

At what cost?

The human and economic cost of Australia's offshore detention policies 2019





The costings in this report were prepared by Equity Economics. The executive summary was compiled and written by Asylum Seeker Resource Centre, Save the Children and GetUp.



Executive Summary

As the Australian Parliament debates the 'Medevac' legislation and the provision of medical treatment in offshore processing, this updated report focuses on the broader issue - Australia's failure to finalise resettlement for the 535 people remaining offshore. Updating the At What Cost report released by Save the Children and UNICEF in 2016, this report outlines the economic cost of not resettling this remaining cohort, including

the predicted expenditure of \$1.2 billion over the next 3 years, with offshore processing costing the Australian Government in excess of \$573,000 per offshore person, per year. Whilst the human cost of Australia's 6 year failure to find a solution for all those people trapped offshore remains devastating, so too is the economic impact for a Government increasingly in search of fiscal savings.

'At what cost' 2016

In September 2016 Save the Children and UNICEF published a report into the human, economic and strategic cost of Australia's asylum seeker policies and the alternatives available. Whilst hampered by limitations to the public availability of information which impeded the work of non-government economists in undertaking detailed modelling based on known facts and practices, the report contained a comprehensive analysis of the economic cost of Australia's asylum seeker and refugee policies. It revealed that the Australian Government had spent, and was likely to continue spending large sums in implementing its detention and deterrence policies. The analysis found that financial costs of at least \$9.6 billion were incurred by Australian taxpayers between 2013 and 2016 in maintaining offshore processing, onshore mandatory detention and boat turn-backs.

In June 2019, the re-elected Government led by Prime Minister Scott Morrison announced its intention to repeal the so-called 'Medevac' legislation, which had passed Parliament

in February 2019. The Medevac legislation set up a process for independent medical assessment of treatment and transfer needs of the current offshore cohort, following 12 deaths offshore since 2013. Whilst the public narrative since has been focused on the merits or otherwise of the Medevac legislation, the overarching problem of the ongoing failure to resettle the remaining offshore cohort has remained largely unremarked.

This update of the economic costs referenced in the 2016 'At What Cost' report has been commissioned by Save The Children, GetUp and the Asylum Seeker Resource Centre to focus policy attention on this failure. As the Australian Government in December 2019 proceeds to repeal the Medevac legislation, and at a time when the International Monetary Fund has slashed growth predictions for the Australian economy,^[1] this report aims to articulate not only the human costs, but also the economic costs for continuing to hold 535 people offshore.

Australia's policy of offshore processing

On 19 July 2013, then-Prime Minister Kevin Rudd announced that no person seeking asylum by boat would ever be resettled in Australia. Every single person who arrived after that date has been subject to indefinite detention on Manus Island, Papua New Guinea, or in the Republic of Nauru, under arrangements between the Australian Government and those Pacific States.

In total 3,127 people seeking asylum have been detained on the islands of Manus and the Republic of Nauru since offshore processing began in 2013.^[2] Since that time, this group of people have been subjected to a harsh regime of indefinite detention, found to be unlawful by both international and domestic tribunals.^[3]

Parliamentary and Departmental inquiries, UN investigations and numerous whistleblowers have repeatedly told the same story, that in the offshore regional processing arrangements there has been physical, sexual

and psychological abuse, amounting to 'cruel, inhuman and degrading treatment'. Twelve people have died in offshore processing since its 2013 inception,^[4] mostly young people, with one death in particular found by an Australian coroner to be caused by a lack of basic medical treatment.^[5]

Even the Australian Government has conceded the weight of evidence of harm caused by such ongoing indefinite detention – then Secretary of the Australian Department of Immigration stated in 2014, "... there is a reasonably solid literature base which we're not contesting at all which associates a length of detention with a whole range of adverse health conditions."^[6]

Nevertheless, 6 years later, 535 people are still left languishing offshore, the vast majority assessed as refugees.

