

Submission to the Australian Human Rights Commission project: Current and emerging threats to TGD human rights

Human Rights For All (HR4A) is an Australian charitable human rights law firm which provides pro bono representation to refugees, stateless people and Indigenous people in Australia's immigration detention prisons. We focus on long-term detained and complex-case refugees and stateless people to test the principals of liberty in Australia, and represent clients at all levels of the Australian legal system, including the High Court, Federal Court and various tribunals. HR4A regularly makes submissions to the UN Human Rights Council, the Committee Against Torture, various special rapporteurs, and the AHRC.

Over the years, our firm has represented a number of LGBTIQ+ people who have experienced Australia's immigration detention system, including transgender people and their families. We wish to speak to the dangers they are exposed to in detention and the prison system arising from fleeing their country of origin, very often due to fear for their lives from their families, their communities and their governments for being who they are.

Often, when trans people arrive in Australia, it is the first time in their lives that they feel safe to identify as the gender and/or sexuality they know themselves to be. However, should they end up in the prison or immigration detention system (or sometimes both if committing an offence results in a visa cancellation), they are routinely no longer safe. Trans women in particular become the target of bullying, violence and sexual assault, as they are housed in men's prisons or immigration detention units. This leads to deteriorating mental health, including suicidal ideation and self-harm.

Trans people also do not feel safe as visitors to detention centres. If a trans partner visited a person in immigration detention, it may increase the danger to the person who is incarcerated.



Regards

Alison Battison
Director Principal
Human Rights for All Pty Ltd



W: www.humanrightsforall.com.au

Liability limited by a scheme approved under Professional Standards Legislation.