

## QUESTION TAKEN ON NOTICE

SUPPLEMENTARY BUDGET ESTIMATES HEARING: 21 OCTOBER 2008

IMMIGRATION AND CITIZENSHIP PORTFOLIO

### (73) Output 1.5: Detention

Senator Hanson-Young asked:

#### **Community Detention – Children:**

- (1) I understand that there are currently 24 children being held in detention.
  - (a) Could you provide a breakdown on the length of time these children have been held for?
  - (b) What is the nationality of these children?
  - (c) Have the children been separated from their families?
  
- (2) Does the department see that there is perhaps a responsibility when a child is suffering from mental health issues as a result of having been in detention even though the child is now out in the community?

*Answer:*

(1) (a) and (b) As at 10 October 2008, there were 24 minors in immigration detention. Immigration detention can include placement of a person in detention in an Immigration Detention Centre (IDC), an Alternative Place of Detention (APOD), Immigration Residential Housing (IRH), Immigration Transit Accommodation (ITA), or Community Detention under a Residence Determination.

In accordance with the Government's Key Immigration Detention Value that children will not be held in IDCs, placement of children and their families in Community Detention remains the priority. Where placement of minors in an IRH or ITA facility occurs, one of the considerations is that the environment is appropriate and family friendly and is preferable to alternative temporary detention in commercial establishments in the community, which require more intensive levels of supervision.

The details sought for the 24 minors in immigration detention are contained in the table below:

### Minors in immigration detention as at Friday - 10 October 2008 and subsequent case resolution status

Location	Gender	Age	Nationality	Date initially detained	Days detained as at 21 October 2008	Notes	Case resolution status as at 23 January 2009
Perth IRH	Female	9	Iran	4-Oct-08	16	Accompanied by two parents also in IRH	PV refused, now at RRT
Perth IRH	Male	16	Indonesia	2-Oct-08	14	Crewmember on unauthorised boat	Removed 16/10/08
Melbourne ITA	Male	2	Iraq	9-Oct-08	11	Accompanied minor with mother and uncle.	Transferred to Community Detention
CI Alternative Detention	Male	12	Afghanistan	6-Oct-08	14	Accompanied by father	Visa granted 17/1/2009
CI Alternative Detention	Female	13	Afghanistan	10-Oct-08	10	Accompanied by father	Visa granted 17/1/2009
CI Alternative Detention	Male	16	Afghanistan	10-Oct-08	10	Unaccompanied - unauthorised boat arrival	Visa granted 17/1/2009
CI Alternative Detention	Male	16	Afghanistan	10-Oct-08	10	Unaccompanied - unauthorised boat arrival	Visa granted 17/1/2009
CI Alternative Detention	Male	16	Afghanistan	10-Oct-08	10	Unaccompanied - unauthorised boat arrival	Visa granted 17/1/2009
CI Alternative Detention	Male	16	Afghanistan	2-Oct-08	17	Unaccompanied - unauthorised boat arrival	Visa granted 17/1/2009
CI Alternative Detention	Male	17	Afghanistan	10-Oct-08	10	Unaccompanied - unauthorised boat arrival	Visa granted 17/1/2009
CI Alternative Detention	Male	17	Afghanistan	2-Oct-08	17	Unaccompanied - unauthorised boat arrival	Visa granted 17/1/2009
CI Alternative Detention	Male	17	Indonesia	6-Oct-08	14	Crewmember on unauthorised boat	Removed 21/11/08
CI Alternative Detention	Male	17	Indonesia	6-Oct-08	14	Crewmember on unauthorised boat	Removed 27/10/09
Community Detention CI	Male	5	Indonesia	5-Nov-05	900	Accompanied by parents	Still in detention
Community Detention CI	Male	4	Indonesia	5-Nov-05	900	Accompanied by parents	Still in detention
Community Detention SA	Female	16	Albania	2-Apr-07	567	Unaccompanied - in foster care	Still in detention
Community Detention SA	Male	14	Albania	2-Apr-07	567	Unaccompanied - in foster care	Still in detention
Community Detention SA	Female	9	Albania	2-Apr-07	567	Unaccompanied - in foster care	Still in detention
Community Detention NSW	Male	6	PRC	12-Oct-06	739	Accompanied by parents	Still in detention
Community Detention NSW	Female	4	Indonesia	18-Jan-07	641	Accompanied by parents	Still in detention
Community Detention NSW	Female	1	Indonesia	27-Sep-07	389	Accompanied by parents	Still in detention
Community Detention NSW	Female	1	PRC	27-Jun-07	481	Accompanied by parents	Still in detention
Community Detention NSW	Female	6	PRC	28-Mar-08	206	Accompanied by parents	Visa grant 5/12/08, Ministerial intervention S195A
Community Detention NSW	Female	1	PRC	28-Mar-08	206	Accompanied by parents	Visa grant 5/12/08, Ministerial intervention S195A

Total number of minors in immigration detention as at 10 October 2008- 24

All minors in alternative temporary detention in the community on Christmas Island are accommodated in the former construction camp on the island.

(1) (c) The Department has not been responsible for any minor currently in detention being separated from his or her family. As at 10 October 2008 there were 9 unaccompanied minors in immigration detention. Six arrived in Australia as unaccompanied minors and 3 minors in Community Detention (Foster Care) were abandoned by their mother a number of years after their arrival in Australia.

(2) The Commonwealth has a responsibility to minors whilst they are in immigration detention. This responsibility includes providing appropriate health services to minors. The Commonwealth has a responsibility to provide adequate compensation if it has breached its duty of care to the minor whilst that minor was in immigration detention. Any further issues that emerge in a post detention environment would be considered by the Department on a case by case basis.