

28 May 2012

Ms Julie Dennett  
Committee Secretary  
Senate Legal and Constitutional Affairs Committee  
By email to: [legcon.sen@aph.gov.au](mailto:legcon.sen@aph.gov.au)

Dear Ms Dennett,

**Re: Inquiry into the Detention of Indonesian Minors in Australia**

The Royal Australian and New Zealand College of Psychiatrists (RANZCP) welcomes this opportunity to raise issues regarding the treatment of minors allegedly involved in immigration offences and those detained in immigration detention facilities. The College expresses the following concerns:

1. The detention of minors in immigration detention is not in keeping with immigration policy, stating that detention of children should only ever be used as a matter of last resort.
2. The detention of Indonesian minors allegedly involved in immigration offences (“people smuggling”) and their placement in adult facilities raises issues of concern regarding the rights of minors to care and protection and the approach to age-determination. Age determination is an inexact process and medical professional bodies have advised against the use of bone density as a method of age determination as has the Detention Health Advisory Group. In cases where age remains indeterminate, it would be advisable to house a potential minor in an appropriate facility.
3. The Detention Health Advisory Group (Chair, Prof Louise Newman, FRANZCP) has visited Indonesian minors held in immigration detention facilities in Darwin. Facilities are crowded. Resources are limited and young people are confined with restrictions place on their movement.
4. The RANZCP considers that adult prison facilities are inappropriate for minors and place them at risk of exploitation and psychological trauma. Further, the College is concerned that failure of age-determination processes may have exposed minors to these risks.
5. Other concerns are the length of time in detention and indefinite period of detention. The RANZCP statement: *Children in Immigration Detention* ([http://www.ranzcp.org/Files/ranzcp-attachments/Resources/College\\_Statements/Position\\_Statements/ps52-pdf.aspx](http://www.ranzcp.org/Files/ranzcp-attachments/Resources/College_Statements/Position_Statements/ps52-pdf.aspx)) outlines the College’s opposition to child detention.

Yours sincerely

Dr Maria Tomasic  
**President**