

Submission to the Joint Select Committee on Australia's Immigration Detention Network

Dear Sir/Madam

Please consider this letter my submission to your enquiry in my capacity as a private citizen with an interest in this subject. It consists of a few brief points to reinforce my view of the inadequacy and inhumanity of the current system of Australia's immigration detention network.

- The current system allows for indefinite and unreasonably long periods of detention

Indefinite detention is not something we even expose our worst criminals to, yet many genuine and traumatised refugees in detention are subject to uncertainty and anxiousness, not knowing if they will be deported to their death any day. The decision of how long someone is incarcerated for is a purely administrative one, with no judicial oversight or recourse.

Keeping a traumatised refugee incarcerated behind barbed wire for years on end is cruel and inhumane – especially when that person is eventually released and years of their lives are wasted for no reason, regardless of whether that is in Australia or another country. The mental health damage caused by this on people who have committed no crime is a national tragedy. The cost of treating these avoidable and punitive illnesses is staggering.

A key reason given for indefinite and long periods of detention is security checks. Whilst very few people have ever had adverse findings on this measure, vast numbers of people are kept on that basis. It is particularly perverse when the regimes they have escaped from are the ones providing the security information that keeps them incarcerated, such as Tamil or Afghani refugees..

Refugees should only be put in detention when there is a significant reason why – the majority should move straight into community resettlement if there are no red flags. This is both cheaper and more humane. Those kept in detention must have a strictly adhered to time cap on the amount of time inside.

- Mandatory detention is expensive, a breach of international law and doesn't work

Mandatory detention is an egregious waste of taxpayers' money. Billions of dollars have been wasted treating refugees as criminals and the only beneficiary is SERCO and other private companies. Investing that money into quicker assessments of refugees and moving them into the community makes economic sense.

Mandatory detention is touted as a way of reducing refugee flows. Whilst I have a significant moral objection that our aim should be discouraging legitimate refugees, even on that measure it clearly is an expensive failure in both the Liberal and Labor Governments over the last ten years. The bigger factor on refugee flows is war – such as in Sri Lanka and Afghanistan.

Mandatory detention is also a breach of our international obligations, such as the CROC and ICCPR conventions.

- Remote processing and remote detention centres are unacceptable

Offshore detention and processing, such as what we saw in Nauru, is ridiculously expensive and a breach of the refugees human rights. The centres don't deter people fleeing for their lives (as if we should be deterring those people at all!) but are merely factories of mental illness.

The fact that many of the mandatory detention centres are in remote areas of Australia, such as in deserts or small communities, seems like a deliberate ploy to isolate refugees from the Australian community. Apart from the psychosocial damage of being located in hostile physical environments, the separation of refugees from their ethnic communities, from concerned Australians and from where their legal advocates might reside is unacceptable.

- Detention of children

The detention of children is a crime and is actually increasing under this government. All children must be out of detention and offered schooling to ensure they are not left behind, regardless of the outcome of their refugee case. The effect of spending one's youth locked up is incalculable – we have recognised this through juvenile justice here in Australia, so why would we inflict this on others?

- Using the aid program to prevent refugees

It is simply unacceptable that the Australian aid program is being used to support Australia's misguided goal of preventing refugee arrivals, which does in no way contribute to the goals of Australian aid. Any money used for this most dubious of purposes should at least not come from that budget.

At the very least, such information should be publically available as the current setup makes it very unclear where this is happening and how much money is being put towards it. The system needs much more transparency.

Thankyou for your time and please consider my submission in your enquiry

Yours Sincerely

Matt Hilton