

# National Inquiry into Children in Immigration Detention 2014

Canberra Public Hearing

Friday, 22 August 2014

<b>President</b>	<p>Well good morning everybody. I'm Gillian Triggs the President of the Australian Human Rights Commission and would like to begin by acknowledging the traditional owners of the land on which we meet and I pay my respects to their Elders past and present. I would like to welcome each of you and the audience, the organisations and those who travelled to be here, thank you very much.</p> <p>I would like very briefly to speak to you about the purpose of this inquiry and our progress thus far. The primary purpose is to examine the condition of children in closed detention by reference to International Human Rights Law which underpins our statutory powers under the Australian Human Rights Commission Act. It is absolutely vital to our inquiry process that we get the evidence factually correct. That accuracy will underpin many of the questions that we will continue to make. I am really delighted to see the Ministers, the Honourable Scott Morrison here today, thank you very much and the Secretary of the Department Martin Bowles, thank you very much Martin.</p> <p>There are a couple of points that I would like to make before we begin and one is to say how pleased we are by the start of the schooling for the children on Christmas Island and I thought if you don't mind Minister, I just take the opportunity to show this picture which appeared in the Australian but I think it was a rather good picture. One of the things that has concerned us at the Australian Human Rights Commission in relation to Christmas Island, has been the inability of the children to attend school over the last year, but now that school has started and we see them in a crocodile line heading off to school, I think that is very encouraging and we really warmly welcome that initiative by the Minister.</p> <p>We also welcomed the announcement by the Minister that he will release all children under 10 and their families from detention on the mainland by the end of the year. We of course welcome that and are grateful for it from the Minister, however of course we do have some continuing concerns, one is that there are about 270 children on the mainland or Christmas Island who continue indefinite detention and along with about 233 on Nauru. The Minister has announced that many children, over 500 have been released from detention since he took over the position in Government in September last year but we are concerned as to where those children have gone and what their conditions are. We are also concerned that children currently in detention have been in detention for more than a year which is a very long time during which to keep children and their families who have committed no</p>
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offences.

This will be the fourth and the final public hearing and I will be considering the evidence that the inquiry has gathered over the last six months and preparing a report of my findings and recommendations for Parliament in September. I will be assisted in this public hearing by Counsel, Ms Naomi Sharp and by two members of the Australian Human Rights Commission, Fabienne Baldan who is the Director of the Inquiry and Prabha Nandagopal who is the Legal Counsel to the Inquiry. The media has been invited to attend but I would like to remind everybody present that I have made a clear direction under our legislation under section 14 of the Australian Human Rights Commission Act which prohibits the disclosure of the identity of persons who may be mentioned during the hearing. Copies of that media guide are available outside the hearing room.

The hearings are being recorded. A transcript of the evidence will be made available and it will be on our Inquiry Website within the next very few weeks. Today's schedule is a relatively short one, firstly the Honourable Scott Morrison, then Mr Paris Aristotle, Chair of the Minister's Council on Asylum Seekers and Detention along with Professor Nicholas Procter and we will be talking to Ms Deborah Homewood, Managing Director of MAXimus Solutions.

So that is the schedule. The witnesses have been specifically invited to give evidence and we are very pleased that they have accepted invitation to do so. Prior to each witness giving evidence, they will be asked to swear an oath or an affirmation and each witness will have the opportunity to make an opening statement of no more than 5 minutes.

Ms Sharp will question each witness, although I will intervene where I think it is appropriate but I would like to remind everybody that our questions are framed by reference to Australia's Human Rights obligations under International Law.