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Mr. Michael Danby MP  
Chairman of the Joint Standing Committee on Migration  
Parliament House  
CANBERRA ACT 2600

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BY: MCG

Dear Mr. Danby,

Re : A Humanitarian Approach to the Treatment of Migrants  
and Refugees

As an active and personally involved supporter of a number of refugees over the last five years, I am taking this opportunity to recount some of my own experiences and recommendations, and also experiences of refugees with whom I have had close association and whose permission I have to tell their stories.

I am gratified to see a change in the federal government's stance on the treatment of people who have been subject to detention, some for many years, as I disagree with mandatory and indefinite detention.

I have been a secondary school teacher for 25 years including being a Personal Development (Self Awareness) Program Coordinator in charge of an Integration Program for over five years, giving me a long experience in observing, managing and assessing human behaviour. Being able to assist people under stress in new and confronting environments has been a large part of this role.

I became involved with the Refugee Issue through the Stirling Circle of Friends about five years ago in a very minor way while I observed how the group operated. Over the years, I have been to, and supported people in Baxter, Villawood, Glenside Psychiatric Hospital, Flinders Psychiatric Hospital, community detention facilities Richmond House, Arkarba Motel, Seaview Holiday Units, and had men under detention living in my home.

My baptism of fire came when a young man was released from Baxter and I agreed to have him in my home whilst more permanent accommodation was found. I was shocked to have this very disturbed man telling me things that occurred in Baxter. At first I thought that it was just his fantasy or delusions. These things could NOT be happening in Australia. I held this belief till I spoke to people who visited Baxter on a regular basis. Even then, I found it hard to believe that brutal and inhumane treatment was being regularly inflicted on detainees.

I became involved in a trip to Baxter "to see for myself". If it was possible to make the trip more difficult, I do not know how it could have been done. It was extremely difficult to organize the trip. GSL set rules and regulations at every turn. At that time, the process prohibited ease of visiting. It was almost a Catch 22 situation – "if you have visited before, we will process your request. If not, there will be difficulties". I pressed on – filled out the numerous forms, the men's names, detention numbers, made sure they knew we were coming, and finally, after many phone calls and faxes, got approval for the times and the people I could visit. I personally received this information by phone.

When we arrived, we were still being "processed". We found out that the people I wanted to see were available at the time requested. However, the people my friend wanted to see would only be available at the evening visit. This was impossible, as we had to travel back to Adelaide – some 300 plus kilometers.

Precious time was wasted whilst this was sorted out and we are allowed into the "cattle runs" singly to enter the facility. I found this extremely overwhelming, intimidating and claustrophobic. I, as a free individual, felt my self-esteem, rights and logical standing in the community stripped off the further I progressed into the centre. Confrontational, to say the least – I kept thinking how do the detainees feel - especially the asylum seekers?

We had a former detainee with us, who was coming to claim his property and money. He is a young, strong, fit man who seemed to implode psychologically the closer we got to Baxter. He was literally shaking when walking down the "cattle run". The guards at each corner greeted him with "goodday mate" and smiles. I thought they didn't appear genuine. Later the young man told us about the assaults that those particular people had

subjected him to – handcuffs that to this day have left a mark on his wrists, punching, kicking and verbal abuse.

After four years, this man is still struggling to return to his former self. His health is impaired and his “mind is not like it used to be”. He does not get psychological assistance. It is too shameful, too hard to organize, and doesn't fit with his work schedule, so he just limps along with his damage.

That visit, and subsequent visits, confirmed to me that punitive rules and conditions existed in Baxter. Baxter and associated facilities appeared to have new rules each time contact was made. It appeared as if rules were made ‘on the run’ and often seemed capricious.

People's property appeared to be always secondary, and a means of control and punishment. When people are moved between facilities e.g. Baxter to Glenside, or Baxter to Villawood, what could be the reason for a person not to receive their property including their clothes for six weeks? On one occasion, a man had been in Glenside for a number of months in winter without any of his clothes (just the ones he stood in). When he was returned to Baxter, his property arrived at Glenside.

Another man waited for six weeks for his belongings at Villawood and felt that he was being punished for being outspoken and forthright. He requested his property whenever he could. It was locked up and each time he asked, he was given an excuse why the person he asked couldn't get the key to fetch his belongings – I don't know how much longer it took to return his belongings to him.

