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Dear Committee Members

Thank you for the opportunity to make a submission about immigration detention. I have visited Villawood detention centre on a number of occasions. I have also seen Baxter detention centre.

It is clear as soon as you see these places that they are designed to imprison people – with cyclone fencing, barbed wire, and (at least at Villawood) various levels of security areas within the centre which mean you cannot move from one area to the other without a guard opening locked gates.

This is in line with the law that all non-lawful people should be detained. This detention without trial is lawful because it is for administrative purposes. The fact remains that the person in immigration detention is deprived of their liberty. It is small consolation that this is for administrative, rather than punitive reasons. Arguably a prison sentence is better as at least you have certainty about when you will be released.

I strongly believe that the current system is flawed – for detainees and for Australian tax-payers who meet the direct cost of operating the centres and the indirect costs associated with settling people who have been traumatised by their detention once released into the community.

There are countless studies and articles that demonstrate the mental damage that can result from immigration detention. Here is a description from one detainee:

“The dormitory accommodation and consequent loss of privacy – we are surrounded by surveillance cameras. Almost everybody has sleeping problems because of disturbances such as noise somnambulism, snoring, teeth grinding and horrible nightmares. They are the effects of continual hopelessness, despair, stress, fear, depression, disbelief, sadness, anxiety and bad memories hurt them because of the things that happened to them in the past.”¹

The problem of illegal immigration is not likely to go away and I support a system to ensure that migration is lawful. However, I believe that mandatory detention should be avoided at all costs. There must be a more humane way.

¹ Amor M and Austin J (eds) “From Nothing to Zero: Letters from Refugees in Australia’s Detention Centres” (2003) Lonely Planet Publications, Footscray Vic at page 55.

I suggest the following criteria to ensure a more humane immigration system:

- Detention should be a last resort.
- Detention should be for short periods to carry out health and security checks – it should not continue throughout the uncertain and often lengthy visa application process.
- Detainees should be provided with legal advice and comprehensive health care.
- Detainees should be provided services to assist with settlement, such as English language training.
- Detention centres should be managed and operated publicly – all effort should be made to ensure they do not operate as a prison.
- Detainees should be permitted to leave for social occasions, and possibly to undertake temporary work.
- Detainees, especially asylum seekers, should not be charged for their detention.

The current policy has dire consequences for those caught in it. I urge you to take this opportunity to identify a more humane way to control immigration.

Yours Sincerely

Anna Harding