

**Submission by John Browning
to the Joint Select Committee
on Australia's Immigration Detention Network**

It appears obvious that the main purpose of mandatory detention is to act as a deterrent to asylum seekers who come to Australia by boat.

As such it is inhumane, cruel, and morally indefensible.

- It responds to and encourages deep-seated punitive, scapegoating, and racist attitudes. Our lawmakers should not stoop to entertain or encourage such base motives and attitudes but strive to encourage tolerance, reason, integrity and decency in public debate.
- The 'problem' that it is designed to address is a miniscule one, with boat arrivals to our shores continuing to be extremely small by any comparable measurement.
- It is not justified in any way by our obligations to the international community and our freely-given adherence to the UN Convention on Refugees.
- It is a form of administrative punishment that is applied to people who have broken no law by arriving here.
- It has extremely harmful effects, especially on the mental health of all those involved.
- It is applied to children.
- It is not subject to public scrutiny or proper judicial review. Detention Centres are sited where possible in remote and inhospitable locations.
- It is grossly expensive and an enormous waste of government revenue.
- It repudiates our identity as Australians as a land of immigrants and refuses to recognise the fact that our nation has been built by those who demonstrated the determination and enterprise to come here whatever the odds.
- It characterises the Australian nation as mean-spirited, inhospitable, selfish, cynical and unprincipled and makes Australia subject to international contempt and ridicule.
- It is contrary to the moral principles and values espoused by all political parties represented in the Australian parliament.

In a democratic society, the only justification for depriving a person of his or her liberty without conviction is when it becomes the only way to manage the risk of harm to others. So precious is the right to freedom that detention without conviction is always subject to the most stringent judicial oversight. By overriding this principle in this case, successive governments have expressed contempt for the democratic rights and liberties of people and have weakened our democracy.

There is no doubt that mandatory detention is harmful and unnecessary and that other measures could easily be adopted while the refugee status of arrivals is assessed,

I appeal to the committee to bring some perspective to this debate and to examine the issues in a manner that is honest and truthful, and in the true long-term interests of this country and of humanity, without pandering to populist sentiment.

You have a chance to bring all that is best about Australia to this vital matter. Please do not miss the opportunity to do so.