



Australian Government
Department of Home Affairs



Australian
BORDER FORCE

Immigration Detention and Community Statistics Summary

December 2023 (released 8 February 2024)

Table of Contents

About this report	3
Enquiries	3
Acronyms	3
Notice on APODs.....	3
Important Notice on ITAs.....	3
Important Notice on NZYQ-affected individuals	4
Immigration Detention and Community Statistics Summary	5
In Community under Residence Determination Population by State/Territory	6
Immigration Detention Population.....	7
<i>From January 1990 to Current.....</i>	<i>7</i>
People In Immigration Detention Facilities.....	8
<i>Arrival Type.....</i>	<i>8</i>
People In Immigration Detention	10
<i>Nationality</i>	<i>10</i>
Children In Immigration Detention	11
Time In Immigration Detention Facilities	13
Time In Community Under Residence Determination	14

About this report

This report provides an overview of the number of people in onshore immigration detention, as at the morning of the first day following the end of the reporting month. The report is produced on a monthly basis.

As data is sourced from several departmental processing and recording systems, data relating to the immigration detention population is dynamic and variations between monthly reports can occur. Due to these issues, data from the current financial year should always be considered provisional.

Further information about immigration detention is available at:

<https://www.homeaffairs.gov.au/research-and-statistics/statistics/visa-statistics/live/immigration-detention>

Enquiries

Comments or enquiries concerning this report should be sent using the Department's client service feedback form quoting the name and date of the report.

See: <https://immi.homeaffairs.gov.au/help-support/contact-us>

Acronyms

Table 1 – Acronyms used in this document

Acronym	Description
APOD	Alternative Place of Detention
IDC/F	Immigration Detention Centre/Facility
ITA	Immigration Transit Accommodation
S501	Section 501 of the <i>Migration Act 1958</i> (the Migration Act)
S501 Visa Cancellation	Visa cancellations based on character or related grounds
UMA	Unauthorised Maritime Arrival

Notice on APODs

From July 2020, detainees residing in APODs are reported under 'APODs' rather than under the IDC that had responsibility for their management and care. APODs include hospitals, aged-care facilities, mental health inpatient facilities, as well as hotel and apartment style accommodation. The number of individuals in APODs is broken down by the State and Territory of the APODs.

Important Notice on ITAs

For reports released from July 2023 onwards, detainees residing within Immigration Transit Accommodation (ITA) facilities are reported under Immigration Detention Centres (IDCs). There is no change to the management and care of detainees within the affected ITAs.

Important Notice on NZYQ-affected individuals

The High Court of Australia's (High Court) decision on 8 November 2023 in *NZYQ v Minister for Immigration, Citizenship and Multicultural Affairs & Anor* [2023] HCA 37 ('NZYQ'), found that immigration detention is not authorised by the Constitution where there is no real prospect of the removal of a detainee from Australia becoming practicable in the reasonably foreseeable future. The High Court decision requires the release from immigration detention of anyone for whom this is the case.

For reports from November 2023 onwards, the Department will include figures on the number of persons released from immigration detention in the relevant period, as a result of being affected by the decision in NZYQ.

Where the removal of NZYQ-affected individuals becomes practicable in the reasonably foreseeable future, those individuals may be liable to re-detention.

Information on UMAs on Bridging Visa E is available in the *Unauthorised Maritime Arrivals on Bridging E Visa* quarterly report.

Immigration Detention and Community Statistics Summary

At 31 December 2023, there were 872 people in immigration detention facilities, and of those, 777 (89.1 per cent) have a criminal history. A further 252 people were living in the community after being approved for residence determination.

The table below reflects figures based on records in Department of Home Affairs systems.

