## **AUSTRALIAN BORDER DEATHS DATABASE**

Annual report on border-related deaths, 2018

**Border Crossing Research Brief No. 14** March, 2019



https://arts.monash.edu/border-crossing-observatory

# Year of death by border location

Year	En-route	Australian	Offshore detention	Onshore detention	Death in	During arrest/dep	After deportation	TOTAL
		waters	detention	aetention	community	arrest/dep	deportation	
2000	370	3	0	1	0	0	0	374
2001	358	3	0	4	1	0	0	366
2002	0	0	1	2	0	0	6	9
2003	0	0	1	2	1	0	0	4
2004	0	0	0	1	0	1	0	2
2005	0	0	0	2	1	0	0	3
2006	0	0	0	0	0	1	12	13
2007	12	0	0	0	0	0	1	13
2008	0	0	0	2	0	0	1	3
2009	114	17	0	0	0	0	1	132
2010	97	55	0	4	0	0	0	156
2011	231	0	0	4	0	0	0	235
2012	417	1	0	3	0	0	0	421
2013	121	110	2	5	1	1	0	240
2014	0	0	2	2	2	0	0	6
2015	0	0	1	4	4	0	0	9
2016	0	0	5	2	4	0	0	11
2017	0	0	3	0	1	0	1	5
2018	0	0	2	1	1	0	0	4
Unknown	0	0	0	0	0	0	11	11
TOTAL	1720	189	17	39	16	3	33	2017

Note that slight changes in some figures published in the 2017 report are due to additions and corrections being made to the source data as new information comes to light.



#### Overview of border-related deaths in 2018

In 2018 two people died in offshore detention, one in onshore detention and one on the mainland. All four deaths were believed to be self-inflicted. A Tamil man whose name has not been reported died in Brisbane while being treated for depression, soon after having his protection claim rejected. Not long after, a young Iraqi man Saruuan Aljhelie died at Yongah Hill detention centre, reportedly after experiencing conflict with security guards. In May, a Rohingya man and recognised refugee identified only as Salim, who had a long history of mental illness, died on Manus Island when he was seen by other passengers to jump from a moving vehicle travelling to the refugee accommodation at East Lorengau. According to media reports, Salim had been transferred to Australia previously for treatment for his epilepsy then 'robbed of hope' by being returned to Manus Island. A young Kurdish man Fariborz Karami was reported to have died at his own hand while in detention on Nauru after suffering deteriorating mental health over many years. Medical records show that Fariborz had openly reported to authorities having ongoing suicidal thoughts. Media reports said he had suffered childhood trauma in Iran and, since being detained on Manus Island, had been 'crying out for help for years'. For information on all recorded deaths related to Australian border controls since 2000 visit The Australian Border Deaths Database.

### Special Analysis: Failures in medical care lead to new medical evacuation legislation

The deaths that occurred in 2018 are testimony to the debilitating effect of the Australian asylum regime. In addition, the deaths of Salim and Fariborz demonstrate the lack of adequate medical care in offshore detention. Because the deaths occurred outside Australia's legal jurisdiction, no coronial inquiries will be held to attribute responsibility. In both cases, the task of investigating the deaths has been left to local police. Award winning writer and fellow Manus Island detainee Behrouz Boochani described Salim's death as the 'outcome of organised violence' that constitutes Australia's offshore detention system. Media reports on the death of Fariborz Karami quoted Australian immigration officials as referring enquiries about the death to Nauruan authorities, while staff at the detention centre reportedly claimed the death was 'Australia's responsibility'.

However, there have been two recent Coronial reports on deaths that have occurred previously in Australia, following transfers of young men from offshore detention for urgent medical treatment. The case of Omid Masoumali, who died in a Brisbane hospital from self-inflicted burns while detained on Nauru, is currently before the Queensland Coroner but has been the subject of intense media reporting. The doctor who treated the 23 year old testified to the inquest that Mr Masoumali would have almost certainly survived had he been treated in Australia from the outset. In the case of Hamid Khazaei, who had been detained on Manus Island, the Queensland Coroner found that his death in September 2014 from cardiac arrest following acute sepsis was preventable. The Coroner concluded that if Mr Khazaei had been transferred to Australia within 24 hours of developing sepsis he would have survived, and noted that: 'Decisions about medical transfers should be based on clinical considerations' (para 22).

These failures of medical care for offshore detainees, and many other non-fatal delays and disagreements about the need for improved access to treatment in Australia, eventually led to a parliamentary defeat for the federal government. Amendments to the Migration Act were passed in February 2019 giving medical practitioners far more decision-making power over urgent medical evacuations. The so-called Medevac legislation allows for temporary transfers only, and patients will still be required to return to detention on Manus Island or Nauru following treatment. In the past, protracted court proceedings have often been required in order to require the Immigration Minister to approve medical evacuations. Although over a thousand offshore detainees have already received treatment on the Australian mainland, the Prime Minister has reopened the Christmas Island detention facilities leading to speculation that medical evacuees may be held there during their treatment.





#### The Australian Border Deaths Database Interpretive Notes

- There is no official count of border-related deaths in Australia. The Australian Border Deaths Database was established as part of the research for Globalization and Borders: Death at the Global Frontier (Weber and Pickering, Palgrave, 2011) in order to fill this gap. The database is hosted at the Border Crossing Observatory at Monash University. The Observatory receives no external funds for this purpose, and the data is maintained voluntarily as part of our ongoing research effort.
- The database records all reported deaths associated with Australian border controls since 1 January 2000. The information is obtained primarily from media reports, which are cross-referenced where possible with official reports from governments, verified information from non-governmental organizations and coronial inquiries. The data is updated as fatalities are reported, and other data sources are used from time to time to cross-check the list.
- We adopt a broad definition of 'border-related death' that includes deaths while en route to Australia (both inside and outside Australia's border surveillance zone), while in onshore or offshore detention, during border enforcement operations, in community contexts where there is direct evidence of a link to border control (for example, suicides following receipt of rejection letters or in protest against border policies) and following return to countries of origin or transit (in the rare cases where this is reported).
- Categorisation of the fatalities sometimes requires inferences to be made from scant information. It is often difficult to discern from reports whether fatalities at sea occurred within or beyond Australia's border surveillance zone. Information on age, nationality and gender is often missing from reports, but can sometimes be pieced together from general narratives. Names are often missing, particularly for deaths at sea where no body has been recovered and no coronial inquiry conducted.
- Deaths are classified by us as 'in custody' where they occur in custodial detention settings, during apprehension by police or immigration authorities on the mainland, or during interdiction at sea where border protection personnel have taken control of a vessel. This classification is for statistical purposes only and does not necessarily correspond to the official handling of these deaths as deaths in custody.
- Every effort has been made to make the data as accurate as possible. However, the process of counting border-related deaths is greatly complicated by the circumstances of unregulated travel and the climate of secrecy which surrounds it. Historically, most deaths have occurred at sea under circumstances where verification of information is extremely difficult. Other deaths that occur in countries of origin following removal or deportation from Australia may be equally difficult to trace, and deaths in countries of transit amongst those whose onward travel has been prevented by Australia's offshore border controls remain completely invisible. The data should therefore be considered to capture only known deaths, rather than all deaths that could be related in some way to Australian border controls.

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