

J'Accuse

We, the undersigned, accuse the current Federal Government and both major political parties of wilfully and deliberately:

1. Pursuing a policy of detention for asylum-seekers, both adults and children, in spite of clear evidence that it causes psychiatric disorders, self-harm and suicide; ⁱ
2. Implementing an inhumane policy of deterrence which requires damaging some to deter others and uses the lives of vulnerable people, the vast majority of whom are found to be refugees, as a means to a political end;
3. Contravening child protection policy and children's rights, by continuing to detain children as a first resort when such detention should be a matter of last resort, for the shortest possible time, and subject to independent review; and by detaining children & unaccompanied minors offshore in isolated detention facilities, exposing them to violence, trauma and to poor medical and psycho-social care, with no access to independent monitoring.
4. Acting against the spirit and intent of UN Conventions and Treaties to which Australia is signatory; ⁱⁱ
5. Engaging in forced deportations to situations of danger with confirmed fatal outcomes ⁱⁱⁱ;
6. Persuading the public that cruelty to people who arrive by boat is justifiable on the false pretext that they are 'illegal', when in truth they have broken no law by coming to Australia and seeking asylum;
7. Exploiting community ignorance about asylum-seekers' needs and circumstances;
8. Tolerating and/or encouraging racist media coverage (rather than educating and promoting public deliberation, as with closely related issues such as people with mental illness);
9. Cynically negotiating with poor, weakly governed countries (Nauru/ PNG/Cambodia) to house refugees in circumstances that leave them unsafe;
10. Wasting vast public funds on off shore incarceration which could be spent on humane and efficient processing of claims and crucial social services, while ignoring viable alternative models, potentially at much less cost;
11. Pursuing an arbitrary and unjust refugee determination process which is engineered for failure at each step, aims to prevent protection claims, fails to place all asylum-seekers on an equal footing under Australian law, and pits humanitarian and asylum-seeker refugees against each other by reducing the former to accommodate the latter;
12. Acting against Australia's health, mental health and well-being policies and ignoring expert advice regarding the implementation of programs to identify and provide psychological support for those at greatest need;
13. Ignoring the long-term harms of such policies to asylum-seekers, and the damage to the social fabric of Australia through promoting the acceptability of an insular, more selfish and less ethical society.

We demand that the government

- Abandon and dismantle its mandatory detention policy and ‘offshore solution’ for asylum-seekers,
- Cap detention at a maximum of 30 days, unless a court orders a longer period of detention for good cause shown, and
- Adopt alternative solutions consistent with obligations under the Refugee Convention.

ⁱSilove D, Austin P, Steel Z. No refuge from terror: the impact of detention on the mental health of trauma-affected refugees seeking asylum in Australia. *Transcultural Psychiatry*. 2007; 44(3): 359 -93

Coffey GJ, Kaplan I, Sampson RC, Tucci MM. The meaning and mental health consequences of long-term immigration detention for people seeking asylum. *Social Science and Medicine*. 2010; 70(12): 2070-9.

ⁱⁱthe Convention on Civil and Political Rights (regarding arbitrary detention), the Convention on the Rights of the Child, the Convention against Torture, and the Convention on the Rights of People with Disabilities (as demonstrated Through inspections and reports by various UN committees)

ⁱⁱⁱ Phil Glendinning and the Edmund Rice Centre, ongoing research and personal communication; also *Deported to Danger* (Edmund Rice Centre, 2004), *Deported to Danger II* (Edmund Rice Centre, 2006), and *A Well-Founded Fear* (SBS TV, 19/11/08)