

**Question on notice no. 420**

**Portfolio question number: 420**

**2019-20 Supplementary budget estimates**

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

**Senator the Hon Kristina Keneally:** asked the Department of Home Affairs on 21 October 2019—

- (1. How many people are in the legacy case load and how long do you think it will take to resolve that caseload?
2. What has spent the longest time having their application resolved as part of the legacy caseload?
3. Why has it taken so long to resolve these issues?
4. Are you not adequately resourced?
5. How many staff are working on processing and resolving the legacy caseload?

**Answer —**

Please see the attached answer.

**SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS  
SUPPLEMENTARY BUDGET ESTIMATES  
21 OCTOBER 2019**

**Home Affairs Portfolio  
Department of Home Affairs**

**SE19/420**

**Legacy Caseload**

Senator Kristina Keneally asked:

1. How many people are in the legacy case load and how long do you think it will take to resolve that caseload?
2. What has spent the longest time having their application resolved as part of the legacy caseload?
3. Why has it taken so long to resolve these issues?
4. Are you not adequately resourced?
5. How many staff are working on processing and resolving the legacy caseload?

*Answer:*

1. As at 30 September there are 32,469 in the legacy case load. This includes babies born to Illegal Maritime Arrivals (IMA) parents. As at 30 September 2019, 79.9 per cent of the caseload has been decided or otherwise resolved.  
  
Assessing this caseload is complex, particularly in relation to integrity and identity with a large number of IMAs arriving undocumented. In some cases, the circumstances in home countries have changed substantially since arrival and we have an obligation to consider this carefully on a case by case basis.
2. As at 30 September, the longest an application has been on hand with the Department is 2499 days.
3. The Department aims to finalise protection visa applications as quickly as possible. This is a very complex process and can take some time. An application can take longer to process if:
  - the application form is not filled in properly
  - all required documents are not included
  - a person's identity cannot be confirmed
  - more information is required
  - the applicant does not respond to requests for information quickly
  - individuals or their legal representatives request further time to provide information or request that interviews be postponed
  - verification of the applicant's information requires input from third parties.
- 4-5. Departmental staff and resources are deployed flexibly to respond to the highest priority caseloads. The Department allocates staffing resources across its caseloads as required.