

Question on notice no. 88

Portfolio question number: SE21-088

2021-22 Supplementary Budget Estimates

Legal and Constitutional Affairs Committee, Home Affairs Portfolio

Senator Nick McKim: asked the Department of Home Affairs on 5 November 2021

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Please update the information provided by the Department in AE21-364 Tables with numbers of humanitarian visas cancelled under ss 116 and 501, and corresponding detention/removals

Answer —

Please see attached answer.

**SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS
SUPPLEMENTARY BUDGET ESTIMATES
25 OCTOBER 2021**

**Home Affairs Portfolio
Department of Home Affairs**

Program 2.2: Visas

SE21-088 - Update on AE21-364

Senator Nick McKim asked:

Please update the information provided by the Department in AE21-364 Tables with numbers of humanitarian visas cancelled under ss 116 and 501, and corresponding detention/removals

Answer:

Table 1: Number of protection visas, refugee visas and humanitarian visas (by subclass) cancelled under section 116 of the *Migration Act 1958* (the Act).

Financial Year	Visa Subclass							Total
	200	201	202	449	785	790	866	
2021-22 to 31 Aug	<5					<5		<5
2020-21	<5				5	8	<5	16
2019-20		<5			6	6	6	20
2018-19			<5		8	10	<5	22
2017-18					<5	<5	<5	6
2016-17	<5			<5			<5	6
2015-16								0
2014-15							5	5
Total	<5	<5	<5	<5	<22	26	24	77

Current financial year figures were extracted from departmental systems on 2 Sep 2021. As data has been drawn from a live systems environment, the figures provided may differ slightly in previous or future reporting. As data has been drawn from a live systems environment, the figures provided may differ slightly in previous or future reporting.

Table 2: Number of protection visas, refugee visas and humanitarian visas (by subclass) cancelled under section 501 of the Act.

Financial Year	Visa Subclass							Total
	200	201	202	204	785	790	866	
2021-22 to 31 Aug	<5	<5	<5			<5	<5	9
2020-21	27		24	5		8	15	79
2019-20	32		40	<5	5	8	19	107
2018-19	16	<5	26	7	<5	<5	22	76
2017-18	26	<5	19	<5	<5		19	68
2016-17	36		56	5			28	125
2015-16	19		24	<5			18	64
2014-15	17		14	<5			<5	39
Total	<180	<5	<205	29	7	21	126	567

Figures were extracted from departmental systems on 2 Sep 2021. As data has been drawn from a live systems environment, the figures provided may differ slightly in previous or future reporting.

Table 3: Persons detained following cancellation of their protection visas, refugee visas and humanitarian visas under s501 and s116 of the Act.

Detained Financial Year	s501	s116	Total
2021-22 to 31 Aug	10	<5	<15
2020-21	73	6	79
2019-20	86	7	93
2018-19	62	5	67
2017-18	75	0	75
2016-17	71	0	71
2015-16	57	0	57
2014-15	19	0	19
Total	453	<25	472

Figures were extracted from departmental systems on 1 Sep 2021. As data has been drawn from a live systems environment, the figures provided may differ slightly in previous or future reporting.

- a) As at 31 August 2021, there were 245 persons in held detention who had their protection visa, refugee visa, or humanitarian visa cancelled under s501 or s116 between 1 July 2014 and 31 August 2021.

Figures were extracted from departmental systems on 2 Sep 2021. As data has been drawn from a live systems environment, the figures provided may differ slightly in previous or future reporting.

- b) As at 31 August 2021, there were no persons in the community on a residence determination who were detained between 1 July 2014 and 31 August 2021 due to their visa being cancelled under s501 or s116 of the Act.

Figures were extracted from departmental systems on 2 Sep 2021. As data has been drawn from a live systems environment, the figures provided may differ slightly in previous or future reporting.

Table 4: Persons removed from Australia voluntarily, by citizenship country, following cancellation of their protection visa, refugee visa or humanitarian visa under s501 or s116 of the Act.

Citizenship at departure	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22 to 31 Aug
Afghanistan	<5	<5			<5		
Bosnia - Herzegovina		<5					
China						<5	
Colombia		<5					
East Timor				<5			
Ethiopia		<5			<5		
Indonesia				<5			
Iran	<5	<5	<5	<5	<5		
Iraq	<5	<5	<5			<5	
Liberia				<5			
Nigeria				<5			
Palestinian Authority		<5					
Serbia			<5				
Solomon Islands			<5				
Somalia					<5		
South Sudan		<5		<5			
Sri Lanka					<5		
Stateless			<5				
Sudan	<5		<5	<5	<5		
Turkey				<5			
Unknown				<5			
Vietnam					<5		
Yugoslavia			<5				
Zimbabwe			<5			<5	
Total	5	9	11	12	10	<5	0

Citizenship is based on the individual's citizenship at time of removal.

Individuals were removed to their country of origin or a third country.

Figures were extracted from departmental systems on 2 Sep 2021. As data has been drawn from a live systems environment, the figures provided may differ slightly in previous or future reporting.

Table 5: Persons removed from Australia involuntarily, by citizenship country, following cancellation of their protection visa, refugee visa or humanitarian visa under s501 or s116 of the Act.

Citizenship*	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22 to 31 Aug
Bosnia-Herzegovina						<5	
Eritrea					<5		
Republic Of South Sudan	<5				<5		
Sudan			<5				
Vietnam				<5			
Total	<5	0	<5	<5	<5	<5	0

Citizenship is based on the individual's citizenship at time of removal.

Individuals were removed to their country of origin or a third country.

Figures were extracted from departmental systems on 2 Sep 2021. As data has been drawn from a live systems environment, the figures provided may differ slightly in previous or future reporting.

Table 6: Persons released from detention on a visa grant having been previously detained due to cancellation of their protection visa, refugee visa, or humanitarian visa under s501 or s116 of the Act.

Released Financial Year	s501	s116	Total
2021-2022 to 31 Aug	<5	0	<5
2020-2021	17	<5	19
2019-2020	15	<5	16
2018-2019	12	<5	16
2017-2018	7	0	7
2016-2017	22	0	22
2015-2016	5	0	5
2014-2015	0	0	0
Total	<85	7	<90

Figures were extracted from departmental systems on 2 Sep 2021. As data has been drawn from a live systems environment, the figures provided may differ slightly in previous or future reporting.

Financial year breakdown is based on the year of visa cancellation/detention, rather than the year of release through a subsequent visa grant.