

**Submission to Migration Amendment (Prohibiting items in Immigration Detention Facilities) Bill 2017**

Date October 2017

Committee Secretary  
Senate Legal and Constitutional Affairs Committee

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Parliament House  
Canberra, ACT 2600

My name is Brendan Doyle. I am concerned about Australia's treatment of people seeking asylum. I am a member of the Committee of the Blue Mountains Refugee Support Group (BMRSNG). We support families living in the community as well as detainees in Villawood IDF.

1. I believe that people currently in our detention centres should be treated with respect and not as dangerous criminals. The provisions of allowing dogs, strip searches and draconian search provisions without search warrants, denies people who have fled to us for safety any sense of wellbeing and risks further traumatising them. It does not demonstrate the Australian values of decency and respect.
2. The changing of the definition of what is a "prohibited thing" in section 251 clause 2-subsection (b) gives the minister power to determine what "a prohibited thing" is. This has a flow on effect throughout **Migration Amendment (Prohibiting items in Immigration Detention Facilities) Bill 2017** affecting the power to undertake strip searches, the use of dogs and other invasions of a persons rights. The addition of this clause is not needed. The previous definition of section 251 clause 2(a) is sufficient.
- 3 There is no provision in the bill for the minister's decision of what is a "prohibited thing": to be challenged by any court.** The Minister determines what detainees can have access to and what their visitors can bring in. Democracy demands check and balances. No politician should be able to operate without scrutiny. A public court must have the right to challenge the minister's actions.
4. There must be provision for the publication in the public domain of what the Minister has determined to be "A prohibited thing" and a notice period that visitors or detainees will be given. Otherwise the Minister has the right to random un-examined power over people's lives.
3. It is essential that people seeking asylum have a mobile phone to stay in touch with their families who are in dangerous places and cannot manage to ring through a public phone.

Yours Sincerely  
Brendan Doyle  
Asst Sec  
BMRSNG