

Project SafeCom News and Updates

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1. Multinationals are avoiding billions in tax and the Coalition has no clear solution

Joe Hockey says people ask him about corporate tax avoidance every day. His preferred solution – cutting the corporate tax rate – would still leave a revenue hole. Instead, one expert suggests putting parliament back in control

The Guardian
Lenore Taylor Political editor
Friday 3 April 2015 12.19 AEDT

Big companies and multinationals spend millions to avoid billions in tax by staying just on the right side of the grey line between legal tax minimisation and illegal avoidance. □

But next week a Senate committee will be told Australia could reap billions back in extra tax revenue by changing who gets to draw that line; that instead of being drawn by the tax office in consultation with the big corporate taxpayers and their highly paid advisers it should be a decision of the parliament, the elected representatives who are supposed to be the final arbiters of tax law, but who are now being left in the dark.

The person proposing this radical idea will be Martin Lock, until last year a “profit shifting practice adviser and non-resident withholding tax risk manager” with the tax office – a very long title which basically means his work was all about drawing the grey line.

In a confronting submission to the Senate inquiry into corporate tax avoidance, Lock describes a system under which the tax office is outgunned and overwhelmed and the highly paid experts advising the major corporations thrive – and that was before he and several hundred other technical experts on big business taxation left as the public service job cuts hit. He sees the situation as so serious he proposes that it be investigated by a royal commission.

The “greyness” of the law hugely advantages the big corporations, he says, and “proving a large company or multinational has crossed the line is usually very difficult for the ATO: in only a handful of court cases has it succeeded”.

He says the real question is not the expensive legal dance over the meaning of the grey line, or the big question marks that can be left unanswered for a decade or more, but whether the laws themselves are appropriate and acceptable.

And Lock says this should be a question for the parliament, except the parliament is almost never told about the problems.

“Historically, [tax] commissioners have seen fit to only inform treasury, confidentially, so denying parliament access to information it is entitled to have on the workings of the very laws it enacted,” he says.

The tax office annual reports to parliament “invariably ... go into great detail about the ATO’s achievements of the past year, and its vision for the future, but say nothing about the “abuse” of existing laws, the presence of grey laws or the nature and circumstances of the commissioner’s secret tax settlements with large companies and multinationals”.

“Concealing or delaying the provision to parliament of information concerning perceived tax abuse, known grey law issues and secret tax settlements, serves to perpetuate tax minimisation arrangements and tax revenue leakages that parliament may have legislated to combat or prevent, had it known about it.”

The tax office will also give evidence to the Senate inquiry. Its submission insists that “most corporates pay the tax they are required to under Australia’s law” and that while “some private groups, linked to wealthy individuals with complex group structures, display more aggressive tax behaviours and characteristics” and “some multinational enterprises engage in complex profit shifting structures”, the system is basically working fine.

Executives from Google, Microsoft, Apple, News Corp Australia, Rio Tinto, Fortescue Metals, BHP Billiton and Glencore are also going to give evidence, along with corporate tax experts from PricewaterhouseCoopers, Ernst and Young and KPMG. The basic message from the corporate submissions is also that the tax system is travelling well.

But Joe Hockey has conceded there is a problem with the tax treatment of multinationals, so bad the treasurer says Australia could be “losing control of our destiny from a taxation perspective”.

“Every day someone comes up to me and says, ‘What about Google, what about Ikea, what about all these other companies that are providing services to Australia and may not be paying their fair share of tax?’,” he said.

“These large companies take the view that they’re complying with the laws, and they may well be. But the problem is, the laws have holes because the laws were designed for a Woolworths, a Coles, a Myer, and other traditional operators. They never contemplated the Googles or the Yahoos, or the emergence of Uber or Airbnb and the like. So it’s a patchwork of taxation, which means inevitably that we’re not collecting the revenue that we should be collecting and that we want to collect, that is fair.”

What the government is prepared to do about it remains unclear. It rejected a suggestion from Labor to save \$1.9bn over four years from multinational companies which avoid Australian tax by loading debt into their Australian operations, although it did

make some changes to the so-called thin capitalisation rules last year. And the Coalition is also moving to exempt 700 private companies from new tax transparency rules because of fears it could jeopardise their safety and possibly lead to kidnappings.

Hockey's tax discussion paper proposes "a lower corporate tax rate" as one way to tackle the problem because it "would reduce the incentive for tax planning and profit shifting from Australia".

"This would potentially reduce the revenue that is lost to tax planning and allow the resources devoted to tax planning and compliance activities to be used more productively in the economy," the discussion paper says.

But that's not really going to solve the revenue problem.

"The tax revenue at stake from 'unacceptable' tax planning outcomes allowed under clear law or overlooked by grey law undoubtedly runs into billions of dollars," Lock maintains.

<http://www.theguardian.com/australia-news/2015/apr/03/multinationals-are-avoiding-billions-in-tax-and-the-coalition-has-no-clear-solution>

2. Alan Rusbridger: The argument for divesting from fossil fuels

The argument for divesting from fossil fuels is becoming overwhelming

As progressive institutions, the Gates Foundation and Wellcome Trust should commit to taking their money out of the companies that are driving global warming, says the Guardian's editor-in-chief as he launches our climate campaign

The Guardian
Alan Rusbridger
Tuesday 17 March 2015 00.06 AEDT

The world has much more coal, oil and gas in the ground than it can safely burn. That much is physics.

Anyone studying the question with an open mind will almost certainly come to a similar conclusion: if we and our children are to have a reasonable chance of living stable and secure lives 30 or so years from now, according to one recent study 80% of the known coal reserves will have to stay underground, along with half the gas and a third of the oil reserves.

If only science were enough.

If not science, then politics? MPs, presidents, prime ministers and members of congress are always telling us (often suggesting a surrender of civil liberties in return) that their first duty is the protection of the public.

But politics sometimes struggles with physics. Science is, at its best, long term and gives the best possible projection of future risk. Which is not always how politics works, even when it comes to our security. Politicians prefer certainty and find it difficult to make serious prudent planning on high probabilities.

On climate change, the public clamour is in inverse proportion to the enormity of the long-term threat. If only it were the other way round. And so, year after year, the people who represent us around the UN negotiating tables have moved inches, not miles.

Full story at <http://www.theguardian.com/environment/2015/mar/16/argument-divesting-fossil-fuels-overwhelming-climate-change>

3. Australia's blind spots on the road to Paris climate deal

Countries are submitting their plans on climate change to the United Nations while Australia seems reluctant to think about a 2C global warming target

The Guardian
Graham Readfearn
Thursday 2 April 2015 06.00 AEDT

Australia appears to be developing a curious blind spot as it begins the process of deciding how little it intends to do about climate change after the year 2020.

Earlier this week Australia released a bunch of documents designed to kick-start the process of developing its target to cut greenhouse gas emissions that it will take to the major Paris climate talks in December.

At the last major talks in Lima, Australia joined other countries in signing an agreement to develop what's known as Intended Nationally Determined Contributions – or INDCs.

These INDCs are to be submitted to the United Nations Framework Convention on Climate Change (UNFCCC) well before October this year.

In November, just weeks before the Paris talks begin, the UNFCCC will publish an assessment of all the INDCs to see how close they are to achieving the target of keeping global warming below 2C.

And therein lies Australia's blind spot.

In the key issues paper released by the Department of the Prime Minister and Cabinet earlier this week, the government seems reluctant to acknowledge the 2C target – even though this has been a stated aim of the signatories to the UNFCCC ever since the ill-fated Copenhagen meeting in 2009.

At that meeting, Australia signed the Copenhagen Accord, as have 140 other countries, agreeing on that 2C goal (the latest agreement signed in Lima also notes a more ambitious 1.5C goal which some scientists now say is the only acceptable target to save the poorest countries from unmanageable impacts).

The fact sheet accompanying Australia's issues paper also ignores the 2C goal, referring instead to the original UNFCCC convention text which says the aim is to "stabilize greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system."

Australia won't be submitting its INDC until the middle of this year, but some nations have already handed theirs over to the secretariat at the UN.

The US, Russia, Mexico, Norway, the European Union and Switzerland have all submitted their INDCs and all of them mention the 2C target range.

So far, it appears there's likely going to be a substantial gap between the level of cuts that countries are prepared to commit to and the kind of ambition that might keep global warming below 2C. A 1.5C target seems entirely out of reach.

One group monitoring the commitments from countries is Climate Action Tracker. So far, none of the submissions are consistent with the world staying below 2C, the group says.

But the 2C goal isn't Australia's only blind spot on international climate change policy.

Checking the statements in the issues paper, Australia looks as though it is betting that the rest of the world won't agree to do very much.

A section outlining the country's "national circumstances" can be read as a list of excuses as to why Australia might not be as ambitious as other countries.

For example, the issues paper points out that "coal accounts for nearly 60 per cent of our total primary energy supply" and that "95 per cent of Australia's energy consumption comes from fossil fuel sources".

This, the paper says, is primarily the result of Australia's abundant energy and mineral resources and limited scope to harness hydroelectricity.

While Australia does not have a similarly "limited scope" to harness solar or wind energy, this section of the issues paper doesn't point this out.

The paper adds:

For the foreseeable future, Australia will continue to be a major supplier of crucial energy and raw materials to the rest of the world, especially Asian countries.

So in summary, Australia gets almost all its energy from fossil fuels and it wants to keep selling those fossil fuels. So please go easy on us (even though we have one of the highest GDP per capita rates in the world).

Australia seems to be ignoring the risk of maintaining business as usual while other major economies start to power down a road to developing more and more renewable energy.

A new report from the United Nations Environment Programme says that investment in renewable energy went up 17 per cent last year to \$270 billion.

And what of those Asian countries that Australia touted in its issues paper? China's investment in renewables went up by 39 per cent.

In total, developing countries including China, India and Indonesia invested \$131 billion in renewable energy – a 36 per cent rise from 2013.

When countries signed the agreement in Lima to develop their INDCs, they also agreed that those targets would “represent a progression” from their current policies.

So Australians could presume that if a deal is struck in Paris, then countries might be less inclined to burn as many fossil fuels as they were before.

Perhaps if Australia’s government stopped touting phrases like “coal is good for humanity” it might be able to remove its blind spots just in time.

<http://www.theguardian.com/environment/planet-oz/2015/apr/02/australias-blind-spots-on-the-road-to-paris-climate-deal>

4. Coal the biggest contributor to toxic air pollution: study

The Age
April 1, 2015 - 11:02PM
Lisa Cox, Natalie O'Brien

Australia's coal industry is driving increases in air pollution according to a new analysis which names coal mining as the dominant source of air particle pollution.

Environment and health groups are calling for new laws to curb rising pollution from toxic substances and "hefty penalties" for companies that breach pollution controls.

Environmental Justice Australia (EJA) has completed a three-month study that tracked five years of data voluntarily submitted by polluters to Australia's National Pollutant Inventory (NPI), which tracks emissions estimates for 93 toxic substances.

The study found coal was the leading source of particle pollution and there had been a doubling in coarse-particle pollution – called PM10 – from coal mining in the past five years.

Emissions of dangerous fine-particle pollution – called PM2.5 – from the coal industry had increased by 52 per cent in the same period, compared to a general increase across all industries of 14 per cent.

"We've failed to protect the communities of Australia," researcher James Whelan said.

"Air pollution kills more Australians than car accidents – that was noted by the Senate inquiry into the health impacts of air pollution in 2013."

The coal industry was responsible for 430,000 tonnes of coarse particle pollution in 2013-14, according to the NPI figures, a contribution of 47 per cent of the national total.

In NSW, the Hunter Valley has some of the most polluting coal mines in Australia, eclipsed only by Queensland's Bowen Basin, according to EJA's research.

