



*'A last resort?'*

## Report of the National Inquiry into Children in Immigration Detention

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### EDUCATION

All children in Australia have a right to education. Under the *Convention on the Rights of the Child*, Australian governments are required to provide, as a minimum, primary education that is 'compulsory and available free to all' and secondary education that is 'available and accessible to every child' on the basis of equal opportunity.

All children in Australia, regardless of their nationality, their immigration status, or how they arrived in the country, have the same right to education.

The Inquiry looked at whether children in immigration detention received a standard of education that was comparable to 'similar children' in the Australian community. To help make this assessment, the Inquiry looked at the education services available to refugee children and asylum-seeker children living in the community.

It is the responsibility of the Department to ensure that detainee children receive an adequate education. Since 1999, most detainee children were educated through internal detention centre programs.

For several years, some detainee children from some centres attended local schools outside their detention centre. Since late 2002 this opportunity was extended to most detainee children. However, as most children in detention over the period of the Inquiry attended internal detention centre schools, it was important to examine the quality of that education.

Despite the significant efforts of teachers, the Inquiry found that there were fundamental problems associated with providing education services in on-site schools throughout the period of the Inquiry. These included:

- insufficient infrastructure
- inadequate hours of tuition
- inadequate educational assessments and reporting of children's progress
- lack of an appropriate curriculum
- shortage of teachers.

Evidence to the Inquiry highlighted the significant shortage of suitably qualified teachers in detention centres, particularly in Woomera and Port Hedland, which at times had very large numbers of children.

For instance, there were 282 children at Woomera on 1 August 2001 and 456 children there on 1 September 2002. However, during these months no more than five teachers were employed – often the number was less. By contrast, there is one teacher for every 25 to 30 students in Australian primary schools.

This shortage of teachers also had an effect on the hours of tuition students received. In most Australian schools, students receive approximately six hours of teaching each day. However, detainee children attending on-site schools prior to the end of 2001 received considerably fewer hours of tuition. For example, ACM documents show that during 2001 teaching hours at Woomera varied between one and three each day, depending on detainee numbers.

Children in detention often carry with them experiences that make learning very difficult, such as the effects of past trauma. However, the detention environment itself makes learning even harder.

Of most particular concern, was the mental health of children, which deteriorated the longer they were in detention. Detainee children told the Inquiry that depression and anxiety made it very difficult for them to concentrate and learn.

In addition, children's attendance at on-site schools declined with the length of time they spent in detention and as they grew older because they felt depressed and because the classes didn't meet their needs.

The Inquiry found that the Commonwealth failed to take all appropriate measures to provide children in immigration detention with an adequate education over the period of the Inquiry, resulting in a breach of the *Convention on the Rights of the Child*. However, many problems were addressed when children began attending external schools in late 2002.