Detainees can also be “punished” by not letting them know that their visitor has arrived. For example, on the occasion of my first visit to Baxter, my friend's most urgent detainee contact was not told she had come. The detainee rang her home, where her husband told him “she is at Baxter right now”. The detainee wanted to know why he wasn't called and caused quite a fuss and was put into isolation for his trouble. We spent the trip home wondering why he didn't turn up when he knew we were coming. Blatant lying was going on to keep detainees from meeting their visitors.

Many detainees, on separate occasions, have told me that prison in Australia would be preferable to detention. From what they say, GSL has “greater

powers" that are not monitored enough. In prison, there are activities that can be taken. Education is available whereas in detention, this is limited.

In detention, English is offered, but may be in a compound that particular men can't enter without GSL staff accompanying them. When I was visiting Villawood, English was in Level 2. Level 3 detainees had to have GSL personnel from Level 3 accompany them. Several things could happen - there may not be enough staff for this extra activity, the GSL staff may not wish to go to stage 2 and procrastinate till it was too late to go - and so on.

I have not witnessed this, but was told by another friend that one elderly, rather unwell lady was refused entry to Baxter after traveling up from Adelaide. No reason was given why she could not visit. As visits start in the morning, and there is another session in the afternoon, she had nothing to do all day while her group visited other detainees. She was distressed and crying, which made no difference to the decision by GSL staff.

Other visitors have been refused visiting other facilities for not being "polite".

Entry into Villawood was not as threatening for the visitor. However, the visiting conditions are the same. In summer time, the visiting is pleasant in a treed and lawn setting. However, in winter, it's almost impossible in the freezing conditions. There is nowhere to shelter from the weather.

Taking food and drink is always much appreciated. It is not just that ethnic food is missed, but also because the food in both Baxter and Villawood has been of extremely poor quality.

People who have worked in the kitchens as kitchen hands, assistants and mess supervisors have told me that the food is usually beyond its use-by date e.g. wrinkly apples and pears, mouldy oranges, chicken that is slimy and smelling bad. Is it any wonder there were "food fights".

Apparently it is quite clear to these people when a VIP visit is to happen. There is a general "hurry up" in the kitchen and dining room (mess) and the food looks and tastes acceptable.

In recent times, the amount of food in Villawood has been inadequate. The quantities cooked have been sufficient for about three-quarters of the

detainees. If you are in the last quarter, no food is available. The earlier people who had small serves could not have 'seconds' if they wanted any. This was reported and finally listened to. A VIP visit ensued – needless to say, that day there was reasonable quality and adequate quantity. The assessment – a big fuss about nothing. Food shortages continue.

I have had men straight from detention who needed to go through the bureaucratic hoops – Immigration, Centrelink, Medicare, bank, Families Australia, English classes, and housing. It is exhausting and very confusing. How people who have no English speaking assistance cope is utterly beyond me. Australian Refugee Association and the Migrant Resource Centre offer assistance, but most people are in urgent need and can't wait the one of two weeks for an appointment.

I also visited the men who were transferred to Glenside. To start with, GSL introduced the same rules for visiting, but later this was relaxed. The men wanted to talk about their cases, their situation, and their families. Many had given up talking about the future. One said "there is no future for me – I should die". This, over a cycle of psychiatric hospitalizations and further detention, was repeated many, many times.

Then came community detention, both in private homes where the person detained could not be left alone for any time at all. They had to be in the presence of a "designated person". Very difficult when the detainee person is ill. My first experience was that the man was so severely depressed that he was almost catatonic. With subsequent experience, I would have had him hospitalized, but then I thought a caring environment would help him through this. Maybe it did – he did get hospitalized, and returned to me for about another three months. He does not have a secure visa – a Removal Pending Visa – and this constantly plays on his mind. He now has a job – but is terrified that he could be swooped upon and deported at any time. Maybe the fear is unrealistic, but to him it is a very real continuous agony.

This example is not isolated. People who do not have a secure visas fear DIAC. Those who report are going through high stress every time they either ring or go into Immigration. For those who are fragile, this has a detrimental effect on them.

Another community detention was in a motel suite. A man was held in this facility for over six months. To visit him, regular GSL paperwork had to be

filled out. There was nowhere to talk to him in bad weather other than in a bedroom. GSL sat in the lounge eating, smoking and watching DVDs. Walking was mostly outside around a swimming pool when GSL agreed that they wanted to come out to accompany us.

This man was then taken to a holiday unit on the Adelaide beach (location, location, location). Still GSL guards – two per eight hours, 24 hours per day. Their pay, accommodation, and meals would come to a large sum per day, and I can't imagine the cost for a year!

