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AMA Submission to inquiry into the provisions of the Migration Amendment (Prohibiting Items in Immigration Detention Facilities) Bill 2020

Committee Secretary
Senate Legal and Constitutional Affairs Committee
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The Australian Medical Association (AMA) recognises the intent of the *Migration Amendment (Prohibiting Items in Immigration Detention Facilities) Bill 2020*, which is to ensure immigration detention facilities are safe for staff, detainees and visitors.

The AMA's concerns regard the removal of mobile phones, Subscriber Identity Module (SIM cards), and internet-capable devices from detainees. The AMA notes that the Explanatory Memorandum (EM) suggests that "mobile phones and other internet-capable devices" can be used for illegal purposes, however we are particularly concerned that detainees, a high-risk group for suicide and self-harm, will encounter difficulties maintaining crucial contact with those who support their mental health and well-being. Detainees may also be unable to access mental health information, Apps and advice, including suicide prevention materials and contacts.

In the current COVID-19 environment, access to telehealth and online mental health services has become critical. Australian information and online support services provided by organisations such as Black Dog Institute, beyond blue, Suicide Prevention Australia and the Mental Health Commission, along with websites such as Head to Head and Health Direct, are proving vital in helping those at risk or with escalating mental health problems. Access to online information and support services must be immediate and without impediment.

Mobile telephone Apps provide information, tracking and assistance with mental health, along with fitness, food and nutrition, addiction, trauma, meditation and mindfulness.

Modeling on suicide undertaken by the Brain and Mind Centre confirms that Australia is likely to see a substantial increase in mental health problems and suicide in both the short and longer

term. Any measure that could increase feelings of desperation, despair and disconnection among detainees, a group recognised with an increased risk of suicide and self-harm, must be thoroughly examined with caution.

According to the EM “detainees will continue to have reasonable access to landline telephones [and] the internet ... in order to maintain contact with their support networks and legal representatives.” However, without definition it is unclear to the AMA what determines ‘reasonable access’. Further, it is unclear whether there is clinical criteria or oversight to safeguard detainees’ access to online information and support.

The current and previous Federal Governments have maintained that those in detention facilities have access to the same standards of medical services as are accessible in the general community. The AMA is concerned that this principle of care, will no longer apply if detainees are prevented from accessing online information and support (via their own device).

The AMA urges caution in applying this aspect of the Bill. We understand the importance of maintaining safe and secure detention facilities, however we also believe that access to essential online health and mental health material should not be unduly or unnecessarily restricted.

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