Immigration Advice and Rights Centre: **Assisting Afghan refugees with help from pro bono lawyers**

Joshua Strutt, Senior Solicitor at the Immigration Advice and Rights Centre (IARC)

Q&A with Joshua Strutt, Senior Solicitor

APBC: Please describe IARC, its activities and goals.

Joshua Strutt: Immigration Advice and Rights Centre (IARC) is a not-for-profit, specialist community legal centre providing free legal advice and assistance to people throughout New South Wales. As a community legal centre, our mission is to help those with the greatest need. We provide advice in relation to immigration and domestic violence, migrant worker exploitation, Family visas, Refugee and Humanitarian visas, visa cancellations, and citizenship. IARC promotes a fairer immigration system through community development, law reform, and free legal education to workers and the general public.

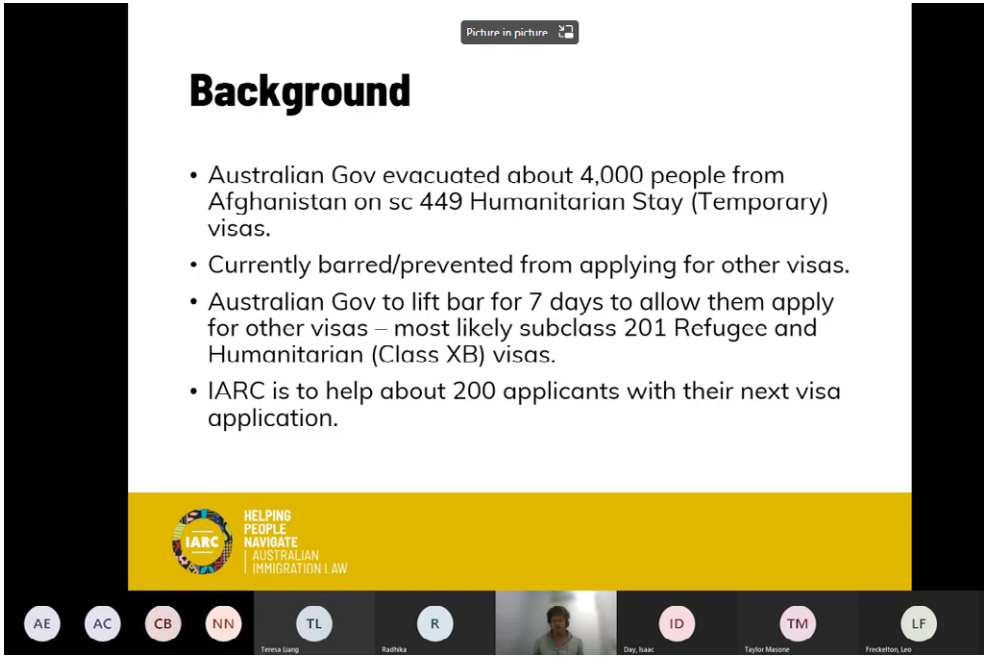
APBC: IARC has recently been supporting Afghan evacuees to complete their visa applications. Please describe this work, including the number of evacuees you have supported and the benefits to those evacuees whose applications are successful.

JS: IARC has spent the first half of this year assisting Afghan evacuees in New South Wales apply for permanent residency in Australia. It is a mammoth task, and to date, IARC has been referred over 250 Afghan clients. The work involves assisting clients to complete Refugee and Humanitarian visa applications and statements in support, and then lodging those applications with the Department of Home Affairs. Each visa application can take anywhere from five to ten hours, from initial contact to lodgement. After lodging the applications, clients may also be asked to provide further information to assist the Department in assessing their application and can be called up for an interview. IARC is assisting these clients at every stage of the process, up until a final visa decision is made.

"Assisting with the Afghan evacuees as a secondee at IARC has been an eye-opening and highly meaningful process. You hear so many stories about the terrible circumstances faced by vulnerable groups when the Taliban came into power, families that have been split across different countries, and it really serves as a reminder of the impact IARC's work has on the lives of these evacuees, and with their other clients.

Through the Afghan evacuees work, I have learnt a lot about both the law surrounding protection and humanitarian visas, and of the unique challenges of working with clients through interpreters. It has also been amazing being able to see the amount of work that has gone behind the scenes by Josh and the IARC team to run and coordinate this large project."

***Ying Yi Lim,** Lawyer, Norton Rose Fulbright*



Afghanistan evacuees - Subclass 449 visa holders IARC training session

"I recently had the opportunity to join many other volunteers in assisting with IARC's effort to finalise 100s of Afghan evacuee Refugee and Humanitarian visa applications. I have been a practicing solicitor for over a decade with experience practicing in the community, private and not-for-profit sectors and I found my experience with this project to be one of the most rewarding and fulfilling of my career.

