

QUESTION TAKEN ON NOTICE

SUPPLEMENTARY BUDGET ESTIMATES HEARING: 19 November 2013

IMMIGRATION AND BORDER PROTECTION PORTFOLIO

(SE13/0408) PROGRAMME – MRT-RRT

Senator Suzanne Boyce (L&CA 5) asked:

Senator BOYCE: Yes. Ms Ransome, are you able to tell me how many individuals and/or families involving someone with a disability were accepted into Australia by the two tribunals in the past 12 months?

Ms Ransome: That is not data that we collect, Senator, I'm afraid.

Senator BOYCE: But you would have had cases brought to you, would you not, where the disability of the person was the reason that they were there for review—the reason that their application had been rejected?

Ms Ransome: I don't—

Ms MacDonald: Senator, we would have had cases where the individual's matter has been refused on the basis that somebody does not meet the health criteria, or we might have cases involving carer visas where somebody is seeking to sponsor a relative to assist with the care—

Senator BOYCE: On that basis, perhaps, are you able to provide me then with those that have come to you, or that have brought appeals, on a health criteria basis?

Ms Ransome: We can try and obtain that information for you, Senator, but I don't think we'll be able to specify that it was a disability rather than another health factor.

Senator BOYCE: Okay. But I can chase that through once I have that list.

Ms MacDonald: Senator, may I just confirm: we can give you the numbers of cases that have come before us where they have been refused on the basis of meeting one of the Public Interest Criteria which are about the health criteria, and those are Public Interest Criteria 4005 or 4007. And those ones would show up quite clearly in our statistics. So we could tell you the number of cases that have come before us, and the number of cases that have been successful. Is that—

Senator BOYCE: That would be helpful.

Answer:

The MRT-RRT is not able to identify cases which specifically involve a person with a disability. There were 337 active cases before the MRT as at 19 November 2013 where a health related issue involving PIC 4005, 4006A or 4007 had been recorded in the tribunals' case management system. In the 12 months to 19 November 2013, 552 decisions were made in MRT cases where these issues had been recorded. In 217 of these the department's decision was set aside, a rate of 39%.