

SUBMISSION TO THE SENATE ENQUIRY ON MANDATORY DETENTION AUGUST 2011

I have been visiting detainees in the Maribyrnong Immigration Detention Centre (MIDC) for 6 years.

I have come to know good people who have been damaged by events in their life, who have come to Australia to ask for help and who are further damaged by the treatment they receive here.

Recently I have been visiting Hazaras who came from Christmas Island. Previously I had only met asylum seekers who arrived by air. The people from Christmas Island are in a worse situation and a worse mental condition than any I have seen before and this for several reasons.

To echo their concerns:

- They are not criminals and yet they are locked up. They don't understand what they have done wrong.
- They have no idea how long the process will take. The uncertainty and lack of a time frame causes depression and anxiety.
- They cannot do anything to help their families.
- They do not understand why immigration officials tell them it is safe to return to Afghanistan, when people are being killed frequently and Hazaras are still targeted as a minority in both Afghanistan and Pakistan.
- They see the process as being unfair. They know that those asylum seekers who had a particular initial 'judge' had a high chance of being accepted as refugees while those who had another 'judge' had a very small chance of being accepted.

The people I visit are very depressed and are losing hope. I have known many asylum seekers in detention who are then released into the community, either into community detention or with permanent protection visas. The transformation is amazing. They become people with hope and with a purpose in life.

If they are in community detention they are eager to comply with the conditions. They want and need a visa and will do what is required to obtain that. They do not abscond into an illegal situation as that would undermine their aim and hope. Those who obtain a permanent visa are grateful to Australia for the help they have received and remain loyal, committed citizens.

I do not understand the need for mandatory detention. It damages people who have much to offer Australia and it makes those who become citizens less valuable members of our society than they otherwise would be. This also results in ongoing medical costs that are borne by the Australian community and which are avoidable.

Mandatory detention is costly, far more so than community detention. This applies even more to remote centres such as Christmas Island, where food is flown in at great expense and where staff are paid much higher salaries to compensate for the conditions.

I am concerned about:

- the lack of good health care in MIDC. Whatever the medical concern, detainees are told to take Panadol, whether appropriate or not.
- the time it takes to process claims. I visit people who have been detained for up to 2 years.
- the months it takes to do a security check. Several years ago, a detainee was released a couple of weeks after receiving a positive outcome; now it is many months. I ask why?
- the lack of safety for asylum seekers who are detained with '501s', permanent residents who have been in prison. I know several asylum seekers who have been attacked by 501s, including one who had his arm broken in such an attack. Why are vulnerable people who seek our help exposed to physical danger?

The role of case managers and case officers is unclear. The asylum seekers do not see that they are or can be helpful.

Recently several asylum seekers were contacted by their lawyers to say that they can no longer represent them. This followed a change in funding for legal representatives. No reassurance was given that they would be given a new lawyer and no account was taken of the effect of having a new lawyer when an appeal has already been lodged.

Overall there is a sense that asylum seekers are not treated as real people who are affected by what happens to them. They are moved from one detention centre to another, without warning and without any consideration of their conditions, eg. if they have medical requirements, if they have a lawyer or family in that city.

Overall, I ask that the government revoke the law of mandatory detention and work on a system of community detention. This will result in reducing costs, in decreasing the damage done to vulnerable people and in showing the world that Australia is a fair and compassionate country.

I am happy to be contacted about this submission.
Kiera Stevens