

## **Submission to Senate Inquiry into the serious allegations of abuse, self-harm and neglect of asylum seekers in relation to the Nauru Regional Processing Centre, and any like allegations in relation to the Manus Regional Processing Centre**

Submitted by

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I have been visiting detainees in Melbourne Immigration Transit Accommodation (MITA) in Broadmeadows almost weekly for the past three years, in a volunteer capacity. I am attached to no organisation.

Though realising that the terms of reference of this Senate Committee investigation apply to the offshore Regional Processing Centres, I make this submission to apprise the Committee about the onshore situation. I do this because there are asylum seekers within the RPC 'cohort' who are presently in Australia but may well be returned offshore to Nauru. As I outline below, issues of RPC cruelty seem to be systemic across Immigration facilities, not just confined to offshore. Those detainees who have been brought to Australia from Nauru, that I have had dealings with in MITA and in Community Detention in Melbourne, are terribly fearful of being returned to Nauru.

At MITA I have been witness to an ever increasing tightening of the rules for visitors (the latest being the attached "Changes to Visiting Procedures, October 3 2016"). Along with this there has been a toughening of the conditions under which the detainees are held there, resulting in a definite and clearly observable deterioration of their mental and physical health.

### **Tightening of Rules for Visitors**

#### **Visitors Hours**

1. Visitors hours are now restricted to two hours per visit. Visits begin at 1.30pm and continue to 8pm with 15 minute intervals between visits. Visitors are restricted to one visit per day. Detainees must return to their rooms between sessions. Detainees must be accompanied by guards.
2. In the past visitors were able to spend a much greater time with the detainees. Now, by the time the visitors get through reception and the detainees are summoned by the guards and escorted to the visitors room, there is often much visiting time lost. I have experienced regular delays which has limited my time with them to, sometimes, less than one hour, distressing for visitor and detainee.
3. Visitors are now restricted to visiting a maximum of 5 people at a time. In the past we were allowed more. We were also allowed to bring our family members but now if we do we must reduce the number of detainees we can visit as visits are arranged in tables of 6 (or 4 or 2).
4. These restrictions mean that some detainees who before would receive visits, now often miss out. One man I started to visit recently had not received a visit for one and a half years and was very depressed. He had been detained for nearly 4 years and had not seen his

young children and wife in that time. Nor had he been given any idea when his refugee claim might be processed.

5. Visitors will not be admitted if they are over half an hour late. Because of traffic, the other day I was 40 minutes late; I was not allowed in and told to make another booking. I had to wait until the following morning to make that.

### **Property gifted to detainees**

What visitors are allowed to bring to detainees has altered dramatically. The new document states "Property gifted to detainees will only be accepted if there is a written request submitted by the detainee and approved by both SERCO and ABF. Once the property request has been approved the detainee will advise you of the outcome. Accepted and approved property will be received at reception on Tuesdays, Thursdays and Saturdays between 9.30 and 11.30. Property will no longer be accepted at visiting hours."

The problems with this are the following:

1. Detainees are reluctant to ask for things they may need, being simply grateful to have visitors at all, and are embarrassed to ask for more.
2. The spontaneity and pleasure of giving and joy of receiving gifts is no longer there. We used to be able to celebrate occasions like birthdays and Christmas.
3. Few visitors live close to Broadmeadows, some come by public transport, many travel considerable distances from places such as Ballarat, Mt Dandenong, Bendigo and Aspendale. It takes me an hour and a half to travel there and back from Alphington. Delivering property at separate times to visiting is a huge inconvenience. (This could simply be resolved by allowing delivery to occur half an hour before visits.)
4. One delivery I made recently to MITA at an approved time to bring the items that had been requested in writing was refused. I was informed that the request had not been processed, and to bring them another day

One tends to conclude that there is a deliberate policy to deter the giving of gifts.

