

**Question on notice no. 453**

**Portfolio question number: AE21-453**

**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 people detained on Christmas Island who have previously held a protection visa, refugee, or humanitarian visa, broken down by visa subclass.

- a. How many of these people are engaged in a visa assessment process?
- b. How many of these people are stateless?
- c. What is the length of their detentions (broken down by years of detention across the entire detention network) ?
- d. How many have had their visa cancelled under s.501 Migration Act?
- e. How many have had their visa cancelled under s.116 Migration Act?
- f. How many have not had their visa cancelled?
- g. How many have come straight from prison, having completed their sentence?

**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**

**AE21-453 - Detainees who have previously held a protection, refugee, or humanitarian visa**

Senator Nick McKim asked:

Please provide the number of people detained on Christmas Island who have previously held a protection visa, refugee, or humanitarian visa, broken down by visa subclass.

- a. How many of these people are engaged in a visa assessment process?
- b. How many of these people are stateless?
- c. What is the length of their detentions (broken down by years of detention across the entire detention network)?
- d. How many have had their visa cancelled under s.501 Migration Act?
- e. How many have had their visa cancelled under s.116 Migration Act?
- f. How many have not had their visa cancelled?
- g. How many have come straight from prison, having completed their sentence?

*Answer:*

All below responses relate to Christmas Island detainees who previously held a protection visa, refugee or humanitarian visa as at 31 January 2021.

**Table 1: Christmas Island detainees who previously held a protection visa, refugee or humanitarian visa by visa subclass as at 31 January 2021**

<b>Visa subclass</b>	<b>Number of persons</b>
200	27
201	<5
202	32
204	5
785	<5
790	<5
866	14
<b>Total</b>	<b>85</b>

- a) 46.
- b) Less than five.

c)

**Table 2: Christmas Island detainees who previously held a protection visa, refugee or humanitarian visa by time in held detention as at 31 January 2021**

<b>Time in held detention</b>	<b>Number persons</b>
Less than 1 year	14
1 - 2 years	25
2 - 3 years	12
3 - 4 years	17
4 - 5 years	10
Greater than 5 years	7
<b>Total</b>	<b>85</b>

d) 84.

e) Less than five.

f) Nil.

g) Nil.