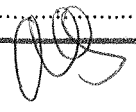


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03 JUL 2008

Submission No. 7
Date Received

**SUBMISSION TO THE PARLIAMENTARY JOINT COMMITTEE  
INQUIRY INTO IMMIGRATION**



BY: MLG

July 1<sup>st</sup>, 2008

Congratulations for arranging this long overdue inquiry, particularly since many people requested a Royal Commission into the policy and practices of Mandatory Detention.

For the past 4 years I have written to numerous parliamentarians regarding my concerns about the treatment of asylum seekers in detention. Although I realise that the concept of Mandatory Detention was originally introduced by the Keating Labor Government, I understand that it was never meant to be used in the shameful way the previous government has used it to exploit asylum seekers for political purposes.

It was not until 2003 that I became aware of this system after visiting detainees at the Baxter Detention Centre, Pt Augusta. It was through these contacts that I met many fine people from Iran and Afghanistan who had been detained for several years. They described harrowing stories of escaping from wars and persecution in their own countries, crossing dangerous seas in unseaworthy boats, to reach this country which they understood would offer them protection. On arrival in Australia, they were confined to remote detention centres on the edge of deserts, where they were denied access to the Australian legal system for about a year. Some of the Iranians put into solitary confinement for 10 months, were even denied pencils and paper to write to relatives.

It soon became apparent that detainees were being used as political pawns by the government to promote fear and racism under the guise of "Border Protection." When the media did get involved, their reports highlighted several incidents which tended to discredit the detainees, labelling them "queue jumpers" and describing behaviour such as lip sewing and riots which they used to draw attention to their plight.

Australia has been severely criticised by many Human Rights organisations both here and abroad, for the punitive manner in which asylum seekers have been treated, particularly in view of the fact that our country was a signatory to the U.N. 1951 Convention and others, regarding refugees.

From the contacts I made with detainees, I was shocked to hear about the deprivation, mental and physical abuse being inflicted on them by the staff of ACM and GSL, the organisations appointed by the previous government to administer Australian detention centres. It is appalling to realise that the unsympathetic, degrading and often brutal treatment of these vulnerable people, was condoned by the previous government, in a country that professes to believe in Christian Principles, the Rule of Law and Human Rights. It is not surprising that so many Australians protested at numerous rallies claiming that they were: "Ashamed to be Australian!"

Many concerned people from all over Australia united to form a "Circle of Friends," to support detainees while in detention and to help

them when they were eventually granted temporary visas. The members of this group have contributed considerable time and their own resources to assist them. Since joining this group, I have also been involved in following up some of the released detainees in the community .

My Observations are:

With few exceptions, most of the people I know have been severely affected by several years of incarceration. Their symptoms reflect those of post traumatic stress disorder, now described as "the Baxter Syndrome."

These include: depression, nightmares, sleep disorders, poor concentration, loss of self esteem, social withdrawal, medical and psychosomatic problems. Some have also suffered permanent physical injuries inflicted on them during incidents when they attempted to protect friends being abused by guards. During these incidents, riot squads, complete with batons and helmets, were often unnecessarily called out. This has added to the enormous costs of detention. Unfortunately, abuses inflicted on these occasions, were frequently not reported by detainees because they feared retaliation by staff or believed that it might jeopardise their visas claims. Several of the fine men I know were subjected to solitary confinement for several weeks, following such incidents.

The brutality in detention centres has been well documented during the "People's Inquiry into Immigration Detention." This comprehensive inquiry travelled to various places in Australia to record the information of released detainees, their advocates and others, about their experience of detention centres. It is due to be released in August 2008.

In summary, the system of Mandatory Detention, instigated by the previous government, using contract organisations, to administer them, has resulted in appalling abuses inflicted on many vulnerable men women and children. It has been a flagrant abuse of human rights and shows an unprecedented disregard for our obligations under the U.N. agreements to which Australia is a signatory.

