

Preface

The prevailing weather conditions on and around Christmas Island in the early hours of 15 December 2010 were nothing short of atrocious. The region was experiencing 40 knot winds, thunderstorms, and a wave height of 3–4 metres. Visibility was as low as 150 metres. It was, according to locals, amongst the worst weather ever experienced on the island.¹

At about 5:40am a vessel now known as SIEV 221 was sighted some distance from Rocky Point, off the coast of Christmas Island. The vessel seemed to be under its own power as it moved towards Rocky Point in treacherous seas.

Residents witnessing the tragedy unfolding before them, hampered by the rain, wind and mist, called authorities and began to throw life jackets into the sea in a desperate bid to help. Exactly how many people were on the boat remains unknown, but rescuers recovered the bodies of 30 men, women and children. Forty two passengers survived the incident – 22 men, nine women, seven male and four female children.² Up to 20 others are still missing, presumed dead.³ Eight family groups were identified in total. Three of the survivors are orphans.

The search and rescue effort was remarkable for its bravery and selflessness. The committee walked around Rocky Point during its visit to Christmas Island, and could not help but conclude that, even in good weather, it is a dangerous, steep and slippery sheer rock face offering no opportunity to land a vessel, nor launch an effective rescue operation. Indeed, the committee stands in awe of those from the Australian Customs and Border Protection, the Australian Federal Police and the Australian Defence Force and the Christmas Island community who provided assistance on the rocks that day. Their courage in the face of very real personal risk certainly increased the number of survivors. Their actions were nothing short of heroic.

The committee was also deeply impressed by the care offered to survivors after their rescue. Triage facilities including clothing and expert medical care were provided as soon as survivors were brought ashore and it is clear that coordination between relevant government agencies was smooth, professional and timely.

While the treacherous weather continued, rescuers turned their attention to recovering the bodies of those who had perished. The process of finding victims and bringing to shore was extremely harrowing, and obviously exacted a heavy toll on the brave men and women who took part.

1 Sergeant Peter Swann, Officer in Charge Christmas Island, AFP, *Proof Committee Hansard*, 6 June 2011, p. 17.

2 Department of Immigration and Citizenship, *Submission 9*, p. 2.

3 Australian Federal Police, *Submission 7*, p. 3.

All the while, coordination continued with those on the mainland, and resources such as additional staff and supplies were deployed within hours. Mental health professionals counted among those who arrived to help, and the committee was encouraged by evidence that psychological support to those involved in the search, rescue, recovery and care of survivors has been of a very high standard. Likewise, it is clear that survivors have received the best possible support following the disaster, and the loss of many of their loved ones. That care and support continues today.

Following its establishment in March 2011, the committee received written submissions from a range of affected parties, including survivors and their representatives, government agencies, and members of the community. The committee agreed to accept submissions from survivors on a confidential basis, but they have nonetheless played an important role in the committee's deliberations. With minor exceptions, other submissions were published and can be viewed online. These include the contributions of government agencies such as the Department of Regional Australia, Australian Federal Police, the Australian Defence Force, the Department of Immigration and Citizenship, and the Australian Customs and Border Protection Service. These agencies collectively provided the Commonwealth response to the tragedy as it unfolded, and their comprehensive submissions serve as an important record of the circumstances surrounding the tragedy, and the remarkable response to it.

The committee thanks all those who submitted to the inquiry. We acknowledge that the feelings of trauma from the incident remain acute, and that reliving 15 December 2010 and the days which followed can still cause significant distress. We appreciate your generosity and patience in dealing with our requests for information, and for answers to our questions.

Finally, the committee notes media reports in recent days suggesting that a detainee on Christmas Island may have alerted Serco guards of SIEV 221's impending arrival three hours before the boat was first sighted. Given that these media reports have emerged at such a late stage, the committee did not take evidence on the issue during the course of its inquiry, and it notes that the veracity of the claims remains untested. The committee wrote to the Secretary of the Department of Immigration and Citizenship seeking further details of the claims and the Department's knowledge of them, and was told that it learned of them only the day before they were published in the *Australian*, and that further details were not yet at hand. It is apparent that the claims will be dealt with by both the West Australian Coroner and the Joint Select Committee on Australia's Immigration Detention Network.

Senator Gavin Marshall
Chair

Mr Michael Keenan MP
Deputy Chair