

Children Out of Detention

1 June 2006

PRESS RELEASE 3/2006



9 year old Afghan boy and parents held incommunicado in Brisbane

ChilOut is absolutely outraged that an extremely sick nine year old boy from Afghanistan and his parents have been held incommunicado in Brisbane since 24 May. The boy was in a Brisbane children's hospital until last Monday when he was discharged pending surgery in two weeks' time. ChilOut believes that he and his parents are now being held under guard in a Brisbane motel.

Once the boy has had his surgery, the Department of Immigration intends to send him and his parents to an offshore detention centre. This would mean being locked up in a remote facility with no other women or children. Nauru detention centre has just two long-term adult male detainees. Christmas Island detention centre also has no women or children, just five adult men.

ChilOut spokesperson Dianne Hiles said today, "this extremely vulnerable family have not had access to legal advice, which means they are in incommunicado, or in 'separation' detention. They have been denied access to visitors from either the local Afghan community, Amnesty International or the Red Cross. The only contact the family has with the outside world is guards who work for GSL (the private prison company contracted to run detention centres). Those guards do not speak any of the languages of Afghanistan and are explicitly instructed not to help the family access a migration agent or lawyer.

"This Afghan family must be given immediate access to a lawyer so that they can have a chance to make their refugee claim. ChilOut calls on the government to allow them visitors from the local Afghan community for humanitarian assistance. They have been on a harrowing boat journey and before that, who knows how many years' flight from persecution in their country. Guards in the general paediatrics ward of the Royal Children's Hospital physically stopped a local Afghan community member from meeting the family on Sunday evening," Ms Hiles said.

"Above all this family must not be sent to Nauru where adequate medical treatment is not available. They must be allowed to apply for asylum in Australia and be placed in the care of the Red Cross or another suitable welfare agency."

ChilOut calls on the Government to scrap *the Migration Amendment (Designated Unauthorised Arrivals) Bill 2006*, which would send this family to Nauru or Manus Island.

ChilOut calls on all Government Members and Senators to tell their leader NO to children back in Pacific Solution detention centres.

CONTACTS: Dianne Hiles, 0425 244 667; Alanna Hector 0417 177 530.

www.chilout.org

Background

Although the family was rescued in Australia (on Saibai Island in the Torres Strait, just south of PNG coast) that island has been “excised” for the purposes of the Migration Act, barring them from claiming asylum under the Australian refugee status determination system.

They are nevertheless entitled to have a lawyer, including an Australian one, help them prepare their refugee application (to be assessed and processed offshore). Yet unlike other people in an excised “bubble”, they have not met a lawyer yet, nor been given access to anyone in the local Afghan community.