

National Inquiry into Children in Immigration Detention 2014

Canberra Public Hearing
Friday, 22 August 2014

	<i>Swearing in of witnesses</i>
President	<p>Thank you again Minister for accepting the invitation to come and also of course Mr Martin Bowles, thank you very much indeed.</p> <p>As I said a moment ago, the primary purpose of inviting you to come today was to better understand your policies and the advice that you've received that underpins those policies. We have, as I've said had three public hearings and many of the answers to our questions from Departmental Officials have been essentially that they are following Government policy and your policy in particular and therefore we were very keen to understand what that policy is and what underlies in terms of evidence, so perhaps I could begin by asking you what do you believe is your purpose in detaining children and their families in closed detention.</p>
Minister Morrison	<p>Well Madam President, thank you for the opportunity to appear here today and before we get into questions we might follow the usual practice of me making an opening statement if that would be permissible to the Commission.</p> <p>Welcome to Parliament House Madam President, I am pleased and welcome the opportunity to accept your invitation and to appear at this public hearing today, at this venue and pleased to have been able to assist in making this venue available to the Commission and provide this opening statement and seek your indulgence in making that statement today.</p> <p>In appearing today I continue what has been a comprehensive and co-operative engagement from my department and the many service providers engaged in the delivery of the Government's policy in relation to Immigration Detention. I want to begin by commending all those men and women who work and serve in all of these organisations to provide services, care and support to those who are accommodated with Immigration Detention in Australia and offshore. Especially children. I commend them for their professionalism and the compassionate and effective way they go about doing their very difficult job. These Australians take great pride in what they do for their country. They work in difficult circumstances, often under extraordinary pressure. They are subject to considerable scrutiny and regular and often unfair criticism. Despite this, they continue to turn up to work every day. They do their job to the best of their ability and provide care and support to a high standard that</p>

deserves our recognition and our appreciation. They have provided this service under Governments of different political persuasions. Under different policy settings and that had radically different results. As Minister I will give an account to the policies and actions of our Government over the past just 11 months. I note however that my four predecessors in this role from the previous government have not been invited to give evidence before this inquiry nor during the six years they are in government where they were subjected to no such inquiry by the Human Rights Commission. This is an inquiry into children in detention as you have stated, however it could be accurately described as an inquiry into children Labor put in detention during their 6 years of failed border protection policies. I invite the Commission to rectify this situation by extending an invitation to my predecessors. Under the Abbott Government more children had been released from detention than are arrived illegally on boats and placed into immigration detention. The predominant reason why there are children in detention today is because they turned up on boats under Labor. Under the Coalition 353 children have arrived in Australia on boats. That's too many. Under Labor, 8,469 children arrived on boats. When Labor came to office in 2007, there were no children in detention who arrived illegally by boat. Yet by the time that Labor left office in September last year, more than 8,000 children had been put on boats and record numbers of children had piled into detention rising to a record 1,992 in just July of last year. Many others were not fortunate enough to make it that far. They perished at sea and their corpses were scooped from the water by the men and women who served as part of our border protection command. In July last year there were almost 50 people- smuggling ventures. There were 33 search and rescue operations, more than 1 per day on average. 18 people lost their lives including 1 infant. This was a shameful period. In the 11 months that we have been in office there has been a dramatic transformation. The boats are stopping, thanks to the combination of policies, led by turning boats back where it's safe to do so as well as offshore processing and denying permanent resettlement visas in Australia. Only 1 people smuggling venture so far this year has had their passengers reached Australia and be transferred into the custody of Australian immigration officials. As a result of the strong border protection policies of this Government all other ventures have failed and all the passengers of the 1 venture referred to were all transferred to Nauru consistent with Government policy. There had been no deaths at sea this year. The number of children in detention including in offshore processing has fallen by almost 40% or 537 children out of detention. From 1,392 in September last year to 855 today including offshore. A further 150 as you noted will be taken out of detention in the next few months as a result of our new bridging visa policy announced early this week that has been some months in the making as I indicated to you at our last private meeting. This measure enables children under 10 and their families to be released on bridging visas by putting in place additional support and protections that will enable them to be more self-sustaining and resilient in the community. Children over the age of 10 were already being released into the

community on bridging visas with their families. Not only are children being released from detention we are closing children's detention facilities at Inverbrackie, Curtin, Darwin and Christmas Island including the Aqua and Lilac compounds as recommended by my Ministerial Advisory Council. These are all facilities that held children that were opened by Labor because of their border failures and are being closed by this Government because of our border successes. We are also addressing service and infrastructure issues on the network and especially on Christmas Island. The Secretary provided you with the catalogue of these improvements at your last hearing. These include crèche and play centres refurbishment of accommodation and most significantly getting the children to school. It is true that under the arrangements made by the previous government approximately 24 primary school age IMO's at a time attended classes on a rotational basis for about 2 hours, either in the morning or afternoon, this was not good enough. Particularly the time at the last federal election when there were more than 400 children on Christmas Island. I am advised the shortage of teachers on Christmas Island was raised as early as April of 2013 under the previous government yet no action was taken. I was made aware of the shortcomings on Christmas Island when I toured there late last year and in follow up reports from my Ministerial Advisory Council commencing in January of this year. I moved immediately to secure funding of \$2.6 million through the budget process to provide education services to IMA children on Christmas Island I welcome your acknowledgment of that today. On 12 June the Department contracted the Catholic Education Office of Western Australia to establish a learning centre at the Phosphate Hill alternative closed detention. The Christmas Island learning centre has been separately fenced and clearly marked as a learning centre with appropriate infrastructure including play and recreation areas. Classes of the learning centre commenced on 30 July something everyone in this room I know is very pleased about. Facilities are provided within our detention network to a standard equivalent to those in the community and in many cases far better. There are around 70 clinical staff on Christmas Island including 25 alone for mental health for a population of around 1,000 detainees. Now that's down from almost 2,500 detainees at the time of the last election. There is also an on-call paramedic 24 hours a day, you will sadly not find similar services in many rural and remote communities of Australia especially for our own indigenous population. This system is not without its faults Madame President, there have been periods where the system has been exposed to tremendous stress and weaknesses have been exposed. Some of those weaknesses had been the subject of testimony provided to your hearings. In each case we have moved to address those weaknesses as they have been identified. In most cases we have been able to move on and improved the situation but the one response that has had the greatest impact to remove the stress on the system that creates these weaknesses and is to ensure that more people and importantly more children are not being added into the network by stopping the boats. There is much emotion in this serious topic that is before your inquiry. There should

	<p>be. As a parent of 2 young children, the emotional challenges of working in this policy portfolio are just as real and just as great as they would be for any other parent in my position.</p>
	<p>But sentiment cannot be indulged at the expense of effective policy that is saving lives and ending the chaos and tragedy that was occurring that many thought could never be turned around, and that is my duty. At the last election the Australian people decided that enough children had drowned to warrant a change in policy. This has been done, but not without cost. There were always going to be costs. There is no decision that I, or any of my predecessors, take as a Minister in this area that is not free of moral burden. Our decisions affect people's lives. It is a heavy responsibility that no Minister carries lightly, regardless of their political affiliation. Unlike commentators, a Minister does not have the luxury of an opinion for which there are no consequences. There are consequences and implications of all policies. However, those advocating policies should share in the responsibility especially where they have been so successful in their advocacy. When Labor was elected in 2007, those advocating the abolition of the Howard Government's successful policy measures on our borders got everything they wished for and more. As a consequence of those policies that they advocated became a noxious reality as children filled the boats, filled the detention centres and many went to the morgue, those voices fell strangely silent in their criticism from the day the previous government was elected to the day it was voted out of office. They have now found their voices again after the election in their criticism of the government in relation to children in detention, as we seek to clean up the mess that has been made by the policies they claimed, and many still claim, are a viable solution. I prefer to carry the burden that accompanies the success of the policies that I have implemented as Minister, that is ending the deaths and the chaos than the burden carried by my Labor predecessors and all those who cheered them on and advocated weaker border policies that imposed a deadly curse on our borders. That is their burden, however nobly motivated. Nobody, and especially nobody in this government wants to see children in detention if it can be avoided. The aim of the Abbot government is to return detention centres to the position left by the Howard government where there were no children in detention at all who'd arrived by boat. None whatsoever, and I'm sure we would all welcome seeing that again and I know I certainly would. However, you cannot reduce the number of children in detention when every child you release into the community is replaced by another coming in on the next boat, as occurred under Labor. There are some 30,000 illegal maritime arrivals left behind by Labor. My aim is to introduce a temporary visa product as soon as possible, so far denied by Labor and the Greens in the Senate despite the government's clear mandate for this policy achieved at the last election. That would enable this case load to be processed. The absence of such a visa product at present also removes the possibility of considering alternative options for those currently on Christmas Island or</p>

