

**SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS
ADDITIONAL ESTIMATES
FEBRUARY 2024**

**Home Affairs Portfolio
Department of Home Affairs**

Program 2.3: Refugee Humanitarian, Settlement and Migrant Services

AE24-701 - Onshore Asylum - Permanent Protection Applicants Seeking Judicial Review

Senator Nick McKim asked:

For the last five (5) program years, how many unsuccessful permanent protection visa applicants have sought judicial review of their negative decision?

a. How many have been successful and how many are yet to be decided (broken down by program year and court)?

Answer:

For the purposes of this response 'program years' equates to calendar years.

The figures in this response are accurate up to and including 31 December 2023.

In the last five program years, there have been 9,148 unsuccessful permanent Protection visa applicants that had sought judicial review. During the same period, 682 applicants were successful in their judicial review applications.

As at 31 December 2023, 5,723 judicial review applications were yet to be decided.

A breakdown of these figures by program year is provided below:

Successful Applications

Financial Year	Federal Circuit & Family Court (FCFC)	Federal Court (FC)	Full Federal Court (FFC)	High Court (HC)	Total
2019	52	<5	27	<5	80
2020	297	<5	34	<5	335
2021	75	<5	12	<5	92
2022	69	<5	14	<5	86
2023	73	5	11	<5	89

Unresolved applications

FCFC	FC	FFC	HC	Total
5,583	10	128	2	5,723