

## QUESTION TAKEN ON NOTICE

### SUPPLEMENTARY BUDGET ESTIMATES HEARING : 19 October 2015

#### IMMIGRATION AND BORDER PROTECTION PORTFOLIO

#### **(SE15/021) - Long term residents - convicted involving 12mths jail - Programme 1.1: Border Enforcement**

Senator Carr, Kim (L&CA 69) asked:

Senator KIM CARR: And how many of the long-term residents of Australia that have been convicted of an offence involving 12 months jail—

Mr Pezzullo: Or of any period involving child sex, but otherwise 12 months.

Senator KIM CARR: How many of those persons who have sought appeals have had them granted?

Mr Pezzullo: We will take that on notice as well. As best as I can recall, nearly all of them seek revocation. What the strike rate is on success, I do not have readily to mind. Mr Manthorpe might be able to assist."

*Answer:*

In the period from 11 December 2014 to 30 September 2015:

- 781 non-citizens have had their visas cancelled under the character provisions at section 501 of the Act. Of these, 738 were cancelled under the mandatory cancellation provisions at section 501(3A) of the Act.
- 552 (or 70 per cent) of the non-citizens cancelled under the mandatory cancellation power sought revocation of the cancellation decision.
- Of the 67 revocation requests that have been decided:
  - 24 (or 36 per cent) cancellations were revoked and their visas have been re-instated;
  - 18 (or 27 per cent) cancellations were not revoked and their visas remain cancelled;
  - 25 (or 37 per cent) were either withdrawn (that is, the non-citizen formally withdrew their request for revocation) or were assessed as being invalid (that is, the revocation request was lodged outside of required timeframes).