Meanwhile, Victoria's Latrobe Valley is home to the nation's four highest polluting coal-fired power stations.

The Abbott government has been working toward a national air quality agreement to improve air quality and better regulate actions at a state and national level.

A discussion paper on curbing air pollution will be considered at the next meeting of federal and state environment ministers.

"Air quality in Australia is very good by world standards but it could be better, and over the coming decades as the population grows, we need to make sure that our air quality improves," a government spokesman said.

Environmental Justice Australia director of advocacy and research Nicola Rivers said the data should be "a wake-up call" for governments that had resisted calls for a crackdown on polluters.

"It's time for reform. Australia's lax air quality standards are regularly exceeded by big coal polluters who fail to implement best-practice pollution control measures, while regulators consistently turn a blind eye to the problem," she said.

The National Toxics Network (NTN) said the latest NPI data, published this week, also showed air pollution from unconventional gas activities is increasing and continuing to put the health of Australians at risk from thousands of tonnes of toxic chemicals pumped into the air every year.

Dr Mariann Lloyd-Smith, a senior advisor to the NTN, said the figures showed the volume of pollutants being emitted by the industry, including the cancer-causing chemical benzene, nitrous oxide and particulate matter.

"These are dangerous enough on their own but combine to make a really poisonous toxic soup," Dr Lloyd-Smith said.

"The adverse effects of particulate matter are well documented and there is no evidence of a safe level of exposure or a threshold below which no adverse health effects occur. The combined air pollutants can result in serious health impacts such as cancer, respiratory disease, heart attacks and stroke".

Australia is one of the few countries where the unconventional gas companies are required to self-report to the government's NPI. The NTN said the data over the past five years has shown the industry is a significant and increasing source of air pollution including particulates (PM10, PM2.5), nitrogen oxides and volatile organic compounds (VOCS), and the quantities are increasing.

<http://www.theage.com.au/federal-politics/political-news/coal-the-biggest-contributor-to-toxic-air-pollution-study-20150401-1mcwbt.html>

5. Labor calls for disability commissioner after cage built for special needs student

Bill Shorten wants role of disability commissioner, vacant since July, reinstated as former commissioner says cage in classroom 'not an isolated incident'

The Guardian
Shalailah Medhora
Sunday 5 April 2015 12.15 AEST

Labor is calling on the government to reinstate the role of disability commissioner, following the revelation a cage was built in a Canberra public school for a special needs student.

The Australian Capital Territory government has launched an independent inquiry into the case, which came to light on Friday, after a member of the school community made a complaint to the Human Rights Commission.

The commission has been without a full-time disability commissioner since Graeme Innes' term expired in July 2014. The age commissioner, Susan Ryan, has taken on the portfolio of disability since then.

"The education of students with disability must be examined in an open and transparent way, and we believe the Human Rights Commission is the right body to do this," a joint statement by the opposition leader, Bill Shorten, and the opposition's education spokeswoman, Kate Ellis, said.

Innes has urged the government to hold an inquiry into the treatment of children with disabilities in the education system.

"It's not an isolated incident," the former commissioner told Fairfax Media. "I hear about these incidents relatively regularly. I think there is a need to look at it far more broadly than just in the ACT."

Labor backs the call. "We need to hear the voice of parents of children with disabilities as well as schools and teachers in such an inquiry," the joint statement said.

"Parents of children with disability are often made to feel like troublemakers because they demand support for their child at school and that's just not right. Often our schools and teachers don't have the resources or knowledge they need to support children with disability, and too many students with disability are missing out on educational opportunities as a result."

The Senate will hold an inquiry into the abuse of disabled people in residential care in the coming months, but the federal government has rejected a nationwide inquiry into the matter.

<http://www.theguardian.com/society/2015/apr/05/labor-calls-for-disability-commissioner-after-cage-built-for-special-needs-student>

6. Human rights lawyer George Newhouse wins defamation case against News Corp's Andrew Bolt

Sydney Morning Herald
April 2, 2015 - 6:25PM
Louise Hall

Human rights lawyer George Newhouse has won his defamation case against controversial News Corp blogger Andrew Bolt.

In the NSW Supreme Court on Thursday, Justice Lucy McCallum ordered a verdict for Mr Newhouse and said News Corp was to pay his legal costs.

The terms of the order - agreed to by both parties - requires the article to be taken down from News Corp's various online sites. Other terms of the settlement are confidential.

Mr Newhouse sued over an opinion piece written by Bolt on July 10, 2014, which carried the headline "Fearmongers' hateful fraud" in The Herald Sun.

It was also published in The Daily Telegraph, The Courier Mail and The Advertiser.

In it, Bolt claimed Mr Newhouse was part of the "refugee lobby", which, he said, had fraudulently asserted that certain Sri Lankan people who had arrived by boat in Australia were genuine asylum seekers.

Bolt wrote that 41 Sri Lankan asylum seekers had recently been forcibly returned by the Australian navy because they were "economic migrants and not genuine asylum seekers".

He then said a separate group of 153 Sri Lankan asylum seekers, who were represented by Mr Newhouse in the High Court, were not more likely to be "true refugees" than the 41 who had been returned.

"So if a crime against morality has been committed, it is surely this: that so many atrocity mongers and moral posers have inflicted upon us a gigantic fraud," Bolt said.

Mr Newhouse sued for defamation. In a judgment handed down on December 11, 2014, Justice McCallum found the five defamatory imputations pleaded by Mr Newhouse were capable of arising. These included that Mr Newhouse "has fraudulently represented to the public that people whom he represents are refugees when they are not"; that he "lied to the High Court"; that he is "motivated by deceit" and that he has "acted immorally".

Lawyers for News Corp had applied to have the imputations struck out.

Justice McCallum said she agreed with the submission of Mr Newhouse's barrister, Sue Chrysanthou, that "the whole thrust of the article is to expose the fraud of the representation that his clients were refugees".

Further, she said the following paragraph written by Bolt did give rise to an imputation of deliberate dishonesty to the High Court.

"Mr Newhouse and barrister Ron Merkel QC have persuaded the High Court to issue a temporary injunction against returning these 153 to Sri Lanka and the same superheated rhetoric is heard about torture, the 'disappeared' and Nazis," Bolt said.

Bolt's article opened with the line: "Here's conclusive proof that our 'refugee lobby' is motivated by deceit, self-preening and insane hatred of the Abbott Government."

Justice McCallum said that paragraph gave rise to the imputation of motivation by deceit.

In the final orders the defendants were listed as Nationwide News, Bolt and the Herald and Weekly Times.

Outside the court Mr Newhouse said the verdict "has vindicated my reputation".

"All I was doing was standing up for the little man. I assisted a group of extraordinarily vulnerable men, women and children to make sure that they received fair treatment by the Australian government and that they were not sent back to harm," Mr Newhouse said.

"It was unnecessary, and hurtful, to be attacked for just doing my job."

A spokesman for News Corp said: "The matter has settled and therefore did not proceed to trial so there was no judicial determination of the issues in dispute."

<http://www.smh.com.au/nsw/human-rights-lawyer-george-newhouse-wins-defamation-case-against-news-corps-andrew-bolt-20150402-1mdkpc.html>

7. Personal details of world leaders accidentally revealed by G20 organisers

Exclusive: Obama, Putin, Merkel, Cameron, Modi and others kept in the dark after passport numbers and other details were disclosed in Australia's accidental privacy breach

The Guardian
Paul Farrell
Monday 30 March 2015 16.17 AEDT

The personal details of world leaders at the last G20 summit were accidentally disclosed by the Australian immigration department, which did not consider it necessary to inform those world leaders of the privacy breach.

The Guardian can reveal an employee of the agency inadvertently sent the passport numbers, visa details and other personal identifiers of all world leaders attending the summit to the organisers of the Asian Cup football tournament.

The United States president, Barack Obama, the Russian president, Vladimir Putin, the German chancellor, Angela Merkel, the Chinese president, Xi Jinping, the Indian prime minister, Narendra Modi, the Japanese prime minister, Shinzo Abe, the Indonesian president, Joko Widodo, and the British prime minister, David Cameron, were among those who attended the Brisbane summit in November and whose details were exposed.

The Australian privacy commissioner was contacted by the director of the visa services division of Australia's Department of Immigration and Border Protection to inform them of the data breach on 7 November 2014 and seek urgent advice.

In an email sent to the commissioner's office, obtained under Australia's freedom of information laws, the breach is attributed to an employee who mistakenly emailed a member of the local organising committee of the Asian Cup – held in Australia in January – with the personal information.

"The personal information which has been breached is the name, date of birth, title, position nationality, passport number, visa grant number and visa subclass held relating to 31 international leaders (ie prime ministers, presidents and their equivalents) attending the G20 leaders summit," the officer wrote.

"The cause of the breach was human error. [Redacted] failed to check that the autofill function in Microsoft Outlook had entered the correct person's details into the email 'To' field. This led to the email being sent to the wrong person.

"The matter was brought to my attention directly by [redacted] immediately after receiving an email from [the recipient] informing them that they had sent the email to the wrong person.

"The risk remains only to the extent of human error, but there was nothing systemic or institutional about the breach."

The officer wrote that it was "unlikely that the information is in the public domain", and said the absence of other personal identifiers "limits significantly" the risk of the breach. The unauthorised recipient had deleted the email and "emptied their deleted items folder".

"The Asian Cup local organising committee do not believe the email to be accessible, recoverable or stored anywhere else in their systems," the letter said.

The immigration officer then recommended that the world leaders not be made aware of the breach of their personal information. "Given that the risks of the breach are considered very low and the actions that have been taken to limit the further distribution of the email, I do not consider it necessary to notify the clients of the breach," she wrote.

The recommendation not to disclose the breach to the world leaders may be at odds with privacy law in some of their countries.

Britain, Germany and France all have different forms of mandatory data breach notification laws that require individuals affected by data breaches to be informed. It is not clear whether the immigration department subsequently notified the world leaders of the breach after the initial assessment. The office of the Australian immigration minister, Peter Dutton, did not respond to questions.

Australia's deputy opposition leader, Tanya Plibersek, called on Tony Abbott to explain why the world leaders were not notified of the breach. "The prime minister and the immigration minister must explain this serious incident and the decision not to inform those affected," she said.

Disclosure of the data breach is likely to embarrass the Australian government after controversial mandatory data retention laws were passed last week.

The passage of the laws – which require telecommunications companies to store certain types of phone and web data for two years – has been marked by concerns about the adequacy of privacy safeguards by companies and government agencies that will handle the data.

The Greens senator Sarah Hanson-Young said: "Only last week the government was calling on the Australian people to trust them with their online data, and now we find out they have disclosed the details of our world leaders. "This is another serious gaffe by an incompetent government."

Australia's immigration department was also responsible for the country's largest ever data breach by a government agency.

In February 2014 the Guardian revealed the agency had inadvertently disclosed the personal details of almost 10,000 people in detention – many of whom were asylum seekers – in a public file on its website.

<http://www.theguardian.com/world/2015/mar/30/personal-details-of-world-leaders-accidentally-revealed-by-g20-organisers>

8. G20 data email leak: ombudsman asked to investigate 'systemic problem'

Shadow attorney general says it is 'deeply concerning' that the immigration department has not improved privacy practices since it published details of nearly 10,000 asylum seekers online

The Guardian
Paul Farrell
Wednesday 1 April 2015 14.46 AEDT

The commonwealth ombudsman has been asked to investigate the immigration department after the personal details of G20 world leaders were accidentally disclosed in an embarrassing data breach.

