

# Project SafeCom News and Updates

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# 1. Abbott government resists US moves against coal power

Brisbane Times

March 26, 2015 - 7:41AM

Lisa Cox, Mark Kenny

The Abbott government has again put itself on a collision course with US President Barack Obama, this time over government funding for coal-fired power plants.

After adopting a contrary position to the US on the Asian Infrastructure Investment Bank, about which a final decision is expected within days, the Abbott government has been leading international resistance to White House moves to strip back subsidies for fossil fuels.

A leaked briefing paper, obtained by Fairfax Media, shows the government is using an international forum to frustrate efforts by the US, the United Kingdom and France to wind back export subsidies for new but environmentally harmful coal stations in third world countries.

The revelations call into question Canberra's readiness to cooperate with other major economies in the lead-up to global climate talks in Paris in December.

Environment groups believe Australia is running interference in order to protect its own coal export markets in Asia.

But the government is arguing it is in global environmental interests for developing countries to have access to the most up-to-date, "emissions-reducing coal-fired power station technology".

It says much of that originates from OECD countries such as Japan, Korea and Germany.

At OECD talks this month, Australian officials were instructed to oppose moves within the OECD's export credit group to curb government financial assistance for coal plants.

While most OECD members assist companies from their own countries to establish projects in other nations, there is a push now for any energy-related investments to focus on cleaner forms of energy.

However, the Australian government is arguing that limiting financial assistance to non-coal based power plants would send the wrong message to developing economies.

"1.2 billion people still live without reliable access to electricity, or without any access at all," the briefing note says.

"Reducing export credit terms will raise the cost of energy for some of the world's poorest people. It will also create the perception that the OECD doesn't respect the developing world's energy challenges – even though most OECD economies industrialised on the back of affordable coal-fired electricity generation."

Japan and South Korea are also against the proposal, which can only be passed if a consensus is reached by member nations.

Australia is arguing that restricting finance from OECD members would force developing countries to turn to less efficient technology from other parts of the world. "This will harm the economic interest of OECD exporters and may result in higher emissions than the status quo," the briefing note says.

The Abbott government warned that if the proposal was adopted the OECD risked appearing "unsympathetic" to the needs of developing countries and "could hinder progress on a global climate pact".

Doug Norlen, a senior economic policy manager with Friends of the Earth, US, said the Abbott government was putting itself at odds with President Obama, who was using international forums to push other world leaders to reduce fossil fuel use in the lead-up to the Paris talks.

"This is interesting in several contexts, including in the recent context of the G20 where President Obama gave a very strong speech on the need to protect the Great Barrier Reef from damage from fossil fuel exportation," he said. "As we go forward, the Paris meetings become an important place where countries need to stand up and declare their seriousness about climate change or shirk their responsibility."

But the government says if developed economies decline to invest in fossil fuels, the gap will just be filled by others.

"Actions taken by OECD members to vacate coal export markets or exports of coal power station technology will most likely be replaced by exports from non-OECD economies," a Department of Foreign Affairs and Trade spokeswoman said.

<http://www.brisbanetimes.com.au/federal-politics/political-news/abbott-government-resists-us-moves-against-coal-power-20150325-1m7mxr.html>

## 2. Data retention laws mean whistleblowers will become rarer and rarer

Data retention laws mean journalists must be technologically competent enough to honour a promise of confidentiality to a source.

Brisbane Times  
March 24, 2015  
Jonathan Holmes

The Telecommunications (Interception and Access) Amendment (Data Retention) Bill received its first reading in the House of Representatives on October 30, 2014.

Long before that, a few journalists – Bernard Keane in Crikey and Paul Farrell in The Guardian Australia spring to mind – were banging on about what compulsory metadata retention means for our privacy, and whether there is any evidence that it helps stop terrorism, and especially how it will threaten the confidentiality of journalists' sources.

It is true that in January the biggest media organisations in the land united to produce a tough submission to the parliamentary joint committee on security and intelligence; and in February, when they didn't think they were being taken seriously enough, they wrote a joint letter repeating their concerns.

But the issue wasn't getting much traction, with either the public or the politicians. Or, for that matter, with journalists.

That is not really so surprising. We journos cling to an enduring myth about our occupation. We spend our time, we would have you believe, righting wrongs, uncovering scandal and corruption, and holding the powerful to account.

We do this, we like to think, by cultivating confidential sources: brave whistleblowers, be they in the public service, the police, the churches or big business, whose jobs and even liberty would be in jeopardy if their identities were ever revealed.

Now, it is not that the myth is completely false. Sources who blow the whistle in the public interest exist, but most journalists come across them rarely, or not at all. Investigative reporters who routinely break big stories as a result of cultivating confidential sources probably number no more than a couple of dozen nationwide.

I don't mean the kind of sources who background the press gallery in Canberra every day. Politicians and staffers rarely want to be quoted, but if their identities leaked, the worst they would suffer would be embarrassment. By contrast, a Commonwealth public servant who discloses unauthorised information risks two years' imprisonment under section 70 of the Crimes Act.

Real investigative journalists have been taking steps to minimise the risks to their sources for years; because for years, metadata has been routinely used by any agency that wants to discover who has been leaking its secrets.

The problem is that most reporters don't often find themselves in that situation. As a result, when they do, they can make stupid mistakes.

Eleven years ago, I reported a story for Four Corners about the antics of the Victoria Police drug squad, many of whose members were facing corruption charges. I was working with a young ABC reporter in Melbourne who already had a reputation for breaking stories. His name was Nick McKenzie.

McKenzie, of course, is now one of The Age's star investigative reporters, with many Walkley awards on his shelf. Back then, he looked about 17 years old but he already had a web of contacts in the Victorian underworld and the Victoria Police. He was still brash and inexperienced. He did a few things while researching that story that made my hair stand on end. But it was I who endangered one of his best sources, a detective in the ethical standards division, the Victoria Police's corruption busters.

The source was only trying to ensure we didn't get blind-sided by the bland assurances of police senior management and the self-justifying lies of the crims themselves. But, in talking to us at all, that source was putting a career at risk. One day, I called on my mobile phone.

"What phone are you calling from?" the source asked at once. "Um, my mobile," I replied. The phone clicked and the source didn't speak to us for a week.

For more than a decade, I'd been a foreign correspondent, and then an executive producer. The last time I'd worked on the frontline of domestic journalism, there'd been no such things as mobile phones, or email, or metadata.

There are two points about this story that bear emphasising. The first is that in the digital age, any source has to trust more than a reporter's promise of confidentiality: he or she has to trust that the reporter is technologically competent and careful enough to keep the promise. That's a big ask.

The second is that any digital transaction has instruments at both ends. The easy way to look for a reporter's source is to interrogate his or her phone and email metadata. But with modern software, it only takes a bit more effort to comb through the records of possible sources – and that won't need a warrant, or trigger a report to the Ombudsman, under the new act. It only needs one match to a reporter's phone number or IP address, and the source is blown sky high.

The politicians woke up to the seriousness of the media's concerns about the data retention bill only when big guns such as Laurie Oakes began to boom. The amendments they have now made mean it will be a bit harder than it has been for agencies to go fishing in journalists' records.

But that won't do much to protect our sources. Every reporter worth the name, even if they don't do much investigative journalism, will need to be familiar with the mysteries of Tor, and encryption, and anonymised drop boxes.

And genuine confidential sources – especially those who take real risks to blow the whistle – will get rarer and rarer.

Big Brother is watching them. And me. And you.

Jonathan Holmes is an Age columnist and a former presenter of the ABC's Media Watch program.

<http://www.brisbanetimes.com.au/comment/data-retention-laws-mean-whistleblowers-will-become-rarer-and-rarer-20150324-1m62em.html>

### **3. New data world order: government can read every Australian like an open book**

The story of your life in metadata relates where you went, who you spoke with, how long you were there for. And now that story will be kept on file

The Guardian  
Paul Farrell  
Thursday 26 March 2015 18.42 AEDT

The story of your life in metadata is an open book. It paints a picture of where you went, who you spoke with, how long you were there for. What were you doing talking on the phone to the sexually transmitted infections clinic? What were you doing on the street corner where the man was murdered last night?

Privacy, at its most basic level, is about the right of citizens to be let alone by their governments. At the heart of what is happening right now in Australia is a debate around this very idea. And as the federal government succeeded in passing its data retention laws on Thursday, it is an idea that is being challenged more than it ever has before.

The government's new law is fairly simple. The bill initially only came to 47 pages of amendments. But it is exceedingly vague and has enormous potential for expansion.

What it does is force certain types of telecommunication companies to store certain types of communications data known as "metadata". This is information about who you called, or emailed, where you were at the time, what kind of device you were using and how you connected to the internet. It spans all phone and web technology.

This type of telecommunications data has always been accessible without a warrant. But data retention will vastly increase the reach of enforcement agencies into our personal lives, by creating a much larger set of data from which to draw.

The privacy issues at the core of this debate are numerous. The key ones include: whether it is reasonable to collect this data on all citizens for two years, whether it is reasonable to make this data accessible without a warrant, and whether - if it is stored – it will be done securely.

And this data does not exist in a vacuum. It will sit along an already vast reservoir of information that is easily accessible. It is easy for the federal police or other government agencies to send a quick message to Apple and ask for IP or location data for a particular device. It can go directly to Facebook, or to Gmail, or other providers, and ask them to hand over the content. The companies will not always do so, and each company varies, but sometimes they will. You can read some of these messages here.

The metadata also sits alongside an enormous international framework of surveillance across the entire architecture of the internet, revealed in such great detail by Edward Snowden. Australia is a ready and willing participant in this regime, as a partner in the "five eyes" network.

Put together, what this amounts to is a comprehensive set of data that can tell you the story of a person's life.

The government has consistently put forward the case that we need this measure to stop terrorism and serious crime. A mandatory retention scheme of two years, it argues, is both a necessary and proportionate measure to achieve this legitimate aim.

Despite this, most police agencies could not explain how old metadata they had previously requested was. And the bill did not limit the use of metadata to serious crimes or terrorism, meaning it is still accessible for almost any kind of offence. Although the RSPCA will not be able to access metadata now under the bill, it will be able to ask police to track down all those naughty dog owners who let their pooches poop on the lawn.

The government argued there was no alternative to mass metadata retention, and that this bill was an urgent priority that had to be passed. Neither was true. Enforcement agencies already had a very useful power – known as a data preservation notice – where they could compel a provider to initiate collection on a particular person. Such a measure would allow far more targeted forms of surveillance to occur, when there were issues with crimes. And the urgency of the scheme is also difficult to fathom, given that it has a two-year roll-in period.

Journalists have escaped the very worst of this. The government secured the support of the Labor party after agreeing to an amendment to force agencies to seek warrants when accessing journalists' metadata.

But while data retention is often seen as an issue just about privacy, it is also tied to freedom of speech. If genuine public-interest whistleblowers fear detection and are deterred from coming forward to journalists, this is what is known as a “chilling effect” on speech.

The bill still fell far short of an exemption. And the warrants will only be contestable by a government-picked “public interest advocate”, rather than the news organisation itself.

And the concession around journalists begs questions: why don't warrants cover others? Why not lawyers? Why not other professionals? Why not everyone?

The government has found two effective ways of allaying criticism of its scheme. Firstly it used fear of terrorism and serious crime, which has long proven to be an effective motivator. With this simple strategy of decrying terrorism and child sex offenders, it largely neutralised Labor opposition and achieved bipartisanship.

