



Immigration and Protection Tribunal

Annual Report 2020/2021

Judge Peter Spiller
Chair

July 2021

Introduction

The Immigration and Protection Tribunal was established under section 217 of the Immigration Act 2009 (the Act).

Section 224A of the Act requires the Chair of the Tribunal to provide an annual report to the Minister of Justice, the Minister of Immigration and the Minister for Courts on the performance of the Tribunal's functions under the Act in the preceding financial year. The report must include details of the number and nature of the determinations made by the Tribunal in the period to which the report relates.

This is the 10th full annual report of the Tribunal and covers the 12 months from 1 July 2020 to 30 June 2021.

This report contains no financial statements because the Chair does not determine the Tribunal's budget.

Highlights of the 2020/2021 Court Year

1. In the past seven years, the number of disposable appeals on hand has reduced by over 70%. In the past court year, the Tribunal experienced a significant increase in the number of incoming appeals. Despite a reduction in the Tribunal's active membership and COVID-19 disruptions, the Tribunal increased its output of decisions. As a result, the Tribunal continued to operate "at flow": that is, without a backlog of work on hand. Appeals were allocated for decision, or set down for hearing, shortly after they were received and prepared.
2. Considerable progress was made over the past year in reducing the number of hearing-based appeals. The number of disposable deportation-resident appeals on hand fell by over 60%, and the number of refugee and protection appeals on hand was reduced by 28%.
3. The Tribunal continued to make significant progress in achieving its statutory objective of expeditious despatch of business. Seven years ago, appellants had to wait, on average, a year before they knew the outcome of their appeals. Over the past year, the average length of time, from the Tribunal's receipt of an appeal to the release of a decision, shortened by nearly a month to less than five months.
4. Only 1.3% of the Tribunal's decisions in the past year were taken on appeal or judicial review to the High Court (less than half the number of the previous year); and only one matter was remitted back to the Tribunal (by consent).
5. The Chair and senior members of the Tribunal compiled Practice Manuals/Procedures Indices for each of the Tribunal's four streams of work. These compilations provide guidance to Tribunal members on the procedural and jurisprudential aspects of the Tribunal's appeals.
6. A collection was made of decisions, with abstracts, of the Tribunal's predecessor body, the Deportation Review Tribunal, and will be placed on the Tribunal's website for reference by users of the Tribunal. This process completes the compilation of website decisions of the Tribunal and all its four predecessor bodies.
7. In November 2020, the Tribunal celebrated the 10th anniversary of its establishment, and its members and staff were joined by representatives of the bench, the Ministry of Justice, the Ministry of Business, Innovation and Employment (MBIE), and the bar.

8. The Tribunal continued to receive much-appreciated support from the Ministry of Justice leadership and staff. The Tribunal's appeal lodgement forms were updated and amended. The Ministry is presently working towards the Tribunal having access to conviction histories held by the Ministry, which will obviate the need in many cases for the Tribunal to request clearance certificates from the New Zealand Police Vetting Unit. Legislation is presently being drafted to transfer the Tribunal's members to oversight of the Remuneration Authority.

Statutory Functions and Procedures

The functions of the Tribunal are set out in section 217(2) of the Act:

- (2) The functions of the Tribunal are—
 - (a) to determine appeals against—
 - (i) decisions to decline to grant residence class visas:
 - (ii) decisions in relation to recognition as a refugee or a protected person:
 - (iii) decisions to cease to recognise a person as a refugee or a protected person:
 - (iv) decisions to cancel the recognition of a New Zealand citizen as a refugee or a protected person:
 - (v) liability for deportation:
 - (b) to determine applications—
 - (i) made by refugee and protection officers in relation to the cessation of recognition of a person as a refugee or a protected person, if the recognition was originally determined by the Tribunal (or by the Refugee Status Appeals Authority under the former Act):
 - (ii) made by refugee and protection officers in relation to the cancellation of recognition of a New Zealand citizen as a refugee or a protected person, if the recognition was originally determined by the Tribunal (or by the Refugee Status Appeals Authority under the former Act):
 - (iii) made by the Minister under section 212(2) on whether a person has failed to meet his or her conditions of suspension of liability for deportation:
 - (c) to deal with certain transitional matters arising from the repeal of the Immigration Act 1987, in accordance with Part 12 of this Act.

The Tribunal may conduct its proceedings in an inquisitorial manner, an adversarial manner, or in a mixed inquisitorial and adversarial manner as it sees fit (section 218 of the Act).

Members of the Tribunal

As at 30 June 2021, the Tribunal consisted of the following full-time equivalent (FTE) and part-time members, 20 in total, in addition to the Chair:

<u>Name</u>	<u>Location</u>	<u>Position</u>	<u>FTE</u>
M Treadwell	Auckland	Deputy Chair	1.0
S Aitchison	Auckland	Member	1.0
M Avia	Auckland	Member	0.8
S Benson	Auckland	Member	0.9
M Benvie	Auckland	Member	1.0
B Burson	Auckland	Member	0.75
A Clayton	Wellington	Member	1.0
T Cook	Auckland	Member	1.0
B Dingle	Auckland	Member	0.55
J Donald	Auckland	Member	0.8
M Martin	Christchurch	Member	0.5
A Molloy	Auckland	Member	0.2
L Moor	Auckland	Member	1.0
S Pearson	Wellington	Member	0.5
Z Pearson	Wellington	Member	1.0
M Roche	Auckland	Member	1.0
V Shaw	Auckland	Member	0.3
D Smallholme	Auckland	Member	1.0
V Vervoort	Wellington	Member	0.5
L Wakim	Auckland	Member	0.8
Total FTE			15.6

At the beginning of the court year, Mr Davidson retired from the Tribunal. In November 2020, Ms Donald took an extended period of unpaid leave. In March 2021, Mr Fuiava resigned from the Tribunal on his appointment to the Employment Relations Tribunal. During the court year, Ms Dingle,

Mr Molloy and Ms Shaw significantly reduced their commitment to the Tribunal. As at 30 June 2021, the total FTE of members has reduced to 15.6, compared with 18.4 at 30 June 2019.

Efforts were made in the Tribunal to foster a team spirit amongst the members and the administrative staff, and the Chair held a monthly birthday tea gathering open to all Auckland members and staff. The Chair visited the Wellington members and staff, and hosted lunch gatherings for members and staff there.

The Tribunal welcomed the Government's commitment to moving the remuneration of members from the Cabinet Fees Framework to the Remuneration Authority, with legislation to this effect to be introduced soon. The Tribunal also appreciated the Ministry of Justice's support for the development of terms and conditions for Tribunal members. There remains an urgent need for the Ministry of Justice to establish such terms and conditions, so that Tribunal members can be treated in a uniform manner and so that legitimate expectations can be clarified for the benefit of the members and the Ministry.

Dispatch of Tribunal Business

In terms of sections 220(1)(a) and 223 of the Act, the Chair is responsible for making arrangements to ensure the orderly and expeditious dispatch of business in the Tribunal.

Performance Appraisal of Members

In 2020/2021, the Chair continued the process (of the last seven years) of biannual performance appraisal meetings with each of the members. These meetings are designed to review performance over recent months (in terms of the number and timeliness of decisions), set targets for disposal of appeals, and discuss any other issues relating to the work of members.

Internal Liaison

There were monthly meetings of all members, and regular meetings of members involved in the Tribunal's four streams of work.

There continued to be a management committee which periodically met to discuss issues of concern and advise the Chair. The current committee comprises the Chair, Mr Treadwell (the Deputy Chair), Mr Burson (administration manager of the refugee and protection stream), Ms Smallholme (formerly Ms Donald) (administration manager of the residence stream), Ms Clayton (formerly Mr Molloy) (administration manager of the deportation resident stream), and Ms Dingle (formerly Ms Smallholme) (administration manager of the deportation non-resident stream).

Appeal Forms and Templates

In the past court year, the Tribunal's appeal lodgement forms were amended and updated by the Deputy Chair, Mr Treadwell, and the Service Manager, Ms Pesic, with the support of the Ministry of Justice.

To promote consistency of approach and presentation of Tribunal decisions, templates for the framework of decisions continued to be used by Tribunal members. The templates have been reviewed on an ongoing basis.

Practice Notes

In terms of section 220(2)(a) of the Act, the Chair of the Tribunal may issue Practice Notes for the purpose of regulating the practice and procedure of the Tribunal. The Practice Notes are designed to provide guidance to members of the legal profession, immigration advisers, and those appearing in person before the Tribunal. The Tribunal maintained Practice Notes in the four streams of the Tribunal's jurisdiction, and also a Publication Practice Note to clarify the Tribunal's stance on protecting the confidentiality of certain classes of appellants.

