

Question on notice no. 270

Portfolio question number: AE22-270

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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Please provide the Committee with an update of the information provided in the following responses to question on notice:

b. SE21-088 - Tables with numbers of humanitarian visas cancelled under s 116 and s 501, and corresponding detention/removals.

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 3.5: Onshore Compliance and Detention

AE22-270 - Tables with numbers of humanitarian visas cancelled under s 116 and s 501, and corresponding detention/removals.

Senator Nick McKim asked:

Please provide the Committee with an update of the information provided in the following responses to question on notice:

b. SE21-088 - Tables with numbers of humanitarian visas cancelled under s 116 and s 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 Dec	<5				<5	<5		9
2020-21	<5				5	7	<5	15
2019-20		<5			<10	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
Total	<5	<5	<5	<5	<25	28	24	83

Current financial year figures were extracted from departmental systems on 20 March 2022. 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 Dec	14	<5	10			<5	<5	30
2020-21	26		23	5		7	15	76
2019-20	32		40	<5	5	8	19	107
2018-19	16	<5	25	7	<5	<5	22	75
2017-18	26	<5	19	<5	<5		19	68
2016-17	35		57	5			28	125
2015-16	19		23	<5			<20	63
2014-15	16		14	<5			<5	38
Total	184	<5	211	29	7	21	126	582

Figures were extracted from departmental systems on 20 March 2022. 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 Dec	<35	<5	35
2020-21	<75	<10	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
Total	477	19	496

Figures were extracted from departmental systems on 20 March 2022. 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 December 2021, there were 236 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 December 2021.

Figures were extracted from departmental systems on 20 March 2022. 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 December 2021, there were no persons in the community on a residence determination who were detained between 1 July 2014 and 31 December 2021 due to their visa being cancelled under s501 or s116 of the Act.

Figures were extracted from departmental systems on 20 March 2022. 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 Dec
Afghanistan	<5	<5			<5		
Bosnia And Herzegovina		<5					
Burundi							<5
China, Peoples Republic Of						<5	
Colombia		<5					
Ethiopia		<5			<5		
Indonesia				<5			
Iran	<5	<5	<5	<5	<5		
Iraq	<5	<5	<5			<5	<5
Nigeria				<5	<5		
Palestinian Authority		<5					
Republic Of South Sudan				<5			<5
Serbia			<5				
Sierra Leone							<5
Solomon Islands			<5				
Somalia					<5		
Sri Lanka					<5		<5
Stateless Person			<5	<5	<5		<5
Sudan	<5	<5	<5	<5	<5		<5
Timor, East				<5			
Turkey				<5			
Vietnam							<5
Yugoslavia Former			<5				
Zimbabwe			<5			<5	
Total	<5	9	11	9	11	<5	14

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 20 March 2022. 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 Dec
Bosnia And Herzegovina						<5	
Eritrea					<5		
Republic Of South Sudan	<5				<5		
Sudan			<5				
Vietnam				<5			
Total	<5	0	<5	<5	<5	<5	0

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 20 Mar 2022. 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 Dec	9	0	9
2020-2021	17	<5	<20
2019-2020	15	<5	<20
2018-2019	12	<5	<20
2017-2018	7	0	7
2016-2017	22	0	22
2015-2016	5	0	5
2014-2015	0	0	0
Total	87	7	94

Figures were extracted from departmental systems on 20 Mar 2022. As data has been drawn from a live systems environment, the figures provided may differ slightly in previous or future reporting.

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