More recently it has put in place a second, and more subtle, line of defence. This week we have seen the communications minister, Malcolm Turnbull, essentially telling Australians that the changes are no big deal, and explaining all the ways they could avoid data retention if they wanted to. This second argument has swayed some journalists, particularly those already satisfied with the amendments relating to their own profession.

The issue of how the data will be stored remains live. The telecommunications providers will be subject to a motley patchwork of federal privacy law. Some of the enforcement agencies that will inevitably access the data have already proven themselves remarkably inept at handling such things.

The federal police accidentally leaked information about their own interception capabilities by failing to redact – ironically – forms used to access metadata. The immigration department (which has sought to be included for access in its new incarnation as the Australian Border Force) was responsible for the largest government data breach in Australian history when it published the names of almost 10,000 people in detention on its website.

And the costs remain a mystery. We do not know what the government will contribute, or how much it will end up costing consumers.

Opposition in parliament has been rare. The Greens senator Scott Ludlam has emerged as one of the few voices in parliament who has consistently taken a stand on issues of liberty and privacy.

He introduced many amendments to the bill during the Senate debates to attempt to ensure greater protections for Australians. The independent senator Nick Xenophon and the Liberal Democratic party senator David Leyonhjelm also sought to change the bill and introduce safeguards and protections.

In the end, the bill passed with the support of Labor. This scheme will happen, and your personal data will be stored.

Once it really gets under way, the question for all Australians is whether they are happy with being an open book.

<http://www.theguardian.com/australia-news/2015/mar/26/new-data-world-order-government-can-read-every-australian-like-an-open-book>

#### **4. Albanese spoke out against metadata bill in shadow cabinet meeting**

Labor frontbencher told colleagues he had strong concerns about the mandatory data retention scheme and remained unsatisfied with the compromise deal

The Guardian  
Daniel Hurst Political correspondent  
Wednesday 25 March 2015 12.15 AEDT

Senior Labor frontbencher Anthony Albanese raised strong concerns within shadow cabinet about the government's mandatory data retention scheme, Guardian Australia has learned.

The Labor opposition last week reached a deal with the Coalition government to pass the legislation after an amendment forcing police and security agencies to obtain a warrant if they wished to access journalists' metadata to track down a confidential source.

The opposition leader, Bill Shorten, said last week he was "conscious of getting the balance right" but the Greens have been highly critical of Labor's decision to endorse laws requiring telcos and internet service providers to store millions of customers' metadata for two years.

Guardian Australia understands Albanese told his colleagues at shadow cabinet meetings he held strong concerns about the legislation, including its impacts on journalists and unintended consequences.

Albanese, who is a senior Labor left figure, and others within the party remain unsatisfied with the adequacy of the compromise deal relating to journalists.

Under the proposed legislation, police and security agencies would have to seek a warrant before accessing journalists' metadata, such as call logs or email recipients, if the purpose was to identify a source.

ASIO would apply to the attorney general, whereas other agencies would apply to a judge, magistrate or member of the administrative appeals tribunal.

Journalists will not be notified so they will not be able to contest the attempt to access their metadata, but the decision maker will have to take into account submissions from public interest advocate appointed by the prime minister. Warrants will not be required to access metadata of suspected sources.

Albanese, Labor's transport spokesman and the other contender for the leadership after the 2013 election, spoke out in October last year about a previous tranche of security legislation that passed the parliament with bipartisan support.

In a Sky News interview at the time, Albanese said Labor and the Coalition needed to apply greater scrutiny to proposals put forward by security agencies and there may be a need to rethink "draconian" new laws that would allow the jailing of journalists for five to 10 years for exposing an error by intelligence operatives.

Shorten has repeatedly emphasised his desire for bipartisan efforts to counter terrorism, but said Labor sought to strike the right balance between liberty and security.

Numerous Labor backbenchers spoke up at a caucus meeting last week to air their concerns at the data retention legislation, including privacy implications, effectiveness, cost and impact on press freedom.

Shorten defended his party's approach to the data retention bill. "Because of what Labor was able to do we've looked at the initial government legislation and made north of 30 significant changes which go to some of the concerns which people legitimately raise – greater oversight, greater resources for the ombudsman and we've drawn a line in the sand over press freedom," he told the ABC last week.

The Labor senator Jacinta Collins told the senate on Tuesday the opposition's efforts had achieved "much stronger protections for journalists and their sources, certainly much stronger than what [communications minister] Malcolm Turnbull originally proposed".

Labor members of the parliamentary joint committee on intelligence and security had also secured strong safeguards, she said, arguing the government had done "an exceptionally poor job of explaining why these laws are necessary and how they will work".

"The Labor party has found itself stuck between a rock and a hard place on this legislation: stuck between the failure of the government to take the people with it on the one hand and a hysterical campaign of misinformation by Senator [Scott] Ludlam and the Greens party on the other," Collins said.

"Nobody in the Labor party is happy about once again being forced to rescue this government from its own incompetence."

The Greens have been highlighting Labor's role as part of a social media campaign against data retention. Ludlam said the phrase "national security" was "all it takes for the Australian Labor party to flop into defeated bipartisanship because they are terrified the Daily Telegraph will say mean things about them".

Ludlam said the legislation provided for "the mass collection of private information of 23m people who are neither suspected nor accused of having committed a crime".

"It entrenches the ability of dozens of government agencies to access these private records hundreds of thousands of times a year without a warrant and it normalises the fiction that this information is nothing more than billing records or the envelope that surrounds substantive communications," he told the senate.

Independent senator Nick Xenophon was among crossbench senators who raised strong concerns about the bill as debate continued in the upper house on Tuesday evening.

Xenophon said he was disappointed with the Labor-Coalition compromise, raising fears that the warrant process to access journalists' metadata would be "issued as a formality".

Liberal Democratic senator David Leyonhjelm said everyone had something to hide and something to fear from mandatory data retention.

"It is one thing to require monitoring of certain individuals where there is reasonable cause; but the idea that the government needs to store everyone's metadata without cause, including my 84-year-old mother's, should not be countenanced," Leyonhjelm said.

The independent senator Jacqui Lambie said the government had "used the threat of a terrorist attack from Islamic State to grossly invade the privacy of every Australian".

The attorney general, George Brandis, said the bill would provide protections to journalists concerning access to metadata, when there were no such protections at present.

"The only change that this bill makes to the relationship between the state and the citizen is to introduce safeguards in relation to the access of law enforcement agencies to metadata which were not there before," Brandis said.

"Far from expanding the power and the reach of the state, this bill very significantly reduces the power and reach of the state by reducing by three-quarters the number of bodies which can access metadata without a warrant."

<http://www.theguardian.com/australia-news/2015/mar/25/exclusive-albanese-spoke-out-against-metadata-bill-in-shadow-cabinet-meeting>

## **5. Prime Minister to be protected by \$2m security upgrade**

Brisbane Times  
March 25, 2015 - 12:32PM  
Philip Dorling

The Abbott government is pressing ahead with plans to fortify the ministerial wing of Federal Parliament that will see the Prime Minister's office screened by a steel security fence and two bullet proof, concrete gatehouses.

House of Representatives Speaker Bronwyn Bishop is now seeking parliamentary approval for the new "perimeter security enhancements".

The new physical security measures, which according to Mrs Bishop's office will cost around \$2 million, follow the highly visible upgrading of Parliament House security after the national counter terrorism alert level was raised last September and the Canadian Parliament was attacked by a gunman in October.

In September, Mrs Bishop and Senate president Stephen Parry established a Parliament House security taskforce including representatives from the Department of the Prime Minister and Cabinet, the Attorney-General's Department, the Australian Security Intelligence Organisation, Australian Federal Police and the Department of Parliamentary Services.

New security measures implemented so far include increased federal police deployments, inside and outside the building, tighter access pass requirements for visitors to non-public areas and new physical security measures in parliament's public foyer.

Police deployed outside Parliament are armed with "long-range weapons" and in recent weeks parliamentary staff have participated in "lock down" exercises focussed on the threat that armed terrorists may gain access to the building.

The 2.6-metre high steel fence recommended by the security taskforce will screen the facade of the ministerial wing and is intended to serve "both as a visible deterrent and physical barrier".

Two concrete gate houses with bullet proof doors and windows will be built on either side of Parliament's central north-south axis to provide external access to the ministerial wing including facilities for "advanced security screening, lock-down capability, and traffic flow management prior to entering the building."

A perimeter fence and gatehouses were originally proposed in early designs of Parliament House but were not built.

Mrs Bishop says the gatehouses and security fence are part of a "security in depth" strategy.

Three closed circuit television cameras outside the ministerial wing will be relocated and an additional seven external cameras will oversee the area enclosed by the security fence and gate house facilities.

The ministerial wing entrance will also be strengthened with the installation of new ballistic proof material.

The National Capital Authority and Parliament House's architects have approved the proposed construction works. A heritage assessment commissioned by the Department of Parliamentary Services found that the fence and gatehouses will have "a moderate impact on the heritage values of Parliament House and do not significantly or permanently impact the landscape setting".

The new security infrastructure is scheduled for debate by the House of Representatives on Thursday and construction is expected this year and next year.

<http://www.brisbanetimes.com.au/federal-politics/political-news/prime-minister-to-be-protected-by-2m-security-upgrade-20150325-1m75q1.html>

## **6. Mark Kenny: Taking out the trash but too clever by half**

The Age  
March 20, 2015  
Mark Kenny

Is there no limit to the cynical manipulation of public information to minimise political pain?

Sadly, the late Friday release of the Abbott government's Moss Review into sexual and other abuse issues in Australia's outsourced immigration detention centre on Nauru suggests such conniving may have been pushed to a new low.

In political circles, the practice of dropping out unpopular or embarrassing announcements is called "taking out the trash". The orthodoxy is that with early weekend deadlines, such releases are left off the front pages.

Obviously, this was not just any Friday either but one dominated by the death of a former prime minister. Was this a conspiracy or a stuff-up?

The review in this case is embarrassing because it has failed to validate incendiary government claims from last October that Save the Children employees had been involved in coaching detainees to manufacture sexual abuse allegations as part of a wider discrediting of government asylum-seeker policies.

The government had commissioned the report after it ordered 10 Save the Children case-workers off the island, citing intelligence that they had been involved in either fabricating stories of abuse of children and women or had otherwise engendered behaviour to bring government policy into disrepute.

Critically however, the review could not substantiate these claims, finding no conclusive evidence on which to rely.

Coming on the heels of the tawdry character assassination of the president of the Human Rights Commission, Gillian Triggs, the timing of this report reveals Canberra's extreme sensitivity to any criticism of its questionable human rights treatment of detainees.

It should be noted that the government strenuously denies altering the release timing to take advantage of the focus on Malcolm Fraser's sudden death, arguing it had always planned the release for mid-afternoon on Friday.

This is hardly the most robust defence, given it would be a cynical time in any week. Besides, why not postpone given it had been sitting on the report for more than a month?

The risk of being seen to hide the review in the media maelstrom of Mr Fraser's death should have rung alarm bells anyway, given the former Liberal's well-known contempt for the harsh treatment of asylum seekers.

<http://www.theage.com.au/federal-politics/political-opinion/taking-out-the-trash-but-too-clever-by-half-20150320-1m44fl.html>

## 7. IKEA receives first order for flat-pack refugee shelters to be used in Iraq by United Nations

ABC News Online / Reuters  
Posted Sat 28 Mar 2015, 4:57am

Sweden's IKEA has received its first order for temporary flat-pack refugee shelters and expects to double or triple production in the coming three years, the company says.

