

QUESTION TAKEN ON NOTICE

ADDITIONAL ESTIMATES HEARING: 13 FEBRUARY 2012

IMMIGRATION AND CITIZENSHIP PORTFOLIO

(AE12/0321) Program: Internal Product

Senator Hanson-Young asked:

The response to question SE11/0221 states: 'Anyone subject to an adverse ASIO security assessment, including irregular maritime arrivals, can seek judicial review of the assessment in the Federal Court or High Court.' Is this correct? If it is - when did this change?

Answer:

Yes, this is correct. It has always been the case that a person who has had an adverse ASIO security assessment can seek judicial review of the ASIO assessment in the High Court's original jurisdiction under section 75(v) of the Constitution or in the Federal Court's original jurisdiction under section 39B of the *Judiciary Act 1903*.

Any further detailed questions relating to judicial review of adverse ASIO security assessments should be directed to the Attorney General's Department, which has portfolio responsibility for ASIO.