

63. IMMIGRATION ADVICE AND APPLICATION ASSISTANCE SCHEME

The IAAAS gives free, professional migration advice and application assistance to eligible, needy immigration clients

Why?

The Immigration Advice and Application Assistance Scheme (IAAAS) exists to ensure as far as possible that the most vulnerable of visa applicants or prospective applicants or sponsors have their claims for visas made and heard properly, by providing professional assistance, free of charge, to make applications or receive advice. This assists claims to be assessed fully and quickly. It also reinforces Australia's commitment to international refugee conventions and protocols and avoids 'refoulement' (the wrongful return to their home country of a person with a well-founded fear of persecution in that country). IAAAS helps by ensuring that any claims for protection are presented by dedicated, independent professionals and are given a thorough hearing at both primary and merits review stages, as necessary.

NB: Clients do not need to use IAAAS services and may lodge applications without assistance.

A little bit of advice or a lot of assistance?

'Application Assistance', full or partial, is where an agent takes significant carriage of an application, at departmental or review levels, in detention or in the community, for the benefit of the client, including interpreting and translating. 'Advice' is where agents simply provide advice in person, by phone, in groups or individually.

Who is IAAAS for?

Persons eligible for Application Assistance include all protection visa applicants in detention, and, in the community, the most disadvantaged protection and other visa applicants or sponsors. Advice sessions are designed for disadvantaged visa applicants or sponsors in the community. See **What counts as Disadvantage?** below.

Who does it?

There are 23 IAAAS providers around Australia, who are Registered Migration Agents, listed overleaf. From the community, people may choose among providers listed for their area. In detention, a provider is allocated and a detainee may accept or refuse the service for which no charge is made. Persons who seek non-IAAAS assistance, or assistance beyond the IAAAS scope, should engage a Registered Migration Agent privately. IAAAS is separate from any free

general legal aid funded by any government, and from 'pro-bono' service that may be offered by some Migration Agents, including IAAAS providers.

When does it stop?

Once a person's claims have been heard but rejected at the primary, or departmental, level, and this decision is affirmed or upheld at the Review Tribunal level, no further IAAAS funded assistance is available. IAAAS is therefore not available to persons appealing to courts of law, or to the Minister for Immigration for intervention. IAAAS is not intended to provide free assistance to all visa applicants

What counts as Disadvantage?

Before helping a person using IAAAS, providers will need to examine the person's circumstances.

A 'Disadvantaged Person' is one who is in financial hardship **and** disadvantaged due to:

- Non-English speaking background, youth or other cultural issues such as gender barriers preventing assistance;
- Illiteracy in main language of country of origin;
- Remote location (outside any Australian Capital City, except areas with known Registered Migration Agents);
- Physical or psychological disability, including from past torture or trauma; or
- Physical or psychological harm resulting from domestic violence.

IAAAS in 2005-2006

In 2005-2006 the cost of providing IAAAS services (**preliminary figures**) was some \$2.2 million, comprising:

- \$1.2 million for application assistance to 624 protection visa applicants in immigration detention
- \$0.6 million for application assistance to 442 disadvantaged visa applicants in the community and
- \$0.35 million for immigration advice to 5,321 disadvantaged persons in the community.

Further information is available on the department web site: <http://www.immi.gov.au>

The department also operates a 24-hour national telephone service inquiry line on 131 881, for the cost of a local call anywhere in Australia.

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IAAAS Migration Agent Service Providers 2006 – 2007

