

What we have learnt from the responses to 2022-23 Budget Estimates Questions on Notice

The responses to Senate Questions on Notice after the [2022-23 Budget Estimates round](#) were published on 10 January 2023.

We compiled the questions put to the Department of Home Affairs. Below is a summary of new information with links to download the answers.

Unless otherwise specified, this information is current as at 31 August 2022.

Onshore detention

Summary of response	Question number
The average length of time in onshore detention is 771 days . Break down is provided of the ten nationalities with longest average periods in detention.	OBE22-146
1355 people are in immigration detention. 1079 (79.63%) detainees are categorised as 'high or extreme risk for placement'. 1112 (82%) detainees are categorised as 'high or extreme risk for transport or escort'.	OBE22-149 , OBE22-150
How long people have been in held immigration detention – breakdown by number of years in detention.	OBE22-201
The average length of time of top nationalities in held detention was 771 days. Breakdown provided of top ten nationalities.	OBE22-146
Of the total 4,183 irregular maritime arrivals transferred to a regional processing country, 856 people were returned to Australia; 1,081	OBE22-142

people were transferred to Australia for a temporary purpose and remain in Australia; 105 remain in Papua New Guinea and 111 remain in Nauru; 1,042 were resettled in a third country; 963 were returned to their country of origin; 21 are deceased.	
The Detainee Security Risk Assessment for each detainee is reviewed on a monthly basis. A re-assessment is also required within 24 hours after a detainee has been involved in an incident or disturbance, or the detainee has received information or been named in an incident report as having been involved in any matter or witnessed any situation where there is an impact on security disposition.	OBE22-153
From 1 October 2021 to 30 September 2022, there were 7405 incidents involving use of force (including the application of handcuffs or other restraints) on people in held in immigration detention.	OBE22-155
There were 379 incidents of threatened and actual self-harm in detention in 2022. Breakdown provided over last five years by year and facility.	OBE22-211
185 people are detained on Christmas Island. 87 of them previously held a protection, refugee or humanitarian visa. Of these 87, 39 are engaged in a visa application process, merits review, judicial review or Ministerial Intervention process.	OBE22-205
During the period 1 February 2022 to 31 August 2022, the Commonwealth Ombudsman undertook an assessment of two people and recommended the Minister grant a visa or make them subject to a residence determination. The Minister intervened under section 195A of the Act in both cases to grant the two people visas. See Immigration assessments tabled in Parliament.	OBE22-121
14 people in immigration detention have active Hepatitis C. Less than five of them are undergoing antiviral treatment. Nine have not commenced treatment. The average length of time since confirmation of infection or health induction assessment was 751.6 days.	OBE22-139 , OBE22-140 , OBE22-183 , OBE22-184
Number of people with disabilities held in immigration detention broken down by disability type.	OBE22-141
54 people in detention cannot presently be deported to the country which they have been found to be owed protection. 160 people have	OBE22-151

a protection visa application yet to be finally determined. 298 previously held a protection or humanitarian visa.	
As at 31 December 2022, 127 people are currently in held detention at North West Point Immigration Detention Centre (NWPIDC) on Christmas Island	OBE22-303
42 stateless people are in immigration detention with an average period of detention of 1048 days – breakdown of total period detained. 12 stateless people are on a removal pathway.	OBE22-152 , OBE22-187 , OBE22-188 , OBE22-194
353 people have had their visas cancelled, and 120 people have had their visa application refused under s 501 from 21 May to 31 December 2022 – break down by location and offence type.	OBE22-321 , OBE22-203
Of the people in detention as at 31 August 2022, 241 had previously had a protection, refugee or humanitarian visa cancelled under section 501; 10 had previously had a protection, refugee or humanitarian visa cancelled under section 116; 53 had their protection visa, refugee visa or humanitarian visa refused under section 501.	OBE22-195 , OBE22-196 , OBE22-197