### **What visitors can bring into the visiting room**

1. Food: Any food brought in must be consumed in the visiting room. Nothing can be taken back to the rooms. Detainees are regularly searched by ABF guards on exit from the Visitors' room. Until recently visitors could bring in fresh fruit and packaged foods that could be taken back to the detainees rooms. This is no longer allowed. When I asked at reception what was wrong with taking a bag of mandarins into their room for consumption in the following days I was told by a SERCO employee that the mandarins I brought could contain "contraband".
2. Musical instruments: Musical instruments are no longer allowed in the visiting area. In the past visitors were able to bring instruments to play and give lessons to detainees. A young man detained now for almost 8 years would come regularly to play guitar with visitors. These days he is rarely seen and when he does appear his face reveals despair, hopelessness and resignation. He no longer smiles. Recently I was at reception waiting to enter when the person before me wanted to take her ukulele in to play with and teach a detainee. This time refused to let the ukulele through. When we questioned this ruling the response from SERCO was that the ukulele was dangerous, a "potential weapon".

A young woman who has been in MITA for three years was keen to learn violin, had her own violin and a visitor willing to give her lessons. This was refused.

### **Other Changes**

1. If a detainee needs to leave the visitors for any reason, (e.g. going to the toilet, getting a document or something they have left in their room) their visit is terminated. They are not allowed back into the visitors' room.
2. If a visitor has forgotten to bring in something from their car or their bag they are not allowed to re-enter. (We are allowed to go to the toilet during our visit.)
3. A few months ago the comfortable couches were replaced by upright, fairly austere chairs. When I asked why I was told that it made it easier for the guards (who don't like to be called that) to keep an eye on everyone there.
4. Visits are allocated numbered tables with their requested detainees. We apparently are not allowed to talk to other detainees in the room, move around the room, move tables together or share our food with others. Recently when I pushed two tables together I was instructed by the ABF guards to move the tables apart. When I asked why he replied "Because it is the rule". I complied with this.

### **Booking Procedures**

Visit bookings must be made at least 24 hours in advance and not more than 7 days before the desired visit. They must be made either online or by phone between the hours of 9am and 1pm. Visitors regularly find that their request is refused "because the room is full". In all my time of visits I have rarely seen a full room. For example on one occasion when the room was "full" there were only 11 detainees when "visit areas are capped at 60 people". This miscalculation is often due to a double-booking issue. For example if 6 people book to see the same detainee it is counted as 6 places taken up at the tables.

### **Toughening of Conditions for Detainees**

I have no direct experience of the day to day life at MITA of detainees other than the few hours I see them in the visitors' room. However they talk of their experiences. Following are some instances of the toughening conditions they have told me they are subject to. They tell me their facilities are increasingly limited.

1. Day Excursions: There used to be volunteers approved by Immigration who could take detainees out for the day. This is no longer allowed.
2. Security has increased massively, with different groups locked away in different areas. Many locked gates must be negotiated. For example there are about five locked gates between the back men's quarters and the visitors' room.
3. There is only one volleyball court. This is now for men only. Women are no longer allowed to access this. Men are only allowed to play (under the watch of a guard) between 3pm and 4pm on weekdays.
4. No activities are allowed on weekends. During the week days, limited activities such as English classes, yoga, gardening and coffee club occur.
5. Computers: Last week I was told that there were only 2 computers operating for the 200 men locked separately from the women and family groups. There are usually 5 computers for these men.

