



# Immigration and Protection Tribunal

## **Annual Report 2019/2020**

Judge Peter Spiller  
Chair

August 2020

## 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 eighth full annual report of the Tribunal and covers the 12 months from 1 July 2019 to 30 June 2020.

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

## Highlights of the 2019/2020 Court Year

1. By the end of the court year, the Tribunal had reduced the number of disposable appeals on hand by over 31%, to the lowest level in its history. The result was that, in all streams of work, the Tribunal's work was "in flow": that is, almost all appeals could be allocated for decision or set down for hearing as soon as they were received and prepared. The reduction in work on hand was notwithstanding the absence of some members through sickness and semi-retirement.
2. In particular, the number of deportation resident appeals on hand was reduced by two-thirds. This was made possible, in part, by a statutory amendment which allows the Tribunal to determine the appeals of residents serving prison sentences at an earlier stage.
3. Although the work of the Tribunal was disrupted by the five-week COVID-19 lockdown, during which no decisions could be released, the Tribunal still managed to reduce slightly the annual average length of time taken to release decisions. Tribunal members and staff continued to work during the lockdown and weekly meetings were held by telephone and electronic means.
4. Through further training and new work allocation across streams of work, more members were provided with greater diversity in their work, thus allowing for more flexibility in responding to the changing needs of the Tribunal. The Tribunal now substantially reflects what was envisaged at its inception, when four pre-existing jurisdictions were amalgamated.
5. Only 3% of the Tribunal's decisions in the past year were taken on appeal or judicial review to the High Court; and only two matters were remitted back to the Tribunal (compared with four matters in the previous court year).
6. The backlog of decisions without abstracts on the Tribunal's website has now been cleared. Users of the website (decision-makers, counsel, representatives, appellants and the wider public) now have a comprehensive, up-to-date and accessible body of Tribunal decisions of interest available to them.
7. The Tribunal continued to receive much-appreciated support from the Ministry of Justice leadership and staff.

## 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 2020, the Tribunal consisted of the following full-time equivalent (FTE) and part-time members, 22 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	1.0
M Benvie	Auckland	Member	1.0
B Burson	Auckland	Member	0.2
A Clayton	Wellington	Member	1.0
T Cook	Auckland	Member	1.0
A Davidson	Auckland	Member	0.1
B Dingle	Auckland	Member	0.6
J Donald	Auckland	Member	0.8
P Fuiava	Auckland	Member	1.0
M Martin	Auckland	Member	0.5
A Molloy	Auckland	Member	0.2
L Moor	Auckland	Member	0.8
S Pearson	Wellington	Member	0.8
Z Pearson	Wellington	Member	1.0
M Roche	Auckland	Member	0.8
V Shaw	Auckland	Member	0.3
D Smallholme	Auckland	Member	1.0
V Vervoort	Wellington	Member	0.5
L Wakim	Auckland	Member	0.8
<b>Total FTE</b>			<b>16.2</b>

During the past court year, changes were made to the FTE ratio of several Tribunal members, at their request. The overall result was that the total FTE of members was effectively reduced to 16.2 as at 30 June 2020, compared with 18.4 at 30 June 2019.

Efforts are made in the Tribunal to foster a team spirit amongst the members and the administrative staff, and the Chair holds a monthly birthday tea gathering open to all Auckland members and staff. The Chair visits the Wellington members and staff approximately once a month, and hosts lunch gatherings for members and staff there.

There remains an urgent need for the Ministry of Justice to develop terms and conditions for Tribunal members, so that they 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 2019/2020, the Chair continued the process 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.

### *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 Tribunal has 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. 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 also produces a Guide for each stream of its work for the benefit of persons intending to lodge an appeal.

During the past court year, the Tribunal's Practice Notes were updated and amended, effective from 31 October 2019.

### *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 website for the Tribunal includes a searchable database of the published decisions of the Tribunal, which provides a valuable resource for Tribunal members, higher courts, counsel, representatives, appellants and the wider public. The aim has been to provide an abstract (a synopsis) of every decision, for ease of reference.

In previous court years, there developed a significant backlog in the preparation of abstracts of Tribunal decisions. In the past court year, thanks to the sterling efforts of the Tribunal's Legal and

Research Advisor team, abstracts have now been prepared for each Tribunal decision, thus enhancing the accessibility of the Tribunal's database of decisions. Further, thanks to a new system whereby abstracts are compiled as soon as decisions are ready to release, there is no likelihood of future backlogs occurring.

### *Templates*

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

### *Internal Liaison*

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

There is a management committee which periodically meets 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 Donald (administration manager of the residence stream), Mr Molloy (administration manager of the deportation resident stream), and Ms Smallholme (administration manager of the deportation non-resident stream).

### *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 other staff or members liaised with: the Chief Operating Officer and the Group Manager (Courts and Tribunals, Regional Service Delivery) of the Ministry of Justice; members of the Ministry of Business, Innovation and Employment (MBIE); representatives of the New Zealand Law Society and the Auckland District Law Society; other members of the bar and counsel from MBIE; the Chief Medical Officer for Immigration New Zealand; the head of the Refugee Status Unit; and Senior Counsel for MBIE.

Over the summer of 2019/2020, the Tribunal was enriched by the presence of interns from Auckland University Law School, who produced good work for the Tribunal and hopefully benefited from their presence and involvement in the Tribunal. The Tribunal views its engagement with law students as interns as an encouragement to young practitioners to gain expertise and to practise in the spheres of migration and protection law.



## 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 August 2019, a two-day training event for all members was conducted, with guest speakers who included Sir Ronald Young, Chair of the Parole Board. Ongoing mentoring was provided to members new to the refugee and protection stream; and opportunities were provided for observation of hearings for those members being introduced to the deportation resident and refugee and protection streams.

### *Professional Development*

The biannual performance appraisal meetings (noted above) are designed to support 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.

An important aspect of ongoing professional development is the system of peer review 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 gave a presentation at the Friendship Club (formerly Probus) in Hamilton.
- The Chair and Mr Treadwell presented a “webinar” on deportation appeals to members of the New Zealand Law Society.

- The Chair, Mr Treadwell, Ms Roche and Mr Benvie attended the 12<sup>th</sup> World Conference of the International Association of Refugee and Migration Judges (IARMJ) in Costa Rica. At the Conference, Mr Treadwell and Ms Roche presented papers, and Mr Treadwell was elected as secretary of the IARMJ.
- Mr Treadwell gave a presentation at a UNHCR function for the Global Refugee Compact and spoke at a conference in Tokyo in November 2019.
- Mr Treadwell, Mr Molloy and Ms Dingle are on the council of the Asia Pacific Chapter of the IARMJ.
- Ms Aitchison attended the Melbourne Law School intensive course on statelessness.
- Ms Aitchison, Ms Clayton, Ms Moor, Ms Pearson, Ms Roche and Ms Wakim attended training (via webinar) on the questioning of vulnerable witnesses, including children.
- Mr Burson gave a presentation at an expert meeting organised by the United Nations Office of the High Commissioner for Human Rights, on the application of international human rights law outside the scope of the Refugee Convention. The United Nations Human Rights Committee gave a decision dismissing a complaint against New Zealand in which the Committee endorsed the approach taken by the Tribunal (Mr Burson) in its determination of the appeal by the complainant.
- Ms Dingle and Mr Treadwell ran an IARMJ workshop in Melbourne with Professor Hilary Cameron Evans, and this was attended by Ms Avia.
- Ms Dingle assisted Vanuatu Immigration with their first refugee case.
- Ms Donald gave presentations to the New Zealand Association of Migration and Investment (NZAMI) and to Immigration New Zealand’s Medical Assessors.
- Mr Fuiava gave a seminar at the Pacific Lawyers’ Association Law Conference.
- Ms Moor is a member of the IARMJ Working Group on Country Information, Expert Evidence and Social Media.
- Ms Wakim gave a presentation to students at Victoria University of Wellington.

