

REFUGEE COUNCIL OF AUSTRALIA

INCORPORATED IN A.C.T. - ABN 87 956 673 083

37-47 ST JOHNS RD, GLEBE, NSW, 2037
PO BOX 946, GLEBE, NSW, 2037
TELEPHONE: (02) 9660 5300 • FAX: (02) 9660 5211
info@refugeecouncil.org.au • www.refugeecouncil.org.au

MEDIA RELEASE

15 July 2005

REFUGEE COUNCIL OF AUSTRALIA CALLS FOR A JUDICIAL INQUIRY INTO IMMIGRATION DETENTION AND REMOVALS

The Refugee Council of Australia today noted with satisfaction that the inquiry conducted by Mick Palmer into the detention of Cornelia Rau made very strong findings and recommendations about the need to fundamentally reform the organisational culture within the Department of Immigration and its overall management of immigration detention. "Welcome as these findings and recommendations are, they do not go far enough to examine the core issues," said RCOA president, David Bitel. "RCOA has been arguing for many years that there needs to be a properly constituted judicial inquiry into Australia's detention policy and the administration of detention centres.

"Ms Rau's case is serious but it is by no means the only person who has been in immigration detention with a psychiatric illness or who is in need of expert intervention. Her case is not an exception. It is indicative of long-standing and deep-seated systemic failings in the Immigration Department and other relevant organisations' treatment of people in their care. For many years now, the system has denied people detained their most basic rights and needs on a daily basis," Mr Bitel continued.

He also noted with concern that the Palmer Inquiry found that there are many unanswered questions surrounding the unlawful removal of Vivian Alvarez Solon, most particularly around who knew what and when and why no action was taken.

"It is deeply troubling," said Mr Bitel, "that thus far much of the attention has focused on the injustices done to Australians. What happened to them is inexcusable but it is critical not to lose sight of the fact that many people from other countries have been subject to same flawed system and the same type of abuse that Ms Rau and Ms Alvarez have suffered.

"The fact that a person is not a national of this country should not allow the government to treat them with any less respect or to deny them basic rights afforded to them under national or international law. Many of those who have suffered most in Australia's immigration detention centres are people who have fled to this country seeking sanctuary from persecutory regimes. They deserved ... and deserve far better.

"The changes Palmer recommends are important but are unlikely to result in the substantial change that is required to resolve the fundamental problems in the system. They can only at best ameliorate some of the worst aspects of a policy and a system that needs to be overhauled. The only way this can be achieved is for there to be an inquiry that goes beyond the specifics of individual cases and goes to the very heart of the systemic problems identified by numerous human rights watchdogs over the years.

"Such an inquiry must be at a judicial level, such as a Royal Commission, as only this has the power to subpoena evidence, cross examine witnesses and protect those who have important evidence to contribute. It should also examine the excellent work done by many agencies in recent years in proposing far more humane, efficient and cost-effective ways to manage the system and the people who are subject to it. Without this we are only treating the symptoms but leaving the disease to fester so that more will suffer in the future" Mr Bitel concluded.

Contacts:

David Bitel	02) 9286 8700
Margaret Piper	0405 144 099