

National Inquiry into Children in Immigration Detention 2014

Submission No 3

Name withheld

ESL Educator

The appropriateness of facilities in which children are detained

- How would you describe the immigration detention facility? Are there fences, checkpoints and mechanisms that limit the movement of children?
- Is there access to a natural environment for children?
- Is there private space for children and families for living and sleeping?
- Is the immigration detention facility a clean and pleasant environment?
- In your view, what is the impact of detention on children? Describe your response to the conditions of detention for children.

Pontville was originally for adult males and male juveniles but evolved into juvenile males only. The adults were separated from the juveniles. The facility was encased in barbed wired and high fencing and boys shared cabin type accommodation. Boys were aged from approx. 14 to 18 years. My main concern lay with the fact that most Serco employees came from a corrective services background so had the attitude to these boys that they were "imprisoned" and had to obey the rules as they would in a prison. A lot of them were confused as to why they were treated this way and would often cry in class.

The impact of the length of detention on children

- Does the timeframe of the detention have a particular impact on children? For example, is there any difference in the ways in which a child responds to immigration detention after 1 week, 1 month, 3 months, 6 months, 1 year? Please give examples.

It was my understanding that some boys at Pontville had been in detention for a year or more. They were confused and depressed. There were mental health providers at Pontville but remain unsure as to what they actually did. Like everything else, it was bells and whistles.

Measures to ensure the safety of children

- Can you describe the measures to protect children from harm?
- Is there support for children who may be suffering from trauma either as a result of previous life experiences or in relation to the experience of detention?
- Please describe the security checks for children as they enter and leave immigration detention facilities. Do you think these checks are appropriate for children?

This was a prison environment. Nothing more and nothing less. At all times I didn't observe any understanding of what these boys had gone through in order to get where they had. I have lived in S.E. Asia and the Middle East and understand fully the distress and anxiety that these children experience from simply being away from their families. I did not see this understanding from any Serco employee or DFAT officer. They were treated like adults because they looked adult and also the officers had no idea how to treat adolescents whether they be Middle Eastern or Australian. They believed that corporal punishment was a legitimate and viable method of control.

Provision of education, recreation, maternal and infant health services

- Is formal education available to children? Please describe the types of education that are available. Is it appropriate for the age, the educational level and needs of the child?
- Are there playgrounds and play equipment for children?
- Can you describe the medical services and support that is available for expectant mothers and new mothers? Can you describe the medical support for babies and infants? Do you think these services are appropriate?

Although I had been employed as an ESL Educator, I was an adult educator, not a school teacher. A fact that neither Serco or DFAT understood. There was no formal structure in the way of a curriculum or learning outcomes. However, we were told that if we, as teachers, were not in the classrooms on time, DFAT would fine Serco to the tune of thousands of dollars. I was told I had to teach maths, in spite of the fact that I had no idea of teaching maths but also there were no resources or curriculum. There was also no assessment of literacy and numeracy or English language. This made it impossible to stream the clients and provide any accurate academic support. Serco, and DFAT, obviously had no idea what they were doing and, additionally, didn't care. The gap between Iranian boys and e.g. Hazara was enormous. Hazara clients had been denied any education at all times, whether in Afghanistan or Pakistan. They were victims of neglect and discrimination.

The separation of families across detention facilities in Australia

- Do you have experience of family separation due to immigration detention?
- Are you aware of instances of family separation as a result of immigration detention?
- What forms of contact are available for families to maintain communication?
- What efforts were made to reunite children with siblings and parents?
- What are the effects of family separation on children?

Separation was in the guise of 'age'. I have explained the example of two of my clients in the brief at the end of this submission. This was not an isolated experience. The boys had obviously become quite close during their extended stays in Indonesia as well as their journey and detention. When one was released into community, or as in the case I have described, one reached 18 years, the boys would be separated. The anguish and distress caused by this was gut-wrenching but the authorities remained unmoved by it.

The guardianship of unaccompanied children in detention in Australia

- What care and welfare services are available for children who arrive in Australia without parents or family members?
- Are the supports adequate?
- Is closed detention appropriate for unaccompanied minors? How can they be best supported?
- The Minister for Immigration and Border Protection is the legal guardian for unaccompanied children in detention – is this an appropriate arrangement?

