

Australian Government

Department of Immigration and Border Protection

IMA Legacy Caseload

Report on the Processing Status and Outcomes

August 2017

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About this report

Coverage

This report provides information on the processing status and outcomes of the applicants who are Illegal Maritime Arrivals (IMAs) and are in the IMA Legacy Caseload. Within this Caseload, there are two major groups:

– the **non-fast track** cohort includes IMAs who arrived prior to 13 August 2012 and had not made a protection visa application that was finalised at 18 September 2013[1]; and

– the **fast track** cohort includes IMAs who arrived on or after 13 August 2012 and are subject to the protection assessment process introduced by the *Resolving the Asylum Legacy Caseload (RALC) Act 2014* (Cth).

IMAs can only apply for a Temporary Protection Visa (subclass 785) (TPV) or a Safe Haven Enterprise Visa (subclass 790) (SHEV) if the Minister has made a decision that it is in the public interest to lift a legislative bar on making valid visa application in Australia. Where the Minister lifts the bar, the Department will advise the IMA that they are eligible to apply for a TPV or a SHEV.

Data sources and currency

The data sources for this report are based on a range of DIBP systems. As data has been drawn from a dynamic system environment, the information is correct at the time of publication and figures may differ slightly from previous or future reporting. As an end of month report, the data date used is the closest to the end of the calendar month.

Data for August 2017 is at 4 September 2017. Data for July 2017 is at 2 August 2017.

Glossary of terms

Country of citizenship – the claimed country of citizenship at the time of lodging an application for a protection visa.

Illegal Maritime Arrival (IMA) – an IMA is a person who entered Australia by sea without authority and became an unlawful non-citizen upon entry. All babies born to IMA parents are also an IMA.

Processing status – relates to a processing stage of an application undergoing the administrative decision-making process, from lodgement to when the application is finalised.

Residence determination – is a determination, which the Minister makes under section 197AB of the *Migration Act 1958* (Cth) that a person can reside at a specified place in the community instead of held detention (previously referred to as 'community placement'). Recipients subject to a residence determination are free to move about the community but are legally detained.

Further information

For further information about the processing arrangements that apply to the IMA Legacy Caseload please visit the Department's website at www.ima.border.gov.au.

Any comments or enquiries concerning this report should be sent to pv.data@border.gov.au quoting report name and month.

Summary

Table 1 shows the number of people from the IMA Legacy Caseload who:

- have submitted a valid application that is currently being processed;
- had their application finalised – either granted or refused; or
- are yet to apply.

Table 1 IMAs across main processing stages

Processing stage	August 2017	July 2017
Applied and on hand[2]	16,713	16,282
Fast track	15,819	15,361
Non-fast track	894	921
Applications finalised[3]	12,607	11,939
Applications not yet lodged[4]	1,767	2,716
Total[5]	**31,087**	**30,932**

Graph 1 IMAs across main processing stages

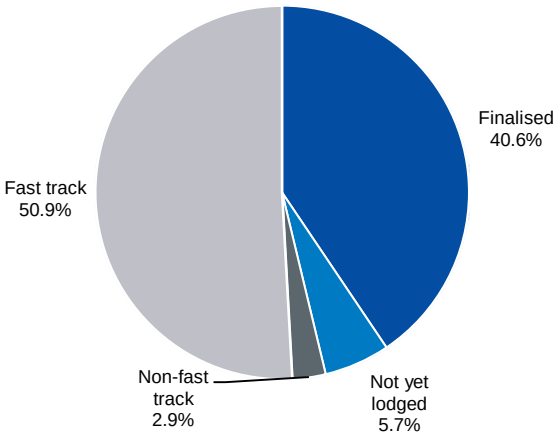


Table 2 State and territory of residence – not applied and on hand applications

State and territory of residence	August 2017		July 2017	
	On hand	Not applied	On hand	Not applied
New South Wales (NSW)	6,654	616	6,468	945
Victoria (Vic)	6,753	916	6,335	1,489
Queensland (Qld)	1,350	72	1,428	89
South Australia (SA)	1,079	44	1,139	49
Western Australia (WA)	662	99	701	114
Australian Capital Territory (ACT)	108	<10	107	<10
Northern Territory (NT)	65	11	62	18
Tasmania (Tas)	42	<10	42	<10
Sub-total	**16,713**	**1,767**	**16,282**	**2,716**
Total		**18,480**		**18,998**

<10 – the data has been masked to protect confidentiality of individuals.