The shadow attorney general, Mark Dreyfus, wrote to the commonwealth ombudsman, Colin Neave, on Wednesday, asking him to examine whether the immigration department was complying with its obligations under the Privacy Act.

On Monday Guardian Australia reported that the world leaders attending the G20 summit had their personal details – including passport and visa information – exposed after an employee accidentally sent an email with the data to a member of the Asian Cup local organising committee.

Although the privacy commissioner's office said it had concluded inquiries into the breach after it was notified by the department, Dreyfus said a larger inquiry was needed.

In a letter to the ombudsman, Dreyfus said: "It is clear that the department has an ongoing, systemic problem in meeting its privacy and data security obligations. An investigation by the ombudsman into the department's broader conduct is warranted.

"This is the second significant data breach within the department under the current government. In February of last year the department inadvertently published online the personal information of nearly 10,000 asylum seekers."

"It is deeply concerning that the department has evidently not improved its practices since that incident."

The department had also recommended the G20 leaders not be notified of the breach, and wrote in a letter to the information commissioner that they considered the breach to be a low risk.

Dreyfus said: "It is also deeply worrying that after becoming aware of the G20 data breach, the department chose not to notify the relevant leaders or their governments that their privacy and security had been compromised."

"Clearly, this data breach is a matter of concern to our international counterparts. The White House has now said that it is investigating the issue."

"In light of this incident, I have grave concerns about the ability of the department to competently handle the private information it is entrusted with. The minister has been completely unable to give any satisfactory reassurance."

The department has since banned an email autocomplete function that was blamed for the breach. But the change was made weeks after the November breach occurred.

<http://www.theguardian.com/australia-news/2015/apr/01/g20-data-email-leak-ombudsman-asked-to-investigate-systemic-problem>

9. Visa applicant's details emailed to wrong person in near-identical case to G20 leak

Data breach almost identical to G20 world leaders' personal details leak, but this time Australian immigration department notified and apologised to those affected

The Guardian
Paul Farrell
Wednesday 1 April 2015 14.04 AEDT

Australia's immigration department accidentally sent a visa applicant's details to the wrong person more than two years ago, in almost the same way it exposed personal details of world leaders attending last year's G20 summit in Brisbane. But in the first case it chose to notify the affected parties and made an official apology.

On Monday the Guardian reported the department accidentally disclosed the personal details of leaders, including US president Barack Obama, Russian president Vladimir Putin and German chancellor Angela Merkel, when an official accidentally emailed them to a member of the organising committee of the Asian Cup football tournament. The department has since enacted a new email policy.

New documents obtained under freedom of information laws show an almost identical breach happened in December 2012, when an email containing a visa applicant's personal details was accidentally sent to the wrong person.

The department wrote to the Privacy Commissioner that "the error occurred when the FOI case officer typed [Redacted] email address in the recipient's address space".

The information included visa details, passport information, records of academic transcripts, marriage certificates and name and date of birth.

The department chose to notify the individual affected, unlike in the case of the world leaders.

"Contacted [Redacted] over the telephone the same day to advise him of the privacy breach and the corrective action taken and to offer the department's apology. [Redacted] accepted the apology and said he was fine with it," the immigration department wrote to the commissioner's office.

"The case officer was counselled about the need to ensure that correct procedures are followed and the correct email addresses used in communications with clients at all times. The same message was reinforced with other staff in an all-staff message from the manager later that day."

It is unknown what happened to the stray email, and the department wrote that the recipient had not responded to its requests to delete the material.

Documents obtained under freedom of information laws show the department has reported five other serious data breaches to the Office of the Australian Information Commissioner since 2012.

The immigration department said a comprehensive review of its data handling practices was under way to ensure personal details were not "inadvertently or deliberately spilled externally".

A spokeswoman for the department said it took its obligations under the Privacy Act seriously.

"The department thoroughly investigates privacy breaches as soon as they are identified. All matters are referred to the Privacy Commissioner and, if appropriate, the Australian federal police.

The department declined to explain why the two breaches were treated differently.

The other previously unreported breaches included:

-- An immigration employee who resigned and may have removed personal details of clients. The referral in March 2013 said that after police executed search warrants they found "files and other papers and material concerning clients who had applied for visas and their sponsors". The officer proposed to notify the individuals of the breach when the facts became clearer.

-- A payroll officer who lost a USB stick containing staff banking and account information in May 2014. The department recommended the affected parties not be notified of the breach on the basis that the risk was considered low. The department believed that notifying the parties "would alert the public as to the information contained on the device, which potentially coupled with other personally identifiable information ... would increase the risk of identity theft".

-- Papers and documents containing other people's personal details were found in the accommodation of a former immigration employee on Christmas Island in October 2014. The referral letter said the officer had attempted to return to their accommodation shortly before leaving Christmas Island, and that it was unclear what the motivation was.

-- An email that was sent to the information commissioner relating to Save the Children, which referred to lost hard drives, a lost USB and an incident of unauthorised data distribution. It followed reports on SBS about the removal of some of this information.

The shadow immigration minister Richard Marles called the world leaders' breach a "huge embarrassment" for Australia.

The White House said it was making inquiries about the breach and would take "all appropriate steps" to ensure the security of the US president's personal information.

<http://www.theguardian.com/technology/2015/apr/01/visa-applicants-details-emailed-to-wrong-person-in-near-identical-case-to-g20-leak>

10. Scott Morrison says G20 world leaders' data breach 'highly regrettable'

Former immigration minister suggests some action may have been taken at the time to inform leaders of the breach, contradicting comments from world leaders

The Guardian

Paul Farrell

Wednesday 1 April 2015 18.03 AEDT

Former immigration minister Scott Morrison says a damaging privacy breach surrounding the G20 world leaders' personal information was "highly regrettable".

Morrison was Australia's immigration minister at the time the world leaders' passport and visa details were accidentally disclosed when an employee inadvertently sent an email containing the information to a member of the Asian Cup local organising committee.

In emails obtained by Guardian Australia, the immigration department recommended the world leaders not be informed of the breach.

On Wednesday Morrison – who is now the minister for social services – was pressed on the G20 breach, and said: "It was an individual act of human error and it is highly regrettable as I know that the secretary at the time was keen to point out to me when I was the minister in that area."

Morrison also suggested some action may have been taken at the time to inform the world leaders of the breach, saying that "appropriate steps were taken to deal with all the relevant, other national governments at the time".

The comment appears to be at odds with comments from world leaders affected by the breach. German chancellor Angela Merkel's office said she only learned about what happened from the press, while the White House said they were also examining the reports.

When asked to clarify his comment Morrison said it was "a sensitive issue and it's not one that I think is assisted by public discussion".

"The action was taken by departmental officials at the time and it was a regrettable action involving an individual act of human error and human beings are not infallible and the appropriate action was taken both within the department and whatever other advices were necessary," he said.

The New Zealand prime minister John Key told the New Zealand Herald on Tuesday he was not "overly concerned" with the breach.

"I really don't have any details on that but I wouldn't be overly concerned. I've changed my mobile phone [number] about three or four times since in the time I've been prime minister because unfortunately it gets shared quite regularly on the internet," he said.

The shadow attorney general, Mark Dreyfus, has asked the commonwealth ombudsman to launch an investigation into the immigration department after a series of data breaches raised concerns about its handling of sensitive data.

<http://www.theguardian.com/world/2015/apr/01/scott-morrison-says-g20-world-leaders-data-breach-highly-regrettable>

11. Scott Ludlam: They can't safeguard Putin's data. That means yours isn't safe either

The Australian government can't safeguard Putin's data. That means yours isn't safe, either

As the G20 data leak shows, storing data creates the potential for it to be compromised. Brace yourself for more breaches

The Guardian

Scott Ludlam

Tuesday 31 March 2015 10.25 AEDT

One of the questions I've been asked most in recent months is whether members of parliament will have their metadata stored under the government's mass surveillance regime. The answer? Absolutely.

Almost every Australian has skin in this game, including some people who really shouldn't, given the government and opposition's protestations that this regime is a vital issue of "national security".

During February's Senate Estimates, we learned that Dennis Richardson, secretary of the Department of Defence, who works alongside the minister and the chief of the Australian Defence Force, doesn't use an encrypted phone.

It's a fair bet that senior people in our defence and security organisations who work alongside him who will also be among the 23 million of us who have their metadata stored for two years.

You'd expect that regardless of its nature, the information of senior defence personnel (or say, world leaders) would be held under tight security by government and agencies that have access to it, to avoid the risk of it being compromised.

This risk was emphatically highlighted yesterday, when Guardian Australia broke the news that the immigration department had inadvertently disclosed the personal information, including passport and visa numbers, of 31 world leaders in Australia for the G20. Among the leaders whose details were leaked were Barack Obama, Vladimir Putin and Angela Merkel.

This is the same department that posted the disclosure of personal details of nearly 10,000 adults and children, including a third of all asylum seekers, a breach that could quite genuinely have put lives at risk.

The kicker to this story, beyond the fact that the information was compromised in the first place, is that it appears the immigration department recommended against telling the those leaders that the breach had occurred, because of the "low risk" it presented.

At the time of writing, the department haven't said whether or not these leaders had been subsequently notified, a moot point, seeing as they'll certainly be aware of it now.

You and I would like to be told when our data is breached. I'd wager that's a view shared by the protection and intelligence agencies of countries like China or the USA when that data belongs to their political leaders.

The Joint Parliamentary Committee on Intelligence and Security recommended in favour of the introduction of a data breach notification scheme, but this was not part of the data retention legislation that passed the Senate last week.

Such laws exist in nations including the UK, France and Germany, and they provide a fundamental level of transparency that is greatly needed, especially now that such a deeply intrusive approach such as data retention is imposed on the entire Australian population.

The federal government has committed to implementing this by the end of the year, but given the magnitude of data involved, it needs to happen a lot sooner. It's no exaggeration to say that this won't be the last of these stories we see reported.

In the case of the G20 leaders, it seems like Outlook automatically filling an email address is to blame. That's a mistake we've all made, and even in the absence of malicious intent, it demonstrates how easy it is for data to be compromised once it is trapped and stored.

The third Australian privacy principle, relating to the collection of solicited personal information, essentially says that unneeded personal information should not be collected and stored.

It goes without saying that information that doesn't exist can't be accessed through a privacy breach. This is the reality of mandatory data retention. In the name of national security, it seems that policy making has fallen completely out of line with common sense.

Just like the adage that the act of observing a phenomenon changes it, the act of trapping and retaining data creates the potential for it to be compromised. While the government and opposition adopted a unity ticket on this issue, the Greens and cross-bench worked in the Senate to at least narrow the scope of this regime, including steps to limit it to three months, establishing processes for ensuring data was destroyed properly, and reducing the number of people able to access this information in the absence of a warrant.

All of these measures were rejected. If you think data retention is a good idea, you need to brace yourself for further breaches of personal information. Breaches, it seems, that no one is immune from.

<http://www.theguardian.com/commentisfree/2015/mar/31/the-australian-government-cant-safeguard-putins-data-that-means-yours-isnt-safe-either>

12. Tim Winton's Palm Sunday plea: Start the soul-searching Australia

Sydney Morning Herald
March 29, 2015 - 9:58PM
Tim Winton

Palm Sunday commemorates the day an itinerant prophet spoke truth to power. Jesus of Nazareth arrived at the gates of Jerusalem in a parody of imperial pomp. But he was a nobody. Instead of a stallion, he rode up on a borrowed donkey. In place of an army, he had a bunch of lily-livered misfits throwing down their cloaks and palm branches as if he was a big shot.

Street theatre, if you like. And a week later he was dead. He was there to challenge the commonsense of the day. Armed with only an idea.