Resettlement under the offshore processing regime

Number of people resettled from Nauru and PNG

	US	Canada	Germany	Malaysia	Norway	Switzerland	UK	Cambodia	Total
2015	0	<5	0	0	0	0	0	5	7
2016	0	0	0	0	0	0	0	<5	<5
2017	54	<5	0	<5	<5	0	0	<5	58
2018	397	0	<5	0	0	<5	0	0	399
2019	181	<5	0	0	0	<5	<5	0	187
Total	632	7	<5	<5	<5	<5	<5	7	652

Note: Information is based on departmental systems data as at COB 31 October 2019 [7]

Since July 2013, successive Australian governments have consistently stated that no refugees from Nauru or PNG will ever be resettled in Australia.

After initial attempts to force refugees to remain in Nauru or PNG on either a temporary or permanent basis, a small number of refugees were relocated from Nauru to Cambodia under an agreement with Australia in 2014. Some refugees independently secured resettlement opportunities in Canada, Switzerland, Norway, the United Kingdom and Germany.

In a deal struck in 2016 by Australia and the United States under former leaders Malcolm Turnbull and Barack Obama, the U.S. Government publicly agreed to resettle some (not all) of the refugees from the offshore processing camps. The deal reportedly allowed for up to 1,250 refugee resettlements by the U.S., after Australia publicly agreed to resettle Central American refugees from camps in Costa Rica. [8]

Subsequently, reports suggest that Australia also agreed to take in at least two of three Rwandans who were brought to the U.S. to face trial on charges of involvement in the murder of eight tourists, including two Americans and two New Zealanders, who were on a gorilla-watching visit to the Ugandan rainforest in 1999. [9] An explanation

of this approach on the part of the Australian Government was provided in a transcript, leaked to the Washington Post, of the first phonecall between the newly-elected US President Donald Trump and then Australian Prime Minister Malcolm Turnbull. On that call, Prime Minister Turnbull was quoted as defending the suitability of the current offshore cohort for resettlement, saying: "We know exactly who they are. They have been on Nauru or Manus for over three years and the only reason we cannot let them into Australia is because of our commitment to not allow people to come by boat. Otherwise we would have let them in. If they had arrived by airplane and with a tourist visa then they would be here." [10]

As at 31 October 2019, an estimated 632 refugees have been resettled in the United States from the offshore detention centres, well short of the 1,250 originally agreed. Whilst approximately 120 refugees currently offshore have also reportedly been accepted to the United States, but are awaiting transfer, [11] it appears clear the US resettlement deal may have effectively closed on 4 October 2019. [12] Home Affairs Minister Peter Dutton has indicated he doubts that the original number of 1,250 resettlements would be reached. [13]

New Zealand has repeatedly offered to resettle refugees from Australia's offshore processing regime, however Australia has

refused. In 2013, an agreement was brokered between then New Zealand Prime Minister John Key and then Australian Prime Minister Julia Gillard to resettle approximately 150 offshore refugees per year in New Zealand. Prime Minister John Keys' offer has been reiterated numerous times,^[14] including by current New Zealand Prime Minister Jacinda Ardern in July 2019, who stated in regards to New Zealand's offer that, "The Australian government knows that it's there. We've always said that it's a matter ultimately for them."^[15] However the Australian Government has not taken up

the offer, citing concern regarding 'pull factors' should refugees resettle in New Zealand.^[16]

This situation has left behind a cohort, whom after 6 years held offshore in PNG and Nauru, have little and diminishing prospect of resettlement or a safe and secure future. As current Papua New Guinean Prime Minister James Marape stated to ABC radio in May 2019 following a visit to Australia, "These are human beings we're dealing with. We can't leave them all hanging in space with no serious consideration into their future."^[17]

Those left behind - the remaining offshore cohort

Key statistics as at 31 October 2019

Population- transitory persons in Nauru, PNG and Australia

Population	Nauru	PNG	Australia	Total
Refugees	209	240	1049	1498
Still in RSD Process	39	0	36	75
Non-refugees	20	27	57	104
Overall Numbers	268	267	1142	1677

According to Australian Government figures, at 31 October 2019, these are 535 transitory persons left offshore,^[18] from the initial 3,127 who had been detained on the islands of Manus and Nauru since offshore processing began in 2013.^[19] Of this group, 449 have already been found to be refugees (83% of the total), with a further 39 still progressing through their Refugee Status Determination process.

