

12 August 2011

Submission to the Joint Select Committee on Australia's Immigration Detention Network

I believe that our current system of Immigration Detention, especially in regards to irregular maritime arrivals, as the asylum seekers who arrive by boat are euphemistically referred to, is basically espousing the use of detention and quite literally punishment of innocent people as a deterrent to other asylum seekers who might consider coming to Australia by boat. Quite obviously it is not an effective deterrent!

While the Government's Immigration Detention Values Policy issued in 2008 is essentially a good policy, it has not been put into practice as I see it, detention is not a last resort and it is not used for the shortest practicable time, instead the current system has reverted to much of the worst of the Pacific Solution, where as I have said innocent and vulnerable people are supposedly being used as a deterrent, regardless of how much this costs Australia both financially and socially, not to mention the terrible cost, socially and emotionally, to the asylum seekers themselves.

I urge the Committee in their deliberations to listen carefully and with an open mind to those who are expert in their field: mental health people who have long ago determined the extent of the damage that long-term or indefinite detention has on asylum seekers; child welfare experts who know the damage that mandatory and indefinite detention has on children; churches and community groups and organisations who have enlightened, practical, less expensive and far more humane ideas for the treatment of people who come to our shores seeking asylum as is their right; counsellors and legal experts who have for many years (often pro-bono) listened to and represented these people seeking a new and torture-free life; and of course all the ordinary people who have visited, listened to and come to know the asylum seekers and their sad stories so personally and done so much to alleviate their current suffering.

I was deeply disturbed by what happened in Immigration Detention under the Howard Coalition Government, looked with hope to a more enlightened policy under the new Labour Government (as espoused in their 2008 Immigration Detention Values Policy), and now am again deeply disturbed at the turn this Government has taken in that policy, a turn which I believe reflects amongst other things a knee-jerk response to the xenophobic campaign by some in the mass media and especially the 'gutter' shock-jocks with their ignorant and biased views.

Under Term of Reference 1 (a) 'Any reforms needed to the current immigration detention network in Australia', I urge you to:

- End the indefinite nature of detention. Health, security and identity checks can be done within 30 days and any detention after this period should be decided by independent judicial review.
- Ensure children and their families are removed from detention as promptly as practicable.
- End remote detention. If people are moved through centres much quicker there will not be a need for more and more centres. Access to community groups, support and appropriate care is far more likely in and around our capital cities.

Factors which clearly show 'The impact, effectiveness and cost of mandatory detention'
(Term of Reference 1(g), are:

- Mental health impacts of detention are well documented: five suicides in around six months, self harm, hunger strikes, people on suicide watch, isolation - none of this is effective.
- The Minister himself has said that detention is a management tool not a deterrent. (Chris Bowen, The Age 10 Feb 2011)
- In the 2011-12 budget \$800 million has been allocated to detention costs, a tripling in just two years.

I urge you the members of the Joint Select Committee on Australia's Immigration Detention Network to recommend to the Government that their policy on Immigration Detention comply with the Government's own Immigration Detention Values Policy of 2008, with the amendments under 1 (a) above included within that policy, that it be enshrined into law and that all associated staff be trained as per this policy.

Yours sincerely,

Carmel Cowan