

QUESTION TAKEN ON NOTICE

SUPPLEMENTARY BUDGET ESTIMATES HEARING : 19 October 2015

IMMIGRATION AND BORDER PROTECTION PORTFOLIO

(SE15/128) - Returns from Manus - Non-refugees - Programme 1.5: IMA Offshore Management

Senator Carr, Kim (L&CA 87) asked:

Ms Moy: I can help with the numbers there. Of the 10, there are eight who remain in the regional processing centre and two have been returned.

Senator KIM CARR: Were they voluntary departures?

Ms Moy: They were involuntary.

Senator KIM CARR: Which countries have they been returned to?

Mr Pezzullo: I might need to take some advice on this. My earlier caveat applies. These are matters that are handled by Papua New Guinea under its jurisdiction. We provide assistance—I am not shirking from that or suggesting otherwise. But the repatriation of persons from Papua New Guinea to a third country involves at least two other jurisdictions—Papua New Guinea plus one. I would want to assure myself that both Papua New Guinea and the receiving jurisdiction are comfortable with us providing this advice.

Senator KIM CARR: These are people who, I presume, were taken out of the Commonwealth of Australia's custody?

Mr Pezzullo: They were transferred pursuant to, in the case of Manus, the intergovernmental agreement struck in 2013. They were transferred to the jurisdiction of the state of Papua New Guinea.

Senator KIM CARR: But does the Australian government still provide management services for the centre?

Mr Pezzullo: The Australian government, as is the case in Nauru as we canvassed earlier, provides support services to the facility at Manus. The effective control, and the jurisdiction applicable in this case, falls under the state of Papua New Guinea and its relevant laws. We do not run the centre, so much so that we have a separation even within our own agency whereby the detention operations staff who work in relation to the Australian network have nothing to do with—have no jurisdiction over and no control over—the functioning of those centres. They are purely matters for the governments of Papua New Guinea and Nauru respectively.

Senator KIM CARR: Will you take that on notice—the country the two have been deported to?

Mr Pezzullo: Yes.

Answer:

The removal of the two individuals found not to be in need of international protection was undertaken by the Government of Papua New Guinea (PNG) under its domestic legislation and is a matter for the Government of PNG.