

QUESTION TAKEN ON NOTICE

BUDGET ESTIMATES HEARING: 17 OCTOBER 2011

IMMIGRATION AND CITIZENSHIP PORTFOLIO

(SE11/0005) Program : Internal Product

Senator Cash (L&CA 28) asked:

Of the 734 Afghanis who are on a negative pathway, how many are involved in the court process and how long has each of these people been in the court process to date?

Answer:

As at 30 September 2011, there were 119 applications for judicial review before the courts made by nationals of Afghanistan on a negative pathway. Of these, 117 were in the Federal Magistrates' Court and 2 were appeals in the Federal Court.¹ The average time of involvement in the court process, from date of application until the date of dispositive orders by the court, was approximately 72 days, with the oldest application being 184 days.

¹ 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.