Practice Manuals and Procedures Indices

In the past court year, the Chair and senior members of the Tribunal compiled Practice Manuals for the residence and deportation non-resident streams, and Procedures Indices for the deportation-resident and refugee and protection streams. These compilations are intended to provide guidance on the procedural and jurisprudential aspects of appeals in each of the Tribunal's streams of work.

Website and Synopses of Decisions

An important objective of the Tribunal is to provide public access to the Tribunal's work, in the interests of promoting greater accountability, awareness and understanding. The Tribunal maintained its website database of searchable, published decisions of the Tribunal (with abstracts), which provided a valuable resource for Tribunal members, higher courts, counsel, representatives, appellants and the wider public.

Whereas in earlier court years, there was a significant backlog in the preparation of abstracts (synopses) of Tribunal decisions, the Tribunal, in the past court year, continued the system whereby abstracts were compiled as soon as decisions were ready to release, so that there is no likelihood of future backlogs occurring.

The Tribunal's website has included, not only its own decisions, but also those of three of its four predecessor bodies. In the past court year, a compilation was made of decisions of the fourth predecessor tribunal (the Deportation Review Tribunal), and these decisions will be loaded onto the website shortly. The decisions have abstracts and will be searchable. The compilation was made by the Chair, Mr Treadwell and the Tribunal's Legal and Research Advisor team.

External Liaison

The Tribunal functions as a unit within broader structures and is required to liaise with other interested bodies. In the past year, the Chair and/or Tribunal members and staff met:

- Mr Phil Twyford, Associate Minister of Immigration;
- Representatives of the New Zealand Law Society, the Auckland District Law Society, and counsel from MBIE;
- The General Manager of Refugee and Migrant Services and the manager of the Refugee Status Unit;
- Staff members of MBIE.

The Chair also attended a series of workshops, with other heads of bench, on the development of terms and conditions for Tribunal members.

Education, Training and Professional Development of Members

In terms of section 220(1)(b) of the Act, the Chair is responsible for directing the education, training, and professional development of members of the Tribunal. During the current year, the following measures were put in place to facilitate these objectives.

Education and Training

In September 2020, there was a presentation by Stephen Dunstan (MBIE General Manager); in October 2020, the Chair presented on the Unjust and Unduly Harsh test in humanitarian cases; and, in November 2020, Ms Donald led a session on disclosure.

In late November 2020, a day's training session on issues affecting children was held for members of the refugee and protection stream. This session was followed by a day's training event for all members on a variety of topics presented by the Chair and members, with a guest speaker. On the following day, the Tribunal celebrated its 10th anniversary, with reflections from the Chair and senior members and staff, presentations by Judge Lawrence Hinton (the National Executive District Court Judge), Andrew Kibblewhite (Chief Executive and Secretary for Justice) and Stephen Dunstan.

In March 2021, the Chair presented a session on pending court proceedings in deportation non-resident appeals.

Professional Development

The biannual performance appraisal meetings (noted above) supported the professional development of members. Monthly newsletters provided members and administrative staff with information on the Tribunal and its performance, and attached a summary of upcoming events in New Zealand and overseas.

The system of peer review remained an important aspect of ongoing professional development in the Tribunal. Every decision produced by a member is sent in draft form to a colleague experienced in the stream for review and feedback. This process is designed to enhance the quality and consistency of decisions produced by the Tribunal.

Members may, on work time (with the Chair's approval), undergo training, attend conferences and give conference presentations, and liaise with relevant bodies and persons overseas. Some of these

attendances are self-funded by members, but the Ministry provides a contribution to expenses where appropriate. The Chair and members engaged in the following outside activities:

- The Chair (via Zoom) gave a presentation lecture on the Tribunal to the Migration and Refugee Law class at Victoria University; and he presented a lecture on the Tribunal to the “Specialist Immigration Areas” class of the Toi-Ohomai Institute of Technology.
- The Chair and Mr Burson presented a “webinar” on the impact of COVID-19 on Tribunal appeals to members of the New Zealand Law Society.
- Mr Treadwell (via Zoom) gave training to the Norwegian Tribunal, the Directorate of Immigration; and to Taiwanese lawyers and NGOs, through the Asia Pacific Refugee Rights Network. He also gave a guest lecture to the Immigration and Refugee Law course at Otago University; and assisted in the project for the implementation of the recommendations of the Casey Review, undertaken by MBIE.
- Mr Treadwell, Ms Dingle and Mr Molloy served on the Asia Pacific Council of the International Association of Refugee and Migration Judges (IARMJ), participating in regular international meetings, and developing training and capacity-building activities for the region.
- Ms Avia, Ms Moor, Ms Z Pearson, Ms Roche and Ms Wakim attended (remotely) the Council of Australasian Tribunals (COAT) 2021 national online conference.
- Ms Avia, Mr Molloy, Ms Moor and Ms Smallholme attended (remotely) the University College London seminar on “Queer Refugees, Western Stereotypes, and the Denial of International Persecution Protection due to Multi-Layered Marginalisation”.
- Ms Avia and Ms Moor attended (remotely) the IARMJ seminar on “The Child in Migration and Protection Law”.
- Ms Dingle, Ms Donald and Ms Wakim gave presentations at the annual Wolters Kluwer CCH Immigration Law Conference, and Ms Avia, Mr Benson, Ms Cook and Ms Roche also attended.
- Ms Moor and Ms Wakim attended (remotely) the UNSW Kaldor Centre conference.
- Ms Moor and Ms Smallholme attended the International Association of Women Judges’ conference.
- Ms Moor, Ms Z Pearson, and Ms Roche attended (remotely) the NZ Law Society seminar on “Questioning Vulnerable People - Best Practice”.

- Ms Aitchison attended (remotely) the keynote presentation by James Hathaway, at the RLI 5th Annual Conference, “Is ‘Ageing Gracefully an Ageist Critique?’”.
- Mr Benson attended (remotely) an NZLS seminar on Parole Board hearings.
- Mr Burson participated (remotely) in two expert meetings on Climate Change, Disasters and International protection, hosted by the UNHCR; presented (remotely) on Child Specific Forms of Persecution at a webinar for the Asia Pacific Chapter of the IARMJ; and attended (remotely) a session on “Elements of the Refugee Definition”, at the 5th Annual Conference of the Refugee Law Initiative, University of London.
- Ms Dingle continued to liaise with UNHCR in regard to a refugee case in Vanuatu.
- Ms Roche acted as the Rapporteur for the IARMJ Judicial Resilience and Well Being Working Party.

Due to the intense and stressful nature of some aspects of the Tribunal’s work, a confidential counselling service is made available to members for work-related issues. The guest speaker at the November 2020 training spoke on trauma-informed practice, and the refugee stream is currently trialling some trauma- informed hearing practices.

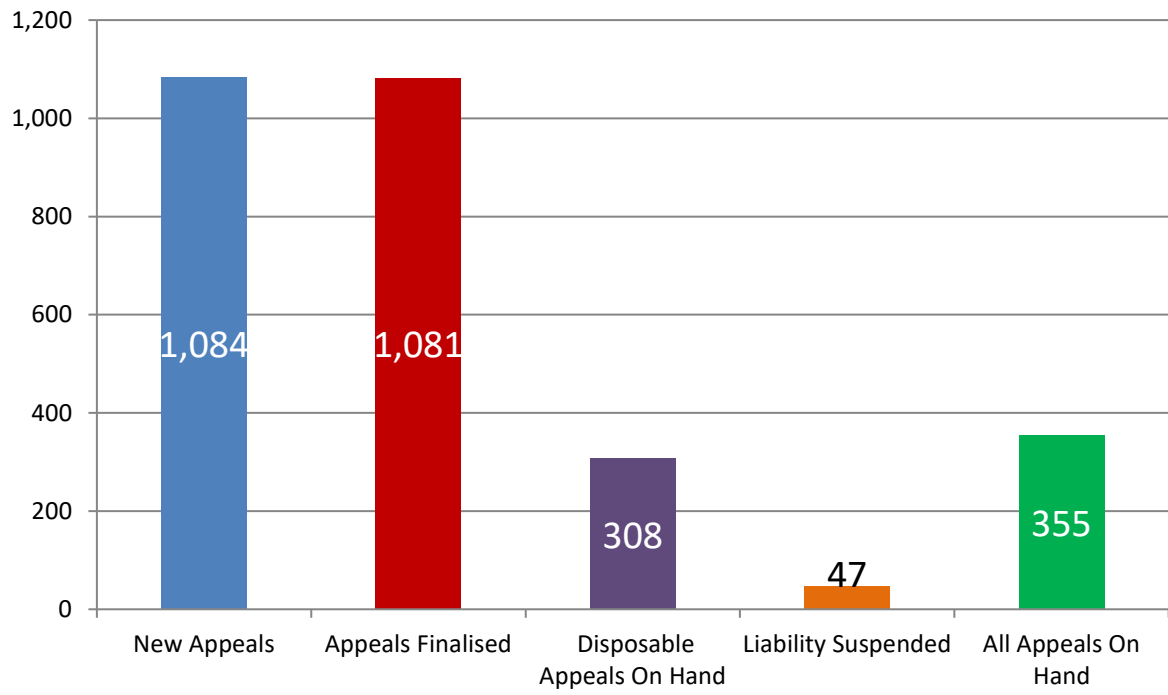
Number and Disposal of Appeals in the Tribunal

The Tribunal started the 2020/2021 year with 352 appeals on hand, of which 261 were disposable appeals. (Disposable appeals exclude those appeals where the deportation liability of the appellant has been suspended by the Minister of Immigration, and so cannot be heard by the Tribunal during the period of suspension.) The Tribunal received 1,084 new appeals, which was 28% more than in the previous year.

