

**SENATE EMPLOYMENT, WORKPLACE RELATIONS AND EDUCATION  
LEGISLATION COMMITTEE**

**2005-2006 SUPPLEMENTARY BUDGET SENATE ESTIMATES HEARING  
2 and 3 NOVEMBER 2005**

**EMPLOYMENT AND WORKPLACE RELATIONS PORTFOLIO**

**QUESTION ON NOTICE**

**Outcome 2: Higher productivity, higher pay workplace**

**Output Group 2.1: Workplace relations policy and analysis**

**Output 2.1.1: Workplace relations policy advice**

**Question Number: W587-06**

**Question:**

Senator Campbell asked at *Hansard* page 84: How many unlawful dismissal claims have been prosecuted in the past two or three year period?

**Answer:**

The number of unlawful dismissal cases lodged with the Federal Court of Australia in 2004-05 is approximately 30.

The Federal Court of Australia has advised that data from the years 1996 to 2003 is not available.

The Australian Industrial Relations Commission (AIRC) does not differentiate between unfair and unlawful dismissal cases in its case tracking system.

However, AIRC annual reports state the following figures in relation to certificates that have been issued solely relating to unlawful termination grounds:

For the period 31 December 1996 to 30 June 2003 - 142

For the period 31 December 1996 to 30 June 2004 - 147

For the period 31 December 1996 to 30 June 2005 - 163