

Thursday, 6 December 2018

Law Council backs parliamentary efforts to get sick asylum seekers off Nauru

The Law Council of Australia supports efforts by parliamentarians to address the alarming mental and physical health of children and adult asylum seekers held in offshore detention.

A private members' bill by Kerry Phelp MP, and a separate attempt to amend a migration bill before the Senate, aim to ensure urgent medical treatment is provided to children and adult asylum seekers who are in grave need.

While noting the Law Council has strong and longstanding concerns about offshore detention arrangements in general, Law Council of Australia President, Morry Bailes, said the immediate issues sought to be addressed were worthy of support.

"With respect to children, one child on Nauru is one too many. Australia is internationally committed to the principle of acting in the best interest of the child as a primary consideration," Mr Bailes said.

"Removing all remaining asylum seeker children on Nauru to Australia for medical and psychiatric treatment is not just medically necessary, but necessary if Australia is to abide by our international obligations.

"Australia also has obligations to ensure the health and safety of adult asylum seekers in regional processing centres. This includes appropriate access to key health services and acting to address the risks of suicide and self-harm by detained asylum seekers.

"The abundant evidence regarding the health and wellbeing of many adult asylum seekers is grim. It is essential that Australia acts with respect to adult asylum seekers," Mr Bailes said.

The Law Council supports ensuring that asylum seeker families are kept together under temporary transfer arrangements, given Australia's family reunification obligations.

"For children and families, this measure will minimise the risk of further dislocation and trauma," Mr Bailes said.

"Transfers being proposed are temporary, so key questions remain about the longer-term situation of these asylum seekers.

"The Law Council would urge the Australian Government to develop a long term, durable response to irregular migration and solutions for all refugees and asylum seekers who are currently in offshore detention conditions.

"This new response should accord with Australia's international obligations," Mr Bailes said.

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