

QUESTION TAKEN ON NOTICE

ADDITIONAL ESTIMATES HEARINGS: 11 February 2013

IMMIGRATION AND CITIZENSHIP PORTFOLIO

(AE13/0111) PROGRAM – Internal Product

Senator Cash (L&CA 109-110) asked:

Of those earmarked for voluntary return to Sri Lanka, on what date did they withdraw from legal proceedings?

Answer:

No persons earmarked for voluntary removal have lodged legal proceedings.

There have been two groups comprising a total 64 Sri Lankan nationals who commenced legal proceedings to prevent their involuntary removal to Sri Lanka.

The first group comprised an application in the High Court brought by 56 Sri Lankan nationals.

The second comprised 8 separate applications filed simultaneously in the Federal Magistrates Court on behalf of 8 Sri Lankan nationals.

All legal proceedings were subsequently dismissed by consent (i.e. the applicants withdrew from their litigation) after the Minister advised that:

- there was no current intention to remove any of the applicants to Sri Lanka;
- the Minister undertook to provide their lawyers with 24 hours' notice of removal to Sri Lanka; and
- all clients remained liable to be transferred to a regional processing country.

The first group withdrew their proceedings on 5 December 2012 and individuals in the second group withdrew their separate proceedings over a period of time spanning late December 2012 to early January 2013.