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The Secretary
Public Works Committee
Parliament House
Canberra
ACT 2600

SUBMISSION2.....

8th December 2005

Dear Secretary,

Unfortunately, due to time constraints, the Justice for Asylum Seekers (JAS) network is unable to put in a complete submission to the Joint Standing Committee on Public Works' Inquiry into construction at the Maribyrnong Immigration Detention Centre. However, we wish to draw to your attention documented evidence on the affects of immigration detention on the well-being of children and families.

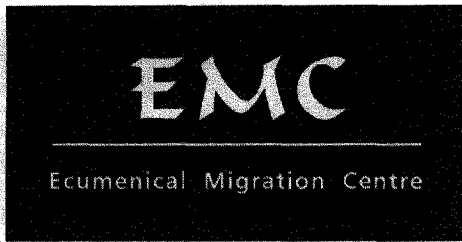
Importantly, the 2004 Human Rights and Equal Opportunity Commission's Inquiry into Children in Immigration Detention has highlighted the need to consult with experts working with asylum seekers, such as JAS, when developing and implementing systems for managing unauthorised arrivals. There is no doubt that the long-term detention of children and their families is harmful to people's mental, physical and emotional well-being. In fact, the HREOC Inquiry found that children detained for long periods are at high risk of serious mental harm, and failure to remove children from the detention environment with their parents amounts to cruel, inhumane and degrading treatment of those children ([www.humanrights.gov.au/human_rights/children - detention report](http://www.humanrights.gov.au/human_rights/children_detention_report)).

In response to the detrimental effects of long-term detention, the JAS network has developed an alternative system for managing asylum seekers that considers the welfare needs of unauthorised arrivals without compromising Australia's security concerns. Significantly, the HREOC Inquiry into Children in Immigration Detention Report (2004), *A Last Resort?*, has incorporated the JAS alternative model to mandatory detention into its recommendations, recognising that:

JAS has developed a comprehensive model that deals with both adults and children. Its model suggests that, on arrival, every person should undergo a 'psychosocial risk assessment' which examines the health, psychological, security and absconding risks associated with individual asylum seekers. Depending on the outcome of that assessment, individuals should either be released on a structured community release program or be kept in closed detention centres. JAS recommends that unaccompanied children and pregnant single women receive immediate security clearance and that accompanied children and their primary carers be released from detention as soon as possible. [Section 17.4.3, Recommendation 2(b)(b)]

It is essential that immigration detention be the last resort for children and their families, given that long-term immigration detention has been shown to be "a source of frustration, despondency and depression often resulting in drastic action being taken by the detainees" (The Commonwealth Ombudsman 2001 Inquiry into Detention Centres). As reported by the Department of Immigration, drastic action stemming from distress has included children sewing their lips together, slashing their arms, ingesting shampoo and attempting to hang and hurt





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themselves, none of which were encouraged by parents (Senate Legal and Constitutional Affairs Committee, 11 February 2003, p.146). The psychological reactions common amongst immigration detainees have been found to be directly associated with distress and include severe depression, despair, hopelessness, paranoia, chronic rage, persecutory delusions and persistent self-harming behaviour (HREOC Media Release, 6th February 2004).

The *Reception and Transitional Processing (RTP) System* achieves the much needed balance between care and compliance in the treatment of unauthorised arrivals by combining three approaches:

- Early assessment of refugees to work out whether anyone poses a security risk and whether there is a risk of absconding if they are placed in low-security housing
- Case management by a social worker from a national welfare agency to work with people and families to ensure they understand Australia's refugee system and prepare them for all possible immigration outcomes
- Three accommodation options that house people according to their security assessment and care needs

Security is a feature of the RTP system. For example:

- Community management for those considered to be low risk, or no risk, to the community or unlikely to abscond (this may include women and children, families and young people)
- Medium security hostel accommodation for those considered medium risk or requiring intensive services
- Continued detention for those considered high risk

In light of the seriousness of the issues surrounding the costs involved in building and maintaining immigration detention centres in Australia, we urge you to read the document providing a full costing of the RTP system, prepared by independent economist Dr Tony Ward of Milbur Consulting. The document, *Improving Outcomes and Reducing Costs for Asylum Seekers*, establishes that the RTP system is 18% cheaper than the current system of mandatory detention. Please find it attached.

A full outline of the RTP system is also attached (JAS, *Alternative approaches to asylum seekers: Reception and transitional processing system, 2003*) as is a condensed version entitled *The Better Way: Refugees, detention and Australians*. These documents can also be downloaded from the Brotherhood of St Laurence's website: <http://www.bsl.org.au/main.asp?PagelD=15>

We believe that any inquiry into the role of detention centres ought to investigate *The Better Way* of managing unauthorised arrivals within a system that addresses human rights issues and better integrates care and compliance needs.

We would be happy to discuss further the ideas set out in this letter.

Yours sincerely,



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Since 1962 the Ecumenical Migration Centre has worked state-wide across ethnic, language and faith boundaries to achieve the full participation of migrants and refugees and a multicultural and reconciled Australian society. Part of the Brotherhood of St Laurence, we share a vision and mission: *an Australia free of poverty.*



BROTHERHOOD
of St LAURENCE