

Question on notice no. 203

Portfolio question number: 203

2019-20 Additional estimates

Legal and Constitutional Affairs Committee, Home Affairs Portfolio

Senator Nick McKim: asked the Australian Border Force on 2 March 2020—

Please update the following tables provided in the previous estimates:

Previously provided tables setting out the number of boat arrivals, turn backs, take backs and assisted returns since September 2013, and including:

- i. the total number of people on board each venture, with breakdowns by passengers and crew;
- ii. the number of children on each venture;
- iii. the outcome of the venture (arrival, turn back, take back or assisted return) ;
- iv. in the case of arrivals, where those people are now;
- v. in the case of non-arrivals, the country to which people were returned and the method of return (by plane via an Australian airfield, turned back on own vessel, provided with alternate vessel, handed over to authorities of another State either at sea or in that State's territory, etc.) ; and
- vi. the number of people on board each venture who:
indicated that they wished to seek asylum in Australia (whether formally or informally, in exact terms or by implication) ;
underwent screening (including where that screening took place, and whether there was access to interpreters and legal representatives) ; or
were determined to engage or possibly engage Australia's protection obligations.
- vii. whether that venture was reflected in the Operation Sovereign Borders monthly update for that month.

1. If not, why not?

Answer —

Please see the attached answer.

**SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS
ADDITIONAL ESTIMATES
2 MARCH 2020**

Home Affairs Portfolio

Operation Sovereign Borders

AE20-203 - Update Previous Data and Tables Provided to Committees

Senator Nick McKim asked:

"Previously provided tables setting out the number of boat arrivals, turn backs, take backs and assisted returns since September 2013, and including:

- i. the total number of people on board each venture, with breakdowns by passengers and crew;
- ii. the number of children on each venture;
- iii. the outcome of the venture (arrival, turn back, take back or assisted return);
- iv. in the case of arrivals, where those people are now;
- v. in the case of non-arrivals, the country to which people were returned and the method of return (by plane via an Australian airfield, turned back on own vessel, provided with alternate vessel, handed over to authorities of another State either at sea or in that State's territory, etc.); and
- vi. the number of people on board each venture who:
 - indicated that they wished to seek asylum in Australia (whether formally or informally, in exact terms or by implication);
 - underwent screening (including where that screening took place, and whether there was access to interpreters and legal representatives); or
 - were determined to engage or possibly engage Australia's protection obligations.
- vii. whether that venture was reflected in the Operation Sovereign Borders monthly update for that month.
 - a. If not, why not?"

Answer:

Question i

See Table 1 for turn backs, take backs and assisted returns.

See Table 2 for persons unable to be safely returned.

Question ii

See Table 1 for turn backs, take backs and assisted returns.

See Table 2 for persons unable to be safely returned.

Question iii

See Table 1 for turn backs, take backs and assisted returns.

See Table 2 for persons unable to be safely returned. These individuals were taken to a Regional Processing Country.

Question iv:

As at 1 March 2020, the individuals unable to be safely returned were located as follows:

- 569 are temporarily in Australia for medical treatment or engaged in litigation to prevent their removal
- 364 have returned to their country of origin
- 253 have resettled in a third country
- 116 are in Nauru
- 0 are in Papua New Guinea

Question v:

See Table 1 for take backs, turn backs and assisted returns.

These individuals were returned to either Indonesia, Sri Lanka or Vietnam.

Question vi:

The public's right to know about the details of on-water operations under OSB is balanced against operational security requirements and the safety of all persons involved in operations, including those on board the venture. Information about operational activities that can be safely released is provided on a regular basis either through the monthly OSB updates, or via other forums such as Senate Estimates at a later stage when the information is no longer deemed to be operationally sensitive.

Information provided by individuals intercepted at sea under OSB is appropriately considered, consistent with Australia's domestic and international obligations. Returns are conducted only when safe to do so and when Australia is able to meet its domestic and international obligations.

If individuals are unable to be safely returned to their country of origin or departure, they are transferred to a regional processing country in order for their claims for protection to

be assessed by that country. A table providing an overview of ventures that were unable to be safely returned since the commencement of OSB is included below.

Question vii:

For operational reasons, current sensitive operational activity has occasionally not been released in the relevant OSB monthly updates. However, information on all ventures is captured in OSB's public statistics when it is no longer operationally sensitive to do so.

