

QUESTION TAKEN ON NOTICE

ADDITIONAL ESTIMATES HEARING : 08 February 2016

IMMIGRATION AND BORDER PROTECTION PORTFOLIO

(AE16/014) - M68 - 72 hour waiting period - Programme 1.5: IMA Offshore Management

Senator Hanson-Young, Sarah (L&CA 40) asked:

Senator HANSON-YOUNG: Out of the 267 people, if that court case had not been on foot, and the undertaking of the 72 hours waiting for the case to resolve, how many of those people do you understand would have already been transferred back to Nauru?

Mr Pezzullo: I might need to take some advice. The other way to look at the question and to derive the answer is: of those who were subject only to the 72-hour period—the block, as it were—how many were ready to be returned the morning after the court case? I am struggling to recall. I think it is in the order of a fifth to a quarter. If Ms Briscoe has that information, she will give it to you now, otherwise we will take it on notice.

Ms Briscoe: What I can add to that is that this changes on a daily basis. It is related to the fit-to-travel assessments that are regularly done and updated. If the number were 100 today, it could be different tomorrow. That could be as a result of further medical advice, as a result of an appointment being scheduled or moved so that the person needs to remain here to attend an appointment. So that number does change on a daily basis.

Mr Pezzullo: Senator, we will take the question on notice, because, as an objective fact, if we take the morning-after test—I mean in the sense of the morning after the court judgement—we will come back in a way that does not breach privacy, and I do not think this would, with the aggregated number of those who potentially were fit to fly or return on that day, subject only to the fact that the Commonwealth is, if you like, binding itself not to do so because of the ongoing application of the minister's undertaking. So perhaps the best way to answer the question is on notice and in those terms, if that is acceptable.

Senator HANSON-YOUNG: Thank you. Yes, that would be. It sounds as though it was a relatively small number in terms of percentage, from what Ms Briscoe has outlined already.

Mr Pezzullo: We will come back to you on notice.

Answer:

It is not possible to provide the information requested as the ability to return a person to a Regional Processing Country is contingent on a number of factors, including the status of any pending legal matters, their current health status, and that of any accompanying family members.