

Boundaries: Transcended

Watt Space, University of Newcastle

Artist Statement displayed in WattSpace Gallery

Dr Carolyn McKay, University of Sydney Law School

My installations reference Australian immigration case law and related reports regarding the use of hotels/motels as 'alternative places of detention' or the acronym, APODs. A 2023 Australian Human Rights Commission report observed that hotel/motel guests would not be aware that their holiday accommodation was also a place of immigration detention. This dichotomy between resort pleasure and oppressive surveillance underpins these artworks.

1. The APOD Solution

7 neon flex signs, dimensions variable, with looped video of Ai promptographs, 8:54 mins

The light installation evokes the nostalgic aesthetic of retro hotel/motel neon signs, sapped of their usual bright and welcoming colours. The nostalgic aesthetic is subverted by the signs' content – legal text from immigration case law regarding hotels/motels as 'alternative places of detention' or APODs. The text includes legal terminology used to delineate or 'other' people held on detention. The Ai promptograph images respond to the weirdness of APOD hotels/motels as destinations for fun family holidays and, simultaneously, prolonged and traumatic detention.

2. In the Palm of our Hands

Looped video, 2:18 mins with audio

This fractured poetic text is from evidence presented in an immigration detention case documenting the onerous conditions of extended hotel/motel detention. The text is projected onto skin with glitches referencing the heavily surveilled bodies of APOD detainees.

Acknowledgement: with thanks to Brian Joyce

References:

Burridge, A .and Ghezelbash, D. (2022) Mapping the Use of Hotels as Alternative Places of Detention (APODs) <https://www.unsw.edu.au/kaldor-centre/our-research/mapping-use-hotels-alternative-places-detention-apods>

Finlay, L. and Caruana, S. (2023) The Use of Hotels as Alternative Places of Detention (APODs) June 2023, Australian Human Rights Commission https://humanrights.gov.au/sites/default/files/document/publication/final_version_-_the_use_of_hotels_as_alternative_places_of_detention_apods_2023_0.pdf

Case Law:

2306857 (*Refugee*) [2023] AATA 4100

Azimitabar v Commonwealth of Australia [2023] FCA 760
Azimitabar v Commonwealth of Australia [2024] FCAFC 52
EHZ18 v Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs
[2021] FCCA 879
FJH20 v Minister for Home Affairs [2021] FCCA 1480
Grant v Secretary of Department of Home Affairs [2022] FCA 261
Grigoryan Melikstyan v Minister for Immigration, Citizenship and Multicultural Affairs
[2023] FedCFamC2G 1223
Hendi v Commonwealth of Australia (No 3) [2018] NSWSC 1846
United Voice v Serco Australia [2018] FWC 6503

Legislation:

Migration Act 1958 (Cth)

Bio:

Dr Carolyn McKay lives in Newcastle and is a Senior Research Fellow at the University of Sydney Law School. She is also a visual artist having completed postgraduate studies at Sydney College of the Arts. Her research and artworks engage with criminal justice issues and have been exhibited in solo and curated shows including at The Lock-Up, MAC Museum of Art & Culture Yapang, Mosman Art Gallery, Scratch Art Space, Bondi Pavilion, Maitland Regional, and Fisher Library. In 2018, she curated justiceINjustice at The Lock-Up, an exhibition that received an IMAGinE award from Museums & Galleries NSW. Her paintings have been selected for multiple national art prizes including the Archibald, Salon des Refusés, Portia Geach, Waverley, Mosman, John Glover, Fishers Ghost, and Kilgour. She has received numerous awards including the 2023 'Non-Traditional Research Output Award' from the Australian Legal Research Awards, and Highly Commended in 'Prompted Peculiar', 2023 Ballarat International Foto Biennale. She has also been selected for residencies at Bundanon 2005, The Lock-Up 2009 and Nobby's Lighthouse 2023. Her work is held in public and private collections in Australia and overseas.