FREQUENTLY ASKED QUESTIONS

**How many children are in Australian detention facilities?** Today there are 1,023 children indefinitely locked up in our immigration detention facilities.

**Where are they?** 190 children are detained in the small island nation of Nauru and 254 are detained on Christmas Island. Our Government says these children will never be settled in Australia and will live in the tiny Island nation of Nauru forever (population 10,000) if they cannot be returned to the places from which they fled.

Another 600+ children are detained in Darwin, Melbourne, Sydney, Adelaide, Brisbane and Perth.

**What about babies?** Children are born into immigration detention. Today approximately 100 babies (0-12mths) are locked up and around 80 expectant mothers are detained. Babies are born on the Australian mainland as the health risks to mother and baby on Christmas Island and Nauru are deemed too high. Once a baby is 28 days old it can be sent back to Christmas Is. No babies have yet been sent to Nauru, but there is nothing to stop this happening.

**What about children who are without their parents?**. The guardian for any unaccompanied child is the Immigration Minister, the very person who decides on their detention. The Minister has so far sent 40 unaccompanied children to detention on Nauru, handing over responsibility to the Nauruan Justice Minister. Transparency, healthcare and education are all lacking – we do not know nearly enough about the welfare of these children.

**How long are children locked up for?** Australia locks up children indefinitely, mainly in very remote locations. They are not told when they are getting out ever, or if they will ever be settled in a safe place.

*The UN Convention on Rights of Child Article 27 states:*
*States recognize the right of every child to a standard of living adequate for the child's physical, mental, spiritual, moral and social development.*

**What are the conditions like in detention?** Children detained on Christmas Is and Nauru don’t have access to school, very little recreation and limited healthcare.

*The UN Convention on Rights of Child Articles 28 and 31 states:
1. States recognize the right of the child to education… they shall, in particular:
(a) Make primary education compulsory and available free to all;
(b) Encourage the development of different forms of secondary education…
2. States recognize the right of the child to rest and leisure, to engage in play and recreational activities appropriate to the age of the child and to participate freely in cultural life and the arts.*

Children detained in Australia can attend local primary and high schools, they are taken by bus, cannot play after school, cannot go to friend’s birthday parties. No detention facility in Australia can be classified as child-friendly. Children in detention often tell us “even a golden cage is still a cage”.

The Government has recently announced the closure of some detention facilities in Australia, these included the lower security ones, children are being moved into more prison-like facilities.

Darwin holds the most children, rooms are converted shipping containers, fences are 20m high. A ‘toy-room’ is in a shipping container and only open limited hours. There is a library, internet and some recreation. On the whole, the longer people are held in these places, the less engaged they become. Meals are in a common dining room, people are marked off rolls using their boat ID number. Parents cannot prepare meals for their children, people are allocated 2 sets of clothes each (even children).

**What effect does detention have?** Detention damages health, wellbeing, development. It ruins childhoods and families. It particularly affects mental health; psychologists in detention centres in the past have diagnosed every child with some form of mental illness from PTSD to anxiety and depression.

*The UN Convention on Rights of Child Article 24 states:
States recognize the right of the child to the enjoyment of the highest attainable standard of health and to facilities for the treatment of illness and rehabilitation of health. States Parties shall strive to ensure that no child is deprived of his or her right of access to such health care services***Isn’t it illegal to come here by boat? That’s why they’re locked up?** Simply, no. Not by International or Australian law.

*The United Nations Convention Relating to the Status of Refugees (commonly known as the Refugee Convention) is the primary international legal document relating to refugee protection. It defines who is a refugee and outlines the rights of refugees and the legal obligations of states towards refugees and asylum seekers. Australia has signed this.
This Article recognises that refugees have a lawful right to enter a country for the purposes of seeking asylum, REGARDLESS of how they arrive or whether they hold valid travel or identity documents. As such, what otherwise be considered illegal actions (eg. entering a country without a visa) should not be treated as such if a person is seeking asylum.*

This means that it is incorrect to refer to asylum seekers who arrive without authorisation as “illegal”, as they in fact have a lawful right to do so if they are seeking asylum.

**How much does it cost?** Offshore detention costs more than $400,000 per person per year. Community detention (where an asylum seeker lives in a designated house in Australia with assistance) costs $100,000 p/person annually. The cost of having someone on a Bridging Visa (out of detention, able to live anywhere, not rent assisted etc) is $50,000 p/person annually – but these people presently have no rights to work or study, if they did, the cost to taxpayers could reduce and in fact be in the positive as asylum seekers could pay taxes.

**What alternatives are there?** Community detention (CD) exists today. It involves trained case managers, assistance with housing, logistics, the asylum seeker still reports to the Department of Immigration. There are no restrictions on movement, the houses available are dependent on service providers (contracted by Commonwealth). This alternative is one quarter of the price of long-term detention (and could be made cheaper if asylum seekers were able to work), people in CD are less likely to suffer depression, mental illness and self-harm.

Worldwide, alternatives to detention are being developed that allow children to stay in the community with their families, while their migration status is being determined. Countries such as Belgium and Sweden have housing models, where families can stay together in a shelter in the community while waiting for the process. Other countries, such as Malaysia and Indonesia, use documentation issued by an authority that allows children and their families to live in the community while awaiting an outcome.

To find out more go to [www.chilout.org](http://www.chilout.org)