NEVER AGAIN: LET'S END THE DETENTION OF CHILDREN ONCE AND FOR ALL

The report of the Australian Human Rights Commission's National Inquiry into Children in Immigration Detention provides compelling evidence of the need for Australia to cease the detention of children once and for all. Drawing on interviews in detention facilities with more than 1000 children and their parents, the report offers a deeply disturbing record of the harm inflicted on so many children by successive governments. The Government, Opposition and all members of the Australian Parliament must take immediate action to ensure that all children are released from Australian-funded detention centres, in Australia and Nauru, and to ensure that these policies are never repeated.

The indefinite mass detention of children is a national disgrace for which both of Australia's major political parties bear responsibility. Under the Rudd and Gillard Governments, record numbers of children were detained, reaching a peak of 1,992 in July 2013. Under the Abbott Government, hundreds of children have experienced prolonged detention, with the average time spent in detention rising from three months in August 2013 to more than 14 months in January 2015. In doing this, governments have ignored numerous reports, including from the Commission's previous national inquiry in 2004, which have outlined detention's shocking impacts on the mental health of children.

At the public hearings conducted as part of the inquiry, previous Ministers for Immigration Chris Bowen and Scott Morrison both acknowledged that the detention of children was not an effective mechanism for deterring boat arrivals or preventing deaths at sea.[1] Without a clear policy purpose, it is bewildering that this deeply harmful and exorbitantly costly practice has continued for so long.

For more than a decade under successive governments, we have watched Australia's detention policies go through the same cycle: people are kept in indefinite detention unnecessarily for prolonged periods until the human and financial costs of doing so become so high as to compel the Government to make greater use of community-based alternatives. It is high time that we put an end to this cycle.

Australia is the only country in the world to detain children as its first option. In the United Kingdom, for example, the number of children simultaneously in UK immigration detention over the past three years has not exceeded four, a tiny fraction of the number detained by Australia.[2] The United Kingdom also has legislative limits on the detention of children which restrict the detention of families with children in pre-removal centres to a maximum of 72 hours, or seven days if authorised by the responsible minister.

Effective alternatives to detention already exist in Australia – and have done so for a decade. We urge the Australian Government to expand the use of these alternatives, ensure that they are used routinely for children and families and develop safe alternatives to detention for children now detained in Nauru.

We reject the argument that the welfare of asylum seeker children sent to Nauru is the sole responsibility of the Government of Nauru. The harm being inflicted on children detained there is a

---

[1] Former Immigration Minister Chris Bowen said that detention was "not an effective deterrent" and that the "cost on children was too great for any deterrence value". See Bowen, Chris, Testimony at the AHRC Public Hearings on 9 September 2014 (page 1), available at https://www.humanrights.gov.au/sites/default/files/Hon%20Chris%20Bowen.pdf; When asked if the "purpose of long-term detention [is] to deter people from coming to Australia by boat?", Minister Scott Morrison said "no". See Morrison, Scott, Testimony at the AHRC Public Hearings on 22 August 2014 (page 25), available at https://www.humanrights.gov.au/sites/default/files/Hon%20Scott%20Morrison%20Mr%20Bowles.pdf

[2] A comparison of quarterly statistics for the detention of children in Australia and the UK from 2012 to 2014, compiled by Refugee Council of Australia, can be found at http://bit.ly/1CcOG6a.

direct result of Australia's actions. Australia was responsible for sending children and their families to Nauru against their will, in full knowledge that they would face prolonged indefinite detention. Australia remains responsible for funding the detention centre in Nauru; indeed, without Australia's support, the centre would cease to operate.

After the Commission's 2004 report into the detention of children, the Australian Government pledged that children would be detained only as a last resort. As the Commission's new report clearly shows, such non-binding political promises are meaningless. We urge the Australian Parliament to:

1. Introduce legislation to prevent children from being detained for immigration purposes in the future.
2. End the offshore processing of asylum claims and return all asylum seekers currently subject to offshore processing to Australia, prioritising children and their families.
3. Refer allegations of child sexual abuse in Australian-funded detention centres to the Royal Commission into Institutional Responses to Child Sexual Abuse.

As the UN Committee on the Rights of the Child has ruled, "the detention of a child because of their or their parent's migration status constitutes a child rights violation and always contravenes the principle of the best interests of the child."[3] So long as Australia continues to detain children as a measure of first rather than last resort; so long as our laws fail to protect children against prolonged indefinite detention; so long as any child remains in detention as a result of Australia's actions, we will be failing in our duty to protect the best interests of children in our care.

We have comprehensive, consistent and irrefutable evidence of the harm caused by prolonged indefinite detention. We have practical, humane and effective solutions at our disposal. It's time to end the detention of children once and for all. It's time to stand up and say: *never again*.