In terms of resettlement prospects, of these 535 transitory persons remaining offshore, approximately 120 have already been approved for departure to the US.^[20] A further 47 of these offshore transitory persons are non refugees,^[21] with 39 transitory persons remaining in Nauru still going through their Refugee Status Determination (RSD) processes.

While it is positive that so many of the original cohort have been resettled, this leaves approximately 368 offshore refugees likely in need of resettlement.

The economic costs of failing to resettle the remaining offshore cohort

The 'At What Cost' report in 2016 estimated offshore processing and onshore mandatory detention cost Australian taxpayers \$9.6 billion 2013 and 2016 and forecast it would cost at least \$4 billion more between 2016 and 2020. This updated report estimates that the true cost to Australian taxpayers of offshore processing and onshore mandatory detention between 2016 and 2020 was in fact \$9 billion. This analysis demonstrates that despite the considerable reduction in the number of refugees being processed offshore since its peak in 2014, when more than 3000 people were detained offshore, the costs remain substantial.

According to the Federal Budget released in 2019 after the passage of the Medevac legislation, the predicted expenditure on offshore processing alone (exempting other costs such as boat turn-backs and related operations) is \$1.2 billion over the 2020-2023 period. The analysis in this report outlines that on the available public information, offshore processing is costing the Australian Government in excess of \$573,000 per offshore person, per year. To detain the same person onshore in Australia however results in a cost saving of approximately \$200,000 per person, per year, with onshore mandatory detention costing on average \$346,000 per person per year, compared to \$10,221 per person per year for those living in the Australian community on bridging visas.

The cost of keeping these 535 people offshore after 6 years is enormous - both economically and morally. A solution should be found urgently - to the benefit of both these people and the budget bottom line.

A pathway forward – expanding protection and reducing harm

In At What Cost, Save the Children and UNICEF argued that the human, strategic and economic cost of Australia's offshore processing regime made it untenable for the Australian Government to continue with such an approach without significant variation. It was suggested that the Government must consider options to change course and embrace greater regional cooperation in the area of refugee protection, which could enable Australia to minimise the harm caused to asylum seekers and refugees, restore its global credibility in the area of human rights, and also restore its regional standing and bilateral relationships where those have been harmed by these policies.

Many of those recommendations remain valid. In particular, the Australian Government should invest in measures which increase the protection of refugees and asylum seekers in Australia and in the region, rather than by harsh deterrent policies which cause significant harm to those fleeing persecution. By doing so, Australia can not only ensure the protection of a much greater number of refugees but also ensure that its humanitarian migration spending works to enhance, rather than erode, Australia's strategic interests in bilateral, regional and global settings.

Key Points

- 01 Detention and processing cost remain significant at \$9 billion over the last 4 years (2016- 2020), compared to \$10 billion (2012-2016).

- 02 The cost of processing asylum seekers offshore remains high, despite the closure of offshore detention centres in Nauru and Manus Island, PNG. Offshore processing is costing in excess of \$573,000 per person per year.

- 03 Onshore mandatory detention is costing on average \$346,000 per person per year, compared to \$10,221 per person per year for those living in the community on bridging visas, presenting scope for significant further reduction in costs and improved treatment of asylum seekers.

- 04 Transparency in budget reporting of related expenditures has deteriorated further. Published costs and arrival numbers is extremely limited and available information does not add up. This makes analysis and oversight of government activities difficult to measure and assess accurately, limiting the accountability of government public awareness of the true cost involved.

Summary of costs (\$ million)	2012-13 to 2015-16	2016-17 to 2019-20	2020-21 to 2022-23
Time period	4 years	4 years	3 years
Offshore regional processing	4,117	4,249	1,234
Onshore mandatory detention	5,578	4,094 to 4,453	2,104 to 2,665
Boat turn-backs and related operations	295	177	
Legal costs		41	
Regional elements			
Cambodia agreement	40		
Regional Cooperation Arrangement	72	148	
Total	10,102	8,709 to 9,067	3,338 to 3,899

Note: 2012-13 figures are consistent with prior report except for offshore regional processing, the cost of which has been updated to reflect information that became available after the publication of the original report.