Table 2 – People in Immigration Detention Centres (IDCs), Alternative Places of Detention (APODs) and the Community at 31 December 2023

Place of immigration detention by State*	Men	Women	Children	Total	Change from 30/11/23
NSW					
Villawood IDC	351	24	0	375	+ 14
APODs	<5	0	0	<5	- <5
VIC					
Melbourne IDC	<170	<20	0	183	+ 4
APODs	0	0	0	0	0
QLD					
Brisbane IDC	<105	0	0	<105	+ <10
APODs	<10	<5	0	7	+ <5
SA					
Adelaide IDC	<15	0	0	<15	0
APODs	0	0	0	0	0
WA					
Yongah Hill IDC	170	0	0	170	- 27
Perth IDC	<10	<10	0	15	- 3
APODs	<5	0	0	<5	- <5
NT					
APODs	<5	0	0	<5	+ <5
Total IDCs	<815	<50	0	859	- 7
Total APODs	<15	<5	0	13	+ 1
Total IDCs/APODs	824	48	0	872	- 6
Total in Community under Residence Determination	125	59	68	252	0
Individuals released in the relevant period as a result of the High Court's decision in NZYQ**	5	0	0	5	N/A

* Refer to Important Notice on APODs on page 3.

** Refer to Important Notice on NZYQ on page 4. 'Relevant period' refers to December 2023.

In Community under Residence Determination Population by State/Territory

Of the 252 people approved for a residence determination to live in the community, 54.4 per cent were in Victoria, 32.1 per cent in Queensland, 10.7 per cent in New South Wales and 2.8 per cent in Western Australia.

Table 3 – People in the Community under Residence Determination by State/Territory at 31 December 2023

State/Territory	Men	Women	Children	Total
New South Wales	22	<5	<5	27
Victoria	62	39	36	137
Queensland	34	<20	<30	81
Western Australia	7	0	0	7
Total	125	59	68	252

Immigration Detention Population

From January 1990 to Current

The overall number of people in immigration detention including in the community under residence determination has decreased by 503 to 1124, compared with 1627 at the end of December 2022. This number takes into account detainees in the community under residence determination and detainees who were held in immigration detention facilities as at 31 December 2023.

Figure 1 – Population in Immigration Detention

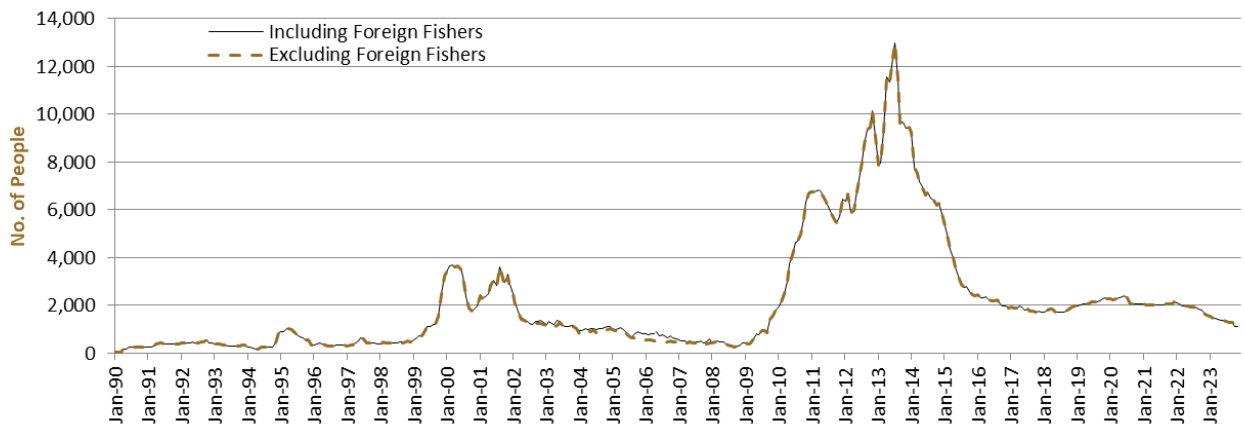


Figure 1 above, shows the number of people in immigration detention from 1990 to 2023.

