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Christmas Island
WA

21/5/06

Committee Secretary
Senate Legal and Constitutional Committee
Department of the Senate
PO Box 6100
Parliament House
Canberra ACT 2600

RE: Inquiry into the provisions of the Migration Amendment (Designated Unauthorised Arrivals) Bill 2006.

We wish to make comment on the proposed amendments to the Migration Act 1958. We have been resident on Christmas Island for only four years, but during that period we have been actively involved with refugees through the Catholic Church and Rural Australians for Refugees.

As Christmas Island gears up to be one of the big three offshore detention centres, we would like to provide the Committee with a 'reality check' of the practicalities of detention in a remote locality.

The asylum seekers currently and previously in detention on CI are the 'forgotten refugees.' They are completely cut off from any welfare organisations, refugee or legal advocacy groups, networks of their own countrymen within Australia, and from large urban populations who could support them by visiting. Christmas Island is a very small, extremely remote community. It does not have the resources or capacity to support the welfare needs of refugees.

Late last year we were overjoyed to learn that no more children would be held in detention. Since then we have welcomed refugees from West Timor and West Papua into our community as they are processed under Residential Determination. The community was hard pressed to support the welfare needs of so many families within a vacuum of refugee welfare programs. This was a classic example of policy proceeding much faster than the 'nuts and bolts' of effective Residential Determination processing. It is still far from perfect.

This new amendment would see an end to Residential Determination and the return of families into prolonged detention. The psychological impact of such treatment has been evident in our regular visits to detainees on CI. The sullen, despair riddled faces of long term detainees is not pleasant.

As all the unauthorised boat arrivals since Tampa have been sent to CI, on the surface, the proposed legislation seems only to confirm what is already reality. Not so, as a variety of legal appeals previously available to those who have reached the mainland will now be removed.

We have hosted approximately 140 refugees in the last four years on CI. This is the entire total of unauthorised boat arrivals to Australia over this period. Is this a quantity that requires such a monumental knee jerk reaction as to make our nation take a backward step in upholding universal human rights.

We request for the sake of the future refugees that seek asylum on our shores from persecution, that this amendment is recognised as a serious deterioration of human rights and rejected outright.

Yours sincerely,

Mick Jeffery, B App Sc. M.I.C.D, & Fidrin Lusi