

## **FACT SHEET**

### **ARRANGEMENTS FOR PROCESSING OF ASYLUM CLAIMS FOR PEOPLE WHO ARRIVE AT EXCISED PLACES**

- The introduction of publicly funded advice and assistance services for people who arrive at an excised place and make refugee claims;

Independent advice and assistance will be provided by registered migration agents under an extension of the Immigration Advice and Application Assistance Scheme (IAAAS).

Under the scheme as it currently operates, all Protection visa (PV) applicants in immigration detention and other eligible PV applicants in the community are offered professional assistance with their applications by registered migration agents, independent of the Department of Immigration and Citizenship (DIAC).

Similar assistance will be offered to people participating in the non-statutory refugee status assessment process on Christmas Island, with registered migration agents offering them assistance throughout the process, ensuring that they understand each development and helping them to present their claims for protection.

- The establishment of independent review processes for negative decisions;

Merits review of negative refugee status assessments will be conducted by independent professionals selected on the basis of their expertise in refugee status assessment and related matters.

A condition of their contracts will be that they conduct reviews entirely independently – free from influence by DIAC or any other party. If they find that an applicant for review is a refugee, DIAC will abide by their decision.

Independent review will be complemented by strengthened procedural guidance for the Department's primary decision-makers on matters such as providing natural justice, interpretation of the Refugees Convention, and sensitive handling of vulnerable groups such as children.

- External scrutiny by the Immigration Ombudsman.

The Immigration Ombudsman has been invited to oversee the non-statutory refugee status assessment process on Christmas Island using his existing own motion powers, and will be provided with additional funding to enable this to occur. The Ombudsman will examine individual cases and the overall administrative management of the process as considered appropriate. The findings and any recommendations will be reported to my Department and to me, and reports on any broader systemic issues may be publicly released if the Ombudsman considers it to be in the public interest.