



# Immigration and Protection Tribunal

## **Annual Report 2021/2022**

Judge Martin Treadwell  
Chair

December 2022

## 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 11th full annual report of the Tribunal and covers the 12 months from 1 July 2021 to 30 June 2022.

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

## 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).

## Key Points of the 2021/2022 Court Year

1. On 30 July 2021, the Tribunal farewelled Judge Peter Spiller as Chair of the Tribunal, after a tenure of more than seven years. Under his leadership, the Tribunal disposed of the significant backlog of files on hand in 2014, when he became Chair, and reduced the average time for delivery of decisions to under five months from lodgement. Judge Spiller left the Tribunal in much better shape than he found it. His dedication and commitment to the highest professional standards are gratefully acknowledged.
2. Following Judge Spiller's retirement from the Tribunal, the then Deputy Chair, Martin Treadwell, became Acting Chair until 18 November 2021, when he was sworn in as a District Court Judge and was appointed Chair of the Tribunal.
3. Interviews were conducted in March 2022 for a new Deputy Chair of the Tribunal, although this process had not been finalised by year end.<sup>1</sup>
4. 2021–2022 was a challenging year for the Tribunal because of the impacts of the COVID-19 pandemic. August–November 2021 saw a lockdown in Auckland which compelled Auckland-based members to work from home, often in difficult circumstances. The number of staff members on site had to be limited and this negatively impacted the timely receipt of appeal files, their despatch to members, and many other administrative duties. Courier services were limited and stretched. Members could not access administrative resources such as office printers and photocopiers or the Tribunal's library.
5. The second half of the court year (January–June 2022) saw further challenges in developing and implementing a sound system for setting hearings down remotely. The inherent delays, and ongoing impacts of the COVID-19 pandemic on others, including counsel and appellants, led to some 64 hearings having to be adjourned in those six months (some matters several times). The second half of the year also saw challenges caused by COVID-19 infections. Members and staff were affected, either by contracting COVID-19 or through having to isolate as a close contact.

---

<sup>1</sup> Since the end of the 2021–2022 Court year, Debra Smallholme has been appointed as Deputy Chair of the Tribunal.

6. The inflow of appeals and related files was also an issue. The Refugee Status Unit issued no decisions during October–November and, in spite of the Tribunal’s best efforts, it proved impossible to get more than a few refugee appeal hearings completed in that period because counsel could not meet with clients, appellants lacked suitable technology to attend remote hearings and there was resistance to remote hearings by a number of counsel. Only 37 deportation (non-resident) appeals were received in the same period. In 8 months (October 2021–May 2022), the Tribunal received only 77 residence appeals in total, in part because Immigration New Zealand had its own restraints but also because of the introduction of the 2021 Resident Visa category, which resolved the predicament of many who would have otherwise had the right to appeal to the Tribunal.
7. During the court year, membership of the Tribunal has been at its lowest level since it began, with 17 members (including the Chair) providing slightly under 14.1 FTEs (full time equivalents), occasioned by the retirement of Judge Spiller and departure of four members (Peter Fuiava, Sharon Pearson, Veronique Vervoort and Jeanne Donald) earlier in the 2021 calendar year. The resulting loss in productivity has been partly compensated for by the temporarily reduced flows of work already referred to but, as border restrictions were eased, workflows have been returning to pre-pandemic levels. The need for the Tribunal to replace the lost FTE resource is a key concern for the coming year, with an increase in appeals likely due to factors such as the introduction and reopening of residence categories and international travel becoming increasingly available. The alternative will be a return to backlogs and the delayed delivery of justice. A request for recruitment of two further members was still before the Ministry at year’s end.
8. In the past court year, the Tribunal began with 355 appeals on hand. Over the year, it received a further 775 appeals. It disposed of 752 appeals (573 substantive decisions, plus 179 withdrawn, invalid or deleted), leaving 378 appeals on hand at year end. As a result, it has continued to operate substantially “at flow”: that is, without a backlog of work on hand. Appeals were able to be allocated for decision, or set down for hearing, shortly after they were received and prepared.
9. Progress continued to be made over the past year in effectively managing the number of hearing-based appeals. The number of disposable deportation (resident) appeals on hand fell from 52 to 48. While the number of refugee and protection appeals on hand had increased from 68 at the beginning of the year, to 111 by February 2021, this had been brought back to 90 on hand by the end of the year. The increase in such appeals mid-year was caused primarily

by the inability to hold hearings during lockdowns, at least until sufficient resources were able to be developed to allow for remote hearings, which began in earnest from early 2022.

10. The Tribunal continued to make significant progress in achieving its statutory objective of expeditious despatch of business. Eight 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, was five and a half months. The average time taken to issue a fully reasoned, written decision after a hearing (or, in the case of papers-based appeals, commencement of the file by the member) was 19 days. Administrative processes and the need to schedule hearings four months ahead mean that these figures are close to optimum.
11. In the past year, five decisions of the Tribunal were the subject of decisions on review or appeal by the High Court (approximately .01% of the Tribunal's decisions in the year). None were remitted back to the Tribunal.
12. The Tribunal continued to receive much-appreciated support from the Ministry of Justice leadership and staff. The Ministry has continued to work towards the Tribunal having direct access to conviction histories held by other agencies within the Ministry, which will obviate the need in many cases for the Tribunal to request clearance certificates from the New Zealand Police Vetting Unit and any related delays.
13. Finally, a group of five members undertook training in the refugee stream in the second half of the year. An intensive programme saw them attend multiple training sessions during February–May 2022. This addressed a long-standing objective to enhance the Tribunal's flexibility through being able to move members between the different streams of appeal work to meet changing workflows, and aligned with the statutory objective of expeditious despatch of business. The temporary decrease in papers-based appeals (in late 2021 and early 2022) and the Tribunal's work being 'at flow' provided the first real opportunity for it to do this in its 12-year history. The Chair acknowledges, and is grateful for, the significant contribution made by senior members, notably Bruce Burson, in providing training and ongoing mentoring and support for the members new to the stream.

## Members of the Tribunal

As at 30 June 2022, the Tribunal consisted of the following full-time equivalent (FTE) and part-time members, 16 in total, in addition to the Chair:

<u>Name</u>	<u>Location</u>	<u>Position</u>	<u>FTE</u>
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	0.8
A Clayton	Wellington	Member	1.0
T Cook	Auckland	Member	1.0
B Dingle	Auckland	Member	0.5
M Martin	Christchurch	Member	0.6
A Molloy	Auckland	Member	0.5
L Moor	Auckland	Member	1.0
Z Pearson	Wellington	Member	1.0
M Roche	Auckland	Member	1.0
V Shaw	Auckland	Member	0.2
D Smallholme	Auckland	Member	1.0
L Wakim	Auckland	Member	0.8
<b>Total FTE</b>			<b>13.1</b>

This must be compared with the membership of 15.6 FTEs, at 30 June 2021.

The Tribunal continues to look forward to the Government's commitment to moving the remuneration of members from the Cabinet Fees Framework to the Remuneration Authority, with legislation to this effect still before the House at year's end. The Tribunal acknowledges the Ministry of Justice's support for the development of Terms and Expectations for Tribunal members. These remain an urgent need, 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 and inform the planned move to the Remuneration Authority.

## 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 2021/2022, 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 and wellbeing of members.

### *Internal Liaison*

There continued to be monthly meetings of all members, and monthly meetings in the Tribunal's four areas of appeal work (residence, deportation (non-resident), deportation (resident), and refugee and protection) for the members involved in the appeal work.

A Management Committee met periodically to discuss issues of administrative process and any concerns with the Chair. The committee comprises the Chair, Mr Burson (administration manager of the refugee and protection stream), Ms Smallholme (administration manager of the residence stream), Ms Clayton (administration manager of the deportation (resident) stream), and Ms Dingle (administration manager of the deportation (non-resident) stream). The Chair acknowledges, and is grateful for, the invaluable contribution of the Management Committee, who bring significant expertise and commitment to their work and improvement of the Tribunal's processes.