In the 2020/2021 year, the Tribunal finalised 1,081 appeals, comprising 874 decisions and the rest were withdrawn, dispensed with or determined to be invalid. The output of the Tribunal was 9% higher than in the 2019/2021 year, despite a significant ongoing decline in the number of active members of the Tribunal, and repeated disruptions caused by the COVID-19 pandemic (particularly in the Auckland region). The overall result was a marginal increase in the total number of appeals on hand (by 3), to 355 appeals, and disposable appeals increased, by 47, to 308. The Chair produced 145 decisions (over 16% of the total number) during the year, thus completing 1,379 decisions (17% of the total) across all four streams over the last seven years.

The Tribunal continues to be “in flow”, without a backlog of work on hand. Appeals in the paper-based streams (residence and deportation non-resident) can normally be allocated soon after they are received and made ready to be decided. Appeals in the hearing-based streams (deportation resident and refugee and protection) can normally be scheduled for hearing as soon as they are received. The overall effect is that the Tribunal now effectively meets a key objective of the Immigration Act 2009, which is to determine appeals “with all reasonable speed” (section 222(1)) and in an expeditious manner (sections 220(1)(a)(i) and 223(1)).

Total Number of New Appeals and Disposals 2020/2021



Nature of Appeals in the Tribunal

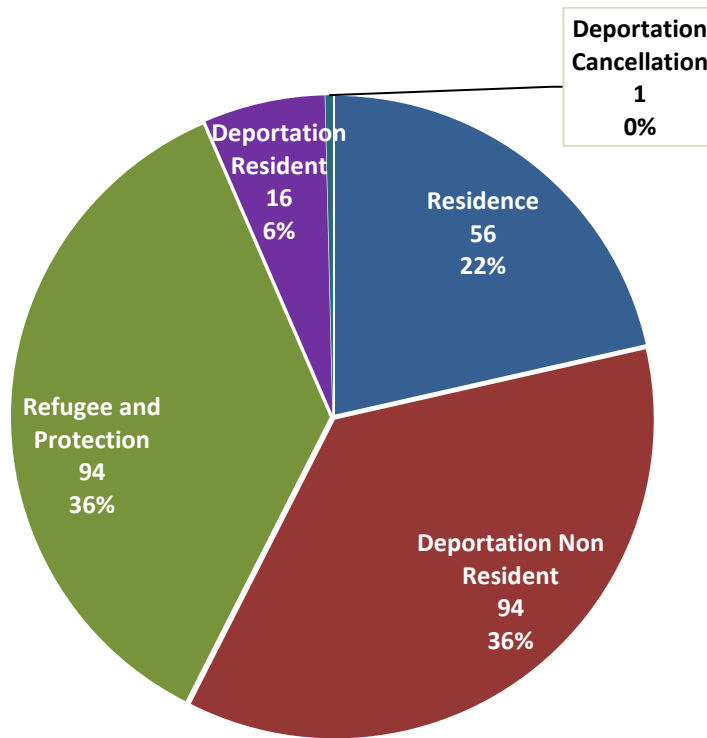
As indicated above, there are four primary streams of work in the Tribunal, corresponding to the four former Tribunals that were amalgamated in November 2010 to form the present Tribunal. The work streams are the residence, deportation non-resident, deportation-resident, and refugee and protection streams. As noted above, appeals in the first two streams are decided on the papers and appeals in the latter two streams are decided after a hearing.

During the past year there was a reduction in the number of disposable deportation-resident appeals by over 60%, and a 28% reduction in the number of refugee and protection appeals on hand. An increase in the residence and deportation (non-resident) streams of work was recorded. Of the disposable appeals on hand, the Tribunal began the year with 22% of its appeals on hand being residence appeals, 36% deportation non-resident appeals, 36% refugee and protection appeals, and 6% disposable deportation-resident appeals. The Tribunal ended the year with 41% of its appeals on hand being residence appeals, 35% deportation non-resident appeals, 22% refugee and protection appeals, and 2% disposable deportation resident appeals.

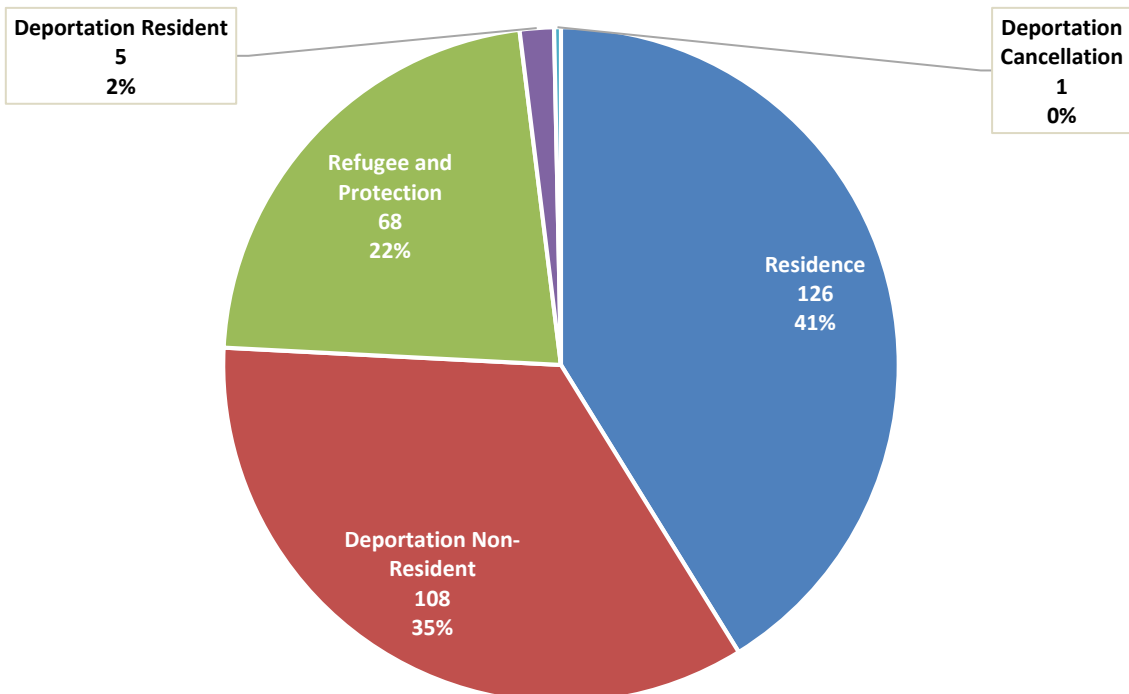
Included in the Tribunal's statistics are deportation-resident appeals where deportation liability has been suspended by the Minister of Immigration. Persons subject to suspended liability were previously required to lodge a deportation appeal 28 days after the date of service of a deportation liability notice. The Statutes Amendment Act 2019, section 67, now allows persons subject to suspended liability to defer lodging an appeal with the Tribunal against their liability for deportation until they are served with a reactivation notice. As at 30 June 2021, the Tribunal still has 47 suspended liability appeals lodged before this amendment came into force, which demonstrates a 48% decline in volume. It is noted that some appellants continue to exercise their right to lodge an appeal within 28 days after service of a deportation liability notice.

The Appendix, at the end of this report, contains charts and graphs which track the work of the Tribunal, over time.

Disposable Appeals on Hand at 30 June 2020



Disposable Appeals on Hand at 30 June 2021



Timeliness of Tribunal Decision-making

The expeditious despatch of appeals in the Tribunal is a key objective of the Act (sections 220, 222 and 223). The Tribunal is keenly aware that the decisions made by it are of considerable importance to appellants, and that prompt delivery of outcomes is a hallmark of the effective administration of justice. The Tribunal has concentrated on addressing its oldest appeals where possible. Each month, the Chair monitors the flow of Tribunal business (particularly aged decisions), and timeliness of decision-making is part of the performance appraisal of members.

