



Action Needed.

Children Out Of Onshore Detention By Christmas

There can be no keener revelation of a society's soul than the way it treats its children.

Nelson Mandela

On 23 November 2015, the Senate passed four key amendments to the *Migration and Maritime Powers Amendment Bill 2015* in order to ensure the release all children from detention within 30 days.

However, these crucial amendments must be passed by the House of Representatives in order to become legislation and before children gain their freedom from onshore detention.

It is time to put pressure on the Prime Minister and local MPs to stand up for children in detention.

Migration and Maritime Powers Amendment Bill 2015

The amendments to the Bill as proposed by the Greens and supported by the Senate addresses some of the significant issues with onshore detention. The agreed amendments include:

1. Children out of on shore detention

All children currently in closed immigration detention within Australia must be released and placed in the community with their parents.

Children (and their parents) currently in Australian detention centres back from Nauru (i.e. for medical treatment, while they await judgement in the HCA case) must also be placed in the Australian community while they are in Australia. However, this does not mean they cannot be sent back to Nauru.

2. Mandatory reporting of abuse

All child abuse and other assaults witnessed in detention centres must be reported to the relevant, independent authorities. A person cannot be held criminally or civilly liable for disclosing information if they believe it is in the public interest to do so. This extends to department staff and staff contacted by the department working in Australia and on Nauru and Manus Island – such as Transfield staff, Wilson staff, medical staff, teachers etc.

Currently departmental staff are required to report abuse only to the department and can be liable for 2 years imprisonment if they disclose it to an independent authority or external source.

3. Media Access

All reasonable requests for access to detention centres, including those on Nauru and Manus Island, made by the media must be granted and reasons for any refusals must be tabled by the Minister.

4. Reversal of secrecy provisions

Currently Section 42 of the recently passed *Border Force Act* makes it a criminal offence for departmental staff and contractors, including doctors, to disclose knowledge acquired in their capacity of working for the department.

However, the Senate amended *Migration and Maritime Powers Amendment Bill 2015*, makes it clear that disclosure of matters that are in the public interest are lawful, despite any law or contractual provision to the contrary.

Children Remain In Off Shore Detention

Due to the Federal Government's current policies, the Senate has not currently been able to provide legislation amendments which release children from off shore detention.

The *Migration and Maritime Powers Amendment Powers Bill 2015*, as amended by the Senate, provides an opportunity to take steps to release children only from *onshore detention*

Having the House of Representatives pass these Senate amendments into legislation will be a huge step for all children in detention. The Greens Party intend to introduce a further Bill that aims to address the situation on Nauru.

All Children Out Of Onshore Detention By Christmas.

There are currently 112 children locked in onshore detention.

In order to achieve their release, the *Migration and Maritime Powers Amendment Powers Bill 2015 (with the Senate amendments)* must be passed within 30 days by the House of Representatives, where the Coalition has the balance of power.

The goal is to have all children out of onshore detention by Christmas

However, Parliament will go into recess on December 3, 2015 for many weeks.

Action must be taken NOW.

It is time to put pressure on Prime Minister Malcolm Turnbull to hold to his word that 'one child in detention is too many'.

IEU Members Take Action

IEU members are asked to contact the Prime Minister's Office and their local MP, and request support for the Senate amendments to the *Migration and Maritime Powers Amendment Powers Bill 2015*

IEU members can contact the Prime Minister's Office at: <https://www.pm.gov.au/contact-your-pm>

and locate their local MP at: <http://www.abc.net.au/tv/ganda/find-your-local-mp.htm>

Detention is no place for a child.