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Convicted New Zealander experiences with Serco security company, law and border enforcement personnel in immigration detention and s501 deportation from Australia

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Introduction and background

This submission has been developed from my research on the deportation of convicted New Zealanders from Australia under Section 501 -visa cancellation and refusal on character grounds – of the Commonwealth Migration Act 1958. My research is focused from when legislative amendments were made to s501 in December 2014 resulting in a steep increase in the number of convicted non-citizens experiencing visa cancellation and deportation from Australia under s501 by 1,100% (Australian Government, Department of Home Affairs, Visa Statistics website) following the introduction of mandatory visa cancellation provisions.² Since these amendments, New Zealanders are the largest nationality group deported from Australia. From December 2014 to July 2020, the visas of 2,877 New Zealanders have been cancelled on character grounds under s501 (Australian Border Force 2020). From 2015-2018, 1,144 New Zealanders have been deported from Australia (Department of Home Affairs). New Zealanders continue to be consistently recorded as the largest or second largest nationality group in Australia's immigration detention network from August 2015, whereas they were not even recorded as a nationality group before this time because their numbers were so low (Australian Government, Department of Home Affairs, Immigration Detention Statistics website). An analysis I have conducted of New Zealander visa cancellation review cases at the Administrative Appeals Tribunal (AAT) reveals that over 70% of these cases

The December 2014 amendments to s501 resulted in the introduction of mandatory visa cancellation provisions against convicted non-citizens sentenced to a prison sentence of 12 months or more. 12 months includes any prison sentence received of 12 months or more, or multiple prison sentences of less than 12 months, but that total a period of 12 months or more. Mandatory visa cancellation may also be applied retrospectively against those convicted non-citizens who have been sentenced to, and completed a 12 month prison term and who are now residing back in the Australian community.



¹ See, 'Risk and human rights in the deportation of convicted non-citizens from Australia to New Zealand' The Border Crossing Observatory. https://www.monash.edu/arts/border-crossing-observatory/research-agenda/border-control/balancing-risk-and-human-rights-in-the-deportation-of-convicted-non-citizens-from-australia-to-new-zealand

involve New Zealanders who are long term residents of Australia, residing here for a period of 10 years or more, a number who arrived as young children.

I argue that the Australian deportation system effectively works to construct convicted New Zealanders as a risk to the Australian community. This has consequent impacts on specific human rights³ for convicted non-citizens, including rights to family life (for those with families and children in Australia), rights to due process and legal representation, rights to rehabilitation, and for some, impacts on their rights to housing, employment and welfare support on return to New Zealand. Central to the enforcement of the risk based response to visa cancellation and deportation of convicted non-citizens is the role of both private security companies (in the Australian context, Serco, the privately contracted company that manages Australia's immigration detention network); commercial airlines who transfer New Zealander deportees both within Australia and return to New Zealand; and the Australian Government Department of Home Affairs responsible for the administration of criminal deportations, including visa cancellation and deportation decisions, charter flights, and the Australian Border Force (ABF) personnel who accompany convicted New Zealanders during transfer between immigration detention centres, and accompany them on their commercial and charter return flight from Australia to New Zealand.

Aside from media reports, there is a dearth of empirical research on the visa cancellation, detention, deportation and return experience of convicted New Zealanders from Australia. For my PhD research, I have interviewed a number of convicted New Zealanders who experienced visa cancellation and deportation from Australia (n=8) and family members of New Zealanders who have experienced this (n=8). Further, I conducted interviews with 7 representatives from legal, government and social support services that assist New Zealander returnees on arrival in New Zealand. The evidence I am providing below in relation to New Zealanders' experiences of the role of Serco, Home Affairs and ABF personnel during their detention and deportation following visa cancellation under s501, is taken from these interview narratives. All interviews were conducted between November 2018 and January 2019 with ethics approval from the Monash University Human Research Ethics Committee (MUHREC) (Project Number 7922). All interviewees have been deidentified in line with MUHREC protocols, however, with permission to be used by those I interviewed.

