

QUESTION TAKEN ON NOTICE

SUPPLEMENTARY BUDGET ESTIMATES – 20 OCTOBER 2014

IMMIGRATION AND BORDER PROTECTION PORTFOLIO

(SE14/056) PROGRAMME – MIGRATION REVIEW TRIBUNAL AND REFUGEE REVIEW TRIBUNAL

Senator Carr (Written) asked:

Can you please provide an updated breakdown of the caseload between May 27 and today, for both the MRT and RRT to including the following:

- a. Reasons for application
- b. Type of visa sought
- c. Time taken to resolve
- d. Costs involved in applying
- e. Cost involved in reviewing
- f. Country of origin
- g. Method of arrival
- h. Age
- i. Unaccompanied minors
- j. Gender
- k. Overturned primary decisions of the RRT and MRT
- l. Varied primary decisions of the RRT and MRT
- m. Substituted primary decisions of the RRT and MRT
- n. Remitted primary decisions of the RRT and MRT

Answer:

There were 9,618 reviews completed by the MRT-RRT. The table at [Attachment A](#) provides a breakdown of Migration Review Tribunal (MRT) cases decided by visa category with set aside rates and average processing times. The table at [Attachment B](#) provides a breakdown of Refugee Review Tribunal (RRT) cases decided by country with set aside rates and average processing times, and whether or not the applicant was an Unauthorised Maritime Arrival (UMA).

Tribunal systems do not have comprehensive information or data across all case categories on a range of matters including country of origin and method of arrival of non-citizens into Australia.

In the majority of reviews (91 per cent) completed in the period, the review applicant sought a review of a decision to refuse to grant a visa.

In three per cent of cases, the review applicant sought review of a decision to cancel a visa.

In six per cent of cases, the review applicant is a company, business or education provider seeking review of another kind of decision such as a sponsorship or nomination decision.

The average age of all review applicants across all case categories is slightly over 30 years.

70 per cent of review applicants were male and 30 per cent female.

The Tribunal does not maintain statistics on unaccompanied minors. For protection visa reviews completed in the period 27 May 2014 to 20 October 2014, there were 41 cases where the primary review applicant was under the age of 18 at the time of lodgement.

The application fee for making an application for review is \$1,604. This applies at lodgement for all non-protection visa cases except where a review of a bridging visa decision is sought by a person in immigration detention. For protection visa cases, the fee is not payable at the time of lodgement. The full fee is payable after the end of the review, if the decision is that Australia does not have a protection obligation.

The overall cost per case in 2013-14 was \$2,921 compared to \$3,747 in 2012-13.

All overturn, remitted or set aside decisions are identified as 'set aside' in the attached tables overleaf.

ATTACHMENT A

MRT reviews finalised in the period 27 May 2014 to 20 October 2014

Type of visa	Number of reviews finalised	Set aside rate	Average processing time in days*
Bridging	184	15%	13
Family	437	38%	342
Nomination/ Sponsor	570	31%	404
Other	52	13%	137
Partner	1,115	44%	382
Permanent business	705	36%	440
Skilled	858	20%	330
Student cancellation	233	20%	214
Student refusal	1,299	29%	354
Temporary work	813	26%	356
Visitor	616	53%	139
Total	6,882	33%	333

*Average calculated from date of lodgement

Table A: RRT reviews finalised in the period 27 May 2014 to 20 October 2014

Country	Number of reviews completed		Average processing time in days*
	Unauthorised maritime arrivals	Other RRT applicants	
Sri Lanka	444	34	177
Afghanistan	396	7	124
China	0	363	209
Pakistan	135	118	185
India	0	216	176
Iran	152	31	158
Iraq	63	18	144
Lebanon	0	72	288
Egypt	0	70	241
Fiji	0	68	158
Stateless	47	9	146
Bangladesh	0	55	256
Nepal	0	48	166
Malaysia	0	42	138
Burma (Myanmar)	34	5	154
Jordan	1	24	177
Zimbabwe	0	23	289
Indonesia	0	19	172
Tonga	0	18	157
Nigeria	0	16	287
Other	13	195	226
Total**	1,285	1,451	181

*Average calculated from the date the department's documents are provided

** Totals and all data includes cases affected by disallowed clause 866.222 of the Migration Regulations.

Table B: Set aside rates for RRT reviews finalised in the period 27 May 2014 to 20 October 2014

In this period 1,193 reviews affected by disallowed clause 866.222 of the Migration Regulations were finalised. The set aside rates for these cases by country are shown separately in the table below because they were remitted to the department and have affected overall set aside rates for the RRT for this period.

Country	Set aside rates	
	RRT reviews not including 866.222 cases	866.222 reviews
Sri Lanka	28%	100%
Afghanistan	85%	100%
China	8%	-
Pakistan	34%	100%
India	3%	-
Iran	63%	100%
Iraq	78%	100%
Lebanon	21%	-
Egypt	20%	-
Fiji	6%	-
Stateless	38%	100%
Bangladesh	5%	-
Nepal	4%	-
Malaysia	19%	-
Burma (Myanmar)	60%	100%
Jordan	17%	100%
Zimbabwe	35%	-
Indonesia	16%	-
Tonga	6%	-
Nigeria	13%	-
Other	24%	100%*
Total	18%	100%

* Includes 866.222 reviews finalised for applicants from Eritrea, Kuwait, the Palestinian Territories, Russian Federation, Sudan and Syria only.