



Level 10 222 Pitt Street Sydney NSW

PO Box A2266 Sydney South NSW 1235

P (02) 8267 4238 F (02) 8267 4222

E [unitingjustice@nat.uca.org.au](mailto:unitingjustice@nat.uca.org.au)

[www.unitingjustice.org.au](http://www.unitingjustice.org.au)

4 March 2015

Hon A. J. Abbott MP  
Prime Minister  
Member for Warringah  
PO Box 6022  
Parliament House  
CANBERRA ACT 2600

Dear Prime Minister

**Re: *The Forgotten Children*: Australian Human Rights Commission Report**

I write to you on behalf of UnitingJustice Australia, the justice policy and advocacy unit of the Uniting Church in Australia Assembly (the national council). UnitingJustice exists as an expression of the Uniting Church's commitment to working towards a just and peaceful world. The Uniting Church has been advocating for the rights of asylum seekers and refugees since 1977. We have been calling for an end to prolonged, mandatory detention since our Asylum Seeker and Refugee policy statement was adopted in 2002.

The Australian Human Rights Commission (AHRC) report is the largest survey of children in detention ever conducted. We commend the AHRC for the high quality of the research which details the brutal and damaging effects on children of the conditions in Australian-run detention centres.

The findings of *The Forgotten Children* report are shocking. It cites 233 recorded assaults involving children and 33 incidents of reported sexual assault (most of which involved children). We are extremely concerned at the levels of mental distress and long-term harm suffered by children as a direct result of their detention. These vulnerable children have lost the most important years for their growth and development. Some will be scarred for life by their experiences. Policies of successive governments have contributed to this harm. We believe it is unacceptable that a wealthy, stable and secure country like Australia, with its long-standing commitment to human rights, deliberately imposes such punitive policies on children, in disregard of consideration of the best interests of the children and in breach of our obligations under the UN Convention on the Rights of the Child.

for a world reconciled

UNITING CHURCH IN AUSTRALIA ASSEMBLY

In response to the Report, the Uniting Church in Australia reiterates its call to the Government to release the children and their families, including those from Nauru, into the community. A copy of our media statement is attached, together with a copy of the joint statement by Australian organisations and community groups.

We welcome the referral to police by the Department of Immigration and Border Protection of all allegations of child abuse in immigration detention facilities. There remains, however, much more to be done.

Australia is the only country in the world which imprisons children as the first, preferred option, yet both the Government and Opposition have admitted that the imprisonment of children serves no 'deterrent' purpose. We commend to you all sixteen recommendations made by the AHRC in the Report and in particular, urge you to work with the Government to:

- immediately release all children and their families from detention, including Nauru;
- appoint an independent guardian for unaccompanied children; and
- introduce legislation to ensure that children are only ever detained as a matter of last resort, that they are assessed in open facilities and that they and their families are released into the community within three days of arrival in Australia as recommended by the Royal Australian and New Zealand College of Psychiatrists (Media Release, 26 February 2015).

We are also concerned about the highly personalised attacks on the President of the Australian Human Rights Commission, Professor Gillian Triggs. While a government certainly has the prerogative to refute the findings of independent statutory bodies such as the Australian Human Rights Commission, such personal attacks threaten our robust and vibrant democracy. While a motion has been passed in the Senate to this effect (3 March 2015), we urge you to continue to uphold the independence of the AHRC and its mandate for the promotion and protection of human rights in Australia.

I would be happy to meet with you to further discuss these matters.

Yours faithfully

Rev. Elenie Poulos  
National Director

cc Federal MPs and Senators  
Professor Gillian Triggs, President, Australian Human Rights Commission  
Encl. Uniting Church in Australia Assembly, Media Release, 12 February 2015  
Joint NGO Statement, 13 February 2015