### *Appeal Forms and Templates*

The Tribunal maintains appeal lodgement forms and guides which are available on the Ministry's website. They are periodically amended and updated as needed.

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 are reviewed on an ongoing basis including in the 2021/22 year. In using templates, the need for them not to impact upon judicial independence is a primary consideration.



### *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 maintains Practice Notes in the four streams of its jurisdiction, and also a Publication Practice Note to clarify the Tribunal's stance on protecting the confidentiality of certain classes of appellants. Work is being undertaken to ensure that the relevant Practice Notes address the requirements and needs of hearings conducted remotely.

### *Procedures Indices and Manuals*

The Chair and senior members of the Tribunal maintain Procedures Indices for the four streams of work. These compilations are intended to provide guidance for members on the procedural and jurisprudential aspects of appeals and promote consistency in practice.

### *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 of that work. The Tribunal maintains a website database of searchable, published decisions (with abstracts), which provides a valuable resource for Tribunal members, higher courts, counsel, representatives, appellants and the wider public.

In the past court year, the Tribunal's Legal and Research Associates continued the system whereby abstracts are compiled as soon as decisions are ready to be published. This has helped to ensure that there is no likelihood of future abstracting backlogs occurring. The hard work and dedication of the Legal and Research Associates in this regard is gratefully acknowledged.

The Tribunal's website now includes, not only its own decisions, but also those of three of its four predecessor bodies, plus a handpicked selection of decisions of the fourth predecessor tribunal (the Deportation Review Tribunal). All decisions have abstracts and are searchable.

In the past court year, the Tribunal has embarked on a project to include on its website all superior court decisions dealing with appeals and judicial reviews of decisions of the Tribunal and its predecessors, so that as complete a resource as possible will be available.

### *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:

- Representatives of the New Zealand Law Society, the Auckland District Law Society, and counsel from the Ministry of Business, Innovation and Employment (MBIE);
- Managers of MBIE involved in the management of immigration and refugee business which directly affected the volume of appeals likely to come before the Tribunal.

## 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.

### *General Development*

The biannual performance appraisal meetings (noted above) supported the professional development of members.

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 final draft form to a colleague experienced in the appeal work for review and feedback. This process is designed to enhance the quality and consistency of decisions produced by the Tribunal, while maintaining regard to the independence of the decision-maker.

Many members of the Tribunal belong, at their own expense, to the International Association of Refugee and Migration Judges ([www.iarmj.org](http://www.iarmj.org)), which aims to foster (subject to domestic law):

- (a) within the judiciary and quasi-judicial officers world-wide a common, consistent understanding and application of international law, practices and principles relating to refugee, complementary protection, statelessness and related migration issues;
- (b) the use of fair practices and procedures to determine all refugee, complementary protection, statelessness and related migration issues;
- (c) judicial independence.

### *Specific Training*

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. Over the court year the Chair and members engaged in the following activities:

- (a) In July 2021, the Tribunal members attended the annual in-house professional development workshop, over two days. The programme included sessions by Stephen Dunstan from Immigration New Zealand, Senior Sergeant Paul Hamlyn and others of the New Zealand Police, presentations by a number of members and the Country Research Unit of MBIE.
- (b) In August 2021, the Acting Chair gave a presentation on the work of the Tribunal to students at the Faculty of Law at Otago University.
- (c) In September 2021, the Acting Chair gave a presentation on the work of the Tribunal to students at the Faculty of Law at Victoria University.
- (d) In May 2022, the Tribunal members attended the annual in-house professional development workshop, over three days, on various aspects of the Tribunal's work including Te Ao Marama, Pasifika cultural awareness, health issues affecting appellants and Pasifika health resourcing.
- (e) In May 2022, the Acting Chair gave a presentation on the work of the Tribunal to students at the Faculty of Law at Otago University.
- (f) In June 2022, members of the Tribunal attended (remotely) the annual Council of Australasian Tribunals (COAT) conference.
- (g) On 8 June 2022, two Tribunal members attended the Legalwise Immigration Law Conference.
- (h) Throughout the year, members attended various seminars offered by the Auckland District Law Society and other organisations.

Due to the intense and stressful nature of some aspects of the Tribunal's work, a confidential counselling and professional supervision service is made available to members for work-related issues. The Tribunal is currently developing a plan for the purpose of protecting against, and addressing, issues of trauma, including secondary trauma derived from exposure to the trauma of others.

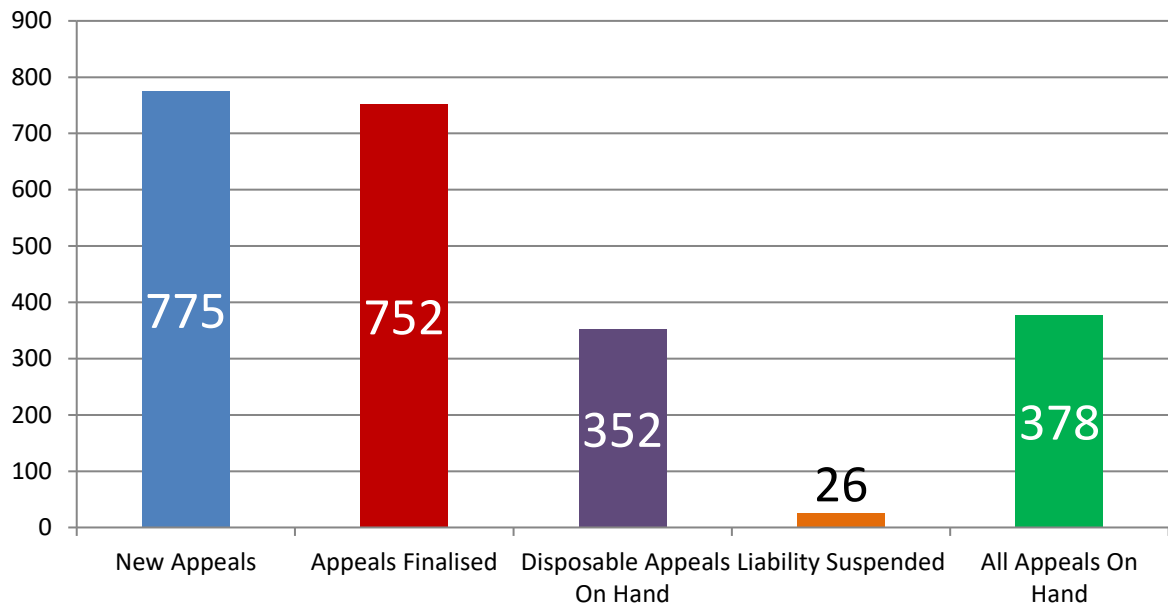
## Number and Disposal of Appeals in the Tribunal

The Tribunal started the 2021/2022 year with 355 appeals on hand, of which 315 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 775 new appeals, which was 29% fewer than in the previous year – the reduction presumably being the product of the Covid-19 border closure and lockdowns.

In the 2021/2022 year, the Tribunal finalised 752 appeals, comprising 573 decisions and the rest were withdrawn, dispensed with or determined to be invalid. The overall result was a 6% increase in the total number of appeals on hand to 378 appeals.

