

Anna Engwerda-Smith
Inquiry Secretary
Joint Standing Committee on Migration
House of Representatives
Parliament House | Canberra
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BY:.....MIG.....

To the Secretariat and the committee,

This is an introduction to my submission tendered to the committee with various documents regarding people smuggling, the illegal treatment of the Bakhtiyari and a pointer to the former senate committee regarding the Migration Act for certain documents to be obtained.

As noted at paragraphs 30 and 31 of the case of Hamdan of 2004 all offences for entering or being in Australia without a visa were struck out of the Migration Act of 1958 as far back as 1992 by the ALP and "mandatory" detention was introduced which made it a crime to escape from that detention. A number of cases have been taken to the Supreme court regarding flight from detention and only rare convictions were given with good behaviour bonds applying in most cases.

This makes a stunning mockery of the notion that detention of the innocent who then escape is of any value to the so-called border security of this country.

[http://www.austlii.edu.au:80/cgi-bin/sinodisp/au/cases/cth/FCA/2004/1267.html?query=title\(hamdan\)](http://www.austlii.edu.au:80/cgi-bin/sinodisp/au/cases/cth/FCA/2004/1267.html?query=title(hamdan))

I would request that the committee hold hearings in Adelaide to allow those refugees here to have a say to the committee about their experiences in Woomera and Baxter which have cost the sanity of many of the victims.

In the film HOPE which has been showing all over the country and to the UNHCR in July it was noted that Amal Basry was granted a visa to enter Indonesia from the Indonesian embassy in Australia but was placed on an entry black list on her arrival and turned away to Singapore. As she was an Australian permanent resident and was dying of cancer at the time I would request that the committee ascertain who put that order on her and why? It is an unconscionable abuse.

Yours sincerely

Marilyn Shepherd