

QUESTION TAKEN ON NOTICE

SUPPLEMENTARY BUDGET ESTIMATES HEARING: 19 OCTOBER 2010

IMMIGRATION AND CITIZENSHIP PORTFOLIO

(176) Program: Internal Product

Senator Cash asked:

- (1) Were any legal actions commenced against the Department since 2009 to date?
- (2) If so provide relevant particulars.

Answer:

(1) &(2) From 1 July 2009 to 2 November 2010, 2,394 legal actions were commenced against the Department in the Administrative Appeals Tribunal (AAT), Federal Magistrates Court (FMC), Federal Court (FC), Full Federal Court (FFC) and High Court (HC).

During 2009/10 the Minister's success rate in defended matters before the courts was 94%.

	AAT	FC	FFC	FMC	HC Original Jurisdiction	HC Special Leave	HC Substantive Appeal	Other	Total
Bridging visas			1	7					8
Business	22	1	13	54	3	2			95
Character	77	20	5	1		1			104
Citizenship	304	6	1						311
Damages		1		1				15	17
Detention		3	1	1		1			6
Family		2	12	59	2	2			77
FOI	24								24
Migration Agents	4		1	1					6
Other		2	2	2				5	11
Refugee	3	3	394	768	33	232	2		1,435
Removal			1	2		1			4
Skilled	2		16	109	1	3	1		132
Special eligibility	1			3		1			5
Students			20	113	2	3			138
Subpoena or Administrative Order				1				6	7
Visitors	2		1	11					14
Total	439	38	468	1,133	41	246	3	26	2,394