The Tribunal continues to be “in flow”, without a backlog of work on hand. Appeals in the paper-based streams of work (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 of work (deportation (resident) and refugee and protection) can normally be scheduled for hearing as soon as they are received. The overall result is that the Tribunal 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 2021/2022



## Nature of Appeals in the Tribunal

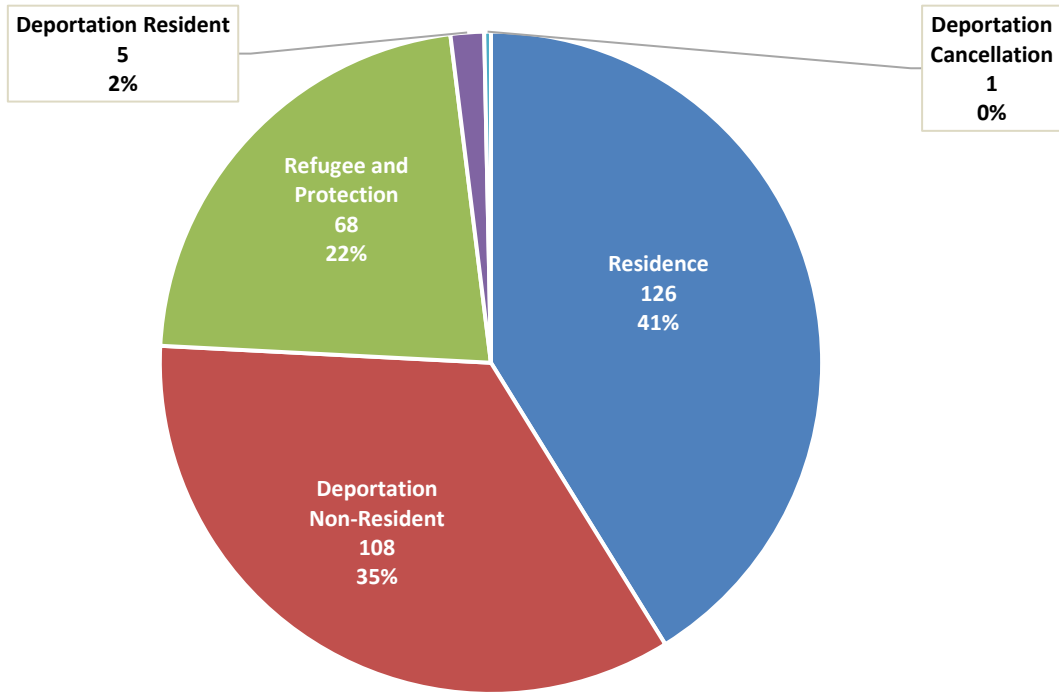
As stated, there are four primary areas of appeal work in the Tribunal, corresponding to the four former Tribunals that were amalgamated in November 2010 to form the present Tribunal. The work streams are the residence, deportation (non-resident), deportation (resident), and refugee and protection streams. 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.

The past year saw a reduction in the number of deportation (resident) appeals by 8%, and a 25% increase in the number of refugee and protected person appeals on hand. A decrease of 57% in residence work and an increase of 72% in deportation (non-resident) work were recorded.

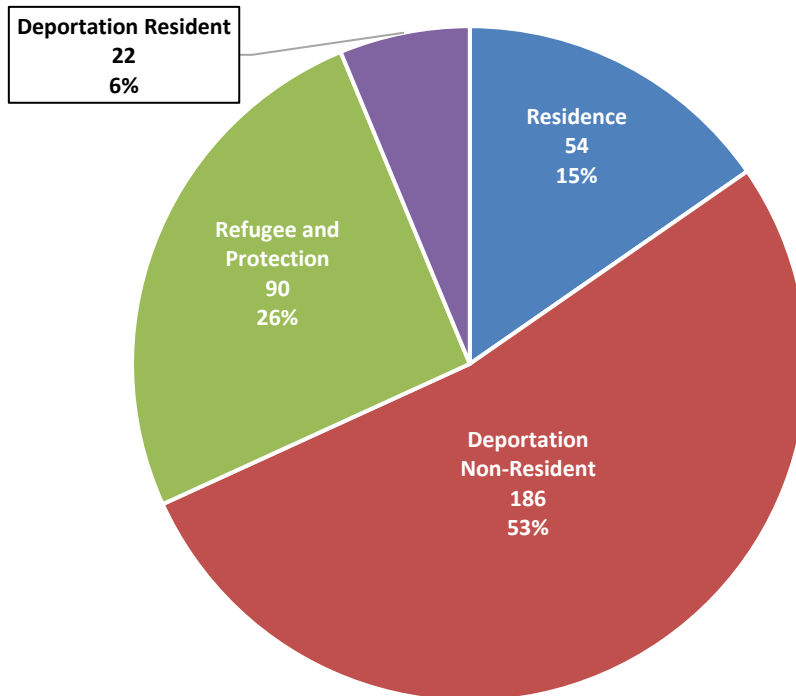
Included in the Tribunal's statistics are deportation (resident) appeals where deportation liability has been suspended by the Minister of Immigration. Persons subject to suspended liability were previously required to lodge an appeal within 28 days after service of a deportation liability notice. At its height, this led to the Tribunal carrying over 100 appeals lodged by persons "just in case". The Statutes Amendment Act 2019, section 67, now allows those with suspended liability to defer lodging an appeal until served with a reactivation notice. As at 30 June 2022, the Tribunal still has 26 suspended liability appeals lodged before this amendment, a 45% 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, as they are entitled to do. The Tribunal must continue to carry such appeals 'on hold' for the duration of the period of suspended liability (up to 5 years).

Analysis of hearings over a number of years has established that the length of time and complexity of refugee and protected person appeals is increasing. The Tribunal has been able to identify, as a major contributor, a significant increase in the number of witness being called by appellants, notably from overseas. The introduction of software, such as WhatsApp and MS Teams, has led to hearings becoming longer (particularly because overseas witnesses often have only a small window of time fitting with business hours here) – to the point that there is a noticeable increase in multi-day hearings. This is a matter of concern, given the reduced number of members with which the Tribunal is currently operating.

### Disposable Appeals on Hand at 30 June 2021



### Disposable Appeals on Hand at 30 June 2022





## 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 effort is put into the timeliness of Tribunal decisions. In spite of the severe effects of Covid-19 on the Tribunal's ability to set matters down for hearing (particularly during lockdowns), at the end of June 2022, this period was on average 165 days (about five-and-a-half months), only slightly longer than the previous year. Part of the reason for the timeliness is that the average time taken by members, from allocation of file or last hearing to the decision, is only 19 days, just one day longer than the preceding year. I acknowledge the dedication of the members in maintaining their focus on timeliness as one of the important objectives of the Tribunal during these very difficult times. The timeliness has also been assisted by the high quality 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 continues to work 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 long period of time.

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

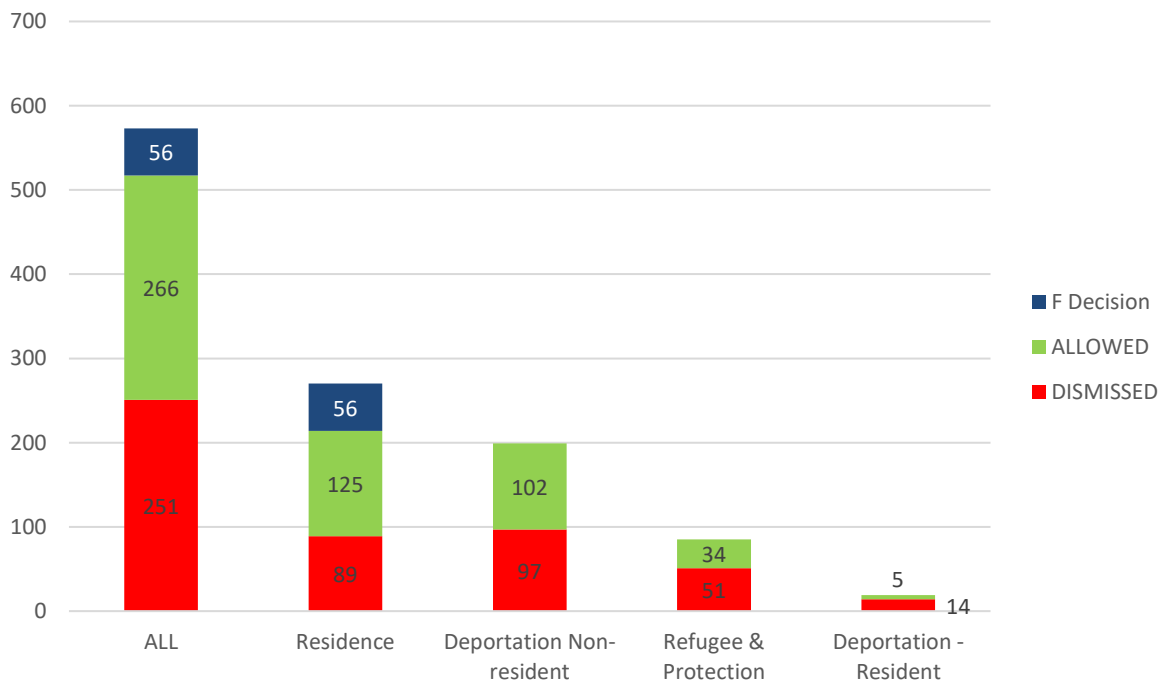
## Outcomes of Appeals in the Tribunal

Of the decisions released by the Tribunal in the past year, 43% resulted in the appeal being declined, and 46% of appeals were allowed, including 10% (all residence appeals) which found that the decision of Immigration New Zealand was correct, but which 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 (74%), followed by the refugee and protection stream (60%), deportation (non-resident) stream (49%), and residence stream (54%, including those referred to the Associate Minister as so-called “F decisions”). The 51% of deportation (non-resident) appeals which were allowed included those in which a temporary visa only was granted.

