

QUESTION TAKEN ON NOTICE

BUDGET ESTIMATES HEARING: 17 OCTOBER 2011

IMMIGRATION AND CITIZENSHIP PORTFOLIO

(SE11/0068) Program : Internal Product

Senator Cash asked:

Litigation cost: On 23 May 2011, Ms Hardy advised that there were 60 applications currently in the Federal Magistrates Court which relate to judicial review of IMA matters following the High Court case in November 2010. She also said that two matters have been heard and both have been reserved at that particular point. How many applications are currently before the Federal Magistrates Court in this regard and how many have been heard?

Answer:

As at 30 September 2011, the Department had received 306 applications for judicial review of assessments made by Independent Merits Reviewers (IMR) following the High Court decision in M61/2010. This is broken down into 298 matters in the Federal Magistrates Court (FMC) and 8 Federal Court (FC) appeals from the FMC.

As at 30 September 2011, 73 have been decided by the Courts, 71 matters have been decided in the FMC and 2 in the FC. There were 227 active matters in the FMC and 6 matters in the FC at that time.