

QUESTION TAKEN ON NOTICE

BUDGET ESTIMATES – 26 – 27 MAY 2014

IMMIGRATION AND BORDER PROTECTION PORTFOLIO

(BE14/004) PROGRAMME – Migration Review Tribunal and Refugee Review Tribunal

Senator Seselja (L&CA 45) asked:

Senator SESELJA: You said that with the ministerial direction that is a part of what is happening here, so we are seeing those who have arrived with a visa versus those who arrived without a visa being assessed. Are there any stats that demonstrate that, because you are saying it is a different set-aside rate? Do they get disaggregated at all?

Ms Ransome: We can provide you with that information. It is probably better if we take it on notice and give you the differences between different countries.

Answer:

The RRT began receiving review applications for protection visas of unauthorised maritime arrivals (UMA) following 24 March 2012 when the Minister began permitting these applicants to apply for protection visas. Ministerial Direction 57 then came into effect on 1 July 2013, requiring the department and the tribunals to give priority to applications received from non-unauthorised maritime arrivals (non-UMAs). As a result, the tribunals began giving priority to the allocation of non-UMA cases to members from this date.

The table at Attachment A provides a list of set aside or remit rates by source country where the RRT made a positive (set aside or remit) decision in UMA cases by financial year. The table compares the set aside or remit rate by UMA source countries to their non-UMA set aside or remit rate. It is important to note that the main source countries for the RRT UMA and non-UMA caseloads can differ, and set aside rates for UMA cases are typically higher. Furthermore, where a small quantity of reviews are finalised, the average set aside rate may not be a reliable indicator for statistical purposes.

Attachment A

Comparison of RRT set aside rates for UMA and non-UMA cases per financial year and source country. Numbers of cases set aside are in parentheses.

Country	2011-12 (24 March to 30 June 2012)		2012-13		2013-14 to 31 May	
	UMA	Non- UMA	UMA	Non- UMA	UMA	Non- UMA
Afghanistan	-	75% (9)	85% (407)	67% (10)	70% (66)	88% (7)
Bangladesh	-	14% (9)	-	5% (2)	0%	18% (15)
Iran	100% (2)	80% (55)	56% (81)	71% (49)	51% (37)	66% (60)
Iraq	-	82% (18)	58% (26)	55% (16)	54% (7)	60% (9)
Kuwait	-	50% (1)	50% (1)	-	0%	0%
Pakistan	-	50% (81)	82% (94)	56% (120)	58% (14)	39% (91)
Palestinian Terr.	-	86% (6)	-	-	0%	0%
Sri Lanka	-	28% (19)	39% (143)	26% (14)	22% (66)	11% (6)
Stateless	-	90% (9)	60% (6)	89% (8)	60% (9)	33% (4)
Sudan	-	-	-	75% (3)	100% (1)	50% (1)
Vietnam	-	8% (4)	-	11% (4)	14% (1)	11% (2)
Total (All countries)	100% (2)	27% (748)	65% (760)	24% (612)	38% (201)	18% (482)

* (-) Indicates where no decisions were finalised in the financial year for the caseload and country.

(0%) Indicates where decisions were finalised in the financial year, however, no cases were set aside/remitted