	<p>elsewhere in Australia who arrived post-July 19. In closing, I want to emphasise the government's commitment to finishing the job we were given to do to resolve the issues for Australia and illegal maritime arrivals. Governments are elected to take the lead on these issues and the Australian people have made it very clear that that is what they expect from this government. But on many occasions, and again today I reiterate that I will always take advice from external bodies and experts in the field who have something genuine and constructive to add to the work that we have already done and will continue to do. I look forward to your report Madam President and will provide whatever assistance I can today as we have so far to date. It will fall to you to review the testimony and endeavour to objectively determine the facts that you have said and assess the credibility or otherwise of any claims made, whether those claims are current and ongoing, and whether claims have been substantiated before drawing any conclusions. As a distinguished lawyer you will know that an allegation or assertion made does not amount to clear evidence simply by its statement. My Department has dedicated considerable resources and I thank them for their support to your Commission of Inquiry, to comply with requests and provide the Inquiry with information in response to the many issues and claims made during the course of this Inquiry. I welcome your offer to submit a draft of your Report to the Department addressing issues of fact and it is important, obviously, that sufficient time is provided the Department to provide that feedback which I'm sure will be forthcoming. Thank you for the opportunity to make an opening statement.</p>
President	<p>Thank you Minister, I do appreciate it and will certainly take note of your comment about inviting the Shadow Minister to discuss policies prior to the current government taking ...</p>
Minister Morrison	<p>Well, Madam President, I was suggesting you invite the former Ministers who were responsible for policies at that time.</p>
President	<p>Who were then responsible, yeah. I'd also, in fact if I may take this opportunity to echo your views in relation to the Department. They have been extremely helpful and I might also thank your office who've been very helpful in allowing us to use this very good room, a perfect room for these purposes and your staff have been very very helpful with the Australian Human Rights Commission over the last few days. These things always having to be done at the last minute, so thank you. Well now then we would like to turn to some questions and again I'd like to try to understand, Minister, what is your purpose in detaining the children and their families. What is your reason for detaining them for periods of time which appear to be significantly longer than has been the case in the past?</p>
Minister Morrison	<p>Madam President, there are two issues here. There are those who are in places where they are held offshore which, as you know, is not a subject of matters before this Inquiry and there are those who are held in Australian facilities for children.</p>

	<p>Those who are held offshore are obviously the subject of the policy which is being pursued by this government of offshore processing, together with turning boats back where it's safe to do so and denying permanent visas to resettlement here in Australia. Those are measures. They are designed to stop people getting on boats which, by any measure, has proved to be highly effective in stopping children getting on those boats and risking their lives at sea. For those who are in Australia though, the government agrees that we should be moving as many as is humanly possible of those children out of detention and into the community. As I indicated, well over 500 children have already been released from those facilities that are intended for children. I stress that those facilities not since 2005 have been the razor wire facilities that have been ... there has been a perception of amongst some. That was changed a long time ago. Alternative places of detention for children have been in place for a long period of time, not only under this government, by previous governments as well. That said, it is better I think, in all of our assessments that we are able to get children into better places in the community. The focus of that policy, particularly for younger children under the age of 10, has been to put them in community detention facilities where there is a more satisfactory level of support. As I indicated to you at our last meeting, I was concerned, extremely concerned and have been for a long time about the notion of placing children under the age of 10 on bridging visas where there just simply wasn't the level of support that was necessary for families with children at that age. My advice was that they would be vulnerable and open to exploitation and potentially even abuse, and that was not a situation I was prepared to put children in. Hence the change to the bridging visa policy that will enable those remaining children that we've been unable to have a place for in community detention to now be released into the community so it is our intention after health security and identity checks and things of that nature that you are able to move families wherever possible and consistent with the prevailing government policy of offshore processing to have families and children placed in the community so that is our intention and that is our practice.</p>
<p>President</p>	<p>I wonder if we could explore a couple of elements of your response and one is what is your evidence that holding children for now more than a year has an effect on stopping boats? What's the connection between using patrol boats and military force to stop boats and detaining children for very long periods unprecedented long periods at least in recent history – how do you establish a connection and I ask that question from a very personal perspective and that is those I have visited either on mainland Australia or on Christmas Island have all said that they have no idea about the nuances or detail of Australian policy. In other words, knowing that they're likely to be held with their children in detention for long periods of time without assessment of their claim to refugee status is something of which they're pretty much unaware so I would like to explore with you is why do you believe that stopping the boats and stopping the drownings both of them objectives that the Australian public wants to</p>

	see as outcomes. Why do you see those outcomes as being ones as being ones that can be achieved by detaining children in these ways?
Minister Morrison	Madam President I'm no stranger to this debate I've been involved in this portfolio now for almost 5 years and for a large part of that period of time I watched the previous government remove every brick in the wall that John Howard put in border protection in this country. They abolished temporary protection visas, they abolished offshore processing, they abolished the policy of turning boats back where it was safe to do so and as every month passed thousands upon thousands upon thousands more turned up on boats week in week out. Those policies all changed as we advocated for the last 4/5 years. We put them in place on September 18 with the introduction of Operation Sovereign Borders. I already indicated to you in those 11 months some 350 children or thereabouts only turned up after that point and prior to that over 8,400 turned up under the previous government. Frankly Madam President the results speak for themselves, the results of offshore processing turning boats back where it's safe to do so and denying permanent visas have turned around a situation that many advocates and the opposition now the Greens, other political actors in this space said could never have been done, could never have been implemented, they have all been done, they have all been implemented, we are getting the results we said we would get. We are doing what we said we would do.
President	I appreciate that you're trying to link cause and effect here but I'm trying to understand when we use patrol boats, military force in operations sovereign borders we are stopping the boats. There's no real doubt about that at least with one or two exceptions. You're clearly stopping the boats. What I'm challenging or asking you to explain is how do you link detention of children for over a year or longer in other cases, how do you link that to the effective stopping of numbers of boats coming into the Australian either onto the high seas close to Australia or into the exclusive economic zone or the Australia's maritime areas?
Minister Morrison	Well Madam President the risk that we're drifting away from the terms of reference to your inquiry but I'm happy to respond though. First of all let me just correct one thing.
President	Well you've given your justification for holding the children to stop the boats. Thank you
Minister Morrison	Madam President I was just about to answer your question. First of all just to correct on a couple of matters. The Australian government is not using military force in the way that you've outlined it. Operation sovereign borders is a civil operation led by albeit a 3 star very experienced general. The same people who have been involved in the border protection command, Department of Immigration, Australian Federal Police and all the other myriad agencies that are part of that operation are the same ones who were doing it all before it's just they're doing it under a more efficient

	<p>command structure which has achieved a whole of government outcome that hitherto to have proved completely elusive to the previous government. So the operational arrangements were put in place under General Campbell have been highly effective in integrating and getting the synergy of the combined efforts of all these organisations. I stress it's not just navy who is part of border protection command it is also the men and women who serve as part of the Australian Customs and Border Protection Service civil agencies. So there's been no change to the deployment of whether they be those who have served in our defence forces or in other civil agencies in terms of what the government has done, we've just done it a lot better and we've done it a lot more effectively under a clearer command structure which is getting the results. There is also the need to understand in this area that there is no single silver bullet in terms of how you address the issue of people smuggling ventures to Australia. It requires the vast array of measures and one of the ones that I didn't refer to but are equally important is those the work we do up throughout the region with our partners on disruption. We disrupt a large number of ventures before they even leave the shores and that's frankly the safest thing we can do and we've had great success in those disruption activities. So whether you're doing that whether you're turning boats back, whether you're removing the enticement of the settlement in Australia as an option for the smugglers to sell whether that be through offshore processing or the denial of permanent visas here in Australia all of this combines together to completely frustrate everything smugglers try to do at every point of the cycle in where they're seeking to engage with people who might seek to get on a boat. Now you've spoken to a number of people on Christmas Island, I can assure you I have spoken to many too but more importantly our agencies have spoken to them as well. Debriefs are conducted when the boats were arriving on all of those who came through. We have an extensive intelligence network that services and supports and informs our operations and our policies and it supports the measures that we been taking but you say it's me drawing cause and effect. Well the numbers speak for themselves Madam President. There's been one venture this year. Just one. That didn't happen by accident Madam President.</p>
President	With respect I really
Minister Morrison	It happened as a result of the policies this government put in place took at the last election and got a mandate to implement.
President	<p>Yes I'm asking you a very simple question. What is the evidence that relates holding children for more than a year as being an element that has been significant in stopping the boats? There appears to be no connection between these two and that is something that is absolutely underlying the questions that have been asked to this inquiry. How can you justify detaining children in these conditions for more than a year when there's no evidence that this is the policy that is stopping the boats but rather operation Sovereign Borders however you define it were 3 star generals or</p>

	<p>civilian authorities whatever name you put to it the reality is that physical force and power have stopped these boats. I want to know why, on what moral and legal basis you are holding these children in terms of achieving that outcome in terms of your promise to the Australian public.</p>
<p>Minister Morrison</p>	<p>Well I have already said in my testimony Madam President that for those who are held on the mainland or on Christmas Island other than those who are subject to the offshore processing policy of arrival post July 19, it is our intention not to hold them in detention, it is our intention to get them out of detention and that has been our practise with over 500 having been removed from detention since we were elected. One of the reasons we have been able to reduce that population as I said is there hasn't been someone else turning up on a boat the next day, the minute you let another child out. So it is our policy within Australia for those not subject to offshore processing to get children out of detention, it is not our intention to have them there in Australia as part of a measure that would prevent people seeking to come to Australia. So I need to make that quite clear. The offshore processing policy though Madam President, the offshore processing policy which has a consequence of children also being subject to that policy and placed in those facilities offshore which I note is not of subject of this inquiry, that policy of offshore processing combined with all the others I have mentioned has produced the results collectively, combined that this government has been able to achieve. And if you go back over the last five years it was the abandonment of all of those measures, including the Pacific solution that led and was followed by the surge in people smuggling activity which we saw turned on like a tap. Now there are still 10,000 people sitting up in Indonesia, they are all waiting for a change in policy, they are all waiting for a change in resolve from this government. If that happens the children get back on the boats, they die again and they go back and more will go into detention. I am not going to let that happen if I can help it.</p>
<p>President</p>	<p>There is one other aspect of your original answer that I would like to pick up because you have raised this with me a number of times before and that is that you have believed that one of the reasons for holding children in closed detention has been your concern at the conditions and risks that they might face, were they to be released into the community. Are you seriously telling this inquiry that in your view these children are better off in closed detention, Christmas Island or elsewhere in Australia, than in the general community?</p>
<p>Minister Morrison</p>	<p>Well it is an interesting point you make Madam President because the other day when I announced the policy of releasing those children on bridging visas because we had been able to correct the policy flaws in that bridging visa policy would give children the sort of protections I thought they needed rather than to be dumped into the community. I note in your own comments and statements following that announcement that you were still concerned that these arrangements did not go far</p>