In all four streams, COVID-19 factors played an influential role in the determination of many cases.

### Outcome of Appeals 2021/2022



### Outcome of Appeals 2021/2022

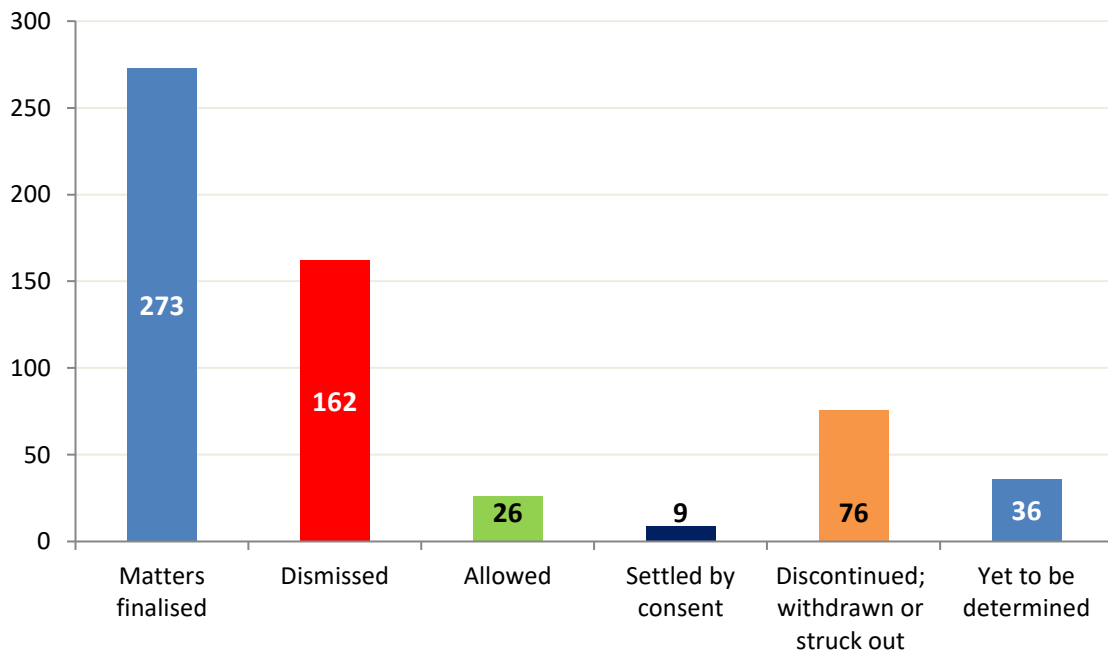
Outcome	Dismissed	Allowed	Referred to Minister	TOTAL
<b>ALL</b>	<b>251</b>	<b>266</b>	<b>56</b>	<b>573</b>
Residence	89	125	56	270
Deportation (Non-resident)	97	102		199
Refugee and Protection	51	34		85
Deportation (Resident)	14	5		19

## 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 17 appeals and/or judicial review applications lodged in the High Court. These constituted 3% of the Tribunal's 573 decisions released in the year.

A total of 36 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 first report as Chair of the Tribunal. I record my appreciation to the members of the Tribunal who have supported me and who have contributed so well to the work of the Tribunal, during what has been a very challenging year. In particular, I am grateful for the invaluable support, counsel and expertise of the Management Committee of Bruce Burson, Annabel Clayton, Bridget Dingle and Debra Smallholme.

I acknowledge with thanks the important assistance of senior Ministry of Justice officials, including the Northern Regional Manager, Christopher King. I am very grateful to the Tribunal's Manager, Justice Services, Jessie Henderson, for her ongoing, conscientious assistance and experience, and to the Tribunal's Service Manager, Minja Pesic, for her commitment, expertise and dedication. I have particular thanks for the Chair's Personal Assistants, Catherine Watson and Michelle Williams, for their professionalism and efficiency.

As has been noted in this report, the past court year has seen the Tribunal maintain its workload without significant backlog, and continue the expeditious despatch of business, in the face of difficult and challenging circumstances. The Ministry of Justice's staff members have been, and are, an invaluable and essential part of this process. Their unfailing courtesy, compassion and care towards the Tribunal's most significant stakeholders – the appellants who come before us – supports the members in their work towards the principles of Te Ao Marama. The staff have continued their work over the past year with the highest degree of competence. They have provided the Tribunal with outstanding support, for which the members and I are very grateful.



