

QUESTION TAKEN ON NOTICE

BUDGET ESTIMATES HEARING: 21-22 MAY 2012

IMMIGRATION AND CITIZENSHIP PORTFOLIO

(BE12/0007) Program: Migration Review Tribunal and Refugee Review Tribunal

Senator Cash (L&CA 10-11) asked:

Provide the amount of judicial review appeals lodged by the Minister to the Federal Magistrates Court over the last five years. In how many cases was the tribunal's decision set aside?

Answer:

The Minister has lodged the following number of applications in the Federal Magistrates Court against MRT and RRT decisions in the past 5 years:

2006-07	2 (MRT 1; RRT 1)
2007-08	7 (MRT 7; RRT 0)
2008-09	5 (MRT 5; RRT 0)
2009-10	1 (MRT 0; RRT 1)
2010-11	2 (MRT 2; RRT 0)

In each of those years, the number of cases where the tribunal's decision was set aside was:

2006-07	2 (MRT 1; RRT 1)
2007-08	4 (MRT 4; RRT 0)
2008-09	4 (MRT 4; RRT 0)
2009-10	0
2010-11	1 (MRT 1; RRT 0)

In the 2011-12 financial year to date the Minister has lodged 4 applications in the Federal Magistrates Court against tribunal decisions (2 MRT and 2 RRT). The matters are unresolved.