After developing the shelters together with the IKEA Foundation's social enterprise Better Shelter, the United Nations Refugee Agency signed an agreement for 30,000 units, of which 10,000 will be delivered in the middle of this year.

The shelter, which comes in flat-pack cardboard boxes, can be assembled on site without additional tools and has a solar panel and a lamp.

Better Shelter's head of business development Johan Karlsson said the first units would go to refugee camps in Iraq and possibly Ethiopia.

"We have around 53.5 million refugees and internal refugees in the world so this of course is just a drop in the ocean," he said, adding he expected production capacity to at least double or triple in coming years.

One housing unit is big enough for five people and costs \$1483.

The privately-held Swedish company, known for its flat-pack self-assembly furniture, reached a net profit of 3.3 billion euros (\$4.6 billion) in the 12 months through to August 2014.

<http://www.abc.net.au/news/2015-03-28/ikea-gets-first-order-for-flat-pack-refugee-shelters-un/6355220>

## 8. Serco accused of heavy-handedness over workplace negotiations

Union says the security contractor threatened to stop paying any staff who took protected industrial action

The Guardian  
Shalailah Medhora  
Saturday 28 March 2015 17.32 AEDT

A union has accused the security contractor Serco of heavy-handed tactics in workplace negotiations, and has warned that any future industrial dispute would have a "disastrous effect" on detention centres.

Serco contractors who are part of the United Voice union were due to begin protected industrial action on Friday after six months of negotiations on workplace conditions failed to yield results.

They were planning to hold bans on changes of rosters, including the scrapping of 15-minute handover meetings at the change of shifts, alterations to rostered days off, and abolishing new fitness tests during annual training courses.

"The bans really said that we want the status quo to remain while negotiations are ongoing," the national president of United Voice, Jo Schofield, told Guardian Australia.

"Staff also need good systems of information flow in the centres so they can provide a safe environment for detainees. They also need consistent management practices. That's not happening," she said.

Serco responded to news of the ban by threatening to stop paying staff members who took part in the action.

"If an employee advises that they intend to participate in a work ban, we will comply with the Fair Work Act and provide adequate notice of our response. This can include notice that no payment will be made during a partial work ban," a Serco spokesman, Paul Shaw, told Guardian Australia.

Schofield said the union then withdrew the bans after concerns it could lock out staff and start a major industrial dispute.

"[Serco's actions] could have provoked an industrial dispute ... It was a sign of disrespect to union workers who voted to take protected industrial action," she said. "It's a bit of a sign of employer militancy."

Schofield warned that any industrial dispute "would have had a disastrous effect on detention centres and detainees" who, she said, were being used as pawns.

Negotiations are continuing; a meeting between Serco and the union is planned for next week.

In January Serco secured a five-year contract worth up to \$1.4bn to run Australia's mainland detention centres, as well as the centre on Christmas Island.

Shaw said operations would not be affected by any potential industrial action.

"In the event of industrial action, we have sound contingency plans in place to ensure continuity of service to the people in our care," he said.

A spokeswoman for the immigration minister, Peter Dutton, said the disputes over workplace conditions were a matter for the company and the unions to work out.

The office of the opposition spokesman on immigration, Richard Marles, did not reply to Guardian Australia's requests for comment.

The union said that working conditions in detention centres were increasingly volatile.

"There are huge differences between being an officer in a detention centre and being a prison officer. People who are incarcerated because they broke the law know why they are there and they know how long their imprisonment will last. They have opportunities to rehabilitate. It is not like that in a detention centre," Schofield said.

"Detainees are often very uncertain about how long they will be there and they have limited access to support. Our members work 12-hour shifts. They get spat on, punched, pushed, verbally abused and they see self-harm.

"Serco does not seem to understand the impact on staff of this work. Time after time following major and minor incidents they have failed to follow their own procedures for debriefings, medical follow-up and ongoing support of staff. Frankly, it's not good enough."

Shaw said Serco had systems in place to help employees.

"We're committed to ensuring the health, safety and wellbeing of our people. We have a range of measures in place to support them, including a 24-hour employee assistance program. We are committed to continuous improvement and have a robust record of enhancing safety in our workplaces, year on year," he said.

Earlier this month detention centre staff quelled a week-long disturbance within the Villawood detention centre.

Dutton said at the time that the industrial dispute between detention centre staff and Serco had no impact on the disturbance.

<http://www.theguardian.com/business/2015/mar/28/serco-accused-of-heavy-handedness-over-workplace-negotiations>

## **9. Scott Morrison boycott at Sydney Boys High School: alumni say he is 'an embarrassment'**

Sydney Morning Herald  
March 28, 2015 - 8:50AM  
Alexandra Smith

Old boys from one of Sydney's most prestigious public schools say they are disgusted that federal cabinet minister Scott Morrison will be a special guest at an alumni fund-raising event, warning it would be an embarrassment to their school to celebrate a man who has "so flagrantly disregarded human rights".

Almost 300 alumni of Sydney Boys High have signed a fiercely-worded letter to the school's Old Boys Union, which is organising a fund-raising cocktail event next month featuring Mr Morrison as one of its keynote speakers.

Mr Morrison, the former immigration minister, is one of several prominent old boys who has been invited to reflect on how his life has been shaped by his time at the high-performing selective boys school.

But the invitation has infuriated many of the school's alumni, including the former Supreme Court judge Hal Wootten and veteran journalist John Pilger, who say it "is cruel and insensitive for the union to laud this man's connection to the school, its graduates, and their families."

Several former students from the neighbouring Sydney Girls High have also added their name to the letter.

The old boys say during his time as minister for immigration and border protection, Mr Morrison was at "best complicit, and at worst the chief protagonist" in advocating offshore immigration detention policies that violated the United Nations Convention against Torture.

"As Sydney Boys High School Old Boys, as well as friends and family of Old Boys, we stand in outrage and disgust at the Old Boys Union's decision to invite Scott Morrison to speak at the Spilling the Beans function," the letter says.

"We call on the Old Boys Union to immediately rescind the invitation so as to spare the organisation, and the school itself, the embarrassment of being seen to celebrate the achievements of a man who has so flagrantly disregarded human rights."

The letter says the old boys do not want to restrict freedom of speech, but their action "reflects the desire not to tacitly endorse the actions of a man who has demonstrated callous disregard for human rights."

The event is to raise money for the union, as well as the Governors Centre, a new two-level building which will be a joint project of Sydney Boys and Sydney Girls, to be built between the two schools.

Mr Morrison responded to the letter, saying "everyone is entitled to their opinion, including those I disagree with.

"That is what I learnt at Sydney Boys High School," he said on Friday night.

"I don't propose to politicise this fund-raising event, instead I suggest those who wish to stay away to send a cheque to the school in lieu."

The event organisers have been contacted for comment.

<http://www.smh.com.au/federal-politics/political-news/scott-morrison-boycott-at-sydney-boys-high-school-alumni-say-he-is-an-embarrassment-20150327-1m95ot.html>

## **10. Journalist Peter Greste delivers blunt message to politicians on detention centre secrecy**

Brisbane Times  
March 26, 2015 - 3:25PM  
Josh Dye

Freed Australian journalist Peter Greste has criticised the Abbott government for denying journalists access to asylum seekers held in immigration detention centres.

Greste condemned the secrecy surrounding conditions inside detention centres and demanded the media be allowed to report from inside.

"The public has a right to know, it's as simple as that," Greste said.

Speaking at the National Press Club on Thursday, Greste directly addressed Foreign Minister Julie Bishop who attended the speech.

"This comes back, as uncomfortable as it is, Minister, we need to have access, we need to see what's going on," he said.

"And as difficult as it is for the government, if we close that down, if we make it hard for journalists to do their jobs, then we end up with dark spaces where things happen that really shouldn't be happening."

Greste, a free speech campaigner who was last month freed after spending more than 400 days in an Egyptian jail on terrorism-related charges, had earlier expressed his gratitude to Ms Bishop for the diplomatic work done to secure his release. But to much applause he said the government must not block the media from doing its job.

"We hired the government, they work for us, not the other way around. And if we lose sight of that, if we lose sight of the public's need to know and to make decisions and to make democracy work, then again I think we run the risk of losing control," he said.

"I'm the son of an asylum seeker. I don't know quite what the statistics are, but the vast number of Australians - we all have asylum seekers in our blood.

"The Aborigines are the ones who can claim to have any kind of genuine Australian blood in them, and I think we need to bear that in mind that this is what built this country, it was immigrants that built this country."

Greste's comments come after the government last week released damning findings from the independent Moss review which found evidence of rape and sexual assault inside the Nauru detention centre.

A lengthy worldwide campaign for freedom of the press ensured Greste release in February. His two Al Jazeera colleagues remain in Egypt on bail awaiting a retrial.

When praising Ms Bishop for the work she and diplomats did behind the scenes to secure his release, Greste singled out the Foreign Minister's "secret weapon" - her "laser-like eyes".

"One of the keys to successful diplomacy is getting the balance of the public and private pressure right, and I've heard from more than a few independent diplomats who have remarked on how astutely you and DFAT handled our case and, in particular, how well you used your secret weapon and one that has got you into trouble over the last few days, those rather laser-like eyes," Greste said.

"One person ... commented on your uncanny ability to smile very warmly at a particular diplomat and at the same time burn holes through the back of their skulls, giving them the distinct impression that they've just been hugged by the Terminator."

<http://www.brisbanetimes.com.au/federal-politics/political-news/journalist-peter-greste-delivers-blunt-message-to-politicians-on-detention-centre-secrecy-20150326-1m8dqi.html>

## 11. Greg Sheridan: Malcolm Fraser was no saint for Vietnamese refugees

Greg Sheridan  
The Australian  
March 26, 2015 12:00AM

One prime minister issued a stern warning to boatpeople that they might be forcibly sent back to their points of departure. He repeatedly authorised his immigration minister to describe them as economic migrants, not genuine refugees.

Which prime minister? Malcolm Fraser.

Eventually Australia accepted a substantial number of Vietnamese, who have been magnificent migrants. But the history is utterly shrouded in mythology.

It is well established Gough Whitlam and Bob Hawke initially opposed the acceptance of Vietnamese refugees. Whitlam's behaviour as prime minister at the fall of Saigon in April 1975 was one of the most disgraceful episodes in modern Australian history.

With the Department of Foreign Affairs already hostile to the anti-communist Vietnamese who had worked closely with our embassy and military nonetheless preparing a priority list of thousands of people who had to be evacuated, Whitlam restricted this to a few hundred. Our friends were left to a dire fate.

Despite the generally hagiographical treatment of Whitlam, that is well established and reasonably present in the public consciousness. However, Fraser always presented himself, by contrast, as a saint on Vietnamese refugees. This was far from the truth.

In the end, Fraser did accept a substantial number of Vietnamese and deserves credit. Politicians deserve credit for doing the right thing even if they do it late and for the wrong reasons. But he was dragged to the right decision unwillingly.

In the 7½ years Fraser was PM he accepted more than 50,000 Vietnamese. Of these only 2000 (a typo led me to write 200 at the weekend) arrived directly by boat. The rest were processed in refugee camps in Southeast Asia. Fraser was the father of offshore processing.

