

MRT-RRT Caseload Report

30 June 2009

Summary of lodgements, decisions and cases on hand

MRT													
Reg	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Total
Lodgements													
NSW	329	280	324	398	417	351	268	374	420	346	363	425	4,295
VIC	240	206	273	290	263	263	209	208	311	269	293	300	3,125
Total	569	486	597	688	680	614	477	582	731	615	656	725	7,420
Decisions													
NSW	245	309	349	302	268	242	248	219	211	284	280	288	3,245
VIC	233	228	241	243	204	223	146	148	275	174	197	210	2,522
Total	478	537	590	545	472	465	394	367	486	458	477	498	5,767
Active													
NSW	2,679	2,651	2,627	2,730	2,883	2,992	3,014	3,168	3,378	3,442	3,528	3,668	3,668
VIC	2,054	2,031	2,062	2,102	2,157	2,197	2,258	2,319	2,354	2,447	2,540	2,627	2,627
Total	4,733	4,682	4,689	4,832	5,040	5,189	5,272	5,487	5,732	5,889	6,068	6,295	6,295

The MRT clearance rate in June was 69% (68% in NSW and 70% in Victoria). The clearance rate for the year-to-date is 78% (76% in NSW and 81% in Victoria).

RRT													
Reg	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Total
Lodgements													
NSW	155	131	207	207	189	222	146	144	189	144	132	123	1,989
VIC	38	39	36	50	43	56	36	49	55	67	39	41	549
Total	193	170	243	257	232	278	182	193	244	211	171	164	2,538
Decisions													
NSW	163	137	165	159	145	172	169	153	213	176	149	169	1,970
VIC	35	17	35	32	40	36	29	54	47	62	53	52	492
Total	198	154	200	191	185	208	198	207	260	238	202	221	2,462
Active													
NSW	404	399	442	490	534	584	559	547	520	492	475	429	429
VIC	139	160	160	178	181	201	210	208	219	220	206	195	195
Total	543	559	602	668	715	785	769	755	739	712	681	624	624

The RRT clearance rate in June was 135% (137% in NSW and 127% in Victoria). The clearance rate for the year-to-date is 97% (99% in NSW and 90% in Victoria).

Lodgements

The Tribunals received 889 cases in June (MRT - 725; RRT - 164). A total of 9,958 cases have been received so far this financial year (MRT - 7,420; RRT - 2,538).

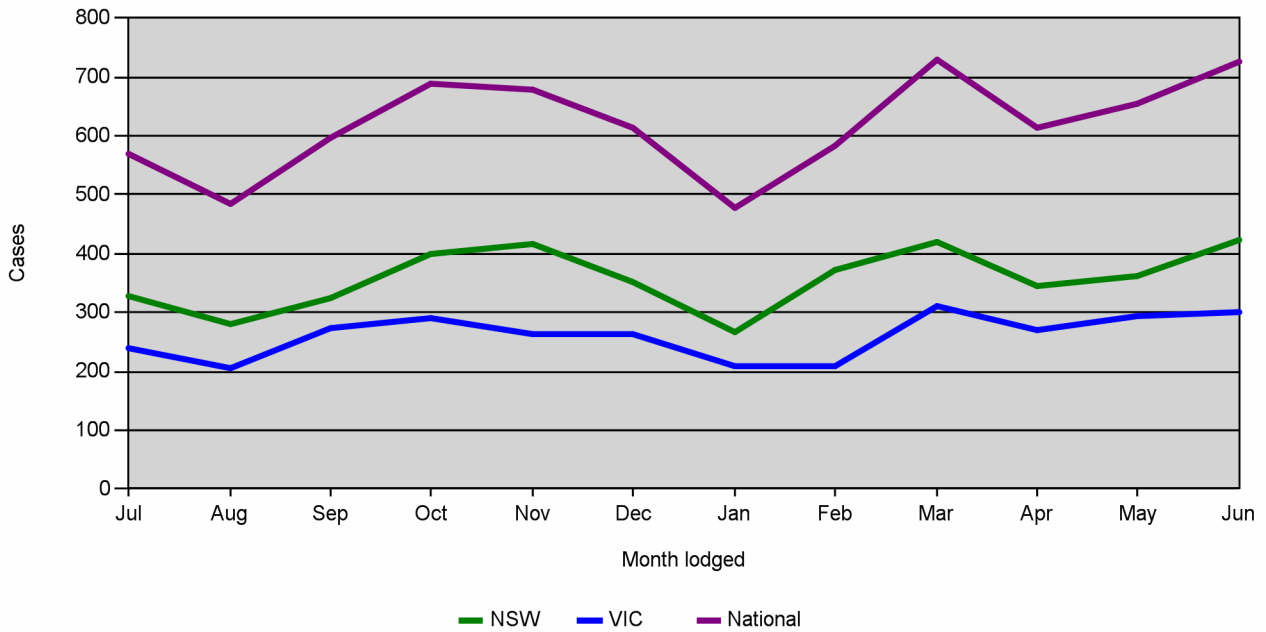
MRT					RRT (Top 10 nationally)		
Case category	Total	%	% NSW	%Vic	Country	Total	%
Skill linked refusal	1,889	25%	25%	26%	China (PRC)	999	39%
Partner refusal	1,372	18%	18%	20%	India	287	11%
Student refusal	691	9%	10%	8%	Malaysia	165	7%
Temporary business refusal	684	9%	9%	9%	Bangladesh	121	5%
Visitor refusal	562	8%	8%	7%	Indonesia	115	5%
Family refusal	536	7%	7%	7%	Lebanon	80	3%
Student cancellation	501	7%	7%	7%	Sri Lanka	77	3%
Permanent business refusal	314	4%	3%	6%	Korea, Republic Of	60	2%
Sponsor approval refusal	209	3%	3%	2%	Fiji	59	2%
Bridging refusal	139	2%	3%	1%	Pakistan	58	2%
Other	523	7%	7%	7%	Other	517	20%
Total	7,420	100%	100%	100%	Total	2,538	100%