Considerable progress has been made in the timeliness of Tribunal decisions. Seven years ago, the average number of days from receipt of an appeal to the release of the decision was 364 days (12 months). By the end of June 2021, this period had reduced to 146 days (less than five months). Part of the reason for the overall improvement in timeliness is that the average time taken by members, from allocation of file or last hearing to the decision, is now only 18 days. The progress in timeliness has been assisted by the work of the case managers who ensure that all files are fully prepared prior to allocation.

The Tribunal has at times been delayed in finalising appeals where it has considered the grant of residence status and therefore required police clearance certificates for the appellants concerned. The Ministry of Justice is presently working towards the Tribunal having access to conviction histories held by the Ministry, which will obviate the need in many cases for the Tribunal to request clearance certificates from the Police Vetting Unit.

The one stream where the Tribunal continues to have limited ability to control the time between lodgement and decision is the deportation-resident stream. The Tribunal has no control over the passage of time where deportation liability has been suspended by the Minister and the person concerned has lodged an appeal directly after issue of the deportation liability notice. The suspension can be for up to five years, meaning that the Tribunal has to hold such appeals, unresolved, for a period of time.

See chart F.3; F.4; F.5.

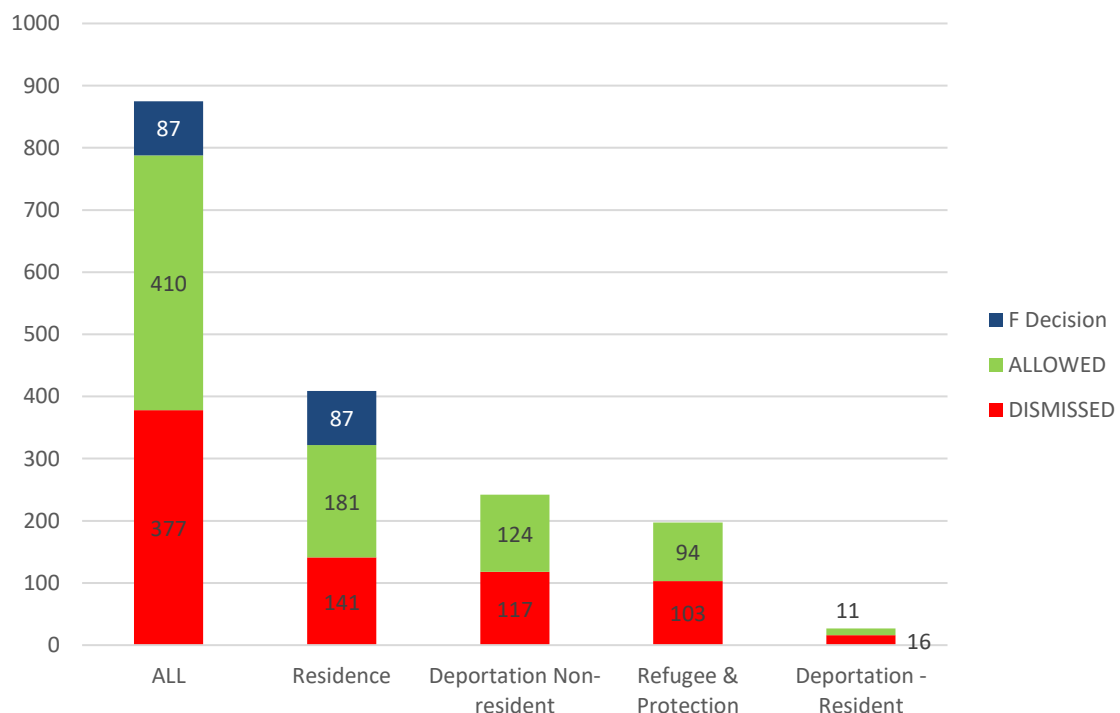
Outcomes of Appeals in the Tribunal

Of the decisions released by the Tribunal in the past year, 43% resulted in the appeal being declined, and 47% of appeals were allowed. A further 10% (all residence appeals) found that the decision of Immigration New Zealand was correct but referred the decision to the Associate Minister of Immigration, as special circumstances were identified.

The largest proportion of appeals declined was in the deportation resident stream (59%), followed by the refugee and protection stream (52%), deportation non-resident stream (49%), and residence stream (44%, plus 21% referred to the Associate Minister as so-called “F decisions”).

In the previous court year, 56% of appeals were declined, 36% were allowed, 8% were referred to the Minister. In the present court year, more appeals were allowed in all four streams, with COVID-19 factors playing an influential role in many cases.

Outcome of Appeals 2020/2021



Outcome of Appeals 2020/2021

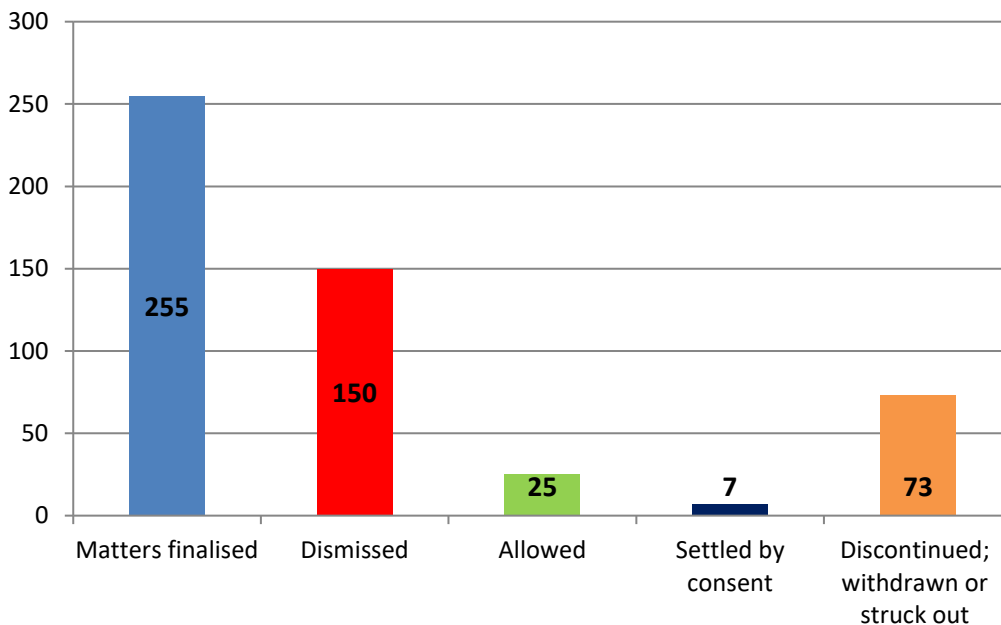
Outcome	Dismissed	Allowed	Referred to Minister	TOTAL
ALL	377	410	87	874
Residence	141	181	87	409
Deportation Non-resident	117	124		241
Refugee and Protection	103	94		197
Deportation Resident	16	11		27

Judicial Reviews/Appeals

Appellants have the right of appeal on point of law, and the right of judicial review, from decisions of the Tribunal to the High Court (see sections 245 and 247 of the Act). One measure of the quality of the Tribunal’s decisions is the low number of its decisions that are successfully appealed or judicially reviewed. In the past court year, there were 11 appeals and/or judicial review applications lodged in the High Court. These constituted 1.3% of the Tribunal’s 874 decisions released in the year, less than half of the previous year of 3%. Only one matter was remitted back to the Tribunal (by consent).

There have been 288 appeals (2.5%) from the 11,247 decisions released by the Tribunal since its commencement. Of the 255 applications to appeal or seek judicial review that have been finalised, 59% were dismissed, 12.5% were allowed or settled by consent, and the rest were withdrawn, struck out or discontinued. A total of 29 matters are yet to be determined, including some matters that are subject to further appeal to the Court of Appeal, following an initial dismissal by the High Court.

Matters Appealed to Higher Courts Since Tribunal’s Inception



Acknowledgements

This is my final report as Chair of the Tribunal, as I retire on 31 July 2021, after seven years in the role. I record my appreciation to the members of the Tribunal who have supported me and contributed to the work of the Tribunal, including over the past year. In particular, I am grateful for the invaluable support, counsel and expertise of Deputy Chair Martin Treadwell.

I acknowledge with thanks the important assistance that senior Ministry of Justice officials, including the Northern Regional Manager, Christopher King, have given to the Tribunal. I am grateful to the Tribunal's Manager, Justice Services, Jessie Henderson, for her conscientious assistance and experience. I thank the Tribunal's Service Manager, Minja Pestic, for her expertise and dedication. I thank the Chair's Assistants, Catherine Watson and Michelle Williams, for their professionalism and efficiency. I also thank Tracy Cook, a Tribunal member, for her assistance in editing this report.

As has been noted in this report, the past court year has seen the Tribunal maintain its workload without backlog, and continue to make significant advances in the expeditious despatch of business, in the face of difficult circumstances. The Ministry of Justice's staff members have been an essential part of this process. They have continued to manage their work cheerfully and efficiently, and deserve our thanks.



