

AMNESTY INTERNATIONAL

Public Statement

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Australia: Report critical of transfers of asylum seekers to prison

Amnesty International welcomed the tabling of a report in Federal parliament outing how Australia had breached its human rights obligations by transferring a number of uncharged asylum seekers directly to prison. The findings by the Human Rights and Equal Opportunity Commission (HREOC) were tabled by the Attorney General.

"It's deeply saddening that someone in Australia can spend up to two and a half years in prison without ever being charged or convicted in a court of law. This unacceptable practice should end," Amnesty International said today.

The report found that the practice had amounted to arbitrary detention in a number of cases and that the Australian government had failed to treat people deprived of their liberty with humanity and respect. The report also found that often the Department of Immigration had failed to follow its own guidelines, including a failure to monitor an uncharged asylum seeker whilst in prison.

State governments have given an undertaking not to accept uncharged asylum into their facilities except under "exceptional circumstances". However, Amnesty International supports the recommendation by HREOC that legislation should be introduced by the Federal government to ensure that only those charged with an offence are transferred to prisons.

Public Document

For more information please call Amnesty International's press office in London, UK, on +44 20 7413 5566

Amnesty International, 1 Easton St., London WC1X 0DW. web: <http://www.amnesty.org>

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