



Fact sheet 6

Detention of asylum seekers

Detention centres in Australia today

There are currently nine immigration detention centres in Australia. They are located at:

- Villawood (established in Sydney, NSW in 1976)
- Maribyrnong (established in Melbourne, Vic in 1966)
- Perth (established in WA 1981)
- Christmas Island (established in 2001)
- Northern (established in Darwin, NT in 2006)
- Curtin (established in Derby, WA in 2010)
- Scherger (established at Weipa, Qld in 2010)
- Wickham Point (established at Wickham Point, NT in 2011).
- Yongah Hill (established in Northam, WA in 2012)

As well as detention centres, there are a number of detention facilities around the country. These are less restrictive and are used to detain children, families and particularly vulnerable and low-risk asylum seekers.¹

At the end of June 2012, there were 5815 people in immigration detention in Australia, including 591 children.²

Australian law and mandatory detention

Mandatory detention legislation was first introduced in Australia in May 1992. The legislation was varied in 1994, retaining its mandatory character and reinforcing the indefinite character of the detention regime. This legislation ensured that asylum seekers arriving in Australia without prior authorisation could be detained for unspecified and prolonged periods of time.

The longest period of time any person has been detained in Australia is seven years.

In 2004 a number of cases challenging mandatory detention regime came before the High Court. Controversially, the High Court found that even intolerable conditions of detention did not affect the validity of the detention itself. It also found that a person could be detained, possibly indefinitely, if there was no prospect for their removal from Australia. The High Court also found that the mandatory detention of children under the legislation was also valid. These findings

¹ Detention Services, Department of Immigration and Citizenship, <http://www.immi.gov.au/managing-australias-borders/detention/>

² Immigration Detention Statistics, Department of Immigration and Citizenship, 30 June 2012, <http://www.immi.gov.au/media/statistics/>

show the limited impact that international human rights law has had, to date, on Australian law-making.

The effects of indefinite, mandatory detention

Detention has been shown to have an enormous effect on the physical and psychological well-being of asylum seekers. Many are survivors of torture and persecution, have fled human rights abuses and have left family and loved ones at home or have seen them killed.

Ongoing detention with no end in sight leads to mounting stress and tension, which often results in depressive illness and thoughts of despair and helplessness. Some detainees show strong aggressive-impulsive and self-harming behaviours, reflected in suicide attempts, acts of mass violence, group break-outs, rioting, burning of facilities and hunger strikes.

Prior to all children being released from mainland immigration detention centres in 2005, there was evidence of psychological disturbance among children in detention, including mutism, withdrawing from contact with others, bedwetting and refusal to eat and drink, as well as acts of self-harm and suicide attempts.

Children in detention

“Indefinite detention is bad for a child's physical and mental wellbeing. We see severe and chronic post-traumatic stress disorder among asylum seekers during and after detention.”
– Dr Choong-Siew Yong, Vice President of the Australian Medical Association, 2006

In June 2005 the Australian Government released all children and at least one parent (but generally both parents) from immigration detention centres. However, today hundreds of children remain in detention facilities that are not as restrictive as detention centres, but still contain high fences, surveillance cameras and security guards.