	<p>enough to support them in the community. Well I find that hard to reconcile but yes, Madam President, as I told you in our own private meeting, I was very concerned given the experience we have seen of single adult males turning up in some appalling accommodation conditions because of the way under the last government they were basically just dumped out into the community that I wasn't going to see young children turning up in flop houses and places like that, and disused commercial accommodation where they could have been vulnerable to any number of forms of abuse. That was not an environment where I thought responsibly I could release children and so I have made the changes to the policy which has been some time in coming, we have had to work through those details, to enable that.</p>
President	<p>Well I think if you were to speak to the children and the families, particularly the unaccompanied minors as to whether they would prefer to be in locked detention or in a community detention you would find a very different answer but</p>
Minister Morrison	<p>Well Madam President it is my responsibility to release children into a place where I believe they are safe and that is the duty I have to discharge, that is my responsibility.</p>
President	<p>Okay. You have received a great deal of advice from various bodies about the detention of children and their families. I wonder if you could tell us a little bit in particular about the advice that you have received from your own Ministerial Council in relation to asylum seekers in detention.</p>
Minister Morrison	<p>Well I do meet with them regularly Madam President and most of that exchange is informal. I speak to Mr Aristotle who I am sure we would both agree is one of the most outstanding persons to have worked and advised government of all persuasions that there is, and some of the key issues that have been raised with me over time have related particularly to Christmas Island where they have been a number of visits and those related particularly firstly to the issue of accommodation and to education and that was something that we could move on. We had a budget process coming up and it was something I took up immediately with my colleagues to see that that was rectified. In addition to that there has been the closure, announced closure of the lilac and aqua compounds. They were also things that were raised with me by my advisory council. In addition to that there remain ongoing issues at Christmas Island and the consideration of what I would hope and I would be happy for him to do so for Paris Aristotle to outline the village concept that they have been working towards on Christmas Island, I think I am quite attracted to that idea. I am keen to work with them to further develop it and we are doing exactly that and they are three key things that I have been working with them on. They obviously continue to highlight the very real risks and challenges that happen when you have people in detention, particularly children, that is why it is not my preference for that to be the case.</p>

President	You have expressed many times in public and privately your personal concerns and you have again this morning. You have children, you can empathise, you understand but you are basically making the argument that there is a cost and that cost has to be met but an issue that concerns us in particular in terms of the advice that we understand you have received and certainly on the basis of the medical evidence that we have gained ourselves with the paediatricians and child psychiatrists is that one of the greatest problems in relation to children evidenced in part by the self-harm statistics from your department is the mental health of the children and the very significant evidence that there is a very high incidence of mental health among these children. Have you weighed this up in terms of your policy of detention and taken steps to address what appears to be a very high incidence of mental ill health among these young people?
Minister Morrison	Without commenting on the preamble other than to say that yes, of course, you take the advice, you assess all the information that you have available to you and you seek to mitigate the impacts of the policies that you have in place that are serving a very important process. I mean that is what all Ministers you would hope would do and it's certainly what I endeavour to do to the best of my ability.
President	Well thank you Minister. If I may I will pass you over to counsel assisting because we would like to just follow through with a number of the answers and the numbers and where children are going to and under what circumstances in a bit more detail, but thank you very much.
Minister Morrison	Thank you Madam President.
Ms Sharp	Minister, on the Tuesday the 19 th of August this year, you announced that the government was proposing to release children under 10 and their families into the community on bridging visas by the end of this year. Now it's right that that only applies to a cohort of around 150 children isn't it?
Minister Morrison	Correct.
Ms Sharp	And that's because they're the children who arrived prior to 19 July last year?
Minister Morrison	Correct.
Ms Sharp	So they're not subject to the offshore processing policy?
Minister	Correct.

Morrison	
Ms Sharp	And the policy only applies to children under the age of 10 and their families?
Minister Morrison	Well that's because those aged over 10 are already being released on bridging visas.
Ms Sharp	Have you turned your mind to consider what impact the policy you've announced has had on children aged 10 and over, and their families?
Minister Morrison	They're already being released on bridging visas.
Ms Sharp	Are you able to say ...
Minister Morrison	So there is no impact on them because they were the ones who were already getting out on bridging visas. It was the children under 10 that I was concerned about who had to stay in held detention, because they couldn't be released on bridging visas. This was the anomaly the government was correcting. There seems to be some misreporting, not by the Commission obviously, but in the media suggesting that somehow we're leaving children over 10 in detention. That's false. I think that was something the Shadow Minister said which has been picked up by people, but as usual he got it wrong.
Ms Sharp	Minister, are you able to give this Inquiry an indication of how many children over 10 and their families have been released into the community on bridging visas since you became the Minister in September last year?
Minister Morrison	Oh we can get that information to you.
Ms Sharp	Do you have any estimate?
Minister Morrison	We can get that information to you.
Ms Sharp	Would it be in the hundreds or tens, or any estimate whatsoever?
Minister Morrison	Well I'll give you an accurate figure by providing it to you after the hearing.
Ms Sharp	So at the moment, while you're in a position to tell the Commission you have been releasing children over 10 on bridging visas, you have no idea how many children?
Minister	Well I think that's an unfair imputation that you're putting in the question. I've simply responded to your question by saying that we would provide you with the information

Morrison	and I'm happy to do that. There are two places that children can be released from held detention as you know. One is into community detention and the other one is into bridging visas.
Ms Sharp	Yes, and I'm asking you about bridging visas at the moment.
Minister Morrison	And I've responded by saying I'll get you that information and you'll get that information.
Ms Sharp	Thank you Minister. Can I show you a slide? If you can look up here. This is some information that's been prepared on the basis of the monthly statistics that are published by the Department, the immigration detention statistics. Now these show the average length of detention for all detainees, and could I get you to have a look at the entry for 30 September.
Minister Morrison	It's a bit hard for me to see from here. Your eyes must be better than mine. If someone has a hard copy I'd be grateful if they could provide it to me so I can read it.
Ms Sharp	I'll just make an enquiry, pardon me.
President	... and pass the hard copy to the Minister please.
Minister Morrison	It's a little better. I can see that, okay. Great, thanks, ta. Thank you.
Ms Sharp	Minister, now that you have the benefit of the table of data before you, can I take your attention please to the entry for the 30 th of September 2013. That, of course, being the month when your government came to power. At that time, on average detainees were spending 115 days in closed detention. Now Minister, if I can take you to the latest statistics published by the Department, they being 31 July 2014. Detainees are spending on average 349 days in closed detention.
Minister Morrison	That not ... you're talking about in Australia here aren't you? These figures relate to Australian centres. Christmas Island, Australia, not offshore?
Ms Sharp	Yes, that's correct. Now Minister, that's effectively a tripling of the time people are spending in detention.
Minister Morrison	Now, let me just be clear, I just want to make sure I'm clear about what figures you're referring to.
Ms Sharp	Yes.
Minister Morrison	Because these are relating to, which I think they are, those in held detention not those in community detention or elsewhere in the system?

Ms Sharp	Yes, let me make that perfectly clear. This relates to held detention which you might also define as closed detention. Now there were 115 days ...
Minister Morrison	Alright, so yeah ... okay ...
Ms Sharp	... on average. So that's about four months give or take. As at July this year the average period of time was 349 days. So that's just under a year.
Minister Morrison	Hmmm.
Ms Sharp	Now Minister, it would appear that the average length of in-held detention has tripled ...
Minister Morrison	That's true.
Ms Sharp	... since September. My question is why?
Minister Morrison	I'll be pleased to tell you why. As the balance of that population has changed since the election, the greater proportion of those who are in detention are those who are subject to the policy of offshore processing and are due to be transferred to those centres. So those who are being held there won't be processed in Australia, they'll be processed offshore, and so they're remaining in detention facilities. It was a source of great frustration when we came to power that we learnt that only one in six of the estimated arrivals under the previous government had been funded to be transferred to offshore processing. So despite announcing that everyone would go there, they actually hadn't funded the policy to actually achieve that, and so the ability to actually transfer people from Australia to our offshore centres was significantly impeded. The large number of people who had already turned up were already in the centres and were subject to transfer and we've been trying to work through that backlog and that case load now for many many months. The second aspect that these figures relate to are those, as you say not just children, but the detention population as a whole, those who've remained in detention over that period of time. It would have been my preference that at the beginning of this year that we would have got underway with processing the 30,000 people who were here onshore who were left behind by the previous government. Now we took the policy of temporary protection visas to the last election. We took it to the election before that. It's been our policy for over a decade. The Australian people are well aware that that was the way we intended to address this legacy case load. The Senate denied the introduction of that, which has frustrated our process of getting on with the business of processing those applications. Had the Senate and Labor and the Greens

