

## Terms of Reference

**(1) a Joint Select Committee on Australia's Immigration Detention Network be appointed to inquire into and report on:**

**(a) any reforms needed to the current Immigration Detention Network in Australia;**

- End the indefinite nature of detention. Health, security and identity checks can be done within 30 days and any detention after this period should be decided by independent judicial review.
- Ensure children and their families are removed from detention as promptly as practicable.
- End remote detention. If people are moved through centres much quicker there will not be a need for more and more centres. Access to community groups, support and appropriate care is far more likely in and around our capital cities.

**(b) the impact of length of detention and the appropriateness of facilities and services for asylum seekers;**

In July 2008, the Minister for Immigration and Citizenship Chris Bowen announced a fundamental shift in immigration detention policy delivered in his 'New Directions in Detention' speech. Under Labor's reforms, persons would be detained only if the need is established. The presumption will be that persons will remain in the community while their immigration status is resolved. "Detention in immigration detention centers is only to be used as a last resort and for the shortest practicable time." *None of these promises has eventuated and need to be strongly enforced.*

**(d) the health, safety and wellbeing of asylum seekers, including specifically children, detained within the detention network;**

*Ensure children are receiving an education whilst claims are processed.* Australia's international obligations require that children have the right to education in a safe environment with appropriate educational provisions and without discrimination. These standards are not being met. (Stern, M. 'The Educational Rights of Asylum Seeking Children: Observing Failure', Public Space: The Journal of Law and Social Justice, 5 (2010), p. 1.

**(g) the impact, effectiveness and cost of mandatory detention and any alternatives, including community release; and**

- Mental health impacts of detention are well documented. 5 suicides in around 6 months, self harm, hunger strikes, people on suicide watch, isolation - none of this is effective.
- The Minister himself has said that detention is a management tool not a deterrent. (Chris Bowen, [The Age 10 Feb 2011](#))

- In the 2011-12 budget \$800 million has been allocated to detention costs, a tripling in just two years.

**(h) the reasons for and nature of riots and disturbances in detention facilities;**

“Detention in immigration detention centers is only to be used as a last resort and for the shortest practicable time.” Minister for Immigration and Citizenship Chris Bowen 2008 ‘New Directions in Detention’ speech. If this was the case, riots would naturally decrease. Asylum seekers have sacrificed so much in order to come to Australia, they are not going to waste the chance at gaining a visa by holding a riot for no reason. These people are languishing for extreme periods of time and as a last resort seek to riot as the only way of getting a point across. These riots and disturbances can also be a result of mental health issues also relating to the nature of detention and the lengthy time periods spent there. (Vienna Ma, ‘Riots in Australia’s detention centers reflects poor mental health of asylum seekers’, English.news.cn. May 2 2011.)