

AUSTRALIAN DATA ON BORDER RELATED DEATHS

BRIEFING 1 for the EXPERT PANEL

PROFESSOR SHARON PICKERING and DR LEANNE WEBER



BORDER CROSSING
OBSERVATORY
BORDERS, CRIME, JUSTICE

Asylum Seeker Deaths Between Indonesia and Australia

There is no cumulative publically available official monitoring of border related deaths in Australia. While deaths off the coast of Indonesia in June 2012, the shipwreck on Christmas Island of December 2010 and the SIEV X garnered significant media and political attention this has not translated into a robust monitoring program capable of providing data useful in preventing further deaths.

In similar jurisdictions such monitoring programs are in existence. For example both the US and Mexican Governments officially count border related deaths and in Europe a series of high profile NGOs undertake counts of border related deaths. The Border Crossing Observatory (www.borderobservatory.org) database of Australian border related deaths is the only cumulative record that enables us to robustly analyse these deaths (post October 2001).

Such evidence is critical if we are to effectively examine deaths that have occurred over the past decade. Policy makers will need this data to accurately assess the impact of any proposed and implemented changes resulting from current concerns to prevent the deaths of asylum seekers between Indonesia and Australia

In light of public, political and academic concern and informed by the international comparison of border related deaths (Australia, US and Europe) undertaken in Weber and Pickering (2011), it is timely that **Australia establish a border deaths monitoring program** to effectively analyse and monitor all deaths associated with irregular mobility into Australia and during any associated processing of asylum claims whether they occur within or outside Australian territory.

BORDER RELATED DEATHS IN CONTEXT

Empirical evidence shows that border related deaths not only occur in environmentally hazardous conditions, such as the maritime area between Indonesia and Australia, but also in transit prior to arriving in Indonesia and post arrival in Australia.

To measure the effectiveness of past, present and future border control policies it is critical that data and evidence on Australian border related deaths be officially monitored.

ASYLUM SEEKER DEATHS IN CUSTODY

Post arrival deaths include those that occur in migration custody or immigration detention centres. These deaths are currently not included in the national deaths in custody monitoring program operated on behalf of the Australian government by the Australian Institute of Criminology. For a number of years DIAC and AIC have suggested this has been under consideration but have failed to include these in the monitoring program. **It is critical that deaths in all Australian immigration detention centres operated both on and offshore are included in the National Deaths In Custody Monitoring Program.**

A number of current policy options include expanding the time and length of custody arrangements for asylum seekers – including in the custody of Naval and Customs and Border Protection staff and in immigration detention operated on behalf of Australia. It is appropriate for any deaths in these custody arrangements be included in the above Program.