Jesus used to say things like this. If a child asks you for bread, will you give him a stone? Awkward things like that.

His followers called his idea The Way. Many of us are here today because the idea has stuck. We try to follow the Way of Peace and Love. Just another bunch of lily-livered misfits.

For generations, in communities all over the globe, Palm Sunday has been a day when people walk for peace and reconciliation. And not just Christians. People of every faith and of no faith at all come together as we have today in solidarity. To express our communal values and yearnings, the things that bind us rather than those that separate us.

We belong to a prosperous country, a place where prosperity and good fortune have made us powerful. Yes, whether we feel it or not, we are exceptionally powerful as individuals and as a community. We have the power of safety. We're richer, more mobile, with more choices than most of our fellow citizens worldwide. Not because we're virtuous, but because we're lucky. But we don't come here to gloat. We're here to reflect. To hold ourselves to account. We didn't come here today to celebrate power or to hide in its privileged shadow. We're here to speak for the powerless. We're not here to praise the conventions of the day, but to examine them and expose them to the truth. We're not here to reinforce the status quo. We gather to dissent from it. To register our dismay at it. We're here to call a spade a spade, to declare that what has become political common sense in Australia over the past 15 years is actually nonsense. And not just harmless nonsense; it's vicious, despicable nonsense. For something foul is festering in the heart of our community, something shameful and rotten.

It's a secret we don't want to acknowledge. We hide it from ourselves. At times, it seems we're content to have others hide it from us and for us. But we hide this dark secret at great cost. To faceless strangers. To innocent people. To powerless children. We hide this dirty secret at a terrible cost to ourselves as individuals and as a community.

What secret are we hiding? Well, it's awkward, and kind of embarrassing. You see, we're afraid. Terrified. This big, brash wealthy country. We have an irrational phobia. We're afraid of strangers. Not rich strangers. No. The ones who frighten us out of our wits are the poor strangers. People displaced by war and persecution. We're even scared of their traumatised children. And if they flee their war-torn countries in boats, well, then, they're twice as threatening. They send us into wild-eyed conniptions. As if they're armed invaders. But these people arrive with nothing but the sweat on their backs and a crying need for safe refuge. Yet, they terrify us. So great and so wild is our fear, we can no longer see them as people, as fellow humans. First, we criminalised them. Then, we turned them into faceless objects. Cattle. Well, maybe that's not quite right. You see we're sentimental about cattle. Especially cattle on boats. We have values, you see, standards of decency. We hate to see suffering. We're moved to pity.

But for someone seeking asylum, someone arriving by boat, this special species of creature called a "boat person", the pity isn't there. Pity is forbidden. All the usual standards are overturned. Their legal right to seek asylum is denied. They're vilified as "illegals". And their suffering is denied. As if they're not our brothers and sisters. Yes, we hate suffering. But apparently their kind of suffering is no longer legitimate. And therefore, it's no longer our problem. Our moral and legal obligations to help them are null and void.

Since August 2001, Australians have gradually let themselves be convinced that asylum seekers have brought their suffering and persecution and homelessness and poverty on themselves. Our leaders have taught us we need to harden our hearts against them. And how obedient we've been, how compliant we are, this free-thinking, high-minded egalitarian people.

We're afraid. But the government has made them go away. They have stopped the boats. And spirited the victims away. Now, we don't have to see their suffering. In fact, we're not allowed to see it. They're out of sight, and out of mind. And here at home, all is well, all is calm again. For the past few years, as traumatised people have fled towards safety, towards what they believed was a civilised and compassionate haven, our national peace of mind has been built upon the hidden, silent suffering of others.

And that, my friends, is what our elected representatives have done. Using the military, using warships. Using spin and deception in Parliament. Shielding its deeds from media scrutiny. With the collusion of our poorer neighbours, the client states of Nauru and PNG. The political slogans have ground their way into our hearts and minds. The mantras of fear have been internalised. We can sleep at night because these creatures are gone. It wasn't enough to turn these people away. We had to make them disappear.

So. All is well. Nothing to be afraid of any more. Until we find other poor people to be afraid of. Folks who are here already. Australians who are poor and powerless and, therefore, somehow troublesome, embarrassing, even dangerous. Because that's the thing. Once you start the cycle of fear, there's always someone new and different to be afraid of, some new group to crack down on.

But will we ever sleep easy? I wonder. Because there'll always be the creeping suspicion that some poor person could be white-anting our prosperity, our privilege, our Australian specialness. Or maybe we won't sleep because, deep in the back of our heads, somewhere in our spirit, we'll feel a flicker of shame, a twinge of conscience. Maybe I caught a glimpse of a child's face behind the wire. For a second, I saw a resemblance. Could have been my kid, my grandkid, the little girl next door. Just a kid. A face behind the wire.

My friends, we weren't always this scared. We used to be better than this. I remember because I was a young man when we opened our arms and hearts to tens of thousands of Vietnamese. Australians were poorer then, more awkward, less well travelled as a people. And yet, we took pity on suffering humans. No cages, no secret gulags. We had these people in our homes and hostels and halls and community centres. They became our neighbours, our schoolmates, our colleagues at work. I was proud of my country, then, proud of the man who made it happen, Malcolm Fraser, whose greatness shames those who've followed him in the job. Those were the days when a leader drew the people up and asked the best of them and despite their misgivings, Australians rose to the challenge. And I want to honour his memory today.

It breaks my heart to say it, but fear has turned us. In the past 15 years, it's eaten into our public spirit and made a travesty of our most sacred values, the very things we thought we stood for as a society: our sense of decency, fairness, justice, compassion, openness. In our own time, we have seen what is plainly wrong, what is demonstrably immoral, celebrated as not simply pragmatic but right and fair. It's no accident that both mainstream political parties have pursued asylum seeker policies based on cruelty and secrecy. First, pandering to irrational public fear and then at the mercy of it. Because these policies are popular. I don't deny it. It hurts me to acknowledge it. But it's a fact. A hard-hearted response to the suffering of others has calcified and become the common sense of our day.

We used to be better than this. I still believe we're better than this.

So what's happened to this country? I'm confused. I read the news. But as events unfold, I don't always recognise my own people. This still looks like the country I was brought up in but it doesn't always feel like it. You think mining royalties have had a dip? Well, spare a thought for the Fair Go. Because that currency has taken a flogging. There's a punitive spirit abroad, something closer to Victorian England than the modern, secular, egalitarian country I love.

In the days of Charles Dickens, child labour was acceptable, respectable. It was common sense. So was the routine degradation of impoverished women. Charity was punitive. Until Victorian reformers like Dickens exposed the common sense of his era as brutal nonsense, the suffering of children was inconsequential. The poor were human garbage. They were fuel. Victorian England extracted energy and sexual pleasure from the faceless bodies of the poor. When they became a nuisance, they were exported, "offshored". In chains. Some of these faceless, degraded people were our ancestors. Mine was an unaccompanied minor, a little boy. A boy consigned to oblivion. A boy without a face. I've been thinking of him lately. Public events have made it unavoidable.

And yet from this brutish convention, this hellish common sense, we made something new here in this country, something better. Where Jack was as good as his master. We turned away from the callous feudalism of the Old World and made this place a haven for decency. We granted everyone a face. Some, to our shame, later than others.

The face is the window of the soul. It's the means by which we make ourselves known. To those of us of religious faith, it's the means by which we recognise the Divine spark in each other, the presence of God. To those who aren't religious, it's the way we apprehend the sacred dignity of the individual. We present ourselves to one another face-to-face, as equals. When you rob someone of their face, of their humanity, you render them an object.

In this country, a nation built upon people fleeing brutes and brutality for 200 years, we have a tradition of fairness and decency and openness of which we're rightly proud. Whether we're inspired by the Christian parable of the Good Samaritan, the universal dignity of humankind, or the sanctity of the individual, we've always thought it low and cowardly to avert our gaze from someone in trouble or need, to turn our face from them as though they did not exist. When I was a kid, there were a few salty names for people like that. You didn't want to be called out as one of those. That's where our tradition of mateship comes from. Not from closing ranks against the outsider, but from lifting someone else up, helping them out, resisting the cowardly urge to walk by. It distinguished this country from the feudalism and patronage of the Old World. When the first boat people arrived in the late '70s, we looked into their traumatised faces on the TV and took pity despite our misgivings.

Now, of course, we don't see faces. And that's no accident. The government hides them from us. In case we feel the pity that's only natural. Asylum seekers are rendered as objects, creatures, cargo, contraband, and criminals. And so, quite deliberately, the old common sense of human decency is supplanted by a new consensus. Built on hidden suffering, maintained by secrecy. Cordoned at every turn by institutional deception. This, my friends, is the new common sense. According to this new dispensation, Australia does not belong to the wider world. We're nobody's fool. We have no obligations to our fellow suffering humans. Unless it suits us. Because we are exceptional. And beyond reproach. It seems we are set to distinguish ourselves by our callousness, by our unwavering hardness of heart. We will not be lectured to by outsiders. Or, come to think of it, by insiders, either. Not about human rights, not about torture, not about the incarceration of children. We will bully critics and whistleblowers into silence. We will smear them. We will shirtfront them.

Which is to say that we live now as hostages to our lowest fears. But to assent to this newly manufactured common sense is to surrender things that are sacred: our human decency, our moral right, our self-respect, our inner peace. To passively assent to this is to set out together on a road that leads to horrors, a path from which we must turn back before we lose our way entirely.

To those in power who say they're exiling and caging children for their own good, I say we've heard that nonsense before. So, don't do it in my name.

To those who say they're prolonging misery to save life, I say I've heard that nonsense before. You don't speak for me; I don't recognise your perverse accountancy.

To those in power who say the means will justify the end, I say I've heard that nonsense before. It's the tyrant's lie. Don't you dare utter it in my name.

To those who say this matter is resolved, I say no. For pity's sake, no. For the love of God, no. A settlement built on suffering will never be settled. An economy built on cruelty is a swindle. A sense of comfort built upon the crushed spirits of children is but a delusion that feeds ghosts and unleashes fresh terrors.

If current refugee policy is common sense, then I refuse to accept it. I dissent. And many of my countrymen and women dissent alongside me. I don't pretend to have a geopolitical answer to the worldwide problem of asylum seekers. Fifty million people are currently displaced by war and famine and persecution. I don't envy those who make the decisions in these matters, those who've sought and gained the power to make decisions in this matter. I'm no expert, no politician. But I know when something's wrong. And what my country is doing is wrong.

Prime Minister, forget the boats for a moment. Turn back your heart. Turn back from this path to brutality. Turn back from piling trauma upon the traumatised. Because it shames us. It grinds innocent people to despair and self-harm and suicide. It ruins the lives of children. Give these people back their faces, their humanity. Don't avert your gaze and don't hide them from us.

Because the secret won't hold. It's out already. There are witnesses. There will be testimony. We will remember. In another time, and very soon, I think, our common sense will be nonsense. And you'll have to ask yourself, was it worth it? This false piece of mind, this stopping of the boats. Was it worth the price paid in human suffering? You're not alone; the rest of us will have to face it, too.

Jesus said: "What shall it profit a man to gain the whole world only to lose his soul?" And I wonder: What does it profit a people to do likewise, to shun the weak and punish the oppressed, to cage children, and make criminals out of refugees? What about our soul as a people?

We're losing our way. We have hardened our hearts. I fear we have devalued the currency of mercy. Children have asked for bread and we gave them stones. So turn back. I beg you. For the children's sake. For the sake of this nation's spirit. Raise us back up to our best selves. Turn back while there's still time.

This is author Tim Winton's speech at the Palm Sunday Walk for Justice4Refugees in Perth.

