

Question on notice no. 470

Portfolio question number: AE21-470

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—

For the last five financial years, how many fast track review applicants have sought judicial review of their negative decision?

- a. How many have been successful and how many are yet to be decided?
- i. Please provide a breakdown by financial year and court.

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 2.4: Refugee and Humanitarian Assistance

AE21-470 - Judicial review - fast track review applicants

Senator Nick McKim asked:

For the last five financial years, how many fast track review applicants have sought judicial review of their negative decision?

- a. How many have been successful and how many are yet to be decided?
i. Please provide a breakdown by financial year and court.

Answer:

In the last five financial years there have been **6920** fast track applicants that have sought judicial review of their negative Immigration Assessment Authority (IAA) decision.

Of the **6920** applications for judicial review of the IAA's decision, a total of **820** applications resulted in an outcome in favour of the applicant and **3436** matters remain as active undecided proceedings before the courts.

Successful Applications

Financial Year	Federal Circuit Court	Federal Court	High Court
2016-17	18	-	-
2017-18	73	17	<5
2018-19	317	101	<5
2019-20	134	47	<5
2020-21	69	31	<5

Unresolved Applications

Federal Circuit Court	Federal Court	High Court
3200	229	7