



HUMANIST SOCIETY OF VICTORIA Inc.

(Reg. No. A0020272M)

Affiliated with the Council of Australian Humanist Societies (CAHS)
and the International Humanist and Ethical Union (IHEU), London, UK

GPO Box 1555, Melbourne, VIC 3001

<http://vic.humanist.org.au>

12 August 2011

Committee Secretary

Joint Select Committee on Australia's Immigration Detention Network

PO Box 6100, Parliament House, Canberra ACT 2600.

Dear Secretary,

The Humanist Society of Victoria (HSV) welcomes the establishment of the Joint Select Committee on this very important issue. Australia's treatment of asylum seekers has been of great concern to us and to many who fear its damaging consequences both on those seeking our protection and on our country's international reputation. We also recognise the potential that national policies may have in informing and shaping the attitudes and humanitarian values of all Australians.

Decades ago, Australia endorsed international humanitarian principles which recognise the basic human right to seek asylum. We wish to make the following points in support of these principles and in response to some of your terms of reference:

(a) any reforms needed to the current Immigration Detention Network in Australia;

Victorian Humanists call for the following reforms:

1. The implementation of a faster and humane method of assessing health, security and refugee status;
2. Guarantees that all applications shall be processed within 3 months of arrival;
3. Reform within the immigration detention network to ensure that all asylum applicants are dealt with respectfully, humanely and expeditiously;
4. Release from detention into community-based accommodation;
5. Abolition of mandatory detention, which violates the Universal Declaration of Human Rights. We concur with the Asylum Seeker Resource Centre (ASRC) that "*Australia is exceptional in utilising mandatory detention*" and we call for its abolition in line with international human rights principles.

(b) the impact of length of detention and the appropriateness of facilities and services for asylum seekers; (d) the health, safety and well-being of asylum seekers, including specifically children, detained within the detention network; (e) impact of detention on children and families, and viable alternatives;

Our society notes that most asylum seekers are found to be genuine refugees and are eventually released into our society. It is inhumane to endanger their health and welfare through inappropriate incarceration.

We call for all asylum seekers to be placed within community-based housing. It is regrettable that last year's efforts to house refugees and asylum seekers within vacant properties owned by churches were not successful and we ask that this possibility be reconsidered.

There are many reasons why community-based housing is a better alternative than incarceration, including:

1. It conforms to international human rights principles;
2. It costs less to run than detention facilities;
3. It ensures that monies are channelled into local economies;
4. It promotes educational, cultural and social interaction and integration within local communities;
5. It ensures that asylum seekers are not isolated and thereby minimises any possibility for mental health problems which may lead to riots, self harm or suicide;
6. It builds bridges instead of barbed wire fences, and it alleviates racist and xenophobic fears in Australian society.

Community housing for Vietnamese refugees in the 1970s provides both a precedent and a suitable template for the treatment of modern-day asylum seekers.

(f) the effectiveness and long-term viability of outsourcing immigration detention centre contracts to private providers;

Press reports indicate that staff in detention centres lack adequate training. This indicates the unsuitability of private providers to manage the detention of vulnerable and traumatised people. It also raises questions about the openness and transparency of their operations.

(h) the reasons for and nature of riots and disturbances in detention facilities;

Victorian Humanists note with regret the riots, suicides, and daily incidents of self harm, which are an obvious sign of total despair among people who clearly feel condemned, ignored and devalued by the current system.

We suggest that recent comments by the Minister, proposing that rioters may have their asylum claims automatically dismissed, are indicative of the very reason for these problems. Systemic, cultural and administrative disregard of their concerns is contributing to a culture of despair among these already-traumatised people.

We call for the reform of conditions in asylum detention centres and in the speed of processing of all asylum claims. Asylum seekers should be treated with respect rather than distrust. Mental health strategies must also be implemented for detention staff and inmates alike.

We also call for recognition of the fact that prolonged mandatory detention lies at the heart of the problem. Such problems would probably not arise within community housing.

