# Human Rights Commission National Inquiry into Children in Immigration Detention 2014

# Melbourne Immigration Transit Accommodation site visit

# 7 May 2014

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## Background

On the 7th of May 2014, we accompanied the President of the Australian Human Rights Commission (HRC), Professor Gillian Triggs, the National Children’s Commissioner, Megan Mitchell, and staff of the HRC on a site visit to Melbourne Immigration Transit Accommodation (MITA), in Broadmeadows in Melbourne. This visit was completed as part of the HRC National Inquiry into Children in Immigration Detention. We are grateful for the support provided for our visit by the Department of Immigration and Border Protection (DIBP), Serco, and International Health and Medical Services (IHMS).

During the visit we spoke with children, parents, families, and unaccompanied minors. In total we interviewed 56 people; 31 adults, and 25 children and adolescents, including two unaccompanied minors, and three young adults who had spent time in immigration detention as unaccompanied minors. Qualified interpreters assisted our conversations with families; although one of the doctors was able to speak with families directly in Farsi. We completed questionnaires with families, however they also spoke of their stories.

This report summarises the qualitative information obtained through the interview process.

## Reasons why people had come to Australia

People were asked the reasons they had come to Australia. They described religious and ethnic persecution, and significant security threats in their countries of origin.

*“I am originally from (country), I am (ethnic group), and was forced to go to (country). In 1982, they killed my father during a period of political unrest and conflict. They singled out our family…arrested my older brother, he was sent to prison for four or five years, we were under surveillance, we had to move*.” Father of two children aged seven and eleven years.

*“We are a minority ethnic group in (country). My husband’s life was in danger. He was locked up.”* Mother of three children aged six-months, eight and eleven years.

*“There was no safety or assurance of life in (country), we do miss our country but we have to safeguard our lives.”* Mother of six-week-old baby.

*“We are a minority ethnic group in (country), my husband’s life is in danger. My father was a bank manager; my role was lost due to my ethnicity. (I was) locked up by Intelligence and they were going to prosecute me. I don’t miss anything but my parents in (country).”* Parent of three children aged six months, eight years and eleven years.

*“In (country) they won’t let us stay safely – the army have treated us poorly…threatened us with death. We miss nothing about (country).”* Father of five-month-old baby.

*“I am fearful of my life. The army tortured me. They broke my arms, jaw. We have ‘lost’ our parents, village…I feel safer here.’* Parents of three childrenaged two, four and six years.

## Appropriateness of facilities in which children are detained

MITA is a locked facility, with perimeter fencing and checkpoints at entry to the compound, although there is access between the different compounds during the day. Parents and children spoke of the impact of locked detention on their wellbeing:

 *“Living behind a fence feels like we are in a prison…the fence makes us feel like birds in a cage.”* Mother of a fifteen-year-old boy.

*“My child says we should try and escape from here.”* Father of seven-year-old boy.

*“We have come with our children but we are living as if in a jail.”* Parents of three children aged two, four and six years.

*“I feel like we are prisoners, like we are animals. Everybody has left and we have been here one year…It is natural that if people of our age (are) placed in detention it will bring huge changes – (there is a) person standing next to you every minute, every day and telling you what to do. Detention centre has its own rules – there are many rules, you have to respect these rules. For example in Darwin, it is 10 pm bedtime, and you have to stay in your rooms because of the headcount. I was there six months, we were the only (people from my country) at that time, everyone else was (from another country) there was no-one to speak with.”* Unaccompanied minor.

Children identified the same issues:

*“It is very bad, we are very tired of living here because we have been living in the camp all the time. The food is bad, everything is repetitious, there are no facilities, there is no TV, no laptop. I would like to be happy. It is hard to be happy. At the beginning we were happy. Others arriving with us have been released.”* Eleven-year-old boy.

The rooms at MITA contain a single set of bunk beds, sleeping two people per room, meaning families are separated between rooms. Children reported being scared at being separated from their parents, and families reported they often all slept together in one room, even though this meant some people slept on the floor.

Recreation facilities included gardening areas, large open grassed areas, a volleyball court, a soccer field, a gym, a large shaded playground, classrooms, a converted squash court (not seen directly), a visiting room and a large shared room with a television/movie projector, a piano and two X-boxes. There have been significant improvements in facilities over the last year.