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.

## Number and Disposal of Appeals in the Tribunal

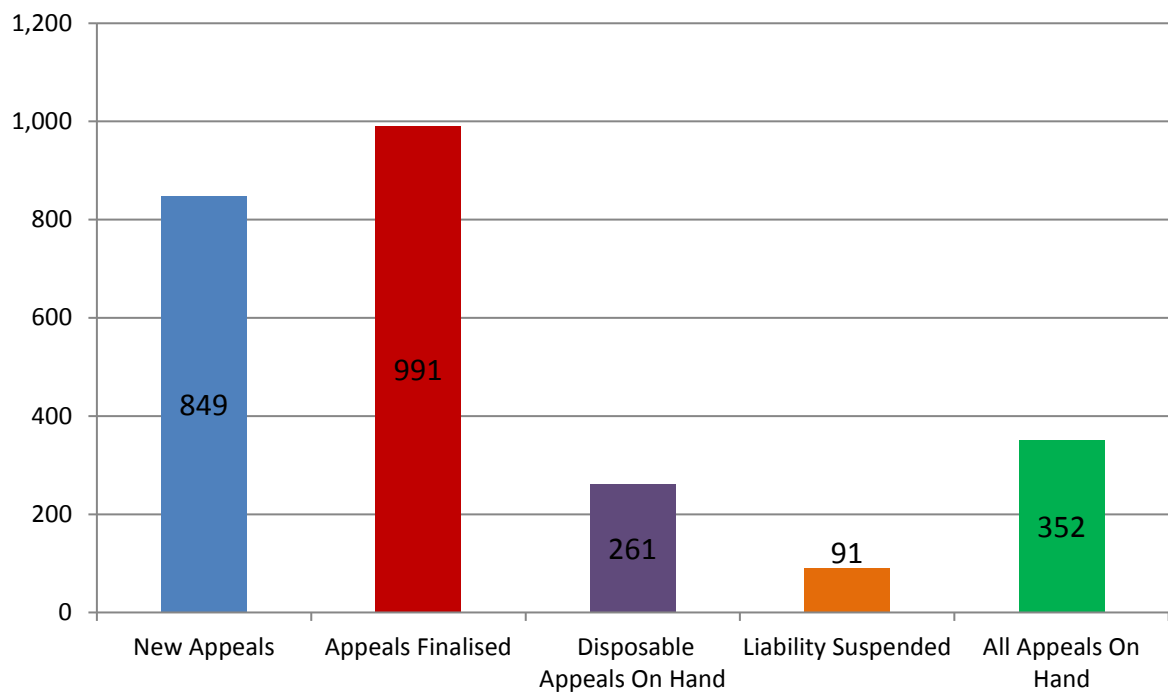
The Tribunal started the 2019/2020 year with 494 appeals on hand, of which 381 were disposable appeals. (Disposable appeals exclude those appeals where the deportation liability of the appellant has been suspended by the Minister of Immigration, and so cannot be heard by the Tribunal during the period of suspension.) The Tribunal received 849 new appeals, which was 29% less than in the previous year.

The decline in the number of appeals in all areas of work was influenced by the impact of COVID-19. The drop in residence appeals was also the result of changes in immigration instructions and practices in this area.

In the 2019/2020 year, the Tribunal finalised 991 appeals, comprising 802 decisions and the rest being withdrawn or determined to be invalid. The result was that there was a decrease in the total number of appeals on hand by 142, to 352 appeals. Disposable appeals decreased by 120, to 261. The Chair produced 72 decisions (9% of the total number) during the year.

The appeals on hand are the lowest in the Tribunal's history. The result is that the Tribunal has ended the 2019/2020 year by effectively being "in flow". Appeals in the paper-based streams (residence and deportation non-resident) can now normally be allocated as soon as they are received and made ready to be decided. Appeals in the hearing-based streams (deportation resident and refugee and protection) can now normally be scheduled for hearing as soon as they are received. The overall effect is that the Tribunal can now more effectively meet an objective of the Immigration Act 2009, which is to determine appeals "with all reasonable speed" (section 222(1)).

### Total Number of New Appeals and Disposals 2019/2020



## 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.

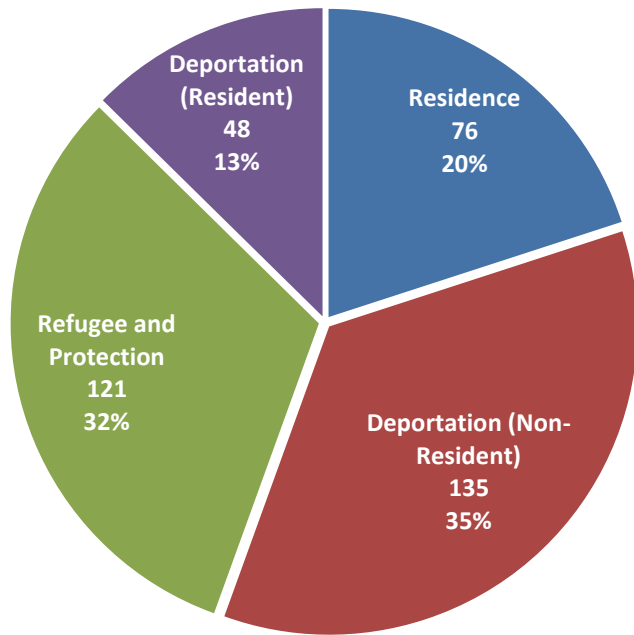
During the past year there was a reduction in the number of disposable deportation resident appeals by two-thirds, and smaller reductions in the other three streams of work. Of the disposable appeals on hand, the Tribunal began the year with 20% of its appeals on hand being residence appeals, 35% deportation non-resident appeals, 32% refugee and protection appeals, and 7% disposable deportation resident appeals. The Tribunal ended 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.

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 have been required to lodge a deportation appeal 28 days after the date of service of a deportation liability notice. However, suspended appeals cannot be heard unless and until the person concerned breaches the conditions of suspension of the deportation liability notice and the Minister decides to reactivate the person's deportation liability. The overwhelming trend has been for these appeals to be withdrawn after the period of suspension with no further offending, with very few appeals being re-activated for hearing. The Tribunal therefore welcomed the passing of the Statutes Amendment Act 2019, section 67, which 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 2020, the Tribunal still has 91 suspended liability appeals lodged before this amendment came into force, and this number is expected to decline.