³ Australia and New Zealand are signatory to a host of international human rights conventions, that are impacted in the visa cancellation and deportation of convicted New Zealanders from Australia, including the Convention on the Rights of the Child, and the International Covenant on Civil and Political Rights (ICCPR) that underpins Australia's commitment to rehabilitation rights (ICCPR, Article 10(1), rights for non-citizens, including permanent residents residing within its territory (ICCPR, Article 2(1), and right to a fair review of decisions to deport that includes access to justice and due process (ICCPR, Article 13). Considerations of individual circumstances which capture some of these ICCPR rights and other relevant rights presented under the Universal Declaration of Human Rights 1948 and International Covenant on Economic, Social and Cultural Rights 1966 and include impediments against the individual if they are removed from Australia such as access to medical, employment and housing assistance, are part of the wider human rights framing for this area of investigation.





New Zealanders in Australia: Temporary visa holders

Free movement between Australia and New Zealand was formalised in 1973 under the Trans-Tasman Travel Arrangement (Spinks and Klapdor 2016). Under this arrangement, Australians and New Zealanders can freely travel between their respective countries and are can enter and reside indefinitely. New Zealanders enter Australia on a TPY 444 Special Category Visa (SCV) which is technically a temporary visa that must be renewed each time they leave and re-enter Australia and contains provisions that restrict their access to certain benefits afforded to Australian citizens including lack of voting rights and access to welfare support for example. The temporariness of this visa is further reinforced by New Zealanders' susceptibility to character based visa cancellation under s501 and s116 of the Migration Act, no matter how long they have lived in Australia (see, Weber et al 2014; Weber and Powell 2020).

The Trans-Tasman Travel Arrangement remains in place today, although, despite this agreement, pathways towards citizenship for New Zealanders residing in Australia rely on skilled worker, family entry programs or other entry schemes such as tertiary study. However, these options remain limited and are not available to all New Zealanders residing in Australia. Changes to migration legislation impacting New Zealanders arriving in Australia after 26 February, 2001 has restricted pathways to citizenship (OzKiwi 2017) and enhanced temporariness even for longer term New Zealand residents affecting just under a third of all NZ residents in Australia (Mares 2014). Facilitated by the Trans-Tasman Travel Agreement, New Zealanders are Australia's second largest migrant population, numbering just over half a million residents (Simon-Davies 2018). A large proportion of them are long term residents impacted by the retrospective enforcement of s501, following the December 2014 amendments. Coupled with the precariousness of temporary visa status, both of these factors have contributed to New Zealanders becoming the largest nationality group to experience visa cancellation and deportation from Australia.

The Australian s501 visa cancellation and deportation process: prison, detention, deportation, return

Transfer from prison to immigration detention

When you are in detention all of your human rights are taken away from you, massively. Everything they do to you is designed to break you (NZCNC7)

When a convicted non-citizen experiences visa cancellation under s501 they immediately become unlawful residents of Australia. From the interviews I have done with long term New Zealander residents of Australia who have experienced visa cancellation and





deportation from Australia under s501, and with family members who have a New Zealander relative who has experienced this, all have reported that notification of visa cancellation has occurred towards the very end of their prison sentence with limited time to gather information to lodge an appeal against the visa cancellation decision at the Administrative Appeals Tribunal. Visa cancellation has often been unexpected and most of the New Zealanders I interviewed were not aware of their temporary visa status. They thought they were Australian citizens, or were at least afforded the same rights as Australian citizens as long term residents of Australia as reflected by the following two interviewees,

I didn't even know...I did not know that I wasn't an Australian citizen until 2014 when they sent me the paperwork... I consider myself Australian (NZCNC1)

I didn't have a clue. I – I didn't have a clue the whole time until I got to jail and I got a letter. Like, within two months of being there I was only on remand, and, um, I got – I got that letter, so, and I was, like, how does that work when I've been here for – for 12 years at that time- - - you know? Like, I thought if you were in a country for 10 years it was fine, like, it was going to be fine, you know?... Um, but, yeah. I didn't know anything about it. I didn't know that – I didn't think ever that I – I would get deported. Like, why the hell would I get deported, you know. Um, next minute, and, yeah, and then it – and then it happens. Like, so unexpected. (NZCNC2)

