

Submission to the Senate Inquiry - Migration Amendment (Detention Reform and Procedural Fairness) Bill 2010

Items refer to the terms of reference numbers:

1(a) Any reforms needed to the current immigration detention network in Australia

- detention should not be indefinite; health, security and identity checks can be done within 30 days and any detention after this period should be decided by independent judicial review.
- children and their families should be removed from detention as promptly as practicable.
- remote detention should be ended: by moving people through centres more quickly the need for additional centres would be avoided: support from community groups and appropriate care is far more likely in and around major population centres.

1(g) The impact, effectiveness and cost of mandatory detention

- with suicides, self harm, hunger strikes, etc it is evident that the mental health effects of detention are rife.
- Minister Bowen is quoted in The Age on 10 Feb 2011 as saying that detention is a management tool not a deterrent -
- the 2011-12 budget has \$800 million allocated to detention costs, a large increase over previous years - and with no significant deterrent effect. This money could surely be put to better use

1(l) compliance with the Government's immigration detention values

- Government Fact Sheet 82 of 2008 details many excellent principles in respect of immigration detention - there is little evidence that these principles have been effected, detention is not a last resort and it is not used for the shortest practicable time.
- these principles, amended as suggested above, should become the basis for detention
- in an address at ANU on 29 July 2008 the Minister essentially confirmed the government's commitment to the principles in the Fact Sheet - let's see that commitment now enshrined in law.