People In Immigration Detention Facilities

Arrival Type

There were 157 people who arrived unlawfully by air or by boat, in held immigration detention facilities at 31 December 2023 representing 18.0 per cent of the total immigration detention population.

There were also 715 people (82.0 per cent of the total immigration detention population) who arrived in Australia lawfully and were subsequently taken into immigration detention for either overstaying or having their visas cancelled for reasons including failing the character test, breaching their visa conditions or presenting a risk to the safety, health or good order of the community.

Figure 2 – People in Held Immigration Detention Facilities by Detention Group

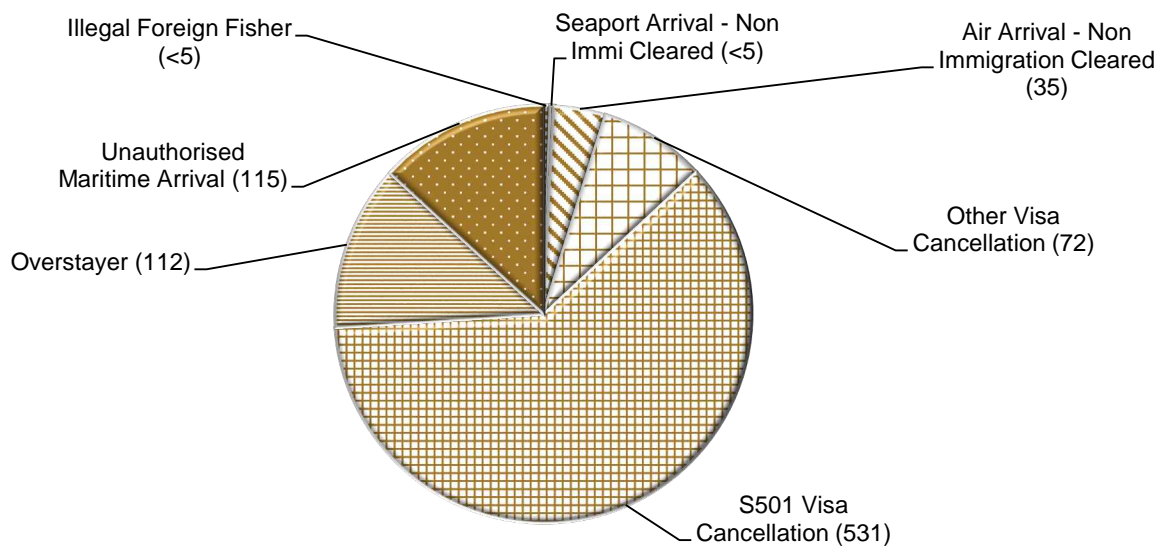


Figure 2 above, shows the number of people in held immigration detention facilities at 31 December 2023 by detention group, including Overstayers, S501 and Other Visa Cancellations, Unauthorised Maritime Arrivals, Unauthorised Air Arrivals, and if applicable – Illegal Foreign Fishers and Others such as stowaways and ship deserters.

Table 4 – People in Held Immigration Detention Facilities by Detention Group at 31 December 2023

Place of immigration detention by State*	S501 Visa Cancellation	UMA	Other Detention Group	Total	Change from 30/11/23
NSW					
Villawood IDC	228	47	100	375	+ 14
APODs	<5	0	0	<5	- <5
VIC					
Melbourne IDC	92	<30	<65	183	+ 4
APODs	0	0	0	0	0
QLD					
Brisbane IDC	73	<10	<25	<105	+ <10
APODs	<5	<5	<5	7	+ <5
SA					
Adelaide IDC	<15	0	<5	<15	0
APODs	0	0	0	0	0
WA					
Yongah Hill IDC	112	28	30	170	- 27
Perth IDC	<10	<5	<10	15	- 3
APODs	<5	0	0	<5	- <5
NT					
APODs	0	0	<5	<5	+ <5
Total IDCs	526	<115	<225	859	- 7
Total APODs	5	<5	<10	13	+ 1
Total IDCs/APODs	531	115	226	872	- 6

* Refer to Important Notice on APODs on page 3.

