

Question on notice no. 321

Portfolio question number: OBE22-321

2022-23 Budget estimates October and November

Legal and Constitutional Affairs Committee, Home Affairs Portfolio

Senator Paul Scarr: asked the Department of Home Affairs on 23 January 2023—

How many people have been refused or cancelled visas under s501 and s116 since 21 May 2022?

(a) Please break this down by month, whilst also providing a breakdown of state / territory, whether the individuals were onshore or offshore at time of refusal / cancellation, and offence type.

Answer —

Please see the attached answer.

**SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS
BUDGET ESTIMATES
OCTOBER 2022**

**Home Affairs Portfolio
Department of Home Affairs**

Program 2.2: Visas

**OBE22-321 - Character Cancellations and Refusals - Refused or Cancelled Visas
under s501 and s116**

Senator Paul Scarr asked:

How many people have been refused or cancelled visas under s501 and s116 since 21 May 2022?

a) Please break this down by month, whilst also providing a breakdown of state / territory, whether the individuals were onshore or offshore at time of refusal / cancellation, and offence type.

Answer:

Visas cancelled under s501 by location, 21/05/2022 - 31/12/2022

| Location | Cancellations |
|--------------|---------------|
| NSW | 133 |
| QLD | 103 |
| VIC | 55 |
| WA | 45 |
| SA | 11 |
| NT | <5 |
| TAS | <5 |
| Not Recorded | <5 |
| Total | 353 |

Visas cancelled under s501 by offence type, 21/05/2022 - 31/12/2022

| Offence type | Cancellations |
|---------------|---------------|
| Drug Offences | 80 |

| Offence type | Cancellations |
|--------------------------------|---------------|
| Assault | 44 |
| Domestic Violence | 30 |
| Child Sex Offences | 28 |
| Theft, Robbery, Break Enter | 28 |
| GBH, Reckless Injury | 28 |
| Driving Offence | 23 |
| Rape, Sexual Offences | 23 |
| Fraud, Deception, White Collar | 21 |
| Armed Robbery | 9 |
| Other offence types | 34 |
| Total | 353 |

Visas refused under s501 by location, 21/05/2022 - 31/12/2022

| Location | Refusals |
|--------------|------------|
| Offshore | 69 |
| NSW | 19 |
| WA | 15 |
| VIC | 13 |
| QLD | <5 |
| SA | <5 |
| ACT | <5 |
| Total | 120 |

Visas refused under s501 by offence type, 21/05/2022 - 31/12/2022

| Offence type | Refusals |
|---------------------------|------------|
| Assault | 25 |
| Other Violent Offence | 17 |
| Drug Offences | 13 |
| Other Non-Violent Offence | 10 |
| Rape, Sexual Offences | 10 |
| Other offence types | 45 |
| Total | 120 |

Visas cancelled under s116 by location, 1/06/2022 - 31/12/2022*

| Location | Cancellations |
|------------------------------|---------------|
| ACT | <5 |
| NSW | 109 |
| NT | 6 |
| QLD | 135 |
| SA | 9 |
| Onshore - State not recorded | <5 |
| VIC | 433 |
| WA | 173 |
| Offshore | 82 |
| Total | 952 |

*The data set behind this reporting cannot be disaggregated down to day of the month.

Visas cancelled under s116 by offence type

The majority of the cancellation grounds available under s116 do not require any offence to have been committed, and so offence type is not an available reporting attribute for s116 cancellations.