Children reported some of the facilities in the shared room were new – An eleven year-old boy stated *“The Xbox arrived yesterday…they haven't given us the remote controls.”* This was verified in an independent interview by another parent of a fifteen-year-old: “*The Xbox arrived yesterday and the controls have been hidden… they have never been used.”*

Sporting equipment was available, and some toys were available for children, although children felt their distribution was not equal: “*Some kids have lots of toys, we don't have toys.”* Eleven-year-old boy.

Internet access was identified as a barrier to schooling and completing homework for older students; an adolescent unaccompanied minor reported *“The internet is closed 6 – 8 pm (during dinner) then stops at 8:30pm – 30 minutes is not enough to do your homework…many (sites) are restricted…the ones I need for school.”*

Families reported challenges with providing for infants. Baby food was available in the eating space, although some families and children thought this was new: *“Baby food?…no, (we’ve) never seen baby food before”* Eleven-year-old boy. One family with a six month old infant stated: *“Everyday I have to beg them for nappies…it took a long time – two weeks – to get a baby bottle.”* However, another family with an infant of similar age reported good access to bottles and baby food.

All the families had spent time on Christmas Island, many families had spent periods in other mainland detention facilities, often for months, and some families had come from regional processing centres. Multiple families identified the facilities at MITA as better than the facilities on Christmas Island or Nauru. Others spoke positively of the facilities, but less positively about services.

*“Darwin is very very bad….(here) the food and facilities are good. The mental health support is not.”* Father of two children, aged eleven and seven years.

Families were openly fearful of being sent to Nauru.

“*(I am) constantly fearful of being sent back to Nauru”* Mother of two-month-old baby.

A mother who had been transferred back to MITA from Nauru described:

*“When we were in Nauru, my children were crying all the time because we slept in a tent (in) the humidity. There were a lot of children, they would fight, they were all nervous, we would see the doctor…there was no point. I cannot tell you, it was like they (the children) were in shock…they asked – we asked to come to Australia, not to come here (Nauru). They don’t eat, there was nothing to use or play with. (My) kids were not going to school on Nauru. The school in the camp was so hot, (they) couldn’t go…couldn’t do anything…the kids refused…they couldn’t sit there. In the five months we were in Nauru, we had very hard time. My daughter sitting listening to music in the room...what kind of life is that. They leave us there…in the heat, the accommodation. Why do they do that to us? Because of all the problems with my kids I am taking medicines. (It is) better to let us die than send us to Nauru.”*

An adult male that had come to MITA from Manus Island described:

*“They’re playing with our spirits…Manus Island is cramped, overcrowded…I thought they were going to kill us at Manus.”*

## The impact of the length of detention on children

The length of detention, and the detention environment were felt to have a significant impact on mental health for parents, children and families. Limited access to schooling or varied play spaces, lack of freedom of movement or freedom from being watched/supervised at all times and profound uncertainty were all identified as affecting mental health.

Almost all families reported mental health problems; most had experienced a downward trajectory of their mood and sense of hope over time. Some specifically noted their children’s mental health worsened with increased time of detention.

 *“My child is mentally unwell”* Mother of seven-year-old boy.

*“Everyone is mentally ill, upset and worried”* Parent of twenty-three-month-old girl and seven-year-old boy.

 *“Being detained is very difficult for me, my children. My baby is six months old and he is six kg only; (I am) worried about my baby. My other two children are depressed, not sleeping well and having nightmares, loss of weight. We have no choice, no control…This is Immigration’s plan – they want to make it unpleasant so we will want to return to (country)”* Mother of three children, aged two, seven and ten years.

*“I am always sad.”* Mother of five-month-old infant.

*“I think they (children) have become depressed. For eight months the mental health department avoided providing us any service*” Mother of two children, aged eleven and seven years.

*“My child’s emotional state is getting worse as time passes”* Mother of nine-year-old.

A young adult who had spent time as an unaccompanied minor stated:

“*When I was in detention in the beginning, I did not self-harm in detention, when I came back into detention…I started hitting myself in the shoulder with a razor blade…they try to push you to a point where you hurt yourself so much…do something so big that you might have to stay here”.* Young adult male.

This person reported they had not brought their self-harming to the health or mental health services.

A mother who had been transferred back to MITA from Nauru described that her children’s mental health had improved in MITA since leaving Nauru, although she noted her children *“Can’t sleep properly because of conditions overseas”*. She went on to describe that she had made two suicide attempts and stated “*I’m a nervous wreck.*”

Parents also felt detention was adversely affecting their child’s development:

*“My child’s development has been affected by being in here”* Mother of seven-year-old boy.