Table 5 – People in Held Immigration Detention Facilities by Detention Group and Cohort at 31 December 2023

Detention Group	Men	Women	Children	Total	Change from 30/11/23
S501 Visa Cancellation	503	28	0	531	- 7
Unauthorised Maritime Arrival	115	0	0	115	+ 3
Other	206	20	0	226	- 2
Total	824	48	0	872	- 6

People In Immigration Detention

Nationality

At 31 December 2023, there were 872 people in held immigration detention facilities. Of these 872 people, 17.7 per cent were from New Zealand, 7.9 per cent were from Iran, 6.9 per cent were from Vietnam, 4.7 per cent were from India, 3.9 per cent were from Sudan and 3.9 per cent were from Sri Lanka.

Table 6 – People in Held Immigration Detention Facilities by Nationality at 31 December 2023

Nationalities	Men	Women	Children	Total
New Zealand	134	20	0	154
Iran	69	0	0	69
Vietnam	54	6	0	60
India	<45	<5	0	41
Sudan	34	0	0	34
Sri Lanka	<35	<5	0	34
Tonga	30	0	0	30
United Kingdom	<30	<5	0	30
China	<30	<5	0	29
Iraq	24	0	0	24
Other	355	12	0	367
Total	824	48	0	872

At 31 December 2023, 252 were people living in the community after being approved for a residence determination. Of these 252 people, 46.4 per cent were from Iran, 11.9 per cent were Stateless, 7.1 per cent were from Somalia, 5.2 per cent were from Sri Lanka, 4.4 per cent were from Pakistan and 4.4 per cent were from Iraq.

Table 7 – People in the Community under Residence Determination by Nationality at 31 December 2023

Nationalities	Men	Women	Children	Total
Iran	49	34	34	117
Stateless ¹	16	<5	<15	30
Somalia	<5	7	<10	18
Sri Lanka	<10	<5	5	13
Pakistan	11	0	0	11
Iraq	8	<5	<5	11
Other	30	11	11	52
Total	125	59	68	252

¹ The category of “Stateless” nationalities includes “claimed stateless” persons.

Children In Immigration Detention

At 31 December 2023, there were no children (aged less than 18 years) in Immigration Detention Facilities and Alternative Places of Detention.

Figure 3 – Children in Immigration Detention Facilities and Alternative Places of Detention