Numbers in immigration detention

Since the closure of the Regional Processing Centres in Nauru and Papua New Guinea the Australian Government has stopped regular reporting of the numbers of refugees being processed offshore.

It was reported that in January there were:

594 asylum seekers in PNG : of whom 463 were refugees and 131 were failed asylum seekers.

425 asylum seekers in Nauru : of whom 329 were refugees, 23 were failed asylum seekers and 73 were still in the refugee status determination process.^[22]

It was subsequently reported by the Department of Home Affairs that as of March 2019 there were 915 asylum seekers in Nauru and PNG, 359 in Nauru and 547 in PNG.^[23] These numbers don't add up. The Department of Home Affairs was asked by the Senate's Legal and Constitutional Affairs Legislation Committee to provide a break down of the location of asylum seekers in PNG between Manus Province and Port Moresby. The question was taken on notice. The subsequent answer in February 2019 was that there were 561 in PNG, 391 in Manus Province and 170 in Port Moresby. This does not reconcile with the figure provided in the hearing.^[24]

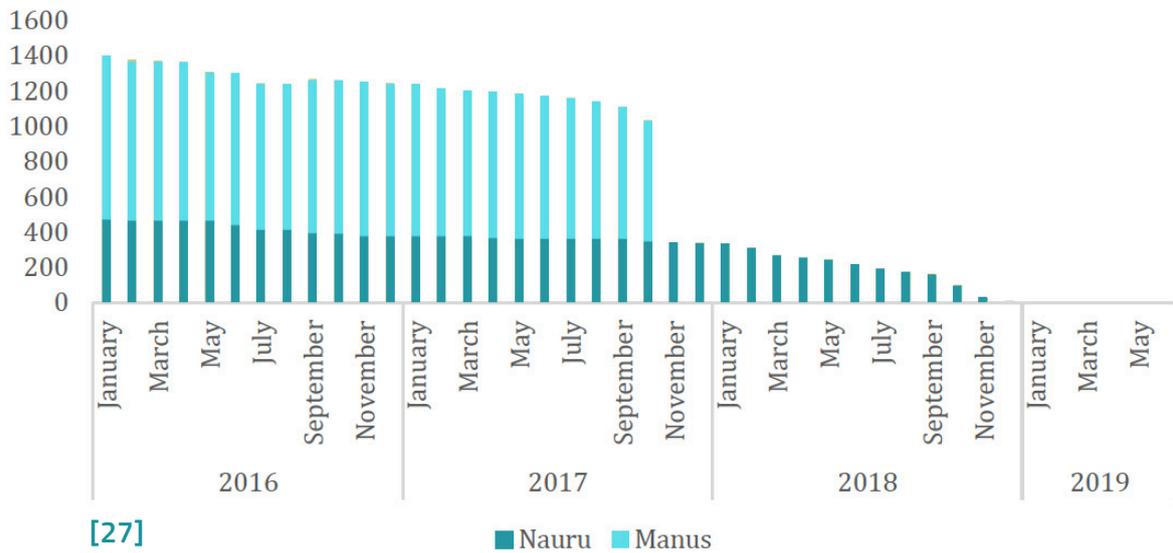
The latest figures are included in the table below:

Immigration detention and processing –
September 2019 (onshore) October 2019 (offshore)

	Men	Women	Children	Total
Immigration detention				
On-shore	1,273	71	3	1,347
In community (as 30 September 2019)				
Community under Residence Determination	296	262	285	843
Community in Bridging Visa E	9,991	1,654	2,182	13,827
Offshore refugee processing (as at 31 October 2019)				
Republic of Nauru				268
Papua New Guinea				267
Total offshore				535
Total	11,560	1,987	2,470	16,017

All people on Nauru and PNG (Manus Island) have now been resettled into the community.

