

cib 7/2/02.

EDUCATION PROVISION AT WOOMERA IRPC

STAFF

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- These include 4 qualified teachers, an education officer, 3 activities officers and 3 staff employed to work specifically with the Unaccompanied Minors

UNDER 5 YEAR OLDS

- A structured program relevant to under 5 year olds is available for all children and for mothers
- This includes a Family Club for mothers and children in all compounds, consisting of toddler play, motherhood classes, relaxation, baby massage
- There is also a Kindergarten which operates in the Main compound from 10am to 12 noon and 2pm to 5pm every day. Children can attend as many sessions as they wish.

5 – 12 YEAR OLDS

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- Over 80 children participate in this program, which provides ESL, Mathematics, Art, Woodwork, and Sport
- The classes are provided by age groups, and currently 4 separate classes operate per session
- In addition, the children have access to other activities organised by the activities officers, including swimming lessons, sport, reading, music
- There is also a Family Room in the Main Compound, which provides access to books, videos, musical instruments, and games
- In addition, the children have access to the computer room, which is open from 9am to midnight every day, and operates a roster system so that children and adults of different ages can have access

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- There are formal classroom activities providing education programs in English and Mathematics for 12 year olds and over.

- These operate for 1 ½ hours four days a week in each compound
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 - Participation in the sewing co-op
 - kitchen duties
 - maintenance and gardening
 - stores

s 22 - irrelevant information



Cib 7/2/02.

HREOC MEDIA RELEASE ON CHILDREN IN WOOMERA

ISSUES:


HREOC MAKES A NUMBER OF ASSERTIONS ABOUT THE PSYCHOLOGICAL HEALTH AND OUTLOOK OF CHILDREN IN THE WOOMERA ENVIRONMENT.

IT SUGGESTS THAT THE SCHOOLING PROVIDED TO DETAINEE CHILDREN IS INADEQUATE.

HREOC THEREFORE FINDS THE GOVERNMENT IN BREACH OF ITS OBLIGATIONS UNDER THE CONVENTION ON THE RIGHTS OF THE CHILD (CROC).

TALKING POINTS:

s 22 - irrelevant information



EDUCATION ISSUES

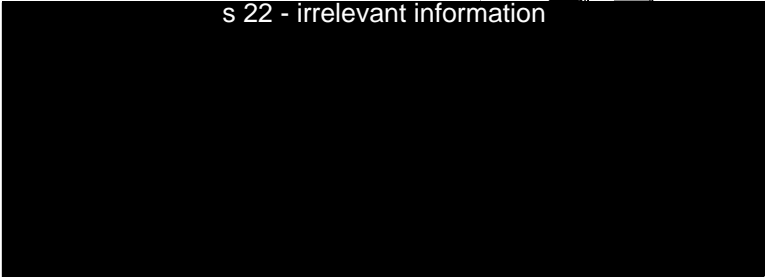
- IT IS NOT TRUE THAT THERE ARE NO EDUCATION SERVICES FOR TWELVE YEAR OLDS AND ABOVE. PARTICIPATION IS VOLUNTARY AND WE RELY ON PARENTS TO ENCOURAGE THEIR CHILDREN TO TAKE ADVANTAGE OF THE PROGRAMMES OFFERED.
- IN PARTICULAR WE ARE AWARE THAT A NUMBER OF UNACCOMPANIED MINORS DO NOT PARTICIPATE BUT AS CAN BE TRUE IN THE AUSTRALIAN COMMUNITY IT IS DIFFICULT TO PERSUADE TEENAGERS WHO BELIEVE THAT THEY ARE ADULTS TO TAKE ADVANTAGE OF EDUCATION PROGRAMMES.
- THE GOVERNMENT IS AWARE THAT THERE ARE ISSUES IN THE DELIVERY OF DETENTION SERVICES AND IT WELCOMES CONSTRUCTIVE COMMENTS ON HOW TO IMPROVE THESE SERVICES. SUCH DISCUSSIONS, HOWEVER, ARE NOT AIDED BY PUBLICLY RELAYING INACCURATE INFORMATION.

