

**QUESTION TAKEN ON NOTICE**

**ADDITIONAL ESTIMATES HEARING: 13 FEBRUARY 2012**

IMMIGRATION AND CITIZENSHIP PORTFOLIO

**(AE12/0021) Program : Internal Product**

Senator Cash asked:

What has been the cost of defending and/or prosecuting legal actions by asylum seekers and detainees over the 2011-2012 financial year and the year to date? What sort of actions have been defended or prosecuted?

*Answer:*

Departmental financial systems do not enable the extraction of the cost of litigation solely involving asylum seekers and detainees.

While the Department spent \$9.536 million on external litigation services during the current financial year to 31 December 2011, this expenditure relates primarily to judicial review of migration and citizenship decisions.

In accordance with our model litigant obligations the Department only defends or pursues litigation which has been assessed as having reasonable prospects of success.