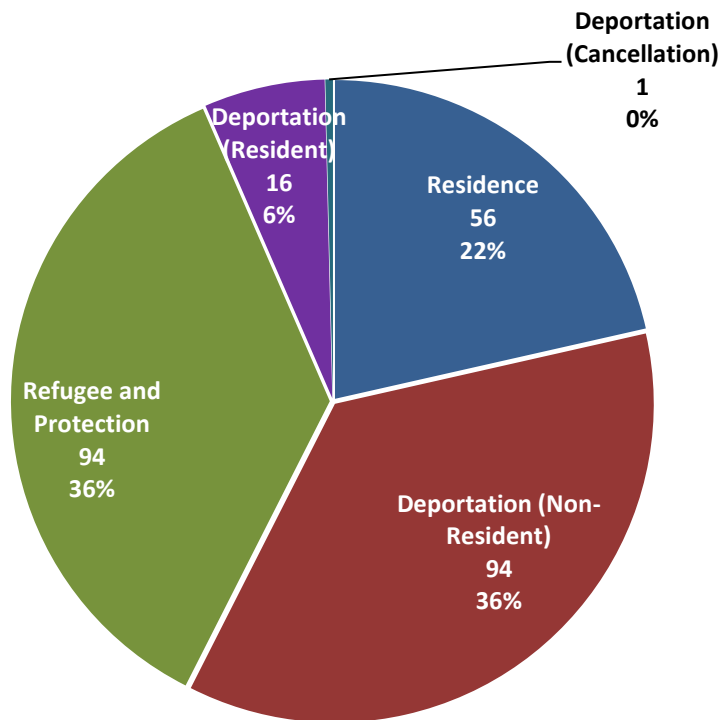
The Appendix, at the end of this report, contains charts and graphs which track the work of the Tribunal, over time: specifically, new work, disposals and cases on hand.

*See chart G pages 29–32*

**Disposable Appeals on Hand at 30 June 2019**



**Disposable Appeals on Hand at 30 June 2020**



## 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 central aspect of the 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. Six years ago, the average number of days from receipt of an appeal to the release of the decision was 395 days (13 months). By the end of June 2020, this period had reduced to 173 days (less than six 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 23 days. This has been assisted by the work of the case managers who ensure that all files are fully prepared prior to allocation.

The one stream where the Tribunal has had limited ability to control the time between lodgement and decision was the deportation resident stream. This was for two reasons. First, deportation resident appeals are often lodged while the appellant is serving a sentence of imprisonment. Section 236(1) of the Act required the Tribunal to consider and determine such appeals as close as practicable to the date of the person's first parole eligibility or statutory release. In some cases, parole eligibility or release could be many years after the person has appealed his or her deportation liability notice. Second, the Tribunal has no control over the passage of time where deportation liability has been suspended by the Minister. Such suspension can be for up to five years, meaning that the Tribunal has had to hold appeals, unresolved, for that period, and with minimal chance of the appeals needing to be heard. The Tribunal therefore strongly supported the legislative amendment contained in the Statutes Amendment Act 2019, sections 67 and 69(a), which allows the appeals of those serving prison sentences to be heard early, and (as noted above) defers the time for persons with suspended deportation liability to lodge an appeal until deportation liability is re-activated (if that occurs).

*See chart F.3; F.4; F.5 pages 26–28*

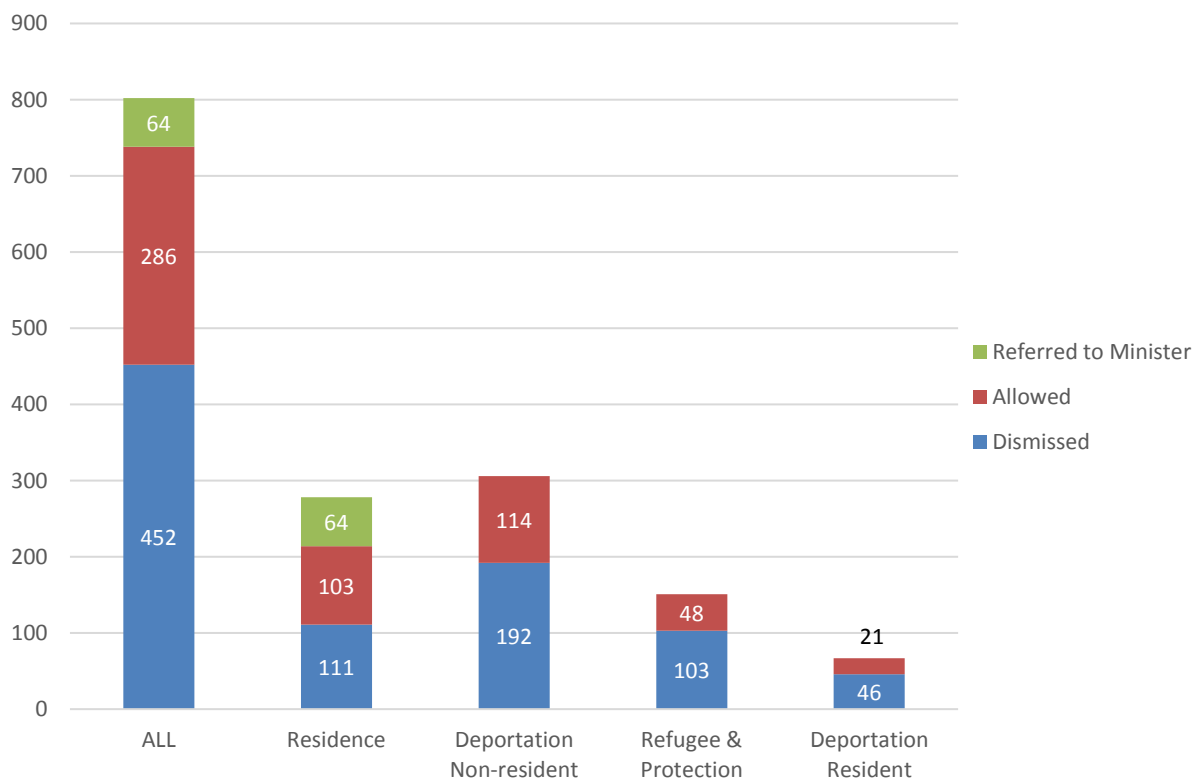
## Outcomes of Appeals in the Tribunal

Of the decisions released by the Tribunal in the past year, 56.4% resulted in the appeal being declined, and 35.6% of appeals were allowed. A further 8% (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 (69%), followed by the refugee and protection stream (68%), deportation (non-resident) stream (63%), and the residence stream (40%, plus 23% referred to the Minister).

In the previous court year, 52.5% of appeals were declined, 40.6% were allowed, 6.9% were declined but referred to the Minister. In the present court year, more appeals were declined in all the streams apart from deportation resident, where 3.5% less appeals were declined.

### Outcome of Appeals 2019/2020





### Outcome of Appeals 2019/2020

<b>Outcome</b>	<b>Dismissed</b>	<b>Allowed</b>	<b>Referred to Minister</b>	<b>TOTAL</b>
<b>ALL</b>	<b>452</b>	<b>286</b>	<b>64</b>	<b>802</b>
Residence	111	103	64	278
Deportation Non-resident	192	114		306
Refugee and Protection	103	48		151
Deportation Resident	46	21		67

