



STANDING COMMITTEE ON JUSTICE AND COMMUNITY SAFETY

Mr Peter Cain MLA (Chair), Dr Marisa Paterson MLA (Deputy Chair), Mr Andrew Braddock MLA

Inquiry into Annual and Financial Reports 2020-2021
ANSWER TO QUESTION TAKEN ON NOTICE
23 February 2022

Asked by Mr Peter Cain MLA on 23 February 2022: Mr Brett Monger took on notice the following question(s):

[Ref: Hansard Uncorrected Proof Transcript 23 February 2022 [PAGE 26]]

In relation to:

THE CHAIR: I have a fresh substantive, and it may be on notice too, Mr Monger. Are you able to provide information on the free legal advice you give to Afghanistan evacuees residing in the ACT?

Mr Monger: I am sorry, Mr Cain, I am unable to answer that one. Again, that is a question Dr Boersig would have to answer. I can take that one on notice, though.

Dr John Boersig, Chief Executive Officer, Legal Aid Commission (ACT):

The answer to the Member's question is as follows:–

Legal Aid ACT has supported the Afghan evacuees since the peak of the evacuations in August 2021. We initially provided legal advice to recently arrived humanitarian entrants in the ACT and assisted them to contact the Department of Foreign Affairs and Trade for the purpose of evacuating their family members from Kabul. This was done in collaboration with the Red Cross Humanitarian Settlement Program, who would refer clients falling within the Government priorities and needing urgent assistance.

Following the evacuations, Legal Aid ACT organised several information sessions with the newly arrived Afghan families on temporary subclass 449 visas. The sessions were intended to provide information about the process to apply for permanent humanitarian visas. Several non-legal issues also emerged from these sessions:

- Many Afghan evacuees still have family members in Afghanistan that are in danger.
- Many evacuees had incorrect details on their identity documents which will need to be addressed in their visa applications.
- Some evacuees fled Afghanistan with no identity documents at all, which made the opening of bank accounts and accessing Centrelink benefits difficult.

Legal Aid ACT is on record to assist approximately 97 evacuees with their applications for permanent humanitarian visas. The Australian Red Cross has been engaged by the Department of Home Affairs to oversee the provision of legal assistance by a range of legal services providers. Legal Aid ACT was nominated by the ACT Government as the key provider

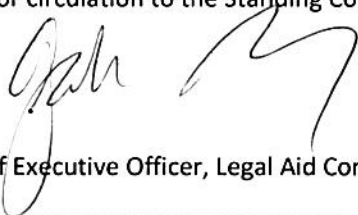
for the evacuees' intake in the ACT. We have now entered a contract with Australian Red Cross for \$90,173 (GST exclusive amount). However, we have not yet received the funds for the assistance we are already providing.

Notably, in the last week, we have received pre-notifications from the Department of Home Affairs to start preparing applications for approximately 85% of our clients. Within a few weeks, the Department will 'lift the bar' and invite these clients to submit their applications. From the date of these invitations, the applicants will only be given 7 working days to lodge their applications with no possibility of extensions.

Our lawyers are now assisting a large volume of evacuees to complete complex and lengthy visa application forms. This is an intensive and demanding process, requiring our lawyers to work with clients impacted by significant trauma and needing the assistance of interpreters.

Approved for circulation to the Standing Committee on Justice and Community Safety

Signature:



Date:

9/3/22

By the Chief Executive Officer, Legal Aid Commission, Dr John Boersig