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The Committee Secretary  
Joint Standing Committee on Migration  
Department of the House of Representatives  
PO Box 6021 Parliament House  
Canberra ACT 2600

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SUBMISSION TO THE INQUIRY INTO IMMIGRATION DETENTION IN AUSTRALIA.

Immigration Detention, apart from brief administrative, health and security checks, must be ended for most asylum claimants. Millions of words have already been collated in Parliamentary and other Inquiries – including HREOC – which have revealed the terrible damage to individuals in deteriorating mental and physical health and the great cost to the Australian taxpayer.

My special interest is carried from nearly ten years dealing with children who have suffered, and are STILL suffering, after being caged and traumatised by the cruelty of mandatory detention. Even though children are no longer locked behind the wire, the deleterious effects of their incarceration is still with many of them. Scant regard has been given by the Immigration Department and its Officers to the children who have been “removed” to countries with no infrastructure, no mental health support services and no-one who understands the terrible damage which took place under official policies in Australia.

A member of the Social Justice in Early Childhood Group and Defence for Children International, I'm an early childhood professional and a NSW Registered Mothercraft Nurse of over 30 years experience. My testimonies of abuse and neglect of children in Immigration Detention are well documented alongside hundreds of others in a previous Senate hearing and the HREOC National Inquiry. Countless media accounts and books - some published, some yet-to-be - underscore the willful blindness within the Department and the Ministerial offices.

With so many stories already on the record and many more untold which show the terrible suffering, one wonders why there is still the need to question such a harsh and punitive administrative policy?

Since 1998, my numerous contacts with the Department of Immigration, the offices of various Immigration Ministers and that of the Prime Minister and Cabinet, have convinced me that Australia's governing bodies simply don't care about breaches of international Treaty and Convention obligations dealing with safety and protection of children. The UNCRC – the United Nations Convention on the Rights of the Child has been continually breached.

In one encounter I was told by a Senior Executive that the Department of Immigration had “no policy for dealing with unaccompanied children in Detention – we treat each case individually”. This appears to be in direct contravention of Articles 19 and 20 of the UNCRC.

The following are but two illustrations from my Diary notes ;

#### THE BREAST-FEEDING MOTHER (2004)

The mother was picked up from a chicken factory by a Compliance team. Already five days in Villawood detention without her infant and suffering from engorged breasts and in a state of deep distress.

Information from another advocate tells me that the father, struggling between shifts at the same chicken factory, is facing long journeys to bring the fractious baby to breastfeed from the imprisoned mother. Baby lethargic and rapidly dehydrating, refusing bottle-feeding and suffering separation trauma.

A family, torn apart by policies implemented by zealots, putting a child's life at risk!

Further information reveals that the Compliance Officers detaining the mother at the factory were two women. Women doing this to women ! When confronted one of the officers pleads she did not know there was a baby. Angrily, I respond that it was her duty to know this.

Early the following morning the Centre Manager is contacted with an emphatic demand that the mother is released to care for her child. I remind him of the tragedy of Ms Simpalee – a trafficked woman who died in Villawood from terrible neglect, on his watch. *He had better act quickly if he doesn't want another tragedy - and a dead baby on his hands.*

His assurances that the Case Officer would call me back were given without time frame. I asked *When?* “*In the near future*” he responded.

I was incredulous – *What, in a week, a month, or in the next hour? Or do I have to ring the head of Detention Services in Canberra?*” *No, don't do that – this can be handled here.*”

Hearing nothing as promised, I called Canberra. Some hours later a phone call did come – not from those in command, but a concerned Villawood guard clandestinely alerting us to the pending release of the mother at 4.30pm. Some days following the release another professional on the inside informed us that on the morning in question, in the hour following my early morning telephone call, a plan was being implemented to deport the mother without her child. Little wonder the Case Officer never made that promised call to me.

## BORN IN DETENTION – BATTERED BY THE SYSTEM (2002/2005)

I received an early morning phone call from a Villawood professional on the inside. “How much more can this child take?”

The child was born to a mother in Detention. She had spent the whole of her young life caged inside the razor wire at Villawood. Advocates had been pleading for mother and child to be released into the community for a long time. For five months previously I had argued unsuccessfully with authorities for the child to be released for two, lousy, hours a week to attend a local Playgroup. This would have given the traumatised child some respite. But NO!

Now my contact inside Villawood reported that the little girl was banging her head on the floor in frustration. I hurried out to the Detention Centre and to my horror saw the lumps and bruising on the tiny child’s forehead in my first minutes inside the Visitor compound. My professional experience told me that we would shortly have a human tragedy if the Immigration Department failed to act. It took a blitz of media and public outrage for mother and child to FINALLY be released to Community Detention. After 3 years !!!!

My experience as an advocate convinces me that Asylum Seeker and Refugee matters should be separated from the Immigration Department and administered under an Authority, that has human rights obligations at the heart of its operating criteria. Australia should adopt the Canadian policy of appointing an Official Advocate for every child, accompanied or otherwise, claiming asylum. This Advocate takes independent responsibility for overseeing the proper welfare of the child throughout the entire process for claiming Protection.

Following initial health, and security checks those seeking Protection should be supported on Community Release until their case is determined. Families with children must NEVER again suffer imprisonment. The folly on Christmas Island should be abandoned.

(Ms) Trish Highfield  
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