The Tribunals have received the following monthly court remittals:

Reg	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Total
MRT													
NSW	7	5	5	1	12	7	1	1	6	4	6	2	57
VIC	1	0	1	5	9	3	0	5	2	3	6	1	36
Total	8	5	6	6	21	10	1	6	8	7	12	3	93
RRT													
NSW	13	25	23	21	18	16	10	11	15	9	13	14	188
VIC	5	3	4	6	2	0	0	4	2	3	5	2	36
Total	18	28	27	27	20	16	10	15	17	12	18	16	224

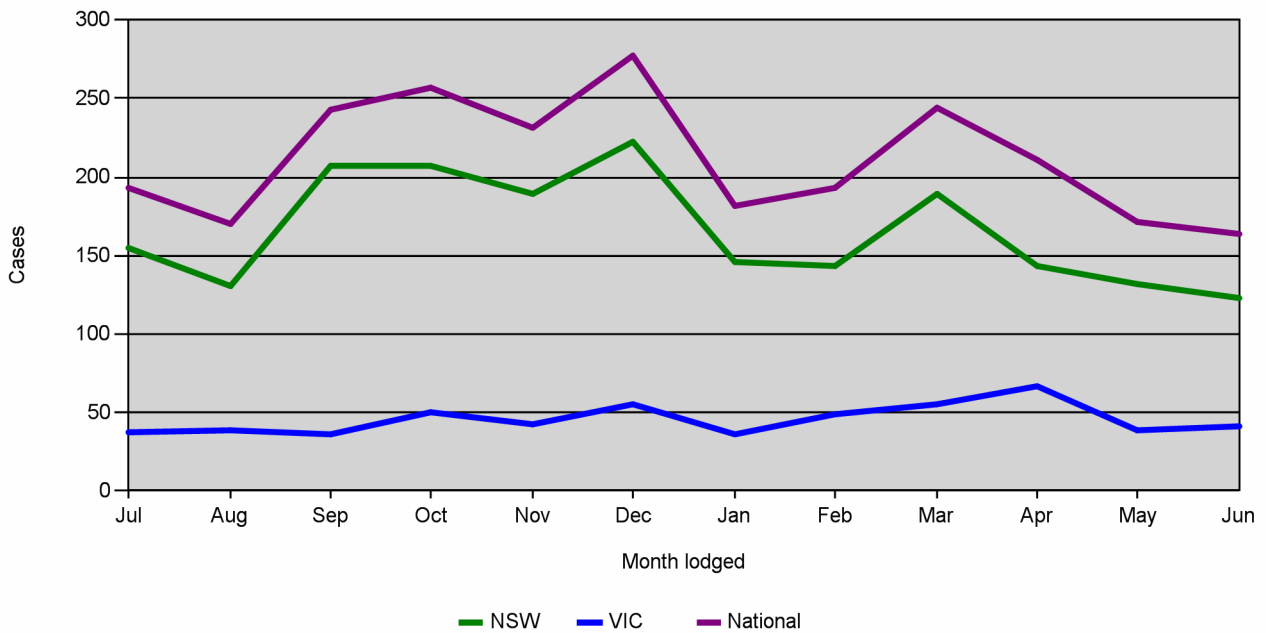
In the previous financial year (2007/08), the MRT received a total of 128 court remittals (88 in NSW and 40 in Victoria) and the RRT received a total of 229 court remittals (202 in NSW and 27 in Victoria).

