

ASYLUM SEEKER HEALTH RIGHTS PROJECT: COVID-19 URGENT RESPONSE - APRIL 2020



Working for humane treatment in immigration detention

PIAC's Asylum Seeker Health Rights Project is working to secure humane standards of medical and mental health care for asylum seekers detained onshore in Australia's harsh immigration detention network.

Our landmark report *In Poor Health: Health care in Australian immigration detention* outlines concrete and practical steps needed to protect the rights of men and women in immigration detention. It is an influential advocacy tool for PIAC and other human rights advocates.

Our impact: change is possible

Since the project commenced in 2016 our legal casework and individual advocacy has secured urgent medical care for many individual clients and underpinned our systemic policy engagement.

In 2019, we achieved a **major breakthrough for people living with hepatitis C** in immigration detention. People in detention now have access to life-saving hepatitis C medication, having been routinely denied treatment. This benefits not only people in immigration detention living with hepatitis C (approximately 150 cases), but also staff and other detainees who face less risk of onward transmission. It also helps Australia meet its commitment to eliminate hepatitis C by 2030.

PIAC continues to be an influential and principled voice in public debate on the rights of people in onshore immigration detention, including through [opinion pieces](#), [editorials](#) and [media coverage](#).

Responding urgently to COVID-19

The COVID-19 pandemic has required PIAC to respond urgently to the dangers presented by the virus for immigration detainees.

There are approximately 1,400 men and women held in overcrowded detention centres and alternative places of detention throughout Australia. They are **unable to practice the physical distancing** that is required to minimise the risks of infection: often **sleeping in shared rooms** with up to six people, eating in **crowded food halls**, **sharing bathroom facilities** and **interacting constantly** with external staff and other people in the centres. The Commonwealth Department of Health's own advice states that people in detention are one of several groups **most at risk** of contracting the virus.

We are working in collaboration with our partners in the sector to get people out of these unsafe conditions. This involves:

- behind-the-scenes engagement with the **Human Rights Commissioner, Ombudsman** and other stakeholders to **influence the government**;
- a **coordinated media campaign**, [including a joint call for action](#);
- **leading the sector's engagement** with medical and health experts, including the Australasian Society for Infectious Diseases and the Australasian College for Infection and Prevention Control; and
- undertaking coordinated casework for priority clients to provide the foundation for **strategic litigation**.

Update: Since this was written, PIAC have filed this complaint with the Ombudsman: <https://www.sbs.com.au/news/asylum-seekers-lodge-complaint-with-ombudsman-over-catastrophic-coronavirus-concerns>

Priority outcomes

Our experience in the project makes us particularly well placed to seek outcomes that minimise the health risks to asylum seekers in immigration detention from COVID-19. Expert medical opinion recommends that the '**absolute minimum necessary step**' is that all immigration detainees should be held in single rooms with their own bathroom facilities. We aim to achieve:

- urgently improved conditions in detention centres and places of detention to minimise the risk of infection, including changes to accommodation arrangements, while minimising the use of conditions akin to solitary confinement;
- the reduction in numbers of people detained, through release of detainees into the community with appropriate support;
- continuing to build the case for long-term legislative reform through political engagement, media and public debate.

Support our work

PIAC needs your support. For the coming financial year, we are seeking \$150,000 to help fund a Senior Solicitor and project costs to ensure our COVID-19 urgent response work can continue. We maximise the impact of every dollar we receive by leveraging pro bono support from major law firms and experienced barristers, with whom we enjoy strong, long-term relationships.

We would welcome a contribution of \$50,000 from the Australian Communities Foundation Impact Fund for the Senior Solicitor position and look forward to working with you to protect the health, dignity and basic rights of people in immigration detention.

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