Figure 1: Number of people in Manus Island and Nauru RPC



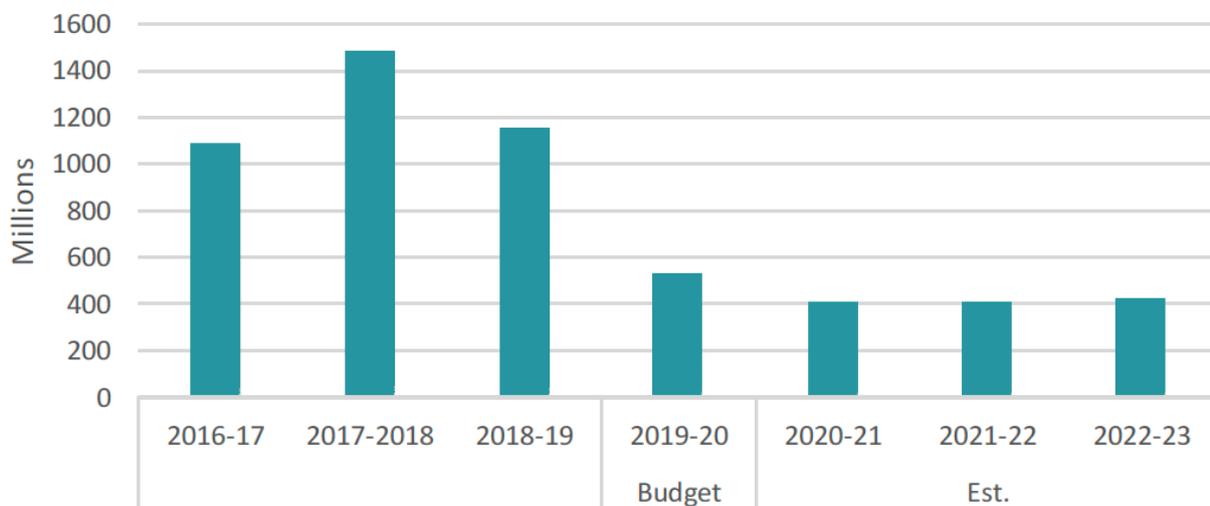
[27]

■ Nauru ■ Manus

Cost of offshore processing:

Total offshore processing costs have been taken from the Department of Home Affairs budget statements for Program 1.4 IMA Offshore Management.^[28-30] Costs in 2016-17 exceeded budgeted expenditure by \$200 million and in 2017-18 and 2018-19 actual costs were more than three times the estimated forward expenditure, as reported in the first 'At What Cost?'.

Figure 2: Cost of Offshore Detention and Processing – Program 1.4



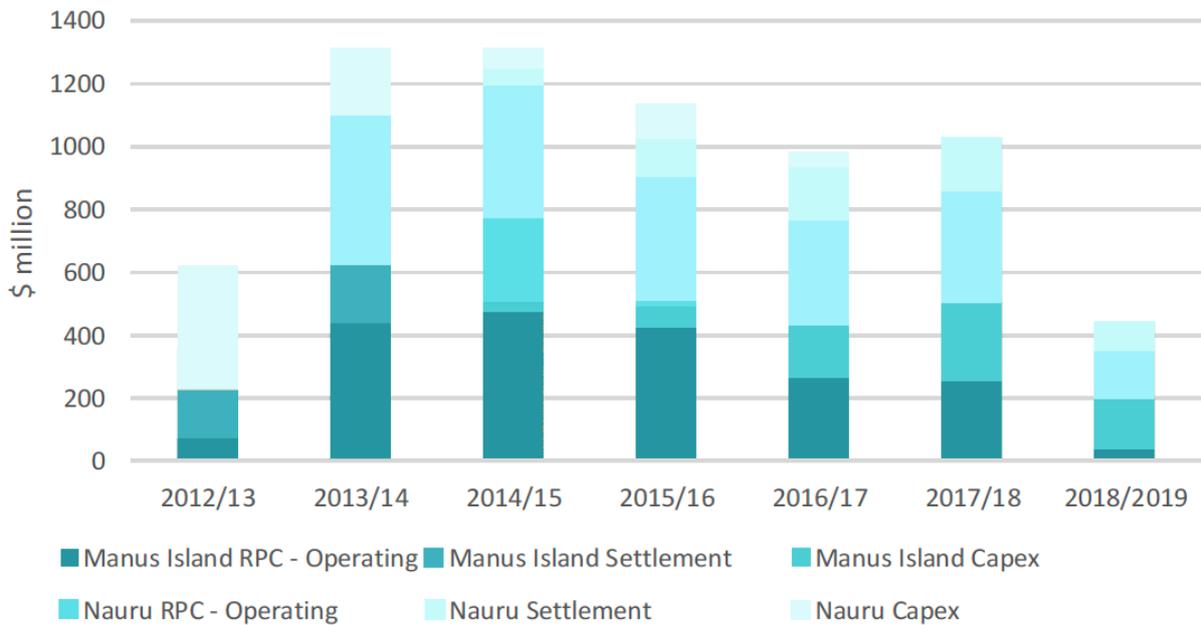
[28-30]