MRT lodgements in the last 12 months by registry and month



MRT lodgements are up 17% this year compared to the same period last year. 58% of cases were lodged in NSW and 42% were lodged in Victoria (compared to 59% for NSW and 41% for Victoria during the same period last year).

RRT lodgements in the last 12 months by registry and month



RRT lodgements are up 11% this year compared to the same period last year. 78% of cases were lodged in NSW and 22% were lodged in Victoria (compared to 84% for NSW and 16% for Victoria during the same period last year).

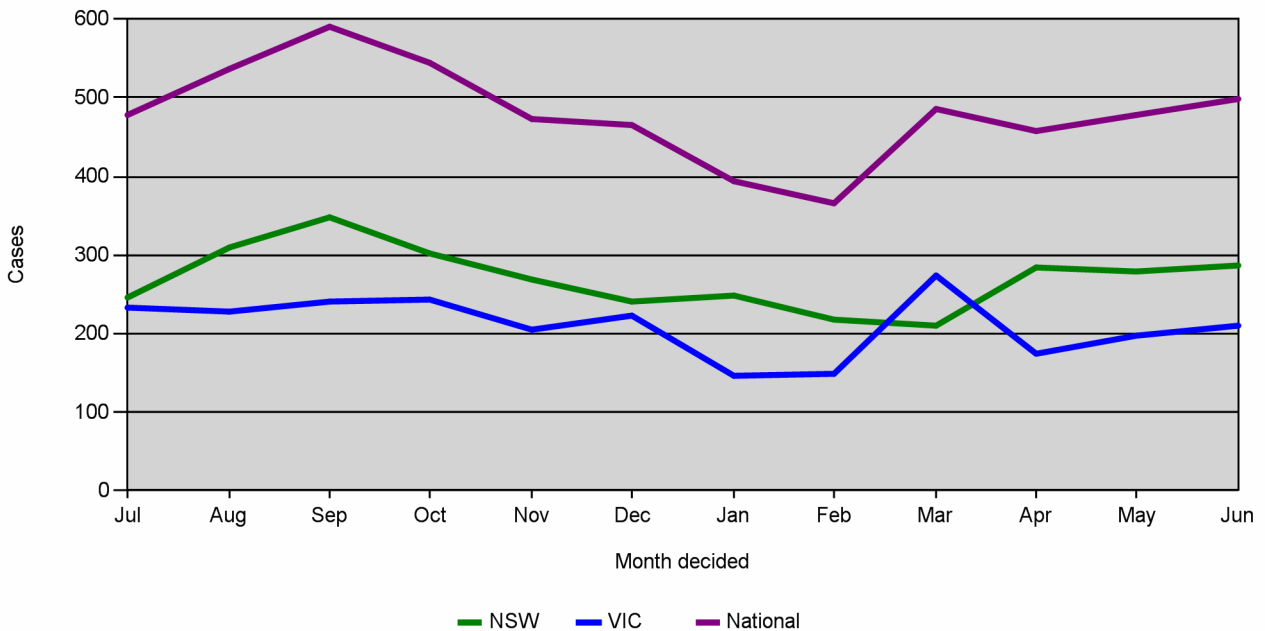
Decisions

The Tribunals decided 719 cases in June (MRT - 498; RRT - 221). A total of 8,229 cases have been decided so far this financial year (MRT - 5,767; RRT - 2,462).

