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Submission to:

**Joint Standing Committee on Migration**

**Inquiry into immigration detention in Australia**

This brief submission arises from my experience of personal correspondence beginning in mid 2002 with two people in immigration detention and my subsequent and continuing friendship with one of those people and her family up to the present.

Each relationship was enabled by the organisation Rural Australians for Refugees who, via word of mouth and email, matched up concerned Australian citizens with refugees in detention who had expressed the desire for communication of this sort. Although this mode of communication was largely private and individual, and did not receive the media attention that more public demonstrations of distress with the previous government's policies received, I believe it had the capacity to provide unique and unmediated insight into the experiences of refugees in detention at a very troubled time in contemporary Australian history. For Australian citizens in remote and rural locations – as I was at the time the correspondence began - it provided an opportunity to act politically and personally in a way that had more transformative effects on both parties than other available actions.

I wrote initially to a young woman from Afghanistan who was detained with her husband in Nauru for more than three years. Prior to their arrival in Nauru, en route to Australia, they experienced a series of deeply traumatic events including miscarriage and near drowning as their boat from Indonesia capsized. In normal circumstances people who had been subjected to such traumas, apart from the appalling conditions and individual circumstances of their flight, would be advised to seek counselling and medical and psychological support. Instead this young couple were sent to Nauru to an ill-equipped and overcrowded detention centre with inadequate water, minimal health care, poor food and cursory attention from immigration authorities, including the IOM. While there, the young woman became pregnant and gave birth to her first child, after which she was quite ill for some time and unable to breastfeed the child. This child celebrated his first and second birthdays in the detention centre in which he was conceived and born. It is difficult to imagine a poorer start physically and psychologically for a child who will grow up to be an Australian citizen. His parents, despite their courage, their strong values and work ethic and their commitment to bettering themselves and the lives of their children continue to be dogged by the physical and psychological effects of their traumatic passage to Australia, and its exacerbation by such a long and hopeless period of detention in such a remote location. Needless to say, when their case was finally decided they were accepted as genuine refugees by the previous Australian government and relocated to the mainland. I believe that after such a long period of damage caused by government policy, they ought to be entitled to a longer period of assistance (at least as long as their incarceration) in terms of English lessons and work placement support. For example, I believe my friend has the capacity to train as a nurse as she has always wanted to do – although her English is quite good she would benefit from further support with academic English and transition to further education opportunities. They are fine and community spirited people who are enthusiastic new Australians and I am

proud that they now have permanent residency and are looking forward to citizenship. During their incarceration, it was one-on-one personal contact and the moments of compassion and kindness that were able to be expressed this way that sustained their hope that a positive outcome might be possible. I would like to note the wonderful work in particular of Senator Andrew Bartlett who visited Nauru at a time when he was under attack in Parliament, and set his own concerns aside to meet the people there and hear their stories for himself. During his visit, he asked for people by name (including my friend) and made a point of telling them the names of people (including me) who had written to him about their stories. I cannot overestimate the effect of this moment of kindness to those people at a time when they believed they had been forgotten and abandoned.

The other person to whom I wrote for about six months was a young man from Iran who was detained in single men's quarters in Baxter detention centre. This person was so distraught that he was for some time writing letters to me daily which were incoherent with misery. I was concerned about his mental health and had several long telephone conversations with him towards the end of his time there. Finally, late in 2004, he explained to me that despite his terror of the consequences he was returning to Iran. The previous government had offered passports and cash of \$3000 if people returned to their countries of origin. He explained that everyone believed that the government would send them back regardless of whether or not they took the voluntary repatriation route. He explained that agreeing to leave, and receiving the cash and passport, would enable to immediately get out of Iran again legitimately as soon as he was deported there so that he might seek refuge elsewhere. It was not possible for him to return to, or to contact, his family there. I have not heard from him since his departure.

With regard to the specific terms of reference of the committee:

***the criteria that should be applied in determining when a person should be released from immigration detention following health and security checks***

Criteria should be shaped by compassionate and humanitarian objectives that foresee a future for each person as a healthy member of society (whether here or elsewhere): What are the needs of this person? What communities exist that are prepared to and able to support this person? Where are family or extended community located? Where is appropriate work and housing available? Where is appropriate and effective counselling, English language and other necessary support available? How long has the person been in detention? How might we best ensure that the trauma of their experiences is dealt with in such a way that long term effects are minimised rather than exacerbated?

***options to expand the transparency and visibility of immigration detention centres***

All remote and offshore detention centres should be closed, including Christmas Island. If the Christmas Island detention centre is to be maintained it must be an open facility so that the CI community can interact and support detainees as they have done for many years prior to the building of the new high security facility..

***the preferred infrastructure options for contemporary immigration detention***

Detainees must have access to equivalent education and health services to those available to people outside detention. Children must be allowed to attend normal schools with qualified teachers and state approved curriculum. Adults should be given access to appropriate VET courses and quality English language classes. Maintenance of detention centres should be removed from private firms and differentiated as far as possible from regimes of prison control. If large immigration centres are to be maintained they should be reorganised into smaller residential units, not locked away from one another but enabling people to have access to smaller communal kitchens and the capacity to select and cook their own food. Families must be kept together and parents appropriately supported in their parenting.

*options for additional community-based alternatives to immigration detention by a) inquiring into international experience; b) considering the manner in which such alternatives may be utilised in Australia to broaden the options available within the current immigration detention framework; c) comparing the cost effectiveness of these alternatives with current options.*

I support an extensive investigation of international models, with a particular focus on those countries that have been most successful in integrating refugees smoothly into the wider society (eg Scandinavian countries, Canada). Although 'cost effectiveness' seems pertinent, the Inquiry should consider the extraordinary expenses incurred in the high security options preferred by the previous government. In addition, the government should consider that community-based alternatives will also require sustained and broad community-based public education about refugees. The last ten years have seen a dramatic rise in public *misinformation* – much of it sponsored by government – about refugee issues and our moral and national responsibilities to asylum seekers. In 2003, when I lived in Cairns, I was impressed for instance by the courage and clarity of our local member Senator Jan McLucas in circulating brochures in the local community that clarified myths and truths about refugees in Australia.

In the last few years there has been much written about the personal impacts of the immigration detention policies of the previous government. Some of this has been in the words of refugees who are unlikely to write their own submissions to this committee but who have expressed their feelings and experiences in these books. I would recommend to Committee members that they include the following in their reading around the issue:

Amor, M. & Austin, J. (eds) (2003) *From nothing to zero: Letters from refugees in detention centres*. Lonely planet.

Corlett, D. (2005) *Following them home: The fate of the returned asylum seekers*. Black Inc.

Dechian, S., Millar, H. & Sallis, E. (eds) (2004) *Dark dreams: Australian refugee stories*. Wakefield Press.

Kenneally, T. & Scott, R. (eds) (2005) *Another country* Southerly 61(1).

Sparrow, P. (2005) *From under a leaky roof: Afghan refugees in Australia*. Fremantle Arts Centre Press.

Regards,

Susanne Gannon.