

QUESTION TAKEN ON NOTICE

SUPPLEMENTARY BUDGET ESTIMATES HEARING: 30 October 2006

IMMIGRATION AND MULTICULTURAL AFFAIRS PORTFOLIO

(222) Output 1.3: Enforcement of Immigration Law

Senator Kirk asked:

How many "failed" refugees have been deported from Australia since 1999? From which countries? Can and will a chart of countries and ages of people deported be provided? How many were deported by force? Was force such as drugging, shackling or tying down ever used? If so how often? Have children ever deported by force? If so how many? If force was used, do these practices of deportation still apply?

Answer:

Departmental systems do not readily enable the generation of reports that determine whether the removal is voluntary or involuntary. We are working toward improving the reporting in the future to address this issue but can advise that most removals are voluntary. For example, all of the 60 removals to Afghanistan listed in the attachment were voluntary.

In a minority of cases, removees may be physically restrained if they present a high security risk or behave in a way that threatens the safety of themselves and others. In accordance with Migration Series Instruction (MSI) 408, if physical restraint is required, escorting officers may use physical holds or instruments of restraint, such as flexicuffs, handcuffs and security belt (which allows a person's hands to be restrained at waist level). It is departmental policy, as stated in MSI 408, that medication must not be used as a means of restraint.

Consistent with the requirements of MSI 408, escorting officers are required to submit a *Completion of Escort* report at the conclusion of the removal operation. This report includes provision for recording when restraints have been used. Departmental systems do not readily enable the generation of reports which would detail the use of force against the age of the client being removed.