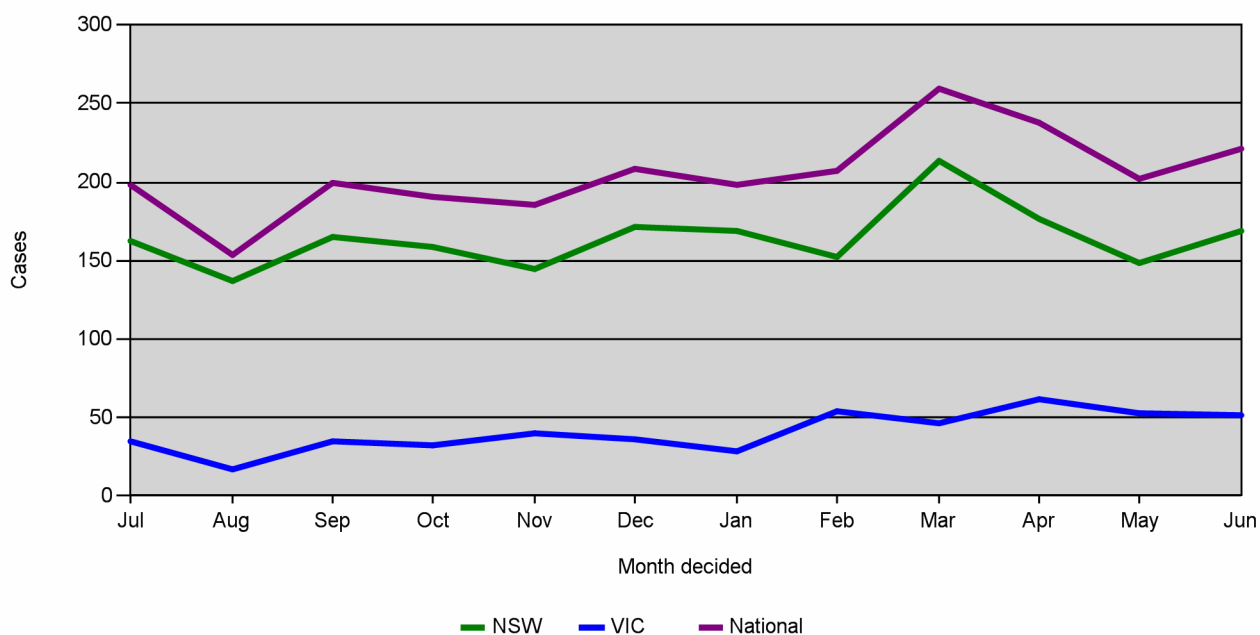
MRT				
Case category	Total	%	% NSW	%Vic
Partner refusal	1,221	21%	20%	23%
Skill linked refusal	958	17%	15%	19%
Visitor refusal	637	11%	11%	12%
Student refusal	564	10%	13%	5%
Temporary business refusal	560	10%	10%	10%
Family refusal	557	10%	9%	10%
Student cancellation	412	7%	6%	9%
Permanent business refusal	165	3%	3%	3%
Bridging refusal	133	2%	3%	1%
Sponsor approval refusal	96	2%	2%	1%
Other	464	8%	8%	8%
Total	5,767	100%	100%	100%

RRT (Top 10 nationally)		
Country	Total	%
China (PRC)	986	40%
India	265	11%
Malaysia	166	7%
Bangladesh	141	6%
Indonesia	129	5%
Lebanon	79	3%
Korea, Republic Of	62	3%
Sri Lanka	58	2%
Fiji	54	2%
Pakistan	54	2%
Other	468	19%
Total	2,462	100%

MRT decisions in the last 12 months by registry and month

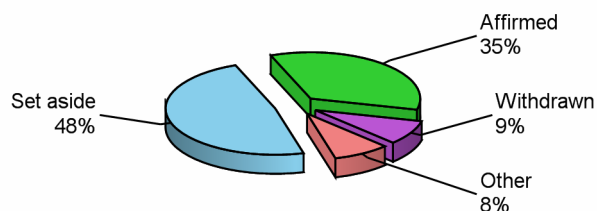


RRT decisions in the last 12 months by registry and month

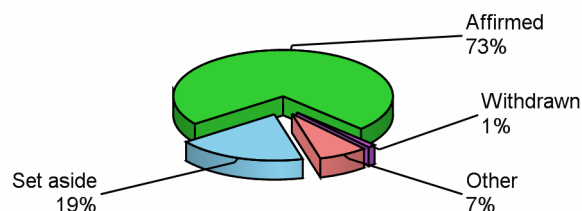


Decision Outcomes

MRT decisions by outcome



RRT decisions by outcome



Set aside rates

MRT

Case category	Total		NSW		Vic	
	S/A	%	S/A	%	S/A	%
Partner refusal	822	67%	438	67%	384	67%
Skill linked refusal	486	51%	254	52%	232	49%
Visitor refusal	373	59%	200	58%	173	59%
Family refusal	253	45%	120	40%	133	52%
Student refusal	206	37%	172	40%	34	25%
Temporary business refusal	205	37%	115	37%	90	37%
Student cancellation	165	40%	84	43%	81	38%
Permanent business refusal	69	42%	35	42%	34	42%
Sponsor approval refusal	26	27%	15	25%	11	30%
Bridging refusal	16	12%	15	13%	1	5%
Other	162	35%	95	36%	67	34%
Total	2,783	48%	1,543	48%	1,240	49%

RRT

Country	Total		NSW		Vic	
	S/A	%	S/A	%	S/A	%
China (PRC)	210	21%	190	22%	20	17%
Lebanon	25	32%	20	31%	5	36%
Sri Lanka	22	38%	10	50%	12	32%
Bangladesh	12	9%	12	9%	0	0%
Kenya	12	57%	3	43%	9	64%
Zimbabwe	12	55%	3	75%	9	50%
Egypt	11	31%	8	27%	3	60%
India	11	4%	9	4%	2	5%
Malaysia	11	7%	3	3%	8	15%
Indonesia	10	8%	7	7%	3	9%
Other	132	24%	83	20%	49	33%
Total	468	19%	348	18%	120	24%

The set aside rate for cases reconsidered following court remittals so far this financial year is 71% for MRT decisions and 37% for RRT decisions.