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Judge Peter Spiller
Chair,
Immigration and Protection Tribunal

APPENDICES

ALL APPEALS 1 July 2020 to 30 June 2021

Chart A.1

Total Tribunal Appeals on Hand

Appeals on hand at start of year	New appeals	Withdrawn or invalid	Decisions released	Appeals finalised	Appeals suspended	Disposible appeals on hand at end of year	Total appeals on hand at end of year
352	1,084	207	874	1,081	47	308	355

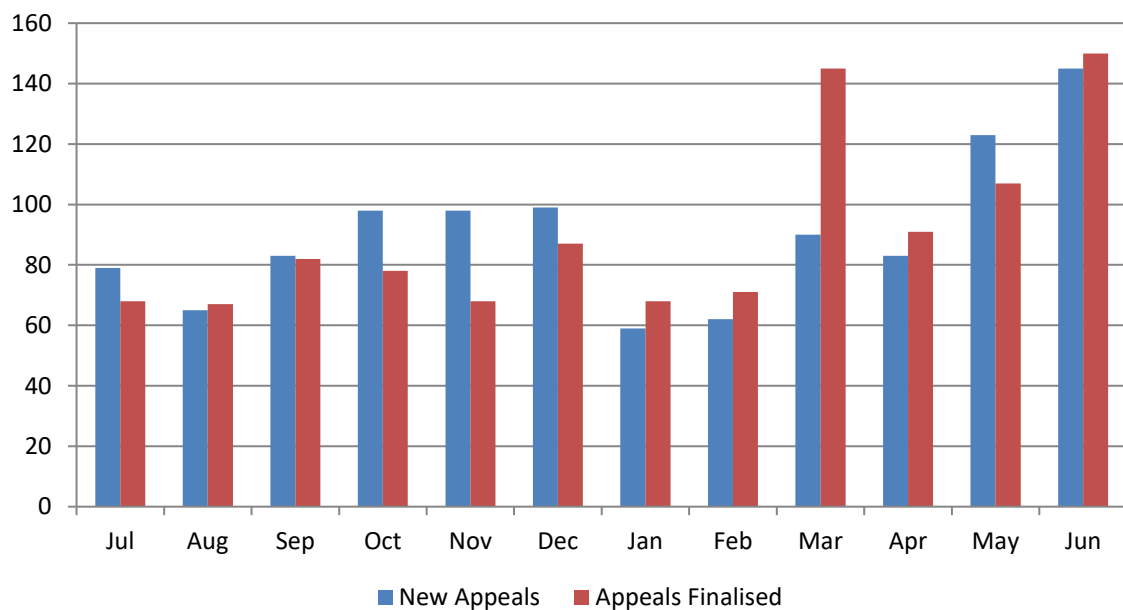
Chart A.2

Total Tribunal Decisions Released

Declined	Allowed	Referred to Minister	Total
377	410	87	874

Chart A.3

Total Tribunal Caseflow — by Month



RESIDENCE APPEALS
1 July 2020 to 30 June 2021

Chart B.1

Residence Appeals on Hand

Appeals on hand at start of year	New appeals	Withdrawn or invalid	Decisions released	Appeals finalised	Appeals on hand at end of year
56	498	19	409	428	126

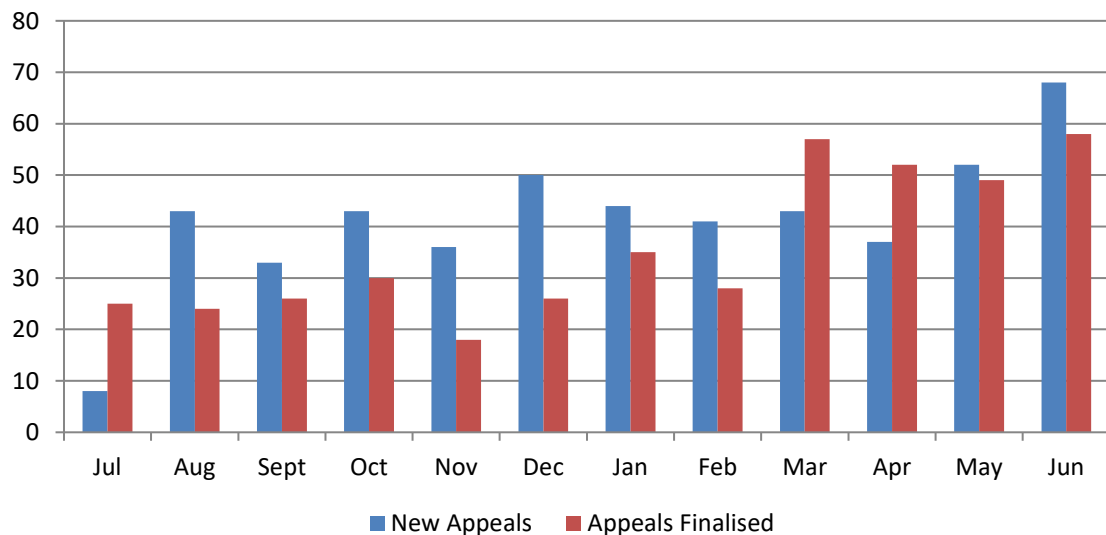
Chart B.2

Residence Decisions Released

Declined	Allowed	Referred to Minister	Total
141	181	87	409

Chart B.3

Residence Caseflow — by Month



DEPORTATION (NON-RESIDENT) APPEALS
1 July 2020 to 30 June 2021

Chart C.1

Deportation (Non-resident) Appeals on Hand

Appeals on hand at start of year	New appeals	Withdrawn or invalid	Decisions released	Appeals finalised	Appeals on hand at end of year
94	385	131	242	373	106

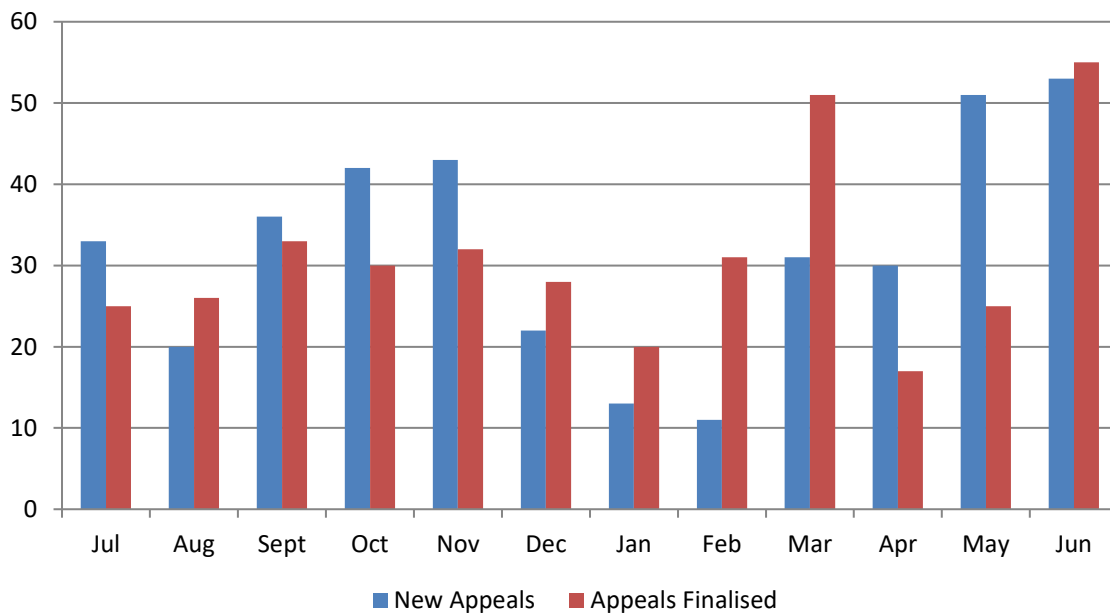
Chart C.2

Deportation (Non-resident) Decisions Released

Declined	Allowed	Total
118	124	242

Chart C.3

Deportation (Non-resident) Caseflow — by Month



REFUGEE AND PROTECTION APPEALS

1 July 2020 to 30 June 2021

Chart D.1

Refugee and Protection Appeals on Hand

Appeals on hand at start of year	New appeals	Withdrawn or invalid	Decisions released	Appeals finalised	Appeals on hand at end of year
94	177	6	197	203	68

