

Thursday, 1 November 2018

## Law Council welcomes reports of children leaving Nauru, urges government to keep families together

The Australian legal profession is today cautiously welcoming media reports that all asylum seeker children will be removed from Nauru by the end of the year.

Law Council of Australia President, Morry Bailes, said that if the reports were correct it was very positive news, but added that the Australian Government must ensure that families are relocated together.

“Reports today, including comments by the former Attorney-General George Brandis, that all asylum seeker children on Nauru will be relocated to Australia by the end of the year is certainly welcome, if long overdue,” Mr Bailes said.

“As part of this process, we urge the Government to move the children with their families, to minimise the risk of further dislocation and trauma.

“The legal profession has been voicing its concerns alongside those in the medical profession, and the wider Australian community, over the welfare of refugee and asylum seeker children held on Nauru.

“Removing asylum seeker children from Nauru is not just medically necessary, it is also consistent with Australia’s obligations under domestic and international law.

“The United Nations Convention on the Rights of the Child requires that in all actions concerning children, the best interests of the child be the primary consideration. Keeping children with their families is central to that.

“Indefinite detention of children for the purpose of determining their immigration status will never comply with this Convention.

“It now appears that the Australian Government is finally acting on its responsibility for the health and safety of those asylum seeker children and relocating them.

“The next step is to develop a long term, durable response to irregular migration and solutions for adult refugees and asylum seekers who are currently in offshore detention conditions in line with Australia’s international obligations,” Mr Bailes said.

Mr Bailes said the Law Council’s [Asylum Seeker Policy](#) and [Regional Processing Policy](#) sets out Australia’s obligations regarding the detention refugees and asylum seekers, including children, and promotes policies that have the goal of ending long-term detention for those seeking asylum.

“Long-term, indefinite detention is simply not the answer,” Mr Bailes said.

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