	<p>cooperated with that policy many of those people would be out of detention today, their claims would have been assessed, they'd be in the community on temporary visas, they'd have work rights and parity of benefits. That is the consequence of what Labor and the Greens have decided to do in the Senate. Now we have a new Senate. I've been actively engaged in discussions with the cross bench Senators, knowing that Labor and the Greens continue to totally oppose the mandate on temporary protection visas we achieved at the last election, and that once we're in a position to know what the view of the new Senate is about that policy, then I can get underway one way or the other with processing that backlog of cases. The previous government set up around I think I have to refer to the secretary around 3 or maybe even 4 different processing regimes and that is created a hotch potch of situations for those who remain in that 30,000, I didn't intend to repeat that mistake. We're going to have one process to resolve that caseload of 30,000 and once I get a clear view from the senate about what arrangements they will enable the government to do that under then I'll get to work.</p>
Ms Sharp	<p>Minister, could I now return to ask you some questions about your recent policy announcement of releasing children under 10 into the community on bridging visas. Can I just clarify some background matters to begin with? Firstly it's correct isn't it that there are two ways at present that you can release children into the community? Firstly you can release children and their families pursuant to what's called a residence determination and they go into what you call community detention that's option number 1. Secondly ...</p>
Minister Morrison	<p>There's always been the preferred by the way</p>
Ms Sharp	<p>To release them into community detention that's always been your preferred option?</p>
Minister Morrison	<p>Well not just mine it was the preferred position in the previous government as well.</p>
Ms Sharp	<p>Ok I'll come back to that. The second option is to release children and their families on bridging visas right. Now there are some differences between releasing children into the community pursuant to a residence determination and releasing them on a bridging visa, that's right. It's right that when people are released into community detention under a residence determination the Department locates the accommodation for those people.</p>
Minister Morrison	<p>It's through service providers yeah.</p>
Miss Sharp	<p>Alright but that accommodation just takes the form of private rental accommodation.</p>

Minister Morrison	It is they also make a contribution to the cost of that through the assistance benefits they receive.
Ms Sharp	Alright so there are 2 things that you obtain private rental accommodation and the government that pays some contribution to rent.
Minister Morrison	Correct.
Ms Sharp	Alright with people released on bridging visas, it's up to those people to go and rent their own private accommodation.
Minister Morrison	Not without some assistance from the government under the new arrangements that I've announced and with continuing direct support from the Commonwealth for a period of up to 6 months.
Ms Sharp	But it's still the case that people released on bridging visas ultimately find themselves in private rental accommodation.
Minister Morrison	As largely those in community detention do as well but one of the changes we made was to increase the level of accommodation support for those going onto bridging visas so I can have greater assurance about where the children would be living. Under the previous bridging visa policy it was an absolute mystery they could just turn up anywhere and that wasn't a situation that I thought was satisfactory.
Ms Sharp	Ok just I will clarify at this point. What exactly is the change in policy so far as security the accommodation is concerned?
Minister Morrison	Well there is direct involvement of case workers and others to assist securing the accommodation and there is the opportunity for up to 6 months' worth of support in the supporting payments for that accommodation but the other thing that's linked to this is increased direct case management support provided to those into the community so we can better informed of their welfare and their circumstances and in addition to that the opportunity for emergency payment which can be quite generous depending on the circumstances, so what we've done is delivered a very customised bespoke arrangement for those being released on bridging visas to better enable us to ensure that their welfare is being addressed that's why I use the words more self-sustaining and more self-resilient in the community because under the previous arrangements that just wasn't there.
Ms Sharp	Thank you Minister just so I understand the two planks of the new policy are greater case support provided through case officers and providing a greater level of financial assistance in paying for the accommodation is that correct?

<p>Minister Morrison</p>	<p>Correct but there are other matters and I've referred in my statement on the matter earlier in the week there was issues regarding the schooling of children, there was transport issues, there was orientation issues, there was providing a greater access to English language support. It's a fairly comprehensive package but as you would be aware from the course of the inquiry by moving people out of held detention whether they be children or otherwise because it's not just the children we're releasing we're letting children and their families then the costs of doing that in held detention are obviously are a lot greater than doing that in community detention or even more so on bridging visas so we can provide the extra support but in the savings that are achieved in that we've reinvested back into the program to ensure that we can give greater care and support to those on bridging visas.</p>
<p>Ms Sharp</p>	<p>And speaking of the savings I take it you accept that placing detainees in the community be it by a bridging visa or a residence determination is far cheaper than keeping them in held detention?</p>
<p>Minister Morrison</p>	<p>It is, there's no doubt about that at an individual level but then you've got to look at the overall program level and this probably goes back to I think some of the questions that the President was raising before. The previous government made those changes too, they decided to release children into the community but when they failed to have policies which stop the boats at the same time then regardless of the fact the individual unit costs were higher, the volume of arrivals going into the system let to blow outs in the border protection expenses for Immigration Department cumulatively of over \$11bn over 5 years so you can have lower unit costs but if you can't manage your borders then the volume goes through the roof and the costs end up being even greater than they were before and that was the experience of the previous government so you've got to do these things in tandem and one of the things I'm pleased that we're able to do because where we are today with our border protection policies where we have some stability and security on our border this has enabled us to be able to I think have greater flexibility in the things we've been able to do within the detention network and I welcome that and the more we have success on our borders the more we will be able to do that which was exactly the experience of the Howard government. I remind you that it was the Howard government after they had secured borders that they introduced the residence determination provisions, I think it was in 2005. It was that time and I think there were 56 children in detention at that time and when they introduced that they got those remaining 56 children out of detention and put them under those residence determination provisions and there was no more razor wire as a result of the policies implemented by the government at that time, it was after they stopped the boats.</p>
<p>Ms Sharp</p>	<p>Just in relation to the residence determinations. It's right that you personally as the Minister is the only person who can make a residence determination releasing a child</p>

	and their family into the community?
Minister Morrison	On the advice as the Department and that's the normal process, that's the way it's been since in the mid 2000s see.
Ms Sharp	Yes but under the legislation you must personally exercise that power?
Minister Morrison	Of course.
Ms Sharp	Although you do it on advice.
Minister Morrison	Of course.
Ms Sharp	Right and is it right that you personally exercise the power to grant the bridging visa.
Minister Morrison	Yes
Ms Sharp	Can I show you another slide please Minister? I might try to get you a hard copy if I can Minister.
Ms Sharp	I might get you a hard copy if I can Minister.
Minister Morrison	A phone number of a good optometrist too please, thank you.
Ms Sharp	Now just to explain what this table is Minister this again is based upon information that the Department has provided to the Commission in the course of this inquiry, this shows the number of children who are released pursuant to a residence determination, that is one under section 197AD of the Act, that's the power the Minister personally exercises. Now again can I take you to the entry at September 2013 you'll see that 296 children were released on residence determinations that month, is that correct that all of those 296 children released that month were released by your predecessor?
Minister Morrison	I have to check the record because we were in office I was sworn in on 18 September so how many of those, but I do acknowledge that Minister Burke in particular at the APOD down in Pontville moved very quickly to try and remove a large number of children out of detention and I commended him for doing so and agreed with him doing so at the time, the idea of getting children out of detention is something I think both governments have endeavoured to do for those who weren't subject to offshore processing. The reason there are over 530 children less in held detention today under this government than when were elected is because and that is in net terms is

	because we haven't been adding into the system on top of that.
Ms Sharp	Alright Minister you will see from this table from the entries from October down to March of this year that there was a dramatic decrease in the number of children released pursuant to residence determinations made by you, what is the reason for that dramatic drop, Minister?
Minister Morrison	Well at first the Government was getting its border policies in place and getting across the network and receiving the various briefings you expect any new government to be getting across there were many things to do at that time but at the same time obviously children was continuing to be released in other methods and more recently we have had even more success on that front, so the bottom line that I look at is how many less children are there in detention today than when I became Minister and the answer to that is over 530 less.
Ms Sharp	Alright now Minister you said that there were during that period there were children released by other methods you were there referring to the granting of bridging visas are you?
Minister Morrison	That's the other method.
Ms Sharp	Alright and you were going to have your Department provide some figures about the amount of children released on bridging visa.
Minister Morrison	Yes that's what I undertook to do.
Ms Sharp	Thank you. Minister can you explain to the Commission why it has taken 11 months in order to put a framework in place to release children under 10 on bridging visas, why has that taken so long Minister?
Minister Morrison	Well there had been many things the Government has been focused on over the course of this time that one of the things that we have sought to do that I have been working on some months is to address this issue of the faults and deficiencies in the bridging visa program, for children under the age of 10. I had also visited places like Inverbrackie and others and seen the conditions the children living in those places and I don't know whether you were part of the Commission's visit to places like Inverbrackie but frankly it would be hard you will be hard pressed to see the difference between an ordinary residential estate and the services and support the facilities that were available at Inverbrackie people were being well looked after in those centres very well looked after and we had the ability to get children out of detention in a variety of different ways and as the record shows we've been doing that with this significant reduction I stressed on the mainland and Christmas Island

	there are half the number less than half of the number of children in held detention in the mainland and Christmas Island today than when the Government was elected now that may not meet the standard that the Commission is requesting but in just 11 months I think we've made a pretty good start.
Ms Sharp	Minister could these arrangements have been made more quickly?
Minister Morrison	You can always do things better I'm sure the Commission agrees with that and how it applies itself to its own practices as well and the Government will always seek to do things better when we are provided with good evidence and good information and good advice.
Ms Sharp	Minister, are you able to provide any explanation as to why it has taken so long to make assessments of detainees and child detainees claims for refugee status?
Minister Morrison	Well I've already answered that question when I referred to the blockages and frustrations that the Government has had in putting in place a new processing system as a result of the Labor Party and the Greens denying the Government's mandate on temporary protection visas.
President	Perhaps Minister we can pursue this because I think you've been in Government now for nearly a year and you spent a lot of time today saying that the problems really deprived from the former Government. Our job is not ...
Minister Morrison	Well children didn't turn up under this Government except for 350, 8,400 turned up under the previous Government, Madam President, so I think that's fair statement.
President	So you have been saying it repeatedly this morning.
Minister Morrison	Because that is true Madam President.
President	Well we are concerned not with the political blame but we are trying to understand why these children are still in detention and that's raised a number of issues but one that I wanted to focus on at the moment is as you said a few moments ago 30,000 people in Australia are waiting to have their claim for refugee status to be assessed. In the year or nearly a year that you have been in power my understanding is that those claims have not been assessed. Now we the public have observed that in relation to 157 Sri Lankan, Tamils, Indians that have been picked up on a boat some weeks ago it took I think 20 minutes to ask 4 fundamental questions in order to make a preliminary assessment that they were not refugees and should be promptly return ...
Minister	That's not what applied to those 157 Sri Lankan I think you are confusing with