Timeliness of decisions

Case type	Cases	Time standard	Average days			% Within standard		
			NSW	Vic	Tot	NSW	Vic	Tot
MRT								
Bridging visas (detention)	116	7 working days from lodgement	7	9	7	91%	73%	88%
		7 working days from constitution	5	7	5	95%	82%	92%
Visa cancellations	559	150 calendar days from lodgement	107	123	114	78%	79%	79%
		90 calendar days from constitution	81	92	86	65%	60%	62%
All other cases	5,092	320 calendar days from lodgement	280	310	293	53%	45%	50%
		200 calendar days from constitution	93	100	96	88%	89%	88%
<i>MRT total</i>	<i>5,767</i>	<i>Calendar days since lodgement</i>	<i>256</i>	<i>288</i>	<i>270</i>	<i>56%</i>	<i>49%</i>	<i>53%</i>
RRT								
Protection visas	2,462	90 calendar days from receipt of Dept file*	81	108	86	76%	58%	73%
		90 calendar days from constitution	72	103	78	81%	63%	77%

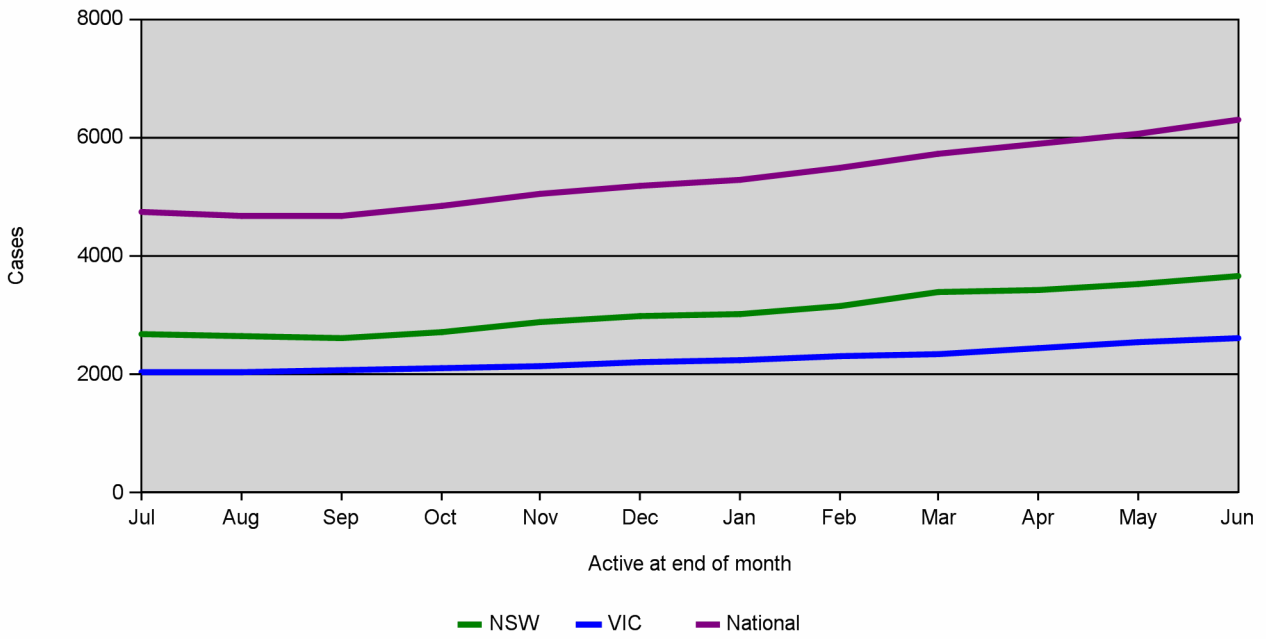
*90 calendar days from the date the Department's file is received or from the date of lodgement, whichever the later. The time taken to decide a case is taken from the date of constitution if the Department file received date is not available in CaseMate.

Cases on hand

A total of 6,919 cases were on hand as at 30 June 2009.