.....  
Judge Martin Treadwell  
Chair  
Immigration and Protection Tribunal

## APPENDICES

### ALL APPEALS 1 July 2021 to 30 June 2022

**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
355	775	179	573	752	26	352	<b>378</b>

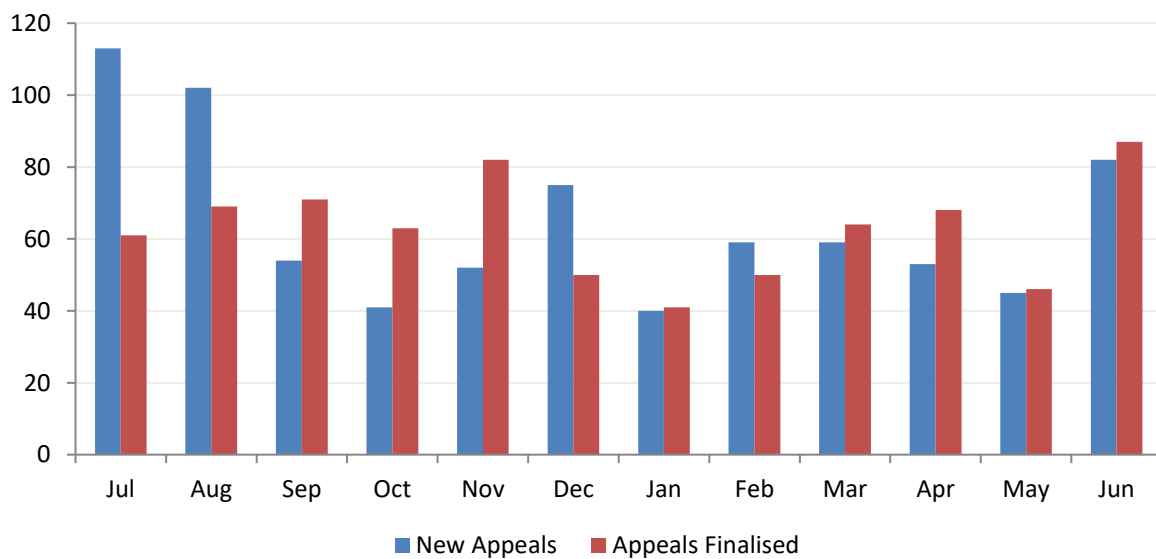
**Chart A.2**

#### Total Tribunal Decisions Released

Declined	Allowed	Referred to Minister	Total
251	266	56	<b>573</b>

**Chart A.3**

#### Total Tribunal Caseflow — by Month



**RESIDENCE APPEALS**  
1 July 2021 to 30 June 2022

**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
126	223	25	270	295	54

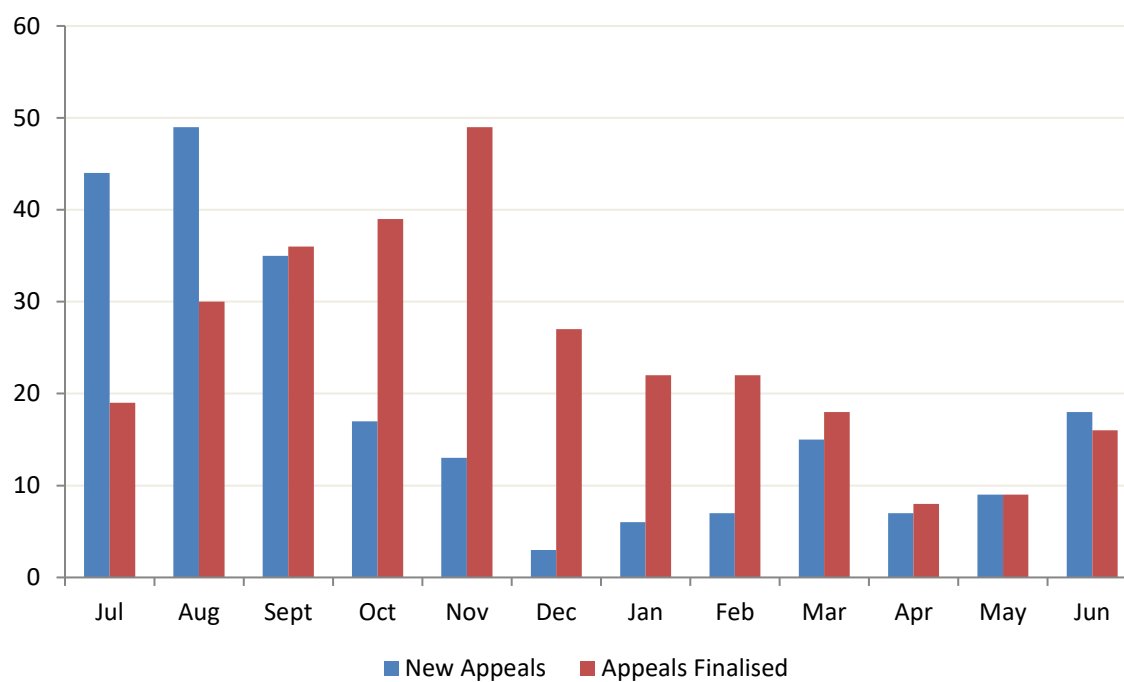
**Chart B.2**

**Residence Decisions Released**

Declined	Allowed	Referred to Minister	Total
89	125	56	270

**Chart B.3**

**Residence Caseflow — by Month**



**DEPORTATION (NON-RESIDENT) APPEALS**  
**1 July 2021 to 30 June 2022**

**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
108	382	105	199	304	<b>186</b>

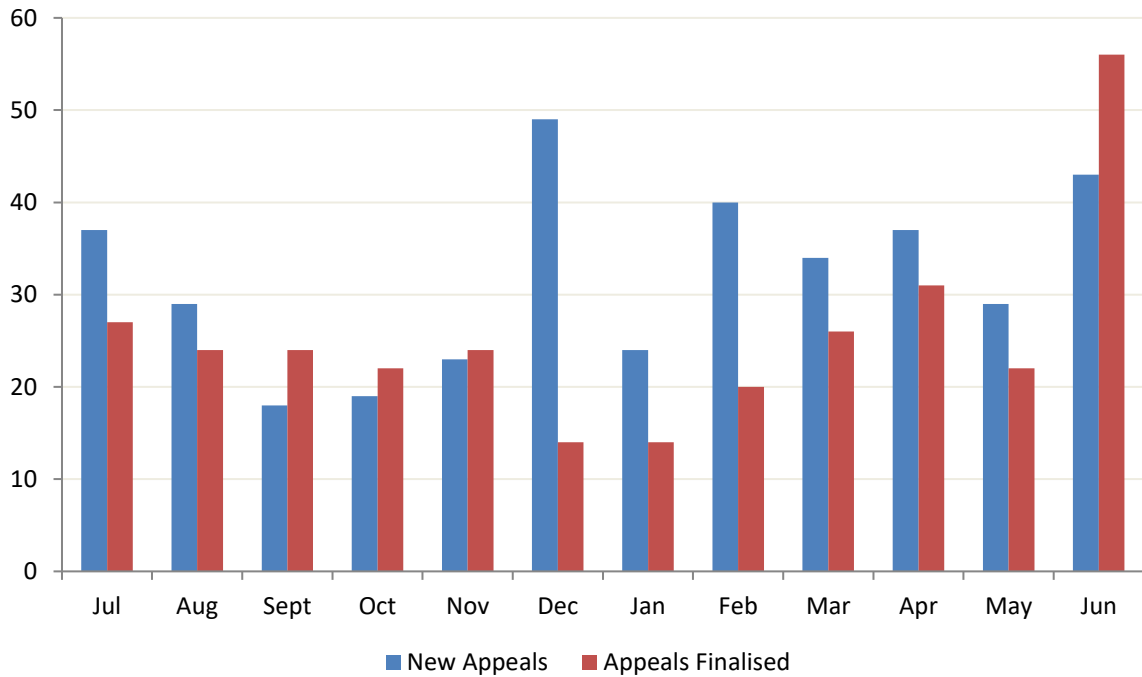
**Chart C.2**

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

Declined	Allowed	Total
97	102	<b>199</b>

**Chart C.3**

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





**REFUGEE AND PROTECTION APPEALS**  
**1 July 2021 to 30 June 2022**

**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
68	130	23	85	108	90

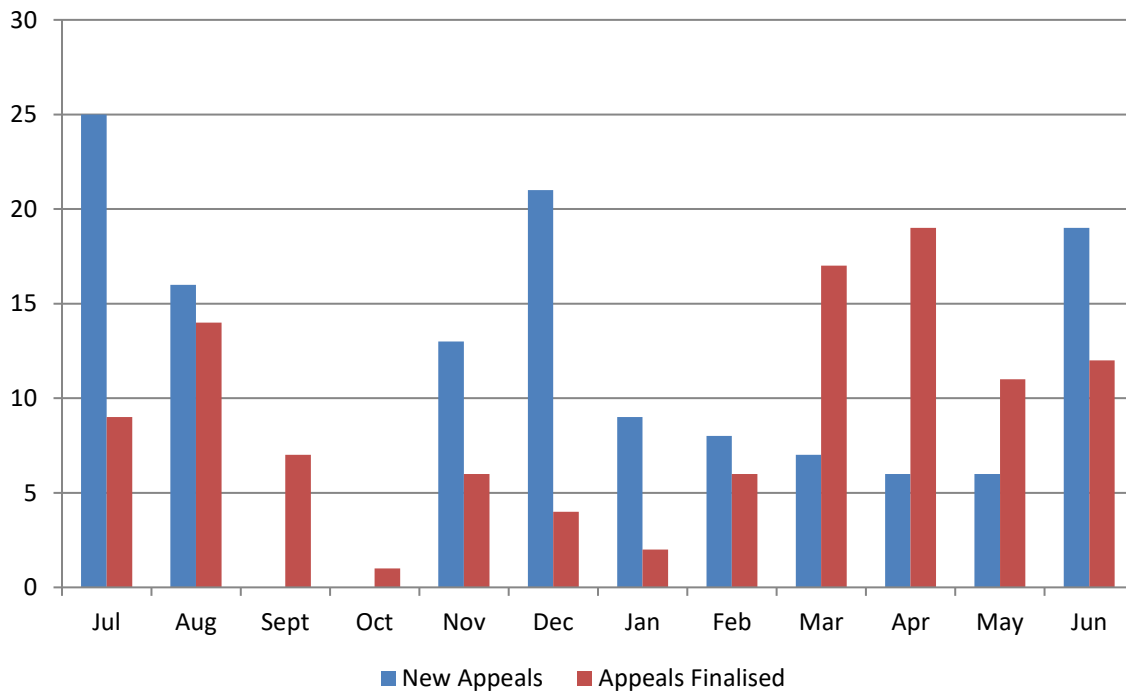
**Chart D.2**

**Refugee and Protection Decisions Released**

Declined	Allowed	Total
51	34	85

**Chart D.3**

**Refugee and Protection Caseflow — by Month**



**DEPORTATION (RESIDENT) APPEALS**  
1 July 2021 to 30 June 2022