AGENT'S NAME AND ADDRESS	CONTACT DETAILS	SERVICES	
		Detention	Community
Australian Refugee Association Inc (ARA) 304 Henley Beach Road, UNDERDALE SA 5032	(08) 8354 2951 www.ausref.net Kevin.liston@ausref.net	Baxter	SA - Adelaide, Murray Bridge, Mt Gambier, Riverland, Bordertown
Florin Burhala & Associates Pty Ltd Lev 6, 340 Collins Street MELBOURNE VIC 3000	(03) 9642 5855 or 1300 662 011 www.fblawyers.com.au fburhala@fblawyers.com.au	Melbourne, Christmas Island Baxter	VIC and TAS
Centrecare Migrant Services (CMS) 456 Hay Street PERTH WA 6000	(08) 9325 6644 enquiries@centrecare.com.au cmc@cmc-perth.org	Perth Christmas Island	WA
Centre for Advocacy, Support and Education (CASE) for Refugees 245 Stirling Street PERTH WA 6000	(08) 9227 7311 admin@caseforrefugees.org.au		WA - Perth
Cope Thornton Lawyers 40-42 Scott Street DANDENONG VIC 3175	(03) 9793 2655 www.copethornton.com Michaelt@copethornton.com.au		VIC - Sth Eastern Melbourne including Dandenong, Berwick, Springvale & surrounding area
Craddock Murray Neumann Lev 1, 255 Castlereagh St, SYDNEY NSW 2000	(02) 9283 4755 www.craddock.com.au jvanleer@craddock.com.au	Sydney Melbourne, Christmas Island Baxter	NSW - Sydney, VIC - Melbourne
Libby Hogarth & Associates 376 Gilles Street ADELAIDE SA 5000	(08) 8232 4100 migration@libbyhogarth.com.au www.libbyhogarth.com.au	Christmas Island Baxter	
Illawarra Multicultural Services 21-29 Atchison Street WOLLONGONG NSW 2520	(02) 4229 6855 info@ims.org.au afield@ims.org.au		NSW - Illawarra region
Immigration Advice & Rights Centre Inc (IARC) Lev 4, 414 Elizabeth Street SURREY HILLS NSW 2010	(02) 9281 1609 www.iarc.asn.au iarc@iarc.asn.au		NSW
John Vrachnas Lev 1, 101 Toorak Road SOUTH YARRA VIC 3141	(03) 9866 2355 jvrac@tpg.com.au	Melbourne, Sydney Baxter Christmas Island	
Legal Aid Commission of New South Wales 323 Castleagh St SYDNEY NSW 2000	(02) 9219 5790 www.legalaid.nsw.gov.au	Sydney	NSW
Northern Territory Legal Aid Commission 6th Flr, 9-11 Cavenagh St DARWIN NT 0801	(08) 8999 3044 www.ntlac.nt.gov.au barbara.elli@ntlac.nt.gov.au	Darwin	NT - Darwin, Katherine, Alice Springs, Tennant Creek
Legal Services Commission of SA 82-98 Wakefield Street ADELAIDE SA 5000	1300 366 424 www.lsc.sa.gov.au lsc.migration@saugov.sa.gov.au	Baxter Christmas Island	SA

AGENT'S NAME AND ADDRESS	CONTACT DETAILS	SERVICES	
		Detention	Community
Legal Aid Western Australia 55 George's Terrace PERTH WA 6000	(08) 9261 6277 www.legalaid.wa.gov.au	Perth Christmas Island	WA
Migrant Resource Centre of Newcastle and Hunter Region Ltd 8 Chaucer Street HAMILTON NSW 2303	(02) 4969 3399 www.mrcnh.org irina@mrcnh.org		NSW – Newcastle, Lake Macquarie, mid & upper Hunter, Coff's Harbour, Lismore, Armidale, Tamworth, Orange, Bathurst, Dubbo, Hunter, Central Coast
Migrant Information Centre (Eastern Melbourne) 333 Mitcham Road MITCHAM VIC 3132	(03) 9873 1666 www.miceastmelb.com.au mic@miceastmelb.com.au		VIC - Boondara, Knox, Manningham, Maroondah, Monash, Whitehorse & Shire of Yarra Ranges
Migrant Resource Centre (Northern Tasmania) Inc 1st Flr, 95-99 Cameron St LAUNCESTON TAS 7250	(03) 6331 2300; (03) 6332 2211 www.mrcltn.org.au iaaas@mrcltn.org.au		TAS – Launceston, outreach services to Hobart, Davenport and Burnie
Playfair Visa & Migration Services Level 5, 37 Bligh Street SYDNEY NSW 2000	(02) 9233 8899 www.playfair.com.au info@playfair.com.au	Sydney Baxter Christmas Island	NSW
Refugee Advice and Casework Service (RACS) Suite 8c, 46-56 Kippax St SURRY HILLS NSW 2010	(02) 9211 4001 www.racs.org.au admin@racs.org.au	Sydney, Christmas Island Baxter	NSW ACT
Refugee & Immigration Legal Centre Inc (RILC) 95 Brunswick Street FITZROY VIC 3065	(03) 9483 1144 www.rilc.org.au rilc@rilc.org.au	Melbourne Christmas Island Baxter	VIC TAS
Refugee and Immigration Legal Service (RAILS) 1st Flr, Boundary Chambers 170 Boundary Street WEST END QLD 4101	(07) 3846 3189 www.rails.org.au admin@rails.org.au		QLD - Brisbane and SE QLD, outreach services to rest of QLD
Southern Communities Advocacy Legal and Education Service (SCALES) Ground Flr, Lotteries House 6 Civic Boulevard ROCKINGHAM WA 6168	(08) 9528 6077 Scales@murdoch.edu.au www.law.murdoch.edu.au/scales	Perth	WA
Victoria Legal Aid Commission 350 Queen Street MELBOURNE VIC 3000	(03) 9269 0219 Peggy.k@vla.vic.gov.au	Melbourne	VIC