

**Question on notice no. 88**

**Portfolio question number: SE21-088**

**2021-22 Supplementary Budget Estimates**

**Legal and Constitutional Affairs Committee, Home Affairs Portfolio**

**Senator Nick McKim:** asked the Department of Home Affairs on 5 November 2021  
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Please update the information provided by the Department in AE21-364 Tables with numbers of humanitarian visas cancelled under ss 116 and 501, and corresponding detention/removals

**Answer —**

Please see attached answer.



**SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS  
SUPPLEMENTARY BUDGET ESTIMATES  
25 OCTOBER 2021**

**Home Affairs Portfolio  
Department of Home Affairs**

**Program 2.2: Visas**

**SE21-088 - Update on AE21-364**

Senator Nick McKim asked:

Please update the information provided by the Department in AE21-364 Tables with numbers of humanitarian visas cancelled under ss 116 and 501, and corresponding detention/removals

*Answer:*

**Table 1: Number of protection visas, refugee visas and humanitarian visas (by subclass) cancelled under section 116 of the *Migration Act 1958* (the Act).**

Financial Year	Visa Subclass							Total
	200	201	202	449	785	790	866	
2021-22 to 31 Aug	<5					<5		<5
2020-21	<5				5	8	<5	16
2019-20		<5			6	6	6	20
2018-19			<5		8	10	<5	22
2017-18					<5	<5	<5	6
2016-17	<5			<5			<5	6
2015-16								0
2014-15							5	5
<b>Total</b>	<b>&lt;5</b>	<b>&lt;5</b>	<b>&lt;5</b>	<b>&lt;5</b>	<b>&lt;22</b>	<b>26</b>	<b>24</b>	<b>77</b>

*Current financial year figures were extracted from departmental systems on 2 Sep 2021. As data has been drawn from a live systems environment, the figures provided may differ slightly in previous or future reporting. As data has been drawn from a live systems environment, the figures provided may differ slightly in previous or future reporting.*



**Table 2: Number of protection visas, refugee visas and humanitarian visas (by subclass) cancelled under section 501 of the Act.**

Financial Year	Visa Subclass							Total
	200	201	202	204	785	790	866	
2021-22 to 31 Aug	<5	<5	<5			<5	<5	9
2020-21	27		24	5		8	15	79
2019-20	32		40	<5	5	8	19	107
2018-19	16	<5	26	7	<5	<5	22	76
2017-18	26	<5	19	<5	<5		19	68
2016-17	36		56	5			28	125
2015-16	19		24	<5			18	64
2014-15	17		14	<5			<5	39
<b>Total</b>	<b>&lt;180</b>	<b>&lt;5</b>	<b>&lt;205</b>	<b>29</b>	<b>7</b>	<b>21</b>	<b>126</b>	<b>567</b>

*Figures were extracted from departmental systems on 2 Sep 2021. As data has been drawn from a live systems environment, the figures provided may differ slightly in previous or future reporting.*

**Table 3: Persons detained following cancellation of their protection visas, refugee visas and humanitarian visas under s501 and s116 of the Act.**

Detained Financial Year	s501	s116	Total
2021-22 to 31 Aug	10	<5	<15
2020-21	73	6	79
2019-20	86	7	93
2018-19	62	5	67
2017-18	75	0	75
2016-17	71	0	71
2015-16	57	0	57
2014-15	19	0	19
<b>Total</b>	<b>453</b>	<b>&lt;25</b>	<b>472</b>

*Figures were extracted from departmental systems on 1 Sep 2021. As data has been drawn from a live systems environment, the figures provided may differ slightly in previous or future reporting.*

- a) As at 31 August 2021, there were 245 persons in held detention who had their protection visa, refugee visa, or humanitarian visa cancelled under s501 or s116 between 1 July 2014 and 31 August 2021.

*Figures were extracted from departmental systems on 2 Sep 2021. As data has been drawn from a live systems environment, the figures provided may differ slightly in previous or future reporting.*

- b) As at 31 August 2021, there were no persons in the community on a residence determination who were detained between 1 July 2014 and 31 August 2021 due to their visa being cancelled under s501 or s116 of the Act.

*Figures were extracted from departmental systems on 2 Sep 2021. As data has been drawn from a live systems environment, the figures provided may differ slightly in previous or future reporting.*



**Table 4: Persons removed from Australia voluntarily, by citizenship country, following cancellation of their protection visa, refugee visa or humanitarian visa under s501 or s116 of the Act.**

Citizenship at departure	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22 to 31 Aug
Afghanistan	<5	<5			<5		
Bosnia - Herzegovina		<5					
China						<5	
Colombia		<5					
East Timor				<5			
Ethiopia		<5			<5		
Indonesia				<5			
Iran	<5	<5	<5	<5	<5		
Iraq	<5	<5	<5			<5	
Liberia				<5			
Nigeria				<5			
Palestinian Authority		<5					
Serbia			<5				
Solomon Islands			<5				
Somalia					<5		
South Sudan		<5		<5			
Sri Lanka					<5		
Stateless			<5				
Sudan	<5		<5	<5	<5		
Turkey				<5			
Unknown				<5			
Vietnam					<5		
Yugoslavia			<5				
Zimbabwe			<5			<5	
<b>Total</b>	<b>5</b>	<b>9</b>	<b>11</b>	<b>12</b>	<b>10</b>	<b>&lt;5</b>	<b>0</b>

*Citizenship is based on the individual's citizenship at time of removal.*

*Individuals were removed to their country of origin or a third country.*

*Figures were extracted from departmental systems on 2 Sep 2021. As data has been drawn from a live systems environment, the figures provided may differ slightly in previous or future reporting.*



**Table 5: Persons removed from Australia involuntarily, by citizenship country, following cancellation of their protection visa, refugee visa or humanitarian visa under s501 or s116 of the Act.**

Citizenship*	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22 to 31 Aug
Bosnia-Herzegovina						<5	
Eritrea					<5		
Republic Of South Sudan	<5				<5		
Sudan			<5				
Vietnam				<5			
<b>Total</b>	<b>&lt;5</b>	<b>0</b>	<b>&lt;5</b>	<b>&lt;5</b>	<b>&lt;5</b>	<b>&lt;5</b>	<b>0</b>

*Citizenship is based on the individual's citizenship at time of removal.*

*Individuals were removed to their country of origin or a third country.*

*Figures were extracted from departmental systems on 2 Sep 2021. As data has been drawn from a live systems environment, the figures provided may differ slightly in previous or future reporting.*

**Table 6: Persons released from detention on a visa grant having been previously detained due to cancellation of their protection visa, refugee visa, or humanitarian visa under s501 or s116 of the Act.**

Released Financial Year	s501	s116	Total
2021-2022 to 31 Aug	<5	0	<5
2020-2021	17	<5	19
2019-2020	15	<5	16
2018-2019	12	<5	16
2017-2018	7	0	7
2016-2017	22	0	22
2015-2016	5	0	5
2014-2015	0	0	0
<b>Total</b>	<b>&lt;85</b>	<b>7</b>	<b>&lt;90</b>

*Figures were extracted from departmental systems on 2 Sep 2021. As data has been drawn from a live systems environment, the figures provided may differ slightly in previous or future reporting.*

*Financial year breakdown is based on the year of visa cancellation/detention, rather than the year of release through a subsequent visa grant.*