

Question on notice no. 451

Portfolio question number: AE21-451

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 the number of protection visas, refugee visas, and humanitarian visas cancelled on character or related grounds during the last six financial years to date (broken down by visa subclass) . Of those who have been detained because of these visa cancellations:

- a. how many remain in detention?
- b. how many have been removed from Australia voluntarily, by destination country?
- c. how many have been removed involuntarily, by destination country?
- d. how many have subsequently been released from detention with a visa?

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 2.3: Visas
AE21-451 - Visas cancelled on character or related grounds**

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- a. how many remain in detention?
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- c. how many have been removed involuntarily, by destination country?
- d. how many have subsequently been released from detention with a visa?

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	
2020-2021 (as at 31 March 21)	<5				<5	6	<5	14
2019-2020		<5			6	6	6	20
2018-2019			<5		8	10	<5	22
2017-2018					<5	<5	<5	6
2016-2017	<5			<5			<5	6
2015-2016								0
2014-2015							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.

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	
2020-2021 (as at 31 March 21)	21		16	5		8	12	62
2019-2020	32		40	<5	5	8	19	107
2018-2019	16	<5	26	7	<5	<5	22	76
2017-2018	26	<5	19	<5	<5		19	68
2016-2017	36		57	5			28	125
2015-2016	19		23	<5			18	63
2014-2015	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.

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.

Table 3: 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	2015-2016	2016-2017	2017-2018	2018-2019	2019-2020	2020-2021 (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.
- 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 4: 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*	2015-2016	2016-2017	2017-2018	2018-2019	2019-2020	2020-2021 (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 5: 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
2020/2021 (as at 31 March 2021)	14	<5	15
2019/2020	15	<5	16
2018/2019	11	<5	15
2017/2018	7	0	7
2016/2017	22	0	22
2015/2016	5	0	5
2014/2015	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.