At the completion of their prison sentence and following visa cancellation, because of their unlawful migration status, convicted non-citizens are immediately transferred from prison to immigration detention because of their unlawful migrant status. Those I interviewed recalled being met by representatives from Home Affairs and/or Serco upon their release from prison and then accompanied by these authorities to their assigned detention centre. This account from one of the New Zealanders of the time he was released from prison and immediately transferred to Christmas Island Immigration Detention Centre (IDC) via a number of stops, highlights the intimidation of this experience by the disproportionate volume and military nature of the Serco personnel involved, his restraint from being handcuffed, and the uncertainty of what was happening to him and where he was going,

I got told I had 5 minutes to pack, then you're up against the wall, searched, handcuffed and frog marched at 4 am, escorted past a row of 20-30 Serco officers in full gear with shields and batons, filming you. It's like precision timing. A convoy of army vehicles, 2 vans for 4 detainees.... I was taken to the airport. On arrival at the airport I was handcuffed again, on top of my original handcuffs which meant I was wearing 2 sets. I was also chained to my wheelchair and restrained. They took me to a security area and past another line of 20-30 Serco officers who were lined up as you get on the plane, again, filming you. I had no idea where I was going. I flew from Melbourne to Sydney to Perth then to Christmas Island. For 4 detainees we had 15-20 Serco officers accompany us, one Serco officer either side of me on the plane, one behind. I was still handcuffed on arrival at Christmas Island. The heat hits you. Lush jungle was all around me, and I noticed big black birds in the sky. I wondered, 'where am I'? (NZCNC7)





This experience highlights the use of custodial like practices and a certain level of force by Serco in this instance, a private company that is not technically a law enforcement body.

The immediacy of the transfer from prison to immigration detention was experienced as unexpected and for all New Zealanders I interviewed. This meant that they did not get to see their family members or friends upon release from prison. At this point, family members were often left in the dark as to the whereabouts of their loved one following their release from prison (see below).

All of the New Zealanders that I interviewed had been transferred between a number of immigration detention centres within Australia's immigration detention network, across different states and offshore to Christmas Island, which consequently exacerbated separation from their family and friends. This interviewee ultimately ended up in Christmas Island IDC following time spent in Perth IDC, and this account is typical of others I heard,

I was in [immigration detention in] Melbourne for, I think, only maybe two weeks, three weeks, and then they moved me up to Perth. So you know, when they — when they moved me off to Perth and that, it was, like, I was even further away from my family. I couldn't even see my kids, so I couldn't even hug my — my, you know — my kids before I left (NZCNC2)

Another interviewee commented on what he believed to be the intentional strategy by Home Affairs behind his transfer across a number of different immigration detention centres around Australia and the impacts this experience had, had on him, his family and on his mental health,

The system functions where they keep you away from your family on purpose, this impacts on our mental health, and our children are affected too....If you live in Perth they'll send you to Sydney, if you live in Melbourne they'll send you to Brisbane... (NZCNC6)

This sentiment around transfer as an intentional strategy used by Home Affairs, was shared by the partner of a convicted New Zealander who had difficulties in locating her partner in the immigration detention network at times,

...yeah, I think they just do that for the hell of it, you know- - - because they're, I think, basically they're Kiwi's so, oh, we'll just transfer them right out, who cares where we transfer them. (NZF4)

Transferrals within the network were secretive and carried out without warning, sometimes late at night. For those who spent time in Christmas Island IDC and were deported to New Zealand (before this detention centre closed in October 2018) their deportation to New Zealand went via Perth. Christmas Island Immigration Detention Centre hosted a large





number of convicted New Zealanders during its operation following the impacts of the s501 amendments in December 2014 (TVNZ 1, 6 April 2018).

Conditions in immigration detention

All New Zealanders interviewed had spent time in immigration detention, most for some months. Two had been detained for over two years. From their experience, all felt that conditions in immigration detention were worse than the conditions in prison. This account from one interviewee was reflected in different ways by all whom I interviewed, "This [immigration detention] is way worse than prison. In prison you live like a human being, not here." (NZCNC6). Interviewees reported poor levels of cleanliness and hygiene,

Like, so, you don't shower sometimes 'cause the showers are absolutely just covered in shit. (NZCNC1).

