

Question on notice no. 366

Portfolio question number: BE21-366

2021-22 Budget estimates

Legal and Constitutional Affairs Committee, Home Affairs Portfolio

Senator Nick McKim: asked the Department of Home Affairs on 11 June 2021—

For the last five financial years, how many fast track review applicants have sought judicial review of their negative decision? How many have been successful and how many are yet to be decided?

a. Please provide a breakdown by financial year and court.

Answer —

Please see the attached answer.

**SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS
BUDGET ESTIMATES
24-25 MAY 2021**

**Home Affairs Portfolio
Department of Home Affairs**

Program 2.2: Visas

BE21-366 - Fast Track Review Applicants - Judicial Review

Senator Nick McKim asked:

For the last five financial years, how many fast track review applicants have sought judicial review of their negative decision? How many have been successful and how many are yet to be decided?

a. Please provide a breakdown by financial year and court.

Answer:

In the last five financial years there have been **6,987** fast track applicants that have sought judicial review of their negative Immigration Assessment Authority (IAA) decision.

Of the **6,987** applications for judicial review of the IAA's decision, a total of **836** applications resulted in an outcome in favour of the applicant and **3,408** matters remain as active undecided proceedings before the courts.

Successful Outcomes for Applicants

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	84	32	5

Unresolved Applications

Federal Circuit Court	Federal Court	High Court
3,185	220	<5