

Question on notice no. 137

Portfolio question number: AE22-137

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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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 (broken down by financial year and court) ?

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 2.4: IMA Offshore Management

AE22-137 - Permanent Protection visa applicants - Judicial Reviews

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 (broken down by financial year and court)?

Answer:

In the last five financial years there have been 8,811 unsuccessful permanent protection visa applicants that have sought judicial review.

a. Of these applications, 752 applicants were successful in their judicial review applications. As at 31 January 2022, 4,660 applications were yet to be decided. A breakdown of these figures by financial year is provided below:

Successful Applications

Financial Year	Federal Circuit and Family Court	Federal Court	Full Federal Court	High Court	Total
2017/18	36	<5	15	<5	56
2018/19	79	<5	31	<5	112
2019/20	321	<5	43	<5	366
2020/21	139	<5	17	<5	161
2021/22*	47	<5	7	<5	57

**Please note that for the financial year 2021/2022, the figures are accurate up to and including 31 January 2022.*

Unresolved applications

FCFC	FC	FFC	HC	Total
4,449	12	196	<5	4,660