

## **Moreland City Council - Submission to the Joint Select Committee on Australia's Immigration Detention Network.**

### **1. Moreland Context**

The City of Moreland is located in the northern region of Melbourne. The estimated residential population is 150,838 people. Just over half of residents in Moreland (55%) speak English at home. The main languages other than English spoken at home are Italian, Greek, Arabic, Turkish, and Chinese languages.

According to recent Department of Immigration and Citizenship data, the main countries of birth of new arrivals settling in Moreland were India, China, Pakistan, Lebanon, Sri Lanka and Iraq. (Multicultural Policy 2011- 2015 Moreland Demographics, page 18). The majority (50.5%) of new Migrants arrived in Moreland under the skilled migration program, 41 percent arrived under family reunion visa category and 8.5 percent arrived under the humanitarian program.

Moreland City Council is a signatory to the Refugee Welcome Zones declaration of The Refugee Council of Australia. This is a commitment in spirit to welcoming refugees into the community.

Many government and non government advocacy and social service organisations which assist migrants and refugees are based in Moreland. They include the Asylum Seekers Welcome Centre in Brunswick, Moreland Community Legal Service, Spectrum Migrant Resource Centre, AMES Employment and Recruitment Service and Merri Community Health Service. Council plays a key role in facilitating and co-ordinating interagency work, service provision and advocacy, and sometimes, funding and resourcing of social and welfare services in Moreland.

Work to support refugees and asylum seekers is driven by Council's vision as articulated in Moreland Council Plan for a socially just, sustainable, and proud city.

The Moreland Multicultural Policy 2011-2015 was adopted by Council in March 2011. The policy, developed through extensive community consultation, supports the rights of migrants and refugees to live and prosper in diverse and harmonious communities. The policy supports cultural, linguistic and religious rights within the framework of Australian laws. A human rights based approach is also identified as the key framework for the Multicultural Policy.

### **2. Focus of this Submission**

This submission addresses the following aspects of Australia's Immigration Detention Network as detailed in the terms of reference for the inquiry:

- The impact, effectiveness and cost of mandatory detention and any alternatives, including community release.
- The health, safety and wellbeing of asylum seekers, including specifically children, detained within the detention network.

## **2.1 The impact, effectiveness and cost of mandatory detention and viable alternatives.**

While Council accepts there is a need for appropriate border protection and effective security measures, we are deeply concerned about indefinite mandatory detention of asylum seekers and the impact of this on the health and wellbeing of detainees.

It is important to note that when mandatory detention was first introduced a 273 day limit existed. Subsequent legislative reforms and processing arrangements has resulted in highly vulnerable people being detained for unacceptable periods of time. This compounds the trauma for people who may have experienced torture and trauma before arriving in Australia.

The vast majority of those detained in our detention centres have been found to be legitimate refugees. For example between 1999 - 2006 over 80% of asylum seekers detained in Australia (mainly from Iraq and Afghanistan) who sought protection were found to be genuine refugees, escaping from wars that Australia was an active participant in.

Council advocates for compassionate and cost effective options for the provision of accommodation and services to asylum seekers, including community release, to be considered. In particular, we are keen to see faster processing of those in detention centres and reforms to ensure that this becomes the norm.

We also advocate for the provision of additional funding to community based organisations in general. Community and church based organisations are more suitable to provide accommodation and services for the vast majority of asylum seekers. They already provide and are able to expand provision of more humane and compassionate services. This approach would also assist Australia in complying with our international obligations in relation to the treatment of asylum seekers and refugees. This is a cost effective solution, mainly because such organisations have a history of providing low cost professional services.

In particular the Asylum Seekers Welcome Centre in Brunswick and the Uniting Church Hotham Parish Mission based in North Melbourne provide effective support, advice, case work and referrals. Hotham Parish Mission provides community housing for asylum seekers, specifically for children and minors.

## **Children in Detention**

We are in support of recent policy changes to Australia's Mandatory Detention Policy, which has resulted in more children and families being moved out of detention centres into community based accommodation. Council is pleased to work with our local organisations in the community and welfare sectors to make community based release a viable and sustainable option for asylum seekers. Further to this we would like to advocate for more community based places to be made available for Asylum seekers and broadening the category for community release to include including youth and singles.

The April 2004 report by Human Rights Commissioner and the Human Rights and Equal Opportunity Commission into mandatory detention of children found that children detained for long periods of time at a risk of suffering mental illness and long term damage.

Council advocates for asylum seeker policy which excludes the detention of children in any form, including off shore, due to the social, psychological and economic cost of incarcerating children and young people. Also, if children develop mental health issues in detention centres they may subsequently require many years of professional support and care. It is important to ensure that all aspects of Australia's asylum seeker processing policy complies with the Convention on the Rights of the Child.

## **Cost of Detention**

Detention is extraordinarily expensive and should be abandoned in preference to other more cost effective and humane options which would also result in faster processing of asylum claims.

## **2.2 The Health, safety and wellbeing of Asylum seekers, including specifically Children, detained.**

Council has written to relevant ministers following a resolution made at a meeting held on 13 April 2011, for improved health and safety and more compassionate policy for Asylum seekers in recent years. A recent resolution of Council called for the timely processing of asylum seeker applications due to our concern for asylum seekers and their mental health issues.

## **Problems and Issues**

The riots in detention centres are of great concern. While we do not condone any violent behaviour such as rioting, Council is concerned about the impact of long term detention on people who, because of past experiences, may be vulnerable to depression and mental health disorders. Long term detention of vulnerable people may result in anti social and aggressive behaviours in detention and later in life.

## **Duty of Care and Treatment of People with Mental Health Issues**

The treatment of and level of care provided for people with mental health issues or who are at risk of mental health issues, needs to be scrutinised by this inquiry. Keeping vulnerable people in detention centres is likely to exacerbate their conditions. We advocate that the Government ensure proper assessment of people by forensic mental health specialists and transfer people assessed as mentally ill, into mental health services. Incarcerating people who have a diagnosed mental illness in detention centres is likely to do more harm to those who are in a fragile state of health.

## **Conclusion**

Council welcomes the opportunity to provide input into this important inquiry. We are particularly pleased that both houses of Parliament will consider the issues raised by the inquiry and work towards much needed reforms to policy and practice within Australia's immigration detention network.