

## **QUESTION TAKEN ON NOTICE**

**ADDITIONAL ESTIMATES HEARING: 13 FEBRUARY 2012**

IMMIGRATION AND CITIZENSHIP PORTFOLIO

**(AE12/0029) Program: Internal Product**

Senator Cash asked:

How many IMAs are attempting to challenge negative decisions through the Australian judicial system? What is the current status of reported appeals? How many cases have been or are currently before the courts?

*Answer:*

As at 31 December 2011, the Department had received 440 applications for judicial review of assessments made by Independent Merits Reviewers<sup>1</sup>. This is broken down into 405 matters in the Federal Magistrates Court (FMC) and 35 Federal Court (FC) appeals from the FMC.

As at 31 December 2011, 184 applications had been decided by the Courts (179 matters have been decided in the FMC and 5 in the FC). There were 226 active matters in the FMC and 30 matters in the FC at that time.

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<sup>1</sup> This question has been answered drawing from litigation statistics relating to the number of applications made to the courts. This may differ slightly from the number of asylum seekers who have sought judicial review as there may be more than one applicant listed on an application to the court.