

QUESTION TAKEN ON NOTICE

BUDGET ESTIMATES HEARING: 22 May 2006

IMMIGRATION AND MULTICULTURAL AFFAIRS PORTFOLIO

(234) Output 1.3: Enforcement of Immigration Law

Senator Nettle asked:

Regarding the answer to Question on Notice 24 from February Estimates:

“In 1996 and 1998 two vessels carrying Indonesian nationals, who were previously from the Indonesian Province of Papua, arrived at Australian territory in the Torres Strait from Daru, PNG. On 25 September 1996, Suspected Illegal Entry Vessel (SIEV) KERRIA carrying 11 adults and 10 children arrived at Tudu Island. On 4 January 1998 SIEV ZOSTERA carrying 20 adults and 10 children also arrived at Tudu Island.

Persons onboard these vessels sought Australia's protection. However, interviews established that although they were Indonesian nationals, they had crossed into PNG from Indonesia some time before, and had permissive residency in PNG. They were returned to PNG.”

1. Where were these people interviewed?
2. Were they able to access or were they offered legal assistance?
3. How was a decision made that they had been in Papua New Guinea for some time and had permissive residency?

Answer:

Persons from SIEV KERRIA were interviewed at Thursday Island in the Torres Strait. They requested and were granted access to legal assistance. They advised DIMA officers during interviews that they had lived legally in PNG for many years and had been granted permissive residence, carrying documents to this effect.

Persons from SIEV ZOSTERA were also interviewed at Thursday Island in Torres Strait. They did not seek or receive legal assistance. They indicated at interview that they departed from PNG because of reports that Irian Jayans living in PNG, who did not take out PNG citizenship, would be deported to Indonesia. Enquiries established that these reports were incorrect and this was relayed to them. UNHCR was engaged and they voluntarily returned to PNG.