

QUESTION TAKEN ON NOTICE

ADDITIONAL ESTIMATES HEARINGS: 11 February 2013

IMMIGRATION AND CITIZENSHIP PORTFOLIO

(AE13/0041) PROGRAM – 2.1: Refugee and Humanitarian Assistance

Senator Cash (L&CA 48) asked:

Explain why primary protection visa grant rates dipped from 75.4 per cent down to 38 per cent and then went back up to 71.1 per cent over three years. Why is the overturn rate for reviews of negative decisions so high in 2011/2012? - 82.4% of reviews overturning the original decision.

Answer:

These statistics relate only to IMAs. For statistics on the entire Protection visa (onshore) program, please refer to:

http://www.immi.gov.au/media/publications/statistics/asylum/_files/asylum-trends-aus-annual-2011-12.pdf

The PV grant rate varies and this can be influenced by a number of factors, not limited to, but including changed circumstances in the country of origin.

In April 2012, the department commissioned Ms Sue Tongue, Senior Counsel, Minter Ellison, to conduct an external review to assess refugee decision making within the Protection Obligation Determination (POD) process, with a focus on identifying reasons for overturn.

Reasons for overturns for primary decisions that were identified in the review are:

- new law;
- new information;
- new grounds;
- new claims (including new evidence);
- agents' contribution;
- applicants' focus;
- different application of policy; and
- different application of expert evidence.

For further information, please refer to:

http://www.immi.gov.au/media/publications/research/_pdf/review-refugee-decision-making.pdf