- WE ACKNOWLEDGE THAT THE PROVISION OF EDUCATION SERVICES IS DIFFICULT. IT IS COMPLICATED BY THE FACT THAT CHILDREN ARE IN DETENTION FOR VARYING LENGTHS OF TIME, COME FROM A VARIETY OF DIFFERENT CULTURAL AND LINGUISTIC BACKGROUNDS AND HAVE VARYING LEVELS OF LITERACY IN THEIR OWN LANGUAGES LET ALONE IN ENGLISH. THESE ARE ALL FACTORS WHICH NEED TO BE TAKEN INTO ACCOUNT.
- DETAINEE CHILDREN CANNOT THEREFORE NECESSARILY BE STREAMED IN TO THE FULL AUSTRALIA- BASED CURRICULA AND IN MOST INSTANCES IT WOULD BE COUNTER PRODUCTIVE AND UNFAIR ON THE CHILDREN TO DO SO. IT IS REASONABLE AND IN THE CHILDREN'S INTEREST THAT ENGLISH LANGUAGE TUITION BE A MAIN ELEMENT OF THE EDUCATION SERVICES PROVIDED.
- IMPROVEMENTS TO EDUCATION SERVICES ALSO DEPEND ON THE PHYSICAL FACILITIES AVAILABLE. THESE HAVE BEEN INCREASED IN WOOMERA OVER THE LAST YEAR BUT THE SITUATION IS NOT HELPED BY THE TARGETING OF EDUCATION BUILDINGS BY DETAINEES IN DISTURBANCES AND FIRES. I WOULD ADD THAT PARTICULARLY IN RURAL AUSTRALIA MIXING CHILDREN OF DIFFERENT AGES, STANDARDS AND CLASSES IS NOT UNKNOWN.

s 22 - irrelevant information



s 22 - irrelevant information



CURRENT ISSUES BRIEF

HREOC MEDIA RELEASE ON CHILDREN IN WOOMERA

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 - A FURTHER COMPLICATION IS THAT MANY TEENAGE DETAINEES DO NOT WISH TO ATTEND SCHOOL. DIMIA AND ITS SERVICES PROVIDER ACM ARE DEVELOPING STRATEGIES TO TRY AND ENCOURAGE BETTER ATTENDANCE AMONGST THESE AGE GROUPS.
 - I AM CONCERNED THAT HAVING CALLED AN INQUIRY INTO CHILDREN IN DETENTION SO THAT THESE ISSUES CAN BE EXAMINED IN DEPTH, HREOC HAS ALREADY PREJUDGED THE OUTCOME OF ITS OWN INQUIRY
- ① - IT HAS DONE SO IN THE ABSENCE OF THE BENEFIT OF DETAILED SUBMISSIONS WHICH ARE NOT DUE TIL 15 MARCH

BACKGROUND:

A separate paper on education services available at Woomera has been provided separately.

BRANCH HEAD:
SECTION HEAD:

Rosemary Greaves
s 22 - irrelevant information

TELEPHONE: 3820
TELEPHONE: s 22 - irrelevant information

CURRENT ISSUES BRIEF

BRANCH:	Detention Policy
SECTION:	Detention Policy & procedures
DATE:	6 Feb 2002
TIME:	06:03 PM