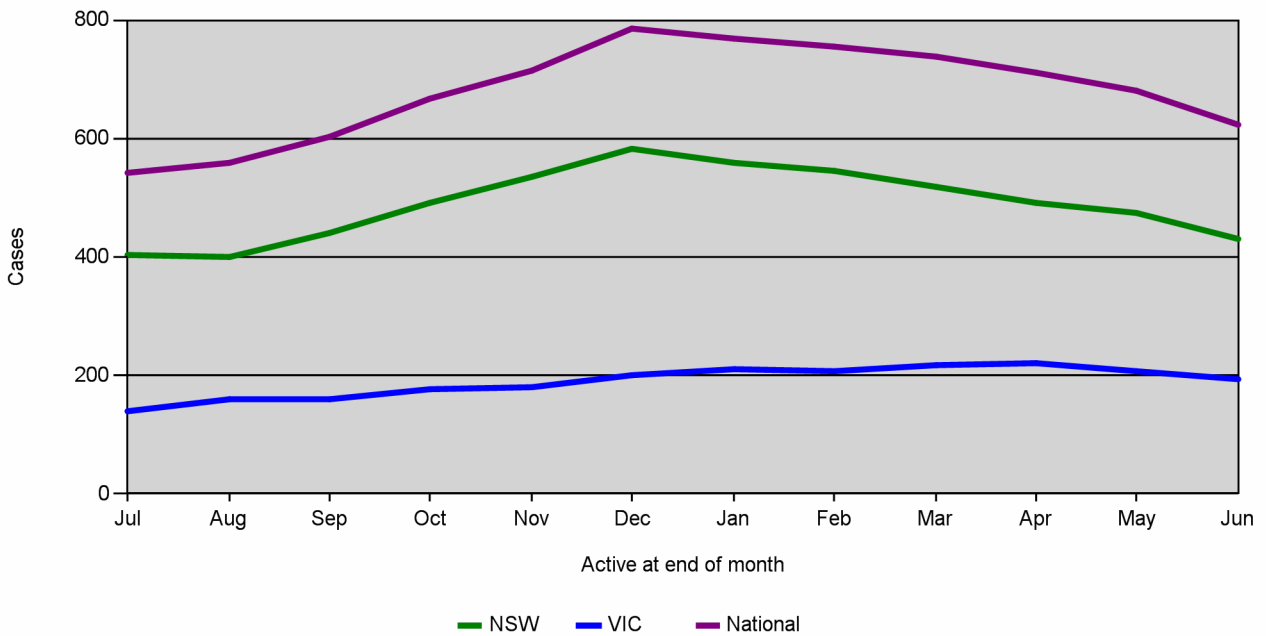
MRT					RRT				
Case category	Total	%	% NSW	%Vic	Case category	Total	%	% NSW	%Vic
Skill linked refusal	1,746	28%	27%	29%	China (PRC)	228	37%	46%	15%
Partner refusal	1,431	23%	22%	24%	India	70	11%	12%	10%
Student refusal	699	11%	13%	8%	Sri Lanka	32	5%	4%	8%
Temporary business refusal	649	10%	10%	10%	Malaysia	27	4%	4%	5%
Family refusal	439	7%	7%	7%	Zimbabwe	26	4%	1%	11%
Permanent business refusal	322	5%	3%	8%	Bangladesh	18	3%	4%	1%
Student cancellation	224	4%	4%	3%	Indonesia	17	3%	3%	2%
Sponsor approval refusal	214	3%	4%	3%	Lebanon	15	2%	2%	4%
Visitor refusal	178	3%	3%	2%	Pakistan	15	2%	2%	3%
Bridging refusal	24	0%	1%	0%	Fiji	14	2%	2%	2%
Other	369	6%	6%	6%	Other	162	26%	20%	38%
Total	6,295	100%	100%	100%	Total	624	100%	100%	100%

MRT cases on hand by registry and month



The MRT caseload is up 36% compared to the 4,642 cases that were on hand as at the same time last year.

RRT cases on hand by registry and month



The RRT caseload is up 14% compared to the 548 cases that were on hand as at the same time last year.

Age of cases on hand

As at 30 June 2009, 708 MRT cases (11%) were over 365 days old and 156 RRT cases (25%) were over 90 days old.

