



You have until 5pm 12 Aug.

The Joint Select Committee on Australia's Immigration Detention Network is calling for submissions (closing 12 August). This is a chance to have your say on the reforms needed to Australia's immigration detention system. Don't be daunted – it doesn't need to be long and complicated, it is crucial that we show there is public interest in reforms. We have put together [some ideas and background](#) if you'd like it. Essentially we argue a complete overhaul and importantly the introduction of legislation requiring **independent, judicial review for anyone to be detained for more than 30 days.**

If you miss the deadline, **how about letting your MP know what you want to see...** you can use the background info to advocate for changes that way. Your MP has colleagues on the joint detention committee, they will be comparing notes!

The High Court case and what it all means

Under the Malaysia deal, the first asylum seekers were set to be removed from Christmas Island on 7 August. The fab team at RILC mounted a High court challenge. The Court found there is a case to answer and issued an injunction against the removals until 22 August.

One of the areas of law being tested is [s198 of the Migration Act](#) which allows removal (put in place in 2001 to allow the Pacific Solution to commence). S.198A 3) a) iv. requires that the country people are sent to meets relevant human rights standards. The question is will this be the case for the 800 people Australia proposes to send to Malaysia?

What could happen?

- High court could defer to federal court, then back up to high court – time taken not known, but unlikely to be quick!
- High Court could rule in favour of the Commonwealth – deal is back on.
- High Court could rule in favour of the 16 asylum seekers who brought the matter; if this happens, hard to see how any of the 800 asylum seekers could be sent to Malaysia.
- Migration Act could be amended, Govt needs support of Greens or Coalition in the Senate to make this happen.

Right now for the approximately 100 men, women and children who have arrived by boat since the deal was signed, this means complete limbo. These people and further arrivals should have their claims assessed on the mainland and should not be subject to indefinite detention, there is presently no functioning deal and no idea if or when they can be removed.

Australia has begun to welcome the first of 1,000 refugees to be resettled here this year from Malaysia.

In other news...

RCOA recently made a submission to the Legal and Constitutional Affairs Committee inquiry into the ***Migration Amendment (Detention Reform and Procedural Fairness) Bill 2010*** and along with others were called to give evidence to the Committee. The transcript is worth a read to see what alternate models look like and how they can be implemented.

BREAKING NEWS

Detention on Manus Island seems back on the table in earnest. We are opposed to this harmful, inefficient and costly approach. The Minister is critical of Nauru as a solution, Manus is the same set of problems in another location. Stay connected with us for updates on how this unfolds.

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