Cost of offshore detention:

Most historical offshore processing costs are probably attributable to offshore detention on Manus Island and Nauru. There is inadequate information available to confirm this.

The regional processing centres in Nauru and Manus Island cost \$6.6 billion dollars between 2012/13 and December 2018. Much of this cost – \$4.3 billion –was incurred operating the regional processing centres. \$1.1 billion was spent on infrastructure that has now been closed, so are unlikely to deliver any continuing value. A further \$1.2 billion was spent on settlement.^[31]

Figure 3: Cost of offshore detention between 2012/13 and December 2018

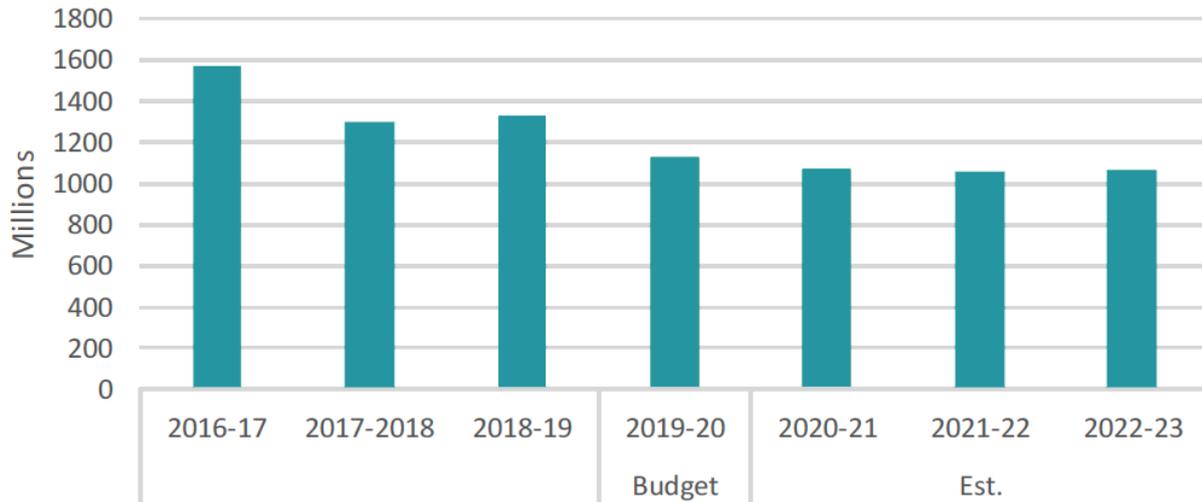


[31]

Onshore compliance and detention:

Total onshore compliance and detention costs have been taken from the Department of Home Affairs budget statements for Program 1.3 Onshore Compliance and Detention.^[28-30] This program combines the expenses incurred by Program 1.3 Compliance and Detention and Program 1.4 IMA Onshore Management as reported in the 2015-16 Department of Home Affairs Portfolio Budget Statement. As such it includes costs for IMA and non-IMA detention onshore.

