

Question on notice no. 364

Portfolio question number: AE21-364

2020-21 Additional estimates

Legal and Constitutional Affairs Committee, Home Affairs Portfolio

Senator Nick McKim: asked the Department of Home Affairs on 22 March 2021—

Please provide updates on the following tables provided in response to earlier questions:

BE20-350/AE20-199 – Tables with numbers of humanitarian visas cancelled under ss 116 and 501, and corresponding detention/removals.

Answer —

Please see the attached answer.

**SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS
ADDITIONAL ESTIMATES
22 MARCH 2021**

**Home Affairs Portfolio
Department of Home Affairs**

Program 1.4: IMA Offshore Management

AE21-364 - Update to previous QoNs BE20-350 / AE20-199

Senator Nick McKim asked:

Please provide updates on the following tables provided in response to earlier questions:

BE20-350/AE20-199 – Tables with numbers of humanitarian visas cancelled under ss 116 and 501, and corresponding detention/removals.

Answer:

Table 1: Number of protection visas, refugee visas and humanitarian visas (by subclass) cancelled under section 116 of the *Migration Act 1958* (the Act).

Financial Year	Visa Subclass							Total
	200	201	202	449	785	790	866	
2020-21 (as at 31 March 21)	<5				<5	6	2	14
2019-20		<5			6	6	6	20
2018-19			<5		8	10	<5	22
2017-18					<5	<5	<5	6
2016-17	<5			<5			<5	6
2015-16								0
2014-15							5	5
Total	<5	<5	<5	<5	20	23	24	73

- Figures were extracted from departmental systems on 6 April 2021. As data has been drawn from a live systems environment, the figures provided may differ slightly in previous or future reporting.
- As data has been drawn from a live systems environment, the figures provided may differ slightly in previous or future reporting.

Table 2: Number of protection visas, refugee visas and humanitarian visas (by subclass) cancelled under section 501 of the Act.

Financial Year	Visa Subclass							Total
	200	201	202	204	785	790	866	
2020-21 (as at 31 March 21)	21		16	5		8	12	62
2019-20	32		40	<5	5	8	19	107
2018-19	16	<5	26	7	<5	<5	22	76
2017-18	26	<5	19	<5	<5		19	68
2016-17	36		57	5			28	125
2015-16	19		23	<5			18	63
2014-15	17		14	<5			<5	38
Total	167	<5	195	29	7	19	122	541

- Figures were extracted from departmental systems on 9 April 2021. As data has been drawn from a live systems environment, the figures provided may differ slightly in previous or future reporting.

Table 3: Persons detained following cancellation of their protection visas, refugee visas and humanitarian visas under s501 and s116 of the Act.

Detained Financial Year	s501	s116	Total
2020-21 (as at 31 March 2021)	48	5	53
2019-20	86	7	93
2018-19	62	5	67
2017-18	75	0	75
2016-17	71	0	71
2015-16	57	0	57
2014-15	19	0	19
Total	418	17	435

- Figures were extracted from departmental systems on 12 April 2021. As data has been drawn from a live systems environment, the figures provided may differ slightly in previous or future reporting.

2. a) As at 31 March 2021, there were 202 persons in held detention who had their protection visa, refugee visa, or humanitarian visa cancelled under s501 or s116 between 1 July 2014 and 31 March 2021.

- Figures were extracted from departmental systems on 1 April 2021. As data has been drawn from a live systems environment, the figures provided may differ slightly in previous or future reporting.

2. b) As at 31 March 2021, there were no persons in the community on a residence determination who were detained between 1 July 2014 and 31 March 2021 due to their visa being cancelled under s501 or s116 of the Act.

- Figures were extracted from departmental systems on 12 April 2021. As data has been drawn from a live systems environment, the figures provided may differ slightly in previous or future reporting.

Table 4: Persons removed from Australia voluntarily, by destination country, following cancellation of their protection visa, refugee visa or humanitarian visa under s501 or s116 of the Act.

Citizenship at departure	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21 (Jul-Mar)
Afghanistan	<5	<5			<5	
Bosnia - Herzegovina		<5				
China						<5
Colombia		<5				
East Timor				<5		
Eritrea					<5	
Ethiopia		<5			<5	
Indonesia				<5		
Iran	<5	<5	<5	<5	<5	
Iraq	<5	<5	<5			
Nigeria				<5		
Palestinian Authority		<5				
Serbia			<5			
Solomon Islands			<5			
Somalia					<5	
South Sudan		<5		<5		
Sri Lanka					<5	
Stateless			<5			
Sudan	<5		<5	<5	<5	
Turkey				<5		
Unknown				<5		
Vietnam					<5	
Yugoslavia			<5			
Zimbabwe			<5			
Total	<5	9	11	9	11	<5

- Citizenship is based on the individual's citizenship at time of removal.
- Individuals were removed to their country of origin or a third country.
- As data has been drawn from a live systems environment, the figures provided may differ slightly in previous or future reporting.
- Figures were extracted from departmental systems on 6 April 2021. As data has been drawn from a live systems environment, the figures provided may differ slightly in previous or future reporting.

Table 5: Persons removed from Australia involuntarily, by destination country, following cancellation of their protection visa, refugee visa or humanitarian visa under s501 or s116 of the Act.

Citizenship*	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21 (Jul-Mar)
Bosnia - Herzegovina						<5
Republic Of South Sudan	<5				<5	
Sudan			<5			
Vietnam				<5		
Total	<5	0	<5	<5	<5	<5

- Citizenship is based on the individual's citizenship at time of removal.
- Individuals were removed to their country of origin or a third country.
- Figures were extracted from departmental systems on 6 April 2021. As data has been drawn from a live systems environment, the figures provided may differ slightly in previous or future reporting.

Table 6: Persons released from detention on a visa grant having been previously detained due to cancellation of their protection visa, refugee visa, or humanitarian visa under s501 or s116 of the Act.

Released Financial Year	s501	s116	Total
2020-21 (as at 31 March 2021)	14	<5	15
2019-20	15	<5	16
2018-19	11	<5	15
2017-18	7	0	7
2016-17	22	0	22
2015-16	5	0	5
2014-15	0	0	0
Total	74	6	80

- Figures were extracted from departmental systems on 12 April 2021. As data has been drawn from a live systems environment, the figures provided may differ slightly in previous or future reporting.
- Financial year breakdown is based on the year of visa cancellation/detention, rather than the year of release through a subsequent visa grant.