

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