



National Inquiry into Children in Immigration Detention

ABOUT THE INQUIRY

The Human Rights and Equal Opportunity Commission was established in 1986. It is an independent statutory organisation and reports to the federal Parliament through the Attorney-General.

The Commission's goal is to foster greater understanding and protection of human rights in Australia and to address the human rights issues facing a broad range of individuals and groups.

When the Commission was established it was given a responsibility to advise the Commonwealth Government on Australia's commitments under international laws and whether these are reflected in Commonwealth laws, policies and practices.

In November 2001, Human Rights Commissioner, Dr Sev Ozdowski, announced the Commission would hold a National Inquiry into Children in Immigration Detention.

WHY DID WE HOLD AN INQUIRY?

Since 1992, asylum seekers who arrive in Australia without a visa – both adults and children – have been subject to mandatory detention. In all but a few rare cases, their detention ends only when they are recognised as refugees and granted a protection visa or when they are removed from the country.

From 1999 the number of children in detention rose significantly and there was widespread community concern about their treatment.

The Inquiry was established to examine whether the laws requiring the detention of children and the treatment of children in immigration detention met Australia's obligations under international law, especially the *Convention on the Rights of the Child*.

WHAT DID THE INQUIRY LOOK AT?

First, the Inquiry considered whether Australia's detention laws comply with international law and looked at alternatives to placing children in immigration detention centres.

The Inquiry also looked at the treatment of child asylum seekers held in immigration detention centres between 1999 and 2002. In particular, it examined:

- the safety and security of children in detention
- the effect of detention on children's mental and physical health
- whether children in detention received an appropriate education
- the care available to children with a disability in detention
- the opportunity for children in detention to enjoy recreation and play
- the care of unaccompanied children in detention
- children's ability to practice their religion and culture in detention.

Finally, the Inquiry considered the needs of child asylum seekers and refugees living in the community after being released from detention.