We're struggling here to get a toothbrush (NZCNC6)

Overcrowding was another issue experienced in comparison to prison, with detainees having to share a small room with a number of other people, "So I'm stuck in a little box that's the size of my house with 50 other people...." (NZCNC1). Poor food quality was also reported, "I just threw out three packets of moulded bread, the food is very bad here, I don't eat the food, I just eat noodles, no seconds, the punishment continues in detention." (NZCNC5).

One New Zealander detainee reflected that the immigration detention system is "built, to look like a terrorist thing, the way the – you know, a high security thing" reflecting a risk based response to unlawful non-citizens. For him, he did not identify as a terrorist, but was made to feel like one from his experience as a detainee and this had consequent impacts on his mental health, "So - so that's even more the mental game that was playing on me." (NZCNC2). Another spoke of feeling more unsafe in detention than in prison, "I had people trying to stab me in the face with a pen over dinner. You know what I mean, in detention centre, you know, it's, like, you don't get that in jail." He managed to cope with this feeling of being unsafe by going into what he described as "survival mode" (NZCNC1). The mother of one New Zealander detainee shared that her for her son after "four months he was in Christmas Island he received a lot of like — he came home with stab wounds." (NZF2). Others spoke of witnessing incidents of self harm, lip-sewing and suicide attempts by other detainees which were traumatic and impacted on their mental health. An absence of rehabilitation or other appropriate physical and mental health activities and skill development or education classes was noted. Instead, as one interviewee reported, "humiliating" and childlike activities were made available to detainees to occupy their time. These included adult colouring in classes and the use of a children's bouncy castle for physical activity which detainees were encouraged to use by Serco personnel to receive points to spend at the IDC canteen, where better food options were available.





Experiences with Serco personnel in immigration detention

From the interviews I conducted, experiences with Serco personnel in Australia's immigration detention network varied. A small number of family members shared relatively positive experiences of engagement with Serco personnel. Other family members recalled the frustrations and angst they experienced in communications with Serco personnel to obtain information on the location of their loved ones in the immigration detention network. None of the New Zealander convicted non-citizens had a positive experience to share with me of their engagement, experiences and interactions with Serco personnel, and instead reported a number of negative experiences including beatings and violence, intimidation, manipulation, denial of medical care, corrupt behaviour and practice, poor maintenance of standards of cleanliness and hygiene, food and living conditions.

Some of the family members interviewed shared their experiences with Serco personnel while visiting their loved one in immigration detention. Their experiences of Serco staff during these visits varied. One interviewee, a mother who had visited her son in detention, had a relatively positive experience with Serco staff. She commented that she found them helpful and friendly when she was processed at the immigration detention centre reception. She had flown from the Gold Coast to Western Australia to visit her son in detention. She had not followed the correct registration procedure to advance book her visit to the detention centre, but the Serco staff were sympathetic towards her, and worked with her to process her visit on the spot. Another family member, a wife, also recalled that her experience with Serco staff at one of the immigration detention centres where her husband was held were very "personable" and she felt that she and her partner were treated with "nothing but respect" by them (NZF3).

Other family members who had phone interactions with Serco personnel at detention sites, did not report such a positive experience. Many experienced angst and frustration around not being able to locate their loved one in Australia's immigration detention network. This was compounded by the difficulties they experienced in communication with Serco detention centre reception personnel in their attempt to locate, and find information on, the whereabouts of their loved one as captured by the experience of this mother,

...and then about three months later he went missing [from Yongah Hill IDC]. The officials wouldn't tell me where he was. His girlfriend got a phone call from my son. He is now in Christmas Island. They didn't even tell him, they didn't tell him until the day, so um, oh god, I'm really besides myself because I'm thinking - - - And, um, so then I rang Christmas Island, I talked to the receptionist and she's like, can you ring me back in five minutes, I don't know this Brandon Tippa, ring me back. It was all very like, you know, no one could help me because, you know, there was a language barrier as well, it was just terrible. It was terrible, no one wanted to talk to me. They didn't want to, they couldn't explain themselves...(NZF1)