In 1975, '76 and '77, I was an undergraduate, and campaigning to get the Fraser government to accept Indochinese refugees was one of the main political activities of my life. I was heavily involved with BA Santamaria's National Civic Council, which had staff members devoted full time to this. Indeed the Democratic Labor Party, which had broken from the ALP in the 1950s over communist influence, was the first Australian political party to oppose the White Australia policy.

The Fraser government was reluctant and slow to accept Vietnamese refugees. That it finally did so was overwhelmingly a result of US foreign policy pressure, and to a lesser extent Southeast Asian pressure, as Lee Kuan Yew attests in his memoirs. Our connection with America again led us into Asia, and into virtue.

Because so much of our political history is written by politicians and their academic barrackers, it often serves one partisan mythology or another. On this issue, the best ideologically disinterested treatment is to be found in a 2012 article in the Journal of Politics and History by University of Melbourne academic Rachel Stevens.

Fraser portrayed himself as a hero of refugees who welcomed people who came by boat and led the community to accept large numbers of refugees, whose virtues he always extolled. This is the opposite of the truth. Stevens identifies four phases of the debate. At the fall of Saigon and for two years after, the Americans accepted many more than 100,000 Vietnamese and Australia accepted several hundred. As she comments: "From 1975 to late 1977 the Fraser government showed little interest in resettling (Indochinese) refugees."

In the second phase, leading up to the 1977 election, both major parties, including Fraser, emphasised tough border control and anti-boatpeople measures. In the third phase, from 1978 to 1980, under sustained US and Southeast Asian pressure, Australia greatly increased its intake.

The real bipartisanism was provided by unsung hero Bill Hayden, who succeeded Whitlam as opposition leader. Hayden did not have Whitlam's visceral hatred of Vietnamese anti-communists. It was in this period that Australia started to accept significant numbers of Vietnamese, almost all of whom were processed in an orderly fashion in camps a long way from Australia.

As John Howard recalls in his memoirs: "Unauthorised boat arrivals occurred spasmodically, but not at a rate which caused any real public concern." It was geopolitics within the US alliance, not humanitarianism, that forced Australia to behave decently.

Stevens identifies a fourth phase, in the early 1980s, when both sides of politics increasingly impugned the credentials of Indochinese refugees.

She produces exhaustive and irrefutable contemporary quotes. In the 1977 campaign, Fraser warned Vietnamese that they might be sent back. Then immigration minister Michael MacKellar warned Vietnamese who arrived by boat would not necessarily be allowed to stay. The Age reported on its front page as fact the lies that communist agents and rich Thai businessmen were entering Australia under the guise of being refugees. In 1980, Ian Macphee, then immigration minister, introduced anti-people smuggling legislation. In 1982, the government tightened restrictions on admitting Vietnamese.

In 1982, Macphee warned parliament people-smugglers were "planning to send a boat load of illegal immigrants to Australia under the guise of refugees fleeing Vietnam". Macphee described some boatpeople as "not genuine refugees but part of an organised attempt to circumvent Australia's migration controls". He repeatedly referred to people who were not genuine refugees but "people seeking a better way of life" or economic migrants and described them as queue jumpers. This is Fraser's immigration minister.

In his memoirs and in his countless paeans of praise to himself on this issue, Fraser claimed he was completely relaxed about unauthorised boat arrivals and courageously led the moral charge to resettle refugees. This is just not true. Though a strident anti-communist, he felt little solidarity with the anti-communist Vietnamese. Ultimately we took a substantial number of Vietnamese, on a per capita basis more than anyone else, though still a small fraction of the numbers the US took. After the fact, this rightly became a matter of pride for the Liberal Party. We did it mainly because of US pressure. You won't read that in a politician's memoirs.

<http://www.theaustralian.com.au/opinion/columnists/malcolm-fraser-was-no-saint-for-vietnamese-refugees/story-e6frg76f-1227278655636>

## 12. People just like us: Banner Campaign

See <https://chuffed.org/project/people-just-like-us>

One night Gwyneth, an 87 year old great grandmother, was wondering how to take action to change the inhuman, unjust policy towards people who seek asylum and decided a banner outside her house, which is on a very busy street in Mosman, would be seen by thousands of motorists.

See <https://chuffed.org/project/people-just-like-us>

## 13. The Saturday Paper: Nauru abuse goes further than the Moss review

Sex with under-age detainees and pressure to cover up abuse show Nauru's dysfunction goes well beyond the Moss review.

The Saturday Paper  
Mar 28, 2015  
Martin McKenzie-Murray

Humidity is always trapped beneath the vinyl canvas tents. A thick and hateful thing, unrelieved by halting airconditioners, or untouched by them at all. And trapped beneath these tents are men, women and children ensnared in a wicked environment.

This week I spoke to a former Save the Children staff member who had worked at the Nauru asylum seeker processing centre, and heard that expatriate security guards – employed by private contractor Wilson – were having relationships with detained teenage girls. "We saw proof of this," the former officer told me. "We saw text messages the guards had sent the girls. There were at least four guards I know of, and some of the girls were under-age.

"The girls were desperate to keep the relationships secret. They were extremely frightened of people finding out. They also appeared very reliant upon the affection of these men."

It's a deeply disturbing allegation, only touched upon in the Moss review into conditions at the centre, released just last week despite being submitted to the government at the start of February. It echoes Philip Moss's finding that for either cultural reasons or fear of reprisal there is significant underreporting of assaults – a long way from the initial suggestions that the reports were fabricated. In other words, there is likely more, not less, crime being committed against detainees, some of them children.

In the three processing centres, the vinyl tents are shared by families. In Regional Processing Centre 3, up to 22 asylum seekers can share one. Partitioning their beds are clear plastic sheets or nothing at all. There is no privacy.

Full story at <http://www.thesaturdaypaper.com.au/news/politics/2015/03/28/nauru-abuse-goes-further-than-the-moss-review/14274612001684>

## 14. Daniel Flitton: Detainees: their living nightmare

Brisbane Times  
March 27, 2015 - 11:15PM  
Daniel Flitton

Okay, metadata is bad. I get it. The apprehension, fear of unwarranted state interference, the digital manifestation of Big Brother and Sauron's All Seeing Eye.

But it's hard to swallow the outsized concern over what might, one day, potentially transform into an abuse of surveillance powers when the public doesn't much give a damn about an actual scandal involving the use of secret intelligence happening right now.

People don't much care that in Australia a confidential judgment by ASIO has condemned more than 30 people to endless incarceration.

Maybe it's because these people are refugees, rather than citizens, and tarnished with the spectre of "national security", that their present plight has not triggered widespread outrage and political campaigns over the trampling of their freedom.

But remember this – some of these people with adverse security assessments from ASIO have now been detained more than five years. No charges. No appeal. No obvious chance of release.

Not even the basic right to know the evidence intelligence agents have gathered to brand them a "direct or indirect" threat to national security.

As a society, we have readily delved into the dark depths of conspiracy about the risk of intelligence agencies snooping on our personal computer and phone habits. Yet imagining the worst has proved much easier than taking the time to understand and confront the very real consequences of policy that already exists.

This is not to lightly dismiss the sinister potential of trawling digital metadata, or to suggest there cannot be simultaneous concern. But in truth, Australians have mostly closed their eyes to the Catch-22 for the refugees with adverse ASIO assessments, despite its corrosive blight on our liberal democratic traditions.

Here is the conundrum Australians seem all too willing to ignore. Each person in this group has been found to be owed protection. The law forbids the authorities returning them home. But the refugees are denied a visa to live freely in the community because of a secret ASIO finding.

The refugees cannot appeal this assessment because they are classed as "unlawful non-citizens". ASIO will not reveal the specifics of its finding for fear of compromising the sources and methods used to collect intelligence. No other country has been willing to offer the group a home.

So the Australian government solution has been to lock them up – indefinitely. The human cost of endless detention, in astonishing rates of self-harm and attempted suicide, has been well documented. But also consider that perversely, Australia may be less safe as result of this practice.

Politicians have put an unfair burden on the intelligence officers who have the job to assess broad criteria about whether a person might pose a risk to national security – in Australia or for another country. ASIO should not be in a position of deciding the long-term liberty of people. That is a job for the courts, with the assistance of police, prosecutors and defence lawyers.

Yet no intelligence analyst could be expected to ignore the black-hole consequences of issuing a prejudicial assessment. The policy of indefinite detention runs a risk of making ASIO more reticent about raising concern for a person judged close to the line.

Intelligence is not evidence. Information gathered by electronic eavesdropping, psychological profiling or well-greased snitches is fragmentary, rarely conclusive, and informs an analyst's judgment, which is really a fancy word for "best guess".

And such judgments can turn out to be wrong, or more often, evolve over time when new information is discovered or circumstances change. That makes for a pretty flimsy basis on which to permanently deprive a person of their freedom.

Indeed, ASIO has changed its assessment for refugees in close to 20 cases. One such instance in January triggered the sudden release of a man who for about 1914 days beforehand had been branded a threat. No explanation was given.

Another man, who climbed on the roof of the Broadmeadows detention centre in December in a bid to end his life, was told on Thursday that ASIO has now withdrawn its negative finding.

This should not be an excuse to second-guess ASIO assessments. But both the Coalition and Labor have hidden behind the necessary secrecy of ASIO operations to justify a policy of indefinite detention, rather than confronting the politically difficult question of what alternative measures might be taken.

Options such as the use of control orders, monitoring bracelets or regular reporting to police, or allowing ASIO to grade its assessments.

Most of the group that remains in indefinite detention are Tamils who fled Sri Lanka's civil war, and from what is known of the ASIO assessments, they are judged to have sympathy for, or played a role in the cause of, the defeated Tamil Tiger separatists.

The "threat" is evidently not of hardened terrorists. As one of the refugees told the Commonwealth Ombudsman: "He and other detainees with an adverse security assessment are being accommodated in a low security facility and are able to participate in excursions to the movies, the temple, the market and other public places; but are told that they cannot live in the community because they are a threat to Australia."

The ombudsman has no power to intervene, but, obliged to examine the case of anyone held in immigration detention for more than two years, has consistently raised concerns about the group's physical and psychological health.

The watchdog for the spy agencies, the Inspector General of Intelligence and Security, has also urged that alternatives to detention be explored. In at least four instances in the past year, the case manager from the Department of Immigration and Border Protection called for an end to restricted detention for an individual.

But neither politicians or the High Court has displayed the courage to untangle this mess and protect what should be a fundamental right before any person is condemned to prison in a democracy – the ability to confront your accuser.

And let's not mince words. These 30 or so people might be in immigration detention, but it is an effective prison sentence.

Sure, the government can claim to be talking to other countries about finding these people a new home, technically meaning there is a prospect of release.

But at least 10 countries have so far refused Australia's request. In a briefing note, bureaucrats have told the immigration minister "we should not have high expectations that countries would be willing to accept refugees who have been determined by Australian authorities to have adverse security assessments".

The government can also claim to have maintained the role of a retired federal court judge to review the cases – who incidentally, has recommended at least seven instances where the ASIO assessment was not appropriate.

But it runs against centuries of bitter experience the world over to make a single agency both accuser and jailer, no matter what well-intentioned internal checks and balances are put in place.

So for the Australian public, by all means worry about the ability to click freely online, to send an anonymous SMS, or dial the phone without a two-year record of the number, time and duration of the call for the police or spy agencies to snoop on.

Attorney General George Brandis defended the metadata legislation on Friday by arguing "it changes nothing. What it does is it holds, it freezes, the status quo". About 30 refugees know the feeling.

