



MARRICKVILLE
MULTICULTURAL
INTERAGENCY

5th April, 2015

Committee Secretary

Senate Legal and Constitutional Affairs Committee

PO Box 6100

Parliament House

Canberra ACT 2600

I am writing on behalf of the Marrickville Multicultural Interagency (MMIA) which is an independent network of government and non-government service providers and organisations which work with, **advocate for** and support people from culturally and linguistically Diverse (CALD) communities in the Marrickville LGA, in Sydney NSW.

The Interagency brings together over 80 organisations and provides a space for organisations to meet, exchange information and improve service delivery.

As advocates for the communities we represent, the Interagency held a forum last year for Refugee Week in partnership with Marrickville Council, promoting the Welcome Refugee Zones initiative undertaken by many Council's throughout Sydney.

The forum discussed the 42 million refugees worldwide and how Australia is addressing the situation.

The Marrickville Multicultural Interagency supports the Refugee Council of Australia's 4 areas of concerns of the proposed GOOD ORDER BILL 2015, which are:

- 1. It places people in immigration detention at risk of being subjected to unnecessary and potentially violent force.** *The Bill does not define the terms “reasonable force” or “good order”, nor does it clearly set out the circumstances in which it would be acceptable to use force against people in detention – for example, it is unclear whether officers would be permitted to use force to quell a peaceful protest. This places people at risk of being subjected to unnecessary force which may cause them serious physical harm.*
- 2. It denies procedural fairness to people in detention.** *The Bill seeks to limit the review options for people against whom force has been used in detention. They will not be able to challenge their treatment in court; instead, they will only be able to make a complaint to the Secretary of the Department of Immigration and Border Protection – the same Department which manages the detention system.*
- 3. It is not necessary.** *The aims of the Bill could be achieved without placing people in detention at risk or limiting their right to seek review if they feel that they have been mistreated. For example, people in detention who pose a risk to the safety of others could be accommodated separately in higher security facilities (as already occurs in some detention facilities). Facilitating the prompt release of people who pose no risk to the community would also assist in preventing the unrest which tends to occur when people are held in detention for prolonged and indefinite periods.*
- 4. It does not address the real problems with Australia’s immigration detention system, in particular the ongoing detention of children.** *If the Government is genuinely committed to maintaining the good order of immigration detention facilities, it should focus on addressing the problems which pose the greatest risk to the wellbeing of people in detention. Instead of expanding the Government’s powers to use force against people in detention, the Parliament should be focusing on preventing prolonged indefinite detention and ending the detention of children.*

We urge the committee to not only consider and make recommendations regarding these concerns and urge that further resources be put into preventing detention of asylum seekers.

Yours sincerely,

Litsa Nossar

Co-Convenor