Let the children go — advocacy for children in detention by the Royal Australasian College of Physicians

Regardless of other considerations, the health perspective requires that the detention of asylum seeker children must stop now


The Royal Australasian College of Physicians (RACP) has been publicly opposed to the detention of children for more than 12 years. Over the terms of successive governments from both sides of politics, the RACP has consistently advocated, both in the media and directly to decisionmakers, the release of all children and their families from immigration detention, and recommended legislative change to end immigration detention once and for all. In May, the RACP released a comprehensive position statement on refugee and asylum seeker health. Physicians from across our specialties have reviewed the facts, both through firsthand visits to detention centres and by close analysis of the health data. Our position is that conditions in detention are unacceptable.

“‘There are no circumstances, from a health perspective, in which conditions in detention are acceptable’

The RACP was among the organisations that helped to prepare this sobering account of the ongoing harms of detention. The appropriate response would have been immediate action to release all children.4

Australia is the only country where mandatory detention is enshrined in legislation. In 2013, the United Nations Human Rights Committee concluded that the arbitrary and protracted nature of detention by Australia, combined with the difficult conditions of detention, were “cumulatively inflicting serious, irreversible psychological harm” upon detainees. Australia was found to be in breach of Article 7 (prohibition of cruel, inhuman or degrading treatment) and Article 10 (requirement that persons deprived of their liberty be treated with humanity and respect for their inherent dignity) of the International Covenant on Civil and Political Rights.7 The RACP was therefore deeply disappointed with the government’s response to The forgotten children report; RACP Fellows had helped to prepare this sobering account of the ongoing harms of detention. The appropriate response would have been immediate action to release all children.4

There has been welcome progress, such as the closure of the remote detention facilities on Christmas Island and the widespread release of children and families over the past 6 months, albeit on temporary or bridging visas. Notably, these visas do not relieve the fear of being returned to life-threatening circumstances, and have been shown to have their own negative mental health impact.8 Despite the progress, 1848 people, including 124 children, remained detained in onshore facilities as of 31 March 2015, and 1707 people were detained offshore, including 103 children on Nauru. On average, people still spend 394 days in detention.9 The current asylum seeker system costs Australian taxpayers more than 3 billion dollars annually.10

Mahatma Ghandi said, “In a gentle way you can shake the world”. We encourage doctors to write to their local members of parliament, and make their views known in as many forums as possible. Asylum seeker health is not about politics, but about our humanity. We are optimistic

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that, with continued focus on the negative health impacts of this policy, public opinion will eventually turn, and detaining children who are seeking asylum in our country will become a policy of the past.

Competing interests: Nicholas Talley is President of the Royal Australasian College of Physicians (RACP), and Karen Zwi is Chair of the RACP Working Party on Refugee and Asylum Seeker Health.

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References are available online at www.mja.com.au.