The other Community Detention was in a house, still with GSL guards. Not as salubrious as the beach location, but still not Baxter or any of the other detention centres. Rules for visitors were ridiculous – no barbeques because it is a fire hazard (in winter!). Handbags are not to be taken in, no mobile phones, no cameras of course, no maps or street directories which is hilarious when you think about it – many can't read, can't read English, and where are they going to run to? They are wanting to stay. That is the point! Seems simple to me.

This was so for all the facilities – EVERYTHING was checked. So, I walk in from ordinary Adelaide life, the hustle and bustle of Central Market or the supermarket, and am suddenly confronted with having packages checked, personal property removed, and pockets turned out. If you don't agree with this, you are not allowed to visit. If you make a fuss or argue, your future applications may not be successful.

My big question is why waste this much money? The man in question received a permanent visa after all this trauma and financial fiasco. Financially independent before detention, he is now a Centrelink dependent. His mental health and psychological well-being are not good.

There is very little help given after the grand gesture of the visa, whichever one it is. Medicare and the individual are left to cope with the aftermath of this destructive influence in their lives. Most men I see show non-coping behaviours – addiction in its various forms, depression, lack of initiative, hopelessness and helplessness, psychological problems that in many cases aren't treated for a variety of reasons.

Detention should be the shortest possible time. If England can process 2,000 per week, why can't we? Health checks should be done in a facility.

However, surely security checks can be done while people are out in the community.

It would be cheaper to house new arrivals in five star accommodation than to have detention centres running with all their associated costs. The short-term costs would be better and the long-term costs are as yet unknown due to the damage that has been done to these men, women and children. Surely the length of detention should be weighed up against the cost, and keeping people like battery chickens for no real reason seems unnecessarily damaging and counterproductive.

The apathy that develops with long-term detention (anything over two years) is very painful to watch. A very intelligent, educated and self-assured man who had everything to look forward to has been in detention for six and a half years. He started with dreams and aspirations of what he would do here in this 'free' country. As the years passed, he progressed from wanting to get a visa to wanting to be sent back – but not to three countries where his life would be in danger. Now, years down the track, he doesn't care what happens to him. "Send me out, send me anywhere, drop me in the ocean, I don't care, as long as it's not here!" He is in a reasonable physical environment, but this prolonged loss of freedom has completely shattered his self-confidence and mental stability. When he gets depressed, he doesn't answer his mobile phone, putting it in a wardrobe. He doesn't eat (he is normally a food-conscious man – cooking and talking about food is his passion), doesn't drink, and doesn't take care of himself. Such a waste of talent, energy, creativity.

One of the big concerns for people who are still in detention in July 2008 is that reports are not complete when they are presented to the Minister. These reports are often not current, parts are mislaid, and new information is not included. It appears that reports on medical conditions and mental health are ignored. Judgments are made on incomplete information, not the fullest, best and most up-to-date information.

One man who has been deported may still have been here if the information on him was complete and up-to-date. He is not in the country that he was returned to; he cannot remain there for a number of reasons. His country punishes people severely if they leave, he has medical problems that will escalate, and really is in no mental state to be dealing with any of this.

If detention is appalling, Bridging Visa E's are an insult to human dignity. How can a person not be allowed to have any income, not be allowed to work, have no medical care, and not be allowed to study? What is the unspoken message? Turn to crime or go home!! They left because 'home' was unbearable, and this is the encouragement they receive. I can envisage a visa with no Centrelink or education attached, but not without Medicare or the right to work. To have to live on charity is extremely demeaning.

So I commend the Rudd Government's intentions to change the treatment of refugees and others who are in Australia without having come in through formal migration channels. I have seen the gruesome damage caused to people through the draconian treatment in side and even outside detention centres.

Thus I would recommend that whatever new policies concerning refugees and other illegal immigrant policies are implemented, they must contain elements of :

- Decent and humane treatment at all times. These are people often legitimately frightened for their very lives, in an alien, bureaucratic and confusing environment. They need to be treated decently and compassionately.
- Detention should be for as brief a time as possible for health checks and initial screening for criminality and other serious dangers to the Australian community.
- In general, people should not be prevented from earning an honest living or being treated for health issues while their status is being ascertained.
- Their status should be ascertained with far more speed than has hitherto been the case. If justice delayed is justice denied, failure to define refugee status quickly is sanity and self-sufficiency imperiled.

I trust that the Standing Committee will incorporate these views into whatever new legislation eventuates for the regulation of migration into Australia.

Yours sincerely,

Ruth V. Prince