

National Inquiry into Children in Immigration Detention 2014

Melbourne Public Hearing
Wednesday, 2 July 2014

President	<p>Good morning everyone. I'm Gillian Triggs, the President of the Australian Human Rights Commission and I would like to welcome you all very warmly to this second public hearing into the detention of asylum seeker children. I am very pleased indeed to have the opportunity to use this wonderful room in the Fitzroy Town Hall. I have just had the honour of meeting the Mayor of the City of Yarra and I was particularly delighted to arrive this morning at the front steps of this wonderful building to see the banners that welcome refugees and asylum seekers to the City of Yarra. The Mayor tells me that in fact it has been there for some years, so that is a rather wonderful and heart-warming way to start these hearings. The aim of this hearing today is to look at the different conditions and standards of closed detention across Australian States and Territories. To look at the health and the wellbeing of detainees with a particular focus on the mental health of children and their parents and to examine the provision of services and the health and wellbeing of transferees to third country processing. We will hear from a wide range of witnesses including child mental health experts, advocates who work with children in detention, the Department of Immigration and Border Protection and the International Health and Medical Service.</p> <p>Let me tell you just a little bit about the inquiry process, where we've got to and what the current statistical information is with regard to the detention of children. Firstly, I and my colleagues who are with me, Prabha Nandagopal and Fabienne Baldan along with other members of the staff of the Australian Human Rights Commission have been visiting nine immigration detention facilities. We have had 486 interviews with families and unaccompanied children which represents 1,500 individuals represented in those interviews. Now I mention that fact because it is a very important one for this inquiry and that is that it's vital for the purposes of our inquiry that we not only get the legal standards correct but that we get our information correct; that our evidence is accurate and that the interviews that we are conducting can lead to some, if you like, scholarly materials and research that will stand up to scrutiny. That is why the fact that we have been able to conduct these interviews with so many people gives us a very solid database upon which to draw conclusions in our final recommendations and findings.</p> <p>We've had, very importantly, 38 interviews with asylum seekers who have previously been in immigration detention and they are able to give us their views of what the conditions were like. We have held one public hearing thus far. That was in Sydney on 4 April at which 14 witnesses gave evidence and that is available on our Commission</p>
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	<p>website if you would like to have a look at it. The inquiry has received over 200 submissions so far which I think is unprecedented in terms of our public hearings. It has been a very rewarding process of engaging Government and non-Government organisations, concerned individuals and of course asylum seeker children and refugees, people who have subsequently been and determined to be refugees. Those submissions where we have the consent of the person making the submission are being put up gradually onto our website and I think we have about 70 or so available, the rest will go up as soon as we can possibly get them up there.</p> <p>But let's now move to some of the statistics that underpin our concerns. We have at the moment 983 children in immigration detention. Seven hundred and seventy five (775) of those children are held in immigration detention facilities in Australia and 208 are held in detention in Nauru. Those figures are as at the 31st May and I'm sure you will appreciate that those figures do vary over even a few days. Three hundred and four (304) children are detained on Christmas Island and they are subject ... all subject to off-shore transfer to Nauru as described by Australian Government policy. Five hundred (500) ... sorry 54 unaccompanied children are held in immigration detention facilities within Australia and we will be looking at the particular circumstances of those unaccompanied children and interestingly too, 128 babies have been born in immigration detention facilities in Australia in the last 15 months or so. Three hundred and twenty one (321) children have been held in immigration detention facilities in Australia for more than six months and that is, one of those statistics underpins our concerns that children are being held for longer periods of time although it should be in fairness, recognised that the Government has also been releasing significant numbers of children over the last 15 months. Many children are now being held for longer than has been the case in the past. Thirty eight (38) children have been held in immigration detention facilities in Australia for more than a year and that was an accurate statistic as of January this year. The average length of time that a child spends in immigration detention facilities in Australia as at the 31st March is 231 days.</p>
<p>President</p>	<p>Well with those just opening remarks to give you some sense of what we have achieved thus far, we will begin the proceedings. All of the people who will be providing evidence today have agreed to do so of their own volition, although I do have compulsion powers as President of the Human Rights Commission and they may be used in a third hearing to be held later in Sydney. We, I think as you know, intend to report in September. The way the process works is that we will produce a draft report that the Minister and the Department of Immigration will be able to review to correct any mistakes or any comments that are made that they feel are not supported by the evidence and the Minister and the Department will then return that report to us with their comments. We will respond to those comments with a final report and report through the Attorney General to Parliament and the report will then be publicly available for consideration and of course go up on our website.</p>