Committee Secretary
Senate Legal and Constitutional Affairs Committee
PO Box 6100
Parliament House
Canberra ACT 2600

Phone: +61 2 6277 3560
Fax: +61 2 6277 5794
legcon.sen@aph.gov.au

Dear Sir/Madam,

I am lodging this submission on my own behalf. While I am an office bearer of the Griffith Branch of Rural Australians for Refugees, I am acting on my own account in this instance, not as a representative of that group.

I have just read the *Migration Amendment (Prohibiting Items in Immigration Detention Facilities) Bill 2020 [Provisions]* and am very concerned at the near unrestricted powers available to authorised officers and their assistants to search, including strip search, detainees and to confiscate mobile phones, SIM cards and computers without a warrant.

I don't argue against confiscating weapons, escape items and other items prohibited by law but to give the minister the power to determine that mobile phones; SIM cards; computers and other electronic devices designed to be capable of being connected to the internet (**251A.2.a Examples**) I think is an extreme measure. Detention centres are not prisons, detainees being held there for visa breaches or whilst awaiting determination on their requests for asylum and refugee status. They are not running crime syndicates, suicide bombings or bank hold-ups.

Being able to communicate with others, with family, and with advocates; to keep abreast of current affairs or to self-educate seems to me a perfectly justified right, certainly not a crime. Detainees have a difficult time as things currently stand. To make things worse and to isolate them further would be cruel and inhumane. As an open, liberal, democratic society, Australia should care for and protect the vulnerable in our midst rather than punish and humiliate them.

In your deliberations and recommendations, I ask that you reject those sections of the bill that empowers the minister and officers to confiscate such communication devices and to strip search without a warrant.

Yours

Philip W. Clarke