*“I am concerned my child [two-year-old] is not speaking.”* Mother of three children, aged two, seven and ten years.

*“(Child) has gone backwards with their learning”* Parent of four-year-old boy.

Almost all parents reported that they themselves had symptoms of depression, anxiety or were on anti-depressant medication, and that their children had poor sleep, nightmares, poor appetite and behavioural problems.

*“He [child] doesn’t sleep well, he has a lot of concerns, he sees a psychologist, and he has a lot of fears about being sent back to Christmas Island”* Mother of fifteen-year-old boy.

*“My child has nightmares and is fearful unless we all sleep in the same room.“* Father of three children aged two, seven and ten years.

 *“(Children) get sad then their friends in MITA are being released. (They have) loss of interest… lost weight due to poor appetite”* Mother of eight and eleven-year-old.

*“My child has increased anxiety; (they are) worried about snakes”* Mother of two-year-old.

Parents recognised the impact of their own mental health problems on their children.

*“Nothing, not even the birth of my child can make me feel happy. I don’t know what family means. I haven’t been able to form a bond since the birth of my two month old daughter because of how I feel being in detention”* Mother of eight-week-old baby.

*“(I) lock my self in room; I lose it sometimes; I become agitated. They (DIBP) made me sick…(I am) no longer having thoughts of harming my children, but they are surviving, not living…my children say we don’t want Australia, we want you alive.”* Mother of three children, who had attempted suicide three times, and who has ongoing suicidal ideation.

There was a pervasive sense of uncertainty and hopelessness across parents and children, with progressive impact over time. Parents reported being demoralised, disempowered and undermined by the uncertainty, and for children particularly, this situation was further compounded by a sense of unfairness when other people had been released after relatively shorter periods in detention.

*“It is a present (there is no past or future)”* Unaccompanied minor.

“*Every day they come home (from school) and ask us (is there any news)…The only thing that keeps me going is my children and hope for my children*” Father of two children aged eleven and seven years.

*“My children think I am a liar for bringing them here when I had told them we were coming to a safe new country”* Father of three children, aged two, seven and ten years.

 *“Dying is better than living…I want to die…I cannot tolerate this environment.”* Parent of children aged six months, eight and eleven years.

Similar themes came from young people:

 *“(It is)* *So uncertain, every night and every day I’m thinking what’s going to happen”* Unaccompanied minor.

 *“(It is) Constant stress – why are we here?”* Unaccompanied minor.

Families found the institutional routine difficult and demoralising and described being unable to parent effectively in detention.

*“The food is not good for children, we can’t make the food we want”* Mother of seven-year-old boy.

*“We are stressed and can’t provide for our children”* Father of three children, aged two, seven and ten years.

 *“We have no control over the situation here in detention”* Parent of two children aged eight and eleven years*.*

*“The kids feel they (security staff) are watching us. The children see us as parents who have no authority any more, they listen only to the officers. We no longer feel as parents. At Christmas Island the officers were very strict.”* Mother of three children aged two, seven and ten years.

*“When baby was born, I had no support…no support was there for us. We missed the extended family support and were not able to do any rituals for the newborn baby.”* Mother and father of five-month-old infant.

Most families reported staff used their names; although they also reported they were frequently identified by room or boat number. One unaccompanied minor who had spent a considerable period in Darwin immigration detention centre stated*: “Name is not important, they only ask your number.”*

## Measures to ensure the safety of children

Most families viewed the Serco staff in MITA positively: “*They’re really nice to her”* Mother of two year old girl. Families acknowledged the role of Serco staff, although they were perceived as ‘guards’ and ‘watchful’; they noted they were *“Doing their job”,* Mother of eight year old and*“It is not Serco’s fault”* Mother of three children aged six months, eight and eleven years.

Multiple families reported significant difficulties with Serco staff on Christmas Island and in Darwin, with one unaccompanied minor stating: *“In Darwin they treat us as if we were major criminals..if I went a few minutes over a phone call…”*

At the same time, parents described not being able to supervise or protect their children. They were particularly concerned about interactions with other people in held detention without their supervision. A father of three children, aged two, seven and ten years described his children recognised, and were scared of, an adult male from Christmas Island who had mental health problems, and had been aggressive to children on Christmas Island, and had been observed to hit children. Others reported vicarious trauma through exposure to adults with mental health problems or due to the closed environment:

*“My daughter witnessed someone self-harming in Christmas Island”* Father of ten-year-old girl.

