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### Submission to Inquiry on Detention Centres

My primary concern in making this submission is the Christmas Island detention centre and how it is to be used.

This concern arises from my experience as a private individual who has had some involvement in recent years with asylum seekers, most of whom suffered years of detention in the Nauru, Port Hedland, and Baxter detention centres. In recent years I have been able to visit people held in the Baxter, Maribyrnong, and Christmas Island detention centres. Thus I have seen and heard the distress of people who, although innocent of any crime, were caught up in the policy of mandatory detention. And I am myself distressed at the thought of the new Christmas Island complex being used for similar purposes.

Despite the abandonment of much of the 'Pacific solution' by the Rudd government, there is still a great deal of reform needed in the operation of the Department of Immigration and its detention centres. Others with more experience and higher qualifications than mine have been reporting and providing information on the disastrous effect of present policy on the mental and physical well-being of detainees for so long now that I am somewhat surprised that anyone feels a need to have more data before serious reforms are undertaken.

As part of such reform I would hope that the Government will review the Christmas Island centre and no longer consider its use for detention as a viable option. It was originally seen as part of the 'Pacific solution', and with the rejection of that policy we must query any decision leading to the continuing maintenance of the centre, and expect clarification of the purposes to which it will be put.

Whatever the reasons that might be found for its retention, it seems to me that they would be negated by the considerable expense and difficulties to be encountered in its administration. Its remoteness alone ensures that there will be problems in supervision and the day-to-day operations, the costly provision of supplies, and recruiting, training and supplying suitable staff. The isolated situation would as well intensify the problems experienced by detainees, since their contact with legal and medical advisers would be severely restricted, judging from past experience. Similar limitations on visits from family and friends would come into play, with a corresponding impact on morale. And this factor of isolation could well have some influence in making possible, and covering up, abuses of various kinds, as well as making their redress less likely. Authorities would find it relatively easy to impede or prohibit contact with the media. For simple and pragmatic reasons of economy and efficiency, then, it is hard to see how the operation of a large detention centre on such a remote island could be justified.

One can only speculate as to what other reasons might validate this project. It is obviously designed to accommodate hundreds of people at any one time. What disaster

does it anticipate – a fresh influx of ‘boat people’ perhaps, a consequence of global warming that already is rendering low-lying Pacific islands uninhabitable, or making cyclone-prone estuaries to the north regularly prone to widespread inundation? To some extent such refugees would be victims of our profligate Western life-style. They would have done nothing to deserve their plight, nor to deserve being held within bars and razor wire. Victims of natural disasters, wars, famine, people who have a genuine claim to be refugees, should not find themselves subject to further abuse in being used to justify the existence of the detention centre on Christmas Island.

It is easy to imagine the rapid decline in morale of detainees who would, on arrival, already be feeling deep anxiety as to their future. From almost anywhere on the globe Christmas Island itself is a minute and distant dot in the vast Indian Ocean. On landing and then traversing the island to the corner furthest removed from human settlement, there would come about a realization of a potential incarceration extreme in both its situation and its possible duration. Even with the most humane administration, offering good opportunities for sympathetic hearings, kind treatment and pleasant, if circumscribed, facilities, too many other factors – the centre’s location and forbidding size, the surrounding razor wire, its use of advanced technology and ubiquitous electronic surveillance – would work to deny optimism. In human terms, it is difficult to imagine any positive result to come from being detained within this centre.

When I saw the centre it was still months from being completed, but its scale was even then impressive. Its magnitude awoke in me a sense of foreboding which is with me still. I am led to wonder if its justification rested then and maybe does now, in enabling Australia to make a greater contribution to the American alliance and the amorphous ‘war on terror’? Could it even be seen as providing facilities for the U.S. practice of ‘rendition’ – that most unhappy fate of certain individuals regarded with suspicion by the U.S. military intelligence? Could it be that it might come under joint U.S./Australia control – or be detailed off as just another U.S. base on our soil? If not, why not, when there is no obvious need for it to be used by our own government? Are we to discover what calamity, what commitment, was in the mind of those who first conceived of this establishment with a scale that seems disproportionate in relation to our population and influence? And to find what occupies the minds of those who can contemplate its completion and operation with equanimity?

In view of these and other questions, it occurs to me that it might be all of a piece with the Australian Government’s refusal to ratify the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT). In taking this stance, we have aligned ourselves with 5 other nations unwilling to endorse a formula that is surely basic to any interpretation of human rights. 57 States have signed OPCAT, and of these 37 have proceeded to ratification. Australia stands with China, Iran, Iraq, Russia and the United States in failing to demonstrate any support for this international campaign against torture. Possibly some of those deserve acknowledgement for at least being honest about their own use of torture (Abu Ghraib immediately coming to mind); but what does it say about us?

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There is yet another reason for condemning the centre on Christmas Island. When I saw it many months ago, I felt it could only be described as a blight, a thing of desecration and ugliness, made all the more so because of its setting. Beautiful and serene, Christmas Island is a jewel set in the wide blue of the Indian Ocean. Left undisturbed and undiscovered for aeons, it has developed its own unique ecology and wildlife. The mining enterprise has left scars, but these are relatively minor and to some extent recoverable over time. The detention centre offers another magnitude of interference and intrusion. Huge and architecturally unprepossessing, the paraphernalia associated with detention in all its ugliness and insensitivity has been foisted on a pristine wilderness. In purely physical terms, it is an uncalled-for and unsightly wound to the fabric of a lovely island where we can still see, for the most part, the works of nature in a state that is relatively unaffected by those of humankind.

The existence of such an institution in that milieu offers no cause for pride or reason to believe in anything but oppression and a threat to human rights. Any view of it prompts one to reflect on the misery and suffering it would contain, once it is operational. The present government was not directly responsible for its existence, but any decision to maintain it will reflect badly on our ideals and values. It was conceived in an evil moment, and remains likely to foster little but torment and despair.

It exists, it is a physical reality. What should become of it? My preference would be for the centre to be dismantled and removed in its entirety. If this is deemed to be too costly, however, it should simply be abandoned and nature allowed to take its course. Perhaps regular observation of the manner and speed with which it is recolonized and possessed by the surrounding forest and its creatures would provide an interesting footnote to scientific knowledge; perhaps it would provide a telling and informative stage in a tourist itinerary. However, along with the inhumane policy on which it was founded, it should be remembered primarily as a monument to the ultimate futility of fear and intimidation, and a footnote to a regrettable episode in our history.

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