The project was exceptionally well coordinated with great support and training provided by IARC to the volunteers such that even I, a relative newcomer to migration law, was able to successfully assist an Afghan evacuee in securing her Refugee and Humanitarian visa for herself and her son. I will forever be grateful to IARC for providing me with the opportunity to assist this family and appreciative that an organisation like this exists and is helping thousands of families every year."

Thomas Costa,
Assistant Secretary, Unions NSW

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So far, we have already had 50 clients granted their Refugee and Humanitarian visa. This visa is a permanent visa and allows Afghan evacuees access to Medicare and Centrelink in Australia. They may also be able to apply for Australian citizenship once they have been living here for at least four years. This is a fantastic outcome for them, especially because this permanency and support gives them the opportunity to plan for their future and to make Australia their home.

APBC: IARC recently put out a call for pro bono assistance to bolster its work for Afghan evacuees. Please describe how pro bono lawyers have been supporting this work.

JS: When I first heard about this project and saw the number of visa applications we would need to complete, I knew it was beyond what we had the capacity to do by ourselves. We put a call out through IARC's networks to see if we could reach solicitors working in any setting who would be willing to assist us with completing the visa applications. The requirements to volunteer were simple: you needed a current practising certificate, a Working with Children Check, and to attend a training session with IARC. The response we received from our networks was simply astounding. To date, we have had over 90 solicitors put their hand up to assist with this project. These numbers are so heartening, and they speak volumes to the importance of the work.

The work itself involves assigning clients to volunteer solicitors, who – often using an interpreter – complete the form and statement with the client. We give the volunteer solicitor seven days to complete the application with the client, as well as the flexibility to arrange an appointment with the client at a time that suits them both, and to opt in and out depending on their capacity. The applications can take anywhere from three to five hours to complete.

The ability to assign clients to volunteer solicitors has allowed IARC to get through a large number of applications much quicker than we could have if we were doing them by ourselves. Because of them, every Afghan evacuee referred to IARC has been assigned to a volunteer solicitor and the vast majority of Afghan clients have already had draft applications completed. We know how difficult it is for people living with the uncertainty of a temporary visa, so the quicker we can get their Refugee and Humanitarian visa applications done, the better. Our volunteer solicitors have been invaluable in this regard.

APBC: Please describe the training pro bono lawyers have received from IARC to support their involvement.

JS: IARC arranged online training sessions through Microsoft Teams for all volunteer solicitors. The online training explained the law around Refugee and Humanitarian visas and how to apply for one of these visas. These training sessions were recorded so that solicitors could also view them in their own time.

I also put my personal mobile and email address on every email so that volunteer solicitors could call me directly to discuss any questions they may have regarding their matter.

APBC: If pro bono lawyers are keen to support IARC in the future, how can they register their support?

JS: If solicitors are interested in assisting IARC with our work, they can send us an email to info@iarc.org.au and we will reach out to them when the next pro bono opportunity arises. ■

"Assisting IARC with the Afghan evacuees project has been tremendously rewarding on both a personal and professional level. The work was incredibly interesting and I learned a lot about the workings of our immigration system.

More importantly, however, the work assisted individuals and families who have fled the horrendous situation in Afghanistan to remain safely in Australia. While it is terrible that these people were forced to flee their homes as a result of the violence and oppression of the Taliban's regime, the security of a new life in Australia, with the knowledge that they are able to remain here for as long as they choose, will hopefully provide a fresh start with new opportunities. Being able to contribute in a small way to that process has been extremely fulfilling and thrown into sharp relief how lucky we are to live in this country.

The work that IARC does in this space is incredible – the impact that it has for people who, through no fault of their own, are forced to uproot their lives to protect themselves and their families, cannot be understated."

Sophie Allchurch,
Lawyer, Senior Manager,
Macquarie Group Limited

***Joshua Strutt** is a Senior Solicitor at the Immigration Advice and Rights Centre (IARC). He manages the Visa Assist project with Unions NSW and is coordinating IARC's Afghan evacuee project. He has more than eight years' experience as a solicitor, working in a variety of commercial and not-for-profit organisations. He has extensive experience in immigration law, including assisting asylum seekers and refugees apply for protection in Australia, assisting with family reunion through the family visa program, and advocating for the rights of migrant workers in Australia. He has represented and advocated for visa applicants and visa holders at the Department of Home Affairs at both merits and judicial review stages.*

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