Another family member, a partner of a convicted New Zealander, also shed light on the difficulties she experienced in locating her partner because of his multiple transfers during the time he spent in immigration detention,

But, a lot of them get transferred from here to Perth. From Perth to Sydney. Some of them even go from Sydney to Melbourne. Like, I mean, I don't know, you – you just don't know where they - - -where they throw you around. (NZF4)

Once located, at times, their loved ones had been transferred to another state, or offshore to Christmas Island as the above example from NZF1 illustrates. Interstate and offshore transfer made visiting difficult and for some, prohibitive, exacerbating the family separation experienced already by their detention. This experience by a mother to locate her son on his release from prison illustrates the secrecy around transfer of convicted non-citizens to immigration detention at the end of their prison sentence, the frustrations of trying to locate him, and the lengths she went to try and visit him.

Well, you know what happened? I was notified he was going to be released. We knew when he was going to be released right? He rang me and I was going to go straight to that prison at Barellan and take his bags because he had no clothes, nothing. Anything he had was on his back. From that time, the officials never ever spoke to me ever, right. Everything was done under a layer of secrecy. The only information I could get was through my son. So he was just as, um, nervous as I was because they didn't tell him anything until the actual day. You know what I mean? So then I drove him to Barellan up on the Gold Coast and I get a phone call and it's his girlfriend and she's besides herself because he's gone; he's not at the jail. They've taken him to a processing centre by the airport. So then I drove to the airport hoping to catch him at the processing centre not knowing what they're going to do with him. I knew they were going to deport him, but I wasn't sure if they were going to take him to immigration first or deport him. I've still got his bags. His life is in the back of my car. And, ah, I get another phone call. He's not there now. They've already processed him. They've taken him to Yongah Hill...Why take him to WA when he's going that way? But anyway, so then I had to turn around and come home. Then I flew to Perth. (NZF1)

This is also reflected in the interviews with the New Zealander detainees, many of whom were transferred between a number of immigration detention centres, all over the country, including to Christmas Island.

There has been a great deal of media reporting both in Australia and New Zealand on incidents of violent, inhumane and degrading treatment towards detainees in Australia's immigration detention network by Serco personnel. The New Zealander convicted noncitizens I interviewed and who spent time in Australia's immigration detention network, shared a number of negative experiences with Serco staff. Issues included receiving beatings, being 'trapped' and locked in their room, and bullied and intimidated by Serco personnel. One of the interviewees shared the following account of being beaten,





witnessing a friend being beaten in the head, trapped and locked in a room and the intimidation of a large number of Serco personnel coming out in force against a relatively smaller number of detainees.

Oh, we had – we had to literally, like, the officers were – were beat, like, trapping us one by one they were trapping us, one by one in the rooms to bash us up. Um, like, there'd be – we – there'd be, like, all five of us would be out the back and then there'd be, like, one of the boys inside, they'd lock all the doors up, lock us out the back and they'd trap that one person inside. And there'd be, like, 20, like, 20, like, fully SWAT bloody officers running in there, you know....Yeah. I put a – I had to put a pot plant through the window to make them get off my mate's head. They were standing on my mate's head. Yes. It's bad in – in detention centre. Like, I'd much rather do two – two to three years in jail than three months in a detention centre. (NZCNC1)

Intimidation tactics by Serco staff was also experienced by other New Zealanders I interviewed in relation to the application of pressure to sign voluntary removal documents.

