

Introduction

Background

- 1.1 On 16 March 2000, the Committee agreed to seek the approval of the Minister for Immigration and Multicultural Affairs, the Hon Philip Ruddock MP, to visit and assess human rights conditions at Australia's immigration detention centres (IDCs). In the context of increasing numbers of arrivals claiming asylum in the later part of 1999, the Committee was concerned at reports of conditions at IDCs, and at reports of the treatment of asylum seekers.
- 1.2 While not refusing the request, the Minister suggested that the Committee take a number of actions before making any visits, including the holding of discussions with the Joint Standing Committee on Migration (JSCM).
- 1.3 Following discussions with the JSCM, it was decided not to proceed until the tabling of that Committee's report on detention centres, **Not the Hilton-Immigration Detention Centres: Inspection Report**. That report was tabled on 4 September 2000.
- 1.4 Following the tabling of that report and further discussions with the JSCM, the Committee decided to conduct its own visits to make assessments of conditions at the IDCs. The Committee agreed that, as well as inspecting these centres and speaking to their managers, it should also seek the views of detainees on the conditions and their treatment within the centres.
- 1.5 To assist in its preparations for visits to the centres, on 5 October 2000, the Committee was briefed by senior officials from the Department of Immigration and Multicultural Affairs (DIMA). This briefing covered a wide range of issues, including:
 - DIMA's processes in examining applications for asylum;

- the long-term plan to establish new centres and close Curtin; and
 - contractual arrangements for the provision of services at the centres.
- 1.6 The Committee received Mr Ruddock's letter of approval on 22 December 2000 and agreed to inspect the detention centres in Western Australia, as well as at Woomera in South Australia and Villawood in Sydney.

Program of visits

- 1.7 From Monday 29 January to Thursday 1 February 2001, Committee members visited Centres at Curtin RAAF Base near Derby, Port Hedland and Perth in WA, Woomera in SA and Villawood in Sydney. The general structure of these visits is at Appendix A.
- 1.8 Members were accompanied throughout this program of visits by a senior officer from DIMA.
- 1.9 At each centre, the Committee was briefed by managers from DIMA and its contractor, Australasian Correctional Management Pty Ltd (ACM), and taken on a tour of sections of the centres. This was followed in each case by meetings with groups of detainees. In all, 13 meetings were held during this program of visits, with attendances averaging about 25 people at each. At each meeting, interpreters from all major national groups were present to translate remarks.
- 1.10 At each centre, with the exception of Woomera, the Committee held one meeting at which only women and children were present.
- 1.11 Neither DIMA nor ACM representatives were present at any of the meetings with detainees. The proceedings of each meeting were recorded to ensure that, as far as possible, the Committee had an accurate transcript of what was said.
- 1.12 As part of this program of visits, members believed they should examine conditions at Willie Creek Holding Centre, north of Broome, WA. This facility is administered by the Australian Fisheries Management Authority (AFMA) which has overall responsibility for holding facilities for foreign fishers apprehended off the north-western coast of Australia. However, heavy rain in the area prevented travel to Willie Creek.

Further meetings

- 1.13 Following the program of visits, on 8 February 2001, the Committee held a private meeting with senior staff from DIMA and ACM to follow up on issues raised during the visits, and to seek additional information on a

range of other matters. Both organisations subsequently provided material on matters raised at that meeting.

- 1.14 On 1 March 2001, a further private meeting was held with DIMA, principally on the time taken to process requests for visas. DIMA subsequently forwarded material on issues that arose during that meeting.
- 1.15 On 8 March 2001, the Committee held a private meeting with the Minister at which a range of issues were discussed.
- 1.16 Committee members visited the detention centre at Maribyrnong in Melbourne on 14 March 2001. Two meetings were held with detainees, including one with women and children only. Sixteen women and children of various ages attended that meeting, and 35-40 males attended the second meeting. Thus, nearly all of the 69 detainees at that Centre on that day met the Committee.
- 1.17 On 5 April 2001, the Committee met privately with:
- the Acting Principal Member of the Refugee Review Tribunal (RRT), and
 - the Director-General of the Australian Security Intelligence Organisation (ASIO).
- 1.18 In each case, the Committee discussed the role of these agencies in the immigration process.

This report

- 1.19 There have been a number of recent inquiries into aspects of migration and administrative detention and this report is intended only to cover the conditions and treatment of detainees at the various IDCs. It is based on:¹
- the observations of members during the program of visits from late January to mid-March 2001;
 - the transcripts of meetings with detainees;
 - the transcripts of private discussions with senior DIMA and ACM staff; and
 - additional material provided by DIMA and ACM.
- 1.20 The timetable for the program of visits in January/February 2001 prevented debriefings at those centres by DIMA and ACM staff. As

¹ Reports on detainees and conditions at detention centres are listed in Appendix B.

indicated above, two lengthy discussions were held with senior representatives of both organisations.²

- 1.21 During and following the meetings with detainees at the Maribyrnong detention centre on 14 March 2001, there were discussions with DIMA and ACM staff about the issues that had been raised during the visit.

Structure

- 1.22 Chapter 2 provides information on the various detention centres and their facilities. Chapter 3 outlines the contractual relationship between DIMA and ACM for the administration of the centres.
- 1.23 Chapters 4 to 7 deal with major issues raised by detainees during the Committee's visits, and in subsequent discussions with DIMA and ACM based on those visits.
- 1.24 Chapter 4 gives an outline of the operations of each centre, followed by the detainees' comments and, where appropriate, DIMA/ACM views on those matters. The availability of medical and dental treatment, and the provision of education and other activities at the centres are also included in this chapter.
- 1.25 The processes set up by DIMA to deal with detainees, to which other Government agencies contribute, are outlined in Chapter 5.
- 1.26 Chapters 6 and 7 deal with the oral evidence of detainees concerning their treatment by ACM, the management of the centres and the difficulties faced by detainees.
- 1.27 Chapter 8 contains the Committee's conclusions.

Specific features

- 1.28 During the program of visits to IDCs, Committee members received the views of detainees on a wide range of issues. Where possible, information received was discussed with either DIMA or ACM, as appropriate.
- 1.29 The Committee endeavoured to consider all of the evidence before it in an objective manner. Where a detainee appeared to have a genuine complaint, that complaint was considered worthy of investigation by the Committee, even if it was difficult to establish the veracity of the complaint.
- 1.30 At every meeting with detainees during its program of visits, the Committee stressed that it was inquiring into the treatment and human

² See paragraphs 1.13-1.14.

rights conditions within the Centre. On each occasion, it was emphasised that the Committee was not able to deal with individual cases that might be put forward for attention. However, the Committee was able to gather valuable information about the experiences of individuals.

Peter Nugent

- 1.31 The late Mr Peter Nugent was Chairman of the Sub-Committee that made the program of visits to the IDCs on which this report is based. During the time he was a Member of Parliament, Peter made a significant contribution in the field of human rights in Australia. His untimely death during the production of this report leaves both the Parliament and the nation the less for his passing.