Morrison	another
President	Okay alright well then we go back to 41 that were on the earlier ship so wherever this is taking....
Minister Morrison	I can't confirm what you said there but I can say 4 questions is not right either.
President	Okay well we have been given repeated evidence that 4 critical questions have been asked in short space of time.
Minister Morrison	I can assure you what you have been given is not true.
President	Alright well as you have said earlier we will assess these assertions and assess the extent to which they are true but the point I am trying to get to is that if you are able on a ship to ask 4 questions to assess whether or not somebody might be entitled to refugee status why has it taken you nearly a year before you even begun the assessment of the 30,000 and I ask this question very deliberately because one of the factors that underlies the concerns of asylum seekers across Australia and on Christmas Island is that one aspect of personal dignity that they are refugees has been stripped away from them, they haven't had an opportunity to put their case to you and to deny the allegation that they do not fit that legal standard and what I am trying to get to is why, and this affects the children of course, so particularly you have taken so long when you can demonstrate apparently some form of rapid assessment for those that you've picked up at sea.
Minister Morrison	Well firstly, let me say that the two processes that you're talking about are completely different. The processes that are conducted in Australia are different to those that are applied elsewhere in the circumstances that you referred to that aren't ...
President	Why is that?
Minister Morrison	... that aren't subject to the terms of reference to this Inquiry. So let me address what's happening here in Australia. I covered this off in my early ...
President	All children held in detention by the Commonwealth are under our jurisdiction and I am quite clear that that is part of our jurisdictional scope.
Minister Morrison	Well we may disagree about that Madam President.
Minister	We do. No we definitely do
Minister	And that can just be stated, but I'll address the issues of those who are in Australia

Morrison	and the 30,000, and the risk of frustrating you 23,000 of those 30,000 arrived after August of 2012. I think you became the President a month or so before that. In August of 2012 the government of the day, for reasons of its own, chose not to process anyone who turned up after that date all the way to the next election. So from August 2012 to September 2013 there were 23,000 people who came under that category not subject to offshore processing that were not processed. That is the case load we were looking to address, including the balance who were being processed on this between 3 of 4 other different systems that hadn't concluded, some of which were before courts and appeals tribunals and various other things. The policy we took to the election was to clear the legacy case load with a rapid assessment process, but I agree, I think the faster you do it the better. The quicker you can get to a decision, a yes or a no, delays in processing is not a policy deterrence factor. It's a frustration to governments and those who are subject to the processes alike. It creates greater cost for the government. It's in the government's interest to want to be able to process people more effectively and that has always been my view, but that processing has to be undertaken in accordance with the policy framework the government is seeking to implement. Now immediately we move to put temporary protection visas in place, and had they remained in place then legislation would have been then quickly introduced that would enable us to get on with processing that case load, and the thousands of people that are still in detention and those who have had to return spent longer in detention than they would otherwise have had to, would have had their claims processed and that would have started earlier this year, but the government was also not going to have its border protection policies compromised by its political opponents playing political games in the Senate.
President	But haven't you just said Minister that this is not a deterrence factor, to quote you?
Minister Morrison	That's right we're not delaying the process
President	So why would you not continue with the assessment?
Minister Morrison	Because I don't currently have a visa product Madam President that enables me to complete their process, and until I can have a visa product that completes that process then I don't intend to commence it, and that is why I'm dealing with the cross benchers in the Senate to ensure that the government is in a position to deal with these issues and get processing underway. Now that could have happened earlier. These people could have ...
President	But do you not have visa products to give them a visa?
Minister	[inaudible] Madam President together within the community on temporary protection

Morrison	visas with work rights and parity of benefits today. The reason they are not is because of the Labor party and the Greens who blocked that measure in the Senate. I've waited for the new Senate to engage with which I've been doing comprehensively now for some period of time and that will go before the Senate and I will then work with whatever decision comes out of the Senate. That is the nature of our political process Madam President.
President	What product do you currently have?
Minister Morrison	Permanent visas Madam President.
President	And you will not grant it
Minister Morrison	And that is not going to be provided to those who've come illegally by boat by this government.
President	Well are you aware that as a matter of international law people are entitled to have their claims to refugee status assessed by the country of which they've asked protection.
Minister Morrison	I will act in accordance with that Madam President, but I'm not going to compromise the border protection policy regime which stopped the deaths at sea and stopping the deaths at sea, and you and I may disagree about that, but the Australian people made their view very clear at the last election that temporary protection visas were to be part of the portfolio of measures that this government was going to use to clean up the mess that we inherited and that's what we intend to do Madam President.
President	Well I'm not entirely sure that's clear but you yourself have said that delaying in processing is not a deterrence factor. Why are you insisting on it?
Minister Morrison	Temporary protection visas are Madam President, together with offshore processing and turning boats back where it is safe to do so and the many other regional deterrence measures we do with disruptions right up through the people smuggling chain. That's the policy environment the government is operating in and wherever possible we will move those other measures on in accordance with our policy environment which is stopping the boats.
President	Well if you're happy with the products that you can offer them, to use your words. In other words, you refuse to give them a permanent visa which will be usual practice after some time. Why are you detaining the children? Couldn't they be in the community pending this assessment?
Minister	Well that's exactly what I'm doing Madam President. That's why the last stage of

Morrison	that, with the announcement of the change to bridging visas for those who arrived pre-July 19 has been put in place to enable that very outcome to be achieved.
President	Okay.
Minister Morrison	I agree with you.
President	And you've used the word delays in processing are not a deterrent factor. Do you think it's a deterrent factor to detain the children?
Minister Morrison	Madam President that is a consequence of the policies that have been put in place in terms of offshore processing, particularly because the post-July 19 case load is becoming the dominant case load as we've been able to move all the other children and how this remaining 150 out of detention.
President	So I'll take that as a yes or a no?
Minister Morrison	So Madam President I do believe offshore processing, together and most importantly with turning back boats and temporary protection visas are effective policies to stop boats and to stop children dying and sea, and that's my answer.
President	Is the detention of children a deterrent for the purposes of stopping the boats?
Minister Morrison	Children being detained in facilities has been a consequence of the policies that more broadly have been effective in securing Australia's borders, restoring the integrity of our immigration program and stopping children dying at sea.
President	And I'll take that as a yes, for the record.
Minister Morrison	Madam President, I don't think it is reasonable for you to put words in my mouth.
President	I'm using your words.
Minister Morrison	I have said what I have said and I'm happy for what I've said to be on the record as being my response.
President	I've used your words of deterrence factors. I want to know what the deterrence factor is in relation to holding children in detention for more than a year.
Minister Morrison	Well Madam President we can do this again, but my response is that children being in detention, whether that be offshore in appropriate facilities or remaining onshore because they are subject to offshore processing policies that were introduced as of July 19 of last year. That is a consequence of that policy, and as a result of that policy and more significantly with the introduction of the turn back measures we've

	put in place, and denying permanent visas in Australia, it is getting the results that we said we would get and we were mandated to get with the measure we put to the Australian people.
President	So you take almost no moral or legal responsibility for the consequence. You simply say it's your policy and if it's a consequence, so much for that. It's a cost that has to be borne by these children.
Minister Morrison	Well Madam President I really think that is a very unfair statement.
President	Well I am using your language and ...
Minister Morrison	Well Madam President you may want to refer then to the statement in my opening when I talked about the moral burdens that are associated with decisions that are taken by the Government and any Ministers and equally Madam President I made, I think the point that those who advocate different policies need to understand the consequences of what they're suggesting. Now those who advocated getting rid of John Howard's measures got what they wanted and the deadly curse that followed from that is there for all to see and that's being reversed under this Government and I am pleased to see that.
President	Thank you.
Ms Sharp	Minister, I want to ask you a question that distinguishes between consequence and purpose. Is it a purpose of long-term detention to deter people from coming to Australia by boat?
Minister Morrison	No.
Ms Sharp	Minister can I now ask you some questions about Christmas Island. Firstly, do you agree that it is far more expensive to detain a person at Christmas Island than it is to detain them on a mainland facility?
Minister Morrison	For an individual person? Just one?
Ms Sharp	Yes.
Minister Morrison	Yes, it is more expensive to detain someone offshore than it is to have them onshore, but as I made the point before, that is not the policy assessment that is made by the Government. The Policy Assessment that is made by the Government is what is the overall cost of the policy framework, and the policy framework that removed offshore processing last time together with the abolition of temporary protection visas and turn

	backs led the cost blow outs out of the previous Government of \$11.6 billion. In this budget, this Government's measures have saved \$2.5 billion as a result of the measures we have put in place.
Ms Sharp	Minister, you have a Minister's Council on asylum seekers and detention that gives you advice on detention and asylum seekers, I'll call that the Council. The Council reports to you periodically in writing.
Minister Morrison	Well reports to the Department and I meet with them regularly.
Ms Sharp	Yes, and it's called the Minister's Council.
Minister Morrison	Yes, that's correct.
Ms Sharp	<p>Alright. Now it reports to the Department and I take it you see these reports and it reported to you following its visits to Christmas Island in January and February this year. Now in that report which I have, at page 1 it states and I quote: <i>"the Council visitors have all had considerable experience of detention facilities and in working with people being held in detention. All were disturbed by what they observed in these visits."</i></p> <p>Later in that report at page 5, the Council said, and I quote: <i>"Of particular concern to the Council, is the impact of detention on the psychological, emotional and social development of the children we are holding in detention."</i></p> <p>And then a little further on <i>"what we are doing at present on Christmas Island is not acceptable for a nation such as ours."</i></p> <p>Now, I take it you have seen that report.</p>
Minister Morrison	I am aware of its contents.
Ms Sharp	The Council, your Minister's Council made a further report to the Department in April of this year and at page 4, made the recommendation and again I will quote: <i>"In our view, families, children and complex cases would be better managed if the detainees were transferred to mainland Detention Centres, APODs or in community detention. Specifically for children, there are a range of continuous, adverse events and experiences that are cause for deep concern."</i> I take it you have been made familiar with the contents of that report.
Minister Morrison	Yes.

