

**Submission to the Parliamentary Enquiry into the Proposed Melbourne Immigration Transit
Accommodation Project-**

Parliamentary Standing Committee of Public Works

7 February, 2017

Submitted by: Dr Janine Briscoe

1. I am making this submission in my capacity as a member of the Bayside Refugee Advocacy and Support Association (BRASA) and as a member of the support community and concerned visitor of several years to detainees at the MITA Detention Centre, Broadmeadows. The submission addresses a number of issues regarding a proposed rationalisation of detention facilities.
2. The Bayside Refugee Advocacy and Support Association is an independent local community group based in the southern bayside suburbs of Melbourne. BRASA aims to raise awareness in the local community of the issues faced by asylum seekers in Australia and in overseas detention centres at Nauru and Manus Island. Among other activities, BRASA members regularly visit the Broadmeadows detention centre to provide ongoing support to detainees.
3. I have a number of concerns with any proposal which would potentially have the effect of merging different cohorts of detainees (low risk asylum seekers and other higher risk detainees) under the same regulatory regime in the one physical facility. Whilst ostensibly it may be seen to promote economic efficiencies, it may also be problematic in achieving the degree of physical separation and differentiation of the procedural and regulatory approach needed for the two different cohorts.

The Federal government has a duty of care towards asylum seekers which may well be of a higher standard for those detained in higher risk categories. That duty of care aligns with Australian international treaty obligations towards those seeking asylum. In recent times BRASA members visiting MITA have consistently observed increasingly harsher conditions of detention and its adverse effect on the wellbeing and mental health of inmates. Arbitrary rules and regulations are being increasingly imposed across the board. These affect the detainees' daily life and now make visiting highly restrictive. We know from our observations and from what the detainees tell us, that the harsher regime causes many cases of depression, self-harm and the widespread use of medication to treat these conditions. People in administrative detention are highly vulnerable and fragile, due to their previous experiences. Overwhelmingly, the experience of BRASA visitors is that they are gentle and cooperative people, who respond best to a 'softer' and more reasonable regime of detention. We have not observed any cases where the background or behaviour of these asylum seekers would justify stricter detention. The situation at MITA is already strict enough, without further exacerbating the difficulties for detainees by bringing in changes which can foreseeably worsen their treatment and also jeopardize their own safety.

4. Therefore, this submission strongly urges Committee members to examine and outline carefully any proposal which can foreseeably lead to an adverse impact of the wellbeing of low risk detainees. What changes might occur in terms of their access to facilities, services and programs necessary for their health and wellbeing? What safeguards will be in place to protect these people? These questions need to be addressed.