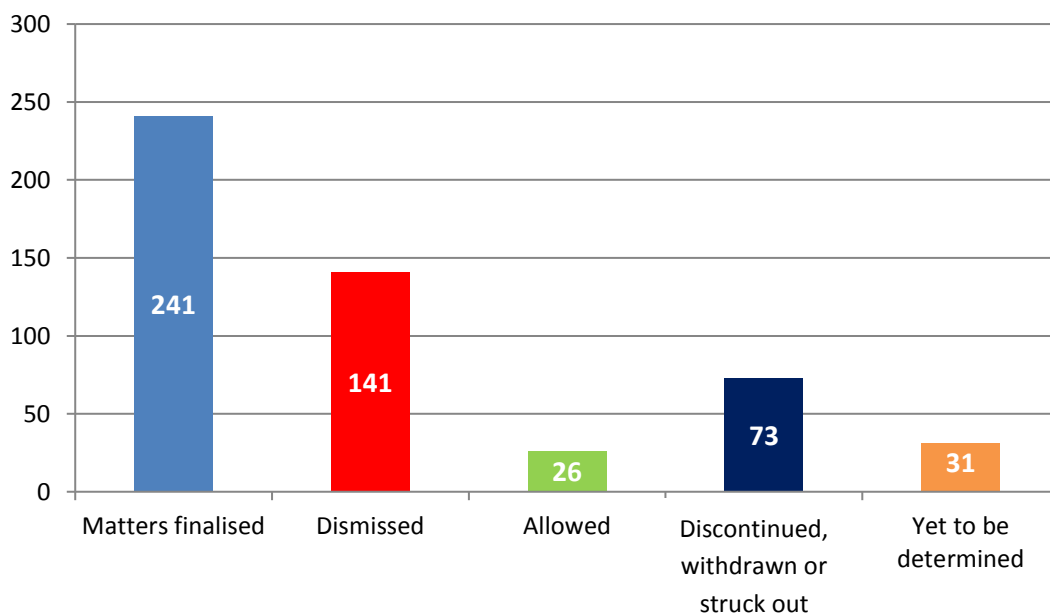
## Judicial Reviews/Appeals

Appellants have the right of appeal on point of law and the right of judicial review of 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 year, there were 24 appeals and/or judicial review applications lodged in the High Court. These constituted 3% of the Tribunal's 802 decisions released in the year, the same percentage as in the previous year. Of the appeals decided, two matters were remitted back to the Tribunal (compared with four in the previous year). One matter was settled by consent and remitted back to the Tribunal.

There have been a total of 288 appeals (2.8%) from the 10,373 decisions released by the Tribunal since its commencement. Of the 241 appeals/applications for review determined by the higher courts, 58.5% were dismissed, 10.8% were allowed or settled by consent, and the rest were withdrawn, struck out or discontinued. A total of 31 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

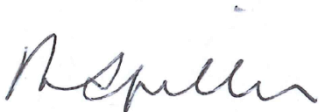


## Acknowledgements

I record my appreciation to the members of the Tribunal who have supported me and the work of the Tribunal over the past year. In particular, I am grateful for the invaluable support, counsel and expertise of Deputy Chair Martin Treadwell.

I thank the Ministry of Justice staff who undertake the administrative functions of the Tribunal. I acknowledge with thanks the important support that the Group Manager, Jacquelyn Shannon, and 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. I thank the Tribunal's Service Manager, Minja Pesic, 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 witnessed the reduction of the Tribunal's work on hand to the lowest level in its history. The Tribunal'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 P Spiller  
Chair  
Immigration and Protection Tribunal