**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
52	40	25	19	44	26	22	<b>48</b>

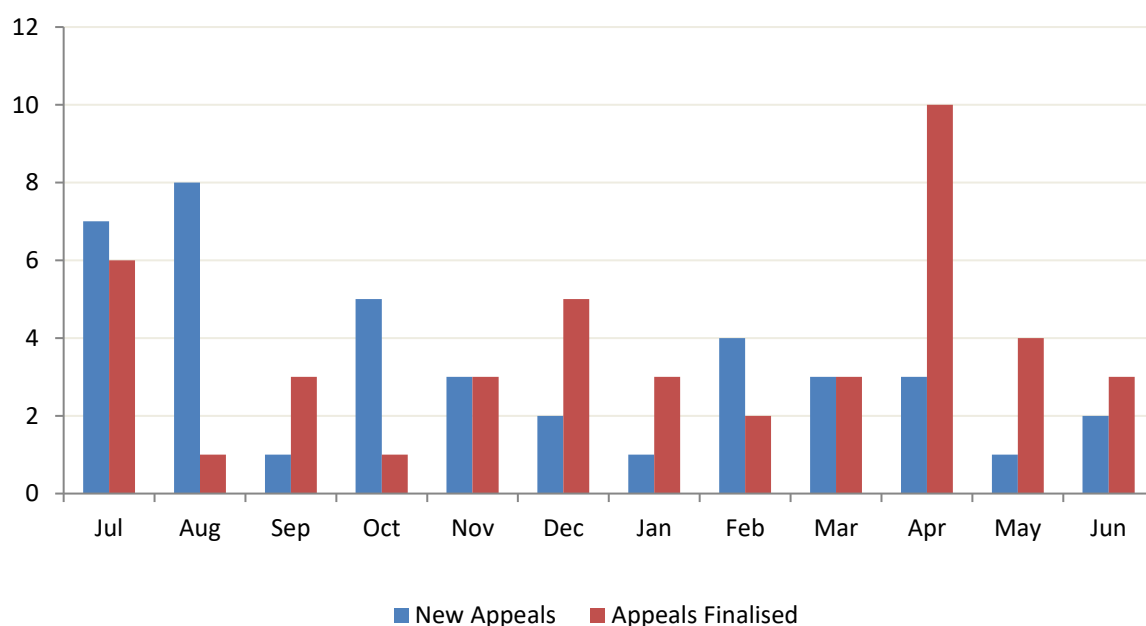
**Chart E.2**

**Deportation (Resident) Decisions Released**

Declined	Allowed	Total
14	5	<b>19</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
June 2021	352	1,084	207	874	1,081	355
June 2022	355	775	179	573	752	378
<b>Total to date</b>		<b>14,480</b>	<b>2,806</b>	<b>11,820</b>	<b>14,626</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
June 2021	377	410	87		874
June 2022	251	266	56		573
<b>Total to date</b>	<b>6,748</b>	<b>4,230</b>	<b>839</b>	<b>3</b>	<b>11,820</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	30 June 2021	30 June 2022
<b>Tribunal Average (days)</b>	395	364	345	257	174	147	178	175	146	165
<b>Residence</b>	431	334	289	271	169	155	189	119	91	136
<b>Deportation (Non-resident)</b>	340	334	289	133	99	91	107	143	125	158
<b>Refugee and Protection</b>	318	364	441	352	265	216	231	321	246	248
<b>Deportation (Resident)</b>	501	410	706	414	476	408	314	279	420	266

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

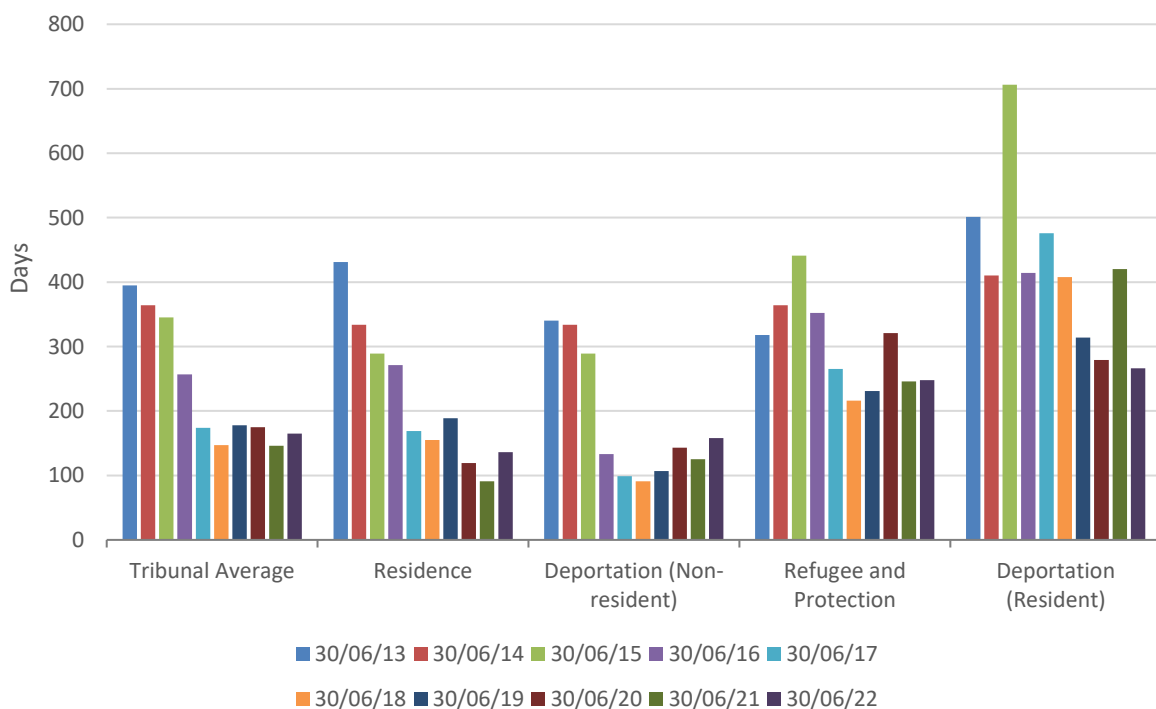


Chart F.4

**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	30 June 2022
<b>Tribunal Average (days)</b>	74	55	45	32	15	12	15	23	18	19
<b>Residence</b>	56	46	41	30	14	10	14	20	14	16
<b>Deportation (Non-resident)</b>	81	61	38	27	10	9	12	14	14	19
<b>Refugee and Protection</b>	100	69	79	43	25	23	23	25	32	26
<b>Deportation (Resident)</b>	135	172	65	52	28	29	19	46	30	29

