

QUESTION TAKEN ON NOTICE

BUDGET ESTIMATES HEARING : 22 May 2017

IMMIGRATION AND BORDER PROTECTION PORTFOLIO

(BE17/032) - Interceptions - Enhanced Screening compliance with international laws - Programme 1.1: Border Enforcement

Senator McKim, Nick (L&CA 87) asked:

Senator McKIM: Mr Pezzullo, if your on-water assessment process does not have adequate appeal provisions, or if there is a risk, because of the truncated nature of that process, that protection needs are not identified and that people will consequently be sent back to places where they have a legitimate and well-founded fear of persecution, it would actually be a violation of the non-refoulement obligations under international—

CHAIR: Senator McKim, it is not for you to advise Mr Pezzullo on what the law says or what he should be doing. This is for you to ask him questions, and there was no question in that. Do you have a question, in your last 53 seconds?

Senator McKIM: Yes, I do. Thank you for your assistance, Chair.

CHAIR: I keep trying to help you.

Mr Pezzullo: To assist, Chair, going back to late 2013, Senator Hanson-Young asked directly equivalent questions. I will refresh my memory as to both the oral evidence that we gave given to this and other committees and the written evidence provided to Senator Hanson-Young. For Senator McKim's benefit, I will summarise that, on notice.

Answer:

The Department is satisfied that the systems and processes in place for on-water assessment under Operation Sovereign Borders do appropriately ensure Australia's international obligations are met.