NATIONAL ASSEMBLY

**QUESTION FOR WRITTEN REPLY**

# QUESTION NO. 1292

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## INTERNAL QUESTION PAPER 22 OF 2019

**1292. Mr A C Roos (DA) to ask the Minister of Home Affairs:**

(1) With regard to High Court review applications initiated in respect of failed asylum claims, what number of (a) such High Court review applications have been initiated against (i) his department, (ii) him and/or (iii) the Director-General in each of the past 10 years and (b) the specified applications have been successful;

(2) what amount has his department spent on litigation costs associated with (a) High Court review applications in respect of failed asylum seekers and (b) asylum seekers in general, including litigation related to High Court reviews, as well as any other refugee and asylum seeker rights litigation in each of the past 10 years? NW2503E

**REPLY:**

(1) The Department does not have a system in terms of which applications received are specifically categorized. Matters received are captured on a Word Document as and when they are received, and in most instances the cases cite both the Minister of Home Affairs and the Director-General of Home Affairs.

Based on the latest available information, 2493 matters were registered in 2017 and 3706 in 2018.

(2) The Department does not have a system in terms of which litigation costs for a specific category under Immigration Services can be determined. As of the 2018/2019 financial year, the Department put in place a system in terms of which the relevant Branches from where the litigation emanates have to pay the litigation invoices, i.e. Immigration Services, Civic Services and Human Resources Management and Development.

The total spend on litigation costs from the 2009/2010 financial year to the 2017/2018 financial year was R366,493,161.00

In 2018/2019, the total spend on litigation fees was as follows:

Immigration Services – R31,705,547.57

Civic Services – R3,697,484.45

Human Resources Management & Development – R3,477,323.15

Legal Services – R7,373,119.37

**END**