They (Serco) come around every day and ask us 'who wants to leave', 'who wants to go?' It's just not fair, asking us to sign removal forms. They come every day and try and intimidate us to sign the forms to send us back to where we came from...(NZCNC5)

The system makes it hard for you, so you want to sign and go (NZCNC6)

One of the family members interviewed shared her negative impressions of Serco management of the immigration detention environment in comparison to how her son (a convicted New Zealander) had experienced prison. She spoke of the secrecy in which SERCO personnel carried out intimidation and what she described as "punishment" against detainees,

...Whereas immigration was very relaxed but having said that, Serco, not nice. Not nice at all. Um, they were, they were strict, not as strict as the prisons of course. They were very relaxed and were able to — they had a lot more freedom but then Serco were a lot harder, they would pull them up for stuff that didn't belong to them. You know, and punishing them for stuff they didn't do, you know, stuff like that, that you wouldn't get in a normal prison, like, any mainstream prison because it was, sort of, like, behind closed doors. Do you know what I mean? (NZF1)

Two of the New Zealanders reported being denied medical treatment and one shared an incident where his visiting child was denied access to the detention centre nurse following a fall from a chair in the visiting room resulting in an injury to her head. One of these two New Zealanders, a man in his late fifties, was detained on Christmas Island for 18 months and had an ongoing hip condition. The way he described his lack of medical care at Christmas Island IDC, is quite stark in capturing the effect of his lack of medical care whilst in detention,





I walked on to Christmas Island and was wheeled off in a wheel chair. I had a bad hip and I was not cared for. (NZCNC7)

Denial of medical care was experienced by one New Zealander as a manipulative tool, limiting the practice of International Health and Medical Services (IHMS) doctors and used as a means by Serco to force detainees to sign voluntary returns forms, "There was no duty of care from the doctor who could not operate with Serco in charge. If you want medical care, you needed to get off the island, you needed to sign to return" (NZCNC7)

Another New Zealander shared that he found the Serco staff to be "corrupt", bringing contraband into the detention centre for him and other detainees including mobile phones and marijuana and allowing him to meet with outsider friends at the detention centre fence which was otherwise prohibited to detainees. Another commented on the lack of care in the demeanour of Serco personnel at a time when he needed medical attention for an agonising tooth ache at the same time he was experiencing mental health challenges, "it's like the officers don't care what happens. But - - -Serco they don't care what happens." (NZCNC1)

Deportations from Australia and returns processing in New Zealand

Individual deportations are carried out on commercial flights, without the knowledge of the other passengers. Known carriers of these individual deportations from Australia to New Zealand are QANTAS and Air New Zealand. Some of those interviewed were deported unaccompanied, while others were accompanied on the flight by two to three plain clothed Australian Border Force officers. For those who were unaccompanied, they reported being restrained by hand cuffs during transfer from Christmas Island IDC to the deportation flight, including at the airport, then again on arrival in Perth before boarding the flight from Perth to New Zealand. They were not cuffed during the flight. Those who were accompanied by ABF personnel, reported being walked through the airport in Australia surrounded by these staff and during their boarding to the plane.

When I got — when they took me to the airport there was, like, six, um, security with me. Like and they put you on show. They put you on show. Like, they — you're walking through the airport and you're, like, circled by them. And you're walking in the middle and you — you, like, you've got kids looking at you and it's — it's like, I'm actually not — I haven't done anything wrong to be in that situation. You know what I mean? Because I already finished my sentence. And they — they still — they're still putting you on show as if, like, you — you — you've murdered someone. Like, I'm handcuffed, I'm shackled at the feet. (NZCNC2)

On arrival to New Zealand, those who were accompanied by ABF personnel reported being handed over to NZ Police. All of whom I interviewed reported being processed at the airport by New Zealand Police, which included providing a mandatory DNA sample and fingerprints, followed by an interview with NZ Corrections, responsible for monitoring them under parole like conditions under the 2015 Return Offenders (Management and Information) Act, for a





pre-determined period of time depending on their offence history from Australia. These two return processing procedures came as a surprise to most New Zealander returnees on arrival to New Zealand, given they felt they had 'done their time' in Australia. They experienced it as an additional punishment following the serving of their prison sentence, time spent in immigration detention, and deportation and some experienced feelings of shame and stigma at having to report in to NZ Corrections for a period of time following their return as a part of this returns process.