## APPENDICES

### ALL APPEALS 1 July 2019 to 30 June 2020

**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
494	849	189	802	991	91	261	352

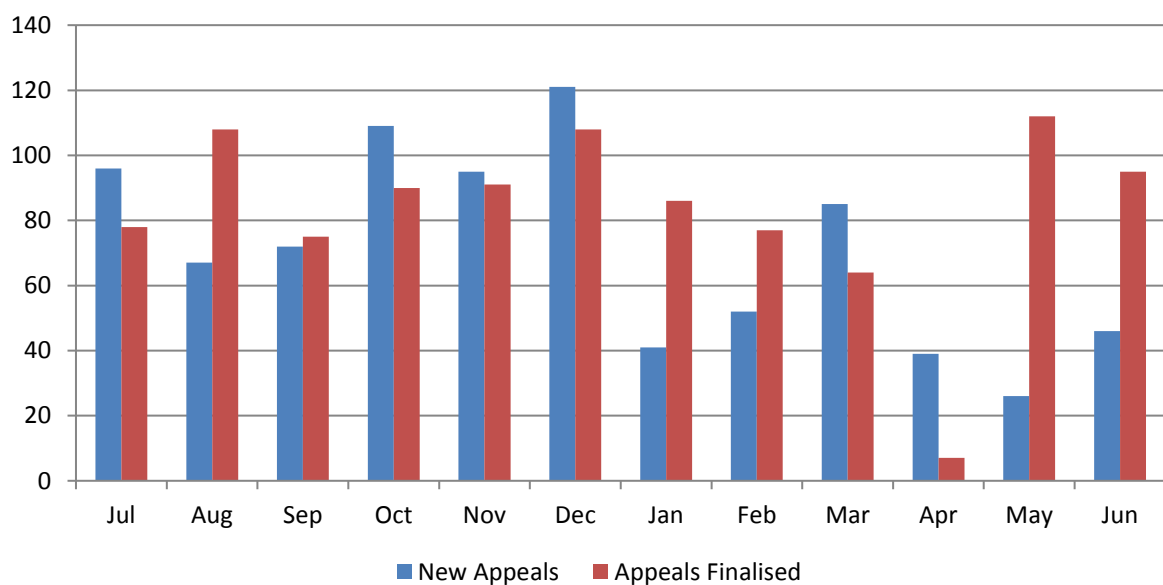
**Chart A.2**

#### Total Tribunal Decisions Released

Declined	Allowed	Referred to Minister	Total
452	286	64	802

**Chart A.3**

#### Total Tribunal Caseflow — by Month



**RESIDENCE APPEALS**  
1 July 2019 to 30 June 2020

**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
76	282	24	278	302	56

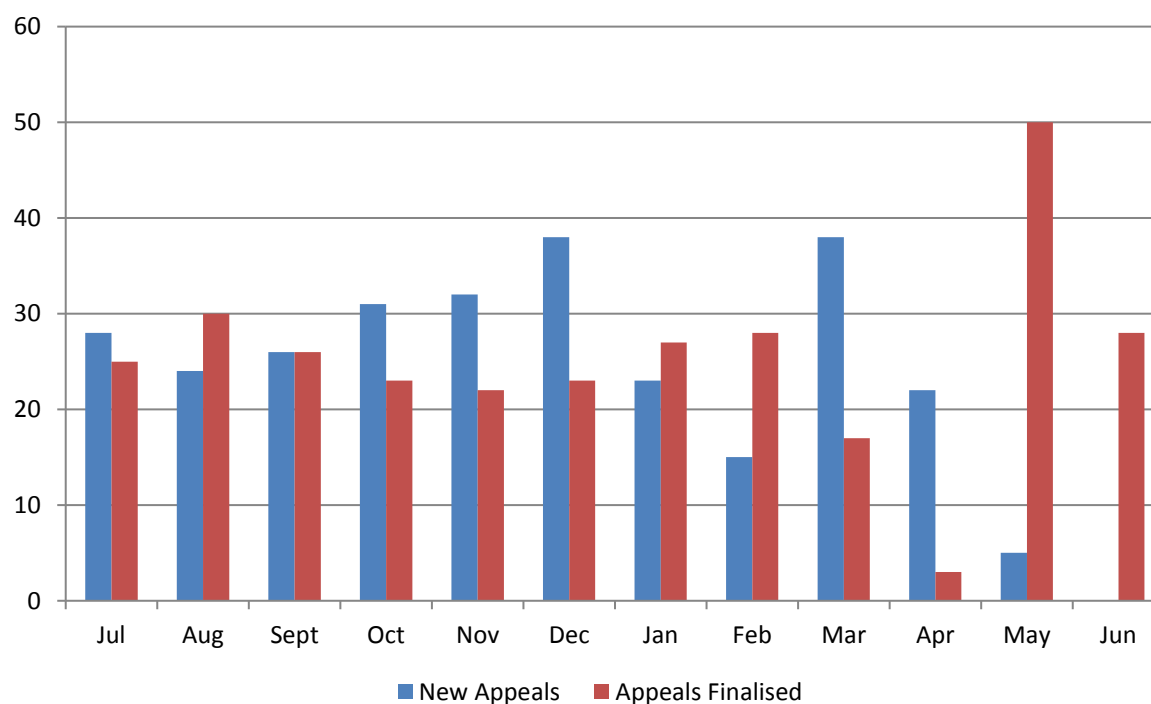
**Chart B.2**

**Residence Decisions Released**

Declined	Allowed	Referred to Minister	Total
111	103	64	278

**Chart B.3**

**Residence Caseflow — by Month**



**DEPORTATION (NON-RESIDENT) APPEALS**  
1 July 2019 to 30 June 2020

**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
135	374	109	306	415	94

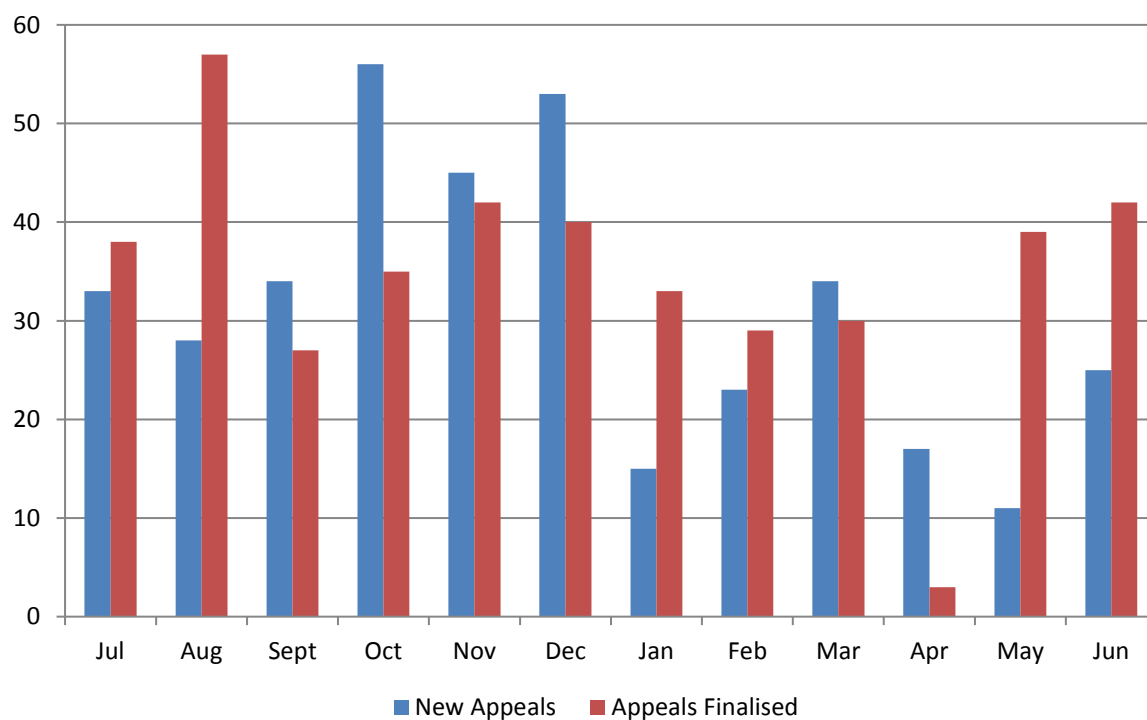
**Chart C.2**

**Deportation (Non-resident) Decisions Released**

Declined	Allowed	Total
192	114	306

**Chart C.3**

**Deportation (Non-resident) Caseflow — by Month**



**REFUGEE AND PROTECTION APPEALS**  
**1 July 2019 to 30 June 2020**

**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
121	136	12	151	163	94

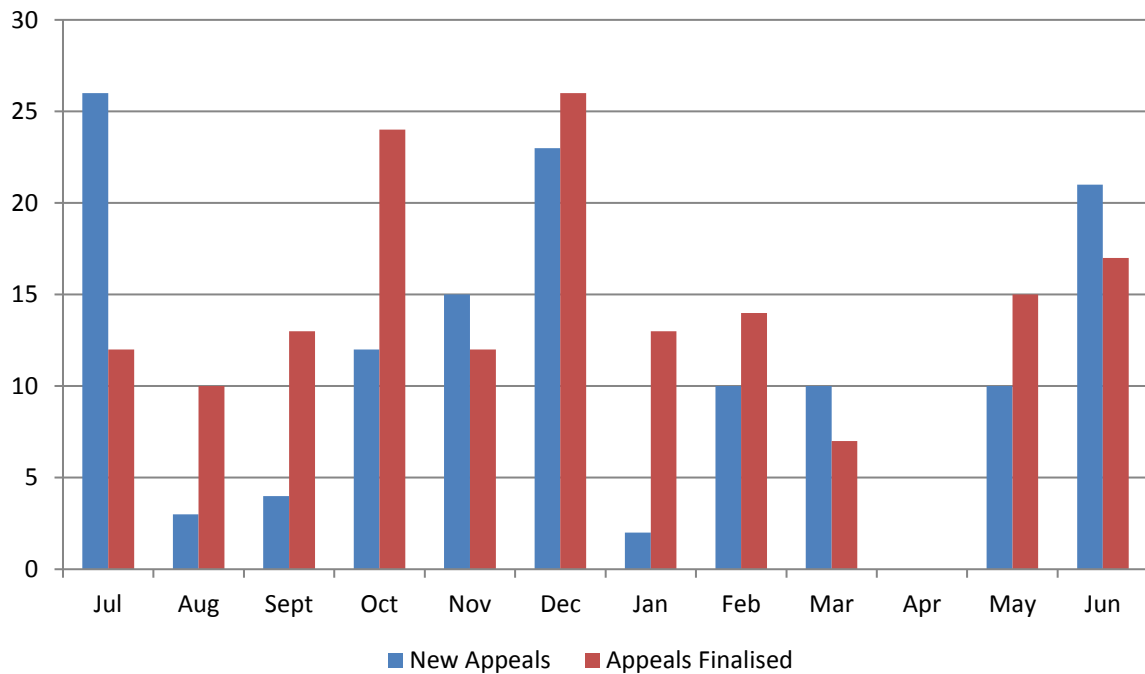
**Chart D.2**

**Refugee and Protection Decisions Released**

Declined	Allowed	Total
103	48	151

