

## QUESTION TAKEN ON NOTICE

**BUDGET ESTIMATES HEARING : 22 May 2017**

IMMIGRATION AND BORDER PROTECTION PORTFOLIO

**(BE17/006) - AAT decision leaked to Herald Sun - Public information - Internal Product (DIBP)**

Senator Pratt, Louise (L&CA 23-24) asked:

Senator PRATT: The chair was asking about certain cases that have been of interest to the media. I would like to be a little more explicit in my questioning. There were decisions of the AAT in relation to six Iranians, which I understand was leaked to the Herald Sun. What information are you able to provide on the public record about those six individuals? Mr Pezzullo: When you talk about a class of six, we are starting to get very close to identifying individuals. I will see if—

Senator WATT: That is exactly the issue we are concerned about.

Senator PRATT: That is my question.

Mr Pezzullo: Indeed. I will see if Ms Zakharoff can perhaps speak in general terms, maybe not about the six grants but the types of grants that might pertain. But I would be reluctant to get to a point where those persons can be identified by name.

Ms Zakharoff: In general terms, I can confirm that there were protection visas granted and that the department subsequently cancelled those visas and those decisions were reviewed by the AAT—

Senator PRATT: The cancellation was reviewed?

Ms Zakharoff: That is correct.

Mr Pezzullo: Ms Zakharoff, these are not sealed decisions—they would be on the public record?

Ms Zakharoff: That is correct. The decisions are on the public record but, obviously, I am reluctant to go into the personal details of each of the cases.

Mr Pezzullo: We can speak to the extent that, through the AAT deliberations, these matters are on the public record. I will just check with the general counsel as to whether things like the statement of reasons are on the public record, which may or may not identify the individuals by name, in which case it is a matter of public record. Ms de Veau?

Ms de Veau: I think I would simply take on notice the question as to whether or not those matters were published, because I think we need to look at the specifics.

Senator PRATT: When were those people provided with their final refugee determinations?

Mr Pezzullo: Consistent with what we have just taken on notice, until we establish exactly what is on the public record, in terms of the AAT statement of reasons, I am very reluctant to start to get to individual case information. If it is on the public record and it is just a matter of us doing a bit of research, we will. But if it is not on the public record I would be very cautious at this point.

*Answer:*

This is a question for the Administrative Appeals Tribunal.

