

24 February 2023

Committee Secretary
Legal and Constitutional Affairs Legislation Committee
Department of the Senate
PO Box 6100
Parliament House
Australia Canberra ACT

Dear Committee Secretary.

Re: Inquiry into the Migration Amendment (Evacuation to Safety) Bill 2023

I welcome the opportunity to contribute to the Committee's inquiry into the Migration Amendment (Evacuation to Safety) Bill 2023 (the Bill). I also welcome the opportunity to strongly support the Bill, which compels the Government to offer transfer to Australia to all persons subject to offshore processing still in PNG or Nauru within one month of the commencement of the Bill.

This Bill is entirely consistent with Labor's policy as set out in the National Platform 2021:

10. Labor's humane and risk-based immigration detention policies and practices will be guided by key immigration detention principles, namely:
 - Detention that is indefinite or otherwise arbitrary is not acceptable and the length and conditions of detention, including the appropriateness of both the accommodation and the services provided, will be subject to regular review;
 - Detention will occur in a Government-run immigration detention centre appropriately located close to services and relevant support and is only to be used as a last resort and for the shortest practicable time;
 - People in detention will be treated fairly and reasonably within the law;
 - People in detention will be provided an appropriate standard of care including the provision of health, mental health and education services a standard consistent with that afforded to the Australian community; and
 - Conditions of detention will ensure the inherent dignity and safety of the human person. (P.127)

Many of the people currently detained in PNG and on Nauru have a durable solution ahead of them in New Zealand or the USA. While they await resettlement in a third country, it makes sense to accommodate them here where high quality health, educational, and other services can be provided in a timely and cost-effective manner.

For those detainees for whom a durable solution has not yet been found or cannot be found, leaving them on Nauru or in PNG does nothing to address their situation. That can be resolved here, in the country from which they sought protection and the solution reported to the Parliament.

An element in fairness and justice is the time taken to resolve a situation. The detainees have been held for far too long without a resolution of their situation. This should end as soon as possible and the first step is to show respect for their human rights and bring them to Australia.

Yours sincerely

Catherine Crittenden