community outreach activities that support the social and economic reintegration of displaced Afghan women in Afghanistan
- \$878 945 to IOM to support the sustainable reintegration of Afghan returnees in Afghanistan
- \$969 498 to UNHCR to facilitate the voluntary return of Afghans to Afghanistan, through the provision of protection, transportation, healthcare services, water, and sanitation activities in Pakistan

- \$488 193 to UNHCR for the replacement of shelters for families in Nayapara refugee camp in Bangladesh
- \$612 286 to IOM to assist the displaced Rohingya community in Bangladesh
- \$700 000 to UNICEF for the provision of education and health services to Afghan children and women in Iran
- \$90 000 to UNHCR for resettlement activities in Iran
- \$679 751 to UNHCR in Sri Lanka for the protection of displaced persons and humanitarian assistance
- \$726 334 to IOM in Sri Lanka for a central transportation hub to deliver humanitarian assistance and relief to Sri Lankans displaced by conflict.

South East Asia (Indonesia, Malaysia and Thailand):

- \$807 727 to UNHCR in Indonesia for protection capacity-building activities
- \$1 600 000 to IOM for interpreting services for displaced persons in Indonesia
- \$386 000 to IOM for educational and social services for refugees and irregular migrants in Indonesia
- \$1 400 000 to UNHCR for enhanced social protection for displaced persons in Malaysia
- \$455 101 to UNHCR in Malaysia to support refugee status determination and provide medical care for the most vulnerable refugees
- \$460 079 to UNHCR for a multi-sectoral assistance project for Burmese refugees on the Thai-Burmese border
- \$75 000 to the Refugee Studies Centre, University of Oxford, for a Forced Migration Review issue on protracted displacement situations.

International Organization for Migration—contribution

Objective

Support the achievement of Australian policy objectives to promote well managed migration, including managed humanitarian settlement and the reduction of irregular migration.

Description

Australia is a member of the International Organization for Migration (IOM), an international organisation based in Geneva committed to the principle that humane and orderly migration benefits migrants and society. As an inter-governmental body, IOM acts with its partners in the international community to assist in meeting the operational challenges of migration, advancing understanding of migration issues, encouraging social and economic development through migration, and upholding the human dignity and wellbeing of migrants. As a member state, Australia contributes towards the administrative costs of IOM and engages in its governance mechanisms.

Performance

In 2008–09, Australia contributed \$997 334 towards the administrative costs of the IOM.

In the 2008 calendar year, Australia contributed US\$36.9 million towards domestic, regional, and global projects with IOM.

In 2008–09, IOM attracted new member states and expanded its global operations, reflecting the increased international focus on the opportunities and challenges presented by migration. IOM remains well positioned to provide expert policy advice and access to research to governments in the development of their migration policies.

Australia utilises IOM policy and governance dialogues to encourage IOM and its members to seek practical solutions to migration issues, including in the Asia-Pacific region. Topics discussed as part of IOM’s policy dialogue during 2008–09 included the role of return migration and the respect for the human rights of migrants. Policy analysis and engagement on migration policy issues by the international community encourages greater international cooperation and better implementation of managed migration approaches by governments.

Table 52: IOM contribution—performance information

Key performance indicators	2008–09
Quantity: The level of financial assistance provided to IOM	
Planned	\$762 000 (estimated)
Result	Australia’s contribution of \$997 334 ¹ was paid in full and on time

1. Market fluctuations in the exchange rate accounted for the increase in the final amount paid.

Joint Commonwealth, state and territory research program (for payment to the Australian Population, Multicultural and Immigration Research Program)

Objective

Provide information to assist with the formulation and assessment of migration policies by the Australian Government, state and territory ministers and departments.

Description

The Australian Population, Multicultural and Immigration Research Program (APMIRP) was established jointly by the Australian Government and state and territory governments to undertake studies of migration, migration settlement, multicultural affairs and population trends. Individual studies are designed to gather information not adequately covered by existing data and surveys.

In 2008–09, the Australian Government contributed \$50 000 to this program.

