

I noticed during the course of the committee hearings that there have been references to children being sent home from Nauru and also to the Bakhtiyari family.

The former is an abomination to all thinking and caring Australians as these children were sent home without care or thought for their safety, without anyone to protect them and left to die without ever being legally allowed to make a claim for protection.

Among the West Papuans there were several such children again who will now be separated from their parents for over three years unless they go home to West Papua and risk their own safety.

If the parents of these children try to come to Australia and are then sent to Nauru what will happen to the family unit?

The plight of the Bakhtiyari's is available to the committee from the transcripts of the investigation into the Migration Act and I feel sure the senators Crossin, Kirk and Ludwig will remember the impassioned and distressed testimony from Ms Marion Le when she tabled the startling and shocking news on 7 October 2005 that the department had been aware from 22 March 2001 that Mrs Bakhtiyari and her children had always been telling the truth.

However, the committee also now know that Senator Vanstone received notification from Mr Mahmoud Saikal on 27 December 2004 affirming in writing that Mrs Bakhtiyari and the children were certainly Afghans.

The sums I presented to the committee previously show this family were incarcerated for a combined total of 279 months at a cost of about \$4 million because of the early mistake not being rectified, then deported to the wrong country.

The result of Senator Kirk's further investigation can be found from question 106 onwards from the Supplementary estimates session of November last year.

No interview with Pakistan, no agreement with Pakistan and finally admissions in writing by DIMA that they offered Mrs Bakhtiyari \$10,000 to go to Afghanistan in 2003 because she was from Afghanistan.

I wish the committee to read the answers very carefully to Senator Kirks inquiry on the family's behalf and I wish to extend their gratitude to the committee and particularly Senator's Kirk and Ludwig for investigating what happened to them.

It is only due to the charity of thousands of Australians that the family survived being dumped in the snow like cockroaches without documents or legal rights to be in Pakistan.

Will we do this again to people who have no real right

to leave Nauru? Expect them to try and enter other countries after they have applied for protection in Australia?

My research shows that the Bakhtiyaris are absolutely the only Afghan children ever sent back by force, none were from Nauru and only one family from Christmas Island went home by choice - but only after the wife and mother died.

Of the 2,184 Afghan, Iraqi and Iranian children who came to Australia it would be impossible to believe that only 5 of them didn't deserve the protection of this nation and had to be packed into a jumbo in the middle of the night and sent to the wrong country wouldn't it?

Marilyn Shepherd