This statement is supported by:
Refugee Council of Australia (statement coordinator)
A Just Cause
ACT Council of Social Service
Act for Peace - National Council for Churches in Australia
ActionAid Australia
Adventist Development and Relief Agency Australia
Ahmadiyya Muslim Association of Australia
Aireys Inlet Rural Australians for Refugees
Amnesty International Australia
Anglican Social Responsibilities Commission, Diocese of Perth
Apollo Bay Rural Australians for Refugees
Armidale Sanctuary Humanitarian Settlement
Asia Pacific Journalism Centre
Association for Services to Torture and Trauma Survivors (ASeTTS)
Association for the Wellbeing of Children in Health
Asylum Insight
Asylum Seeker Resource Centre
Asylum Seekers Centre
Auburn Diversity Services Inc
Australian Afghan Hassanian Youth Association
Australian Anti-Bases Campaign Coalition
Australian Baptist Ministries
Australian Catholic Migrant and Refugee Office
Australian Catholic Social Justice Council
Australian Churches Refugee Taskforce
Australian Coalition to End Immigration Detention of Children
Australian Council For International Development
Australian Council of Social Service

[3] Committee on the Rights of the Child, *The Rights of all Children in the Context of International Migration: Report of the 2012 Day of General Discussion*, paragraph 78, http://www2.ohchr.org/english/bodies/crc/docs/discussion2012/ReportDGDChildrenAndMigration2012.pdf

Australian Council of Trade Unions
Australian Doctors International
Australian Jewish Democratic Society
Australian Lasallian (Asia-Pacific) Foundation
Australian Lutheran World Service
Australian National Committee on Refugee Women
Australian Refugee Association
Australia-Tamil Solidarity
Ballarat Catholic Diocesan Social Justice Commission
Ballarat Community Health
Balmain for Refugees
Bamyan Association
Baptcare (Victoria and Tasmania)
Baptist Care Australia
Baptistcare Incorporated (WA)
Bayside Refugee and Advocacy Association
Bellarine for Refugees
Blue Mountains Refugee Support Group
B'nai B'rith Australia/New Zealand
Border Crossing Observatory, Monash University
Braidwood Rural Australians for Refugees
Bridge for Asylum Seekers Foundation
Brien Holden Vision Institute
Brigidine Asylum Seekers Project
Brisbane Refugee and Asylum Seeker Support Network (BRASS)
Broadway and Glebe Catholic Social Justice Group
Burmese Rohingya Community in Australia
Campus Refugee Rights Club, University of Melbourne
Canberra Refugee Support
Caritas Australia
Castlemaine Rural Australians for Refugees
Catholic Archdiocese of Melbourne, Office of Justice and Peace
Catholic Diocese of Darwin
Catholic Diocese of Parramatta, Social Justice Office
Catholic Diocese of Toowoomba, Social Justice Commission
Catholic Education Office, Sydney
Catholic Immigration Office (Sydney)
Catholic Justice and Peace Commission, Archdiocese of Brisbane
Catholic Social Justice Commission, Archdiocese of Canberra-Goulburn
Catholic Social Services Australia
Catholics in Coalition for Justice and Peace
Centacare South West NSW
Central Victorian Refugee Support Network
Centre for Advocacy Support and Education for Refugees
Centre for Human Rights Education, Curtin University
Centre for Multicultural Youth
Centre for Refugee Research, University of NSW
Centrecare (WA)
ChildFund Australia
Children's Healthcare Australasia
Children's Rights International
ChilOut
Christian Brothers Oceania
Christian Brothers Tasmania
Coalition for Asylum Seekers, Refugees and Detainees
Coalition for Justice and Peace in Palestine (Sydney)
cohealth
Combined Refugee Action Group
Common Grace
Communicare