Performance

In 2008–09 the APMIRP completed its work on The People of Australia project. This comprised a series of publications (one for each state and territory) that used data from the 2001 and 2006 censuses to provide a comprehensive statistical description of Australia's diverse population. The reports are a useful resource for researchers, policymakers, planners and local councils.

The national summary report can be found on the department's website at www.immi.gov.au/media/publications/research

Table 53: Joint Commonwealth, state and territory research program payment to the APMIRP—performance information

Key performance indicators	2008–09
Quantity: One research project	
Planned	Complete research project within timeframe and budget
Result	The People of Australia project was completed within budget in November 2008
Quality: Feedback on quality of research	
Planned	Receive positive feedback about the project and its benefits
Result	The People of Australia reports were positively received by state and territory members. They indicated that the reports are widely used throughout government as they provide detailed information on population trends and help in identifying where different migrant communities have chosen to settle. This information then assists in the targeting of programs and services.

Offshore asylum seeker management

Objective

This item relates to payments to external contractors for the provision of community and detention services at Christmas Island and assistance to other countries in the region in countering people smuggling and illegal people movements.

Description

The item ensures the contracted services provider complies with all the requirements of the detention services contract and delivers services in accordance with the Immigration Detention Standards.

This item also contributes to strengthening the migration and border management capabilities of governments in the Asia-Pacific region and parts of South Asia and the Middle East, and to assist facilitation of bona fide people movements while preventing and deterring irregular movements, including people smuggling and trafficking, in our region and in source/transit countries.

This item also supports international organisations for the care of irregular migrants intercepted en route to Australia.

Performance

The department contracted the Australian Red Cross for additional services on Christmas Island, providing client welfare services to individuals and families in community detention at a cost of \$77 178 in 2008–09. During this period, the Australian Red Cross provided services to 68 clients.

Care for unaccompanied minors on Christmas Island was initially provided by the Department of Families South Australia (Families SA) from 24 November 2008 to 26 January 2009.

Families SA provided around-the-clock foster care services and carer supervision for this period at a cost of \$87 096. In this time, Families SA cared for eight young people residing in group houses, under community detention arrangements. In addition to the Families SA staff and carer costs above, the department paid the cost of client living expenses directly, at a total cost of \$22 745.

In January 2009, this role was taken on by Life Without Barriers, which is a national not-for-profit organisation working to support children and young people in crisis, people with a disability and those with a mental health issue. Life Without Barriers provided services to 43 young people at a cost of \$836 363 from 26 January 2009 to 30 June 2009.

The detention service providers performance is monitored against the requirements of the detention services contract and Immigration Detention Standards. The Performance Linked Fee Matrix is the process whereby the department monitors, tests and, if appropriate, sanctions the detention services provider for non-compliance with the detention services contract.

During 2008–09, a further \$1.9 million was provided in Additional Estimates to assist with Regional Mechanisms to Combat People Smuggling.

Some key regional and international initiatives to enhance protection and to assist in developing capacity to counter people smuggling and illegal people movements, are covered in the section: International cooperation: Highlights on page 81.

Table 54: Offshore management of asylum seekers—performance information

Key performance indicators	2008–09
Quality: Contractor’s performance is reviewed quarterly to ensure appropriate care and accommodation at Christmas Island	
Planned	Service standards are met
Result	Required service standards were achieved. Incidents of non-compliance with the performance standards of the detention services contract are considered at three monthly intervals. The contract administrator may raise financial sanctions against the contractor for breaches identified in the Performance Linked Fee Matrix.

Payments to the Australian Red Cross Society for the Asylum Seeker Assistance Scheme

Objective

Provide financial assistance to eligible asylum seekers awaiting decisions on their Protection visa application.

Description

The Australian Red Cross has administered the Asylum Seeker Assistance (ASA) scheme under agreements with the Australian Government since 4 January 1993. The ASA scheme provides financial and other assistance to asylum seekers assessed by the Australian Red Cross to be without means of support and disposable assets. The ASA scheme provides assistance for basic food, shelter and health care. The rate of financial assistance is capped at 89 per cent of equivalent Centrelink Special Benefit payments.