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

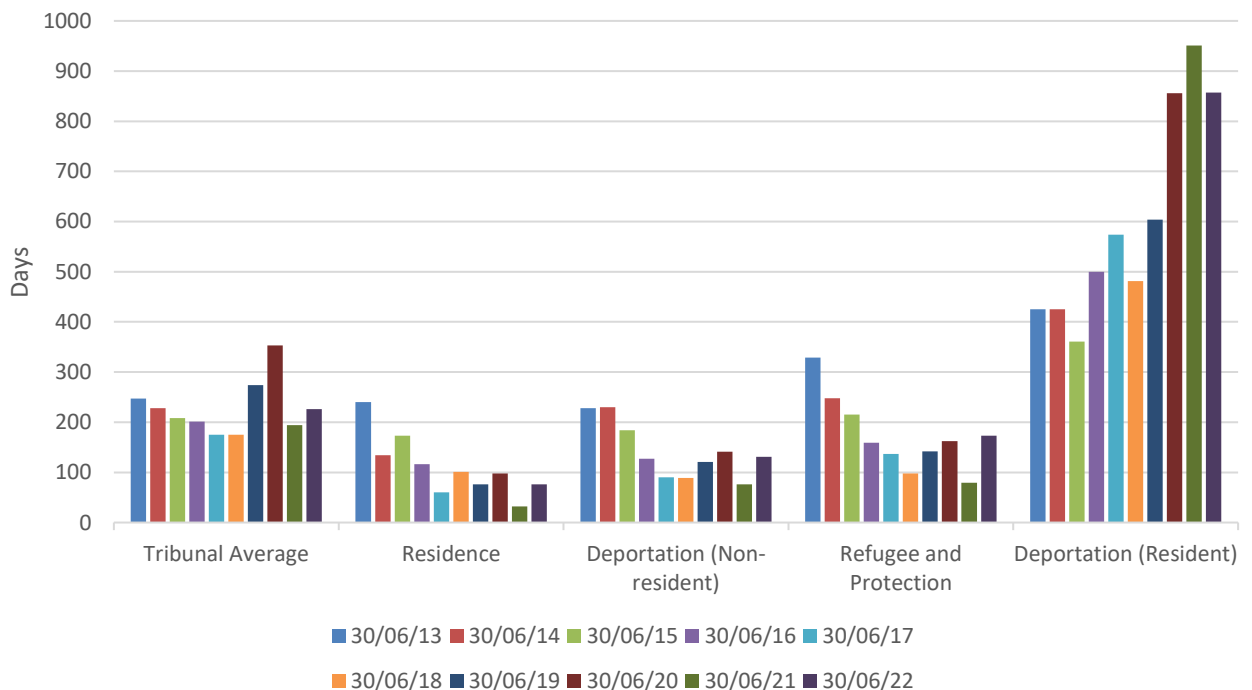


Chart F.5

**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	30 June 2022
<b>Tribunal Average (days)</b>	247	228	208	201	175	175	274	353	194	226
<b>Residence</b>	240	134	173	116	60	101	76	98	32	76
<b>Deportation (Non-resident)</b>	228	230	184	127	90	89	121	141	76	131
<b>Refugee and Protection</b>	329	248	215	159	137	98	142	162	79	173
<b>Deportation (Resident)</b>	425	425	361	500	574	481	604	856	951	857