Closed detention was not appropriate then and remains inappropriate now. The good people in Hobart were very keen to foster all these boys but it was not allowed for reasons I was not privy to. Young unaccompanied minors, no matter where they are from, should never be left alone in the types of environments that these young people were left in. At one stage I spoke to Serco staff about providing the boys with condoms for safe sex and was just laughed at. What I saw to be a normal activity for these boys considering their isolation and loneliness, was considered a subject of great amusement and gratuitous jokes.

Assessments conducted prior to transferring children to be detained in ‘regional processing countries’

- Can you describe the pre-transfer assessments conducted prior to transferring children to regional processing countries?
- Are the pre-transfer assessments appropriate for children?
- Does the Department of Immigration and Border Protection respond appropriately to the findings in the pre-transfer assessments?

I have no knowledge of these procedures.

Progress that has been made during the 10 years

(since the Commission's 2004 report: *A last resort? National Inquiry into Children in Immigration Detention*)

- Have alternatives to detention such as community detention and the granting of visas been sufficiently utilised in the past 10 years?
- Have the living conditions for children in detention facilities improved in the past 10 years? What have been the changes?
- Have there been changes to laws and policies dealing with children in immigration detention to ensure that they comply with the *Convention on the Rights of the Child*?

I have no knowledge of changes or of the previous report.

I was employed by Serco Immigration to provide ESL programs in Pontville Tasmania. This facility originally had a small amount of adult males but was mostly adolescent males aged from about 14 to 18. My role was to teach them English but Serco had no curriculum prepared or academic resources such as books or videos. My degrees are in adult education, not a school teacher, but Serco saw fit to ask me to teach mathematics to these boys because that's what was apparently in their contract with DFAT.

During this time, I experienced seeing these young men demonstrate great degrees of distress. During classes they would talk to me as a group and would often cry. Two boys, who had come from Afghanistan and then Pakistan and then Indonesia, were cousins. They had done the whole journey together but one of them [redacted], turned 18 and so he was removed to Western Australia and his cousin [redacted] was left at Pontville. The grief and distress demonstrated by him and another couple of boys who had all been on the same boat was gut wrenching. They literally sat on either side of a barbed wire fence and cried for days. After [redacted] finally left, [redacted]'s physical condition broke down he was in bed and sick for weeks. When I eventually saw him he had all of the inside of his mouth covered in ulcers and also his lips. IHMC was giving him Panadol (the medicine for everything) so I smuggled in some vitamin C, some mouth ulcer cream and Papaya cream for his lips which were just pulped.

There was also a boy from Sudan. The only Sudanese in the centre. His emotional state was constantly at high risk. When I spoke to him, all he would say was that he wanted to kill himself. He was being monitored but just reflected the lack of understanding what isolation and barbed wire does to young adults.

A lot of the boys had grown up in countries where smoking was not prohibited for children, hence one of the problems I encountered was the symptoms of withdrawal from nicotine. DEFAT and Serco followed the rules and forbade them to smoke so there was nothing in place to help them.

The biggest problem I had during this time, was the religious coordinator who was an evangelical Christian and missionary. I observed that the boys were being taken to Christian churches and Christian organisations on a regular basis. I was concerned that none of the boys were going to Mosque and when I asked him he said that there wasn't a Mosque in Hobart. It didn't take long to find out he was lying. I rang the Imam and spoke to him about this. He was also confused as to why the boys didn't attend. I spoke to all the boys, (some 300 odd) and all said they wanted to go to Mosque. When I spoke to the RC. he said that the Imam in Hobart was 'a bad man' and qualified this by saying he was Sunni. I have lived and worked in Islamic countries and also have a daughter-in-law who is Muslim. I rang her in Perth and asked her about the Sunni / Shi'ite quandary. Her comment was, 'In my Quran, I am a Muslim. Not a Shi'ite or Sunni Muslim' When I asked the boys if it mattered to them if the Imam was Sunni or Shi'ite, they all agreed it didn't matter and this made sense to me considering their background. I then proceeded to get signatures from all the boys who wanted to attend Mosque and then took them to the RC. He was furious. He demanded to know 'Why I was so concerned about these boys and why did it matter?' I advised him that Australia had not only signed the UN Agreement of the Rights of the Child but had also ratified it. This also included the rights to practice your religious beliefs. He was denying them of their rights under this convention. I then spoke to a representative from DFAT. This all had to be done covertly as talking to DFAT or anyone else was punishable by sacking. I had a good response from DFAT but nothing was ever pursued. It was left to fizzle out. I left when my contract was up.