Further details will not be provided in order to preserve operational security.

Table 1 – Overview of Returned People Smuggling Ventures

The total number includes all persons on board the returned venture. Where applicable, The number of crew and children included within the total number is shown in brackets.

Number	Date	Total Number of People on Board	Summary
Financial Year 2013 – 2014			
1	December 2013	49 (2 crew, 17 children)	Turnback
2	December 2013	50 (1 crew, 8 children)	Turnback
3	December 2013	40 (2 crew, 4 children)	Turnback
4	January 2014	47 (2 crew, 13 children)	Assisted Return
5	January 2014	27 (2 crew, 4 children)	Turnback
6	January 2014	58 (2, crew, 2 children)	Turnback
7	February 2014	38 (2 crew, 3 children)	Turnback
8	February 2014	28 (2 crew, 2 children)	Turnback
9	May 2014	20 (2 crew)	Turnback
10	May 2014	3 (1 crew)	Turnback
11	May 2014	3 (2 crew)	Turnback
Financial Year 2014 - 2015			
12	July 2014	41 (1 crew, 9 children)	Takeback
13	September 2014	10 (3 crew)	Assisted Return
14	November 2014	37 (6 children)	Takeback
15	January 2015	3 (2 crew)	Assisted Return
16	February 2015	4	Takeback

17	March 2015	17 (2 crew, 3 children)	Turnback
18	April 2015	46 (2 crew, 22 children)	Takeback
19	May 2015	71 (6 crew)	Assisted Return
Financial Year 2015 - 2016			
20	July 2015	46 (18 children)	Takeback
21	August 2015	27 (2 crew)	Turnback
22	November 2015	3 (2 crew)	Assisted Return
23	November 2015	17 (1 crew)	Turnback
24	February 2016	5	Takeback
25	March 2016	8 (2 crew)	Assisted Return
26	May 2016	12 (2 children)	Takeback
27	May 2016	3 (2 crew)	Assisted Return
28	June 2016	21 (4 children)	Takeback
Financial Year 2016 - 2017			
29	August 2016	6	Takeback
30	March 2017	25	Takeback
31	June 2017	6	Takeback
Financial Year 2017 - 2018			
32	December 2017	29 (2 children)	Takeback
33	June 2018	10 (3 crew)	Turnback
Financial Year 2018 - 2019			
34	September 2018	17 (2 children)	Takeback
35	May 2019	20 (5 crew, 3 children)	Takeback
Financial Year 2019 - 2020			
36	July 2019	5	Takeback
37	August 2019	13	Takeback
38	January 2020	8 (2 crew)	Turnback

Table 2 – Overview of Maritime People Smuggling Ventures Unable to be Safely Returned

The total number includes all persons on board the venture. Where applicable, the number of crew and children included within the total number is shown in brackets.

Venture Number	Date	Total Number of People on Board
Financial Year 2013 – 2014		
1	September 2013	33 (2 crew, 9 children)
2	September 2013	21 (2 crew, 1 child)
3	September 2013	7 (1 child)
4	September 2013	72 (2 crew, 8 children)
5	September 2013	82 (3 crew, 11 children)
6	October 2013	79 (25 children)
7	October 2013	55 (2 crew, 14 children)
8	October 2013	42 (2 crew, 7 children)
9	October 2013	42 (1 crew, 3 children)
10	October 2013	128 (2 crew, 25 children)
11	November 2013	63 (2 crew, 11 children)
12	November 2013	68 (2 crew, 13 children)
13	November 2013	40 (4 crew, 8 children)
14	November 2013	39 (4 crew, 7 children)
15	November 2013	11 (2 crew, 2 children)
16	December 2013	31 (2 crew, 3 children)
17	December 2013	27 (2 crew, 2 children)
18	December 2013	72 (2 crew, 13 children)
19	December 2013	63 (2 crew, 14 children)
20	December 2013	5 (2 crew)
21	December 2013	71 (2 crew, 13 children)
22	December 2013	100 (2 crew, 25 children)
Financial Year 2014 – 2015		

23	July 2014	157 (50 children)
Financial Years 2015 - 2016 to 2018 - 2019 – no ventures unable to be returned		
Financial Year 2019 - 2020 – no ventures unable to be returned as at 1 March 2020		