

Community Relations Commission

For a multicultural NSW

Your Ref:
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30 MAY 2011

Committee Secretary
Senate Legal and Constitutional Committees
PO Box 6100
Parliament House
Canberra ACT 2600

Head Office
Level 8
175 Castlereagh Street
Sydney NSW 2000
PO Box A2618
Sydney South NSW 1235
Tel: (02) 8255 6767
TTY: (02) 8255 6758
Fax: (02) 8255 6868

Wollongong Office
84 Crown Street
Wollongong NSW 2500
PO Box 363
Wollongong NSW 2520
Tel: (02) 4224 9922
Fax: (02) 4224 9933

Newcastle Office
Government Office Block
117 Bull Street
Newcastle NSW 2300
Tel: (02) 4929 4191
Fax: (02) 4929 7369

Website
www.crc.nsw.gov.au
ABN 79 863 510 875

Dear Secretary


The Community Relations Commission makes the following comments to the inquiry into the Migration Amendment (Strengthening the Character Test and Other Provisions) Bill 2011.

If the Bill is passed then:

1. At the time of detention individuals must be fully informed of the consequences of their conviction of criminal offences while in detention (including community detention) and be advised of their rights, and
2. Those in detention (including community detention) must be given unhindered access to independent legal advice and advised of their rights, and
3. Such access to information and advice must be in a language the person understands, or facilitated through the use of an interpreter who speaks a language the person understands, and who is accredited at the minimum level of NAATI Professional Interpreter where the language is tested by NAATI at that level, and
4. Regard must be had as to the causes of any alleged offences and whether those causes include a breach of contract by the operators of any detention centre (including community detention), or any other government officer responsible for a detainees well being.

Should you have any inquiry in this regard please contact me on 02 8255 6789.

Yours sincerely


Stepan Kerkyasharian AO
Chairperson

30/5/11