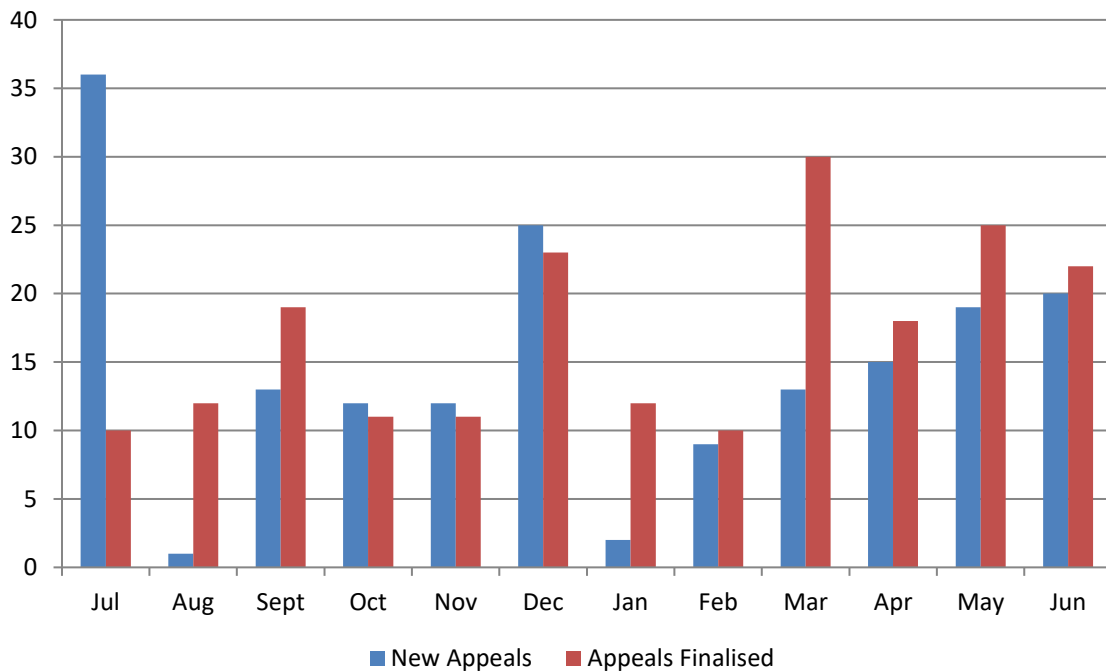
Chart D.2

Refugee and Protection Decisions Released

Declined	Allowed	Total
103	94	197

Chart D.3

Refugee and Protection Caseflow — by Month



DEPORTATION (RESIDENT) APPEALS
1 July 2020 to 30 June 2021

Chart E.1

Deportation (Resident) Appeals on Hand

Appeals on hand at start of year	New appeals	Withdrawn or invalid	Decisions released	Appeals finalised	Appeals suspended	Disposable appeals on hand at end of year	Total appeals on hand at end of year
107	24	52	27	79	47	5	52

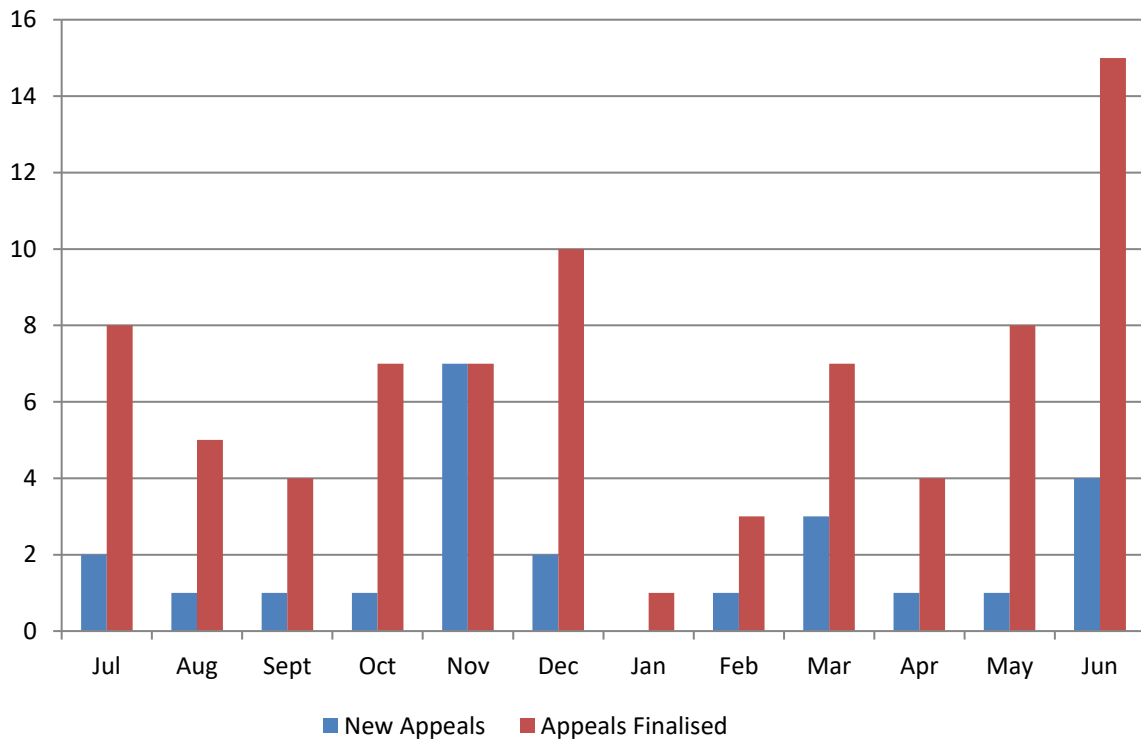
Chart E.2

Deportation (Resident) Decisions Released

Declined	Allowed	Total
16	11	27

Chart E.3

Deportation (Resident) Caseflow — by Month



SUMMARY OF ALL APPEALS

Chart F.1

Case Load Data by Financial Year

Year ending	Appeals on hand at start of year	New appeals	Withdrawn or invalid	Decisions released	Appeals finalised	Appeals on hand at end of year
June 2011	524	642	110	350	460	706
June 2012	706	1,399	280	681	961	1,144
June 2013	1,144	1,263	243	886	1,129	1,278
June 2014	1,278	1,261	287	1,179	1,466	1,073
June 2015	1,073	1,349	309	1,203	1,512	910
June 2016	910	1,193	210	1,274	1,484	619
June 2017	619	1,546	282	1,258	1,540	625
June 2018	625	1,927	276	1,520	1,796	756
June 2019	756	1,192	234	1,220	1,454	494
June 2020	494	849	189	802	991	352
June 2021	352	1,084	207	874	1,081	354
Total to date		13,705	2,627	11,247	13,874	

Chart F.2

Outcomes of Tribunal Decisions Released by Financial Year

Year ending	Declined	Allowed	Referred to Minister	Remitted back to RSU	Total
June 2011	209	106	35		350
June 2012	404	224	53		681
June 2013	549	286	51		886
June 2014	700	369	110		1,179
June 2015	755	381	67		1,203
June 2016	791	401	82		1,274
June 2017	814	372	72		1,258
June 2018	814	625	78	3	1,520
June 2019	632	504	84		1,220
June 2020	452	286	64		802
June 2021	377	410	87		874
Total to date	6,497	3,964	783	3	11247

Chart F.3

Average Number of Days from Receipt of Appeal to Release of Decision

	30 June 2013	30 June 2014	30 June 2015	30 June 2016	30 June 2017	30 June 2018	30 June 2019	30 June 2020	30 June 2021
Tribunal Average (days)	395	364	345	257	174	147	178	175	146
Residence	431	334	289	271	169	155	189	119	91
Deportation (Non-resident)	340	334	289	133	99	91	107	143	125
Refugee and Protection	318	364	441	352	265	216	231	321	246
Deportation (Resident)	501	410	706	414	476	408	314	279	420

Comparative Graph Showing Average Number of Days from Receipt of Appeal to Release of Decision