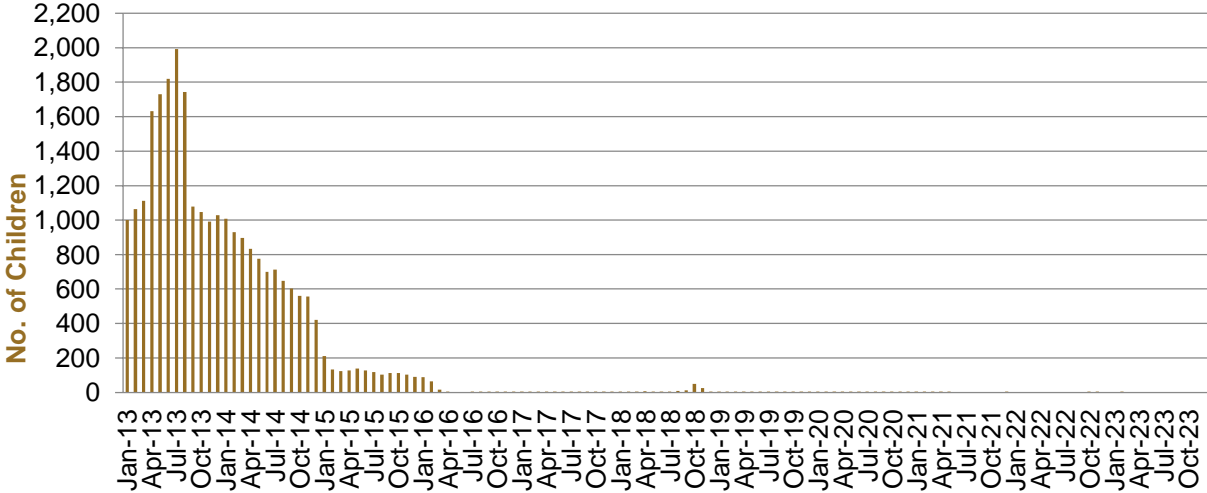


Figure 3 above, shows the number of children in IDFs and APODs from January 2013 to the date of this report. The continuous increase in the number of children in IDFs from April 2013 to Aug 2013 was due to a rapid increase in UMAs during this period. The number of children in IDFs continued to decline during the late 2013 and 2014, with further reduction in January 2015.

At 31 December 2023, the number of children living in the community after being approved for a residence determination has remained the same since the previous report at 68.

Figure 4 – Children in the Community under Residence Determination

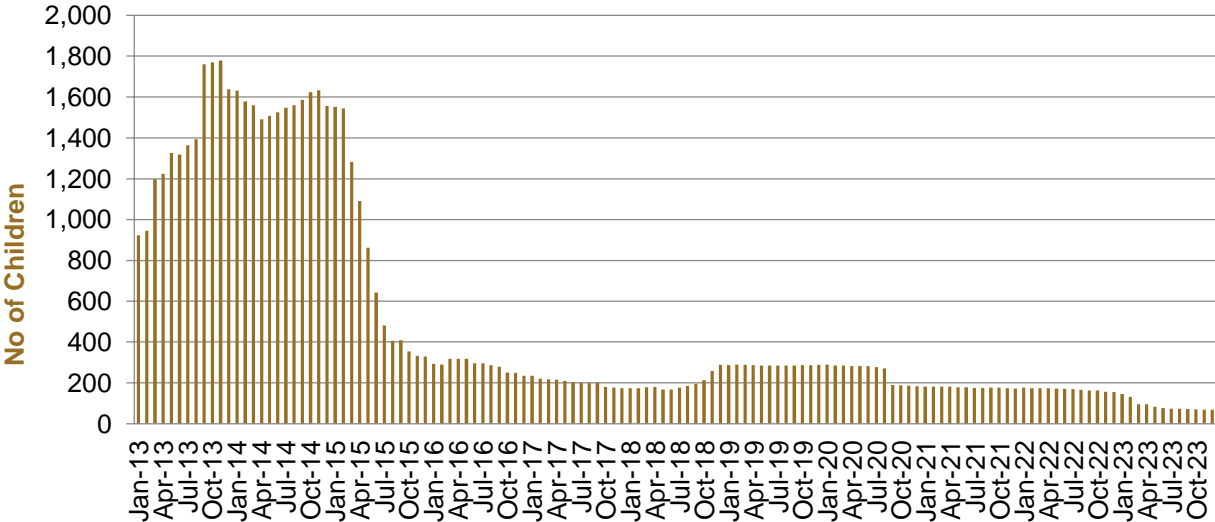


Figure 4 above, shows the number of children in the community under residence determination from January 2013 to the date of this report. The number of children in the community under residence determination, has levelled off at its lowest number since the peak in November 2013, as a result of releases into the community on Bridging Visa E.

Table 8 – Children in Immigration Detention and released as a result of the High Court’s Decision in NZYQ at 31 December 2023

Placement Type	Children
Immigration Detention Centre	0
Alternative Places of Detention	0
Total Facility	0
Total in the Community under a Residence Determination	68
Total released in the relevant period as a result of the High Court’s decision in NZYQ *	0

* ‘Relevant period’ refers to December 2023.

Time In Immigration Detention Facilities

At 31 December 2023, there were 872 people in immigration detention facilities.

Of these 872 people, 23.9 per cent had been detained for 91 days or less and 56.2 per cent had been detained for 365 days or less.