**Chart D.3**

**Refugee and Protection Caseflow — by Month**



**DEPORTATION (RESIDENT) APPEALS**  
1 July 2019 to 30 June 2020

**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
161	57	44	67	111	91	16	<b>107</b>

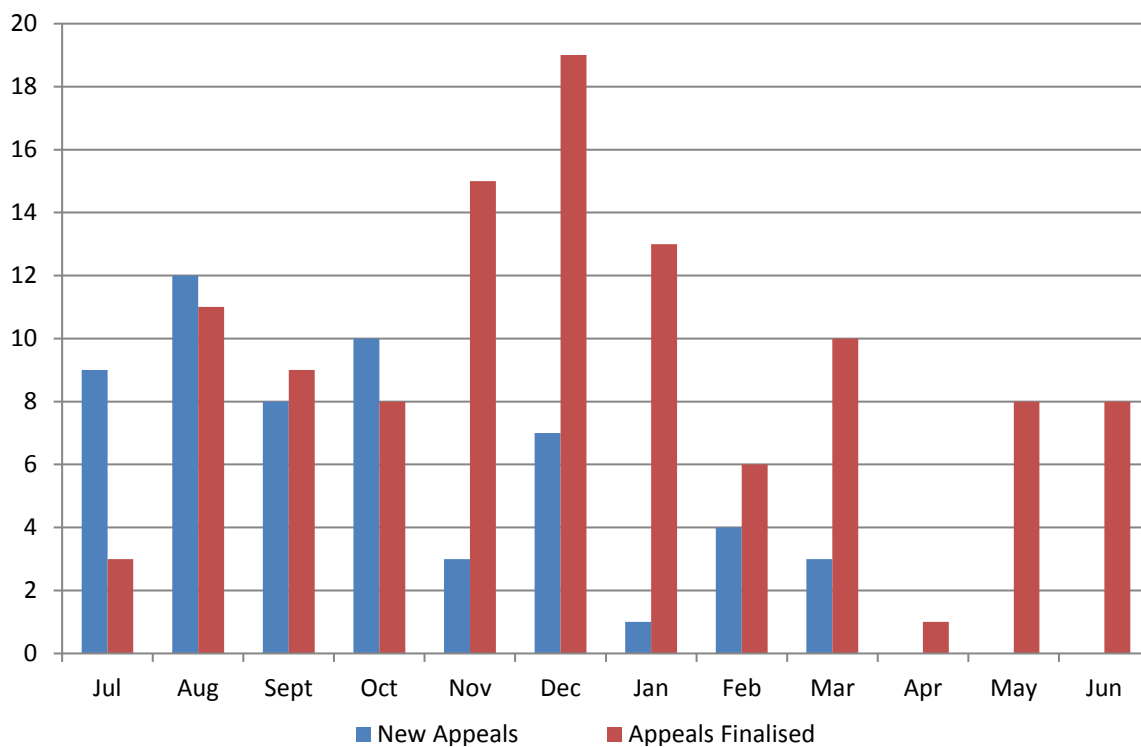
**Chart E.2**

**Deportation (Resident) Decisions Released**

Declined	Allowed	Total
46	21	<b>67</b>

**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
<b>Total to date</b>		<b>12,621</b>	<b>2,420</b>	<b>10,373</b>	<b>13,793</b>	

**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
<b>Total to date</b>	<b>6,120</b>	<b>3,554</b>	<b>696</b>	<b>3</b>	<b>10,373</b>

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
<b>Tribunal Average (days)</b>	395	364	345	257	174	147	178	175
<b>Residence</b>	431	334	289	271	169	155	189	119
<b>Deportation (Non-resident)</b>	340	334	289	133	99	91	107	143
<b>Refugee and Protection</b>	318	364	441	352	265	216	231	321
<b>Deportation (Resident)</b>	501	410	706	414	476	408	314	279

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

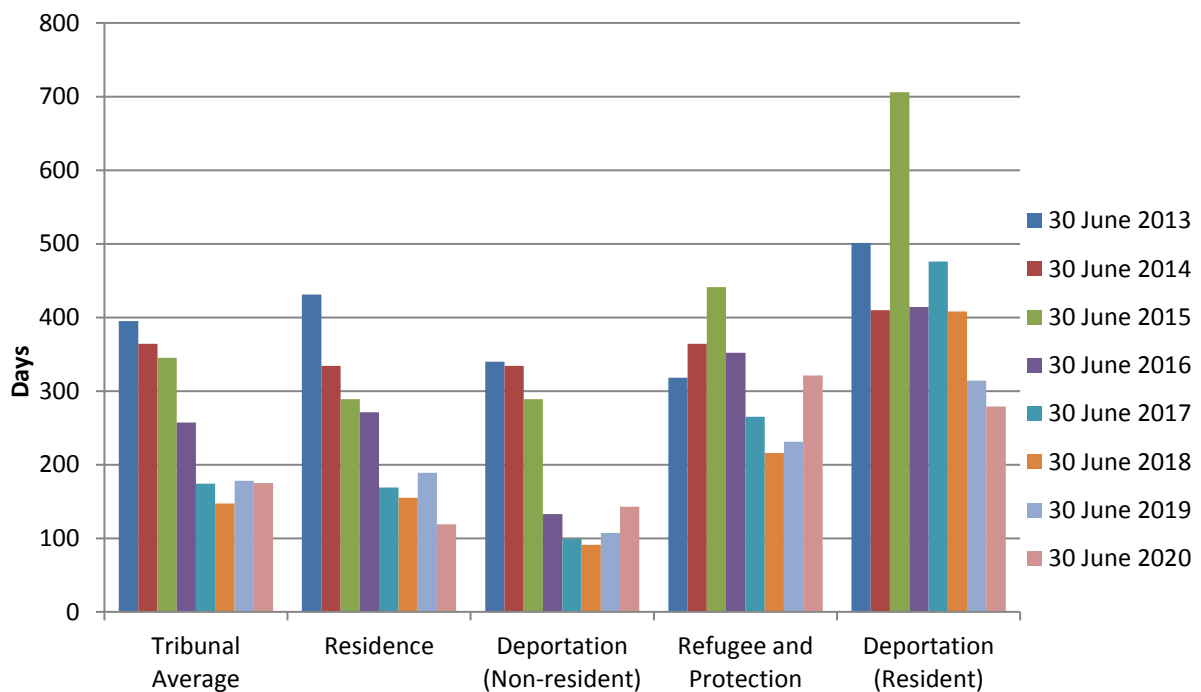


Chart F.4

**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
<b>Tribunal Average (days)</b>	74	55	45	32	15	12	15	23
<b>Residence</b>	56	46	41	30	14	10	14	20
<b>Deportation (Non-resident)</b>	81	61	38	27	10	9	12	14
<b>Refugee and Protection</b>	100	69	79	43	25	23	23	25
<b>Deportation (Resident)</b>	135	172	65	52	28	29	19	46