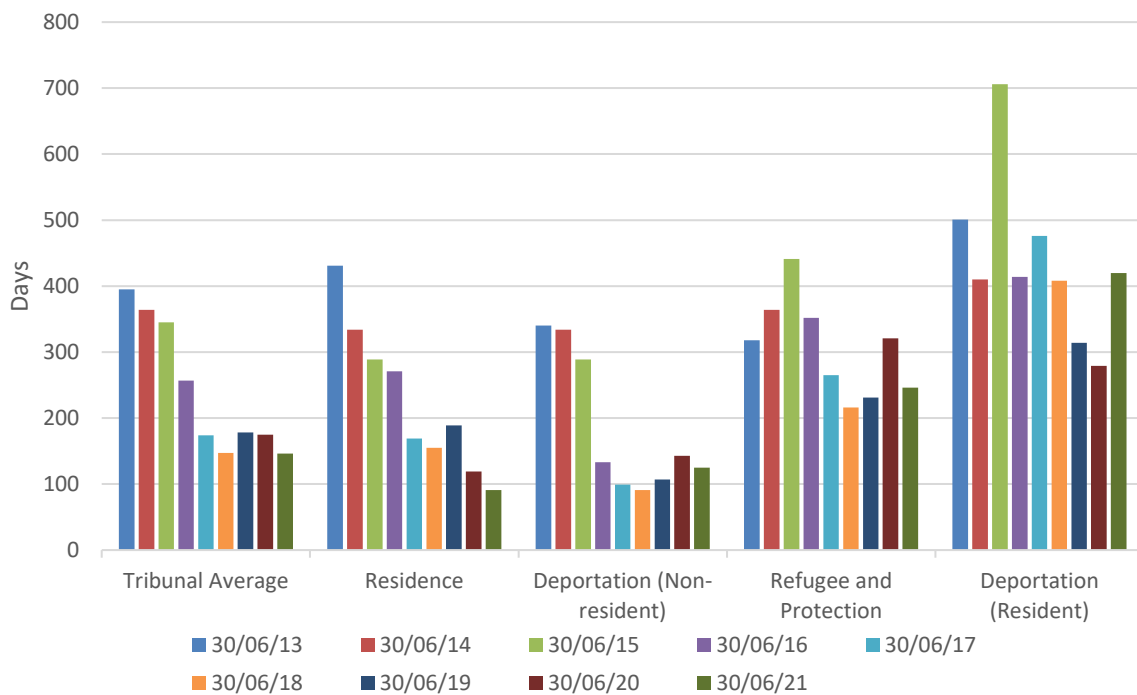


Chart F.4

Average Number of Days from Allocation or Date of Last Hearing to Release of Decision

	30 June 2013	30 June 2014	30 June 2015	30 June 2016	30 June 2017	30 June 2018	30 June 2019	30 June 2020	30 June 2021
Tribunal Average (days)	74	55	45	32	15	12	15	23	18
Residence	56	46	41	30	14	10	14	20	14
Deportation (Non-resident)	81	61	38	27	10	9	12	14	14
Refugee and Protection	100	69	79	43	25	23	23	25	32
Deportation (Resident)	135	172	65	52	28	29	19	46	30

Comparative Graph Showing Average Number of Days from Allocation or Date of Last Event to Release of Decision

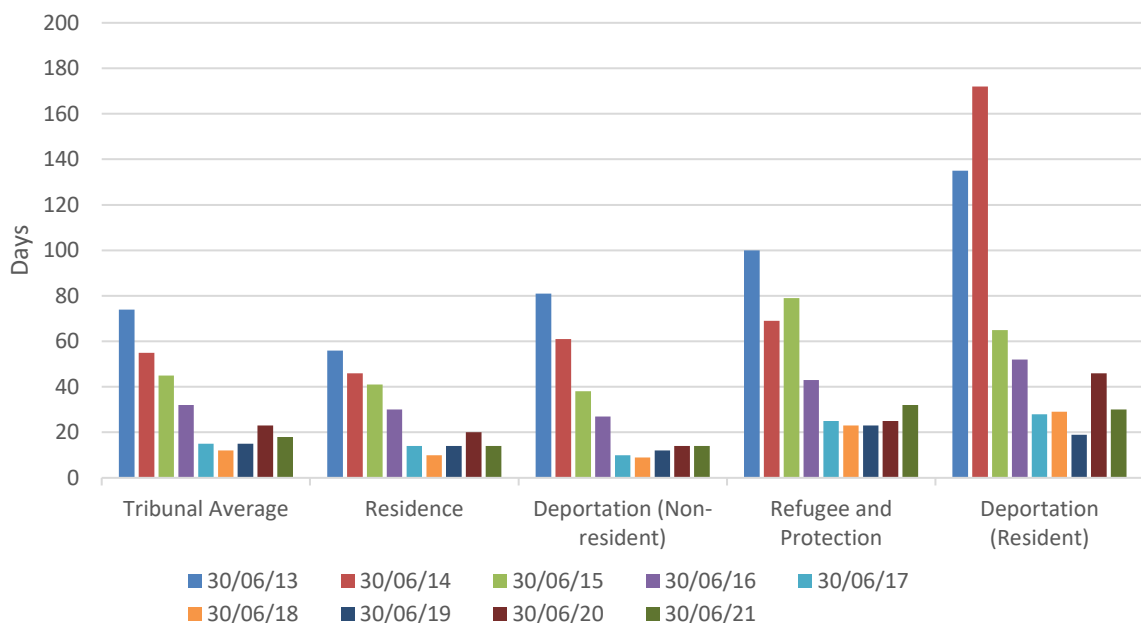


Chart F.5

Average Age (Days) of Active Appeals

	30 June 2013	30 June 2014	30 June 2015	30 June 2016	30 June 2017	30 June 2018	30 June 2019	30 June 2020	30 June 2021
Tribunal Average (days)	247	228	208	201	175	175	274	353	194
Residence	240	134	173	116	60	101	76	98	32
Deportation (Non-resident)	228	230	184	127	90	89	121	141	76
Refugee and Protection	329	248	215	159	137	98	142	162	79
Deportation (Resident)	425	425	361	500	574	481	604	856	951

