BORDER CROSSING
OBSERVATORY
BORDERS, CRIME, JUSTICE

Deterrence and the Australian Asylum Context

To date deterrence in the Australian IMA context has not been robustly tested in terms of push, transit and pull elements. While IMA data shows a period in which IMAs significantly dropped or stopped, the relationship between deterrence and IMAs still needs rigorous testing (currently being undertaken by the Border Crossing Observatory). Deterrence depends on clear communication strategies that have been subject to some research however there has been insufficient qualitative research working with asylum seekers who are the focus of deterrent messages (see Richardson, 2009). This has seriously impeded our ability to understand and assess the ways deterrent messages are processed and acted upon.

> *A FRONTEX commissioned report found the complexity and number of factors involved with licit migration flows cannot be predicted: "Illegal or irregular flows are even more difficult to estimate or predict" (FRONTEX, 2011).*

The available evidence does suggest that deterrence is unlikely to be found to have worked in a sustained way for all IMA groups. For example IMA data demonstrates significant shifts in the nationality, age and gender of arrivals over the past 12 years and more importantly significant changes *within* nationality groups regarding gender and age composition. Notwithstanding the consistency of Afghan arrivals across the time period, the dynamic composition of IMA make up prompts questions regarding whether deterrent initiatives have greater impact with some groups over others. Considering that asylum and IMA flows are highly fluid it is difficult to project with any precision how deterrent strategies will impact on differing groups into the future. As a recent FRONTEX commissioned report found the complexity and number of factors involved with *licit* migration flows cannot be predicted and "Illegal or irregular flows are even more difficult to estimate or predict" (FRONTEX, 2011). However with the establishment of diaspora Afghan, Iraqi and Iranian communities in Australia it is reasonable to expect that these flows will continue in some form or another in relation to almost any combination of policy responses.

Deterrence and Layered Borders

In relation to IMAs there are three clearly identifiable sites of deterrence:

1) **Deterring and/or preventing access to visas for key asylum caseloads for regular arrival in Australia:** Testing of IMA and non-IMA onshore asylum case load can indicate key groups that are unable to enter any other ways. For example, the largest asylum caseload – Chinese – are able to access visas for regular travel whereas it is far more difficult to furnish requisite acceptable documentation from key IMA source countries.
2) **Deterrence and disruption initiatives within Indonesia:** Data on the nature and extent of these activities is generally not publically available. The core question is the impact of these initiatives on displacing irregular migration and asylum to less well equipped parts of the region and importantly the extent to which they ameliorate or exacerbate risky voyages and/or the displacement of deaths to other locations (eg more direct but longer/riskier boat journeys; arrest and detention in sub standard conditions). It is possible voyages may begin from previously unused locations for alternative entry points.
3) **Onshore deterrence initiatives:** As noted above there is mixed evidence regarding the impact of onshore deterrence measures made up of TPVs, offshore processing and immigration detention. Dr Richardson has documented the unexpected ways deterrence messages (regarding TPVs, offshore processing and immigration detention) were consumed and acted upon by asylum seekers (Richardson, 2009). Richardson found: "[Like] all audiences, refugee audiences are diverse, unpredictable and capable of producing a variety of interpretations of the messages they receive. This article calls for a recognition that the transmission and reception of Australia's deterrence 'messages' are far from straightforward." (Richardson, 2010). The incident involving the largest loss of life (SIEV X) occurred post introduction of offshore processing and the make up of the passengers has been widely regarded as being driven by the exclusion of family reunification on TPVs.

DETERRENCE RELIES ON THE COMMUNICATION OF THE MESSAGE

Research demonstrates that deterrent messages do not always work predictably or evenly across target groups.

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