

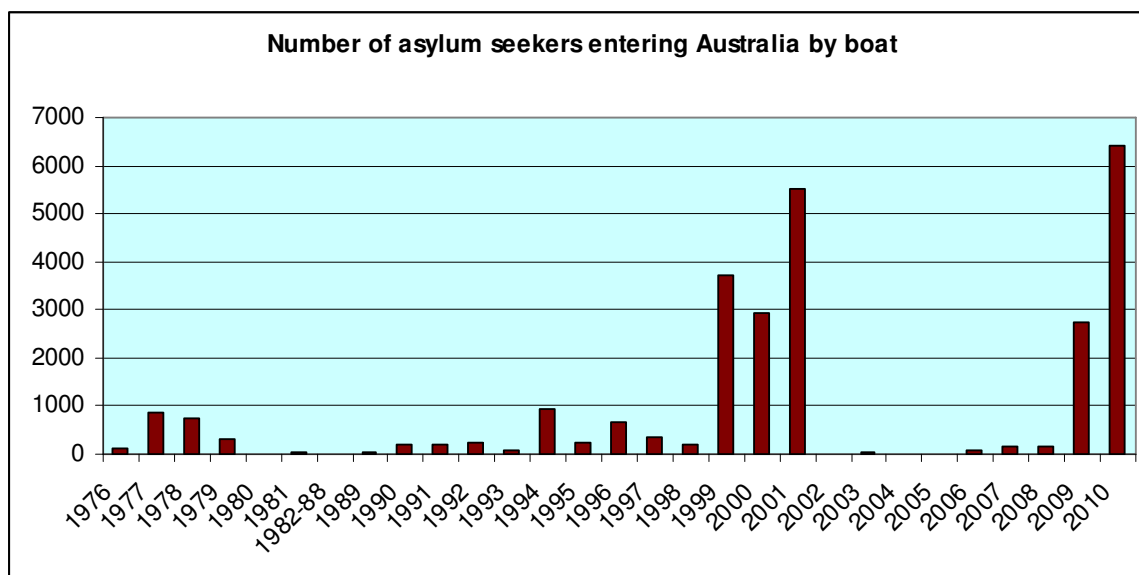
AUSTRALIAN IMMIGRATION DETENTION AND TRENDS IN THE SETTLEMENT OF FORMER DETAINEES

The following provides an overview of current trends in Australian immigration detention and the settlement of former detainees.

REFUGEE AND HUMANITARIAN VISA GRANTS BY SUB-CLASS, 2005-06 TO 2009-10¹

Visa sub-class	2005-06	2006-07	2007-08	2008-09	2009-10	Total
Onshore Protection visas						
Onshore Temporary Protection (785)	277	305	196	9	-	787
Resolution of Status (851)	-	-	-	39	8	47
Onshore Permanent Protection (866)	995	1,396	1,704	2,369	4,515	10,979
Temporary Humanitarian Concern (786)	14	38	84	5	-	141
Offshore Refugee visas						
Refugee (visa subclass 200)	4,996	5,011	5,132	5,653	5,173	25,965
In-country Special Humanitarian (201)	6	8	42	54	24	134
Emergency Rescue (203)	-	3	5	4	-	12
Woman at Risk (204)	995	980	819	788	806	4,388
Secondary Movement Offshore Entry - Temporary (447)	11	-	-	-	-	11
Secondary Movement Relocation - Temporary (451)	14	1	6	-	-	21
Offshore Special Humanitarian visas						
Global Special Humanitarian (202)	6,736	5,183	4,795	4,511	3,233	24,458
- 202 visas granted by ministerial intervention	100	92	231	75	11	509
TOTAL	14,144	13,017	13,014	13,507	13,770	67,452

ASYLUM SEEKERS ENTERING AUSTRALIA BY BOAT, BY CALENDAR YEAR, 1976 TO 2010²



¹ Figures from Department of Immigration and Citizenship (DIAC) annual reports, 2005-06 to 2009-10 (previously the Department of Immigration and Multicultural Affairs [DIMA] and the Department of Immigration and Multicultural and Indigenous Affairs [DIMIA])

² Data supplied by Department of Immigration and Citizenship (cited in RCOA's [Intake Submission](#), 2011).