<p>Ms Sharp</p>	<p>Minister, the Commission’s Inquiry Team has visited Christmas Island twice this year and on each visit was accompanied by expert paediatricians and children psychiatrists. After the Commission’s July visit, our paediatrician, Professor Elizabeth Elliott said this: <i>“Christmas Island is no place for infants and young children. Most were ill with chest or gut infections reflecting the large number of families living in unacceptably cramped and high density accommodation intended for temporary use.”</i></p> <p>Professor Elliott also said: <i>“The physical environment is totally unacceptable and children suffer from recurrent asthma and irritation of the eyes and skin is common reflecting the dirty environment and raising questions about the causal effect of atmospheric phosphate dust from the local mine.”</i></p> <p>Minister, accompanying the Inquiry Team in the March inspection of Christmas Island this year was child psychiatrist Dr Sarah Mares. Dr Mares said that the Children there were expressing intense hopelessness, futility, anger and anxiety as a consequence of the detention environment. She said that knowledge of the immigration policy and in particular, offshore processing is compounding this.</p> <p>The Commission has also received evidence that the medical services provided to children on Christmas Island are substandard. Something that might be evidenced by the fact that for routine medical appointments, people are sometimes transferred off Christmas Island. Now, in view of those matters which I have just put to you Minister, why is it that you won’t move children and their families from Christmas Island to mainland detention facilities. For example, the mainland detention facility at Darwin where there are around 1,000 spare places at the moment.</p>
<p>Minister Morrison</p>	<p>Well, that is a very long question and I am happy to respond to the matters that you’ve raised in the question. It is firstly not the case that children and families are not transferred to the mainland. There is over 300 or thereabouts on the mainland who arrived after 19 July and are subject to offshore processing who are moved to the mainland for medical reasons and to receive medical treatment, they are moved there with their families to ensure the families are kept together. So to suggest that particularly vulnerable cases and particularly those requiring medical attention and that includes mental health issues as well, we have people, not just children who are transferred into mental health facilities to receive appropriate care on the mainland. So it is not true to suggest that where there are medical reasons that would require based on a professional assessment for someone to be moved from Christmas Island to the mainland to receive that treatment with their families, that doesn’t occur. That would be completely and utterly false. I also don’t accept and I’ll ask the Secretary to comment on this more specifically in terms of the health services and other things that are available on Christmas Island, but I do not accept that the health services provided by our contractor, IHMS, are substandard as you suggested. I think that is an insult to the professional character of those men and women who I commended my statement today by acknowledging and commending for their service. Now that is</p>

not to say, as said in my opening statement, that there haven't been periods of time of stress on Christmas Island where these services have come under considerable pressure. That is true, but it is also true to say that the many recommendations and advice that we've received have been the trigger for further action by the government to improve the situation and the accommodation and the standards that are on Christmas Island, and I referred to a number of those in the testimony today and the President kindly commented on some of those herself, whether it was most particularly the children being put into school. Now that was a direct consequence of advice provided to me by my ministerial council and when I met with them earlier in the year I indicated I was going to fix that, and they were very pleased with that outcome. They provide me with good advice, but the government has to take advice and seek to implement its policies consistent with its overall policy framework and as we've come back to time and again in the Hearing today, maintaining the integrity of that policy framework that is ensuring the results that we are currently getting is of the utmost importance to the government. Now I have visited centres over the last five years all around the country. I've sat in the living rooms, well you couldn't call it that, I've sat in the small cramped rooms of asylum seekers and others, be it in Malaysia in the slums of that city or I visited the camps of displaced people in Rakhine state in Burma. I've been to all these places and they can be heartbreaking places, and I know that the care and support that is provided in Australian facilities is another world to those and I know that the professionalism methods of the staff that are working in those centres to do their very best for these people for those who are in their care and in our care are done to the best of their ability and within their professional standards and their obligations. So I don't accept as a generalisation that the services provided at Christmas Island are substandard as you suggested. They have been under pressure at times, but I can particularly say now where there has not been a transfer to Christmas Island since last year, that as that population has fallen from around 2,400 to less than 1,000 now, the pressure on those facilities has been significantly reduced. Issues such as the village accommodation model which the Advisory Council has put to me I think is an excellent idea. Moving towards better self-catering facilities for families so they can come together as a family I think is an excellent outcome, but all of this has to be done in the context of the policy framework that is working for the government. Now I have seen these situations myself personally. I have sat with people in my own inquiries that I've been part of as a member of parliament, but equally after becoming a Minister I have sat with the men and women who work as part of our border protection command who have to deal with the horrible legacy of looking into the face of a child corpse in the water. Now that is unthinkable, and the government is not going to allow a set of policies to be weakened that would see such an Australian staring into the face of a child corpse in the water again. That is our determination. That is our commitment and, more importantly, that is our contract with the Australian people and that's what we will do,

	but I'll ask the Secretary to make comment on the health services at the Centre.
Mr Secretary	Thank you. Thank you Minister. Yes, look can I echo some of these comments and it goes back to a range of statements that were put to me at the last Hearing where I absolutely rejected a range of these issues around medical services. They are not substandard. That is offensive to the professionalism of the people who are providing services. Where, like all rural or remote communities, where a requirement to transfer people out from time to time is required, it happens on Christmas Island. It happens to the broader community on Christmas Island. There are a range of broader issues here in relation to the level of services we provide to quite a small community in the overall sense, and that's not down-playing the broader issue.
President	Can I interrupt here because we've heard this argument over and over again. The people of Christmas Island are being detained in a prison effectively. People in rural communities in Australia are, in the main, there because they want to be there. There's a very real difference, I mean the duty that you have in terms of medical services ...
Mr Secretary	Sorry President, can I just really take offence at some of those emotive statements yet again. It is not fair to characterise the detention system as a jail or whatever form of words you want to use. That is offensive to the professionalism again of the many people who are trying to do a job. There are a ...
President	I'm not [inaudible]. I'm concerned about the conditions. There is no doubt that on an island that is four hours' flight from Western Australia whether a landing strip that is debatable or sometimes unsafe so you can't land planes and where many people have to be flown out for basic medical care, they are inside, I've been there three times. You cannot get into any of the sections without going through armed guards etc., etc. I don't need to....
Mr Secretary	We do not have armed guards.
President	To describe those ...
Mr Secretary	We do not have armed guards President.
President	... as not prisons.
Mr Secretary	We do not have armed guards President. I'd like you to acknowledge that.
President	I'm not sure that I've ... I'm ...
Mr Secretary	I would like you to acknowledge that.
President	We I won't. I will check that, but my understanding is that some of those guards are

	armed and I have been through those checkpoints three times.
Mr Secretary	Well again President, I would like you to check that and I would like you to retract that.
Minister Morrison	I just need to understand what the President's suggesting.
President	But the point I'm making ...
Minister Morrison	No no, Madam President, this is a very ...
President	These are locked detentions. To pretend that they're not in remote islands ...
Mr Secretary	Nobody is pretending anything of the sort. It is detention. Absolutely. In the context of the policy. It is administrative detention to the policy, in context of the policy.
President	On any analysis, that is either locked detention or a prison, whatever words ...
Minister Morrison	Madam President, you would have been to many jails and prisons.
President	Indeed.
Minister Morrison	And are you suggesting that Longbay jail is the same as a pool fenced alternative place of detention at Phosphate Hill on Christmas Island.
President	I would like to move on, but basically I have been a practising lawyer since I was 22 years old and I've been in many prisons and I know a prison when I see it.
Minister Morrison	Madam President I have just asked you, you said that these places are prisons, now you've been in prisons so you are telling me that the Phosphate Hill compound on Christmas Island is the same as Long Bay Jail.
President	I am not saying they are equivalent, I'm saying that the present facilities
Minister Morrison	Well we can move on then Madam President.
President	Thank you
Ms Sharp	Minister, can you see this slide.
Minister Morrison	No, I'm sorry. There doesn't seem to be too many numbers there...

