



People Against Prisons Aotearoa

Submission to the Foreign Affairs, Defence and Trade Committee on the Immigration (Mass Arrivals) Amendment Bill 2023

People Against Prisons Aotearoa (PAPA) is a prison abolitionist organisation working for a fairer, safer, and more just Aotearoa. Established in 2015, PAPA advocates for prisoners to ensure their human rights are met. We also push for changes to the New Zealand criminal justice system to create more just outcomes.

PAPA makes this submission to support the Three Strikes Legislation Repeal Bill (2021), as well as to make some recommendations for ways in which the bill could be improved.

This submission has been written on behalf of PAPA by Tom Pearce.

PAPA wishes for its members to appear before the committee to present this submission.

Contact details for the purposes of this submission are:

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People Against Prisons Aotearoa are submitting strongly in opposition to the proposed Immigration (Mass Arrivals) Amendment Bill 2023. The proposed amendments would empower the government to imprison, for up to 28 days, asylum seekers arriving in Aotearoa New Zealand in a group of 30 or more. Under the proposed legislation these people could be denied access to the most basic standards of legal protection and human rights.

This represents an inhumane use of detention for anyone, let alone for asylum seekers who are likely to have endured suffering or trauma already. Prisons are an inappropriate and inhumane place to detain asylum seekers at all, which has been brought to the attention of the government by experts and advocacy groups alike.

More broadly the provisions in the proposed Bill are incompatible with the principles of justice on which our legal system rests, and would put Aotearoa significantly out of step with international human rights standards. The Bill treats asylum seekers as threats rather than as humans in need of support and protection, and it perpetuates a logic that mass incarceration is an acceptable response to social problems. It also undermines the reputation of Aotearoa as a compassionate multicultural society.

We acknowledge the government's stated desire to be prepared for an event in which a large group of asylum seekers arrives in Aotearoa. It is likely in this situation that the current policy settings would see some of them unable to access appropriate or effective representation within the time limits currently set out in legislation. However we strongly urge the government to pursue and consider alternatives, such as community-based accommodation and monitoring particularly of low-risk individuals which would allow for effective representation to be found. There are likely to already be community organisations willing and able to carry out these functions, particularly if they were funded to do so.