I observed this returns process at the airport for two New Zealander returnees which involves both NZ Police and NZ Corrections. NZ Police and NZ Corrections personnel were observed to treat the returnees with dignity, sensitivity and respect. The processing was done at a purpose made, discrete location within the airport, away from the public. The returnees were escorted to the processing area by a New Zealand Police officer, where another police officer took care of the DNA and fingerprint bio samples. New Zealand Corrections personnel then interviewed the returnees one on one following the police procedure to understand and record the returnees physical and mental health wellbeing, family support, housing, financial and employment situation on return to New Zealand, and to set up their parole-like monitoring plan under the Returning Offenders Act 2015. For one returnee in particular, I observed his surprise at the airport processing experience captured by his comment to the NZ police officer during his bio sample procedure, 'I thought I was going to freedom'.

Charter deportation flights

It is known that the Australian Government, particularly following the November 2015 riot on Christmas Island allegedly initiated by New Zealander convicted non-citizen detainees (see, OzKiwi, 2 August 2016; Kagi 2016; Sachdeva 2016), has operated at least two deportation charter flights from Christmas Island, via Perth to New Zealand (Auckland). From my interviews with New Zealand based stakeholders who are involved in the returns process, they observed that there were 20 New Zealander returnees on each flight. The New Zealanders were cuffed on board and each were escorted by two security officers (it is not known if these were private security or Home Affairs officers) and ABF representatives. It was reported that there was no food served on board because of associated security risks but that the those on board were provided with water. There was little warning from ABF to their New Zealand counterparts to plan the New Zealand reception of the first charter flight arrival, however, for all charter flights, there has been a multi-agency, coordinated approach to receive and process returnees, that has included NZ Police, NZ Corrections, the People At Risk Solutions (PARS) support service, Work and Income New Zealand (Government welfare support).

During the COVID-19 pandemic, deportations from Australia to New Zealand were temporarily suspended from March 2020. Deportations resumed in June with the return of three individual New Zealanders (McCann and Reidy 2020; Clent 2020). However, on July 14





and 15, 2020 the Australian Border Force and news outlets from both sides of the Tasman reported on two respective deportation charter flights from Australia to New Zealand to return a total of 30 New Zealanders from immigration detention in Sydney, Brisbane and Melbourne (Australian Border Force 2020; Roy and Ryan 2020; RNZ 2020; Block 2020). On return, these New Zealanders were escorted to a hotel for their mandatory 14 day isolation quarantine period, reportedly escorted by police and with additional security forces to man the hotel premises during their stay (Holland 2020; Bradford 2020; Block 2020).

References:

Australian Border Force (2020) 'Charter flights remove New Zealand crims from Australia – including senior bikie' *Australian Border Force Newsroom*, 16 July 2020. Available at, https://newsroom.abf.gov.au/releases/charter-flights-remove-new-zealand-crims-from-australia-including-senior-bikie [Accessed 21 July 2020]

Australian Government, Department of Home Affairs, 'Immigration Detention statistics'. Available at, https://www.homeaffairs.gov.au/research-and-statistics/statistics/visa-statistics/live/immigration-detention [Accessed 18 June 2020]

Australian Government, Department of Home Affairs, 'Visa cancellation statistics'. Available at, https://www.homeaffairs.gov.au/research-and-statistics/visa-statistics/visa-cancellation [Accessed 18 June 2020]

Block, G. (2020) 'Coronavirus: More Australian deportees arrive at Auckland isolation hotel', Stuff.co.nz, 15 July 2020. Available at https://www.stuff.co.nz/national/300057763/coronavirus-more-australian-deportees-

arrive-at-auckland-isolation-hotel [Accessed 21 July 2020].

Bradford, K. (2020) 'Special isolation facility being set up in NZ to house Kiwis deported from Australia' 1 News TVNZ, 12 July 2020. Available at, https://www.tvnz.co.nz/one-news/new-zealand/special-isolation-facility-being-set-up-in-nz-house-kiwis-deported-australia [Accessed 21 July 2020]

Clent, D. (2020) 'Coronavirus: Kiwis stuck in Australian detention protest deportation delays', Stuff.co.nz, 9 July 2020. Available at,

https://www.stuff.co.nz/national/122063069/coronavirus-kiwis-stuck-in-australian-detention-protest-deportation-delays [Accessed 21 July 2020]

