



MEDIA STATEMENT

Thursday 2 April 2015

GOVT SEEKS UNCHECKED POWER TO USE FORCE AGAINST DETAINED ASYLUM SEEKERS

The Government is continuing its push for ever-more punitive, coercive powers against asylum seekers.

The *Migration Amendment (Maintaining the Good Order of Immigration Detention Facilities) Bill 2015* currently before Parliament will give detention centre officers essentially unchecked power to use force against asylum seekers in any circumstance they think reasonable, which may include, for example, breaking up a peaceful protest.

“These proposed laws will give officers in detention centres more power to use force than are granted to prison officers,” CEO Kon Karapanagiotidis said today.

“They also introduce a subjective test where officers themselves get to decide if violence is warranted. When they do use excessive force, they will effectively be immune from legal action except in the rarest of circumstances. This virtually gives them the green light to use force without fear of repercussions.

“There is no reasonable basis for granting broad, sweeping powers to authorised officers to use force indiscriminately. These laws are unnecessary and they are dangerous.

“It is another example of the Government’s ongoing push for unchecked power when it comes to their treatment of asylum seekers.”

Mr Karapanagiotidis said the Government should address the real causes of tension in detention centres – the poor living conditions, the lack of information about people’s cases and the arbitrary, lengthy nature of detention – with people currently being held for a record 442 days on average.

“To make matters worse, asylum seekers are being housed alongside convicted criminals who have been released from prison, putting them at risk of harm.”

Mr Karapanagiotidis said detention centre officers already had enough powers to maintain order.

“These new laws effectively sanction a culture of excessive force in detention centres. This is extremely alarming, particularly given the number of recorded incidents of poor conduct or excessive force by guards in detention centres, including:

- The [murder of Iranian asylum seeker Reza Barati and injuring of around 70 other asylum seekers on Manus Island](#) during protests in February 2014
- Distressing evidence of physical and sexual abuse by guards against women and children in Nauru detention as outlined in the Government-instigated [Moss Report](#) released in March 2015
- Video evidence of force used against children during a transfer from one compound to another on Christmas Island – March 2014 – [The Forgotten Children Report pp 160-165](#)
- Investigations into the [use of excessive force by guards at Maribyrnong Detention Centre](#), with officers themselves reporting repeated assaults on asylum seekers – reported February 2015

“The new Bill legitimises the use of excessive force and gives officers almost complete immunity from prosecution. Along with the subjective test regarding whether they have lawfully exercised the power to use force, this greatly increases the likelihood that force will be used arbitrarily or excessively.”

People can make a submission to the [Senate Inquiry](#) currently scrutinising the Bill by 7 April.

Media Inquiries: Mary Fall 0407 683 664