<http://www.brisbanetimes.com.au/comment/detainees-their-living-nightmare-20150327-1m95nh.html>

## **15. Gillian Triggs says Coalition chose to challenge Basikbasik report via media**

Human Rights Commission president tells senators her recommendation was questioned 'in the pages of a particular newspaper' rather than parliament

The Guardian  
Paul Farrell  
Friday 27 March 2015 17.25 AEDT

Gillian Triggs, the president of the Australian Human Rights Commission, has said the government has rarely challenged her findings and recommendations, while facing heavy questioning from Coalition senators.

In estimates on Friday, Triggs was again grilled by senators over a recommendation she made that John Basikbasik receive \$350,000 for the time he was held in detention without charge following the serving of a prison sentence for manslaughter.

Triggs has faced sustained attacks from the government – including Tony Abbott – in the lead-up to a damning report released by the commission on children in detention.

Triggs told the estimates committee: “My job as president is to make findings and recommendations, which are discussed with government and a report is finally made to parliament, along with scores of other such reports.

“The government has the option of appealing against my findings and recommendations and has chosen not to do so, and in fact very rarely does.”

“Normally it would be for members of parliament to read my reports, to question them if they chose to, and if appropriate, for the attorney to appeal against them.

“That has not been done and unfortunately the choice has been made to do so in the pages of a particular newspaper, where the facts and legal reasoning were grossly misstated.”

Basikbasik is a West Papuan activist who opposed the Indonesian occupation of his country. After being granted refugee status in Australia, he was charged in 2000 with the manslaughter of his partner.

He remained in Villawood detention centre after serving his full sentence, because he cannot be returned to Indonesia.

The Liberal senator Ian Macdonald repeatedly questioned Triggs on the case, and asked her to provide specific details on the length of time of the investigation. Triggs said it “would take months” but she did not believe it had taken years.

She told the committee that after serving his sentence he had now been held for “close to eight years without charge and without trial”.

“While the government of course has an executive power to detain someone ... that executive power must be exercised in a way that is necessary and proportionate to achieve a legitimate aim,” she said.

“I think most fair-minded Australians would say that holding someone for eight years after he has served his prison sentence is something that does require at least the regular consideration of his case, and regular consideration of whether or not alternative forms of detention or supervision might be used.”

After the release of the children in detention report it was revealed that the government had sought Triggs’s resignation.

The shadow attorney general, Mark Dreyfus, wrote to the Australian federal police to ask them to examine whether the attorney general, George Brandis, had committed an offence by offering Triggs a job in exchange for her resignation.

<http://www.theguardian.com/australia-news/2015/mar/27/gillian-triggs-says-coalition-chose-to-challenge-basikbasik-report-via-media>

## **16. World Vision and other aid agencies reject Australia's refugee deal with Cambodia**

The Age  
March 22, 2015 - 7:56PM  
Sarah Whyte

International aid agencies based in Cambodia have rejected the Abbott government's resettlement deal, saying it is not appropriate for a country that has been accused of human rights abuses and has no refugee resettlement experience.

Fairfax Media understands immigration officials Greg Kelly and Pilar Davidson, based in the Australian embassy, visited a number of non-government agencies after the Abbott government offered \$40 million in development aid to Cambodia in return for a refugee resettlement deal in September last year.

In the meetings, it is understood officials wanted to get a greater understanding of the country and its development focus.

The Cambodian national director of World Vision, Jason Evans, confirmed the meeting, saying the officials had approached the NGO and that he was aware that a number of international NGOs were also approached.

"We do trust that the Australian government is doing its due diligence, however, we are concerned about the precedent that this sets, as this type of deal is not something that the development community would support," he said.

Mr Evans said that World Vision, along with the "vast majority of international NGOs" were of the strong opinion that the deal was not in the interests of Cambodian citizens and may add "additional strains on a country still experiencing high degrees of poverty".

A senior advisor in the development sector told Fairfax Media that many international NGOs had also refused to facilitate the deal when approached by the Australian government.

"None would go near it, particularly given the bruising [Save The Children] has gone through recently," the advisor said.

A large number of local NGOs have also rejected the deal, saying Cambodia's Hun Sen government needed to fix the country's domestic issues including access to healthcare, education and employment.

The executive director of the NGO Forum on Cambodia, Tek Vannara said the government didn't have the capacity to solve its own issues.

"The majority of the NGOs do not support this," he said.

The Australian government has said that it was developing a number of partnerships with a "range of NGOs" to establish support for any asylum seeker who chose to resettle in Phnom Penh.

"Both Australian and Cambodian governments recognise the value of doing this work with the involvement of key international stakeholders, including UNHCR," a spokeswoman for Immigration Minister Peter Dutton said.

However, a UNHCR spokeswoman Vivian Tan has denied involvement, saying: "We have no role in implementing it."

Last month, the International Organisation of Migration agreed to facilitate the deal, providing that refugees can stay and work in the country's capital. It will also provide services to any refugees who voluntarily take up the offer from Nauru.

The IOM argued the deal was in the "best interests of the refugees" and offered new options to them in a country that is experiencing significant economic and development growth.

A Cambodian delegation will meet with refugees on Nauru, the spokeswoman for Mr Dutton said. This month he told local media in Cambodia that he expected about five families to take up the offer.

Sarah Whyte is on a journalism fellowship in Cambodia with the Asia Pacific Journalism Centre.

<http://www.theage.com.au/national/world-vision-and-other-aid-agencies-reject-australias-refugee-deal-with-cambodia-20150322-1m4ze3.html>

## **17. Refugee review tribunal given wider powers to deny asylum claims**

Labor and Coalition compromise on bill that allows refugees' protection claims to be refused if they have no identity documents

The Guardian  
Shalailah Medhora  
Tuesday 24 March 2015 11.52 AEDT

A bill that would expand the powers of the refugee review tribunal (RRT) to deny asylum claims is set to pass parliament after Labor and the Coalition reached a compromise on amendments.

The migration amendment (protection and other measures) bill seeks to allow the RRT to draw unfavourable assessments on refugee claims when they are first presented, and creates grounds for authorities to reject protection claims if asylum seekers cannot or will not produce identity documents.

"While the Australian community has long accepted a responsibility to provide refuge to people who engage our protection obligations, the reciprocal responsibilities of people who seek protection in Australia were not clear in our law," the assistant immigration minister, Michaelia Cash, told the Senate last week.

"The protection and other measures bill will state those responsibilities on the face of our legislation. If a person wants our help, that person is obliged to show good faith and honestly state their case as to who they are and why they need Australia's protection.

"As a result of this bill, applicants will need to provide documentary evidence of their identity, nationality or citizenship, or have taken reasonable steps to do so in order to be granted a protection visa," she said.

The bill would also increase the risk threshold for complementary protection from “a real chance” of persecution to “a more likely than not” chance.

Complementary protection, which was introduced by the last Labor government, offers refuge to people at risk of harm or persecution who do not fall into the UN definition of refugees. For example, women at risk of “honour” killings or genital mutilation could be covered under Australia’s system of complementary protection.

Labor, the Greens and several crossbench senators had raised concerns about increasing the risk threshold for complementary protection, which is schedule two of the bill.

The bill in its original form did not have enough support to pass the Senate.

Labor had a number of amendments it wanted to make to the bill, most critically the scrapping of schedule two.

“The measure in this schedule potentially allows people to be returned to places where they have a risk of suffering death or serious harm,” Labor frontbencher Kim Carr told the Senate last week. “If those changes were not part of this bill we would find it easier to support the legislation in an amended form.

“Whilst schedule two remains, however, Labor cannot support this bill. Labor has grave concerns about the bill’s significant changes to the way Australia determines whether it has an obligation to protect non-citizens,” Carr said.

Several amendments proposed by the caucus have been scrapped in order to reach an agreement with the Coalition to ensure the bill’s passage.

Cash said that the government “still maintains” that the change to the threshold is appropriate, but admitted that “the government recognises the voting intention of the majority of senators and expects that schedule two will be removed”.

The Greens and some other crossbenchers still have concerns with the bill, but the agreement between Labor and the Coalition effectively renders their opposition irrelevant, as the major parties have the numbers in the Senate without relying on crossbench votes.

<http://www.theguardian.com/world/2015/mar/24/refugee-review-tribunal-given-wider-powers-to-deny-asylum-claims>

## **18. PNG court allows lawyers access to Manus Island detainees to pursue case against their detention**

ABC News Online

By Wesley Manuai in Papua New Guinea, staff

Posted Tue 24 Mar 2015, 5:35pm

Lawyers representing 25 detainees at the Manus Island detention centre have been allowed access to their clients to pursue a case against their detention.

Papua New Guinea's Supreme Court last week issued a directive from the country's chief migration officer Rabura Mataio to allow private law firm Lomai and Lomai Lawyers access to the centre.

The court today heard that Mr Mataio had consented to facilitate smooth and reasonable access.

Lawyer Ben Lomai is representing the detainees to challenge PNG's constitution, arguing that the asylum seekers' ongoing detention breaches the right to liberty.

He has also argued for the right of detainees to access legal representation guaranteed in PNG's constitution.

The asylum seekers involved in the case are from Iran, Myanmar, Pakistan, Syria and Lebanon.

They made contact with the law firm while they were being detained without charge at the Manus Island provincial prison, accused of stoking protests at the detention centre in January.

Earlier this month lawyers filed a notice of motion requesting access to the detainees at the detention centre and refugees at the East Lorengau transit facility, so they could obtain official statements.

Mr Lomai said his lawyers would have access to the detention centre from April 6 - 17. The matter returns to court on April 22.

<http://www.abc.net.au/news/2015-03-24/png-court-allows-lawyers-access-to-manus-island-detainees/6345170>

# 19. Tony Abbott, it's time to act on the harm we are causing asylum seekers on Nauru

Brisbane Times

March 25, 2015 - 10:10PM

Steven Glass

On September 25 last year, the then minister for immigration Scott Morrison made an announcement by video link to asylum seekers detained on Nauru, who had been gathered together in the detention centre's mess room for the occasion.

They watched the minister on a television screen, standing beside an Australian flag as he made a 3½-minute speech. They heard him say: "You may have heard that temporary protection visas are to be reintroduced. This policy does not apply to those who are on Nauru ... Processing and resettlement in Australia will never be an option to those who have been transferred to regional processing centres ... There are no exceptions. You will remain there [on Nauru] until you either choose to return or are resettled somewhere else other than Australia."

For the more than 900 asylum seekers in Nauru, including 180 children, hope for a life free of persecution turned instantly to despair. In and around the mess room there was crying and screaming. Some detainees became angry. Many began to protest.

Some simply lost all hope. They could no longer see a future. They couldn't go home for fear of being killed or persecuted. But they could never leave Nauru, either. In the 48 hours immediately after Morrison's speech, there were 10 reported incidents of self-harm or attempted suicide, more than had occurred at the centre in the entire 12 months prior. These included detainees stitching together their lips, cutting their forearms, or swallowing detergent. In a number of cases these things were done by 16- and 17-year-olds.

Over the next couple of days these incidents were brought to the attention of the Australian public by Senator Sarah Hansen-Young. She notified Morrison that she had received information not only about lip stitching and other forms of self-harm, but also incidents of sexual abuse, rape, and guards offering marijuana to detainees in return for sexual favours.

After five days of protests, Morrison responded by ordering the expulsion from Nauru of 10 social workers and teachers employed by Save the Children. These were dedicated, highly qualified individuals who had spent their careers looking after the welfare of children and who provided a small glimmer of hope and opportunity for the children trapped in the severe conditions of the Nauru detention centre. Now, suddenly, they were gone, just when the children needed them most.

