

Children seeking asylum

In the stressful conditions of detention, children are likely to suffer in many ways – physically, mentally and emotionally. According to the [Australian Human Rights Commission Inquiry into Children in Detention](#), 85% of children and parents identified that their emotional and mental health had been affected since being in detention.

There are now only very small numbers of children in detention centres in Australia, the notable exception being the two children in the Sri Lankan family being held on Christmas Island where the facilities and their treatment are clearly causing harm to the whole family. In the latter part of 2020 there were nearly 300 children in community detention. In addition, there were nearly 2000 children on Bridging visas: some of the families on these visas have been in Australia for several years waiting for determination of their status, a situation known to have deleterious effects on many.

The dignity of the human person demands that no child be used as a means to an end, and that all children have access to the conditions necessary for their flourishing. Children need freedom to grow, play and learn in an environment free from those restrictions and tensions likely to occasion violence and abuse. Given children are for the most part within a family, the treatment of families inevitably affects the children.

In its regulation of immigration, the Government has a clear responsibility to ensure their policies and practices in relation to families must serve the welfare of the children. This has clearly been recognised by past governments when Australia has become a signatory to the UN Convention on the Rights of the Child, the UN Declaration of Human Rights and the UN International Convention on the Status of Refugees.

It is clear that

- there should be no children in detention centres
- children should be assured of access to the necessities of life including a home, health care and education
- No government minister should be the legal guardian of unaccompanied children given the clear conflict of interest involved