

**Question on notice no. 472**

**Portfolio question number: AE21-472**

**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 unsuccessful permanent protection visa 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**

**AE21-472 - Judicial review - permanent protection visa applicants**

Senator Nick McKim asked:

For the last five financial years, how many unsuccessful permanent protection visa 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:*

1. In the last five financial years there have been **9,207** unsuccessful permanent protection visa applicants that have sought judicial review.
- a. Of these applications, **913 applicants were successful** in their judicial review applications. As at 31 January 2021, **3,491 application are yet to be decided**. A breakdown of these figures by financial year is provided below:

Successful Applications

Financial Year	Federal Circuit Court	Federal Court	Full Federal Court	High Court
2016/17	50	<5	17	<5
2017/18	121	<5	37	<5
2018/19	121	<5	35	<5
2019/20	342	<5	44	<5
2020/21	116	<5	15	<5

\*Please note that for the financial year 2020/2021, the figures are accurate up to and including 31 January 2021.

Unresolved applications

Federal Circuit Court	Federal Court	Full Federal Court	High Court
3,307	6	174	<5