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

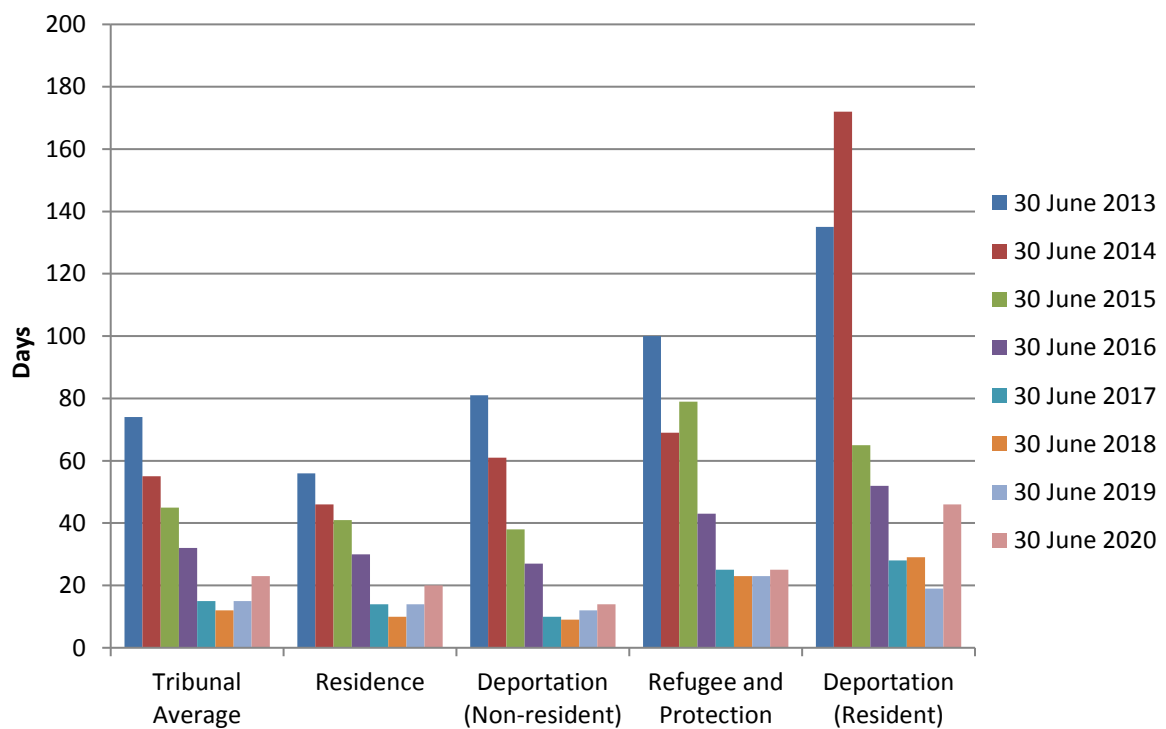


Chart F.5

**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
<b>Tribunal Average (days)</b>	<b>247</b>	<b>228</b>	<b>208</b>	<b>201</b>	<b>175</b>	<b>175</b>	<b>274</b>	<b>353</b>
<b>Residence</b>	240	134	173	116	60	101	76	98
<b>Deportation (Non-resident)</b>	228	230	184	127	90	89	121	141
<b>Refugee and Protection</b>	329	248	215	159	137	98	142	162
<b>Deportation (Resident)</b>	425	425	361	500	574	481	604	856

