

Nancy Murphy  
Risdon via Warwick,  
Qld.

Committee Secretary

Senate Legal and Constitutional Committee

Department of the Senate

Parliament House Canberra ACT 2600

Dear Secretary,

As a citizen I write my submission to the Senate Committee Inquiry into the clearly evident mismanagement of the cruel mandatory detention policy of the Immigration Department. I ask for such an inquiry beyond the Palmer Inquiry, which had too narrow a range of power and scope to touch my concerns - since it only addressed a small number of bungled cases in relation to the many needing examination and correction.

I call for a Royal Commission into the farcical administration of the complex and secretive migration laws and practices carried out by this government. The Immigration Department is a dysfunctional one and is to be made accountable for its cruelties and failures to protect those falling beneath its jurisdiction.

The endless talk of border protection needs closer examination to reveal the rush to detain and deport any and all as a matter of first priority. This is "ask no questions" and "polish up the handle" (of the department's supervisors) "so carefully" towards being "the ruler of the Queen's Navy" is in the best Gilbert and Sullivan musicals' admonishments.

Such is the apparent, foolish culture of careless, promotion driven Immigration Department actions and, sometimes, inactions. Since this government came to power, the Immigration Department under both Philip Ruddock and Amanda Vanstone, has been bending the international rules of immigration and asylum seeking to deflect the un-credentialed, homeless victims coming here from the very country we have armed forces stationed and fighting the Taliban and warlords - Afghanistan.

Other war torn countries have produced the asylum seeking tatters of oppressed people of those places, too. All these were demonised and the population here poisoned against them with labels the Department used like, "illegals", and "queue jumpers". There was no respect accorded by this government to these traumatised people and inadequate care given them.

Again and again the precepts of the Migration Act 1958 and the rights of refugees and asylum seekers were willfully flouted, and disregarded until the present time. Now, the world is seeing what is going on within our tarnished Immigration Department. All manner of dodging the rights of the asylum seekers detained until a means could be found to deport them and at the same time exonerating the Department has been undertaken.

The inhumanity on such a shocking scale - of mandatory detention of persecuted people, imprisoned in detention interminably, causing them terrible uncertainty, mental and emotional damage, needs a cleansing Royal Commission to un-mire Australia from such barbarous behaviours. My family and I ask for such - at the earliest.

There is more and more evidence of the illegal treatment of Australian nationals who look or sound "different" who were either "detained" (imprisoned), deported or nearly deported before their case details were flashed around the country and the world by their advocates or defenders.

A Royal Commission is needed at once to examine the outsourcing of the control of "detention centres" with all the lack of expertise inherent therein, and the gross inadequacies of the health and mental healthcare provided.

I know you are familiar with all the arguments for and against the Senate Committee Inquiry - all the accusations and the defence countered. Therefore I think it might make the case for the Inquiry better to tell you the following:

In late 1999 a young man, M.A.S. a Hazara from central Afghanistan, arrived in Darwin in Immigration custody after surviving the attacks and events responsible for the deaths and misery of his family members, his neighbours and his own seizure and torture by the Taliban.

As we all know - he couldn't possibly have or obtain documents to give him the right to arrive in a conventional manner, saying he was an okay guy and, as such, should be admitted to the safety and diminishing workforce of this country - to give him a chance stay alive.

He did what humans do in such circumstances - tried to survive and came in a battered old fishing boat with other terrified people who had never seen a body of water larger than a smallish river. His heart is as big as anyone's I have ever known. He is brave beyond any bravery I've personally known of. He is very humble and polite, kind and submissive of the path he was forced to take to live and to try to become an Australian, something he wants to be more than he has words to explain.

He spent 11 months in Woomera, this brave young farmer, with no English, treated like an invader and "detained". This is, as I'm sure you must recognise after all the explanations of this place of imprisonment you must have heard of by now, being put into a kind of purgatory. A place where you are ill with the trauma of your torture and fear, loss of family and love, loss of the respect due you for your strength to go through all the hard and dangerous events to keep yourself alive and yet, where you are treated like a dangerous, lying threat to this country.

This young man came to our rural community to work on the Ha'lal kill floor of the local abattoir. He is respected by all as a hard worker and a kind man, a good friend. My husband and I met him through his ESL TAFE teacher in Warwick. He had studied English for some years in Brisbane when our Premier took the humanitarian step to offer English to our new Aussies who came without "papers" (apparently he didn't have a problem with such lack of pedigree or the need to prove one belongs to the human race).

When a friend told him of a job in Warwick where there is a TAFE he came to work here, driving up, since he'd been able to get his license and an elderly car. We became firm friends and he is one of our sons now.

When his 3 year TP Visa was nearly expired, people from the community and SE/SW Qld. who had read of the petition for his PP Visa signed it, 1800 of them, in recognition of his contribution to our region and his courage to endure all he had endured to come to join us.

He has his PPV, friends and family and a future. Never once has he complained of the treatment he endured in detention, but I am, since I love and respect him so much. Please work to expose the rotten, flawed system he and so many others faced and still endure. Give him, and them, just this much respect and honour back.

Signed, Nancy Murphy