



Administrative Appeals Tribunal

Principal Registry

22 November 2019

Committee Secretary
Senate Standing Committee on Legal and Constitutional Affairs
PO Box 6100
CANBERRA ACT 2600

Dear Secretary

Clarifications to Hansard

I write to you concerning evidence provided to the Senate Standing Committee on Legal and Constitutional Affairs during the Supplementary Budget Estimates hearing on 22 October 2019.

The Administrative Appeals Tribunal (AAT) has identified the following evidence that requires clarification.

Evidence of Ms Sobet Haddad, Senior Reviewer, Immigration Assessment Authority

On page 10 of the transcript, in responding to a question from Senator Keneally about the Tribunal's refugee visa caseload, the following exchange occurred between Senator Keneally and Ms Haddad:

Senator KENEALLY: Thank you. Are you able to provide the nationalities of the individuals appealing in the refugee division?

Mr Matthies: Yes.

Ms Haddad: I'm not sure what order you want them in.

Senator KENEALLY: Why don't we take them from the highest? Maybe give me the top five.

Ms Haddad: Okay. Just bear with me, because I have them in alphabetical order rather than numerical order. Would you like this financial year so far or last?

Senator KENEALLY: If you could do both. I'm happy to take the last year on notice.

Ms Haddad: I can do last year to begin with.

Senator KENEALLY: Okay, if that's easier then.

Ms Haddad: I've now got a table that's much more straightforward. Last year the top country was Malaysia with 5,825. The next country was China with 2,821. That was followed by Vietnam with 562.

Senator KENEALLY: So Vietnam is only 562?

Ms Haddad: Yes. My apologies, Senator, this is for 2017-18. I'll come to 2018-19 in a minute. Pakistan was 345, Indonesia was 294 and Sri Lanka was 234. Would you like to drill down further, Senator?

Senator KENEALLY: No, that's fine. You have the figures for 2018-19 as well?

Ms Haddad: I do.

Senator KENEALLY: That would be great.

Ms Haddad: Again Malaysia was the top country with 5,858. That was followed by China with 1,561. That was followed by Vietnam with 465. Then there was India with 227 and Pakistan with 178.

The Administrative Appeals Tribunal wishes to clarify that, for 2017-18, the top five nationalities of applicants appealing protection visa decisions were:

- Malaysian – 5,825 applications lodged
- Chinese – 2,821 applications lodged
- Vietnamese – 562 applications lodged
- Pakistani – 345 applications lodged
- Taiwanese – 313 applications lodged

For 2018-19, the top five nationalities of applicants appealing protection visa decisions were:

- Malaysian – 5,858 applications lodged
- Chinese – 1,561 applications lodged
- Vietnamese – 465 applications lodged
- Thai – 297 applications lodged
- Taiwanese – 262 applications lodged

Evidence of Ms Sian Leathem, Registrar, Administrative Appeals Tribunal

On page 13 of the transcript, Senator Stoker asked:

CHAIR: I've got a couple of questions. Can you provide some numbers on the percentage of AAT rulings that are related to ASQA?

Ms Leathem: That's part of our tax and commercial division. We have some statistics. I'm not sure whether we have broken it down for ASQA matters for the purpose of today's statistics, but we could take that on notice.

The Administrative Appeals Tribunal wishes to clarify that the AAT's General Division, and not the AAT's Taxation and Commercial Division, has jurisdiction to review decisions made by the Australian Skills Quality Authority (ASQA).

Yours sincerely

Sian Leathem
Registrar