**Comparative Graph Showing Average Age of Active Appeals**

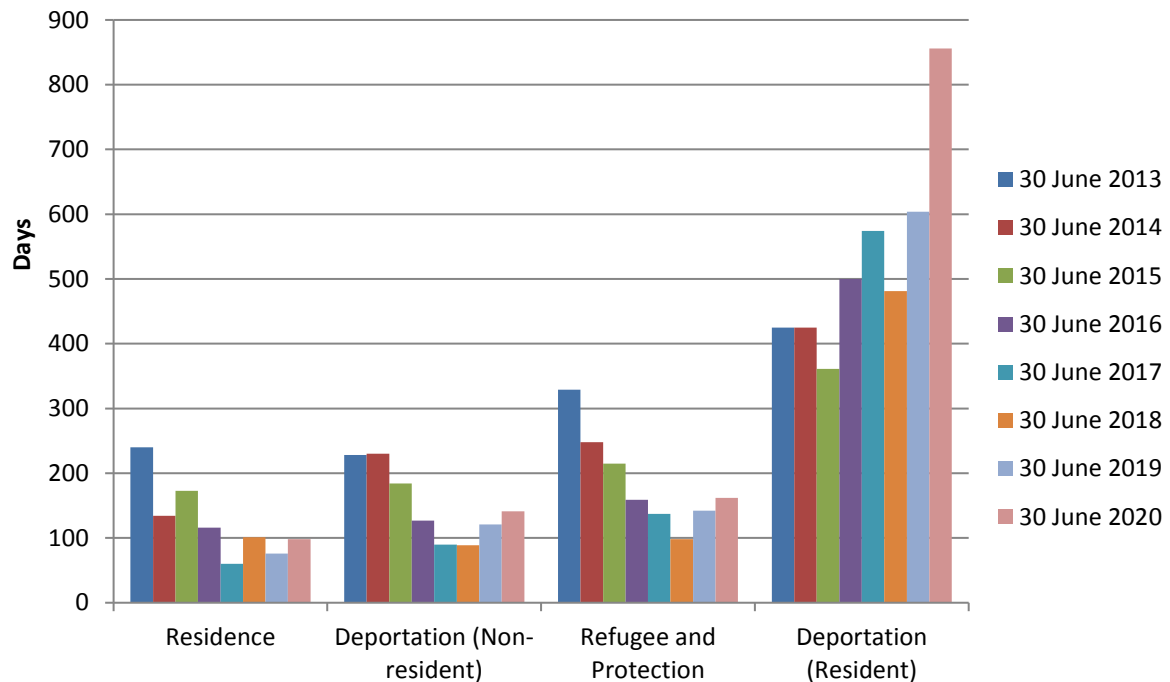


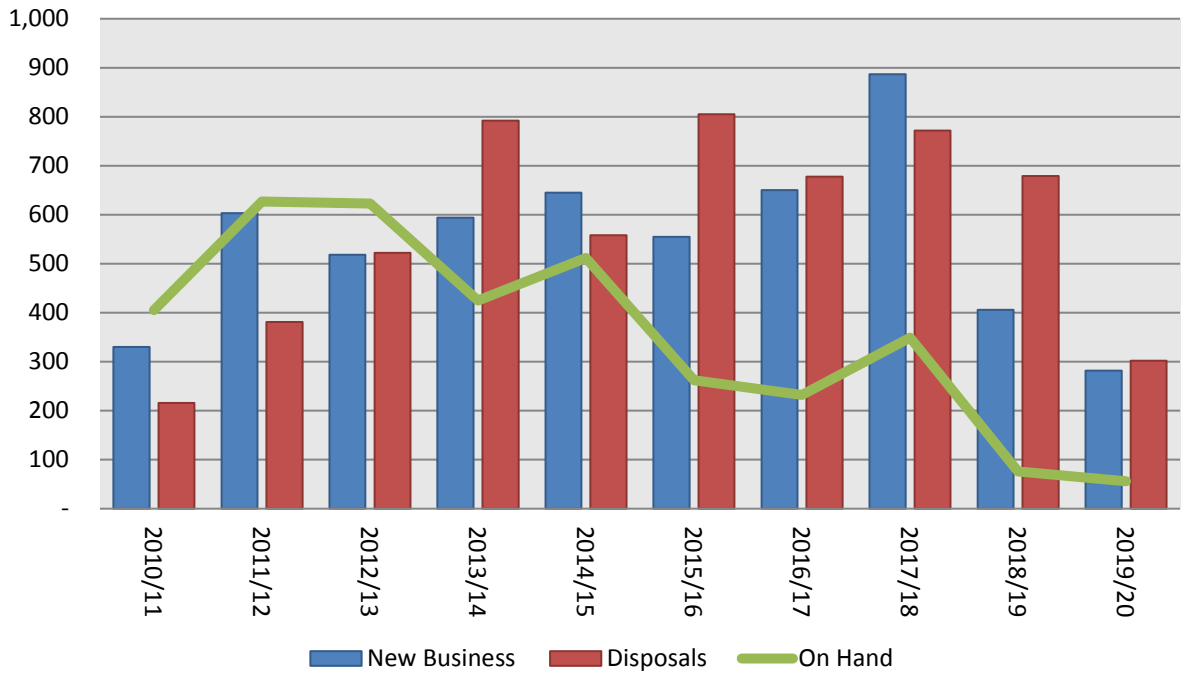
Chart G

**IPT Caseload Data by Appeal Stream and Financial Year**

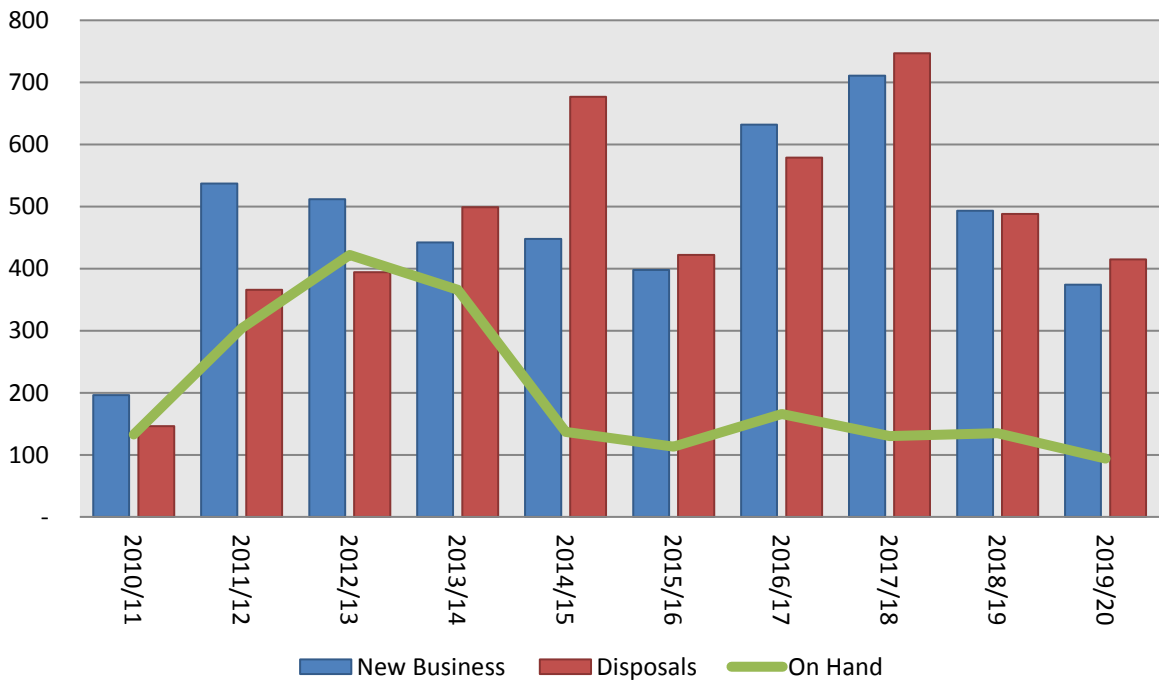
Appeal stream	Financial Year										
	2010 Transitional Appeals*	2010/ 2011	2011/ 2012	2012/ 2013	2013/ 2014	2014/ 2015	2015/ 2016	2016/ 2017	2017/ 2018	2018/ 2019	2019/ 2020
<b>Residence</b>											
New Business	291	330	603	518	594	645	555	650	887	406	282
Disposals		216	381	522	792	558	805	678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

\*Appeals transitioned from legacy bodies

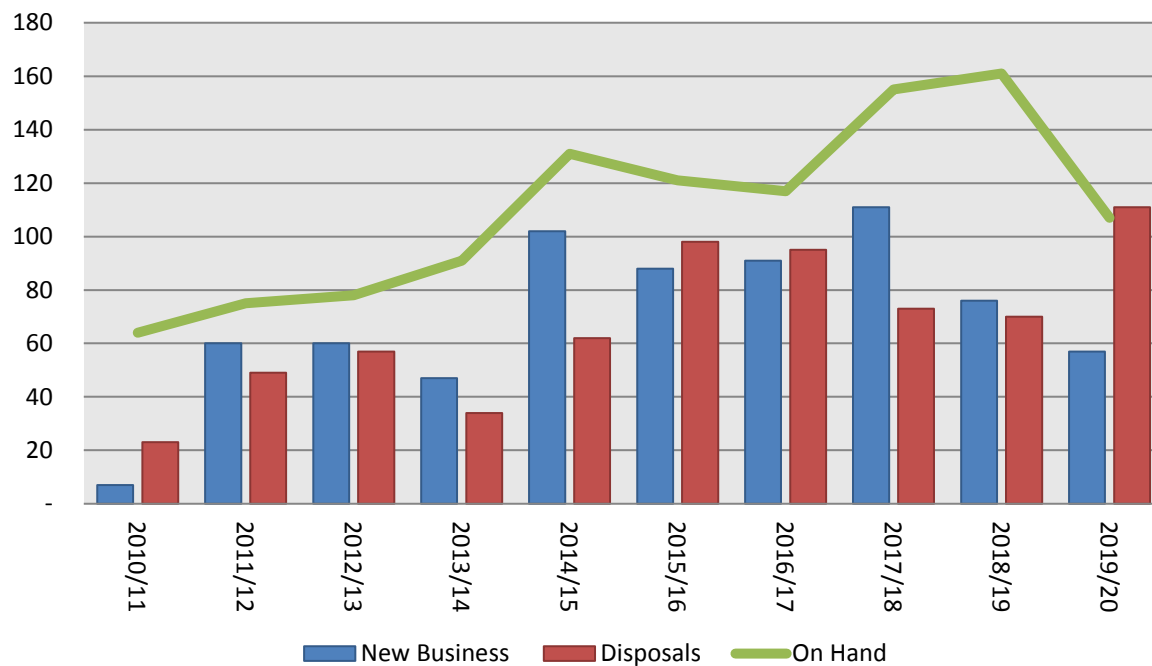
### Residence



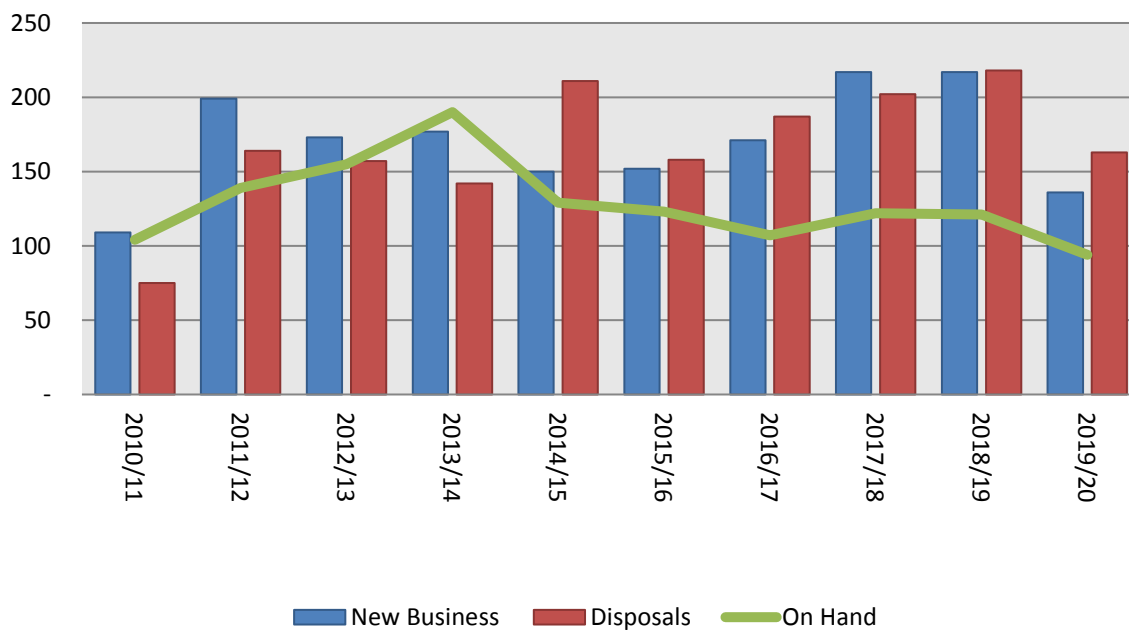
### Deportation Non-resident



### Deportation Resident



### Refugee & Protection



### Total IPT