Community Migrant Resource Centre
Companion House
Compassion and Justice for Refugees, SA
Conference of Leaders of Religious Institutes in NSW
Council of Social Service of NSW
Cyber Christian Community WA
Darwin Asylum Seekers' Support and Advocacy Network
Daughters of Our Lady of the Sacred Heart Overseas Aid Fund
Doctors for Refugees
Domestic Violence Service Management
Dominican Sisters of Eastern Australia and the Solomon Islands
Edmund Rice Centre Mirrabooka
Edmund Rice Centre Sydney
Edmund Rice Network Tasmania
Ethnic Communities' Council of Victoria
Federation of Ethnic Communities' Councils of Australia
Federation of Liberian Communities in Australia
FHEAL Foundation
Fitzroy Learning Network
Geelong Interchurch Social Justice Network
Geelong Refugee Action and Information Network
Global Campaign to End Immigration Detention of Children
God's Dwelling Place Bethany City Church
Good Shepherd Australia New Zealand
Grandmothers Against the Detention of Refugee Children
Habitat for Humanity Australia
Hazara Council of Australia
Hazara Women of Australia
Help - Himalayan Youth Foundation
Horn of Africa Relief and Development Agency
House of Hospitality, Broadmeadow (NSW)
House of Welcome
House of Welcome Ballarat
Humanitarian Research Partners
Hunter Ecumenical Social Justice Network
Immigration Advice and Rights Centre
Independent and Peaceful Australia Network (NSW)
Indigenous Social Justice Association
Institute of Sisters of Mercy of Australia and PNG
International Commission of Jurists Australia
International Detention Coalition
International Society for Human Rights - Australia
Islamic Council of Victoria
Islamic Relief Australia
J'accuse Coalition
Jesuit Refugee Service Australia
Jesuit Social Services
Josephite Community Aid
Justice Connect
Justice for Palestine Matters, Sydney
Justice, Ecology and Development Office, Catholic Archdiocese of Perth
Justice, Peace and Integrity of Creation Commission, Carmelites of Australia and Timor Leste
Kommonground
Labor for Refugees
Lentara UnitingCare
Liverpool Migrant Resource Centre
Loddon Campaspe Multicultural Services
Loreto Sisters of Australia and South East Asia
MacKillop Family Services
Mahboba's Promise

Marist Sisters
Marrickville Peace Group
Melaleuca Refugee Centre
Melbourne Catholic Migrant and Refugee Office
Mercy Community Services
Mercy Foundation, North Sydney Sisters of Mercy
Mercy Works
Migrant Resource Centre of South Australia
Missionaries of the Sacred Heart Justice and Peace Centre
Missionaries of the Sacred Heart Provincialate
Multicultural Council of Tasmania
Multicultural Youth Advocacy Network Australia
Nonlethal Security for Peace Campaign
Northern Settlement Services
NSW Teachers Federation
NT Council of Social Service
Occupational Opportunities for Refugees and Asylum Seekers
Oromia Support Group Australia
Oxfam Australia
Partners Relief and Development Australia
Passionist Congregation in Australia, New Zealand and Papua New Guinea
Pax Christi Australia
Pax Christi Queensland
Pax Christi Victoria
Peace and Justice Commission, NSW Ecumenical Council
Peace and Social Justice Network, Religious Society of Friends (Quakers)
Plan International Australia
Presentation People's Social Justice Group, Ballina
Presentation Sisters Lismore
Presentation Sisters Queensland
Presentation Sisters Wagga Wagga
Promoting Healthy Outcomes For Refugees Inc
Quakers, NSW Regional Meeting
Quakers, WA Regional Meeting
Queenscliff Rural Australians for Refugees
Refugee Advice and Casework Service
Refugee Advocacy Network
Refugee and Immigration Legal Centre
Refugee Support Group, St George and Sutherland Shire
Remedy Australia
Royal Australian College of Physicians
Rural Australians for Refugees, Bellingen and Nambucca Districts
Rural Australians for Refugees, Bendigo
Rural Australians for Refugees, Daylesford and District
Rural Australians for Refugees, Grampians/Gariwerd
SA Council for Civil Liberties
Safe Asylum
Salvation Army - Eastern Territory
Sanctuary Australia Foundation
Save the Children Australia
SCALES Community Legal Centre
SCARF Inc, Illawarra
Settlement Council of Australia
Settlement Services International
Sisters of St Joseph
Sisters of St Joseph Lochinvar
Sisters of the Good Samaritan
Sisters of the Little Company of Mary, Australia
Social Justice Ministry, Catholic Parish of Chatswood
Sophia's Spring Uniting Church, East Brunswick

Spring Creek Community House
St Bede's Social Justice Group, Braidwood
St Columban's Mission Society WA
St Vincent de Paul Society National Council of Australia
Stand Up: Jewish Commitment to a Better World
Surf Coast Rural Australians for Refugees
Sydney Justice and Peace Coalition
Sydney Multicultural Community Services
Tasmanian Asylum Seeker Support
Tasmanian Catholic Justice and Peace Commission
Tasmanian Council of Social Service
The Grail Australia (NSW)
The Tasmania Opportunity
Townsville Multicultural Support Group
Trinity Aid for Refugees
UNICEF Australia
Union of Australian Women Victoria
Uniting Church in Australia
Victorian Council of Social Service
Vietnamese Overseas Initiative for Conscience Empowerment (VOICE) Australia
WA Council of Social Service
Warrnambool Rural Australians for Refugees
West Wagga San Isidore Refugee Committee
West Welcome Wagon
Western Region Ethnic Communities Council
Western Sydney Community Forum
Women and the Australian Church
Women's Health in the South East
World Wellness Group Ltd