



Administrative Appeals Tribunal

PRESIDENT'S CHAMBERS

The Hon Justice Garry Downes AM

19 August 2003

Mr Alistair Sands
Secretary
Senate Select Committee on Ministerial Discretion in Migration Matters
Parliament House
Canberra ACT 2600

Dear Mr Sands,

Inquiry into Ministerial Discretion in Migration Matters

I refer to your letter dated 5 August 2003 requesting statistical information in relation to migration matters in the Administrative Appeals Tribunal.

Please find enclosed a table listing the number and type of migration matters that have come before the Tribunal since its establishment. Also enclosed is a table listing the number of those matters that have been affirmed or remitted. Please note, however, that although the Tribunal was established in 1976, no migration matters actually came before the Tribunal until 1984.

Unfortunately, the Tribunal does not keep information on the number or file numbers of those cases where the Tribunal affirmed a decision of the Department of Immigration but recommended to the Minister that he may wish to exercise his discretion in the matter. My understanding is, however, that such cases would represent a very small proportion of migration matters.

I trust that this information is of assistance.

Yours sincerely,

GARRY DOWNES

Applications Finalised — Immigration and Citizenship

Financial Year	Australian Citizenship	Migration — Deportation	Migration — General	Passports	Immigration & Citizenship — General	Total
1984-85	1	7	3	—	—	11
1985-86	16	19	7	1	—	43
1986-87	32	36	7	4	—	79
1987-88	6	24	9	—	—	39
1988-89	9	16	6	1	—	32
1989-90	27	29	2	3	3	64
1990-91	25	26	—	—	7	58
1991-92	25	32	—	—	3	60
1992-93	19	24	—	1	2	46
1993-94	45	17	8	3	5	78
1994-95	53	19	11	1	23	107
1995-96	57	16	6	1	27	107
1996-97	66	34	10	—	49	159
1997-98	73	65	13	1	66	218

Financial Year	Australian Citizenship	Criminal Deportation	Passports	Protection Visa Cancellation/Refusal	Visa Cancellation/Refusal	Total
1998-99	60	97	—	4	86	247

Financial Year	Australian Citizenship	Criminal Deportation	Expedited Visa Applications	Passports	Protection Visa Cancellation/Refusal	Visa Cancellation/Refusal	Total
1999-00	76	70	26	—	3	58	233

Financial Year	Australian Citizenship	Business Visa Cancellation	Criminal Deportation	Expedited Visa Applications	Passports	Protection Visa Cancellation/Refusal	Visa Cancellation/Refusal	Total
2000-01	154	6	42	34	5	13	116	370
2001-02	91	90	17	25	3	9	112	347
2002-03	77	157	7	28	11	7	111	398

Number of Immigration and Citizenship Matters Affirmed and Remitted

Decision	1984-85	1985-86	1986-87	1987-88	1988-89
Affirmed	2	5	20	10	7
Remitted	-	1	10	6	2

Decision	1989-90	1990-91	1991-92	1992-93	1993-94	1994-95	1995-96	1996-97	1997-98	1998-99	1999-00	2000-01
Heard and affirmed	11	9	12	12	20	22	22	35	63	77	62	104
Heard and remitted	11	11	6	-	-	1	-	2	5	4	14	8
Affirmed by consent	-	-	-	-	-	-	-	-	-	-	-	2
Remitted by consent	-	-	-	-	-	-	1	2	1	4	2	36

Decision	2001-02	2002-03
Heard and affirmed	61	130
Heard and remitted	2	10
Affirmed by consent	-	1
Remitted by consent	-	3