Graph 2 State and territory of residence – on hand applications

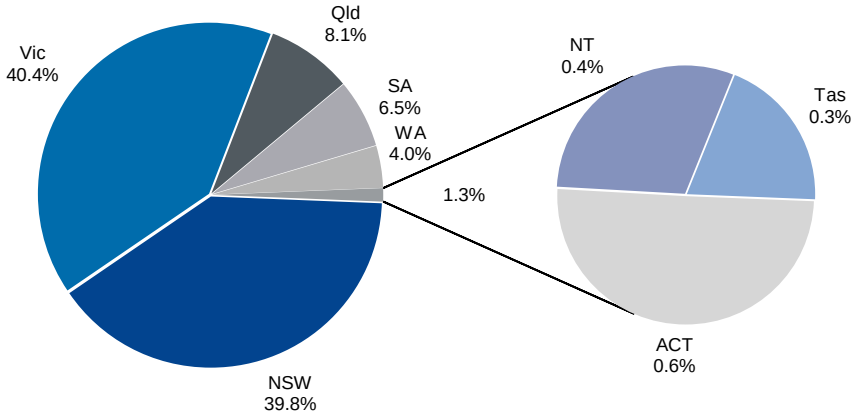


Table 3 Main citizenships[6] – not applied and on hand applications

Country of citizenship	August 2017	July 2017
Iran	6,098	6,242
Sri Lanka	3,359	3,446
Stateless	2,416	2,429
Afghanistan	2,028	2,135
Pakistan	1,262	1,318
Iraq	867	935
Vietnam	510	515
Bangladesh	418	420
Other	1,522	1,558
Total	**18,480**	**18,998**

Graph 3 Main citizenships[6] – not applied and on hand applications

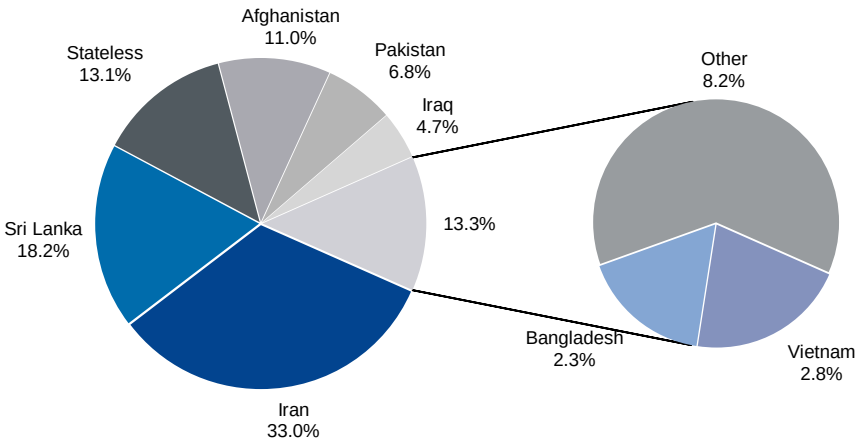


Table 4 Immigration status[7] – not applied and on hand applications

Status	August 2017	July 2017
Held detention[8]	132	126
Residence determination	92	85
In community	18,256	18,787
Total	**18,480**	**18,998**