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

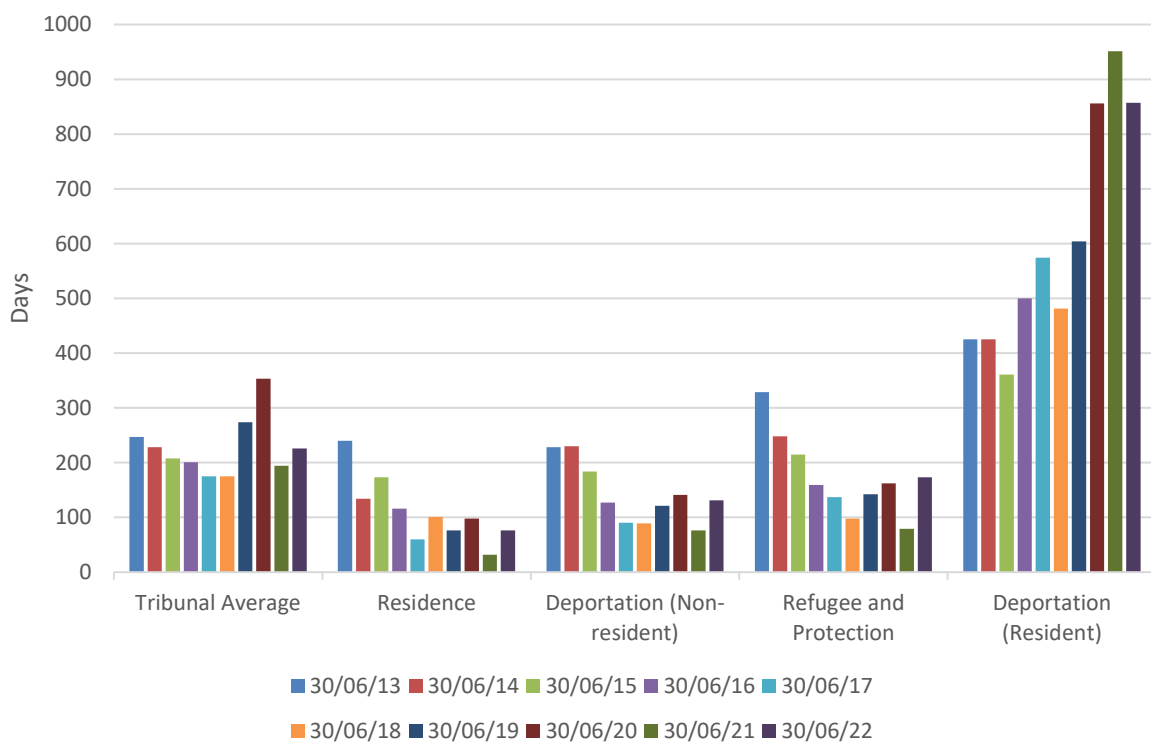


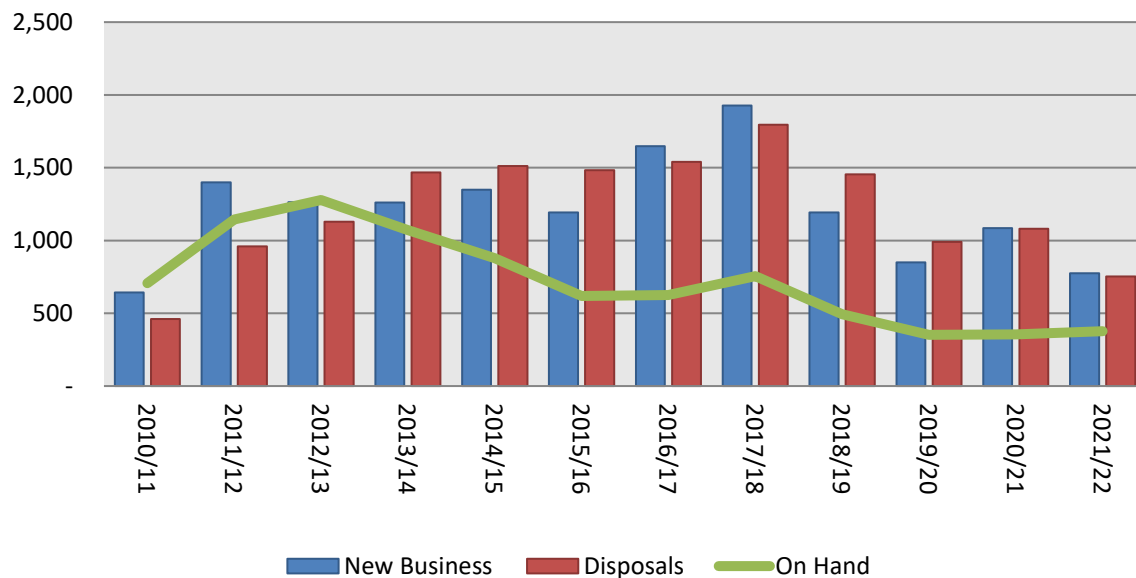
Chart G

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

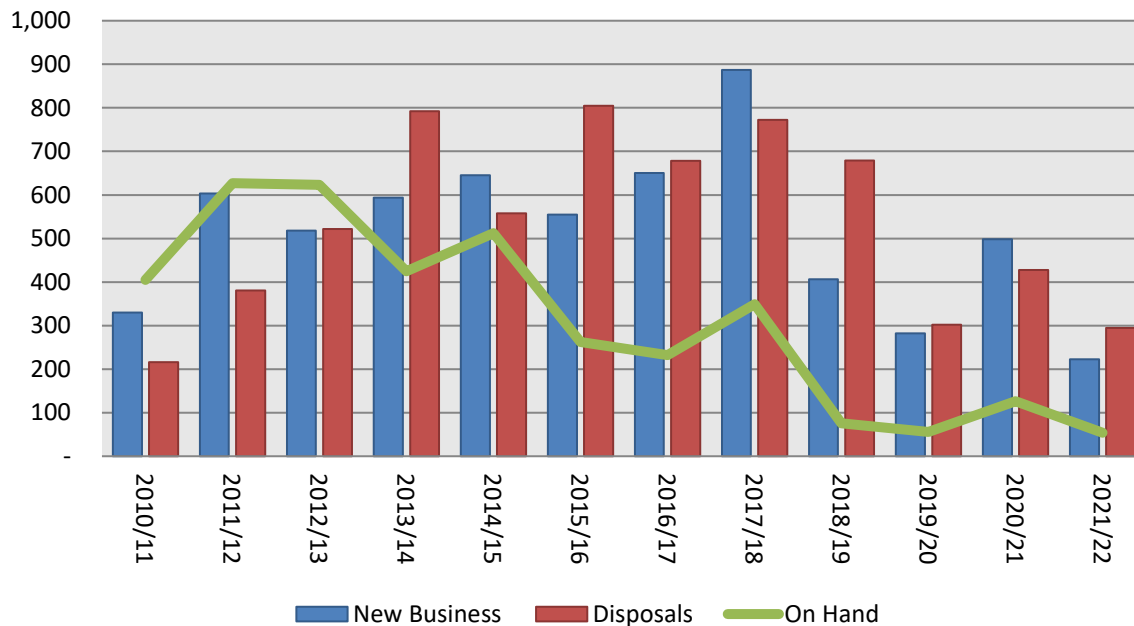
Appeal stream	Financial Year												
	2010 Transitional Appeals*	2010/ 2011	2011/ 2012	2012/ 2013	2013/ 2014	2014/ 2015	2015/ 2016	2016/ 2017	2017/ 2018	2018/ 2019	2019/ 2020	2020/ 2021	2021/ 2022
<b>Residence</b>													
New Business	291	330	603	518	594	645	555	650	887	406	282	498	223
Disposals		216	381	522	792	558	805	678	772	679	302	428	295
On Hand		405	627	623	425	512	262	232	349	76	56	126	54
<b>Deportation (Non-resident)</b>													
New Business	83	196	537	512	442	448	398	632	711	493	374	385	382
Disposals		146	366	394	499	677	422	579	747	488	415	371	304
On Hand		133	304	422	366	137	113	166	130	135	94	108	186
<b>Refugee &amp; Protection</b>													
New Business	70	109	199	173	177	150	152	171	217	217	136	177	130
Disposals		75	164	157	142	211	158	187	202	218	163	203	108
On Hand		104	139	155	190	129	123	107	122	121	94	68	90
<b>Deportation (Resident)</b>													
New Business	80	7	60	60	47	102	88	91	111	76	57	24	40
Disposals		23	49	57	34	62	98	95	73	70	111	79	44
On Hand		64	75	78	91	131	121	117	155	161	107	52	48
<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	1,084	775
Disposals		460	960	1,130	1,467	1,512	1,484	1,540	1,796	1,454	991	1,081	752
On Hand		706	1,145	1,278	1,072	879	619	625	756	494	352	355	378

\*Appeals transitioned from legacy bodies

## Total IPT

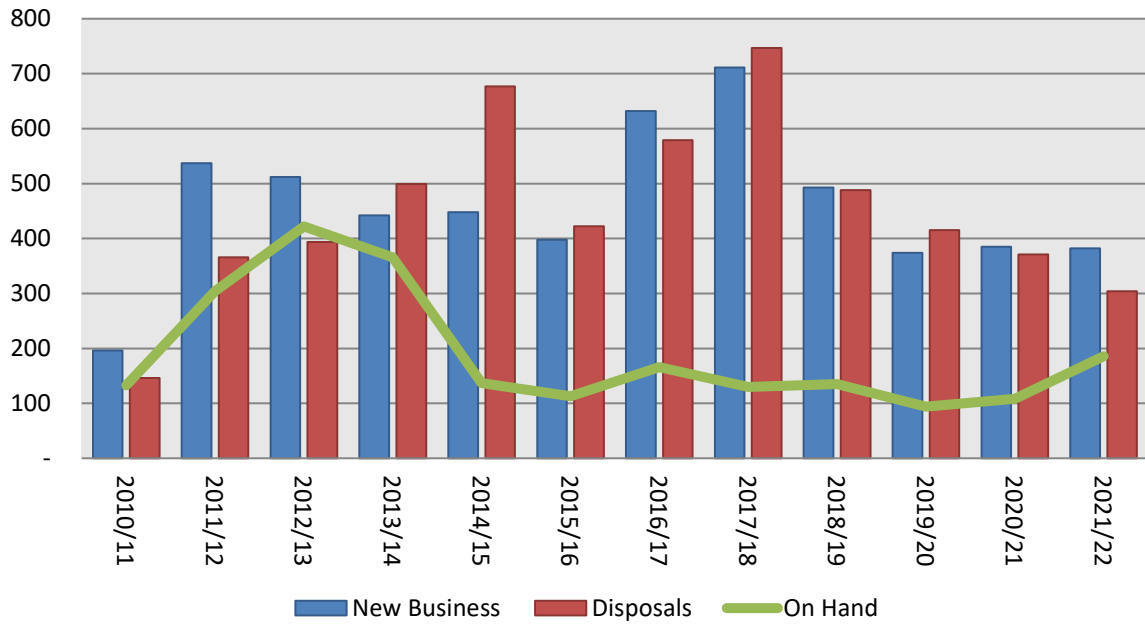


## Residence

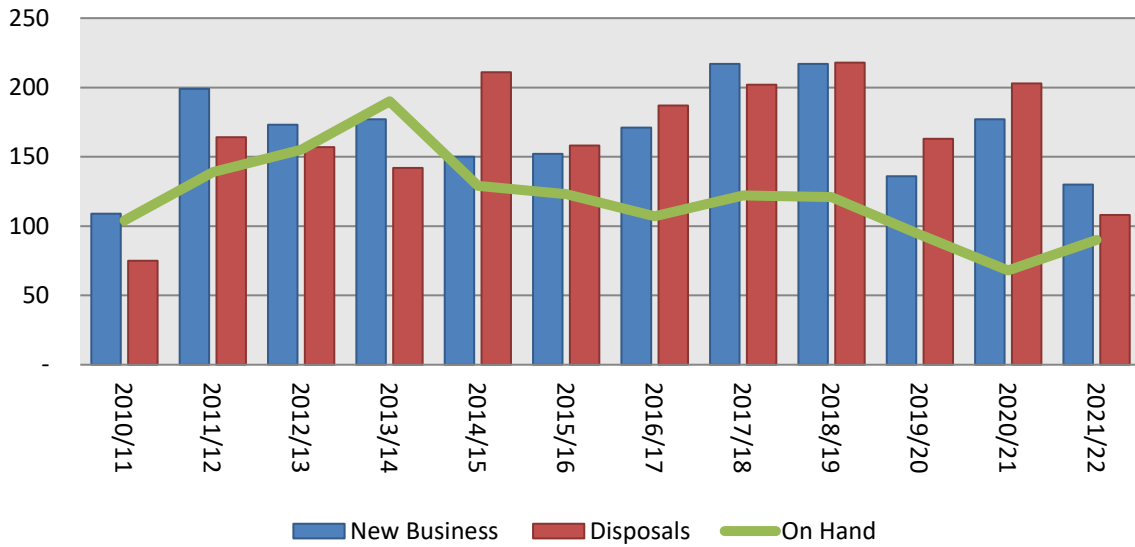




### Deportation (Non-resident)



### Refugee & Protection



### Deportation (Resident)

