

Senate Select Committee on COVID-19
Inquiry into the Australian Government's response to the COVID-19 pandemic

QUESTION ON NOTICE / Spoken

007 – Public Hearing – 30 July 2021

Topic: Guardians accompanying minors

Senator Kristina Keneally

Question

Senator KENEALLY: Thank you. I do have one more question for you, going back to the case of the family with the triplets. We actually have a copy of an email from DFAT where they clearly say that the person accompanying unaccompanied minors 'must be a parent, grandparent or sibling'. I am happy to provide a copy of this email to you. It does seem here in this hearing, we have had a clear statement from you that it doesn't have to be a blood relative. We have had a clear statement from the ABF commissioner, Mr Outram, in relation to the equalities and the considerations that are taken into account. I will put to you again: are you sure that you don't have a rule that says that the person must be 'a parent, grandparent or a sibling'?

Mr Sheehan: Up to this point, I have said we do not have that rule. I haven't got that email in front of me but, as I said, we would be pleased to get information and we will look into this case. Obviously, decisions made while working with the Australian Border Force and the Northern Territory around guardians is something that needs to be done very carefully. At this stage I will stick to the answer that I gave you before but I will take on notice any further detail we can give. Perhaps most importantly, we will look at this case specifically.

Answer

DFAT advises parents of minors seeking to return their children to Australia on Government-facilitated commercial flights that a temporary guardian must be a parent or sibling of the legal guardian. DFAT also advises that exceptions may be made in some circumstances, for example where a person exercises primary care and responsibility for the minor.

Accompanying relatives who are not Australian citizens need to obtain a visa and a travel exemption to enter Australia through the Department of Home Affairs.