<http://www.smh.com.au/comment/tim-wintons-palm-sunday-plea-start-the-soulsearching-australia-20150329-1ma5so.html>

13. The Most Exciting Part of The Cricket World Cup? The Refugee Protest You Almost Missed

Was it a bird? A plane? A drunken stalker? No, it was the latest attempt to draw the world's attention to Australia's human rights abuses. Max Chalmers reports.

New Matilda
30 Mar 2015
By Max Chalmers

It was the dramatic protest witnessed by millions of people around the world, but understood by few.

Yesterday's cricket world cup final was a bland affair from a sporting perspective, with Australia hardly breaking a sweat on their way to an easy victory over New Zealand.

Before a single ball had been bowled that the day's most dramatic spectacle had already taken place.

In front of a record 93,000 strong crowd, and the countless millions watching around the world, AJ Van Tonder was standing on the sidelines of the MCG, ready to make a dash onto the field and, inevitably, be brought down by a pack of burly security guards.

Unlike most who take part in Australia's proud history of streaking, Tonder had not been drinking, and wasn't even naked. In fact, the 23-year-old was wearing a specially made cape, and in a very sober frame of mind.

"In some ways it feels kind of freeing, but it's not really about the experience, it's more about the message that we're trying to get out," Tonder told New Matilda this morning.

Tonder isn't an avid cricket fan, but he insisted his actions were not designed to interrupt the game or ruin it for spectators. With unblinking bipartisan support for harsh refugee policy continuing, the real goal was to spark international coverage of Australia's current policies.

"Really the aim is to cause the international community – including overseas governments, businesses, companies, and individuals – to take a look at what Australia is doing around asylum seekers, to realise the Australian government is breaking a heck of a lot of international laws and agreements through their treatment of asylum seekers, and somehow get people to start to put pressure on the government from the outside."

As the video shows, Tonder made it out to the middle of the field, gave the crowd a friendly wave, and was thrown to the ground.

"A lot of us feel like the time has come to take more direct actions and more risky actions, where it might be possible that people get arrested, to take the issue to the next level and force more of a change rather than just asking politely for politicians to make changes that they're not really willing to make at the moment," Tonder said.

It's not the first time Tonder has made a dramatic dash for refugee rights.

Decked out in his white 'I heart Refugees' shirt and a red cape with 'Justice 4 Refugees' printed on it, Tonder ran onto the field during Australia's first world cup match against England in February.

While that first effort got some traction, including coverage in the British media, most outlets appear to have totally missed the intention of yesterday's action, with many reporting Tonder as a run-of-the-mill stalker.

"I feel like the media at the moment, the mainstream media, seems to have this thing about not publicising protest," he said.

While Tonder's sprint was largely misreported, Sunday's Palm Sunday protests, which attracted an estimated 15,000 people in Melbourne, did manage to grab some headlines.

The protests came in the wake of the independent Moss Review, which found evidence of sexual assaults on Nauru and violence against asylum seekers in detention centres.

The Review also found no evidence aid workers removed from Nauru had encouraged asylum seekers to self-harm, despite then Minister for Immigration Scott Morrison airing the allegations in October last year.

For Tonder, the issue of refugee rights is not an abstract political question.

"A lot of my motivation comes from personally knowing some detainees, or ex-detainees, and understanding more about the experience they've been through, and the experiences they're still going through," he said.

"I think a lot of Australians who are either apathetic about the issue or generally for rougher treatment of asylum seekers, if they actually got to know asylum seekers and refugees they would change their opinions straight away."

The idea of using international sporting events to draw attention to the plight of refugees was inspired by a similar action during the Australian Open final.

Aside from a few bruises, Tonder's reward for the stunt was a 24-hour ban from the MCG – the same kind of ban usually reserved for patrons who are drunk, set off fireworks, or damage and deface the stadium.

Tonder was also charged after the first incident and is expecting another court appearance notice after yesterday's protest. He said he could be facing up to \$18,000 worth of fines.

He hopes the political motivations of the action will help him escape the highest order punishment.

"It's not just for showmanship...and also I wasn't naked while I was doing it, so hopefully that will count in my favour as well," he said.

Tonder said he understood acts of civil disobedience were not for everyone, but that people could still make a difference by writing to their MPs about the treatment of asylum seekers, signing petitions, visiting detention centres, and donating to organisations like the Asylum Seeker Resource Centre.

After being ejected from the MCG, the lone protester went round to a friend's place where he watched the rest of the New Zealand innings. Bowled out for just 183, he'd already put on a better show than they managed to muster.

<https://newmatilda.com//2015/03/30/most-exciting-part-cricket-world-cup-refugee-protest-you-almost-missed>

14. Mike Steketee: A review into Morrison's immigration excesses

Scott Morrison's determination to cement his reputation as the hard man of the Abbott Government led him to repeatedly ignore due process and seize on unverified information coming out of Nauru and Manus Island, writes Mike Steketee.

ABC The Drum

By Mike Steketee

Posted Mon 30 Mar 2015, 9:56am

Scott Morrison is a living, breathing example of how overweening ambition can lead to over-reach.

By any objective standard - that is, one that looks beyond the popularity of his actions in stopping the boats - his reputation as the current golden boy of Liberal true believers deserves to be challenged. He has escaped very lightly over his excesses, including his habit of rushing to judgment.

The recent Moss report uncovered serious allegations of sexual and other physical assaults on women and children, including two rapes, at the detention centre on Nauru - an indication of just how inadequate the facilities and security are on the island. It also found as unjustified the removal by the government of Save the Children staff from Nauru over unsubstantiated claims that they were encouraging asylum seekers to protest and self-harm and helping them to fabricate sexual assaults to generate public sympathy - claims that were given great public credence by Morrison as immigration minister.

It is not the first time that Morrison, in his eagerness to advance his credentials, has seized on information that turned out to be wrong. Last year, at a news conference in the wake of the riot on Manus Island which killed Iranian asylum seeker Reza Barati and injured about 70 others, he heaped blame on the victims.

"Last night on Manus Island was a deliberate attempt to disrupt the operations of our offshore processing centre," he said. "Transferees" (Morrison's typically dehumanising description) had pushed down fences and moved outside the detention centre, with the Papua New Guinea police called in to restore order and reportedly firing shots. As to suggestions from journalists that it actually was people from outside who came in to attack asylum seekers, "that is not how the fence went down".

"If people are going to seek to disrupt the centres and knock fences over and engage in disorderly and indeed violent behaviour, then they will put themselves at risk if they go beyond that perimeter fence and I don't think that is behaviour that should be encouraged," said Morrison.

Perhaps not, but that's not what happened, as Morrison admitted when he eventually corrected the record four days later. The murder of Barati and injuries to others took place inside the detention centre, mainly at the hands of PNG police and the contracted staff who were meant to protect them.

The trigger for the rioting by about 30 per cent of the asylum seekers was a meeting with officials that left them frustrated about the processing of their claims. Yet seven months later, Morrison chose to record a video for asylum seekers on Manus and Nauru in which he emphasised that they would never be coming to Australia and tried, unsuccessfully, to encourage them to go home. That had the same effect as the Manus meeting: it made desperate people more desperate.

Protests broke out on Nauru, including people attempting suicide and sewing their lips together. A few days later, Morrison called a news conference to announce an inquiry into alleged sexual assaults on Nauru and claims that Save the Children staff on the island were encouraging protests and self-harm by asylum seekers.

Morrison presented the information in such a way that it seemed to render the inquiry largely superfluous. He said he had received "a set of reports which indicate with a high degree of probability that there has been a campaign that involves the making of allegations in order to seek to undermine public confidence in the offshore processing policy". This was a reference to claims that allegations of sexual assault had been fabricated. That was enough in his mind to justify the removal of 10 Save the Children staff from the island. Yet there was no similar move to deal with staff working for other contractors accused of much more serious behaviour, including sexual assaults.

Once again Morrison was mistaken. The inquiry conducted by Philip Moss, the former integrity commissioner, found the action against Save the Children was based on an intelligence report by Wilson Security, one of the contractors on Nauru, that suggested staff were encouraging protests, coaching asylum seekers to self-harm and helping fabricate allegations of sexual and other physical assault. These were supposed to be designed to arouse public sympathy, which would have been a direct threat to the Government's policy of demonising and dehumanising asylum seekers, not to mention keeping them out of sight and out of mind.

Under pressure from the Immigration Department, Wilson Security provided 10 names of Save the Children staff, even though it made clear there was no firm evidence of their involvement. The department went ahead and signed an order to remove them, although the Moss review was told (presumably by an Immigration official, although the name is redacted) that "the evidence to substantiate the decision might be viewed in hindsight as being somewhat flimsy".

Moss added:

No details of any specific allegations concerning the 10 Save the Children staff members were provided to the Department before it issued the Notice of Remove and the Department has confirmed that it did not request such details.

Wilson Security thought that once the names were provided an investigation would follow. There was none. The Save the Children staff were not even told of the allegations against them, let alone given an opportunity to respond. "This situation has had significant consequences for their employment," said the Moss report.

Moss concluded that his inquiry "has not obtained any information which substantiates the alleged misconduct". It recommended the Immigration Department review the decision to remove them, provide the Save the Children employees with the information they were denied, and give them an opportunity to respond.

If this were just the case of a department going too far, then the minister's responsibility was clear: to rein it in and ensure there was some semblance of due process. Morrison did the opposite. According to transcripts of interviews with Moss leaked to New Matilda, Morrison was "shit worried" that the escalating tensions triggered by his video would erupt into full scale rioting with even worse consequences than those on Manus.

Mark Cormack, then a deputy secretary of the department, told Moss that, from the time he told Morrison of his proposed action to remove the Save the Children staff, he was "clearly on my back... [He said] have you dealt with those people? Have you dealt with those people?"

The pattern is clear. There has never been a more gung-ho immigration minister and that is saying something, given the progressively more brutal treatment of asylum seekers over the years. Morrison was determined to cement his reputation as the hard man of the Abbott Government, baulking at nothing to fulfil his goal of stopping the boats. The Refugee Convention has been trashed and relations with Indonesia strained. Supported by Labor, Morrison has dressed up the policy as a humanitarian action to stop people drowning, ignoring that they are now making dangerous journeys to other countries.

The Government received the Moss report in early February but did not release it until last Friday. It was the day of Malcolm Fraser's death, which the government assures us was a coincidence rather than an attempt to make what were unwelcome findings pass unnoticed.

Fraser's state funeral on Friday was a reminder of how far we have regressed on refugee policy. The Fraser government in 1979 was confronted with a crisis, with Cabinet documents released by the National Archives in 2010 warning that up to three million Indochinese (predominantly Vietnamese) could flee and up to 150,000 could arrive by boat. Yet it rejected options put before Cabinet, including turning back boats, offshore processing, a large detention centre on the mainland, and temporary refugee visas - all policies adopted by subsequent governments, starting with Keating. Instead, after co-operating with other nations to discourage most of them from coming by boat, the Fraser government accepted refugees from camps in Indochina and about 150,000 Vietnamese subsequently came to Australia, including as migrants.

Morrison has moved on from Immigration, now focused as Minister for Social Services on broadening his image and positioning himself for a future tilt at the leadership. But he should be held to account for the mess he has left behind, including Save the Children staff taking legal action against the government and a likely Senate inquiry prompted by the Moss review's findings.

Mike Steketee is a freelance journalist. He was formerly a columnist and national affairs editor for The Australian.

