

FAST TRACK ASSESSMENT PROCESS

Who does it apply to?

Recently, the Australian government introduced new laws for the processing of protection claims of people who arrived in Australia **by boat** without a visa between **13 August 2012 and 1 January 2014**. If you are one of these people, you will now have your case processed under the government's new Fast Track Assessment (**FTA**) process.

Currently, this new FTA process does not apply to people who were transferred to a regional processing country (such as Nauru or Papua New Guinea).

What is the Fast Track Assessment process?

The government has stated that the FTA process is to allow the Department of Immigration and Border Protection to **process claims for protection quicker and more efficiently**. Key aspects of this new process are as follows:

- you will be **required to lodge a protection visa** application setting out all of your claims for protection;
- after you have lodged your protection visa application, you may be given only **short periods of time** by the Department to provide additional information before a decision is made on your case; and
- If your case is refused by the Department you **cannot apply to the Refugee Review Tribunal** for review of that decision. However, if the Department refers your case to the Immigration Assessment Authority (**IAA**) you will be able to access a **limited form of review**.

Immigration Assessment Authority (IAA)

If you are unsuccessful and the Department decides that you are not owed protection, you **cannot** apply to the Refugee Review Tribunal for review. Instead, your decision **may** be referred to the Immigration Assessment Authority (**IAA**) for a **limited** form of review.

Reviews by the IAA will use the **same information** provided to the Department and new information can only be considered by the IAA in **exceptional circumstances**. If your case is referred to the IAA you will **not** be entitled to an oral hearing to explain your case. If your case is not referred to the IAA then you will **not** be able to access any independent review of the Department's decision (other than by challenging it in a court of law).

When will the Fast Track Assessment process start?

The government has **not** announced when the FTA process will start. However, they have stated that they will notify these people personally in writing when it does. It is very important for you to keep your contact details up-to-date with the Department.