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BY: MIB

(i) Criteria that should be applied in determining how long a person should be held in immigration detention. In my view the answer to this is "the minimum" - of course health and security checks have to be carried out on new arrivals who are seeking asylum, but after that surely they can get on with their lives whilst registering weekly or monthly with the Department. If they then default, perhaps a sentence of, say, 2 months in detention could be applied. The appalling state of mental health of nearly all the detainees in Villawood, it seems to me, is caused by not knowing, more than any other factor, how long they are going to remain locked up.

(ii) Criteria that should be applied in determining when a person should be released from immigration detention following health and security checks. As I have said, above, to my mind most of the detainees should be released forthwith. If they are engaged in fighting cases, they won't disappear. If they are going to get visas, let them have them and get started on their Australian lives. If not, send them straight home.

(iii) Options to expand the transparency and visibility of immigration detention centres. People I know are absolutely horrified when they hear about Villawood. I have been visiting every week for more than 5 years now, and I think you would find all visitors would agree that morale is lower now than it has ever been. Partly this is due to the expectation that things would improve markedly with the new government, whereas things have remained as bad and as random as ever. And the mental health of those who HAVE been released on visas does not improve overnight upon release, on the contrary I know several ex-detainees who are still wearily visiting psychiatrists every week or every fortnight, and whose condition will not perhaps ever fully recover. This is such a disgrace for our country.

(iv) The preferred infrastructure options for contemporary immigration detention. It's not the infrastructure that's the problem, it's the feeling that detainees have that they are locked up without any prospect of ever being released, of floundering in a legal system which they don't understand, or never being told how their cases are progressing, and of being at the mercy of GSL staff, some of whom are kind but many of whom are not.

(v) Options for the provision of detention services and detention health services across the range of current detention facilities, including Immigration Detention Centres, immigration residential housing, immigration transit accommodation and community detention. I know it is departmental policy for there to be adequate medical services to detainees in Villawood, but that policy frequently does not happen on the ground. Some of them have quite severe problems, particularly mental health problems.

(vi) Options for additional community based alternatives to immigration detention by

(a) enquiry into international experience. I have only anecdotal reports from UK and also Italy and Spain. All are more humane than Australia, despite dealing with enormous (by comparison) numbers of immigrants.

(b) considering the manner in which such alternatives may be utilised in Australia to broaden the options available within the current immigration detention framework. It seems to be a mindset - here we regard so-called illegals as threatening, to be locked up indefinitely, whereas in other countries they are seen as desperate people fleeing various disasters in their homelands, deserving of compassion rather than punishment.

(c) comparing the cost effectiveness of these alternatives with current options. The cost of the existing system is huge - you've only got to look at Christmas Island - I don't know how many hundreds of staff to guard 3 or 400 detainees at Villawood, not to mention all the medical needs caused by their detention, several have had to be sent to a private psychiatric hospital in Brisbane, eg, others to Bankstown, and all these mental

problems are caused by detention.

My own views: remembering the experiences with Afghani refugees in Young, NSW, where dozens of families settled with the husbands working in the local abattoirs and the wives and children being cared for by local families, just ordinary working Australians, not trained social workers, I wonder if this would not better answer the needs of the immigrant community. There are similar cases all over the country, look at the young Sudanese footballers. Asylum seekers are not criminals, they are desperate people fleeing from persecution, it is against the UN Human Rights to lock them up for years.

From Mary J de Merindol

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