Ms Sharp	There's not too much there so I'll read them out to you, I have the great fortune that I can read it. This is a statistic provided by the Department as at June of this year that shows us that there is a capacity for detaining 1,473 people at Blaydin Detention Centre in Darwin. There are currently only 322 people there, so firstly you would agree there is a lot of spare capacity there at the moment.
Minister Morrison	Yes, that wasn't always the case. It used to be full to the brim under the previous Government.
Ms Sharp	Minister, I'm just asking you about the situation now.
Minister Morrison	It's true, those places have been freed up, they've gone out into the community.
Ms Sharp	Now just to assist you Minister the slide also shows that Construction Camp which is one of the places where children and families are detained on Christmas Island has a capacity of 310 but as at June 2014 it was actually detaining people in excess of its capacity because it was being detained there I should say with 331. You agree with that?
Minister Morrison	Well, I would have to confirm the nature of the capacity figure that you have put in place because in these facilities I have been with for many years there is a basic capacity and there is a surge capacity and a range of other capacities that can be put into facilities that mean that they don't – that was absolutely necessary because if you go back to September 8 there was 425 children at that facility and that didn't include their parents which are also there, I mean there were 2400 and that figure reached almost 3,000. So Construction Camp was under enormous pressure, but it is true, people who are subject to transfer to off-shore processing at Nauru remain on Christmas Island unless there is some medical reason why they might otherwise be transferred to the mainland for treatment.
Ms Sharp	Thank you Minister, and what I was doing there was comparing and contrasting and showing that there is some over capacity at Christmas Island at the moment whereas there is a great deal of capacity on the mainland. Now, I want to return to some evidence you gave earlier. You said that it was not a purpose of detention to deter people coming to Australia by boat. Now can I ask
Minister Morrison	On the mainland.
Ms Sharp	Yes, can I ask you this and you add that qualification on the mainland.
Minister	In Australia, and I said that at the time, I would have to check the transcript but I'm

Morrison	quite sure that I provided that qualification.
Ms Sharp	Thank you Minister. I take it from that that it is a purpose of detention offshore to deter people from coming?
Minister Morrison	Offshore processing which has a consequence detention where people are processed offshore but it is our purpose there as it is here to try and process people as quickly as possible so they're taken out of detention if they are found to be refugees. It is the intention to have people in that facility offshore only for so long as it is necessary to process their claims. The length of that is not intended as a deterrent at all, that is a great frustration to all of those who are involved in the process that was my point.
Ms Sharp	Right, so I want to ask you a question now about a non-offshore facility that that's Christmas Island and I want to ask you this question, in view of the fact that it costs so much to detain people on Christmas Island, in view of the fact that there is so much spare capacity in the mainland detention centres, and in view of the fact that so many experts including your own Ministerial Council are advising you that Christmas Island is not an appropriate facility to detain children, why aren't you moving the children and families from Christmas Island to the mainland.
Minister Morrison	Well, I'm advised that the costs of detaining people at Christmas Island and Blaydin Point is roughly about the same. It is incrementally not that much different. The real difference is when you move people into community detention or on bridging visas, so that's where the cost inferential comes in. And as I said before, those who are vulnerable and there is a medical reason for moving someone from Christmas Island to the mainland, that is done with their families. That is already done. There seems to be a recurring theme in the questions that somehow this doesn't happen. It does happen and there are hundreds of people who are on the mainland who has been subject to that exact policy. But the overarching policy is that those who have arrived after 19 July are transferred to Nauru and that is done through Christmas Island and that would remain the policy, we have no intention to change that policy particularly so long as for the post July 19 caseload that the permanent visa option remains in place and the temporary protection visa option is denied to the Government by Labor and the Greens as they have done in the Senate and I will wait to see what the new Senate chooses to do.
Ms Sharp	Just another question about Christmas Island Minister. Every expert who accompanied the Commission in its inspections to Christmas Island this year was extremely concerned about the fact that there appeared to be no safe spaces for babies and toddlers to learn to crawl and walk. It has been pointed out by witnesses who have attended Christmas Island that there was no grass and that the ground was covered in phosphate which was hard and sharp. Now, against those observations I

	<p>understand that in early July this year a group of mothers detained on Christmas Island asked your department if they could be moved to the mainland pending the outcome of the High Court Case that they were involved in. On 7 July the Department informed those mothers that they would not be transferred as has been reported in the media this led to a spate of incidents of self-harm attempts amongst those mothers, when the Commission staff met with those mothers during the July inspections, those mothers told Commission staff of the desperation for their babies and their toddlers. Do you understand Minister, why the mothers are asking to be moved to the mainland?</p>
<p>Minister Morrison</p>	<p>I understand why people want to come and get on a boat and come to Australia. I understand why they want to do that. I make no judgment about why they would want to do that. I understand that they would like to come to the mainland and not be part of the offshore processing policy. I think that's fairly self-evident. They pay people smugglers to get to Australia. That's what they paid for. That's what they would like to be given. It is not the government's policy to fulfil the promise of a people smuggler. That is not what we do. I know that they would prefer to be somewhere other than where they are. I think that is the case of now of many people who pay people smugglers and didn't get what they paid for as a result of the policies of this government and that is one of the difficult issues that the government has to manage on a daily basis in implementing these very difficult policies. As I said in my statement, all the decisions carry burdens and the burdens have to be weighed up and for these young mothers I can understand how they might feel. I can't specifically understand. I have not been in that situation personally but I can at least attempt to understand it and I have spoken to many, many people who are in detention over many years but at the end of the day the government has to make assessments about the broader policy environment which I'm responsible for as Minister and I'm accountable for results that those policy environments produce and that's what the government continues to remain focussed on. Now where there are medical reasons where someone might be transferred to the mainland and the Secretary will correct me if I'm wrong but I understand one of those people/persons has been transferred to the main land and are receiving mental health support in a dedicated facility. Now that's appropriate. There is a medical reason for the person's transfer. But otherwise the policy is as it is and the policy's effectiveness is maintained by its consistency. One of the reasons we have so many children in detention and why over 8,000 children got on boats is because they thought they would get what they were paid for. Now that has changed and they're not getting on the boats anymore.</p>
<p>Ms Sharp</p>	<p>Thank you Minister. Can I now move to ask you some questions about your role as the guardian of unaccompanied minors? It's right that you are the legal guardian of children who arrive in Australia without a parent, isn't it?</p>

Minister Morrison	Well someone who's not there who can be their own guardian over the age of 21 that's it.
Ms Sharp	So you have legal responsibilities and duties as a guardian to those people?
Minister Morrison	Correct.
Ms Sharp	And do you accept that as a guardian you have a duty to protect those unaccompanied children?
Minister Morrison	It is my obligation to discharge the duties of the Act, yes in relation to guardian.
Ms Sharp	Do you accept that as a guardian you are required to act in the best interests of those children?
Minister Morrison	These are the requirements of the Act.
Ms Sharp	So you do accept that?
Minister Morrison	I act in accordance with the obligations of the legislation.
Ms Sharp	Alright. Now I understand that there are currently 26 unaccompanied children on Christmas Island and they've been detained on average for 300 days. These are children who are who are subject to the offshore processing policy.
Minister Morrison	Correct.
Ms Sharp	What consideration have you given to placing these children in community detention pending their transfer?
Minister Morrison	To Nauru?
Ms Sharp	Nauru.
Minister Morrison	Well once they are transferred to Nauru then obviously the guardianship arrangements changes and it's my Ministerial counterpart in Nauru who takes on those responsibilities and to support the Nauruan government the Australian government has been in place and supports the set of contracting arrangements with Save the Children.

Ms Sharp	Minister I'm sorry I think you misunderstood my question. I am asking about your guardian responsibilities currently with respect to these children who are currently under your guardianship.
Minister Morrison	I know and I'm answering the question. So your question to me was about the decision to transfer them, is that correct?
Ms Sharp	No my question to you is about your consideration of whether to place them in community detention while you are guardian of them.
Minister Morrison	In Nauru? Oh you mean Australia now.
Ms Sharp	Yes pending their transfer.
Minister Morrison	Oh I'm sorry I misunderstood the question. Where there is a medical reason where someone in that situation would require better treatment on the mainland then that would obviously be considered and there are a number of unaccompanied minors who I believe who are actually in the mainland on that basis. I'm sure that is possibly and probably the case. But where the services of support are provided and there is a contract specifically put in place to assist with independent monitoring and oversight in support for unaccompanied minors on Christmas Island. The number of minors when I was last on Christmas Island, unaccompanied minors but were staying in that compound I think from memory was over 80. That figure now I think is 25, 26 is it? 26, we confirm that is 26 and so where there, and those are the arrangements that are being put in place to support those unaccompanied minors and those unaccompanied minors I note now are now going to school as a result of what I've done as the Minister. So I'm pleased with that outcome as well for their care and development.
Ms Sharp	Minister, in your capacity as guardian of these children and in view of the clear and unequivocal evidence that long term detention does harm to children, how do you justify their continuing detention at Christmas Island?
Minister Morrison	Where possible, people, as I said if there's certainly a medical reason for doing so then they can transferred but the arrangements that have been put in place specifically for unaccompanied minors at Christmas Island are designed to address the concerns and obligations I have under that Act and so that is why we've done what we've done and the contracting arrangements we've put in place to support them specifically on Christmas Island. But again this is all achieved within the overarching policy of the government.
President	Minister, when you announced earlier this week the policy for transferring children under 10 who were not subject to the offshore processing regime to the community,

	you said that there are 516 less children in held detention in Australia than when you first commenced as Minister. Of that number 516 children, were some of those children transferred to Nauru?
Minister Morrison	No. Because that was 516 less comparing the 1392 that were on offshore processing on the mainland on Christmas Island to the number on all of these areas at that time. So it is a net figure.
President	So no part of that number 516 involves children that have been moved from a detention facility in Australia to Nauru?
Minister Morrison	By mathematical definition the net figure is the net reduction in the total number of children in held detention on offshore processing, Christmas Island and the mainland on the 8 th of September compared to now.
President	Alright, so you're saying none of that number 516...
Minister Morrison	Well it's a net reduction so it speaks for itself.
President	Ok just so I can clarify you say that none of that figure 516 were children who were transferred to Nauru?
Minister Morrison	It's a 516 net reduction so as a result that is the overall decline from all of those centres. If you're asking have unaccompanied minors been transferred to Nauru the answer is yes.
President	And of course accompanied minors have also been transferred to Nauru.
Minister Morrison	Of course, consistent with government policy.
President	Yes so one of the reasons that there are now less children in immigration detention in Australia is because some of them have been transferred to Nauru.
Minister Morrison	Well, no that would be a misleading thing to say based on the figures we're referring to. Because the figures we're referring to which now by the way are over 530 are net figures which is inclusive of the movement of the number of children at Nauru, Christmas Island and the mainland then compared to now, so that is a real reduction and you know how we achieved that? Because you get a big net reduction when you don't add to the number of children in the detention by the next boat turning up when you've just got one out, that's how you achieve it.
President	Minister your Ministerial Advisory Council recommended to you in its report following the January and February visits to Christmas Island that processing for detainees