The minister hurriedly arranged a media conference. He accused Save the Children workers of coaching and encouraging children to self-harm, and claimed that they had fabricated the allegations of rape and sexual abuse of detainees. An article in the Daily Telegraph reported that Save the Children staff members had been "involved in propaganda campaign to 'manufacture' conditions to embarrass the Abbott government".

A recent report by an Australian government agency found that detainees on Nauru were living in high-density, non-airconditioned accommodation in soft-walled marquees in a tropical climate. It concluded that these conditions contributed to a sense of apprehension among detainees for their personal safety and privacy.

This was not the much maligned Forgotten Children report of the Australian Human Rights Commission headed by Professor Gillian Triggs. It was an internal report by the Department of Immigration itself. The department set the terms of reference and the timing. It provided the funding and chose who would head the inquiry. Its choice was Philip Moss, a former Commonwealth integrity commissioner.

The Moss report did more than simply agree with Triggs' conclusion that the harsh conditions on Nauru contributed to the harm suffered by detainees. Moss also found:

- evidence of at least three rapes in the detention centre
- numerous other incidents of sexual assault, physical assault and sexual harassment. These included women being offered longer showers if they permitted security guards to watch them shower naked, and women being propositioned for sex
- women were being offered marijuana or cigarettes in return for sexual favours.

Moss found no evidence that Save the Children staff had ever coached or encouraged detainees to engage in self-harm or to protest against Australia's detention policies. They had been unfairly and summarily removed. He recommended they be considered for reinstatement.

Having hand-picked the inquiry's head and written its rules, it was not open to the government to shoot the messenger as it did with Triggs. Here was evidence that it could not deny of the harm caused by detention. Nor could it any longer deny widespread misconduct and mismanagement at the Nauru detention centre, operated under Australian government contracts

at a cost of half a billion dollars a year. The government had been caught victimising the very people doing everything they could to help children and adults survive in this unforgiving environment. Triggs and her report were vindicated.

So how did the government respond this time? "Things happen," Prime Minister Tony Abbott said on Friday.

They do, Prime Minister. And they are happening on your watch as a result of your government's policies and its failure to care about vulnerable people. Surely, now, it is time for a change. Or is it government policy that women being raped and children attempting suicide is a reasonable price for stopping the boats?

Steven Glass is a board member of the Asylum Seekers Centre in Newtown. The centre provides health, housing, employment, financial and other assistance to asylum seekers living in the community.

<http://www.brisbanetimes.com.au/comment/tony-abbott-its-time-to-act-on-the-harm-we-are-causing-asylum-seekers-on-nauru-20150325-1m6aa1.html>

## 20. The Monthly Blog: Letters from Nauru

Disturbing accounts come to light about conditions in the island's detention centre

By The Monthly  
Friday, 19th December 2014

The following letters, written by asylum seekers on Nauru in the past three months, were provided to the Monthly. They are accounts of conditions in the detention centre on the island and the state of mind of those detained in it.

We are publishing them because we believe the right to be heard is fundamental. It is the least asylum seekers deserve, particularly those detained indefinitely.

These are informal translations of the original texts, which have also been provided to the Moss review.

Both major parties have pledged never to allow the authors of these letters to be resettled in Australia.

– Nick Feik, editor of the Monthly

Full story at <http://www.themonthly.com.au/blog/monthly/2014/19/2014/1418951326/letters-nauru>

## 21. Leaked transcripts from Moss review reveal Nauru at risk of 'dramatic meltdown'

Documents uncover fears of an uncontrollable riot at the Australian-run detention centre for asylum seekers, and an immigration department looking for someone to blame

The Guardian  
Ben Doherty  
Tuesday 24 March 2015 12.22 AEDT

The Moss review is illuminating, for what it says and what it does not.

What it says is that allegations of sexual abuse of children and of women in the Australian-run detention centre on Nauru were known from as early as June 2014. That at least one rape allegation was reported in August, while other asylum seekers told staff they'd been threatened with gang rape.

But it was not until October, as days of combative protest seized the detention centre, and acts of self harm by children spiked dramatically – from seven in 12 months, to 10 in three days – that the government chose to act.

The Moss review paints a damning picture of a island barely under control.

But what's not in the report is just as revelatory.

More than 150 pages of leaked transcripts of interviews conducted by the former integrity commissioner Philip Moss – with department staff, security chiefs, and Save the Children workers – show a dramatically dysfunctional regime on the tiny island.

They reveal a difficult and dangerous environment for asylum seekers, where the risk of sexual assault and violence are ever-present, and acts of self harm are common.

And they detail a fractious and divided workplace, where staff from different organisations spy on each other, where emails, phone calls, and Facebook pages are monitored, and people leak information to the discredit of colleagues.

The transcripts, obtained by New Matilda and provided to Guardian Australia, show:

- disenchantment among workers with the viability of settling refugees on Nauru
- fear among staff of an uncontrollable riot, like the one on Manus – where locals “absolutely beat the shit out of large numbers of people and killed a man”
- the immigration department asked security staff for “anything you’ve got on Save the Children”
- the information used to sack 10 Save the Children workers was “probability”, not evidence, and “not something you’d rely on in court”
- the protests Save the Children Staff were accused of fomenting, “would have happened anyway”, and the department does not know if the staff sacked “were the right 10 people”.

The catalyst for the protests was a three-and-a-half minute video shown to asylum seekers on 25 September last year.

Shot in a single take, the video features only one person, the then immigration minister Scott Morrison, carefully and categorically explaining that asylum seekers held on Nauru and Manus “will never” reach Australia.

Angered by the apparent capriciousness of the decision – many asylum seekers on Nauru came on the same boats as people since moved to Australia on visas – asylum seekers immediately launched a series of protests and acts of self harm.

Met by a government resolute in its position, the protests grew steadily larger, and more bellicose.

But there was suspicion, too, that the staff of Save the Children – a child rights organisation with the contract to provide welfare services to child asylum seekers – were going beyond being sympathetic to the protest movement and instead encouraging the unrest, even coaching self-harm and helping protesters to send pictures off the island, in order to gain sympathy in Australia and draw attention to the situation.

Many managing security on Nauru saw some Save the Children (STC) staff as being too close to the asylum seekers, and as supportive of their efforts to protest and disrupt the centre.

There was concern too, at the data breaches STC were believed to be responsible for: hard-drives containing sensitive information had been lost, phones and USB sticks had disappeared.

They were viewed as troublemakers.

But as Moss found, there was no conclusive evidence that there was any truth to these suspicions.

“None of this information [provided to the Moss review] indicated conclusively ... that particular ... staff members had engaged in these activities.”

The deteriorating situation on Nauru is inextricably linked to the government’s other offshore detention centre, on Papua New Guinea’s Manus Island.

In September last year, the Manus Island riots in which 70 people were seriously injured and Reza Berati was killed were a recent memory for the government.

Faced with another offshore detention centre plagued by growing unrest, Canberra was, it seems, anxious for a catalyst for the unrest to be found and made an example of.

Full story at <http://www.theguardian.com/australia-news/2015/mar/24/leaked-transcripts-from-moss-review-reveal-nauru-at-risk-of-dramatic-meltdown>

## **22. Witness Threats, 'Inhuman Guards', Rapes And Deaths At Sea**

Witness Threats, 'Inhuman Guards', Rapes And Deaths At Sea: Testimony That Didn't Make The Moss Review

So many damning accusations, so little time to report them all. Max Chalmers looks at leaked transcripts from the Moss Review to see what didn’t make the final report.

New Matilda  
24 Mar 2015  
By Max Chalmers

Asylum seekers allegedly received threats after they provided evidence to the Moss Review and, unbeknownst to Moss, some were interviewed by officials in the Nauruan detention centre after participating in the investigation into allegations of sexual and physical assault.

In leaked transcripts obtained by New Matilda, and shared with Guardian Australia, former Integrity Commissioner Philip Moss raises the fact that a subject he interviewed as part of the process was contacted by a Wilson's Security intelligence gathering official, after their conversation.

"Now I don't know the rights and wrongs of that, I just put it out there because there is a suggestion now that some of the information that was given to me is now at large in the centre," Moss told Lee Mitchell, a Wilson employee during their interview.

Elsewhere in the transcripts, allegations emerge suggesting threats were made against asylum seekers after they spoke to Moss.

In the 86-page report released by the Department of Immigration last week – just hours after news broke of the death of former Prime Minister Malcolm Fraser - Moss presented evidence and snippets of testimony indicating sexual assaults, harassment, a lack of privacy, and self-harm are part and parcel of life in the Nauru detention centre, where 752 people remain interned.

Despite the level of detail, the leaked transcripts reveal other serious allegations not included in the final report, as well as greater detail about the difficulties endured by asylum seekers in the centre.

## **Sexual Assault**

In one interview, Moss is told by a woman that she was raped in the detention centre, having already fled a sexually violent husband in her country of origin.

First detained on Christmas Island, where she told Moss she felt safe because of a high level of security, the woman was assured Nauru would be safe.

"The doctor on Christmas Island, she told me that you have suffered so much for your children and I want you to go to Nauru because I know that you will be safe and secure there," the woman recounted to Moss.

Full story at <https://newmatilda.com/2015/03/24/witness-threats-inhuman-guards-rapes-and-deaths-sea-testimony-didnt-make-moss-review>

## **23. Peter Dutton defends Nauru hospitals as better than some in Australia**

Peter Dutton defends Nauru hospitals as better than some in Australia as Cambodia deal takes a step forward

Brisbane Times  
March 26, 2015 - 2:41PM  
Heath Aston and Sarah Whyte in Phnom Penh

Asylum seekers on Nauru receive schooling of the same standard as in Australia and access to hospital facilities that are better than some regional areas, says Immigration Minister Peter Dutton.

But a Cambodian official compared the living conditions of detainees to those of "animals".

Mr Dutton mounted the defence of Australia's detention facilities as he signed a memorandum of understanding with the Deputy Prime Minister of Cambodia, Sar Kheng, that will clear the way for the resettlement of refugees to that country.

As the government deals with the fall-out of the Moss review into sexual abuse on Nauru, which exposed evidence of rapes, sexual assault on minors and Nauruan guards trading marijuana for sexual favours, Mr Dutton said the facility was well-resourced.

"I've been to many hospitals in regional Australia, including in towns where people would say that those hospitals aren't up to the standard of those in Nauru. I also had the opportunity, the great privilege, to go to Afghanistan to see our troops and the field hospital that I saw there ... was not in my judgement up to the standard that I saw in Nauru," he said.

"I also went to the educational facilities, the classrooms there [in the detention centre in Nauru] where young people at taxpayers' expense are being provided with English classes and schooling otherwise that is of a standard at least as good as in Australia."

The Nauru facility is guarded by tight security and asylum seekers' movements are totally restricted.

A "first wave" of three to five families is expected to resettle in Cambodia in coming months.

Cambodian government officials are on Nauru to speak to families but there are signs of resistance among asylum seeker families.

Mr Dutton warned that some "well-intentioned people" in Australia and elsewhere were trying to "provide messages" to people in Nauru not to accept resettlement.

"For those people in Nauru ... I think it's very important to properly consider the offer that is on the table in relation to going to Cambodia," he said.

In Cambodia, an official said the Hun Sen government had agreed to the \$40 million refugee resettlement deal to "pay back" Australia for taking their own refugees after the country's bloody civil war.

