

**QUESTION TAKEN ON NOTICE – LEGAL AND CONSTITUTIONAL AFFAIRS
REFERENCES COMMITTEE**

**INQUIRY INTO AUSTRALIA'S AGREEMENT WITH MALAYSIA IN RELATION TO
ASYLUM SEEKERS: 23 SEPTEMBER 2011**

IMMIGRATION AND CITIZENSHIP PORTFOLIO

(QON 21)

Senator Hanson Young (L&CA 55) asked:

Have you found specific people who understand the legal rights of these children while they are sitting in that assessment? [regarding pre-removal process interviews with children]

Answer:

If the question refers to the presence of a legal advisor during pre-removal assessment, it was never contemplated that people who were subject to removal to Malaysia would be provided with Government funded legal assistance in connection with pre-removal assessment. No exception was to have been made in relation to unaccompanied minors (or persons claiming to be unaccompanied minors). It was considered sufficient for an independent observer from Life Without Barriers to be present in interviews with such minors.