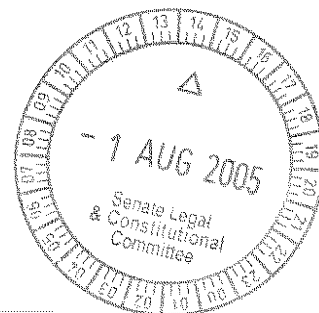


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**Senate Committee Inquiry
Legal and Constitutional References Committee**

Submission from Kerrie Barry



I write from the perspective of a member of Rural Australians for Refugees and a volunteer who assists refugees with English and settlement issues.

CONCERNS:

Mr Howard's statement in 2001 that:

"We will decide who comes to this country.....", appeared to be in conflict with the fact that in 1951 Australia signed and ratified the U N Refugees Convention.

Refugees should never have been made to suffer the current form of detention. They were all traumatized before they arrived and now have an added layer from the experience of detention and prolonged separation from families. They suffer ongoing mental illness.

Why was power abused in this way when Australia can so easily afford to respond to asylum seekers with justice and compassion?

The longer refugees were in detention, the worse is their mental illness. I observe that the refugees who were in Baxter are suffering much more than others. They suffer a terrible sense of injustice which slows down the healing process. They desperately need acknowledgement of their pain.

One young detainee I know was placed in "Management" (solitary confinement) in Baxter because he had become depressed. A nurse working there begged that he be taken to Adelaide to the Psych unit but the managers refused. Since release he has gone into catatonic states four times and he is extremely suicidal. This is just one example of DIMIA's failures of duty of care and the ongoing result.

The stress caused by the Temporary Protection Visa and the Bridging visas cause refugees constant fear of rejection and deportation plus a longer period of separation from their families. This is a form of mental torture, an emotional hell, which causes anxiety, agitation, insomnia and depression.

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Meanwhile these men work seven days a week (to dull the pain) and contribute enormously to the economy of this region by providing the labour that Australians do not wish to do.

There has been wide variation in the attitudes of DIMIA case managers. Many asylum seekers were not believed and mistakes were made at the first interview on arrival. It appears that case managers were not well trained and certainly ignorant about the recent history and current situation for minority groups in Iraq, Iran and Afghanistan. Yet at the same time we sent military forces to Afghanistan and Iraq!? This initial problem caused asylum seekers to be detained much longer and also to receive rejections by DIMIA and, in some cases RRT, and after over five years they are still struggling for justice. This is the situation for two Afghani men I know who are very confused after working here so hard and yet their People Smuggler has been granted a permanent visa! Some of the refugees simply need to be able to start the process again with better trained DIMIA staff.

The research on the results of deportation is very alarming. What are we becoming? (David Corlett and Phil Glendinning)

RECOMMENDATIONS:

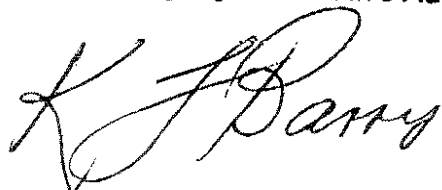
The Government policies need to be changed because they are unethical and don't match our international human rights obligations. They do harm and make Australians feel ashamed and humiliated.

Temporary Protection and Bridging visas should be abolished and Permanent visas issued instead. The Nauru detention center needs to be closed and the remaining 32 men given permanent visas.

We need a new Minister of DIMIA who is compassionate, firm and accountable.

The cost of detention and drawn out reviews is outrageous. It would be much cheaper to give refugees permanent visas and settle them quickly into the workforce as we did with the Vietnamese. There are many good current models such as Sweden or New Zealand.

Injustice makes all Australians anxious and diminishes us as a nation. We don't want our "Fair Go" identity to disappear. Good will and respect for human dignity could save Australia becoming a target for terrorists.


KERRIE BARRY