Regional processing centres and ‘transitory’ people

Of the 4,183 transitory people taken to a regional processing country since 1 August 2012, and as at 31 August 2022: 856 individuals were returned to Australia after the signing of the Regional Resettlement Arrangement with Papua New Guinea (PNG) on 19 July 2013 remained in Australia; 1,081 individuals were transferred to Australia for a temporary purpose and arrived after 19 July 2013 remained in Australia; 111 were in Nauru, and 105 individuals were in PNG at 31 December 2021 (excluding one individual incarcerated); 1,042 were resettled in a third country; 963 were returned to their country of origin; 21 are deceased.	OBE22-142
1,081 people who had been transferred to a regional processing centre (Nauru, Manus Island) on or after 19 July 2013 are now in Australia.	OBE22-161

Of the refugees that are engaged in the US resettlement process: Approximately 1,900 people have applied for US resettlement; 1,034 people have resettled in the US (401 from Nauru, 431 from PNG and 202 from Australia); 285 people have been provisionally approved and are awaiting departure.	OBE22-165
From 6 December 2019 to 31 August 2022, 107 people have been transferred to Australia from PNG and Nauru: 95 for medical treatment; 12 as accompanying family members; 49 of 107 were assessed and recommended for transfer under Medevac legislation (repealed on 5 December 2019).	OBE22-169
220 children have been born to parents transferred to a regional processing country on or after 19 July 2013: 170 born in Australia; <50 born in Nauru; <5 born in PNG	OBE22-167
Current policy on refugees in PNG: "On 31 December 2021, the former Government ended Australia's regional processing association with Papua New Guinea (PNG), with support for individuals remaining in PNG transitioning to the full and independent management of the PNG Government... The PNG Government contracted specialist providers to deliver support services, and the Australian Government provided funding to support the PNG Government's independent management".	OBE22-045
12 transitory persons reside in the community on expired Bridging E visas. They have been in the community without a visa for an average of 175 days.	OBE22-234
Experience of MTC, garrison services provider in Nauru.	OBE22-050

Border enforcement

During the period 1 July 2022 – 30 November 2022, ABF cancelled 340 visas at the border. Of the 340 cancellations at the border, 59 involved Indian nationals. During this period, seven individuals have sought judicial review of the cancellation of their visa.	OBE22-060
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Decision of the former government to direct the public announcement of SIEV 915 on the day of the 2022 federal election. See report by the Secretary of the Department of Home Affairs, Michael Pezzullo at https://minister.homeaffairs.gov.au/ClareONeil/Documents/siev-915-JATFOSB-statement.pdf	OBE22-083
Since the commencement of Operation Sovereign Borders on 18 September 2013, a total of 1056 people have been returned to their country of departure or their country of origin. These individuals were returned to either Indonesia, Sri Lanka or Vietnam	OBE22-207

TPV/SHEV

56 individuals had been refused a Temporary Protection Visa (TPV) (subclass 785) or Safe Haven Enterprise Visa (SHEV) (subclass 790) under section 501 of the Migration Act 1958.	OBE22-038
Approximately 26 per cent of TPV and SHEV holders live in regional Australia.	OBE22-039
Approximately 23 per cent of TPV and SHEV holders are Afghan citizens.	OBE22-040
18,593 TPV and SHEV visas have been granted in total from 19 July 2013 until 31 August 2022.	OBE22-126
1,471 TPV and SHEV visas were granted in 2021-22 including 303 TPV grants, and 1,168 SHEV grants.	OBE22-127
The average processing time for TPV and SHEV applications from application to primary decision is 1670 days for TPV and 1777 days for SHEV applications in 2021-22. The average processing times are provided by year from 2017-18.	OBE22-128
9,897 people have applied for a subsequent TPV/SHEV and 908 people have been granted a subsequent TPV/SHEV.	OBE22-129
In the last five financial years up to 31 August 2022, 6,814 people have sought judicial review of a negative Immigration Assessment Authority (IAA) decision. Of these, 768 resulted in an outcome in favour of the applicant.	OBE22-135