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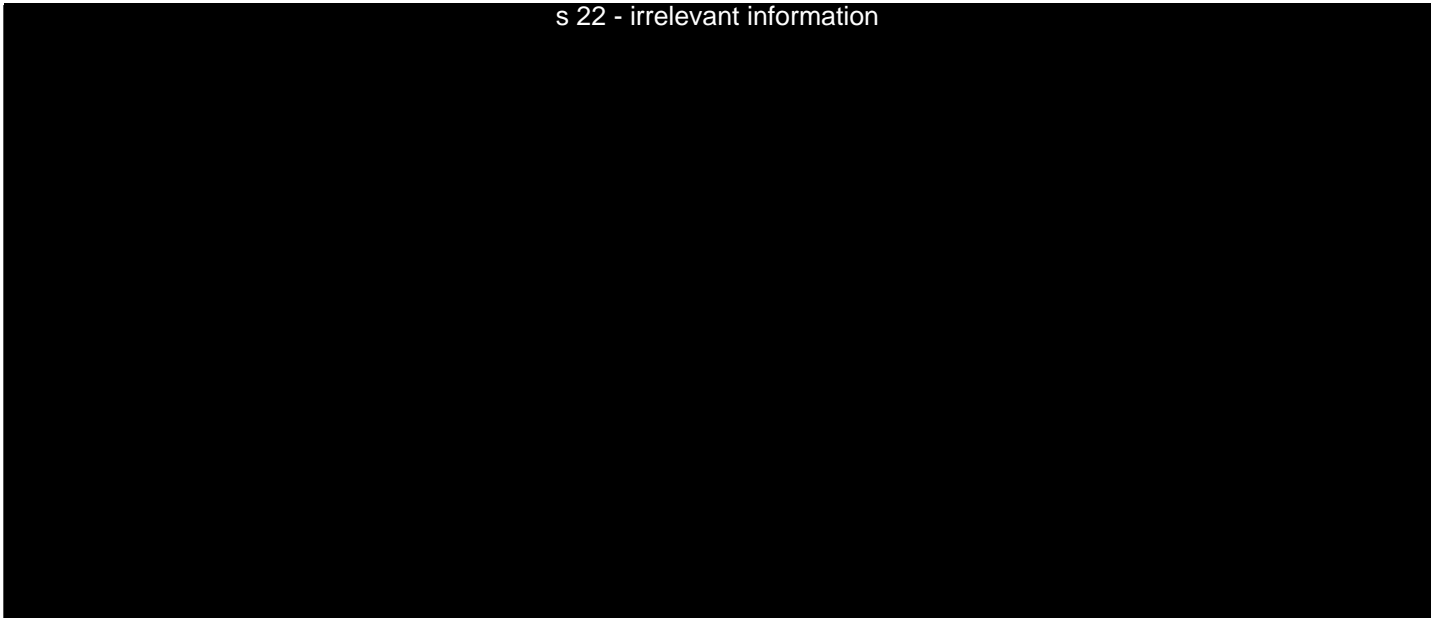
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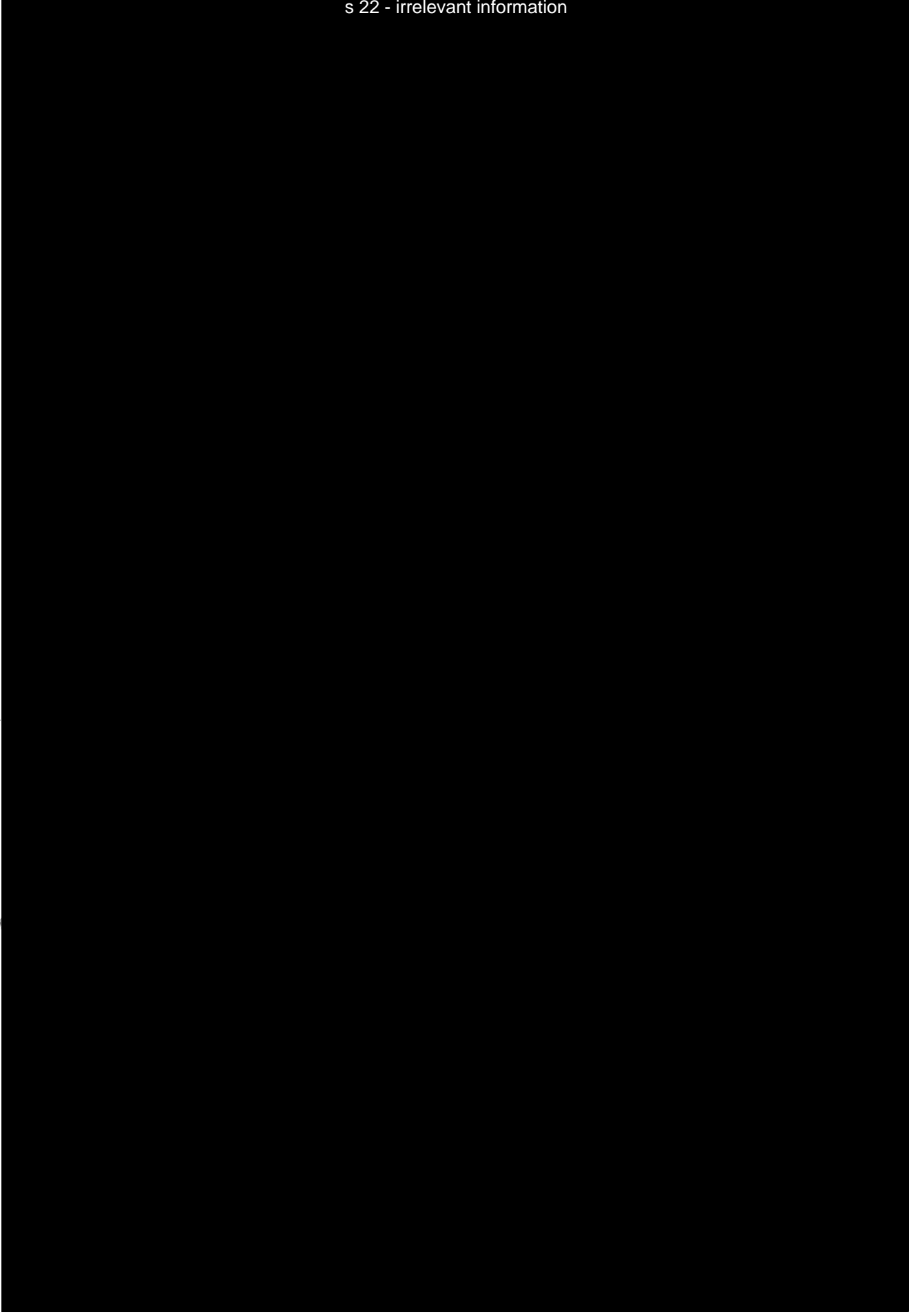
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7 ALTERNATIVE PLACES OF DETENTION ATTENDED BY DETAINEES FOR PART OF THE DAY

