

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. Thankfully there are no longer any children in detention centres in Australia but the impact of the years spent in detention can be long lasting.

According to the Department of Home Affairs, as of 31 March 2023, there are no children in closed detention. However, at the end of April 2023 there were still 1367 children on Bridging Visa E and 95 children are on Residence Determination, alternatively known as community detention. Some of the families on these visas have been in Australia for several years awaiting 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. For unaccompanied minors any guardian appointed needs to be focused fully on the needs of the child.

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