

## **QUESTION TAKEN ON NOTICE**

### **BUDGET ESTIMATES HEARING: 17 OCTOBER 2011**

#### **IMMIGRATION AND CITIZENSHIP PORTFOLIO**

#### **(SE11/0066) Program : Internal Product**

Senator Michaelia Cash (L&CA written) asked:

Litigation cost: What has been the cost of defending and/or prosecuting legal actions by asylum seekers and detainees over the 2010-11 financial year and the year to date? What sort of actions have been defended or prosecuted?

*Answer:*

Of the \$14.897 million that was spent on litigation during 2010-2011, \$0.234 million was spent on litigation filed by irregular maritime arrivals seeking judicial review of assessments made by independent merits reviewers (IMR). The Department was not provided with additional funding for IMR litigation during this period and absorbed the expenditure.

Total external expenditure on IMR matters during the current financial year to 30 September 2011 is \$0.700 million. These were all matters in which the Department was the respondent.

In accordance with our model litigant obligations the Department only defends litigation which has been assessed as having reasonable prospects of success.