

## Children in Immigration Detention

***The following statement can be attributed to Mr Michael Colbran QC, President, Law Council of Australia:***

- The Law Council of Australia welcomes the announcement by the Minister for Immigration and Border Protection, the Hon. Scott Morrison, that children under the age of 10 and their families will be released from immigration detention facilities into community detention arrangements by the end of the year.
- In line with Australia's international obligations, including those under the *Convention on the Rights of the Child*, the Law Council considers that in all actions concerning children, the best interests of the child should always be the primary consideration.
- The Law Council provided a detailed [submission](#) to the Australian Human Rights Commission's (AHRC) 2014 *National Inquiry into Children in Immigration Detention* recommending that all children, including those detained in Australia and in offshore facilities, be removed from immigration detention facilities and that genuine efforts be made to temporarily house asylum seekers in alternative detention facilities.
- The announcement by the Government that children under the age of 10 will be released from immigration detention goes some way to achieving these aims.
- The Law Council encourages the Government to build upon this important step forward and actively consider alternatives that would see all children, released from immigration detention.
- In particular, the Law Council considers that children and families should not continue to be transferred to or detained in offshore processing facilities, particularly in light of concerns about access to and standards of medical, safety, health and other services in those facilities.
- The Law Council acknowledges the consideration given by the Government to the provision of increased support services to those children and families who are being released into the community under these new arrangements including supporting children to go to school, access to health support and orientation programmes to assist families to adjust to life in the community and understand the laws and behavior expectations.
- The Law Council looks forward to the release of the AHRC's report following its National Inquiry and supports all efforts to identify practical, effective alternatives to long term, restrictive immigration detention for all asylum seeker children and their families.

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