

RACS REFUGEE ADVICE & CASEWORK SERVICE

Dear Counsel,

We are pleased to inform you that RACS' Judicial Review Referral Service for 'fast track applicants' under the *Migration Act 1958* (Cth) has commenced.

The service is called Justice for Refugee or 'J4R@RACS'. Legal Aid NSW has generously funded RACS' involvement with the project for 12 months and its supporters include the Immigration Advice and Right Centre (IARC).

J4R@RACS aims to provide assistance to fast track applicants in New South Wales who have received a negative decision in the Immigration Assessment Authority (IAA) or have been excluded from review in the IAA by the Department of Immigration and Border Protection at the time it refuses applications for a protection visas. If capacity allows, we may extend the service to those in certain Immigration Detention Centres in limited circumstances.

The service will be relying on support from a network of members of the New South Wales Bar who are administrative or immigration law specialists, or those looking to develop a practice in these areas, to provide advice on the prospects of success of an application for judicial review, and if positive, to provide representation in the Federal Circuit Court.

The J4R@RACS Team

Mariam Hammoudy and I have recently joined RACS to staff J4R@RACS as Legal Administrative Assistant and solicitor respectively. Mariam has just completed her Professional Legal Training with RACS and is about to graduate with her LLB. I worked there as an 'intern' for a semester in 2015 as part of my recently completed LLM and stayed on as a volunteer having enjoyed working there a great deal.

We thank counsel who have already accepted briefs for advice on prospects while we have been setting up for J4R@RACS. It has been very much appreciated.

Further Information and Training

We are planning to hold an information and training session on J4R@RACS and the relevant part of the Act later in September. So please look out for an invite.

Volunteer Barrister Agreement

On the first occasion we refer a matter to you for advice, we will need you to sign a short Volunteer Barrister Agreement covering each party's responsibilities, mainly being confidentiality.

Timing of Advice

As Counsel will no doubt be aware, the matters we are dealing with have time limitations in which to apply for judicial review. The other consideration for these applicants is the expiry of any bridging visa they may have, the date of which may be *before* they have to file for judicial review. When their bridging visa expires they become unlawful and risk being taken into detention. Therefore it is crucial that members of the network are able to respond to requests for advice promptly within the timeframe agreed with RACS when accepting a brief for advice. This could be as short as 3 - 5 working days.

Indicating Your Interest

If have already indicated to RACS that you are interested in providing pro bono assistance or attended the Refugee Justice Network training on judicial review run by Nicholas Poynder on 10 February this year, you do not need to do anything, as we have your details on file.

Otherwise, if you would like to be included on our network list, please drop an email to Mariam at the following address: mariam.hammoudy@racs.org.au

We look forward to referring a matter to you soon.

Kind Regards
Nadine Darling

Solicitor
Refugee Advice & Casework Service (Aust) Inc.
Address: 1-3 Eurimbla Ave, Randwick NSW 2031