

QUESTION TAKEN ON NOTICE

SUPPLEMENTARY BUDGET ESTIMATES HEARING: 15 October 2012

IMMIGRATION AND CITIZENSHIP PORTFOLIO

(SE12/0674) PROGRAM – 4.6: Refugee Status Determination for Offshore Entry Persons

Senator Cash (written) asked:

How many primary negative RSA decisions had been handed down for IMAs prior to March 24, that were still being reviewed by the IMR process, in short – how many cases were still in the IMR system? How many have been resolved since that time? How long will it take to resolve the outstanding cases? Will those IMAs who have negative decisions confirmed by the IMR process be able to appeal these to the RRT? Will they receive taxpayer assistance to make these appeals? What is the expected cost of providing this support in 2011/12 and 2012/13?

Answer:

Quarterly statistics including non-statutory review outcomes of the Independent Merits Review (IMR) are on the departmental website along with Protection visa grant and refusal rates for IMAs and non-IMAs:

www.immi.gov.au/media/publications/statistics/asylum/

http://www.immi.gov.au/media/publications/statistics/asylum/_files/asylum-trends-aus-annual-2010-11.pdf

Any outstanding IMR cases were passed to the Independent Protection Assessment Office in March 2011 when the IMR ceased operation. As at 30 September 2012, there were a total of 251 unfinalised cases with the IPAO.

IMAs that have negative IMR/IPAO decisions are able to apply for judicial review, they do not have access to the RRT and no legal assistance is provided for judicial review.