

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS
AUSTRALIAN CUSTOMS AND BORDER PROTECTION SERVICE

Question No. 90

Senator Ronaldson asked the following question at the hearing on 26 May 2011:

- A. So long as these boats keep coming, are men, women and children likely to die at sea?
- B. An Article in the Herald Sun on 21 December 2010 by Gemma Jones suggested that since the government announced that women and children would not be kept in mandatory detention, the number of children arriving on leaky boats have increased? Would you agree that if more children come to Australia on leaky boats, then more children will die?

The answer to the honourable senator's question is as follows:

- A. The occurrence of maritime people smuggling vessels sinking and related fatalities, highlights the dangerous nature of the maritime people smuggling trade. The largest known loss of life on a people smuggling venture to Australia occurred in October 2001 when 353 people, including 146 children, 142 women and 65 men, drowned when their vessel sank in Indonesian waters.

The current Australian Government, like previous governments, will continue to dissuade asylum seekers from undertaking such dangerous voyages that can result in fatalities.

- B. It is not accurate to suggest that the Government has announced that women and children would not be mandatorily detained. Rather, the Government announced that a majority of children would be moved into community detention arrangements by the end of June 2011, utilising the residence determination powers of the *Migration Act 1958*, introduced by the former Government in 2005.

The use of inadequate or un-seaworthy vessels by people smugglers for voyages to Australia provides no guarantee of safe arrival for asylum seekers of any age.