

National Inquiry into Children in Immigration Detention 2014

Sydney Public Hearing

Thursday, 31 July 2014

President	<p>Good morning everybody. My name is Gillian Triggs I'm the President of the Australian Human Rights Commission and I am very pleased to welcome you all here for this the third of our public hearings into the condition of children held in mandatory detention and in doing so, may I acknowledge the traditional owners of the land on which we meet the Gadigal people of the Eora Nation and I pay my respects to their Elders past and present. This, as I say, is the third public hearing that we are holding. We've held one here, one down at the Fitzroy Town Hall on 2 July and this is the third and hopefully the last of the public hearings. Since we held the second hearing in Fitzroy we have visited Christmas Island again a second perhaps, unscheduled visit, we haven't intended to go again but we were very concerned to be absolutely clear about the factual evidence of the conditions on the Island and to investigate in particular concerns about the number of people who have self-harmed or who are on suicide watch. I would like to stress if I may that the objective of this inquiry is to be as clear as we can about the facts and evidence that will ultimately support our recommendations and findings when we report to Parliament in September. The public hearing today will focus on the conditions of detention particularly at Christmas Island, the safety and well-being of the children detained in Nauru, the health and well-being of detainees with a particular emphasis on the mental health assessments of children and the impacts of long-term detention on children and their families and finally the pre-transfer assessments of children and mothers who have been sent to regional processing centres.</p> <p>Today, I will be assisted by counsel, Ms Naomi Sharp. There is also another feature of today's hearings that I need to make clear and that is that we have compelled a number of witnesses to give evidence. That was not necessary in the first two of the hearings that we conducted. The Australian Human Rights Commission will use its powers to require people to give evidence if it considers that this is necessary for the conduct of the inquiry. We may use these compulsory powers if a person would otherwise be prevented from disclosing information particularly as a result of a confidentiality agreement. By requiring a person to attend and to give evidence people who may have signed confidentiality agreements are lawfully able to give full and frank statements about what they've witnessed and experienced while working with children and families in immigration detention both in Australia and offshore. The media has been invited to attend. We are very pleased to see you here and</p>
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they may film certain sections of the proceedings. Any media at the hearing today are advised that I've made a direction under Section 14 of the Australian Human Rights Commission Act 1986 which prohibits the disclosure of the identities of certain persons who may be mentioned during the hearing. Copies of the media guide to this direction are available just outside the hearing room.

The transcripts of today's hearings will be made available on our website in the next few weeks. With regard to the process, those witnesses who are appearing today have as I said been specifically invited. Prior to each witness giving evidence, he or she will be asked to swear an oath or affirmation and that witness will then have an opportunity to make an opening statement of no more than 5 minutes, and I will then ask Ms Sharp to question each witness. The questions, and I do stress this, the questions have been framed with clear reference to Australia's Human Rights obligations under International Law. As you will be aware, our mandate at the Australian Human Rights Commission is to consider actions of Government and others by reference to the International Human Rights Treaties which are part of our legislative mandate so our questions are designed to link to the international legal obligations in relation to which Australia has obligations.

So thank you all very much for joining us it's been very encouraging to see the interest of the Australian community in the work of this inquiry and we very much appreciate you giving up your time to be here today.