

Question on notice no. 111

Portfolio question number: AE22-111

2021-22 Additional estimates

Legal and Constitutional Affairs Committee, Home Affairs Portfolio

Senator Nick McKim: asked the Department of Home Affairs on 14 February 2022

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Since 2018, how many people had legal representation before the AAT in visa cancellation matters (s 501, s 116 and s 109) ?

Answer —

Please see the attached answer.

**SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS
ADDITIONAL BUDGET ESTIMATES
14 FEBRUARY 2022**

**Home Affairs Portfolio
Department of Home Affairs**

Program 2.2: Visas

AE22-111 - Visa cancellations - legal representations

Senator Nick McKim asked:

Since 2018, how many people had legal representation before the AAT in visa cancellation matters (s 501, s 116 and s 109)?

Answer:

Department systems indicate that, from 1 July 2018 to 31 December 2021, of the 1,091 section 501 matters before the AAT General Division, 433 applicants had legal representation. This data is generally taken when applications are received by the Department so does not capture persons who subsequently gain or lose legal representation.

The Minister is not a party to applications for review of ss 116 and s 109 cancellation matters, which are heard by the Migration and Refugee Division of the AAT, and the Department does not hold data on legal representation in those matters.