AUSTRALIAN GOVERNMENT POLICY OF MANDATORY DETENTION³

Australia has maintained a regime of mandatory detention since 1992. All asylum seekers who arrive in Australia by boat without a valid visa are subject to mandatory detention. Australia's Migration Act prevents these people from accessing the Australian Court system to challenge the legality of their detention. In practice, this means that there is no judicial oversight for detention that occurs in excised offshore territories such as Christmas Island. The Migration Act also protects the government's right to detain unauthorised boat arrivals for indefinite periods of time, despite the fact that they have committed no crime.

IRREGULAR MARITIME ARRIVALS (IMAs) AND THE PROCESSING OF ASYLUM CLAIMS, 2008-09 AND 2009-10⁴

	2008-09	2009-10
Irregular maritime arrivals intercepted in Australian waters (including crew)	1,033	5,647
IMAs held in immigration detention during year	1,050	6,412
IMAs in detention at 30 June	782	3,867
Refugee Status Assessments (RSA) initiated	985	3,966
Refugee Status Assessments completed	n/a	2,914
People assessed to be refugees at RSA stage	n/a	2,126
People found not to be refugees at RSA stage	n/a	786
Requests for Independent Merits Review (IMR) received	n/a	572
Independent Merits Review decisions completed	n/a	184
People assessed to be refugees at IMR stage	n/a	81
People found not to be refugees at IMR stage	n/a	103
IMAs granted visas and settled on Australian mainland	206	2,156
IMAs removed from Australia	13	139

CURRENT POPULATION IN DETENTION⁵

During 2010, the number of people in immigration detention grew to a record level. As at 14 February 2011, 6,659 people were in some form of immigration detention, including 4,086 in immigration detention on the mainland and 2,573 in immigration detention on Christmas Island. The great majority of detainees are asylum seekers who are subject to the Government's policy of indefinite mandatory detention for people who enter Australia without visas. Only 68 people were in community detention on the mainland.

LENGTH OF TIME SPENT IN DETENTION, AS AT 4 FEBRUARY 2011⁶

Period detained	Total	% of Total
7 days or less	29	0.4%
1 week – 1 month	300	4.5%
1 month – 3 months	1,095	16.4%
3 months – 6 months	1,643	24.7%
6 months – 12 months	3,111	46.7%
12 months – 18 months	422	6.3%
18 months – 2 years	34	0.5%
Greater than 2 years	25	0.4%
Total	6,659	100.0%

The longest period of time any individual asylum seeker has been detained by the Australian Government under this legislation is seven years. This occurred under the previous government.⁷

³ http://www.refugeecouncil.org.au/docs/resources/2010_ARRA_Detention_in_Australia.pdf

⁴ Statistics drawn from DIAC's 2008-09 and 2009-10 annual reports

⁵ <http://www.immi.gov.au/managing-australias-borders/detention/facilities/statistics/>

⁶ <http://www.immi.gov.au/managing-australias-borders/detention/facilities/statistics/>

PLACE OF IMMIGRATION DETENTION, AS AT 14 FEBRUARY 2011⁸

Place of immigration detention	Men	Women	Children	Total
Villawood IDC	314	25		339
Northern IDC (Darwin)	481			481
Maribyrnong IDC	68	5		73
Perth IDC	49			49
Christmas Island IDC	1,829			1,829
Curtin IDC	1,153			1,153
Scherger IDC	295			295
Total in IDCs	4,189	30		4,219
Sydney Immigration Residential Housing	11	8	9	28
Perth Immigration Residential Housing	4	3	9	16
Port Augusta Immigration Residential Housing	22	17	18	57
Brisbane Immigration Transit Accommodation	16	15	20	51
Melbourne Immigration Transit Accommodation	10		125	135
Total in Immigration Residential Housing and Immigration Transit Accommodation	63	43	181	287
Community Detention (Mainland)	20	11	37	68
Community Detention (Christmas Island)				0
Alternative Temporary Detention on the Community (Mainland)	484	348	508	1,340
Alternative Temporary Detention on the Community (Christmas Island)	304	139	301	744
Restricted on Board Vessels in Port	1			1
TOTAL	5,061	571	1,027	6,659