Number of Arrivals since 1989

Over this period, records indicate that approximately 15,000 asylum seekers including 4,000 children, who arrived by sea in boats, were subjected to several years of detention. This has cost Australian taxpayers countless billions of dollars.

Another 50,000, arriving by air, during that same period, were not usually detained. However, more recently, it seems to have become the policy to put those overstaying visas in detention, together with criminals.

Other countries in Europe, as well as Pakistan and Syria, have been inundated with millions of asylum seekers. Scandinavian countries alone, have absorbed at least one million into their communities. Last year, the Netherlands government granted amnesty to 30,000 asylum seekers, not assessed as "genuine refugees." They had been living in the community, but not permitted to work. This tiny country would fit at

least twice into Tasmania, and has a population of 16,000. Prior to this, the government had already granted asylum to thousands of others.

It is extremely hypocritical that this country, that claims to need people, has incarcerated so many men, women and children for indefinite periods of time, resulting in physical and mental trauma which has seriously affected their ability to adjust to our society. It is also interesting to note that 93% of those who arrived in unseaworthy boats from Indonesia, have now been assessed as "genuine refugees." It is also evident that people do not flee their own countries to seek protection in a foreign land unless motivated by extreme circumstances.

## **RECOMMENDATIONS**

First and foremost: **Mandatory Detention should be abolished!**

It is wide open to abuse as a political tool for manipulative governments as well as a great expense to taxpayers. During the past 10 years of Mandatory Detention, the contract organisations employed to guard detainees, have been intent on making profits and employing dubious correctional services personnel. There has been a serious lack of monitoring by the government in all aspects of care. This has included degrading living conditions, poor quality and inadequate food, limited opportunities for recreational or educational activities, and deficiencies in health care. In summary, the main emphasis of mandatory detention has been a punitive system combined with racial and religious discrimination. The message to the world has been that this is "Fortress Australia" and anyone seeking asylum here will be severely punished!

Community Detention : should be considered as a more compassionate alternative, with accommodation located close to major country towns or cities, similar to the arrangements made for new migrants in the 1960s. The staff of these centres should be carefully chosen to reflect a more humanitarian and sensitive approach to the claimants.

Processing of Claims: should be as efficient and compassionate as possible. Assessments need to involve sensitive Immigration staff who ensure that the claimants are not subjected to continual demands to repeat painful personal details about past traumatic events. There should be an overall reform of the processing and appeals systems.

People who Overstay their Visas: Those who come in this category, should have their claims processed as quickly as possible, allowing extensions to their visas if deemed appropriate. They should not be incarcerated in detention centres and subjected to the third world conditions which visiting friends have reported.

Staffing of the Immigration Department:

There has been concern by human rights activists about the attitude of many of the staff in this department. We have heard continual reports

about the unsympathetic handling of traumatised people who are treated like criminals by those charged with processing claims.

While overseas recently, I met an ex DIMIA employee, who angrily described how she and many others were dismissed, when the Coalition Government came to power in 1996.

In order to implement policy changes, the current Labor Government should be entitled to offer redundancies to Immigration Department staff who continue to favour the political agenda of the previous government.

**If we are to have a more humanitarian system of processing asylum claims, racial and xenophobic prejudices should not be tolerated by the present Labor Government in this important area.**

Assistance for those who are granted visas :

As with other newly arrived migrants, there is a need to provide practical assistance to help them integrate into the community. Apart from material needs such as affordable accommodation and household furnishings, they often require English tuition and courses for training or updating skills required for jobs. It is also essential to help them understand how to access community resources, establish bank accounts, pay bills, use public transport, etc. Staff from various agencies should be allocated to advise and assist them in all these areas.

**In conclusion, I sincerely hope that this inquiry will facilitate a change in the system of processing asylum seekers and lead to a more humanitarian approach which will restore the respect of the United Nations and provide an example to other countries in this region.**

(Mrs) D. Lascaris

July 1<sup>st</sup> 2008