

Committee Secretary
Senate Legal and Constitutional Committee
PO Box 6100
Parliament House
Canberra ACT 2600

Susan & Andrew Longmore,

April 6th 2010.

Dear Committee,

Re Anti-People Smuggling and Other Measures Bill 2010

We are concerned that people in Australia, who send money to support relatives or friends who are displaced in another country, may be charged with criminal offences under this proposed legislation.

The Bill states

'The offence applies if a person is reckless as to whether the money or resources they provide will be used in, or to assist, a people smuggling venture' ... 'People in Australia should not support the life-threatening business of people smuggling by providing finance or other assistance.'

People in Australia may send, in good faith, money to relatives or friends for the purpose of supporting their personal needs such as food, medicine or shelter. Once the money is sent, it is the recipient who ultimately decides what need is the greatest. Who in Government will determine whether this can be deemed 'reckless behavior' by the support person in Australia and therefore a criminal offence?

Australia is fortunate to have many good people who are compassionate and look to alleviate the suffering of others less fortunate. These are qualities to be admired and encouraged, not discouraged through fear of being prosecuted for 'reckless' behaviour.

Continuing violence in countries like Iraq, Afghanistan, Somalia, Sudan and Sri Lanka forces decent people to flee for their lives as best they can. Observers have described Indonesian detention centres as "hugely overcrowded" and conditions as "horrendous". On average, the waiting time until a claim is finalised by the UNHCR is 10 years. Even after they are registered, refugees cannot seek employment, send their children to school, apply for family reunion or apply for residency. The support money sent by people in Australia may be crucial to the survival of such people.

We therefore urge you to consider carefully the wording and intent of this Bill so that compassionate and responsible people in Australia do not become innocent victims of this Bill.

The only way to stop unauthorised boat arrivals is through regional and international co-operation to resolve conflicts and to create durable solutions for refugees so that they no longer need to undertake perilous journeys to find safety.

Yours sincerely,

Susan Longmore OAM & Andrew Longmore.