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**Introduction**

BY: MIG

My name is Michelle Dimasi and I am a researcher at the Institute for Social Research, Swinburne University. For the past eighteen months, I have been researching and conducting fieldwork on Christmas Island and I am currently writing my PhD thesis on Christmas Island and Australia's asylum seeker policy. This submission addresses the term of reference: "Options to expand the transparency and visibility of immigration detention centres" and stresses the need for consultation between DIAC and the island community when decisions are made over the IRPC. Future decisions must support the community and carefully consider the island's economic future and the Islanders' livelihoods.

**1. Transparency, government accountability and host communities**

**1.1.** The Committee's decision to explore community detention alternatives to immigration detention indicates a positive move away from punishing asylum seekers seeking to enjoy a universal right. However, it is important that this focus on "community" extends to the actual communities that host asylum seekers and detention centres.

**1.2** With this in mind, it is necessary that particular attention be given to Christmas Island. This community has been receiving asylum seekers since the 1990s but is rarely considered when decisions over immigration and detention are made. For example, lack of transparency and accountability was evident when the previous government announced the excision of Christmas Island and construction of the Phosphate Hill IDC.

**1.3** When the former government announced that Christmas Island would be excised from the migration zone a number of Islanders were concerned over what this meant for the island. This concern was grounded in the island's historical experiences of exclusion and racism as Christmas Island Asian residents were victims of racial discrimination up until the late 1970s. Despite the Australian government being well aware that racial discrimination was taking place, it refused to acknowledge the problem until the Union of Christmas Island Workers campaigned that racism be addressed along with workers'

rights and the extension of the *Migration Act*. The Islanders' concerns over excision were compounded by the former government's failure to adequately consult the community as to what "excision" meant for the island.

**1.4** The Howard government's decision to erect the Phosphate Hill IDC is another case in point where transparency is deficient in IDC policy. The construction of the demountable IDC began before island residents were informed about the government's plans to do so. Islanders became suspicious when "they noticed a great deal of activity – digging of trenches, clearing of land – which was pretty much a dead giveaway to the Islanders that something was happening".<sup>1</sup> This led former Shadow Minister for Regional Services, Territories and Local Government, Sue Mackay, to state, "They knew something was going on but nobody bothered talking to them",<sup>2</sup> and journalist Megan Saunders to write, "Even though they [Christmas Islanders] are sympathetic to the plight of asylum seekers, they are seething as work has begun before they have even been consulted".<sup>3</sup>

**Recommendation:** A framework for formal dialogue between DIAC and the Christmas Island community be established which is sensitive to the island's history and allows for the community to be adequately consulted.

## **2. The future of Christmas Island and the importance of community consultation**

**2.1** The IRPC is ready for use if the need arises but it must be stressed that the Rudd government should not repeat the mistakes of inadequate community consultation made by the Howard government. Earlier this year, former head of DIAC Detention Services, Jeff Lamond, made the following comment during Senate Estimates:

As the minister has said, we make a number of decisions about how best to operationalise Christmas Island and how whatever we do on Christmas Island

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<sup>1</sup> Parliament of Australia, "Migration Amendment (Excision from Migration Zone) Bill 2001, Second Reading", 24 September 2001, Parliament of Australia Web site, [http://parlinfoweb.aph.gov.au/piweb/view\\_document.aspx?id=1911829&table=HANSARDS](http://parlinfoweb.aph.gov.au/piweb/view_document.aspx?id=1911829&table=HANSARDS), accessed 26 September 2007.

<sup>2</sup> *Ibid.*

<sup>3</sup> Megan Saunders, "Islanders kept in the dark", *The Australian*, 22 September 2001, p.17.

actually blends in with and supports, rather than taxes, the community more generally.<sup>4</sup>

**2.2** It is essential that this sentiment be incorporated into future decisions made over the IRPC, especially in relation to how these decisions may affect the island's future. In the past, decisions made over the IRPC have been taxing on the Christmas Island community and possibly its future.

**2.3** For example, the Howard government's decision to erect an external "contingency" gate around the IRPC may affect the island's tourism industry and recreational activities. This gate is situated across the North West Point Road, adjacent to the entrance of the IRPC. In 2005, the community was told that this was "standard practice for roads around detention centres to be gated and would stop protesters from getting close to the site and could be used in the event of trouble from within the centre".<sup>5</sup> However, community members are concerned about the gate as it will prevent access to major tourist and recreation sites such as the Dales Waterfall, Martin Point and Winifred Beach.<sup>6</sup>

**2.4** Future decisions made about the IRPC must take the island's economic future into consideration. Today, the phosphate mine is "the most important economic producer" and "largest single employer".<sup>7</sup> The second largest industry is detention and the third largest is eco-cultural tourism.<sup>8</sup> The island has no other major industries. When the mine closes, 150 Islanders will lose their jobs. These miners and their families will have to find alternative employment on and off the island. This may result in 520 people (a third of the population) having to leave the island.<sup>9</sup>

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<sup>4</sup> Parliament of Australia, "Standing Committee on Legal and Constitutional Affairs", 19 February 2008, Parliament of Australia Web site, <http://www.aph.gov.au/hansard/senate/commtee/S10636.pdf>

<sup>5</sup> Shire of Christmas Island, "New Immigration Centre May Lock the Community Out", *The Islander*, iss.346, 2005, p.8.

<sup>6</sup> *Ibid.*

<sup>7</sup> DOTARS, "Christmas Island: Economics", DOTARS Web site, [http://www.dotars.gov.au/territories/xmas\\_island/economics.aspx](http://www.dotars.gov.au/territories/xmas_island/economics.aspx), accessed 13 October 2007.

<sup>8</sup> *Ibid.*

<sup>9</sup> Shire of Christmas Island, "Mine Threatened", *The Islander*, iss.380, 4 May 2007, p.28.

**Recommendation:** If detention replaces the phosphate industry, decisions made over the IRPC need to be transparent and an ongoing process of consultation between the government and the Christmas Island community must take place, especially in relation to its economic future.

### **3. Out of sight and out of mind: The challenges of geographical location and visibility**

**3.1** The Committee's decision to investigate more options for IDC visibility is particularly important in the case of Christmas Island due to its geographical location. During the construction of the IRPC, the lack of transparency in decision making and actual visibility of the construction site created much speculation in both media and refugee advocacy circles on mainland Australia. Many speculated that the IRPC was Australia's answer to Guantanamo Bay while others believed it was a future naval base, especially after the visit of US defence officials to the island.

**3.2** This speculation also had the effect of creating anxiety amongst the local island community which was only compounded by the fact that IDC policy was made in far away Canberra.

**Recommendation:** The Christmas Island community be informed first hand when decisions are made over the IRPC, as the lack of information creates anxiety and unnecessary speculation.

### **4. Providing support to the Christmas Island community when it hosts asylum seekers**

**4.1** While other submissions may recommend ways by which the IRPC can become more transparent and visible especially in context of its geographical remoteness, I would like to propose that the Committee address ways in which the government can provide ongoing support to the Christmas Island community if or when the IRPC is used and asylum seeker families are held in community detention.

**4.2** Mainland communities that host asylum seekers have the support of regional and city refugee groups. Volunteers from these groups are willing to travel to places like Woomera or Maribyrnong to support asylum seekers. As Christmas Island is extremely remote and an airfare from Perth costs over \$2000, asylum seeker volunteer support is left up to the Christmas Island community. While the community is well experienced in providing support reliance on this community could easily result in “volunteer burnout” as the island has only 1400 residents.

**Recommendation:** A formal framework be established that supports the Christmas Island community volunteers if the island hosts asylum seekers in the future.