



National Inquiry into Children in Immigration Detention

TERMS OF REFERENCE FOR THE INQUIRY

The terms of reference for the National Inquiry into Children in Immigration Detention were to inquire into the adequacy and appropriateness of Australia's treatment of child asylum seekers and other children who are, or have been, held in immigration detention, including:

- The provisions made by Australia to implement its international human rights obligations regarding child asylum seekers, including unaccompanied minors.
- The mandatory detention of child asylum seekers and other children arriving in Australia without visas, and alternatives to their detention.
- The adequacy and effectiveness of the policies, agreements, laws, rules and practices governing children in immigration detention or child asylum seekers and refugees residing in the community after a period of detention, with particular reference to:
 - ~ the conditions under which children are detained;
 - ~ health, including mental health, development and disability;
 - ~ education;
 - ~ culture;
 - ~ guardianship issues; and
 - ~ security practices in detention.
- The impact of detention on the well-being and healthy development of children, including their long-term development.
- The additional measures and safeguards which may be required in detention facilities to protect the human rights and best interests of all detained children.
- The additional measures and safeguards which may be required to protect the human rights and best interests of child asylum seekers and refugees residing in the community after a period of detention.

(Note: "Child" includes any person under the age of 18)