INITIAL SETTLEMENT LOCATION OF IMA PROTECTION VISA GRANTEES, 1 JANUARY 2009 – 31 MARCH 2011⁹

State or territory of initial settlement	Protection visa grantees	
	(no.)	(%)
Victoria	1,399	39.2%
New South Wales	673	18.9%
South Australia	567	15.9%
Queensland	500	14.0%
Western Australia	367	10.3%
Australian Capital Territory	50	1.4%
Northern Territory	12	0.3%
Tasmania	3	0.1%
Total	3,571	100.0%

TOP FIVE COUNTRIES OF ORIGIN OF IMA VISA GRANTEES ASSISTED UNDER IHSS, 1 JANUARY 2009 – 31 MARCH 2011¹⁰

Country of birth	Number of arrivals	%
Afghanistan	2,306	60%
Sri Lanka	521	15%
Iraq	335	10%
Iran	285	8%
Stateless persons	42	2%
Other	82	5%

⁷ http://www.refugeecouncil.org.au/docs/resources/2010_ARRA_Detention_in_Australia.pdf

⁸ <http://www.immi.gov.au/managing-australias-borders/detention/facilities/statistics/>

⁹ Data supplied by request from the Department of Immigration and Citizenship

¹⁰ Data supplied by request from the Department of Immigration and Citizenship

DEMOGRAPHIC PROFILE OF PROTECTION VISA HOLDERS (VISA-SUBCLASS 866)

The following statistics on 866 sub-class visa holders are indicative only, as not all 866 visa holders will have spent time in detention. The 866 visa sub-class also includes those who applied for protection onshore after arriving by plane or on another visa sub-class and have not been subject to detention. Approximately half of 866 visa grantees in the past two years have been former detainees.

STATE OR TERRITORY OF RESIDENCE OF PROTECTION VISA HOLDERS (VISA SUB-CLASS 866), BY CALENDAR YEAR OF ARRIVAL, 2006 TO 2010¹¹

	2006	2007	2008	2009	2010	Total
ACT	30	34	47	44	22	177
New South Wales	769	958	1,119	1,168	778	4,792
Northern Territory	4	10	2	0	30	46
Queensland	107	127	158	226	299	917
South Australia	67	90	119	253	238	767
Tasmania	5	6	12	11	2	36
Victoria	386	451	498	873	816	3,024
Western Australia	82	108	142	202	215	749
Invalid / External Territories	1	4	9	126	167	307
Total	1,451	1,788	2,106	2,903	2,567	10,815

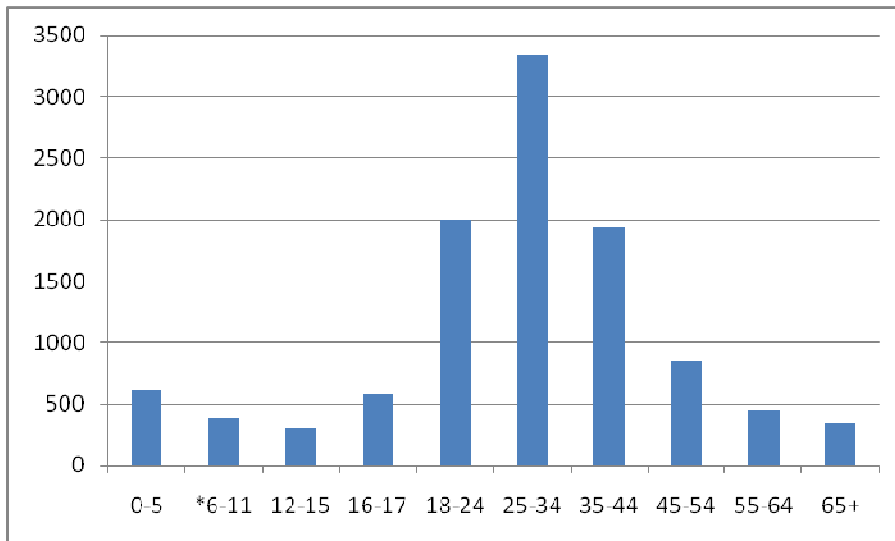
TOP 10 COUNTRIES OF BIRTH OF PROTECTION VISA HOLDERS (VISA SUB-CLASS 866) WHO ARRIVED BETWEEN 1 JANUARY 2006 AND 31 DECEMBER 2010¹²