Eligibility for ASA includes both primary and review applicants in financial hardship who cannot meet their basic needs and who have no continuing and adequate support. Eligibility for ASA occurs where a decision is not made on a Protection visa application within six months or where the client meets exemption criteria which allow immediate access to ASA.

The criteria ensure that the elderly, minors, young families, the ill (including those suffering after torture or trauma) and those who care for these groups can be assisted without delay. Assistance at the review stage is also available where these clients meet these criteria.

The ASA scheme also provides assistance to asylum seekers who are ineligible for ongoing income support but who cannot afford to pay for their health examination. This ensures that there is no financial impediment to obtaining protection under the United Nations 1951 Convention relating to the Status of Refugees, as amended by the Refugees Protocol 1967.

Performance

In 2008–09, there were 2692 people assisted under the ASA scheme at a cost of \$7.04 million compared to 1867 people assisted at a cost of \$4.79 million in 2007–08. This equates to a 44 per cent increase in client numbers and a 47 per cent increase in costs compared to 2007–08. The increases were due to international events such as World Youth Day and the Homeless World Cup.

Table 55: Payments to the Australian Red Cross Society for the Asylum Seeker Assistance Scheme—performance information

Key performance indicators	2008–09
Quantity: Number of people assisted	
Forecast	2 750
Actual	2 692
Quantity: Total financial assistance provided	
Forecast	\$7.1 million
Actual	\$7.04 million

Payments under section 33 of the Financial Management and Accountability Act 1997

Description

Payments made under section 33 of the *Financial Management and Accountability Act 1997* are special discretionary compensatory payments (act of grace payments) made in circumstances where there is no other viable avenue of redress available and the Minister for Finance and Deregulation (or delegate) considers the

payment is appropriate because of 'special circumstances'.

Performance

During 2008–09, the department received 46 requests for act of grace payments. Of these, 26 were approved by the Minister for Finance and Deregulation or delegate.

Table 56: Payments under section 33 of the Financial Management and Accountability Act 1997—performance information

Key performance indicators	2008–09
Quantity: Number of payments made	
Result	26 payments made
Quality: Payments are made in accordance with legislative requirements and guidelines as issued by the Minister for Finance and Deregulation	
Planned	Meet legislative requirements and guidelines
Result	Payment made in accordance with legislative requirements and guidelines

Refugee, humanitarian and assisted movements— passage and associated costs

Objective

Assist the movement of applicants approved for entry to Australia under the refugee component of the offshore Humanitarian Program.

Description

In November 2007, the department entered into a three-year Deed of Reimbursement with the International Organization for Migration (IOM) for the assisted passage of people approved for entry to Australia under the refugee component of the Offshore Humanitarian Program. The assistance provided under this contract covers the full cost of medical examinations and airfares for eligible entrants.

Performance

In 2008–09, \$13.55 million was allocated under this program. This amount included an additional \$900 000 to cover the travel and medical costs associated with the resettlement of locally engaged staff of the Australian Defence Force in Iraq. There were 7 117 refugee and humanitarian entrants assisted with travel and the overall expenditure on travel and associated services was \$15.59 million¹. A total of 12 035 applicants were medically screened and about 9750 pre-departure medical checks performed in 2008–09 for a total cost of \$5.81 million.

Table 57: Refugee, humanitarian and assisted movements—passage and associated costs—performance information

Key performance indicators	2008–09
Quantity: Number of refugees moved to Australia	
Planned	6 500
Result	7 117
Quantity: Number of refugee applicants medically screened for entry into Australia	
Planned	12 000
Result	12 035

1. Adverse currency movements contributed to higher than expected costs over 2008–09.

Secretariat for Inter-Governmental Consultations on asylum, refugee and migration policies—membership contribution

Objective

Support Australian policy objectives to promote managed migration, maintain an effective system of international protection, contribute to enhanced border security systems and prevent illegal migration.