*“The kids feel they (security staff) are watching us.”* Parents of three children aged two, four and six years.

 *“I am concerned about the high security men and their interaction with my child…I am concerned my child is learning bad things from the environment here”* Mother of nine-year-old girl.

An age disputed minor stated:

*“The reason why I have been shaving all the time is I want to have a strong beard…I was in with the adults…in (IDC) I couldn’t sleep, I slept during the day.”*

One family raised safety concerns about alcohol and marijuana use inside the facilities. Another detainee, a mother of an eight-year-old boy, reported being *“Harassed as a single woman by other men here”*.

## Provision of education, and recreation activities

Parents and children and adolescents reported they had spent prolonged periods, of several months, without school access in MITA. At the time of the visit, most children and adolescents were going to school, although many children and families reported they had only been enrolled in the preceding days or week.

*“My child was only allowed to go to school two days ago”* Father of ten-year-old girl.

*“My child was only allowed to go to school three days ago”* Parent of seven-year-old boy.

*“School started only yesterday”* Parent of two school age children who had been at MITA for two months.

*“Two weeks ago I started”* Unaccompanied minor.

*“They have not attended school for two months; Serco made them go to school yesterday because you (the Human Rights Commission) were coming”* Parents of three children, aged six months, eight and eleven years old.

*“Both my kids are going to school now, it took some time, they didn't go initially”* Father of two children aged eleven and seven years.

Families related their school access to their migration pathways, and reported there were different patterns of access depending on time of their arrival. A father of two school age children aged seven and ten years stated: *“We were told our child couldn’t go to school as we came after 19th July (2013) when the law changed…Only ‘legal’ arrivals have been allowed to go to school.”*

School was seen as a positive experience by parents for their children, and families at MITA spoke positively of the local school system. *“The schooling system here is very good”* Father of two children aged eleven and seven years;*“[going to school] is the only positive thing about being in detention*” Mother of eight and eleven year olds. They identified school as protective for mental health. *“My son was very distressed before he was allowed to go to school”* Father of seven-year-old boy.

Conversely, an unaccompanied minor described his school experience in Darwin:

*“For three months there was no school, for two months I went to school. It was totally separate time for school…from 2:30 – 6 pm, there were two Serco guards in class…we had to ask permission to go to toilet from guard…there was a guard in the toilet outside the door. Six officers surrounded us at recess.”*

Although excursion opportunities were advertised within MITA, few children/families had been outside MITA except for school or for medical appointments. When asked if they were able to leave MITA one family replied: *“Are you kidding me? They beg me to go to a park!”* Parent of three children aged six months, eight years and eleven years*.* Others reported similar issues:

 *“We haven’t been out to the community of Australia to see what it is like.”* Eleven-year-old boy.

*“We are never allowed out of the compound, except for medical visits. We were supposed to go on our first excursion, our daughter was very excited, and then it was cancelled (due to rain)”* Father of ten-year-old girl.

*“Children don’t get to leave the centre.”* Mother of three children, aged six months, eight years, and eleven years (although the children had started school the day prior to the visit).

The availability of excursions was not clear, however one young adult stated that if was called up for excursions, he would refuse them, “*If you went outside, you might enjoy it, and feel so aggrieved you might end up hurting yourself.*”

## Access to health and mental health services

Many people reported they were in MITA for medical reasons and that they had been transferred from other immigration detention centers, including offshore centres. There was a consistent theme across interviews of difficulty accessing health services, particularly dental and mental health services. There are no child-trained mental health staff and there is no child and adolescent psychiatrist currently employed at MITA. Families reported confidence in the doctors at MITA but difficulties with the scheduling system, noting it could take several days to be seen, with limited flexibility in timing of bookings.

“*We missed our appointment by fifteen minutes due to changing a nappy and could not reschedule.*” Mother of two-month-old infant. One family reported they had waited three days for an appointment for their newborn baby.

Oral health issues were a concern for many families and they reported long waiting times for dental review.

 *“We aren’t encouraged to visit (the) dentist”* Mother of three children, aged two, seven and ten years.

*“There is a lot of resistance to accessing a dentist. We need help for the dental pain.”* Mother of three children aged six months, eight and eleven years.

“*I have severe dental pain and haven’t been seen by a dentist. I keep writing requests but my referral was lost and I have to go to the back of the queue.”* Mother of two-month-old infant.

