

Community Relations Commission

For a multicultural NSW

Your Ref:
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30 MAY 2011

Committee Secretary
Senate Legal and Constitutional Committees
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Dear Secretary

The Community Relations Commission makes the following comments to the inquiry into the Migration Amendment (Strengthening the Character Test and Other Provisions) Bill 2011.

If the Bill is passed then:

1. At the time of detention individuals must be fully informed of the consequences of their conviction of criminal offences while in detention (including community detention) and be advised of their rights, and
2. Those in detention (including community detention) must be given unhindered access to independent legal advice and advised of their rights, and
3. Such access to information and advice must be in a language the person understands, or facilitated through the use of an interpreter who speaks a language the person understands, and who is accredited at the minimum level of NAATI Professional Interpreter where the language is tested by NAATI at that level, and
4. Regard must be had as to the causes of any alleged offences and whether those causes include a breach of contract by the operators of any detention centre (including community detention), or any other government officer responsible for a detainees well being.

Should you have any inquiry in this regard please contact me on 02 8255 6789.

Yours sincerely

[Redacted signature]

Stepan Kerkyasharian AO
Chairperson

30/5/11

