

# JUST IN TIME

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## AUSTRALIA'S OFFSHORE DETENTION POLICY: APPARENTLY LEGAL, DEFINITELY IMMORAL

*In February of this year, the High Court determined that the funding and operating of offshore detention centres by the Federal Government was legitimate within the Australian Constitution. The plaintiff, a Bangladeshi asylum seeker, and her infant daughter, born on Australian soil, will shortly be deported to Nauru. Coinciding with the High Court decision was the announcement by Minister for Immigration, Peter Dutton, that **267 asylum seekers** would be deported to Nauru. This group includes **37 babies**. While the legality of offshore detention has been apparently clarified, significant questions as to the morality of sending adults and children into conditions proven to cause severe psychological and physical trauma remain unanswered.*

### What are the moral issues?

#### DEHUMANISATION OF INDIVIDUALS

The very language commonly used around this issue serves to dehumanise asylum seekers. Terms such as “illegal arrivals”, “detainees”, and “transferees” implies criminality, ignoring the fact that it is legal to seek asylum in Australia under the UN Refugee Convention. These terms also take away the reasons people seek asylum in the first place and the fear and trauma they may have experienced in the process.

#### LACK OF TRANSPARENCY

The UN Torture Prevention team has called for greater transparency in Australia's offshore immigration centres and mandatory reporting on minimum human rights standards. There is a substantial lack of information about conditions on Nauru and Manus Islands and a ban on access for journalists.

#### PHYSICAL AND MENTAL TRAUMA

According to reputable health bodies, such as the International Health and Medical Service, rates of mental health disorders are significantly higher in offshore detention centres than in detention centres in Australia. Approximately half the asylum seekers on Manus and Nauru are suffering from depression, stress, or anxiety.

A recent Senate enquiry reported that Transfield Services (now euphemistically called Broadpectrum), the company contracted to run the Nauru detention centre, had given evidence of 26 incidents of self-harm by children, 67 allegations of physical abuse, and 33 incidents of sexual abuse. *The National Enquiry into Children in Immigration Detention* (2014) found that the indefinite and off-shore detention of children was in breach of numerous articles of the *Convention on the Rights of a Child* to which Australia is a signatory. This includes violating the right of children to the highest attainable standards of health.

# **“For those who’ve come across the seas, We’ve boundless plains to share”**

On February 2, The Age Newspaper featured a front page article about the asylum seeker babies “bound for hell” if the High Court was to find in favour of the Federal Government. The faces of these children have sparked a grassroots campaign nation-wide, with people petitioning the Government to #LETTHEMSTAY.

## **LADY CILENTO CHILDREN’S HOSPITAL**

Last month staff from the Lady Cilento Children’s Hospital refused to discharge one year old baby Asha, removed from detention on Nauru in January due to injuries, until a safe home could be found for her. Hundreds of protestors rallied in front of the hospital in support, stating that they were willing to put their bodies on the line to prevent Asha’s removal offshore. Immigration Minister Peter Dutton has since agreed to allow Asha and her family to remain in community detention for the time being.



## **CHURCHES OFFER SANCTUARY**

Anglican and Uniting Churches around Australia have invoked the ancient Christian tradition of sanctuary to offer protection to the 267 people facing deportation. Additionally, St Vincent’s Health Australia and Calvary Health Care have offered medical support to any of the asylum seekers facing transfer offshore, saying that it is their sacred duty as healing organisations. To date, no Catholic parish has offered to partake in offering sanctuary, a movement originally started by the Catholic Church in the Middle Ages.

**“The tragic stories of millions of men and women daily confront the international community as a result of the outbreak of unacceptable humanitarian crises in different parts of the world.... Indifference and silence lead to complicity whenever we stand by as people are dying of suffocation, starvation, violence and shipwreck” - Pope Francis**

## **What can individuals do?**

### **1. LISTEN TO THE STORIES**

Read and watch stories about asylum seekers and refugees. The Edmund Rice Centre website has some great resources: <http://www.erc.org.au/>. If you are in the mood for a film, try hiring “The Good Lie” starring Reese Witherspoon.

### **2. UNDERSTAND THE FACTS**

Mainstream media and politics create a lot of misinformation in the community. Did you know that the government spent \$1.2 billion on operational costs for Manus Island and Nauru in the first 6 months of 2015 alone? Find out more here: <http://www.socialjustice.catholic.org.au/social-teaching/issues/110-refugees-and-asylum-seekers>

### **3. PRAY FOR REFUGEES AND ASYLUM SEEKERS**

The Australian Catholic Social Justice website has some beautiful prayer inspirations: <http://www.socialjustice.catholic.org.au/spirituality-for-justice/prayers#refugees>

### **4. JOIN THE PALM SUNDAY RALLY FOR ASYLUM SEEKERS AND REFUGEES**

Last year, tens of thousands of Australians marched on Palm Sunday to demand justice for asylum seekers and refugees. Join in the rally this year on Sunday March 20. Find out more at <http://www.refugeecouncil.org.au/event/welcome-refugees-palm-sunday-rallies-across-the-country/>