7.1 Schools

- 7.1.1 DIMIA acknowledges that for many detainee children in IDFs or alternative places of detention access to external schooling in the community is likely to be appropriate and beneficial, provided the requirements of the Act to detain unlawful non-citizens are met.
- 7.1.2 Agreement of relevant State/Territory education department, private education providers and/or external schools, public or private, will need to be negotiated before detainee children are able to access external schools.
- 7.1.3 DIMIA has finalised, or is currently negotiating, MOUs with a number of State Governments to this effect and DIMIA and DSP staff are required to act in accordance with any MOUs or other formal arrangements between DIMIA and State/Territory education departments or private education providers.
- 7.1.4 To ensure that detainee children remain "in detention" when they attend school, the school that they attend must first be approved as a place of detention, in accordance with **paragraph (b)(v)** of the Definition.
- 7.1.5 Further, the school must be able to provide a sufficient number of teachers to be made as Designated Persons.
- 7.1.6 These Designated Persons can accompany the children when they leave the school premises, for example to go on excursions, so that the detainee children can participate as much as possible in normal school activities.
- 7.1.7 Detention Operations Section should either itself approve schools as alternative places of detention and make school principals and teachers as Designated Persons, or should be consulted prior to these being approved or made by DIMIA officers in State offices or IDFs with the delegations to do so.
- 7.1.8 A copy of all approval instruments should be sent to Detention Operations Section where they are maintained in a central register.
- 7.1.9 It is also necessary that detainee children remain in detention while travelling to and from school. That is, detainee children must be accompanied by an officer, a Directed Person or a Designated Person while travelling between their "normal" place of detention and the school.
- 7.1.10 Participation of detainee children in community schooling will be based primarily on:
 - the length of time a school age child has been, or may be expected to be, in detention;
 - assessment of both the particular children and the individual school facility to ensure that the requirement of the Act can be met;
 - assessment of the child's socialisation, capabilities and abilities, including literacy in English and numeracy; and
 - assessment of the capacity of a local school to meet the needs of such a child.

s 22 - irrelevant information

Ms Davies (o/r) byr.
R

**Human Rights and
Equal Opportunity Commission**

The Hon Philip Ruddock MP
Minister for Immigration and Multicultural and Indigenous Affairs
Suite MF 40
Parliament House
CANBERRA ACT 2600

s 22 - irrelevant information



Human Rights and Equal Opportunity Commission

Level 8 Piccadilly Tower 133 Castlereagh Street Sydney NSW 2000 GPO Box 5218 Sydney NSW 1042
Telephone: 02 9284 9600 Facsimile: 02 9284 9611 Complaints Info Line: 1300 656 419 Teletypewriter: 1800 620 241 (toll free)
Website: <http://www.humanrights.gov.au> ABN 47 996 232 602

SCHOOLING OPPORTUNITIES

The HREOC officers also observed that despite ACM's efforts to provide schooling opportunities for the children, this is confined to those aged twelve and under, and is not comparable to the education received by Australian twelve year olds. For example all children, despite their first language, are taught in the one classroom. Education is provided for a total of two hours a day, four days a week. There is virtually no schooling for older children, and this is another concern.

In this regard, Article 28 of CROC states: "*State parties recognise the right of the child to education.*"

s 22 - irrelevant information



Alice Tay
President

Dr Sev Ozdowski OAM
Human Rights Commissioner

1 February 2002

s 22 - irrelevant information

Human Rights and Equal Opportunity Commis

The Hon Philip Ruddock MP
Minister for Immigration and Multicultural and Indigenous Affairs
Suite MF 40
Parliament House
CANBERRA ACT 2600

- ☐ Priority B
☐ Priority C
☐ Intervention

- ☒ Brief to Minister
☐ Reply by Parl Sec
☐ Brief to Parl Sec
☐ Reply by COS

FEB 2002

- ☐ Reply by DIMA
☐ Information
☐ Reply by PM&C
☐ Dept Action/Elec Sig

Action Area

Init
Date

Dear Minister

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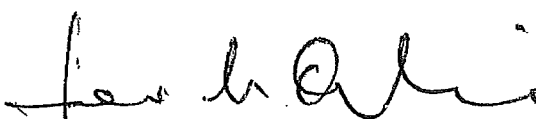


Yours sincerely



Alice Tay
President

1 February 2002



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Human Rights Commissioner

s 22 - irrelevant information



The right to education

Article 13 of the ICESCR recognises “the right of everyone to education” including compulsory and freely available primary education and “generally available” secondary education “in its different forms”. Article 28(1) of CROC also provides for these obligations and imposes an additional obligation to “take measures to encourage regular attendance at schools.”

Article 29 of CROC imposes obligations in relation to aims of education for children.

s 22 - irrelevant information