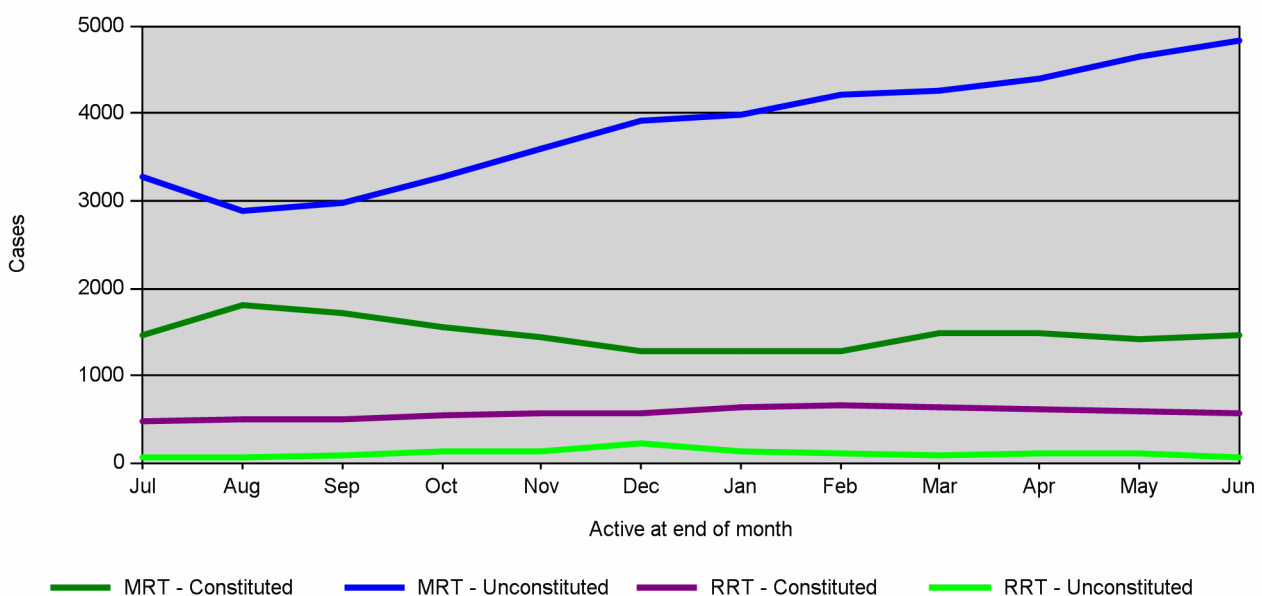
Age	NSW	Vic	Total	%
MRT				
90 days or less (<=3 months)	1,057	815	1,872	30%
91 - 183 days (3 to 6 months)	812	572	1,384	22%
184 - 274 days (6 to 9 months)	831	572	1,403	22%
275 - 365 days (9 to 12 months)	521	407	928	15%
366 - 547 days (12 to 18 months)	406	228	634	10%
548 days or more (>18 months)	41	33	74	1%
Total	3,668	2,627	6,295	100%
RRT				
30 days or less (<=1 month)	134	45	179	29%
31 - 60 days (1 to 2 months)	127	43	170	27%
61 - 90 days (2 to 3 months)	75	44	119	19%
91 - 183 days (3 to 6 months)	53	32	85	14%
184 - 274 days (6 to 9 months)	35	16	51	8%
275 days or more (>9 months)	5	15	20	3%
Total	429	195	624	100%

Constitutions

MRT - 1,465 cases (23%) were with Members as at the end of June and 4,830 cases (77%) were awaiting constitution.

RRT - 569 cases (91%) were with Members as at the end of June and 55 cases (9%) were awaiting constitution.

MRT-RRT constituted/unconstituted active cases by month



Constitutions by month

Reg	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Tot
Potential no jurisdiction													
NSW	76	59	58	48	33	30	49	30	48	58	49	80	618
VIC	34	18	27	19	9	17	18	12	27	20	29	18	248
<i>Total</i>	<i>110</i>	<i>77</i>	<i>85</i>	<i>67</i>	<i>42</i>	<i>47</i>	<i>67</i>	<i>42</i>	<i>75</i>	<i>78</i>	<i>78</i>	<i>98</i>	<i>866</i>
Detention													
NSW	20	6	5	7	11	17	7	13	18	24	18	34	180
VIC	2	1	5	3	2	5	2	4	14	17	3	3	61
<i>Total</i>	<i>22</i>	<i>7</i>	<i>10</i>	<i>10</i>	<i>13</i>	<i>22</i>	<i>9</i>	<i>17</i>	<i>32</i>	<i>41</i>	<i>21</i>	<i>37</i>	<i>241</i>
Other Priority 1													
NSW	316	189	259	245	241	196	325	234	278	240	207	270	3,000
VIC	171	160	108	99	105	102	153	106	127	133	119	119	1,502
<i>Total</i>	<i>487</i>	<i>349</i>	<i>367</i>	<i>344</i>	<i>346</i>	<i>298</i>	<i>478</i>	<i>340</i>	<i>405</i>	<i>373</i>	<i>326</i>	<i>389</i>	<i>4,502</i>
Priority 2													
NSW	162	377	117	80	120	55	40	113	257	110	103	73	1,607
VIC	112	232	130	108	66	67	75	77	169	71	55	154	1,316
<i>Total</i>	<i>274</i>	<i>609</i>	<i>247</i>	<i>188</i>	<i>186</i>	<i>122</i>	<i>115</i>	<i>190</i>	<i>426</i>	<i>181</i>	<i>158</i>	<i>227</i>	<i>2,923</i>
Total													
NSW	574	631	439	380	405	298	421	390	601	432	377	457	5,405
Vic	319	411	270	229	182	191	248	199	337	241	206	294	3,127
<i>Total</i>	<i>893</i>	<i>1,042</i>	<i>709</i>	<i>609</i>	<i>587</i>	<i>489</i>	<i>669</i>	<i>589</i>	<i>938</i>	<i>673</i>	<i>583</i>	<i>751</i>	<i>8,532</i>

