

Committee Secretary
Senate Legal and Constitutional Committee
Department of the Senate
Parliament House
Canberra ACT 2600

Dear Secretary,

I wish to make this submission to the inquiry into the provisions of the Migration Amendment (Designated Unauthorised Arrivals) Bill 2006.

As this legislation is being investigated and debated, it is important to draw on the experience of the 2001 Offshore Detention Program. Of the 1509 people taken to offshore detention in 2001, 360 went to New Zealand. This is a significant proportion - 24%. It has been reported that although at the time New Zealanders were happy to take the refugees from the Tampa to share the load, there is now a feeling of New Zealand not being happy to be used by Australia to get out of its Refugee Convention responsibilities.

The above paragraph highlights one aspect of the proposed legislation - that Australia is attempting to find other countries to accept the responsibilities which it should fulfil.

The other aspect I wish to emphasise is that of the personal effects on detainees in the offshore centres. Friends of mine have communicated with asylum seekers while they were in detention in Nauru, and then have had direct contact when Temporary Protection Visas were granted. My friends and I have been deeply moved on hearing of the experiences of these people. In fact, it has made me ashamed that people have suffered unnecessary trauma under a policy of the Australian Government. I understand the trauma of the conflict in their home country, but not the repetition occurring under the direction of a country which espouses the 'fair go' principle. It is really disturbing that some of the long term detained are still receiving medical care due to the physical and mental effects from being held in the Nauru and Manus Island Camps.

In this submission I have used two points to demonstrate that the proposed legislation is flawed

- a. Australia avoiding its responsibilities as a signatory of the Refugee Convention
- b. Australia inflicting unnecessary added trauma to the lives of unfortunate people.

Yours faithfully,
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Victoria