<http://www.abc.net.au/news/2015-03-30/steketee-scott-morrison/6357930>

15. Human Rights Commission president Gillian Triggs hits back at the critics

Exclusive interview: the president of the HRC speaks about how the Coalition 'doesn't understand' the commission's role, the Australian's campaign against her and her resolve to take the HRC further into the mainstream

The Guardian
Lenore Taylor Political editor
Wednesday 1 April 2015 06.05 AEDT

Gillian Triggs has hit back at critics in the government and the media, accusing Coalition politicians of "profoundly" misunderstanding the role of the Human Rights Commission, and the Australian newspaper of running a concerted campaign to achieve the commission's abolition.

In an interview with Guardian Australia, Triggs also called for the Coalition senator Ian Macdonald to explain the "badgering" and "belligerent" nature of questions to the commission in the Senate committee he chairs and revealed a new direction for the commission's future work.

Ongoing tensions between the commission and the government came to a dramatic head in February when Triggs said the attorney general, George Brandis, sought her resignation as its president and Tony Abbott said the government had "lost

confidence" in her. The prime minister also labelled the commission's report on children in immigration detention a "blatantly political, partisan exercise" and a "political stitch-up".

After eight hours of questioning at a Senate estimates inquiry in February, Triggs and the commission were called back last Friday for a further three hours. Questioning returned to a commission report brought down last June on the case of John Basikbasik, a West Papuan activist and refugee who served seven years in jail for the manslaughter of his partner, who was reportedly pregnant at the time. Basikbasik has been held in detention for a further eight years because he cannot be sent back to Indonesia, but is considered a risk to the community.

Abbott said the commission's ruling that Basikbasik "be released" was "pretty bizarre" and demonstrated "extremely questionable judgment". The social security minister, Scott Morrison, said this week the decision was "absolute nonsense". The immigration minister, Peter Dutton, said suggestions that "wife killers should be released back into the community with a cheque from the taxpayer are so far removed from the public view, it is just offensive".

Full story at <http://www.theguardian.com/australia-news/2015/apr/01/human-rights-commission-president-gillian-triggs-hits-back-at-the-critics>

16. Gillian Triggs, Human Rights Commissioner, is 'out of touch', says Scott Morrison

Social services minister says Australians 'are not mugs' but Triggs defends her compensation ruling for convicted killer

The Guardian
Shalailah Medhora
Monday 30 March 2015 18.56 AEDT

The federal government has continued its criticism of Gillian Triggs, saying the head of the Human Rights Commission is "out of touch" for calling into question the detention of a convicted killer.

A Papuan refugee, John Basikbasik, killed his pregnant partner in 2000.

He was sentenced to seven years' jail for manslaughter, but remained in Villawood detention centre after his release. He could not legally be sent back to Indonesia, where he may have faced persecution for his role in the West Papuan independence movement.

The commission recommended Basikbasik be awarded \$350,000 for being held in detention without charge.

The social services minister, Scott Morrison, denied Basikbasik's request for a bridging visa in 2013, when Morrison was immigration minister.

"It's just completely out of touch," Morrison said on Monday.

"Australians are generous people, but they're not mugs and they know that that's absolute nonsense," Morrison said of the compensation ruling.

Triggs appeared before a Senate committee on Friday, where she defended the payout as "reasonable".

"I think a fair-minded person would say that to be held for eight years without a charge, without a trial, and without consideration as to whether alternatives could be considered for this man, especially in light of the psychiatrist's evidence that a management plan had not been developed for him, would consider the compensation proposed was a reasonable one," she said.

In January the prime minister, Tony Abbott, said the ruling by Triggs and the commission showed "extremely questionable" judgment.

"Decisions like this do, I think, tend to shake people's confidence in institutions like the Human Rights Commission," he said in January.

Triggs was put under sustained criticism from the government for several months before the commission released its damning report into children in detention.

Triggs was questioned by a Senate committee for eight hours on the report last month. Under questioning, she said the secretary of the attorney general's department had offered her another role if she resigned as president of the commission.

<http://www.theguardian.com/australia-news/2015/mar/30/gillian-triggs-human-rights-commissioner-out-of-touch-says-scott-morrison>

17. Refugee lawyer's Clooney call

The West Australian
Helen Shield
March 23, 2015, 1:30 am

One of the nation's senior barristers, Julian Burnside, has started a campaign to convince the International Criminal Court to investigate Prime Minister Tony Abbott and former immigration minister Scott Morrison for crimes against humanity committed on refugees in offshore detention centres.

Mr Burnside, a Melbourne QC, told a Perth audience at the weekend he was trying to recruit high-profile international lawyers, including Amal Clooney, to conduct the investigation.

"If we got Tony Abbott, Scott Morrison and a couple of others in the dock at The Hague, the Nuremberg Defence ("I was only following orders") wouldn't work," Mr Burnside told a sold-out auditorium at the University of WA.

"I'm working on a plan to persuade the ICC to investigate the things that we are concerned about.

"I think the fact that an investigation was happening would have a real, chilling effect on their conduct.

"I'm trying to recruit (leading British barrister) Geoffrey Robertson and Amal Clooney."

In his lecture *We Are Better Than This*, Mr Burnside outlined his concerns about what he described as Australia's failure to deal decently with vulnerable people fleeing persecution and torture and the moral failure of Labor and coalition governments over more than 15 years to deal humanely with refugees.

He paid tribute to former prime minister Malcolm Fraser, another outspoken critic of Australia's refugee policies, who died on Friday.

He said Australia would be better off redirecting some of its \$4 billion to \$5 billion spending on offshore processing and border protection to the UNHCR to quickly and humanely process claims for asylum in Indonesia and Malaysia.

In a post-lecture conversation with Janet Holmes a Court, Mr Burnside reiterated his view that the Federal Government bore a heavy responsibility for misleading Australians about asylum seekers.

"We have seen in history how otherwise civilised people can be persuaded to tolerate intolerable conduct on their behalf by their country," he said.

"We've been induced to think of boat people as criminals. A three-year-old child? Really? We are frightened of a three-year-old child? That's why children in detention has always been a weak spot. Once we see past our fear we are capable of very good things."

<https://au.news.yahoo.com/thewest/a/26762506/refugee-lawyers-clooney-call/>

18. Manus Island: Refugee Reza Mollagholipour stopped by PNG government from going to mainland for work

ABC News Online
By Papua New Guinea correspondent Liam Cochrane
First posted Wed 1 Apr 2015, 4:17pm
Updated Wed 1 Apr 2015, 5:03pm

An Iranian man who has a one-year refugee visa for Papua New Guinea has been told he cannot leave Manus Island to look for work on the mainland until a formal resettlement policy is created.

In January, Reza Mollagholipour became one of the first to be granted refugee status, released from the Australian-run detention centre and housed at a transit centre elsewhere on Manus Island.

Keen to move on, the 38-year-old civil engineer arranged three job interviews in Port Moresby on the PNG mainland.

"[Starting] to work means that I can start my life, my real life," he told the ABC.

Mr Mollagholipour borrowed money from a friend in Australia and booked a plane ticket.

In mid-March he wrote to PNG immigration, site manager of the transit centre Wilsons Security, and Transfield Services informing them of his intention to travel on March 28.

Mr Mollagholipour said the night before he was due to fly he had two visits by PNG immigration officials urging him not to leave.

Lack of resettlement policy cited in letter forbidding travel

At about 11:00pm (local time) he was given a letter from PNG chief migration officer Mataio Rabura forbidding his travel.

"I am writing to reiterate my directive which I am informed has been communicated to you by PNG immigration staff in Manus that you are not to leave Manus until I give the clearance for you to do so," the letter said.

The letter gave three reasons why Mr Mollagholipour was forbidden to leave Manus Island, beginning with the fact the PNG government had no formal policy about how or where to resettle refugees.

Despite signing the Refugee Resettlement Agreement with Australia in July 2013, the PNG government is yet to approve a resettlement policy and is still holding consultative workshops.

"We are working very hard to ensure this policy is in place within the next month," Mr Rabura wrote on March 27.

Secondly, Mr Rabura said there would be no support offered to any refugee who strikes out on his own.

"Finally and most importantly, as the administrator of the centre I am authorised under the Migration Act to place conditions on your visa," he wrote.

By the time the rejection letter was delivered, it was too late to cancel the plane ticket and so Mr Mollagholipour said he wasted the money he had borrowed.

Mollagholipour addresses case with Immigration Minister

On Monday, Immigration Minister Peter Dutton arrived on Manus Island for a visit that lasted several hours.

He was accompanied by Operation Sovereign Borders commander Major General Andrew Bottrell.

Mr Mollagholipour said he met with Mr Dutton and explained his situation to the minister, who said it was under consideration by PNG.

A spokesman from Mr Dutton's office said the minister did not discuss individual conversations.

"We are working with the PNG government to explore employment and accommodation options for those coming through the transit centre to live in the PNG community," Mr Dutton's spokesman said.

An earlier media release praised the PNG government for its work.

"The PNG government is continuing its processing of protection claims and I anticipate more refugees will move to the transit centre in the coming weeks," Mr Dutton said.

Despite the minister's confidence in the PNG government, Mr Mollagholipour said he knew of more than 30 asylum seekers or refugees at the detention centre who wanted to move to the transit facility.

"Why you didn't allow them to come here? Because they don't have any plan," Mr Mollagholipour said, referring to the PNG government.

Once the poster boy for the resettlement arrangement, Mr Mollagholipour is now frustrated with what he called lies and a lack of a plan for resettlement.

"PNG has a lot of friendly and [likeable] people but ... that [immigration] part of this government, unfortunately, was lying to me and at the moment were lying," Mr Mollagholipour said.

There are 10 refugees in a similar situation to Mr Mollagholipour at the transit centre and around 1,000 men who have not got that far and are still in detention on Manus Island.

One of Mr Mollagholipour's biggest concerns is that he has now missed his job interviews because of the PNG travel ban and may be considered unreliable as a potential employee.

"I want to continue, to keep going forward but it is [a] very difficult situation - for everyone, not just me - we are very confused now," he said.

<http://www.abc.net.au/news/2015-04-01/refugee-not-allowed-to-leave-manus-island-to-find-job-png-govt/6366086>

19. Richard Marles bumped from Manus visit after Labor backs Senate inquiry

The Age
March 31, 2015 - 8:18AM
Michael Gordon

Labor's immigration spokesman Richard Marles has been bumped off a VIP jet flight to the Manus Island asylum seeker detention centre after Labor supported a new inquiry into the centre operating on Nauru.

Immigration Minister Peter Dutton, who will inspect the Manus Island facility on Tuesday, had offered Mr Marles a seat on the plane, but the offer was withdrawn 24 hours after Labor backed the Senate inquiry.

No reason was given for the decision late on Friday, but it came after Mr Dutton's office attempted unsuccessfully to persuade Labor to oppose the inquiry, which will investigate whether the Abbott government is meeting its duty of care to detainees.

The inquiry was prompted by an independent report by former integrity commissioner Philip Moss that found evidence of rape, sexual assault of minors and guards trading marijuana for sexual favours from female detainees inside the Nauru centre.

The government opposed the Senate inquiry, arguing that any review should be conducted after it had time to implement recommendations in the Moss report aimed at improving safeguards against abuse of detainees.

One former case worker employed by Save The Children has signalled a willingness to appear before the Senate and outline allegations that go well beyond those described in the Moss report.

A document prepared by the former case worker alleges multiple failures in the duty of care, with shortages of clothing, footwear and toiletries, sexual intimidation of females inside and outside the centre and inadequate health and mental health services.

"The Australian public is not provided the legitimate facts or the reality of the situation in Nauru," the case worker says.

The period for submissions to the inquiry began on Monday and will end on April 27. The inquiry is due to report on June 15 and is made up of two Coalition, two Labor and one Green senators, who have voting rights and will report on the outcome. Senators who can appear to ask questions include cross-benchers Ricky Muir, Jacqui Lambie and Glenn Lazarus.