	start in Christmas Island, you're aware of that recommendation?
Minister Morrison	Well that would be inconsistent with how the processing arrangements worked because Australia does not conduct the processing for those who are transferred to Nauru that is done under another sovereign jurisdiction so that would be inconsistent with how the policy operates.
President	Yes I understand that Minister but my question is that whether you are aware that your own advisory Council recommended to you in its January/February report that offshore processing for these people start in Christmas Island, were you aware of that.
Minister Morrison	I'm aware of the views of my Council and I listen to the views of my Council and I act where possible and where I think the Council assist me to implement the policies consistent with what the government is doing, now that suggestion is inconsistent with the policy framework the government has in place.
President	So I take it you have rejected that recommendation of your advisory Council.
Minister Morrison	Well I think what I've just said makes the position pretty clear I mean where people are suggesting I mean if the advisory Council suggested we get rid of turn back boats tomorrow I'd obviously reject that too, the government has its policy we took them to Council, we're implementing them, we're getting the results we said we'd get, in fact we're getting the results we promised we'd get.
President	Minister I know we're running out of time but I've just got one or two more questions if I may ask these questions and that is that you've emphasised a number of times in the media and here your concern for the children being held in detention, how would you describe your primary concerns for those children currently being held?
Minister Morrison	Madam President, first of all I would like to see their claims assessed and I've been extremely frustrated that the inability to get that point. That was also occurring offshore for some period of time and I'm pleased we've been able to get over the hurdles for processing there, it's interesting that we're able to get processing moving more quickly offshore than we were offshore because of the actions of the opposition and the Greens here. So I want to assess their claims because I agree with you I've been around this portfolio space long enough to know that not addressing people's claims only adds to the complications in difficult environment in which we're already working. It is not a goal of the government, it is not a policy of the government. It is not a purpose of the government to in any way delay wherever possible how someone's claims might be processed. I want to make that very clear. We are very committed to that.
President	But you excuse your failure to assess on the basis of your own policies, it seems a

	rather circular argument.
Minister Morrison	Well Madam President the policy is designed to get a particular purpose which the government places the greatest priority on and then I work within that policy and that policy necessitates at this point at least that the processing has been frustrating by the actions of the oppositions and the Greens in the Senate. Now I'm optimistic that may change but at this stage I'll await how the Senate might consider these issues, but to answer the second part of the question Madam President is I don't want to see children in detention and I'm doing a number of things to stop that. First of all I'm stopping them getting on the boats in the first place, second of all where they arrive prior to the 19 th July I'm getting every single one out that I can and we've got over 530 out in net terms to date, something I'm very pleased with and something I know you acknowledged in your opening remarks as well and I appreciate that and thirdly Madam President I'm looking forward to the day again that existed in November 2007 not one child in detention who'd arrived illegally by boat not offshore, not onshore, not anywhere it can happen I know it can happen for the last 5 years in opposition everybody told me it was impossible but I believe it can happen and I'm working to make sure it does again.
President	It does seem curious that you express some sympathy but you have not exercised your discretion over the last year to release these children in anything like the numbers like your predecessor and you argue that the reason you can't do that is because of your own government's policies. This does seem rather curious.
Minister Morrison	Well Madam President I think you're conflating and confusing my statements. It is true that we've reduced the number of children in detention by 530 odd over the last 11 months. I think that's a good outcome and the number of children in detention whether here or offshore as I said has gone from 1392 down 535 less today and it was only in July last year that we had almost 2000 in held detention and I have no doubt Madam President that the previous government, I know the men who were involved and I know Mr Bowen in particular was trying to get children out of detention but you know why he couldn't – because his border policies were a complete and hopeless and disastrous failure and as a result despite his best will and his best endeavours the number of children just kept piling up and that is why Madam President I will operate within the confines of a policy environment that I know works. If I compromise that policy environment Madam President you may disagree with me but I know what the consequence will be because I've lived it for the last 5 years as my predecessors sadly had to as well.
President	Minister some time ago, in fact when I saw you opposition shadow minister you agreed with me that it would be appropriate on bridging visas to allow families to work that this was the Australian ethos that one worked

Minister Morrison	You're verballing me there a little Madam President
President	Well I apologise if I'm verballing you but I think you have said on a number of occasions that you could see the value of work as being an important element of settlement in Australia and becoming members of the community. Why are you so reluctant to give work rights under bridging visas?
Minister Morrison	Well I am not necessarily reluctant Madam President I would say to this hearing. I am not necessarily reluctant. In the past when there was not a secure border as the previous government found out, providing those sorts of opportunities to people who were literally just coming straight off a boat, straight into detention, into the community and being provided work was causing a massive pull factor which was attracting economic migrants as a result. And we saw that happen. And so the government then, as we advised them to do, changed that policy and that did have some assistance, I wouldn't say a lot because there were many other weaknesses in the policy. Now that our borders are in much better shape, there is potentially scope to consider these things but temporary protection visas, had we been able to process people earlier in the year, we would already have people out in the community on work rights and with parity of benefits. It would already be happening. And it is disappointing that we haven't been able to achieve that result but particularly for families, I am open to considering those types of options as we continue to work through these issues and especially once we get to the next stage where I can have some certainty about the processing environment and the likely time frames that we are going to be looking at for moving people through the system and the potential pathways they might be on which might assist people going from one phase to the next and so that is something I am open to Madam President. I don't have some sort of ideological position on this I have an open mind on this but it has to be considered in the context of the particular time. At one point in time it can be an absolute boat magnet, at other points in time it can have a different result. But I would stress this, we shouldn't hold it out as some sort of cure-all because the truth is probably more than 90% are not going to get a job, they are not going to be able to find work and even providing those work rights may not result in them actually getting a job in the first place and so we should be careful not to think that that will deal substantively with the welfare risks that may present. Which is why in the announcement I made earlier this week I was so keen to ensure emergency support, case management, access to the English language, dealing with transport issues, accommodation support, because I knew that in the overwhelming majority of cases we were going to have to help these people.
President	Well Minister I am glad you have an open mind about that I think that is an important step forward and counsel has just a couple more questions and then I will finish. You

	have been very very patient with us, thank you very much.
Ms Sharp	Minister, you said your position, that the long term detention of children who are subject to the offshore processing regime is the price we need to pay for stopping the boats.
Minister Morrison	The situation we find ourselves in today is the product of many different factors. It is not my intention to have people there longer term and I think I have made that clear in the course of this hearing. It is my intention that that should be as shorter period as is possible to allow the appropriate checks and where possible people to be released into the community where they can have their claims duly assessed. And I make the point that the percentage of children who are living in the community and awaiting for their processing to happen has increased from 80% to over 90%, sorry 70% to over 89%, I correct myself. So we are seeing a larger proportion of those who are in the situation you are talking about not being held in detention. So it is true that the number of days people spend in detention has grown but equally the population of people in detention has dramatically reduced, particularly for children on the mainland and on Christmas Island is has more than halved. So yes, there are people in detention longer who are still there but there are far less people in detention. That is also a consequence of the way we have been managing these things. But it is true to say that a consequence of running off-shore processing is that there are going to be children who find themselves in these facilities.
Ms Sharp	Minister, do you accept the evidence that detention is currently doing harm and damage to the children detained.
Minister Morrison	This is why I am keen to see as few children in detention as possible.
Ms Sharp	Minister, have the means gone too far to justify the ends.
Minister Morrison	I saw too many children die in the sea not be pursue the policies I am pursuing.
President	And then the final question Minister, do you have a schedule to release all the children from immigration detention by Christmas.
Minister Morrison	The 150 I mentioned is our intention, yes.
President	So those children who are over 10 who have not already been released, will remain
Minister Morrison	They have already been released, they have already been released.

President	So the upshot that all children will have been released.
Minister Morrison	For those who arrived pre-19 July that is the direction I have given my Department.
President	So you will retain your policy that those that arrived this date of the 19 July will continue to be in closed detention.
Minister Morrison	That is the policy of offshore processing Madam President.
President	I know it is the policy I just what to know...
Minister Morrison	And that will remain our policy subject to any other preferable arrangements that I might be able to put in place with temporary protection visas and other things which are subject to the discussion I am having with the cross bench,
President	So despite you accepting that the longer they are held the greater the damage physically and mentally to these children, you are still prepared to hold them in closed detention.
Minister Morrison	Madam President let me reverse the question to you – would you have me abandon the policies that are working, that have seen the results that we have been achieving, would you have me erode those and undermine them as the previous government did which led to the cost, chaos and tragedy that we saw over those six years. If that is your question Madam President, which I think it is, then we will continue with the policies that are working because I grew tired, as the Australian people did, of seeing the children die.
President	Well my core question of you as Minister is that you comply with basic, fundamental principles of International Human Rights Law to respect these asylum seekers that have asked for the protection of Australia and to exercise your obligations as guardians for the unaccompanied minors and to ensure that these children are properly cared for and that the claims that they have and their parents have to be assessed as refugees is rapidly put in place so that they can have at least the dignity of being recognised as refugees.
Minister Morrison	And this is my endeavour Madam President. This is my endeavour but the voiceless in this debate Madam Speaker are the ones who are at the bottom of the ocean and who are in camps all around the world, which I am very pleased are now getting places under our program.
President	Well thank you very much Minister, thank you Mr Bowles. We are now going to take a break for 15 minutes and we will resume with the 2 or 3

	in fact witnesses that will complete the hearings for this morning. Thank you very much.
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