



Addressing Criminal Deportations to the Pacific Islands

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In the last decade, criminal deportations from Australia, New Zealand (NZ), and the United States (US) to Pacific Island countries (PICs) have substantially increased, driven by domestic politics securitising migration and crime. Deportations have raised regional concerns, including fears of potential transnational and domestic criminal activity if there is no formal reintegration support for returnees. Deporting states are key development and security partners to PICs, and should bear responsibility for the consequences of their deportation policies.

Most people deported to Samoa, Tonga and Cook Islands for criminal activity are males aged 25–35.¹ Returnees have been prosecuted, sentenced and incarcerated for their crime(s) in the deporting state, and would otherwise be released as free — if it were not for their non-citizen status. Each deporting state has different criteria and thresholds for criminal deportation, although there are shared features of the overall process.

Key problems around criminal deportations are a lack of support prior to deportation; poor information-sharing; a lack of financial support for reintegration; and the diplomatic repercussions of deportation policies. This In Brief discusses each of these problems, and summarises policy recommendations for Australia, NZ and the US as major deporting states based on a recent extensive study into criminal deportations to PICs (McNeill 2024).

Provide appropriate support in prisons prior to deportation

On average, returnees have spent less than two years in prison, although some have spent considerably longer incarcerated (including immigration detention). Rehabilitative programs are in many cases available to inmates, including employment skills and release planning; however, these programs are invariably tailored towards release in the deporting state. By contrast, finding employment opportunities, support or health (especially mental health) services is more difficult in PICs. At a minimum, Pacific officials request that prisons in deporting states engage Pacific peoples to deliver language and cultural training to prepare those awaiting deportation (McNeill 2024). Returnees with communication and cultural skills are better able to assimilate into a receiving society.

Improve information-sharing with receiving states

PICs consistently request improved speed and quality of information-sharing in their relationships with

deporting states.² PICs receiving deportations require information in advance to prepare reintegration support, accommodation, and mental and physical healthcare. PICs argue that a simple criminal history does not provide a full picture of the individual. They request further information relating to reintegration: language and employment skills; family ties in the receiving state; release plans and rehabilitative activity in incarceration; and healthcare support needs. Samoa refuses to issue official travel documents until the deporting state has provided information about familial connections in Samoa. While NZ has gone to lengths to provide timely information to Pacific receiving states via the NZ Transnational Crime Unit, other deporting states often do not provide (even limited) information until the returnee has embarked upon the aircraft.

Provide reintegration support

There is little financial support for reintegration in receiving PICs from deporting PICs, despite their role as development and security partners (McNeill 2023). Receiving states request that deporting states provide official repatriation funding packages, as they understand the political economy of deportation as deporting states offshoring rehabilitation costs to receiving states. They consider that deporting states are neglecting their responsibility by denying the reintegration needs of returnees.

Deporting states should financially and sustainably support reintegration. For example, in Samoa, financial aid for the quasi-governmental Samoa Returnees Charitable Trust (SRCT) has been inconsistent since 2014. The Samoan government has been funding SRCT's office and a salaried staff member since 2020, although additional funding is required to undertake reintegration activities. In Tonga, several reintegration organisations have been established; although without sustainable funding, all have struggled and many have closed. Foki ki 'Api relies on funding from the Wesleyan church; while Dare to Dream received a one-off grant from the NZ High Commission in 2022 to build a halfway-house, and another grant in 2024 from the Tongan government to acquire a vehicle to receive arrivals. In Cook Islands, there is no direct reintegration support, although mental health services are frequently requested by returnees. Requests to deporting state diplomatic missions for financially inconsequential support are usually rejected, including requests for tables and chairs for safehouses, training, and transport to support services.

Criminal deportations create additional workloads for law enforcement officials in receiving states; therefore, supporting reintegration organisations alleviates their workload. The Tongan Transnational Crime Unit estimate ~35% of their time is spent on criminal deportation issues, including deciphering poor-quality information provided by deporting states. Australia, NZ and the US all provide general policing capacity-building, but enforcement and monitoring activity are not support or rehabilitation, and do not compensate for increased police workloads.

Investment in reintegration is critical to reducing potential reoffending. Small development investments in reintegration support could have a much bigger societal value than larger security investments, while offsetting significant criminal and financial risk. Cases of returnee involvement in transnational criminal activity are rare, with the first returned person arrested and named in 2024 as part of a [Comancheros drug raid in Tonga](#). However, there are cases of returnees offending domestically. One arsonist returned to Cook Islands and reoffended, leading to increased government insurance premiums of ~NZD\$8million — Cook Islands unsuccessfully attempted to discuss compensation with Australia.

Supporting returnees to develop community ties, language and cultural skills, gain employment and find a sense of purpose are the biggest factors in successful reintegration. In Tonga, returnees who were not supported described turning 'back to what they know' (implying drugs) (McNeill 2024:108). By contrast, the SRCT suggested that ~1–2% of their members (not all returnees to Samoa) reoffended after return, due to the reintegration support and work opportunities SRCT provided.

Reintegration should be Pacific-led

While there may be a temptation to provide generic guidance based on global experiences, or template legislation for receiving states to deal with criminal deportations, Pacific states tend to fare better when approaches are [locally led, culture-centric, and mindful](#) of the resources available. Tonga wants solutions that are 'culturally appropriate for Tonga and tailored for the local situation rather than text-book copying of New Zealand or Australian responses' (quoted in McNeill 2024:121). There is significant misinformation about 'deportees' reported in media commentary. Much of the law enforcement capacity-building by deporting states is based on assumptions about 'hardcore bad guys' in those states, not applicable to the receiving state, and not focused on reintegration (quoted in McNeill 2024:89).

Diplomatic implications of criminal deportations

Deportations are a diplomatic irritant. For many PICs, it is felt that returnees arriving without local language and cultural skills belong to the deporting state where they were raised — that they are effectively Australians, Americans or Kiwis, having grown up there and 'learnt' their (criminal) behaviour there (McNeill 2023). Pacific Island government officials therefore lay blame, including for reoffending, with the deporting state:

'the fact that they are products of New Zealand and Australian society, it's just like sort of saying "yeah okay they were brought up here and got into trouble here but we're just gunna fob them off to their homeland because we don't wanna deal with that", and it's like hold on, you're actually creating a risk for us now! Considering that they've been a part of your system, it was **there** that they got connected with the gang, and it was **there** that they got connected with organised crime, it was **there** they did what they did.' (quoted in McNeill 2024:231)

Pacific Island state politicians and officials perceive deporting states' lack of support for reintegration, and opaque information-sharing mechanisms — despite frequent requests — as a lack of genuine partnership by their closest security and development partners.

Author notes

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Endnotes

1. Between 2009 and 2020, Tonga received 1010 criminal deportations (71% from the US, 25% from NZ, 4% from Australia); Samoa received 478 (56% from NZ, 41% from the US, and 3% from Australia), and Cook Islands received 16 (100% from Australia).
2. Deporting states have less accurate criminal deportation data than receiving states. US data (incorrectly) suggested that Guatemalans, Hondurans and El Salvadorians were deported to Samoa; Australian data (incorrectly) recorded no deportations to Cook Islands; and NZ data provided vastly different information in various documents.

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