Figure 4: Cost of onshore compliance and detention – Program 1.3



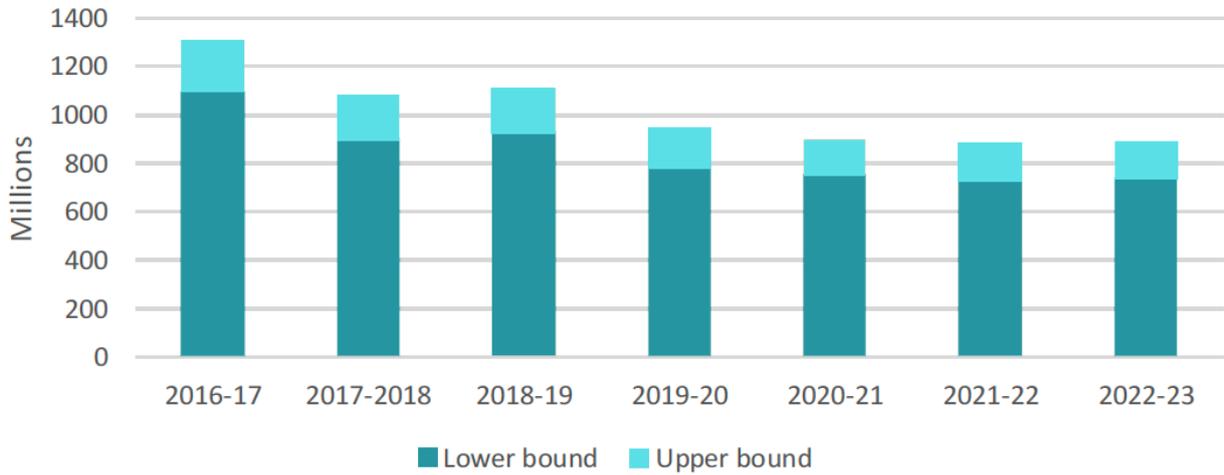
[28-30]

Onshore compliance and detention:

To estimate the proportion the costs incurred by asylum seeker onshore management in the combined costs reported above, the proportion of spending on program 1.4 from 2015-16 of the combined total expenses for program 1.3 and 1.4 was calculated – 84%. This was used as the upper bound estimate. A lower bound estimate was calculated by assuming that the proportion of spending on asylum seekers dropped 3% per year from 84% in 2015-16. The 3% change in the proportion of spending is based on the change in spending between 2014-15 and 2015-16. ^[32]

It is reasonable to assume that onshore IMA expenditure is declining because current policies have prevented new people arriving by boat to Australia, while the rate of non-IMA detainees – resulting from visa cancellations – have been increasing. Between 2014-15 and 2015-16 IMAs detained as a proportion of overall onshore detention dropped from 86% on 31 May 2014 to 54% on 31 May 2015. This led to a 3% reduction in the proportion of spending on asylum seekers. This is the biggest year on year change in the proportion of IMAs in onshore detention and so represents an upper estimate for the annual decline in costs.

Figure 5: Proportion of costs attributable to management of asylum seekers onshore



Relative costs:

Cost per person per year has been sourced from the Kaldor Centre for International Refugee Law. These figures are corroborated by the following sources:

- The then Department of Immigration and Border Protection report that the average annualised cost of one person being held in onshore detention in 2017 was \$346,178 and in community detention was \$102,880.^[33-34]
- The Financial Review reported in February that the Paladin Group was being paid \$20.8 million a month to provide security to asylum seekers on Manus Island at an estimated daily cost per person of \$1600, or \$584,000 per person per year. This figure excludes food and welfare services and capital and government administration costs. As such this is very much a lower bound estimate.

Figure 6: Relative cost per person for 12 months in detention, 2019



[35]

IMA Boat Turn-Back Expenses:

On 28 February 2019 the Department of Home Affairs was asked how much money has been spent on boat turn backs. Their reply was: "Operation Sovereign Borders (OSB) does not operate under a single, amalgamated budget. There are 16 Australian Government agencies that contribute to the strategic objectives of OSB. OSB functions that are undertaken by these agencies are funded from their individual budgets. Australian Border Force is not able to provide a single aggregated total figure."^[34]