6. The exercise areas for the 200 men are very small and only one of these two areas has any green space. (Men's quarters are divided into two areas, Bas 1 and Bas 2.)
7. One young man who has been in detention for nearly 8 years is clearly deteriorating under these conditions, both physically and mentally. But he is not alone in this. Some of the men tell me that they are now too depressed and upset to bother with reading or learning or exercising or even eating much. They express a depth of hopelessness that wasn't evident in the beginning of their detention.
8. Another detainee, a young woman who has been in MITA for 3 years and before that on Nauru and has no family here or in her country of origin tells me regularly that she "is dead already", "there is no future", "I don't care anymore", "I know they won't ever release me". She is physically deteriorating, has lost a lot of weight, is continually depressed and ill and has an overwhelming feeling of hopelessness and despair. The only friends she has had, have now been released into the community.
9. Room searches: These are regular and often very early in the morning. Sometimes male guards search women's rooms. I am told that detainees are often left out in the cold for over an hour whilst their rooms are searched. There are a few cases of rooms being trashed. If more than one USB is found it is confiscated, as are i-phones which are not allowed.
10. When detainees are to be transferred to other detention facilities (like Maribyrnong, Christmas Island or Nauru) it is done without warning in the dead of night. This leads to a constant feeling of fear that this might happen to them all. There is no time for goodbyes and friendships that may have been made are held in total disregard to both those leaving and those staying.

## **Changes to SERCO and Border Force Employees**

The presence of the Border Force guards lends a strong paramilitary feel to MITA that was not evident before. It is not only the detainees and visitors that felt the consequences of the changes. I have seen the toughening of security make it more stressful for MITA employees too.

The frustrations of the visitors seems to be clearly adding to the stress of the SERCO and ABF guards. I have been told that guards are not to be too nice to the detainees and that visitors should not be made to feel too welcome. I have been told by one SERCO guard that if visitors get too angry with the guards they will be banned from visiting.

## **Conclusion**

It is for the physical and mental wellbeing of the detainees that I have the most concern. My observation over three years of weekly visits is that, under the tougher conditions now at MITA, detainees are suffering so much more now than when I first started. It is now a very difficult and hard place for them to be detained with no knowledge of when they may get an answer one way or the other to their legitimate application for refugee status.



## Changes to Visiting Procedures Commencing 3<sup>rd</sup> October 2016

### **1. Visiting hours are changing**

Monday to Sunday visits sessions:

1:30 pm – 3:30 pm – Cut off time for the session entry is 2:00 pm

3:45 pm – 5:45 pm – Cut off time for the session entry is 4:15 pm

6:00 pm – 8:00 pm – Cut off time for the session entry is 6:30 pm

NOTE: After each session, visits will be cleared for 15 mins in preparation for the next visit session

### **2. Visit areas is capped at 60 people**

Table configurations are as follows:

x7 Tables of 6 people

x3 Tables of 4 people

x3 Tables of 2 people

### **3. Property gifted to detainees**

Property gifted to detainees will only be accepted if there is a written request submitted by the detainee and approved by both Serco and ABF. Once the property request has been approved, the detainee will advise you of the outcome. Accepted/approved property will be received at Reception on the following days and times –

Tuesdays 9:30 am – 11:30 am

Thursdays 9:30 am – 11:30 am

Saturdays 9:30 am – 11:30 am

Property will no longer be accepted at visiting hours.

### **4. Visit bookings information and requirements**

If you would like to make a visitor booking it can be requested via Telephone 03 9280 6105 or E-mail [MITA.VisitApplications@serco-ap.com.au](mailto:MITA.VisitApplications@serco-ap.com.au). Please be aware of the following:

- Bookings can be requested Monday to Friday between 9:00 am – 1:00 pm, excluding public holidays
- A minimum of 24 hours notification from the intended visit is required
- Bookings will be accepted up to 7 days in advance
- Bookings for the weekends, public holidays and Mondays must be made by the prior working day subject to the above conditions
- A single booking can be made for each visitor, for the maximum table capacity detailed above and can be for one 2 hour session. Bookings will not be accepted on behalf of other visitors.
- Full names of all visitors and detainees must be given
- Any emails received after 1:00 pm on Friday will not be actioned until Monday 9:00 am
- Food that is permitted into the Visits hall and is not consumed can be disposed of or taken by the visitor upon departure. Detainees will not be permitted to take the food into the centre
- Photo ID must be presented prior to the commencement of the visit. Please ensure sufficient time to complete the Visitor application form and Condition of Entry form.