It comes as the Hun Sen government defended the forced deportation of a number of indigenous Vietnamese refugees late last month as a "national security" matter.

The Secretary of State spokesman Phay Siphon said that the Hun Sen government had agreed to the deal with Australia on humanitarian grounds and that Cambodia "felt sorry for Australia" for shouldering the burden of refugee resettlement.

"We understand how hard it is," Mr Siphon said from his office in Phnom Penh.

"[Refugees] are like animal at the camps, they have no right to move, they have no right to do anything.

"We give them a choice, where we open to everyone [on] what can you learn from Cambodia as a hosting country.

"It's not fair that Australian government has spent so much money for refugees," he said.

It is not known how many refugees living on Nauru will take up the offer to permanently resettle in the South Asian nation, nor how much it will cost the Abbott government to facilitate the resettlement with the International Organisation of Migration. This is in addition to the \$40 million in aid that has already been pledged for development assistance over four years.

Mr Siphon estimated "10 to 15" families could take up the offer in a "pilot program", while Immigration Minister Peter Dutton told local Cambodian media last week that "three to five" families would initially volunteer to move to the country.

"Australia was open to Cambodian refugees, we have to pay back something. We don't want to take and take from Australia," Mr Siphon said.

"These people, we will treat them equally as all Cambodians.

"They will become rich if they work hard."

By contrast, nearly 40 Christian Montagnards – an indigenous group who claim they face religious persecution and live in the Northern Highlands of Vietnam - were allegedly deported to Vietnam by the Cambodian government in February.

Mr Siphon said the government would not take "political refugees" from Vietnam or China.

"We don't allow political refugees to springboard into our country," he said.

"That is our national security," he said. "Those people are not refugees, they are just getting away from the government, they are not refugees.

"We call it illegal immigration," he said.

Elaine Pearson of Human Rights Watch has questioned the conditions refugees will face in Cambodia, saying that most refugees already in Cambodia are "living hand to mouth with few employment opportunities, facing racism and corruption on a daily basis, and inadequate services".

"Cambodia is neither safe nor equipped to resettle refugees," she said. "The Cambodian government has consistently shown it is willing to sign agreements and even laws, yet completely fail to implement them – like its own refugee law."

This week the Interior Minister Sar Kheng, who is implementing the resettlement deal, is in Australia to discuss the plan further.

But the deal has been heavily criticised by a number of international aid agencies based in Cambodia who said they did not support it, arguing it was not appropriate for a country that has been accused of human rights abuses and has no refugee resettlement experience.

*Sarah Whyte is on a journalism fellowship in Cambodia with the Asia Pacific Journalism Centre.*

<http://www.brisbanetimes.com.au/federal-politics/political-news/peter-dutton-defends-nauru-hospitals-as-better-than-some-in-australia-as-cambodia-deal-takes-a-step-forward-20150326-1m81fj.html>

## 24. Senate votes for review into allegations of mistreatment on Nauru following Moss report

ABC News Online

Posted Thu 26 Mar 2015, 6:57pm

The Senate has voted to establish a select committee to review allegations of abuse and mistreatment at the Australian-run detention centre on Nauru.

Last Friday, the Australian Government released the long-awaited findings of the Moss review, which highlighted allegations of sexual and physical assault on asylum seekers, including children, at the Nauru centre.

The report also found allegations that staff on Nauru employed by charity Save the Children had not encouraged refugees to self-harm or manipulate abuse allegations, contrary to previous claims.

The vote to conduct the review, which will hear testimony under parliamentary privilege, was sponsored by Labor and the Greens and passed 31 votes to 29.

Greens senator Sarah Hanson-Young welcomed the decision.

"There are some very dark corners in the detention camp on Nauru and now, finally, the truth can be revealed," Senator Hanson-Young said in a statement.

The Department of Immigration has accepted all 19 recommendations from the report, including a call to support the government of Nauru to better investigate and prosecute incidents of sexual assault.

The Senate vote came as Cambodia's interior minister and deputy prime minister, Sar Kheng, was in Australia sign a deal to resettle asylum seekers there.

The high-level Cambodian delegation was also in Nauru this week, where the ABC understands a number of briefings were held for refugees interested in relocating to Phnom Penh. But in one meeting, as few as three people turned up.

After signing the deal today, Immigration Minister Peter Dutton defended facilities on Nauru and said the school and health facilities provided to people detained on the island nation were on par with Australia's.

"I went to the educational facilities, the classrooms there where young people at taxpayers' expense are being provided with English classes and schooling otherwise [are] of a standard that is at least as good as I've seen in Australia," he said.

"I also had the great privilege to go to Afghanistan to see our troops ... and the field hospital that I saw there and the hospital arrangements that provided medical support to our soldiers on the ground was not, in my judgement, up to the standard that I saw in Nauru."

<http://www.abc.net.au/news/2015-03-26/senate-votes-for-probe-into-nauru-detention-centre/6351696>

## 25. Greens call for inquiry into Nauru sex assault claims following Moss review

Senator Sarah Hanson-Young says full inquiry the only way to find truth because, 'there is no accountability or rule of law on Nauru'

The Guardian

Paul Farrell

Tuesday 24 March 2015 10.46 AEDT

The Greens senator Sarah Hanson-Young has called for a parliamentary inquiry into allegations of sexual assault among detainees on Nauru and the removal of nine Save the Children staff from the island.

A review by the former integrity commissioner Philip Moss, published last week, found two women had reported being sexually assaulted, while others were forced to expose their bodies in exchange for access to showers.

It found no conclusive evidence that Save the Children staff who were dismissed and removed from the island had been involved in any kind of protest activity.

Hanson-Young said: "There is no accountability or rule of law on Nauru and a full parliamentary inquiry is the only way to reveal the true situation there.

"Clearly the judicial system on Nauru is in crisis," the senator said.

“Detention centre staff who have worked on Nauru deserve to have the legal protections that come with giving evidence to a parliamentary inquiry. They are the ones with the firsthand knowledge of what’s really going on there and they need to have their say, despite the government’s gag clause.”

The proposed terms of reference for an inquiry include an examination of the relationship between the Australian government and Nauru government, the conditions for asylum seekers on Nauru and the conduct of Australian immigration staff and service providers on the island.

A spokesman for the government of Nauru said it was “deeply concerned” by the findings of the Moss Review, and would cooperate with the Australian government to ensure all 19 recommendations were implemented.

“The Nauru government strongly condemns sexual assault, violence and any form of intimidation, particularly against those who are vulnerable. We set out to implement world’s best practice at the RPCs [regional processing centres] and believe that this is the case, notwithstanding that one breach of trust is one too many. We have also acted decisively and changed some procedures in the past, when shortcomings were brought to our attention.”

The Nauru government has consistently argued problems of Nauru have been exaggerated by refugees and advocates seeking to damage the country’s reputation and Australia’s offshore processing policy.

“Finally, this report should not be used by refugees or advocacy groups to further their campaign of lies and aggression,” the government spokesman said. “Overall, the government and people of Nauru have extended a warm welcome to asylum seekers and have assisted many to transition to free refugee status. Sadly some have abused our friendship and some groups in Australia continue to spread misinformation about refugees in Nauru.”

There have been a number of instances of antagonism and violence between refugees and Nauruans in recent weeks.

Refugees have been told by the director of Nauru police they cannot protest or gather in groups larger than three, and have been forbidden from going to several places on the island, including the hospital, schools, parliament, the airport, harbours and ports.

The former Nauru magistrate Peter Law, who appeared with Hanson-Young at a press conference later on Tuesday, said he had serious concerns about the Nauru government and its commitment to enforcing the Moss review’s recommendations.

When you get to people who are arbitrarily deported, it’s an abuse of power and I cannot be confident that the cabinet when it makes decisions forthrightly, that it will carry out decisions in an independent manner and in an accountable way,” he said. “This is what’s missing. There’s a lack of accountability.”

Moss was paid \$200,000 by the immigration department for the review. An Austender contract notice for Moss’s review was paid the fee for “management advisory services” at the Nauru detention facility.

Labor and the Greens previously secured a Senate inquiry into the unrest on Manus Island after questions were raised about the independence of Robert Cornall, who was appointed to investigate those disturbances.

No such concerns have been raised about the Moss review, but Hanson-Young said it “raised as many questions as it answered”.

A parliamentary inquiry would need the support of Labor. A spokesman for the opposition immigration spokesman, Richard Marles, told Fairfax Media Labor was “definitely open to considering a review”.

<http://www.theguardian.com/australia-news/2015/mar/24/greens-call-for-inquiry-into-nauru-sex-assault-claims-following-moss-review>

## **26. New Senate inquiry to probe sexual abuse in Nauru detention centre**

The Age  
March 24, 2015 - 7:06AM  
Michael Gordon

The Senate is set to launch an inquiry into abuse of women and children inside the Nauru detention centre after an independent report detailed allegations of rape, sexual assaults and intimidation.

The inquiry is backed by the former chief justice and chief magistrate on Nauru, both Australians who were expelled by the Nauru government, and by former case workers who doubt the capacity of officials and contractors to implement the report’s recommendations.

The former magistrate, Peter Law, has told Fairfax Media he has no confidence that the Nauru police has the capacity or the independence to investigate the allegations. He also says there needs to be more accountability for the money paid to Nauru to provide the centre.

The inquiry will take evidence under parliamentary privilege from past and present staff, including some of those employed by Save The Children who were expelled from the island and whose conduct was not found wanting in the independent report.

Greens Senator Sarah Hanson-Young, whose allegations of sexual abuse triggered the investigation by former integrity commissioner Philip Moss, will announce the inquiry on Tuesday.

She will need the support of the Labor Party for it to proceed, but the Opposition's immigration spokesman, Richard Marles, has signalled his backing. "We are definitely open to considering a review," a spokeswoman for Mr Marles said.

Senator Hanson-Young told Fairfax Media: "There is no accountability or rule of law on Nauru and a full Parliamentary inquiry is the only way to reveal the true situation there.

"Detention centre staff who have worked on Nauru deserve to have the legal protections that come with giving evidence to a Parliamentary inquiry. They are the ones with the firsthand knowledge of what's really going on there and they need to have their say."

Mr Marles branded the government's initial response the report as "disgraceful" and said Australians needed to be given "a sense of confidence that every person within the detention facilities is safe".

One former case worker has raised concerns about whether Mr Moss was given access to all documents after he reported there was no information to substantiate one allegation of sexual intimidation.

The case worker insists an information report outlining the complaint was made to Wilson Security and that it was raised in a number of internal emails. "If Mr Moss was not given these documents, you can only wonder what other material was not made available," the case worker told Fairfax Media.

Another with an intimate knowledge of the detention centre on Nauru, Caz Coleman, supported an inquiry to monitor the implementation of the Moss report's recommendations, but expressed doubts about whether they would result in a safe environment for women and children.

Ms Coleman, a former member of the government's ministerial council on asylum seekers and detention, is concerned that it will be impossible to guarantee the safety of asylum seekers in the absence of a comprehensive framework in Nauru to address such issues as sexual and family violence and child protection.

"The report and the recommendations come as no surprise to anyone who has worked on Nauru," said Ms Coleman, who was contract manager for the Salvation Army on Nauru in 2013.

The inquiry will also focus on the performance of the former immigration minister, Scott Morrison, who went public with allegations that Save The Children staff had fabricated evidence of sexual abuse when he called the inquiry.