(j) the health, safety and well-being of employees of Commonwealth agencies and/or their agents or contractors in performing their duties relating to irregular maritime arrivals or other persons detained in the network;

Our members note with regret the death of a guard in July 2011 following the suicide of a 19 year-old detainee. We observe in the media numerous other reports of stress and other problems for detention staff that further demonstrate that this system is inhumane, inadequate for the job, and inappropriate.

r) processes for assessment of protection claims made by irregular maritime arrivals and other persons and the impact on the detention network;

The process of security assessment should be unbiased and must transparently adhere to human rights standards. Questions have been raised about ASIO's sources and processes. Detention network agencies and staff must be held accountable, in accordance with international human rights standards, for the fate of asylum seekers whose claims have been rejected and who have been returned to nations where their safety has been compromised or their lives have been lost. Human rights protections are currently inadequate within Australia's asylum assessment processes.

(s) any other matters relevant to the above terms of reference;

1. Victorian Humanists call upon the Australian Government to undertake an educative role regarding refugees and Australia's humanitarian obligations, as required under the Universal Declaration of Human Rights. These public education campaigns would supplement the Australian Government's Diversity and Social Cohesion Program.
2. Recent efforts by the Australian Government to secure a deal with Malaysia compound its current inhumane handling of the refugee problem. Malaysia is not a signatory to the Refugee Convention. We ask the Australian Government to adopt better standards of policy and practice.

Thank you for the opportunity to contribute to this inquiry.

Yours faithfully,

Geoff Allshorn
Co-Convenor, Submissions Committee, HSV

References:

Amnesty International Australia, "Sri Lankan asylum seekers tortured after being forcibly returned from Australia", Amnesty International Australia website, 3 September 2010, at <http://www.amnesty.org.au/news/comments/23625/>

Asylum Seeker Resource Centre, "There Are Alternatives to Australia's system of mandatory detention", (cf. International Detention Coalition, "There Are Alternatives: A handbook for preventing unnecessary immigration detention"), ASRC website, 2011, at <http://www.asrc.org.au/media/documents/there-are-alternatives.pdf>.

Pamela Curr, "ASIO's assessments can destroy lives", *The Age*, 12 January 2010, at <http://www.theage.com.au/opinion/politics/asios-assessments-can-destroy-lives-20100112-m483.html>

Tom Iggulden, "Report scathing of detention centre conditions", *ABC News*, 12 August 2011, at <http://www.abc.net.au/news/2011-08-11/comcare-report-scathing-of-detention-centre-conditions/2835820>

Lisa Martin and Larine Statham (AAP), "Report says detention may create self-harm risks and pushes for alternatives", in *Perth Now*, 29 July 2011, at <http://www.perthnow.com.au/news/western-australia/report-says-detention-may-create-self-harm-risks-and-pushes-for-alternatives/story-e6frg153-1226104380294>

Nick Tabakoff, "Stressed ex-guards seek refuge in court" in *The Daily Telegraph*, 6 June 2011, at <http://www.adelaidenow.com.au/ipad/stressed-ex-guards-seek-refuge-in-court/story-fn6bqphm-1226070618729>

Paige Taylor, "Detention toll too much for centre guard" in *The Australian*, 11 July 2011, at <http://www.theaustralian.com.au/national-affairs/detention-toll-too-much-for-centre-guard/story-fn59niix-1226091921645>

Paige Taylor, "Detention misery cuts both ways on Christmas Island" in *The Australian*, 13 July 2011, at <http://www.theaustralian.com.au/news/features/detention-misery-cuts-both-ways-on-christmas-island/story-e6frg6z6-1226093376728>

Peter Veness, "ASIO faces questions over asylum seekers", *Sydney Morning Herald*, 16 June 2011, at <http://news.smh.com.au/breaking-news-national/asio-faces-questions-over-asylum-seekers-20110616-1g511.html>