A spokeswoman for Mr Dutton said Mr Marles was advised last week that due to "operational reasons" there was no longer room on the plane for him. "He was encouraged to look into commercial options to join the delegation if he wishes," the spokeswoman said.

She said Mr Marles recently flew with Mr Dutton to inspect the Nauru centre, adding the former immigration minister Scott Morrison had not been afforded this courtesy when Labor was in power.

The Moss review made 19 recommendations, all of which were accepted by the government. They included proposals aimed at improving the framework for preventing, identifying and investigating incidents of sexual and other assault inside the centre.

It is understood that the government urged Labor and cross-bench senators to vote against the Senate inquiry on the basis that it should be given time to implement and bed down the recommendations. Mr Marles rejected this argument, insisting the matters raised in the Moss review should be "appropriately examined".

<http://www.theage.com.au/federal-politics/political-news/richard-marles-bumped-from-manus-visit-after-labor-backs-senate-inquiry-20150330-1mb2xp.html>

20. Iranian asylum seeker on hunger strike in Perth hospital reportedly near death

ABC News Online
By Stephanie Dalzell
First posted Tue 31 Mar 2015, 12:16pm
Updated Tue 31 Mar 2015, 12:32pm

A 25-year-old Iranian asylum seeker who has been on a hunger strike for almost 40 days is near death in a Perth hospital, the ABC has learned.

It is understood Saeed Hassanloo is being treated at Royal Perth Hospital after being transferred from Yongah Hill Immigration Detention Centre on March 10.

He has been refusing food for 37 days, and the ABC has been told doctors fear he will not survive if he does not eat soon.

Mr Hassanloo has been fighting for a visa to stay in Australia since he fled Iran in 2009.

He has been held in detention for the past four-and-a-half years, first in a community detention centre in Melbourne and then at Yongah Hill.

It is understood psychiatric assessments have deemed him sound of mind, and therefore able to decide whether or not he wishes to eat.

That assessment is significant because people have to consent to eat while they are being treated in hospital, unless they are being treated under the Mental Health Act or under the care of a guardian.

A spokesman for the Department of Immigration confirmed an Iranian adult male from Yongah Hill Immigration Detention Centre was being cared for in hospital, however he would not be drawn on specific details of the case.

In a statement, the spokesman said the department was working very closely with medical staff to ensure the man was receiving appropriate care.

"The Government has made it very clear that when a person has exhausted all avenues to remain in Australia, they are expected to depart Australia," the spokesman said.

<http://www.abc.net.au/news/2015-03-31/iranian-asylum-seeker-on-hunger-strike-in-perth-hospital/6361882>

21. Iranian asylum seeker on 38-day hunger strike believed to be close to death

Doctors at Royal Perth hospital estimate the man, who has been held in immigration detention for several years, has just 48 hours to live if he continues to refuse food and water

The Guardian
Calla Wahlquist
Wednesday 1 April 2015 10.05 AEDT

An Iranian asylum seeker who was taken to hospital after a sustained hunger strike is believed to be close to death.

Doctors at Royal Perth hospital are understood to have grave concerns for the 25-year-old man, who has been refusing food for 38 days. He has received no fluids since refusing them on Saturday and has signed an advanced care directive, after being assessed as of sound mind, stating that he does not wish to be resuscitated in the event of his condition worsening.

Guardian Australia understands that his doctors estimated on Monday he had 48 hours to live.

The man fled Iran in 2009 and had been at Yongah Hill detention centre, in Western Australia, for about six months. He has been in detention for several years and was housed with his older brother, with whom he was very close. The man's brother was moved to Christmas Island on Saturday morning, Guardian Australia has been told.

Victoria Martin from the Refugee Rights Action Network in WA said the brothers were known to "watch out for each other". Both had their claims for asylum rejected and received negative decisions from the refugee review tribunal. They were being held indefinitely in detention because they refused to return to Iran.

It is understood the pair were under pressure to return to Iran but refused due to an "extreme fear of persecution".

Martin said the man's actions "ought to be seen as proof of the validity of his refugee claim".

"Nobody would subject themselves to that sort of physical risk if they had another option," she said.

On Tuesday, the Department of Immigration and Border Protection confirmed in a statement that an Iranian man from Yongah Hill detention centre was being cared for in Royal Perth hospital. It said the department was working with medical staff to ensure he received "the most appropriate care possible".

"The government has made it very clear that when a person has exhausted all avenues to remain in Australia, they are expected to depart Australia," the department said.

Martin said the government had blood on its hands.

"The system of indefinite mandatory detention may well kill this young man," she said.

<http://www.theguardian.com/australia-news/2015/apr/01/iranian-asylum-seeker-on-38-day-hunger-strike-believed-to-be-close-to-death>

22. Hunger striker close to death, Greens call for Federal Government to 'show compassion'

ABC News Online

By Stephanie Dalzell

Posted Wed 1 Apr 2015, 10:59am

The Greens have called on the Federal Government to "show compassion" towards an Iranian asylum seeker believed to be near death from a hunger strike in a Western Australian hospital.

The ABC yesterday revealed Saeed Hassanloo had been conducting a hunger strike for 38 days, and doctors fear he will not survive if he does not eat soon.

He is currently being treated at Royal Perth Hospital after being transferred from Yongah Hill Immigration Detention Centre on March 10.

Mr Hassanloo has been fighting for a visa since he fled Iran in 2009, and has been held in detention for the past four-and-a-half years.

The ABC has been told Mr Hassanloo could have just 24 hours to live.

Greens immigration spokeswoman Sarah Hanson-Young said Federal Immigration Minister Peter Dutton needed to act immediately.

"This is an urgent call to the Government to put the politics aside for once and think of the life of this young man, and offer compassion and support to him," Senator Hanson-Young said.

"You've got to wonder what's happened to our country when a person prefers to starve themselves to death rather than spend any more time in immigration detention, or indeed fearful of being deported back to their homeland."

Senator Hanson-Young said the Minister and his department could not sit idly by as Mr Hassanloo's condition deteriorated.

"It's really important for the Government to look at what it is that they can do for this man," she said.

"He clearly is afraid of being sent back home, he's desperate, he's clearly very unwell, and there would be many options available to the Minister to show some heart and compassion if he was willing to do so.

"I hope that this man can recover and that he can be shown compassion and support but if he was to die after being treated like this in detention, after being detained for such a long period of time, given no ounce of hope, it really does show the Government is willing to do whatever it takes in terms of its harsh and cruel policy to refugees."

'They would let a man die rather than reconsider': advocate

It is understood psychiatric assessments have deemed Mr Hassanloo sound of mind, and therefore able to decide whether or not he wishes to eat.

That assessment is significant because people cannot be force-fed while they are being treated in hospital, unless they are being treated under the Mental Health Act or under the care of a guardian.

A spokesman for the Department of Immigration confirmed an Iranian adult male from Yongah Hill Immigration Detention Centre was being cared for in hospital, however he would not be drawn on specific details of the case.

In a statement, the spokesman said the department was working very closely with medical staff to ensure the man was receiving appropriate care.

"The Government has made it very clear that when a person has exhausted all avenues to remain in Australia, they are expected to depart Australia," the spokesman said.

The Refugee Rights Action Network's Victoria Martin has told 720 ABC Perth she visits Yongah Hill detention centre on a regular basis, and talked to Mr Hassanloo before he was transferred to hospital.

"He believes firmly and fundamentally that if he goes back to Iran he will be tortured and potentially killed," Ms Martin said.

"I think the very fact he's prepared to put his life and health at risk essentially proves his refugee claim.

"Several of Saeed's very close friends — people who were with him when he was in Villawood, Darwin and Curtin detention centre and then here at Yongah — spoke to me yesterday of their distress at him being removed from his facility in the state he was in.

"They're very concerned for him and of course they're very concerned what it says about the Department of Immigration — that they would let a man die rather than reconsider his options for staying in Australia."

<http://www.abc.net.au/news/2015-04-01/greens-call-for-compassion-for-hunger-striker/6364584>

23. MEDIA RELEASE: Grave fears for Iranian asylum seeker; Serco's callousness

GRAVE FEARS FOR LIFE OF IRANIAN ASYLUM SEEKER: SHOCKING CALLOUS FACEBOOK COMMENT REVEALS SERCO ATTITUDES

Friday April 3, 2015
Refugee Action Coalition
Ian Rintoul 0417 275 713 or
Victoria Martin-Iverson 0427 256 131

Grave fears are held for the life on Iranian asylum seeker, Saeed Hassan Loo, who is believed to have been refusing fluids for the past few days of his 40-day hunger strike and is close to death.

A vigil organised by the Refugee Rights Action Network will be held tonight (Friday) at 7.00pm, at Royal Perth Hospital.

The Refugee Action Coalition is calling for Saeed to be immediately released.

"Saeed lived in the community for almost a year in 2012. There is no reason for him to be in detention. The government cannot forcibly send asylum seekers to Iran, and the department has not even completed an assessment of his asylum claims," said Ian Rintoul, spokesperson for the Refugee Action Coalition.

Saeed is the second Iranian asylum seeker to have been close to death as a result of hunger strikes in the last three months. In January, 'Martin', an Iranian asylum seeker in Darwin came very close to death, and fifteen other Iranians in Darwin had also staged hunger strikes against their indefinite detention.

"The government has been warned about the harm it was inflicting on Iranian asylum seekers, but it has turned a blind eye. If Saeed dies, the responsibility will lie completely with Peter Dutton."

CALLOUS SERCO ATTITUDE

A Facebook statement from Serco employee (attached) has revealed the callous attitude of some officers who have a duty of care to Saeed and other asylum seekers. The callous attitude reflects the stance taken by the immigration department itself. Both are unacceptable.

"We are calling for Saeed's brother to be urgently brought from Christmas Island to Perth, to reunite the brothers," said Rintoul, "They have been together since they came to Australia in 2010. They should not be in detention and they should not be separated."

Saeed's brother was among a group of asylum seekers, alleged to be protesters, who were shanghaied from Yongah Hill to Christmas Island in late March subjected to a 'behavioural management plan'. He is being held in isolation in a high security section of Christmas Island.

For more information, contact Ian Rintoul 0417 275 713 or Victoria Martin-Iverson at the vigil 0427 256 131

24. Perth's Archbishop calls for compassion for hunger striker near death in hospital

ABC News Online
By Joanna Menagh
Posted Fri 3 Apr 2015, 1:25pm

The Catholic Archbishop of Perth has used his Good Friday message to ask for compassion to be shown to an Iranian asylum seeker who is near death in hospital.

Saeed Hassanloo has been on a hunger strike for about 40 days and it is feared he will not survive if he does not eat soon.

It is understood Mr Hassanloo's claim for refugee status has been rejected and he fears persecution if he returns to Iran.

Saint Mary's Cathedral is directly opposite Royal Perth Hospital where Mr Hassanloo is a patient.

Archbishop Timothy Costelloe said his thoughts and prayers were with Mr Hassanloo during today's church service.

"I'm just hoping and praying the Government can find a way to allow compassion and generosity and an understanding of the desperation of this man to begin to be the foundational basis on which any decisions might be made," he said.

"I've been very conscious of him throughout this morning's service and been praying for him."

"The position of the Church is always a position of compassion and a position about the dignity and the value of life.

"I certainly think we in Australia can be generous to people who are fleeing persecution and fleeing great difficulties in other countries.

"As a general principle I think to be generous, to be compassionate, to be open and to be welcoming is certainly part of Christian message but it's so deeply embedded in the whole Australian way of thinking."

Archbishop Costelloe said Mr Hassanloo should be assisted.

