

8 March 2017

The Hon Peter Dutton MP  
Minister for Immigration and Border Protection  
PO Box 6022  
Parliament House ACT 2600

Dear Minister

### **Call for humane conditions in detention centres in Australia**

Fair and supportive treatment for people in detention centres is an expectation of the Australian community, including the Catholic community. Our member organisations in Catholic Social Services Victoria support people seeking asylum and have intimate experience and connections with the residents and the operations of detention centres<sup>i</sup>.

Our members have expressed serious concern that conditions have deteriorated over the past year, and call on you to improve the situation and turn the detention centres into accommodation that respects and addresses the needs of the individual people at these facilities.

Catholic Social Services Victoria calls for a non-punitive approach in these centres, as required by human rights guidelines<sup>ii</sup> and by the basic principles of respect for human dignity and of recognition of our common humanity.

As these standards establish and support: In the normal courses of events, if there is a need to temporarily detain people seeking asylum, whether for resolution of refugee claim or for security reasons, they should be accommodated in non-custodial settings designed to ensure their comfort, wellbeing and personal security. Detention should not be treated as a punishment, either to encourage people to return home, to deter others from seeking asylum, or for other reasons. Detention centres and prisons are not the same, and should not be administered as the same. People seeking asylum should not be treated as criminals, and should not be housed with criminals.

We welcome the Government's pending ratification of the *Optional Protocol to the Convention Against Torture*, and call for this *Protocol* to be fully applied and implemented in all immigration detention facilities – that would include those located in Papua New Guinea and Nauru as well as the facilities in Australia.

Our members have frequently reported on the cruel behaviour and procedures that have developed since the Australian Border Force took over supervision of Australian detention centres in 2015. Examples of this are

- the use of hand-cuffs or other physical constraint for all medical travel;
- increased restrictions on access to visitors and on receiving gifts from visitors;
- the presence of male staff in female sleeping units;
- the restriction of outings to events supervised by staff;



- increased psychological pressure on residents from the uncertainty that prevails around the length of time that they will be in detention, and the location of that detention.
- The slow processes involved in getting adequate medical help - we are told of the many approvals needed in the process before someone get medical help.

As a specific example, the well documented disrespect by staff for people gathered for worship in the Broadmeadows Detention Centre on Christmas Day last year<sup>iii</sup> was particularly sad. Christmas was still celebrated, but the officious treatment of visitors and residents highlighted the gap that exists between the reality of detention in Australia and the basic respect and fairness that most people living in Australia aspire to.

The cruel impact of this behaviour contravenes accepted guidelines and standards, and turns detention into a punishment, which it is not intended to be. Rather it should reflect integration into Australia's multicultural society that has provided such a richness of economic, social, health and community benefits. This harmonised diversity is a benchmark and respected globally. It is essential we retain it.

Catholic Social Services Victoria calls on you to take all necessary steps to turn the detention centres into non-custodial settings that ensure the dignity, wellbeing and personal security of the individual people at these facilities.

Yours sincerely

Denis Fitzgerald  
Executive Director

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<sup>i</sup> Organisations that have contributed to this letter, and who support it, include:

- Brigidine Asylum Seeker Support Program
- CatholicCare
- Edmund Rice Community and Refugee Services
- Jesuit Social Services (tbc)
- Melbourne Catholic Migrant and Refugee Office
- Missionary Sisters of Service
- St Vincent de Paul Society, Victoria

<sup>ii</sup> Relevant guidelines include "Guidelines on the Applicable Criteria and Standards relating to the Detention of Asylum-Seekers and Alternatives to Detention", UNHCR, 2012 and the "Human Rights Standards for Immigration Detention", Australian Human Rights Commission 2013.

<sup>iii</sup> 'Celebrating Mass among the Unwelcome', <http://www.pray.com.au/celebrating-mass-among-the-unwelcome/>