Unconstituted cases over time standards

Priority	Cases	Priority 1 cases over 21 days*	Priority 2 cases over 3 months
Priority 1 cases			
NSW	202	18%	
VIC	122	24%	
Priority 2 cases			
NSW	2,704	74%	
VIC	1,857	68%	

*Date of lodgement or date Priority 2 case given Priority 1 status.

Workload indicators

Item	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Tot
All incoming correspondence (including submissions)													
NSW	1,887	1,875	2,052	1,886	1,595	1,563	1,394	1,655	1,751	1,696	2,019	1,889	21,262
QLD	0	0	0	0	0	2	0	0	0	0	0	0	2
SA	19	14	26	20	12	12	17	6	3	8	10	5	152
VIC	1,652	1,622	1,792	1,890	1,525	1,517	1,336	1,591	1,611	1,748	1,607	1,601	19,492
WA	7	2	3	2	1	0	2	1	2	0	0	1	21
Fee waivers processed													
NSW	37	34	34	30	36	33	25	22	45	37	49	42	424
VIC	20	21	27	26	23	20	35	17	25	27	24	27	292
Priority letters generated													
NSW	35	33	24	39	27	25	28	23	11	17	8	10	280
VIC	28	27	22	23	16	19	18	17	16	9	12	8	215
FOI requests received													
NSW	37	39	41	39	37	28	23	32	36	20	40	32	404

Item	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Tot
VIC	21	21	34	30	30	28	19	21	24	34	24	29	315
Access requests (362A) received													
NSW	78	72	53	83	79	51	51	62	80	74	94	61	838
VIC	50	58	57	56	34	68	49	47	51	46	51	50	617
359/424 letters created													
NSW	253	352	257	212	232	220	161	190	203	263	269	226	2,838
SA	0	2	0	1	3	4	0	0	0	5	0	2	17
VIC	148	185	232	189	143	132	95	124	123	139	132	97	1,739
Hearings held (including combined hearings)*													
NSW	294	290	356	295	315	255	280	319	335	292	316	288	3,635
Vic	190	197	221	254	211	140	146	183	187	179	220	171	2,299
Hearings did not proceed - Applicant related*													
NSW	74	98	107	112	107	75	109	70	92	109	96	105	1,154
Vic	49	39	65	65	46	54	44	46	59	66	48	45	626
Hearings did not proceed - Other*													
NSW	47	42	59	66	52	50	34	47	43	48	40	44	572
Vic	31	31	14	52	31	22	13	15	29	25	21	24	308

*'Hearings held' includes hearings finalised as adjourned or completed. 'Hearings did not proceed - Applicant related' includes hearings that were declined or cancelled by the applicant or where the applicant failed to attend a hearing. 'Hearings did not proceed - Other' includes invalid hearing offers, Member cancellations, interpreter issues or unspecified hearing outcomes. Combined hearings not included in count.

Service indicators

Year-to-date	NSW	Vic
FOI/Access timeliness	97%	99%
Average days taken to receive Department files*		
MRT - Decision location not stated	11	66
MRT - Onshore	18	19
MRT - Overseas	20	30
RRT	6	8
Median days taken to receive Department files*		
MRT - Decision location not stated	5	14
MRT - Onshore	14	14
MRT - Overseas	12	14
RRT	5	5

*Excluding court remittals.

State and territory cases

Lodgements by review applicant location

Lodgement	NSW	Vic	Qld	SA	WA	Tas	ACT	NT	Oth	Total
Lodged same State/Territory	5,098	2,442	219	185	368	0	0	0	0	8,312
Lodged elsewhere	44	87	637	153	421	58	111	50	85	1,646
Total	5,142	2,529	856	338	789	58	111	50	85	9,958

Caseload summary - Members based in Qld, SA and WA

Location	On hand			Decided		
	MRT	RRT	Total	MRT	RRT	Total
QLD	52	10	62	122	52	174
SA	24	5	29	87	7	94
WA	11	3	14	62	9	71
Total	87	18	105	271	68	339