Country of birth	Number of arrivals	%
Afghanistan	2,187	20.2%
Sri Lanka	1,573	14.5%
China, Peoples Rep	1,329	12.3%
Iran	955	8.8%
Iraq	930	8.6%
Pakistan	600	5.5%
Zimbabwe	595	5.5%
Burma	261	2.4%
Egypt, Arab Rep of	222	2.1%
Australia	221	2.0%
<i>Other</i>	<i>1,942</i>	<i>18.0%</i>
Total	10,815	100.0%

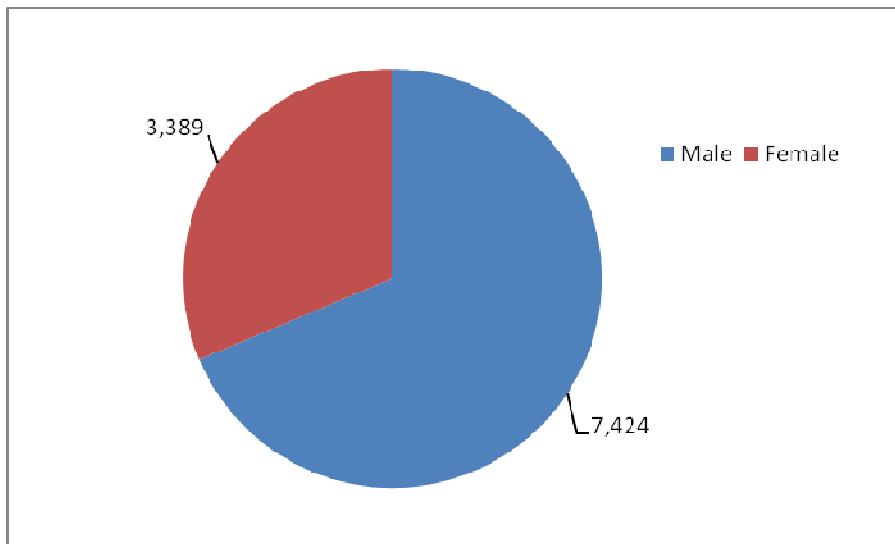
¹¹ DIAC Settlement Report Facility, <http://www.immi.gov.au/settlement/> accessed 28/3/2011.

¹² DIAC Settlement Report Facility, <http://www.immi.gov.au/settlement/> accessed 29/3/2011.

AGE ON ARRIVAL OF PROTECTION VISA HOLDERS (VISA SUB-CLASS 866) WHO ARRIVED BETWEEN 1 JANUARY 2006 AND 31 DECEMBER 2010¹³



GENDER OF PROTECTION VISA HOLDERS (VISA SUB-CLASS 866) WHO ARRIVED BETWEEN 1 JANUARY 2006 AND 31 DECEMBER 2010¹⁴



¹³ DIAC Settlement Report Facility, <http://www.immi.gov.au/settlement/> accessed 29/3/2011

¹⁴ DIAC Settlement Report Facility, <http://www.immi.gov.au/settlement/> accessed 29/3/2011