Holland, Z. (2020) 'Covid 19 coronavirus: Australian deportees arrive at their 'boutique-style' Auckland isolation facility' *NZ Herald*, 14 July 2020. Available at, https://www.nzherald.co.nz/nz/news/article.cfm?c_id=1&objectid=12347913 [Accessed 21 July 2020]





Kagi, J. (2016) 'Former NZ detainees suspected over Christmas Island riot could be extradited', *ABC News*, 6 May 2016. Available at, https://www.abc.net.au/news/2016-05-06/deported-christmas-island-detainees-could-be-brought-back/7392572 [Accessed 16 June 2020]

Mares, P. (2014) 'New Zealand's 'Bondi Bludger' and other Australian myths' *The Conversation*, 11 February 2014. Available, at, https://theconversation.com/new-zealands-bondi-bludger-and-other-australian-myths-22391 [Accessed 18 June 2020]

OzKiwi (2016) 'Number of NZers on Christmas Island 'doubles'', 2 August 2016. Available at, http://www.ozkiwi2001.org/2016/08/number-of-nzers-on-christmas-island-doubles/ [Accessed 16 June 2020]

OzKiwi (2017) '18 years on from 26 February 2001' 26 February 2017.

http://www.ozkiwi2001.org/2017/02/anniversary-of-howard-govt-policies/ [Accessed 18 June 2020]

McCann, M. and Reidy, M. (2020) 'New Zealanders waiting for deportation from Australia demand return' *NewsHub*, 7 July 2020. Available at,

https://www.newshub.co.nz/home/new-zealand/2020/07/new-zealanders-waiting-for-deportation-from-australia-demand-return.html [Accessed 21 July 2020]

RNZ (2020) 'Thirty deportees to arrive in New Zealand this week: 'We're obliged to receive them' *Radio New Zealand*, 13 July 2020. Available at,

https://www.rnz.co.nz/news/national/421078/thirty-deportees-to-arrive-in-new-zealand-this-week-we-re-obliged-to-receive-them [Accessed 21 July 2020]

Roy, E. A, and Ryan, H. (2020) 'Australia resumes deportations from Melbourne to New Zealand despite coronavirus' *The Guardian Australia*, 13 July 2020. Available at, https://www.theguardian.com/world/2020/jul/13/new-zealand-minister-unhappy-at-australia-resuming-deportations-during-coronavirus [Accessed 21 July 2020]

Sachdeva, S. (2015) 'Kiwi detainees being moved to Christmas Island again - advocacy group', *Stuff NZ*, 15 January 2016. Available at,

https://www.stuff.co.nz/national/politics/75924244/kiwi-detainees-being-moved-to-christmas-island-again---advocacy-group [Accessed 16 June 2020]

Simon-Davies, J. (2018) 'Population and migration statistics Australia' *Parliamentary Library,* Research Paper Series 2018-19, 7 December 2018. Available at,

https://parlinfo.aph.gov.au/parlInfo/download/library/prspub/6377182/upload_binary/6377182.pdf [Accessed 18 June 2020]

Spinks H. and Klapdor, M. (2016) 'New Zealanders in Australia: A quick guide' *Parliamentary Library*, Research Paper Series 2016-2017, 29 August 2016. Available at,

https://parlinfo.aph.gov.au/parlInfo/download/library/prspub/4785516/upload_binary/4785516.pdf;fileType=application/pdf [Accessed 18 June 2020]





TVNZ 1 (2018) 'Australian Government finally reveals number of Kiwis locked up on Christmas Island detention centre' 6 April 2018. Available at, https://www.tvnz.co.nz/one-news/new-zealand/australian-government-finally-reveals-number-kiwis-locked-up-christmas-island-detention-centre [Accessed 18 June 2020]

Weber, L. 2014. Deciphering deportation practices across the Global North. In: Pickering, S. & Ham, J. (eds.) Handbook on Crime and International Migration. Abingdon: Routledge.

Weber, L. and Powell, R. (2020) 'Crime, pre-crime and sub-crime: Deportation of 'risky non-citizens' as 'enemy crimmigration' in J. Pratt and J, Anderson (eds.) *Criminal Justice, Risk and the Revolt against Uncertainty,* Palgrave McMillan.