The following costs that are directly attributable to the cost of IMA boat turn backs have been identified by from budget documents and senate estimates, however, it should be highlighted that this, in all probability, is a serious underestimation of the total cost of the program. The fluctuations in annual spend reported in the table below are more likely to be a function of the patchy nature and lack of transparent reporting on spending rather than a result of true differences in the annual costs. For example, the Department of Defence was asked what the cost of Operation Sovereign Borders activities were as part of 2019-20 Budget Estimates. The question was taken on notice but the discussion around that question implied that Operations Sovereign Borders did generate extra costs for the Department of Defence.^[37]

Identified IMA Boat turn-back expenses (\$ million)

Immigration detention and processing – May 2019

Department	Budget measure	2016-17	2017-18	2018-19	2019-20	Total
Home Affairs	Operation Sovereign Borders – continuation			45	17.2	62.2
Defence	Operation Resolute – extension	16.8				19.6
Immigration and Border Protection	Enhanced border protection	64.2				64.2
Australian Customs and Border Protection Service	Strengthening response capability for IMAs	21.7				21.7
	Communications campaigns	0.5				0.5
	Combating people smuggling – international engagement	4.5	4.6			9.1
Foreign Affairs and Trade	International engagement to prevent people smuggling	2.3	2.3	2.3	2.3	9.2
Total		110	9.7	47.3	19.5	186.5

Regional Cooperation Programs:

Between the 2016-17 and the 2019-20 budget \$147.5 million has been spent on the Regional Cooperation Arrangement (RCA) in Indonesia. This expense has been attributed to the cost of Australia's asylum seeker policies because in each instance it has been stated that the purpose of the RCA payment has been to support regional partners to manage asylum seeker populations in their countries.

Regional Cooperation Programs (\$million)	2016-17	2017-18	2018-19	2019-20	Total
RAC in Indonesia	55.4	52.6	-	39.5	147.5

[15, 17-19]

In 2018-19 it appears that the RCA payment, or a payment with a similar purpose, was part of the budget measure titled Operation Sovereign Borders – continuation.

Legal costs:

As with the boat turnback costs, information on the total amount of money spent on the legal costs associated with enforcing the current asylum seeker policy is incomplete. \$41.2 million in directly attributable legal expenses have been identified from budget and senate estimates. The true cost will be substantially higher.

Identified legal expenses (\$ million)	2016-17	2017-18	2018-19	2019-20	Total
External legal spend - judicial review by IMAs		11.3			11.3
External legal spend - medical transfers Defence	0.1	0.3	1.4		1.8
Onshore IMA Legacy Caseload		8.7	9.4	10	28.1
Total	0.1	20.3	10.8	10	41.2

[15, 20-22]

Projected costs:

Policy setting	Projected cost 2019-20	4-year projected cost 2019-2023
Offshore regional processing	\$526 million	\$1760 million
Onshore mandatory detention	\$815 to \$946 million	\$2919 to \$3611 million
Boat turn-backs and related operations	\$19.5 million	\$19.5 million
Legal costs	\$10 million	\$10 million
Regional Cooperation arrangement	\$39.5 million	\$39.5 million
Total	\$1.4 to \$1.5 billion	\$4.7 to \$5.4 billion

Methodology

The economic costs are primarily gathered from Federal Government budget documents, which include the Portfolio Budget Statements and Portfolio Additional Estimate Statements of the relevant departments, and the annual Budget and Mid-Year Economic and Fiscal Outlook statements prepared by Treasury. All costs are expressed in Australian dollars.

A lack of transparency in reporting and aggregated budget allocations make it difficult to accurately describe the cost of Australia's asylum framework. There have been few attempts at comprehensive analysis or comparison of the economic cost of Australia's asylum seeker and refugee policies since mandatory detention came into effect in the early 1990s. Part of the reason for this is that the policy frameworks over that time have typically drawn on multi-agency efforts and cut across programs with varying objectives. As a result, it is not just the lack of transparency in budget allocations against specific policy elements, but the difficulty in attributing the cost of those specific policy elements when they involve common and joint costs for other objectives.

Where assumptions have been necessary to estimate costs, a range has been adopted and a description of the methodology presented in the relevant section.

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