

# Immigration Mass Migration Amendment Bill



New Zealand Council Of  
Christian Social Services

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Contact Name:	Nikki Hurst Hamish Jarvie
Organisation Name:	New Zealand Council of Christian Social Services (NZCCSS)
Organisation description:	<p>The New Zealand Council of Christian Social Services (NZCCSS) welcomes the opportunity to provide feedback on the Immigration Mass Migration Amendment Bill.</p> <p>NZCCSS has six foundation members; the Anglican Care Network, Baptist Churches of New Zealand, Catholic Social Services, Presbyterian Support and the Methodist and Salvation Army Churches.</p> <p>Through this membership, NZCCSS represents over 250 organisations providing a range of social support services across Aotearoa. We believe in working to achieve a just and compassionate society for all, through our commitment to our faith and Te Tiriti o Waitangi. Further details on NZCCSS can be found on our website <a href="http://www.nzccss.org.nz">www.nzccss.org.nz</a>.</p>

## Tirohanga Whānui | Overview

NZCCSS has significant concerns about the introduction of legislation to make arbitrary detention of asylum seekers the norm. While community detention is preferable to offshore detention or processing in prisons, it is important that asylum seekers are provided the necessary resources to make community detention a rare and almost unutilised tool.

## Taunakitanga | Recommendations

Our main points are:

**One:** Assurance must be made that human rights breaches will not occur in Aotearoa.

**Two:** The extension to potential detention times is unnecessary and further diminishes the rights of asylum seekers.

**Three:** More comprehensive processes are necessary to expedite the processing of asylum applications.

**Point 1:** Offshore detention centres must be avoided to protect those seeking asylum.

While this Bill is intended to reduce the potential reliance on detention centres and enable swift community integration, a further assurance that offshore detention is not an option is necessary. The practices of our allies in [Australia](#)<sup>1</sup> and the [United Kingdom](#)<sup>2</sup> have breached the human rights of asylum seekers in their use of offshore detention centres - in the case of Australia for a number of years. The application of these policies has seen a reduction in the standard of life for those in detention centres, resulting in administration contracts given to companies with minimal government oversight and [potential for abuse](#)<sup>3</sup>.

The government's intention to prepare for a potential influx of refugees is necessary and important, however the correct, human rights affirming response must be legislated for and ensured and the worst-case scenario must equally be legislated against.

**Recommendation 1:** Legislation preventing the offshore detention of asylum seekers must be included in these reforms.

**Point 2:** The proposed detention time limits for asylum seekers must be reduced.

Avoiding breaches of the human rights of those seeking safety in Aotearoa should be the priority of any government. While due process must be followed, the time in which asylum seekers spend in processing must be minimised.

The extension of detention of asylum seekers can be indefinite and has been wielded as an [ineffective](#)<sup>4</sup> political tool to deter future migrations. In practice, offshore detention of asylum seekers has resulted in some cases lasting over [10 years](#)<sup>5</sup>.

The manner in which this process can be done more efficiently is with sufficient staffing and expedited processes for access to legal aid, in lieu of the proposal to use electronic ankle monitoring.

**Recommendation 2:** The proposed potential detention time for asylum seekers must be reduced, with provisions in place to ensure applications are processed within 7 days.

**Point 3:** Processes to expedite the asylum process are required to avoid unnecessary detention.

The government's response to the potential pressures of a mass migration involving asylum seekers is to subject these individuals to community monitoring, including community detention aided by ankle monitors. While this is preferable to detention in a prison, it reflects the unpreparedness of our immigration processes and an inability to provide expedited legal representation for those in most need.

**Recommendation 3:** Increased funding for immigration specialists is necessary, as well as a guarantee that asylum seekers will have access to their services funded by the government.

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<sup>1</sup> <https://www.hrw.org/news/2021/07/15/australia-8-years-abusive-offshore-asylum-processing>

<sup>2</sup> <https://www.theguardian.com/uk-news/2022/sep/05/deported-uk-asylum-seekers-human-rights-at-risk-in-rwanda-court-told>

<sup>3</sup> <https://www.theguardian.com/australia-news/2023/apr/08/manus-island-and-nauru-previously-unseen-testimony-and-ai-imagery-reveal-unimaginable-part-of-australian-history>

<sup>4</sup> <https://www.refugeecouncil.org.au/clear-answers-to-curly-questions/>

<sup>5</sup> <https://www.theguardian.com/australia-news/2023/mar/06/refugees-held-offshore-plead-with-australia-to-be-moved-saying-every-day-is-suffering>