People identified problems with health services. A father reported in relation to his seven year old son: *“(He) broke his arm at Christmas Island, (it was) not plastered property due to not being allowed to transfer, in Melbourne (he) has needed two operations to fix the problem.”*  A mother who had been admitted to inpatient mental health services twice in different states noted *“(It) has not been helpful seeing different doctors…they change the medication all the time…we are guinea pigs.”*  She also described being given medications that were “*Too strong*” which made it impossible to care for her baby because she was so sedated.

An adolescent asked about how he was feeling, and access to mental health services stated:

*“You are the first person that has asked. All they ask is how are you sleeping, how are you eating. No one has asked us how we are feeling.”*

Another unaccompanied adolescent reported requests for access to health related to age: *“When I go to the officers they swear at me, then they ask me my age, and (then) they call the hospital.”*

Several women were pregnant, or had recently given birth. Antenatal appointments and screening appeared to be appropriate, however women described the environment in MITA as a difficult place to be pregnant.*“It is very difficult to be pregnant here…I am not happy to be pregnant here*” Mother of two children, currently late pregnancy. Another women had been sent to MITA for medical review, her husband stated that *“By the time (she arrived in MITA) she was pregnant and had to abort due to immunisations given.”*

## Access to other services

Generally people reported they had access to interpreter assistance for case worker interviews and when interpreters were needed, including for medical appointments. Conversely, very few families reported ever having seen a lawyer; almost all families reported that they had been told they were not eligible for legal representation: *“Lawyer has not been offered, we were told we do not have right to see lawyers”* Parents of three children. One family noted: *“There is a lawyer who visits for children born in Australia.”*

## The separation of families across detention facilities in Australia

Families had been separated across the detention network. Several families in MITA reported one child and parent had been sent for medical review in Melbourne, then the other parent and siblings had subsequently joined them (after weeks) in MITA. Separation was difficult for families, and families reported their children’s distress and behavioural problems increased during periods of family separation.

*“We were separated for 3 months after I got sent to Darwin from Christmas Island after I went blind in one eye, they wanted to separate us again before sending us to MITA and I objected”* Father of three children, aged two, seven and ten years.

## Messages

At the end of every interview, children and adults were asked “If you could tell Australians one thing about your life, what would it be? Is there anything that you want to say to the Inquiry or to me?” These are the replies:

*“When I was outside, one day two Australian boys came and said where are you from? I said (country) ...there was a can of Pepsi on the road…they said to pick it up. I looked at them and I picked it up. They went away then they came back and hit me. At that point two boys (from my country) with fluent English came and saved me. They said, there is no discrimination based on race, ethnicity or religion here, we are all equal under this flag. That is my message.”* Nineteen-year-old male.

*“We want to work, pay tax and have a good life, we are trying to be a proper citizen”* Adult male.

*“The only thing that keeps me going is my children, and hope for my children. We are thankful for the Human Rights Inquiry because we have tried to contact Red Cross and the Ombudsman. If this Inquiry has an effect we will be thankful, if it does not have an effect, we will still be thankful.”* Father of two children aged eleven and seven years.

*“We have come with our children but we are living as if in a jail. It is not good to treat people like this. When we come here, we thought we could have a lot of freedom here. Two or three months is tolerable (but not longer)”* Parents of three children aged two, four and six years.

*There are people here for five years, what has the Human Rights Commission done for them? Same that Human Rights Commission has not done anything for that group and will not do anything here. I am here for six months, (it's the) first time I see this Commission here. I was trying for one month to see someone from Red Cross. It has been six months that I’m here, some people (are) here for five years. Which kind of human rights is it that someone should stay five years?”* Unaccompanied minor.

*“We came here looking for refuge. But with this life, why should we come? When they keep us here for a long time it can be very depressing. Wherever I run, I cannot find freedom”* Parents of two children aged eight and eleven years old.

“*I’ve been here ten months…children don’t deserve this. I’m very angry. I can’t take my own child to school. We have to ask for everything, “request” everything. I like to be free and do my own things, I can work if I need to.”* Mother of eight-year-old boy.

*“We welcome the opinions of some of the people who say we shouldn’t be in detention, to the Australian Human Rights Commission – thank-you”* Mother of six-week-old baby.

*“We came here because we face particular threats; not for business or money. This (detention) is something we will never be able to forget or get out of our minds. Why have we been so long in detention without a crime or a mistake? Why are we the last people left here? No-one in the world would keep a minor in detention this long. Our message to the Australian people is that we need your help.”* Unaccompanied minor and his (now young adult) brother.