

Dear Committee Secretary

Submission regarding Migration Amendment (Prohibiting Items in Immigration Detention Facilities) Bill 2017.

My name is Margery Cass, and I am concerned about the proposed changes to Immigration Detention Centre conditions and procedures.

As a volunteer tutor with both the Multicultural Development Association Rockhampton and the TAFE Adult Migrant English Program, I have seen the commitment refugees bring to their new communities, and believe they are deserving of fair and equitable treatment while their claims to refugee status are being assessed.

In any modification to conditions in Immigration Detention Centres the first concern should always be the safety and welfare of the detainees. It seems to me that the proposed changes would rather increase stress, trauma and isolation for already vulnerable people.

Changing the definition of a "prohibited thing" in section 251 clause2 subsection (b) to mean anything the Minister determines it to be is excessively broad. It goes far beyond the current banning of things which are unlawful in Australia, and could include items which are harmless and beneficial.

For example, access to a mobile phone is essential for asylum seekers who require contact with family. The psychological trauma of being separated from a family who are also in danger can have long term effects on asylum seekers, and all possible steps should be taken to alleviate this trauma.

Furthermore, community support people who visit detention centres need to be able to bring comfort items with them, ie: any item that can help make the detainees' life more bearable and cheerful. This may vary widely according to the individual need of detainees, but when they are ordinary, everyday items such as books, toys, magazines, food or toiletries that are commonly given and used in everyday Australian life, they should be permitted.

The Minister should not have the power to deny detainees items that are necessary for their physical or mental wellbeing.

The prohibition of any items by the Minister should follow a process that allows for fairness and transparency. The proposed changes do not include any requirement for prohibitions to be announced publicly, implemented in a suitable timeframe, or appealed. It is important for the court system to be able to challenge the Minister's actions when necessary.

The democratic process requires that Ministerial power in Australia have appropriate proportions and limits. The proposed changes give excessive power to the Minister and infringe on the human rights of detainees. Health and safety and welfare should be the primary considerations for Immigration Detention facilities, and any legislation should incorporate measures that ensure transparency and accountability.

Sincerely

Margery Cass
Volunteer English Tutor MDA/AMEP