Comparative Graph Showing Average Age of Active Appeals

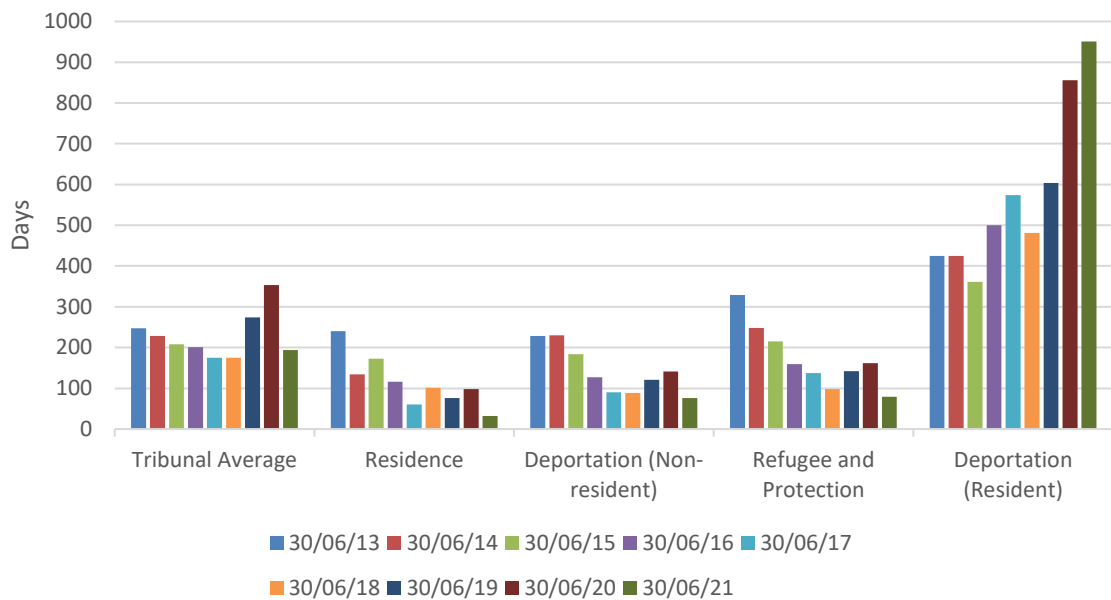


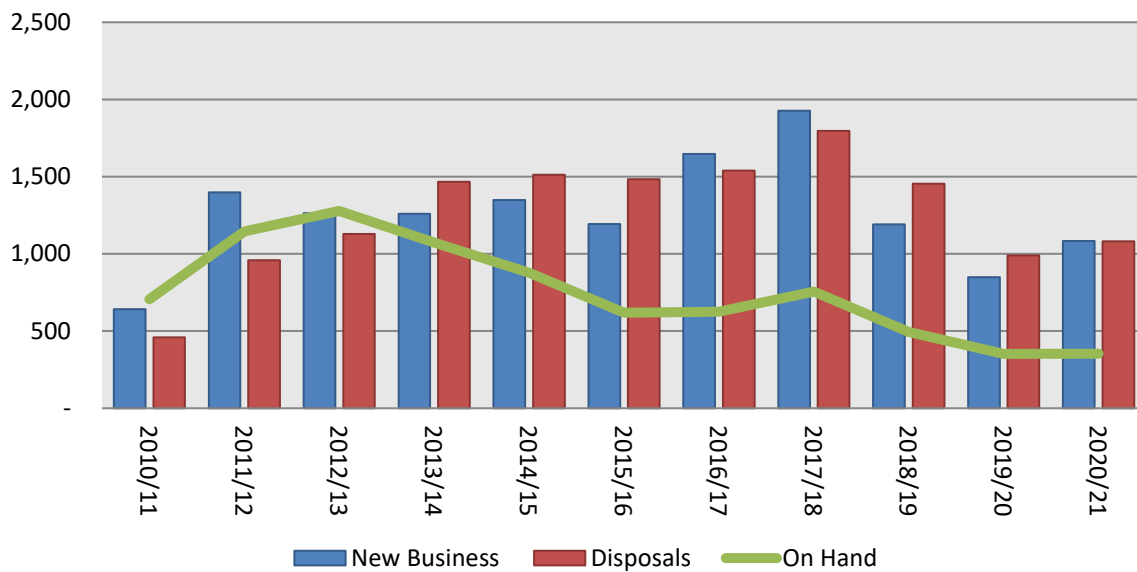
Chart G

IPT Caseload Data by Appeal Stream and Financial Year

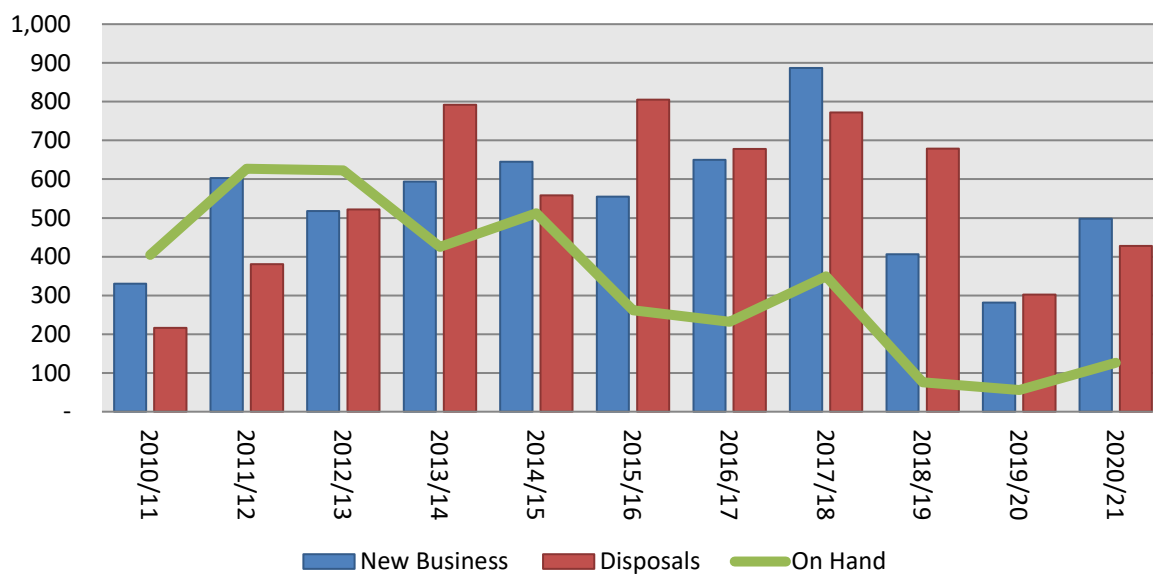
Appeal stream	Financial Year											
	2010 Transitional Appeals*	2010/ 2011	2011/ 2012	2012/ 2013	2013/ 2014	2014/ 2015	2015/ 2016	2016/ 2017	2017/ 2018	2018/ 2019	2019/ 2020	2020/ 2021
Residence												
New Business	291	330	603	518	594	645	555	650	887	406	282	498
Disposals		216	381	522	792	558	805	678	772	679	302	428
On Hand		405	627	623	425	512	262	232	349	76	56	126
Deportation (Non-resident)												
New Business	83	196	537	512	442	448	398	632	711	493	374	385
Disposals		146	366	394	499	677	422	579	747	488	415	371
On Hand		133	304	422	366	137	113	166	130	135	94	108
Refugee & Protection												
New Business	70	109	199	173	177	150	152	171	217	217	136	177
Disposals		75	164	157	142	211	158	187	202	218	163	203
On Hand		104	139	155	190	129	123	107	122	121	94	68
Deportation (Resident)												
New Business	80	7	60	60	47	102	88	91	111	76	57	24
Disposals		23	49	57	34	62	98	95	73	70	111	79
On Hand		64	75	78	91	131	121	117	155	161	107	52
TOTAL IPT												
New Business	524	642	1,399	1,263	1,260	1,349	1,193	1,648	1,927	1,192	849	1,084
Disposals		460	960	1,130	1,467	1,512	1,484	1,540	1,796	1,454	991	1,081
On Hand		706	1,145	1,278	1,072	879	619	625	756	494	352	355

*Appeals transitioned from legacy bodies

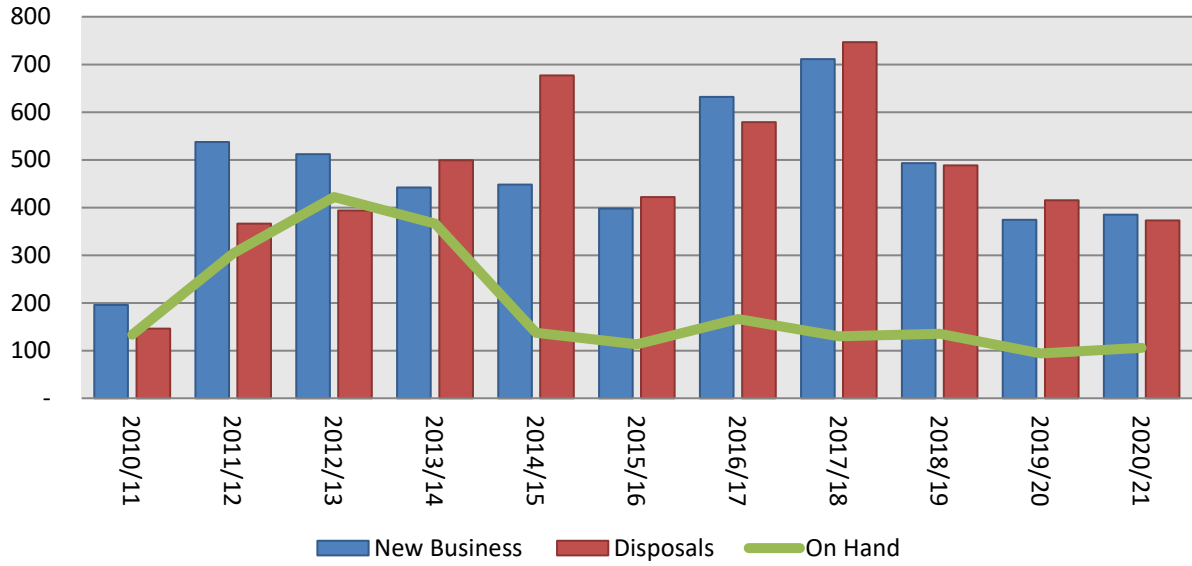
Total IPT



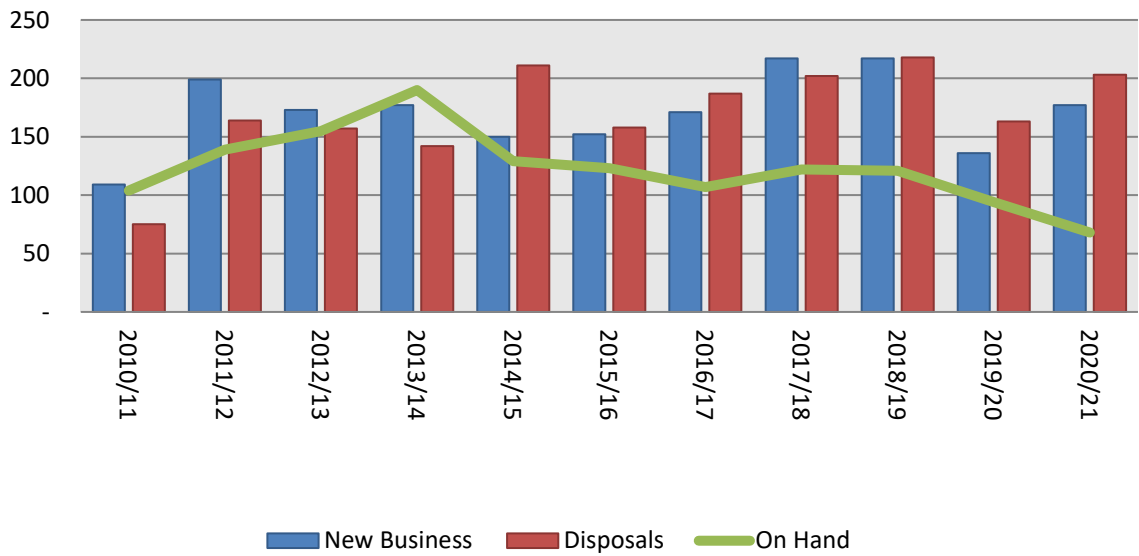
Residence



Deportation non-resident



Refugee & Protection



Deportation Resident