Table 9 – Length of Time of People in Held Immigration Detention Facilities at 31 December 2023

Period Detained	Total	% of Total
7 days or less	14	1.6%
8 days - 31 days	79	9.1%
32 days - 91 days	115	13.2%
92 days - 182 days	105	12.0%
183 days - 365 days	177	20.3%
366 days - 547 days	72	8.3%
548 days - 730 days	55	6.3%
731 days - 1095 days	77	8.8%
1096 days - 1460 days	59	6.8%
1461 days - 1825 days	44	5.0%
Greater than 1825 days	75	8.6%
Total	872	100%

At 31 December 2023, the average period of time for people held in detention facilities was 625 days.

Figure 5 – Average Number of Days of People in Held Immigration Detention Facilities only

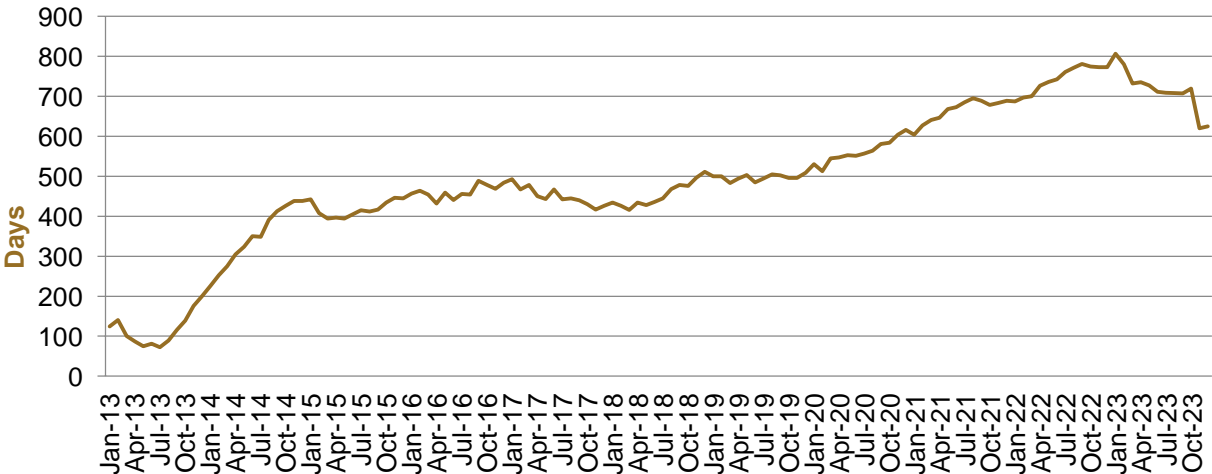


Figure 5 above, shows the average days in held immigration detention at the end of each month from January 2013 to the date of this report. The average period of time for people held in detention facilities steadily increased from July 2013 to January 2015. Between November 2018 and December 2019, the average number of days remained at around 500. Since January 2020, the average period of time for people held in detention facilities has steadily increased until January 2023, after which there has been an overall decrease.

The time an individual spends in immigration detention depends on a range of factors, including the complexity of their case, the legal processes they pursue and whether they voluntarily choose to leave Australia.

Time In Community Under Residence Determination

Of the 252 people in the community under residence determination, as at 31 December 2023, less than 5.0 per cent had been in the community for 91 days or less and less than 20.0 per cent had been in the community for 365 days or less.

Table 10 – Length of Time of People in Community under Residence Determination at 31 December 2023

Period Detained	Total	% of Total
7 days or less	<5	<2.0%
8 days - 31 days	0	0.0%
32 days - 91 days	<5	<2.0%
92 days - 182 days	11	4.4%
183 days - 365 days	24	9.5%
366 days - 547 days	14	5.6%
548 days - 730 days	12	4.8%
731 days - 1095 days	13	5.2%
1096 days - 1460 days	11	4.4%
1461 days - 1825 days	30	11.9%
Greater than 1825 days	134	53.2%
Total	252	100%