IMA Legacy Caseload – Processing status

Table 5 Non-fast track applications[9] by processing status

Processing status			August 2017	July 2017
	TPV	SHEV	Total	Total
Applied and on hand[2]				
Primary – at assessment[10]	97	353	**450**	**487**
Primary – awaiting checks[11]	36	31	**67**	**88**
On hand other[12]	289	88	**377**	**346**
Total	**422**	**472**	**894**	**921**
Applications finalised[3]				
Primary grants	1,003	327	**1,330**	**1,290**
Post-review grants[13]	2,153	<10	**2,154**	**2,140**
Finalised refusals[14]	1,847	44	**1,891**	**1,925**
Total	**5,003**	**372**	**5,375**	**5,355**

<10 – the data has been masked to protect confidentiality of individuals.

Table 6 Fast track applications by processing status

Processing status			August 2017	July 2017
	TPV	SHEV	Total	Total
Applied and on hand[2]				
Primary – at assessment[10]	1,707	12,148	**13,855**	**13,434**
Primary – awaiting checks[11]	111	442	**553**	**549**
On hand other[12]	246	1,165	**1,411**	**1,378**
Total	**2,064**	**13,755**	**15,819**	**15,361**
Applications finalised[3]				
Primary grants	1,204	4,162	**5,366**	**4,912**
Post-review grants[13]	102	188	**290**	**250**
Finalised refusals[14]	406	1,170	**1,576**	**1,417**
Total	**1,712**	**5,520**	**7,232**	**6,579**
Applications not yet lodged[4]	**N/A**	**N/A**	**1,767**	**2,716**

Technical notes

1. 18 September 2013 refers to the date on which the Liberal–National Coalition Government was sworn into office. Applications on hand and those IMAs who had not yet commenced a protection assessment process at this time are considered to fall within the IMA Legacy Caseload.
2. ‘Applied and on hand’ refers to valid protection visa applications which the Department has received and is currently processing and assessing. It includes applications being processed at a merits review tribunal.
3. ‘Applications finalised’ refers to applications on which the Department has made a decision – either a grant or refusal, including where the merits review has affirmed the Department’s decision. Figures exclude applications that have been finalised for others reasons (for example, where a person departed Australia or applications which are withdrawn).
4. ‘Applications not yet lodged’ refers to IMAs remaining in the IMA Legacy Caseload who have not yet lodged a valid protection visa application.
5. This number represents people from the IMA Legacy Caseload who have submitted a valid application that is currently being processed; had their application finalised – either granted or refused; or are yet to apply. This is not equal to the total number of people who are considered to have ‘ever’ been in the IMA Legacy Caseload. For example, people who died or departed prior to their application being finalised are not counted in this total as their applications were not processed to finalisation.
6. Table 3 and Graph 3 show a list of countries of citizenship which the persons in the caseload claimed upon arrival to Australia. This citizenship may not have been independently confirmed by the Department.
7. Figures exclude certain cohorts of IMAs that do not form part of the IMA Legacy Caseload (for example, medical transferees from a Regional Processing Centre).
8. 'Held detention' includes a small number of IMAs who are in correctional facilities.
9. 'Non-fast track applications' includes a small number of cases processed under the non-statutory Protection Obligations Determination (POD) or Refugee Status Assessment (RSA) processes that were in place prior to March 2012.
10. ‘Primary – at assessment’ includes persons granted a TPV who have subsequently re-applied for a SHEV.
11. 'Primary – awaiting checks' includes applications where the applicant has been indicatively found not to be a refugee but the application is in the process of being quality checked prior to the completion of the primary decision.
12. 'On hand other' includes applications at a range of post-primary stages – the merits review (either with the Administrative Appeals Tribunal (AAT), Immigration Assessment Authority (IAA) or in the period during which review can be sought – "the review window"), remittals from review (merits or judicial) undergoing checks prior to finalisation, and applications not elsewhere classified.
13. ‘Post-review grants’ includes IMAs granted a visa after a remittal to the Department following a merits or judicial review.
14. ‘Finalised refusals’ includes applications undergoing ministerial intervention or judicial review.