

**SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS
ADDITIONAL ESTIMATES
FEBRUARY 2025**

**Home Affairs Portfolio
Department of Home Affairs**

Program 2.3: Refugee Humanitarian, Settlement and Migrant Services

AE25-375 - Legacy caseload

Senator David Shoebridge asked:

Of the 'Legacy Caseload' who received a negative outcome at the IAA and remain in Australia:

- a. How many have not been granted a substantive visa?
- b. How many are finally determined?
- c. How many have on-going judicial review?
- d. What are the top 10 nationalities?
- e. How many are in detention?
- f. How many are under residence determination?
- g. How many are residing in each State/Territory?
- h. How many are on non-substantive visas (broken down by visa subclass)?
- i. How many have children born in Australia?
- j. How many have been residing in Australia 10 years or more?
- k. How many have been residing in Australia 15 years or more?

Answer:

The following data relates to fast track applicants who have been refused an application for a Temporary Protection (subclass 785) visa or a Safe Haven Enterprise (subclass 790) visa (SHEV). As at 31 December 2024:

- a. 6,065 people did not hold a substantive visa.
- b. 1,817 had nil ongoing matters (excluding possible Ministerial Intervention requests).
- c. 4,240 people had ongoing judicial review.
- d. Top 10 citizenships:

| Citizenship | Persons |
|--------------------|----------------|
| Sri Lanka | 2,331 |
| Iran | 1,464 |
| Pakistan | 640 |
| Iraq | 392 |
| Stateless | 390 |
| Bangladesh | 266 |
| Vietnam | 241 |
| Lebanon | 142 |
| Afghanistan | 64 |
| India | 33 |

- e. 86 people were in held detention.
- f. Six were living in the community under a residence determination.
- g. Residential State/Territory:

| Jurisdiction | Persons |
|---------------------|----------------|
| ACT | 49 |
| NSW | 2,196 |
| NT | 6 |
| QLD | 463 |
| SA | 251 |
| TAS | 5 |
| VIC | 2,853 |
| WA | 242 |
| Grand Total | 6,065 |

Note: The above table shows a person's residential State/Territory as it appears in Home Affairs systems as at 31 December 2024.

- h. 5,186 people were holders of a non-substantive visa including:
 - Less than five were holding a Bridging A (subclass 010) visa.
 - Less than five were holding a Bridging C (subclass 030) visa.
 - 5,157 were holding a Bridging E (subclass 050) visa.
 - Less than five were holding a Bridging E (subclass 051) visa.
 - 26 were holding a Bridging R (subclass 070) visa.
 - Less than five were holding a Criminal Justice (subclass 951) visa.
- i. 253 children who received a negative outcome at the IAA and remain in Australia were born in Australia.
- j. 6,063 people have been residing in Australia for 10 years or more.
- k. Less than five people have been residing in Australia for 15 years or more.

Note: This information is provided by the Department of Home Affairs and was extracted from departmental systems as at 31 December 2024. As data has been drawn from a dynamic system environment, the information is correct at the time of extraction and figures may differ slightly from previous or future reporting.