

**HOME AFFAIRS PORTFOLIO
DEPARTMENT HOME AFFAIRS**

PARLIAMENTARY INQUIRY QUESTION TAKEN ON NOTICE:

LEGAL AND CONSTITUTIONAL AFFAIRS LEGISLATION COMMITTEE
Australian Citizenship Legislation Amendment (Strengthening the Commitments for
Australian Citizenship and Other
11 February 2019

QoN Number: SCACOMB/001

Subject: AAT Overturns

Asked Submitted by: Pauline Hanson

Question:

Senator HANSON: How many citizenships would you have revoked, say, in the last two years, please?

Mr Kilner: I don't have an annual breakdown here, but I can tell you that, since the commencement of this in the Citizenship Act in 2007, there have been a total of 34 people who have had their citizenship revoked—15 for migration citizenship fraud and 19 for serious criminal convictions.

Senator HANSON: Okay. These 34 people could probably go through the Administrative Appeals Tribunal, couldn't they?

Mr Kilner: They are eligible to seek review of their revocation, yes.

Senator HANSON: How many of those would have been overturned?

Mr Kilner: It is a small number. I don't have that with me but I can take that on notice.

Answer:

In relation to the 34 people revoked under the provisions of the *Citizenship Act 2007*, 18 people have appealed to the Administrative Appeals Tribunal (AAT), and of these:

- The AAT affirmed the Minister's decision in five cases;
- The AAT overturned the Minister's decision in two cases;
- Nine still have outstanding applications; and
- Two clients withdrew their cases.

The Minister appealed the two cases that were overturned by the AAT and these appeals are currently in the High Court and Federal Court respectively.

The Minister was successful in the Federal Court in the only case where a client appealed the AAT decision.