

**HOME AFFAIRS PORTFOLIO  
DEPARTMENT OF HOME AFFAIRS**

**PARLIAMENTARY INQUIRY SPOKEN QUESTION ON NOTICE**

Legal and Constitutional Affairs References Committee

Inquiry into Offshore processing and resettlement arrangements

Tuesday 5 May 2026

**QoN Number: 11**

**Subject: Drafting of new laws or policies in order to directly respond the High Court judgement**

**Asked by:** Senator Leah Blyth

**Question:**

**Senator Leah Blyth** – ‘OK. Yeah, that that is more than reasonable. And I guess, and this may be one you have to take on notice as well, have you been asked by Minister Burke or any other member of the Albanese government to draft new laws or policies in order to directly respond to the High Court judgement that was made on the 18th of March this year?’

**Ms Clare Sharp PSM** – ‘Senator, I think we'd need to take it on notice. As I said, we were focused in our preparation on the terms of reference for this inquiry.’

**Senator Leah Blyth** – ‘No problem. That's fine for you to take that on notice.’

**Answer:**

Since the High Court's NZYQ decision, the Department of Home Affairs has engaged in ongoing discussions with the Hon Tony Burke MP, Minister for Home Affairs on the policy and legislative options available to the Government in relation to managing risks posed by NZYQ affected non-citizens, including in the lead-up and in response to major litigation outcomes.