

The Hon Chris Bowen MP
Minister for Immigration and Citizenship
Parliament House
M1/45
Canberra ACT 2600

3 October 2011

Dear Minister

We write to you out of our grave concerns for Australia's asylum seeker policies, both the proposed legislation for offshore processing and the mandatory detention policy and its impact on the mental health of people detained in Australian detention facilities.

The government's proposed Migration Legislation Amendment (Offshore Processing and Other Measures) Bill 2011 that will allow asylum seekers to be processed offshore violates the spirit of the Refugee Convention and other international human rights treaties. It also destroys the reputation of Australia as a western-style democracy that promotes human rights. Asylum seekers arriving to Australian shores and claiming refugee status must be processed in Australia and their human rights properly respected.

Like an increasing number of people in the Australian and international community, we call for an end to the mandatory detention policy. This policy is becoming increasingly entrenched through the proliferation of detention centres throughout the mainland, despite an ever increasing level of evidence that shows indefinite detention is harmful to those detained. As regular visitors to the Curtin Immigration Detention Centre, we wish in particular to draw your attention to this site of detention.

We have visited Curtin IDC on four occasions this year, with each visit lasting from three to seven days. Our visits have clearly illustrated to us the cruelty of mandatory detention, particularly in such a remote location as northwest Australia. Although we have a range of concerns about this remote site of detention, we draw your attention to the level of despair and depression that is now rife throughout Curtin IDC.

During our most recent visit in September 2011 we were shocked to see the deterioration of so many of the men we had met on our previous visits. Many have now been in detention for over 18 months. Their despair arises from a range of converging factors including the length of time spent in detention, suspension of claims processing for Afghans and Sri Lankans for six and three months respectively in 2010, inconsistent processing of claims, lack of information about progress of claims, despair about their families who remain in their countries or who have been displaced to neighbouring countries, and the fact that those employed at Curtin IDC retain total control over every aspect of detainees' daily lives. The huge difficulties faced by those wishing to visit Curtin IDC, given it is so remote, further compounds this despair.

There exists an abundance of credible evidence highlighting the epidemic of self-harm, suicides, and attempted suicides in Australia's detention centres. All of this is now rife in Curtin IDC. There are also many reports and inquiries that have concluded there are clear links between mandatory detention and deteriorating mental health.

We cannot overstate the critical state of Australia's immigration detention centres and your urgent attention is now needed to bring an end to this suffering. There are viable and much cheaper alternatives to indefinitely detaining asylum seekers while their refugee claims are processed - and these alternatives are also much more humane.

More details are in the enclosed Centre for Human Rights Education and Asylum Seeker Christmas Island's recent submission to the parliamentary detention inquiry.

For further information about the Curtin IDC, please also see the just-released report from the Australian Human Rights Commission:

http://humanrights.gov.au/human_rights/immigration/idc2011_curtin.html.

We urge you to please arrange for the immediate closure of Curtin IDC and other remote detention centres, beginning with the immediate release of long-term detainees including all those who have been subject to the suspension of claims processing. Australia now has increased humanitarian obligations on mental health grounds to accept all of the long-term detainees as permanent residents.

In addition, we urge you to please vote against the Migration Legislation Amendment (Offshore Processing and Other Measures) Bill 2011 when Parliament resumes.

We look forward to your early reply.

Yours sincerely

Professor Linda Briskman

Dr Caroline Fleay