Description

During 2008–09, Australia contributed \$166 991 towards the administrative costs of the Inter-Governmental Consultations (IGC).

The IGC is a states-led, informal, non-decision making forum for inter-governmental information exchange and policy debate on the management of international migratory flows. It provides an avenue for participating governments to benchmark national policies and to influence international standards and policies on a range of migration, asylum and refugee issues.

The IGC comprises 16 participating states in Australasia, North America and Western Europe. The United Nations High Commissioner for Refugees, the International Organization for Migration, and the European Commission also contribute to the IGC.

Performance

The IGC continued to perform strongly by providing participating states with an

informal framework for sharing information and developing perspectives on current migration and asylum issues which take into account the interests of individual participating states.

IGC activities are informal, flexible, and structured around three groups of issues:

- admission, control, and enforcement
- asylum and refugees
- immigration and integration.

They also cover three cross-cutting activities—technology, data and country of origin information.

The IGC operates independently of the United Nations and is one of the few multilateral consultation mechanisms through which Australia can regularly and directly engage with many Western European states on domestic migration, border control, and asylum issues. The perspectives developed through participation in the IGC help to inform the department's regional and bilateral engagements as well as other multilateral engagements.

Switzerland chaired the full round meeting in Berne in May 2009. Participating states discussed the global economic crisis and its impact on migration matters. They examined the challenges in attracting and retaining skilled migrants, and also the economic and other benefits skilled migrants bring.

Table 58: Secretariat for Inter-Governmental Consultations on asylum, refugee and migration policies—membership contribution—performance information

Key performance indicators	2008–09
Quantity: The level of financial assistance provided	
Planned	\$134 000 (estimated)
Result	\$166 991 (paid on time)

Special appropriation: Statutory self-regulation of migration agents

Objective

This item ensures the satisfactory regulation of the migration advice profession.

Description

The number of registered migration agents increased by 8 per cent in 2008–09 from 3793 at 30 June 2008 to 4097 at 30 June 2009.

The amount of the special appropriation for this item is calculated according to the value of registration application fees collected by the authority. In 2008–09, it was estimated that the special appropriation would be \$5.51 million. The final appropriation was \$6.22 million.

Performance

The report of the *2007–08 Review of Statutory Self-Regulation of the Migration Advice Profession* was released in December 2008.

Key findings were:

- there was significant opposition to the profession moving to self-regulation
- the Migration Institute of Australia’s (MIA) operation of the Migration Agents Registration Authority (MARA) created perceived and potential conflicts of interest resulting in a lack of consumer confidence and the government should consider establishing a regulatory body separate from the MIA
- better complaint handling processes were needed
- changes to migration agent’s entry requirements were needed to improve standards
- legislation relating to migration agents needed to be substantially revised to remove confusion

- lawyer agents should continue to be included in the regulatory scheme
- Continuing Professional Development requirements need to be simplified and streamlined especially for experienced migration agents with good track records.

As a result of the review, the minister announced on 9 February 2009 the establishment of a new body to regulate migration agents, the Office of the Migration Agents Registration Authority (Office of the MARA). The Office of the MARA started operations on 1 July 2009 at 22 Market Street, Sydney.

The Office of the MARA is a discrete office attached to the department, headed by a chief executive officer. It is solely responsible for the functions of the MARA under Part 3 of the Migration Act and reports directly to the secretary of the department. The Office of the MARA is supported by an advisory board, including a consumer and community representative as well as representatives from the MIA, the Law Council of Australia and the education and non-profit sectors. The department provides administrative support services only.

Strategies are being implemented to address potential or perceived conflict of interest matters regarding the department’s operation of the Office of the MARA. Independent probity experts, PSI Asia Pacific, were engaged to examine the issue and this work was reviewed by former Chief of Justice of the NSW Supreme Court, Sir Laurence Street AC, who provided additional assurance regarding the proposed arrangements.

The establishment of the new body is the first step in the implementation of a range of recommendations made by the review.