7,324 people have applied for permission to travel as at 31 August 2022. 6,481 requests have been approved, 2,255 were not approved	OBE22-133
6,405 people have been refused a SHEV/TPV and are 'fast track' applicants.	OBE22-130
Less than five people have been refused a subsequent TPV/SHEV.	OBE22-131
55 people who previously held a SHEV have been granted a permanent visa.	OBE22-132

Bridging visas

People who have work rights on Bridging Visa A, C and E.	OBE22-124
People who have study rights on Bridging Visa A, C and E.	OBE22-125

Onshore permanent protection visas (subclass 866)

In the last five financial years, there have been 7760 permanent protection visa applicants that have sought judicial review. Of these, 767 were successful.	OBE22-136
Average processing times for permanent protection visas from lodgement to primary decision between 1 January 2013 to 31 August 2022; number of decisions (granted and refused).	OBE22-180
24,007 people are on bridging visas with applications on hand for permanent protection visas.	OBE22-232
Provides a breakdown of the visa class for those with a current protection claim, including claims with the Department and Federal Circuit Court.	OBE22-123
Between 1 July and 31 December 2022, 8,333 people have arrived in Australia by plane on a valid visa and subsequently lodged a permanent protection visa application – breakdown by citizenship, grant rates between 2019-20 and 2022-23, current visas held by applicants.	OBE22-451

As at 31 December 2022, a total of 24,154 people, who had arrived in Australia by plane on a valid visa had lodged a permanent Protection Visa application that was undergoing assessment. Grant rates between the program years 2019–20 and 2022–23 (to 31 December 2022).	OBE22-408
The Department has not observed an increase in the incidents of ‘visa scams’.	OBE22-454

Status Resolution Support Service (SRSS)

1578 people receive support under the SRSS Program. Of these, 1387 are in receipt of income support payments from Services Australia.	OBE22-233
Number of people receiving SRSS support, breakdown by band.	OBE22-236
612 transitory persons receive support under SRSS. Of these, 549 are in receipt of income support payments from Services Australia.	OBE22-238

Family reunion

On-hand visa applications and median processing times for partner and child, other family and parent programs.	OBE22-170
Visa applications pending for partner visas subclass 309/100 and subclass 820/801; average process time for subclass 309/100 by nationality.	OBE22-172 , OBE22-173
3,400 partner visa applications are impacted by lowest processing priority under Ministerial Direction 80 – broken down by nationality and year of lodgement.	OBE22-174

Afghan nationals

Monthly breakdown of permanent humanitarian visas granted and refused to Afghan nationals.	OBE22-047 , OBE22-049
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<p>Partner and family visas granted to Afghan nationals between 1 July 2021 and 31 October 2022.</p>	<p>OBE22-054</p>
<p>7209 applications are on hand for partner visas from Afghan nationals, 391 in Australia and 6818 from outside Australia. Of the 7209 applications, 2720 are (dependent) children. The department could not give a timeframe for clearing the backlog.</p>	<p>OBE22-055, OBE22-239, OBE22-241, OBE22-242</p>
<p>1988 partner visas were granted to Afghan nationals from 15 August 2021 (the fall of Kabul) to 31 October 2022.</p>	<p>OBE22-240</p>
<p>At 31 August 2022, there were 7845 applications for Australian citizenship by conferral on-hand from nationals of Afghanistan.</p>	<p>OBE22-267</p>
<p>Priority in the humanitarian program is given to: People outside their home country, assessed as refugees by the UNHCR and referred to Australia for resettlement; Applicants proposed by a close family member in Australia; and Vulnerable cohorts within refugee populations, including women and children, ethnic minorities, LGBTQI+ and other identified minority groups.</p> <p>Within the places for Afghan nationals, priority is given to: Humanitarian Stay (Temporary) (subclass 449) visa holders in Australia; Immediate split family members of Humanitarian visa holders in Australia; Former Locally Engaged Employees (LEE) and their immediate family members; and Vulnerable women and children, LGBTQI+ and other identified minority groups, and referrals from UNHCR.</p>	<p>OBE22-048</p>