"They are employed to do a job, not to be political activists. Making false claims, and worse allegedly coaching self-harm and using children in protests is unacceptable, whatever their political views or agendas," Mr Morrison said in October.

The Moss report found no conclusive evidence of wrong-doing by 10 Save The Children staff and recommended that the immigration department review the decision to remove them from Nauru.

Rejecting calls for an apology to the Save The Children staff, Mr Morrison said: "I put in place an independent inquiry to review allegations. That is what a minister should do in those circumstances and I am pleased the matter has been properly investigated, we have got clear findings and they have got clear recommendations and the government has responded positively to those recommendations."

The lawyer representing the workers, David Shaw, is expected to write to the department to ask how it proposes to review the decision to remove them from Nauru.

The inquiry is also supported by an Australian business figure, David Argyle, who is owed more than \$7 million by the Nauru government.

"We welcome and strongly support an Inquiry which gives a voice to many of Nauru's victims and holds the Nauru government accountable for its actions and obligations to all Australian citizens," a spokesman for Mr Argyle said.

<http://www.theage.com.au/federal-politics/political-news/new-senate-inquiry-to-probe-sexual-abuse-in-nauru-detention-centre-20150323-1m5sn5.html>

## **27. Sexual abuse on Nauru shows mandatory detention is unsustainable: child advocates**

The Age  
March 23, 2015 - 8:07AM  
Heath Aston

The damning Moss Review of sexual abuse inside Australia's detention centre on Nauru should renew debate on ending the policy of mandatory detention and implementing a regional solution on asylum seekers, child welfare advocates have urged.

Save the Children chief executive Paul Ronalds said confirmation in the independent report of rapes, sexual abuse of children and a trade in marijuana for sexual favours in the Nauru facility was proof that the policy of detention and offshore processing was "unsustainable".

"I think the government has an opportunity to look at this positively, to say we've stopped the boats and it is time to move to a genuine regional-based solution," he said.

"The Moss report makes absolutely clear that the current solution is unsustainable. Now is the time, while there is no pressure from boat arrivals, to find a new solution."

The 2012 expert panel on asylum seekers, led by Angus Houston and Paris Aristotle, recommended regional processing.

Mr Ronalds said the government should re-engage countries like Malaysia, Thailand and Indonesia instead of the unilateral approach that has pushed asylum seekers back to those countries and cost up to \$500,000 a person kept in detention on Manus and Nauru.

Save the Children has demanded an apology from government for its nine staff deported from Nauru. The review by former integrity commissioner Philip Moss found no evidence for the claims of Immigration Department officials and former minister Scott Morris that they had coached to asylum seekers to embarrass the Abbott government.

But the review found that three rapes had probably occurred and children and women had been offered gifts by Nauruan guards in return for sexual favours.

Professor David Isaacs, a consultant paediatrician who visited the Nauru detention centre in December, said holding people in detention increased the risk of abuse and forces Australia to take full responsibility for their wellbeing compared with when asylum seekers are allowed to exist in the community while their applications for refugee status are assessed.

"The Moss report suggests that the government cannot easily keep children or adults in detention in places like Manus and Nauru and keep them safe," he said.

"If we are going to imprison people without trial they should at least be safe while that is happening. Almost no other country in the world imprisons asylum seekers like this."

The office of Immigration Minister Peter Dutton declined to comment.

<http://www.theage.com.au/federal-politics/political-news/sexual-abuse-on-nauru-shows-mandatory-detention-is-unsustainable-child-advocates-20150322-1m50k4.html>

## **28. MEDIA RELEASE: Dogs attack Nauru refugee, week-long wait for broken arm treatment**

### **NEW QUESTIONS ABOUT MEDICAL FACILITIES ON NAURU:**

### **DOGS ATTACK NAURUAN REFUGEE; AND A WEEK-LONG WAIT FOR BROKEN ARM**

Sunday March 29, 2015  
Refugee Action Coalition  
Ian Rintoul  
mobile 0417 275 713

On Thursday, 26 March, Immigration Minister, Peter Dutton compared medical facilities on Nauru to hospitals in regional Australia or a field hospital in Afghanistan.

Neither regional Australia, nor troops in Afghanistan would accept the shocking level of medical care on Nauru.

In the last week two incidents have raised more questions about the safety of refugees on Nauru and the quality of medical care. Last Tuesday, 24 March, a Pakistani refugee broke his forearm in a motorcycle accident but has been left waiting a week for surgery to set the break.

Yesterday, Saturday 28 March, a 50-year-old Iranian refugee required hospital treatment after she was attacked by dogs.

The woman, who has two children, was knocked over and left with numerous serious bites after three dogs attacked her as she was walking near one of the main supermarkets. (Photos attached.)

Wild dogs are a major safety problem on Nauru, where rabies is also endemic. It is not known if asylum seekers or refugees on Nauru are routinely vaccinated for rabies.

#### REFUGEE LEFT A WEEK TO SET A BROKEN ARM

The Pakistani refugee whose forearm was fractured in the motorbike accident on Tuesday 24 March, had been told to return to the hospital for the bone to be set on Wednesday 25 March. (Photo attached.)

On Wednesday, he was told the hospital was too busy and told to come back on Thursday when he was told to come back on Friday.

When he went to the hospital on Friday, he was told that the hospital had run out of water and that he should come back on Monday 30 March.

"It is anyone's guess whether the refugee will finally get surgery to set his broken arm tomorrow," said Ian Rintoul, spokesperson for the Refugee Action Coalition, "But it is clear that the medical facilities are not up to standard. Perhaps Peter Dutton would like to reveal which Australian regional hospitals and which military hospitals have run out of water recently."

For more information contact Ian Rintoul 0417 275 713. (Other photos on request)

## **29. Asylum seekers to be transferred from Northam detention centre to Darwin**

ABC News Online

By Nicolas Perpich

First posted Tue 24 Mar 2015, 10:10am

Updated Tue 24 Mar 2015, 10:29am

A large group of asylum seekers is due to be transferred from Western Australia's Yongah Hill detention centre to Darwin today, as the facility becomes predominantly used to house former criminals and visa overstayers.

A first batch of up to 87 people, believed to be from Sri Lanka, Nepal, India and Vietnam, were told yesterday by Serco officers to pack their belongings, the ABC has been told by several sources.

They were due to be taken by charter flight to Darwin this morning, while it is understood another large group of asylum seekers is scheduled for transfer next week.

One detainee said the asylum seekers were told by authorities they were being moved because they could not be kept safe at Yongah Hill.

In a statement, the department said transfers occurred regularly.

"Detainee transfers are routine for the department and can take place for a number of reasons, including medical appointments and operational purposes," it said.

"The department does not comment on operational matters in the detention network."

The \$125 million centre, about 90 kilometres northeast of Perth, was opened in June 2012 and has a capacity of 600 detainees.

It was established to house asylum seekers as the number of boat arrivals surged.

However, its purpose has been changing as numbers dropped off.

### ***Centre housing criminals, visa overstayers***

It has more recently housed a population made up of about half asylum seekers and half people who have breached their visa conditions or foreign nationals who have served 12 months or more in prison and were to be deported under section 501 of the Migration Act.

Today's transfer of asylum seekers would see that balance shift further away from asylum seekers, with more "501s" and visa overstayers tipped to arrive.

Tensions have escalated in the last month, with a two-day rooftop protest last week ending in six detainees being transferred to other locations.

One man is believed to have been taken to the high-security section of the Perth immigration detention centre, while others are understood to be in a prison remand centre.

One of the men transferred claimed to have been beaten by guards.

The Immigration Department has refused to answer questions on the alleged incident or say where the men have been taken and why.

Two New Zealanders and a Fijian appeared in the Perth Magistrates Court yesterday via video-link from Casuarina and Hakea prisons on charges of assaulting another detainee at Yongah Hill on March 5.

The 41-year-old victim was initially in a critical condition in Royal Perth Hospital, with injuries to his head and face, but the hospital later said he was in a stable condition.

The three accused had all been kept in Yongah Hill's Falcon compound, where the assault occurred, and were all convicted criminals awaiting deportation.

<http://www.abc.net.au/news/2015-03-24/asylum-seekers-transferred-from-northam-to-darwin/6343468>

## **30. Father says 5yo daughter tried to commit suicide in detention**

ABC Radio CAF - AM  
Felicity Ogilvie  
Saturday, March 28, 2015 08:15:00

DAVID MARK: An Iranian asylum seeker says his five-year-old daughter had been trying to commit suicide because she doesn't want to go back to Nauru.

Her father says the family has been held in detention in Darwin for the past six months, but has been told they will have to return to Nauru's Australian-run detention centre.

He says a doctor's recommendation to move his family into the community because of his daughter's state had been rejected by the Immigration Minister.

A leaked report from Save the Children says the girl was exhibiting sexualised behaviour while she was on Nauru.

Felicity Ogilvie reports.

FELICITY OGILVIE: The Moss review into conditions on Nauru mentioned several cases of sexualised behaviour by minors.

Now an Iranian asylum seeker has contacted the ABC and provided a report from the charity and advocacy group, Save the Children, that says his four-year-old daughter was exhibiting sexualised behaviour on Nauru.

The report is dated July 2014. It says the girl's sexualised behaviour is inconsistent with developmentally appropriate behaviour and exploration of body parts.

ASYLUM SEEKER (translation): Back in Nauru, the officers for Save the Children reported to me and said that they found her with her underwear and pants off, and in order to make sure they took her for examination to make sure if she had been hurt or assaulted in any way.

FELICITY OGILVIE: Her father says doctors examined his child on Nauru and found no evidence that she had been sexually assaulted.

The father says the family were moved off Nauru six months ago, not because of his daughter's vulnerabilities, but because he needs specialised medical treatment for his eyes and neck.

He says he is still waiting to see a specialist, and the family has been told they will be returned to Nauru after he is treated.

The asylum seeker says his daughter, who is now five, has tried to commit suicide.

ASYLUM SEEKER (translation): According to the consultation I have had with the mental health doctors and professionals here, they're telling me that she doesn't have good memories and good experiences from Nauru. And with the sort of remembering and going, the sort of possibility of going back there: this is why she acts out like this.

FELICITY OGILVIE: The father says mental health professionals and doctors in Darwin have recommended the family should be moved out of detention.

The asylum seeker says he has been told the family won't be moved into community detention because the request has been rejected by the Immigration Minister.

ASYLUM SEEKER (translation): I even begged them and pleaded with them to let my daughter live with an uncle. And even though I asked them, because they're in Australia, that request was also rejected.

FELICITY OGILVIE: A spokesperson for the Immigration Minister Peter Dutton says they do not comment on placement decisions for individual detainees.

They say people are often transferred to the Australian mainland for medical treatment and return to Nauru.

The barrister and refugee advocate, Julian Burnside, says if the child is returned to Nauru she could be able to sue the Government.

JULIAN BURNSIDE: The Minister really should be paying close attention to what the mental health professionals are recommending because it is a very serious thing to say that they will send a child back to Nauru where they know that child has been damaged and they know the child is trying to kill herself, rather than be returned to the place where she was damaged.

This sounds to me very much like a government which is about to act with conscious negligence in relation to the care of a child.

FELICITY OGILVIE: A spokesperson for the Immigration Minister says people are placed in detention arrangements that are appropriate for their circumstances; and the Department considers a range of factors, including mental health support, when they consider whether community detention is appropriate.

DAVID MARK: Felicity Ogilvie.

<http://www.abc.net.au/am/content/2015/s4206568.htm>