



MEDIA RELEASE

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Stop the blanket ban on mobile phones

The St Vincent de Paul Society National Council calls on the Senate not to pass the Migration Amendment (Prohibiting Items in Immigration Detention Facilities) Bill 2020 next week.

The Law Council of Australia, the Australian Human Rights Commission and the Refugee Council of Australia all oppose the Bill, which is not necessary, nor reasonable, nor proportionate.

If passed, the Bill will enable the Minister to declare non illegal items, such as mobile phones and SIM cards, a prohibited thing to be confiscated from all detainees, irrespective of whether they have committed a crime or not. Search powers have also been expanded.

‘The blanket ban on mobile phones fails to distinguish between people in immigration detention generally and those who are a genuine safety risk,’ Ms Victory said.

‘We support the safe management of immigration detention facilities but in accordance with the rule of law. Authorised officers under the Migration Act can already search, screen and strip search detainees, without a warrant. These existing powers have fewer safeguards than ordinary police powers to search a person or premises,’ said Ms Victory.

If criminal activities occur in immigration detention facilities, police should be notified and criminal law processes followed, which are sufficient and robust.

‘The Bill punishes all detainees for the criminal activity of a few. A 2019 Australian Human Rights Commission report found that only a minority of detainees use mobile phones inappropriately,’ said Ms Victory.

The Bill does nothing to address the Commonwealth Ombudsman’s concerns about the ‘increasing tendency across the immigration detention network for force to be used to resolve conflict or non-compliant behaviour as the first rather than last choice.’

‘People in detention need confidential access to mobile phones to obtain legal information and advice and progress their claims within very strict timelines.

‘It is also a basic human right that people are able to speak to their loved ones and support network. This is what keeps them going.

‘The rate of self-harm in immigration detention is 200 times higher than in the Australian community. We should be trying to reduce this terrible rate, not make it worse.

Let us not lose sight of the fact that these people are in administrative, not corrective detention, lasting on average 500 days,’ said Ms Victory.

The St Vincent de Paul Society in Australia consists of 60,000 members and volunteers who operate on the ground through over 1,000 conferences located in individual parishes across the country.

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