"I'm not fully aware of the ins and outs of this particular situation, all I know is there's a young man over in the hospital, on a hunger strike desperate, probably close to death, and we need to think what we can do to assist him," he said.

<http://www.abc.net.au/news/2015-04-03/perth-archbishop-calls-for-compassion-for-hunger-striker/6370296>

25. Christmas Island guard says of ill asylum-seeker 'let him suffer'

The Australian
April 03, 2015 4:08PM
Paige Taylor

A longtime guard at Christmas Island's immigration detention centre has responded to the case of a gravely-ill asylum seeker in hospital with a Facebook post that reads: "let him suffer".

Tim Haye, a Christmas Island resident who migrated to Australia from Holland as a child, made the remark as doctors fight to save the life of 25-year-old Iranian Saeed Hassanloo who along with his older brother Majid arrived by boat under the Labor government and have had their claims for asylum rejected. They have exhausted all avenues of appeal and were under pressure to return to Iran voluntarily and had taken part in a rooftop protest at the Yongah Hill Immigration Detention Centre where they were being held, about 100km northeast of Perth.

Mr Hasanloo was taken last month to Royal Perth Hospital as a result of serious concerns for his health. He had been on an extended hunger strike. His brother Majid was taken to Christmas Island, which has wound down significantly in the past year but remains a place where detainees who are considered noncompliant are held, often temporarily. Like Yongah Hill, it has also held immigration detainees who did not come by boat but are being deported as a result of serious crimes.

Last night a Christmas Island resident posted a plea on a Facebook site called CI Blackboard asking if anyone could get a message to Majid in detention about his brother.

Mr Haye, who works for government contractor Serco at the Christmas Island detention centre, replied "No Just let him suffer". Another member of CI Blackboard agreed, adding: "Just a country shopper".

Mr Hasanloo was reportedly conscious and talking yesterday though extremely weak.

It is not known if he has begun to receive food and water or if he remains on hunger strike.

Senior clinicians contacted by The Australian said it was fraught for any doctor to go against the wishes of someone found to be of sound mind and unwilling to take food and water.

Refugee advocate Victoria Martin-Iverson said his condition was so poor she believed he may not have long to live. Because Mr Hasanloo had begun refusing water earlier in the week, there were fears he had as few as 12 hours to live.

"To me the very fact that someone would put their health at risk to this extent proves that he is a genuine refugee," she said.

"You would not put yourself through this if you had any chance of returning home safely."

Mr Haye has now been stood down. A spokesman for Serco said: "A member of staff has been suspended pending the outcome of an investigation".

"We are committed to looking after people and treating them with dignity and respect, and our policies and procedures reflect that. If an employee fails to behave appropriately, they will be subject to our disciplinary process, with outcomes up to and including dismissal," the spokesman said.

<http://www.theaustralian.com.au/national-affairs/immigration/christmas-island-guard-says-of-ill-asylum-seeker-let-him-suffer/story-fn9hm1gu-1227290426146>

26. Yongah Hill detention centre protesters transferred to Christmas Island, sources say

ABC News Online

By Nicolas Perpetch

First posted Tue 31 Mar 2015, 1:04pm

Updated Tue 31 Mar 2015, 7:11pm

Detainees of the Yongah Hill centre east of Perth who were involved in a recent rooftop protest have been transferred to the remote Indian Ocean outpost of Christmas Island, the ABC understands.

Up to nine men were taken from their accommodation in Yongah Hill, 96km north-east of Perth, on Saturday morning before 5:00am, according to three separate sources.

"They've been calling us from Christmas Island, they've been taken to Christmas Island," one detainee said.

"They've been taking people who protested on the rooftop."

Those taken were mainly asylum seekers but also included some people on 501 visas, detainees awaiting deportation after serving prison sentences for serious criminal offences.

"The transfers to such a remote place as Christmas Island have terrified everybody," another detainee said.

The Department of Immigration and Border Protection said it would not comment on individual cases.

"The department and its service provider will not tolerate poor behaviour that may impact the safe operation of detention facilities," a spokesperson said in a statement.

"The department will not hesitate to use all available resources at its disposal to maintain safe and secure detention facilities."

A two-day rooftop protest involving up to 30 detainees earlier this month ended in six men being moved to other locations.

Separately, 87 asylum seekers, believed to be from Sri Lanka, Nepal, India and Vietnam, were transferred from Yongah Hill to Darwin last week.

Another group of 60 to 70 asylum seekers is expected to be sent to Darwin this week.

At the same time, a large group of people on 501 visas is likely to be transferred from interstate to Yongah Hill.

"We've been told there's going to be another 150 or 160 coming from Sydney or Melbourne, 501s," a detainee said.

The gradual transfer away of asylum seekers is changing the population balance inside Yongah Hill.

The \$125 million centre was opened in June 2012 and was initially filled with asylum seekers.

More recently though, there has been an even mix of asylum seekers and 501s or people who have breached their visa.

It now appears to be tilting the other way and becoming a centre mainly used to house non-asylum seekers.

<http://www.abc.net.au/news/2015-03-31/yongah-hill-501-visa-detainees-transferred-to-christmas-island/6362342>

27. Asylum seekers transferred to maximum security prison in WA

ABC News Online

By Nicolas Perpetch

Posted Thu 2 Apr 2015, 11:35am

A group of immigration detainees involved in recent protests or deemed "high risk" have been moved to Perth's maximum security Casuarina prison.

Six men were transferred from the Yongah Hill centre, 96 kilometres north-east of Perth, to the jail after rooftop protests last month.

They are understood to comprise five asylum seekers and an Egyptian man, with children living in Perth, facing possible deportation after serving prison time for fraud offences.

Three of the asylum seekers are from Iran.

The men are believed to have been assessed as high risk and no longer suitable to be kept at Yongah Hill, which was set up to house low-risk detainees.

Although the men have not been charged, they are being held at Casuarina because the Migration Act allows immigration detention at a state or Commonwealth prison or remand centre.

In a statement, the Department of Immigration and Border Protection said detainees were "expected to behave reasonably and uphold all Australian laws".

"The department will not hesitate to use all available resources at its disposal to maintain safe and secure detention facilities," the statement said.

"This includes legal, court and police resources, the use of more strictly managed accommodation and more stringent controls against disruptive behaviour, and the relocation of disruptive detainees to other facilities as appropriate."

The department added it would not be appropriate to comment on specific detainee transfers.

Two of the men sent to Casuarina are believed to have since been transferred to detention on Christmas Island, where nine other men from Yongah Hill, also involved in protests, were also sent on Saturday.

Meanwhile, ABC Mornings has reported a 25-year-old Iranian asylum seeker on hunger strike was still in Royal Perth Hospital, but was conscious and talking.

Saeed Hassanloo was brought to hospital earlier this month from Yongah Hill and has been on hunger strike for almost 40 days.

<http://www.abc.net.au/news/2015-04-02/asylum-seekers-held-in-prison-in-wa/6368220>

28. Up to eight asylum seekers self harm or attempt suicide in past week in Darwin

At least four detainees are taken to hospital, with one woman deciding 'she'd rather die than go to Nauru', says advocacy group

The Guardian
Helen Davidson
Thursday 2 April 2015 08.54 AEDT

Up to eight people have attempted to kill themselves or have self harmed in the past week at Darwin's Wickham Point immigration detention centre, leading to at least four hospitalisations.

One man allegedly tried to kill himself and was "close to death" before he was found, said Ben Pynt, a spokesman for the Darwin Asylum Seeker Support and Advocacy Network (Dassan).

Pynt told Guardian Australia the details of several suicide attempts, including one in front of a member of staff at the centre. Pynt said he had spoken to a number of the detainees and had been told of other incidents by fellow detainees.

At least one woman who tried to take her own life had learned of a scheduled transfer of detainees last Thursday "and decided she'd rather die than go to Nauru", said Pynt. He said most had come to Darwin from Nauru and were fearful of returning.

A spokesman for the immigration minister, Peter Dutton, said: "A small number of self-harm or attempted self-harm incidents occurred at the Wickham Point immigration detention facility" on Monday.

"Those involved are receiving proper and appropriate medical and other support," he said, adding it was inappropriate to comment on individual circumstances about the incidents or detainees.

John Elferink, the Northern Territory minister for health, said his government had an agreement with the federal government to provide health services to detainees but did not answer questions on what care for the detainees has since occurred.

He directed questions relating to details of the service agreement to the department of immigration.

Last week it was reported cuts to medical services at Wickham Point had resulted in a strain on ambulance services in Darwin and Palmerston.

There has been a spate of self harm and suicide attempts inside Australia's immigration detention network over recent months, including a five-year-old girl and a teenage girl, who both reportedly tried to kill themselves in separate incidents in Darwin.

A 25-year-old Iranian man in hospital in Perth is believed to be close to death after 38 days on hunger strike. The man has been in detention at Yongah Hills. He has signed an advanced care directive stating he does not want to be resuscitated.

In October the NT branch of the Australian Medical Association made formal notifications on seven cases under mandatory reporting laws that the federal government was harming children.

Since December 2014 more than 15 Iranian men at the Wickham Point facility have embarked on hunger strikes. It has been alleged the men were told by a manager at the centre: "We don't care if you die."

One man, known as Martin, began his strike in November, stopping shortly before Christmas under urging from advocates, before restarting again until February when a court appeal of his case was heard. He remains in extremely poor health as a result, and is classified "high risk" in the centre.

Guardian Australia has also been told by several sources that all single men held in one compound at Wickham Point were moved to another on Wednesday.

It is thought the move is to make way for incoming detainees from Western Australia's Yongah Hills facility, where transfers of more than 80 people to Darwin began last week after a rooftop protest.

According to Dassan, there is "an extremely high level of fear" among detainees at Wickham Point who are facing transfer to Manus Island or Nauru.

"Transfers often happen at 3am and asylum seekers are given no warning, just a message that they must go to the property office," the organisation said last week.

"They are then detained and staff collect their belongings. They are not even given access to a phone to call their lawyer."

The group called for a halt to transfers of vulnerable asylum seekers, including children, following the release of the Moss report in March.

There are several pregnant women in detention in Darwin who are expected to be transferred back to Nauru six to 12 weeks after the birth.

The Moss report by the former integrity commissioner Philip Moss was the result of an independent investigation into conditions at the Australian-run detention centre on Nauru. It detailed numerous allegations of rape and assault, consistent reports of self harm among children, and security reports of detainees trading sexual favours for marijuana or displaying naked bodies in exchange for showers.

Pynt told Guardian Australia that since the report's release asylum seekers have been "coming out of the woodwork" with further horrific stories.

"After the Moss report people feel like we're going to believe them, like the department is going to believe them," said Pynt.

<http://www.theguardian.com/australia-news/2015/apr/02/up-to-eight-asylum-seekers-self-harm-or-attempt-suicide-in-past-week-in-darwin>

29. Christmas Island detention centre on heightened alert after rise in self-harm incidents

The centre's raised risk assessment comes after a surge in unrest across Australia's immigration detention centres in recent weeks

The Guardian
Paul Farrell
Thursday 2 April 2015 15.56 AEDT

The North West Point immigration detention centre on Christmas Island is on heightened alert following a spike in the number of asylum seekers deemed to be "high risk".

Guardian Australia understands the private contractor Serco has raised the overall risk assessment of the centre to medium.

There have been a number of self-harm incidents – mostly relating to threats of harm – that led to the change, after a sudden influx of new arrivals from other detention centres.

Almost half of the asylum seekers at North West Point are now considered “high risk”, while a third are considered “medium risk”.

A spokeswoman from the immigration department said: “The department does not comment on matters of operational security in detention facilities.”

There has been a surge in unrest across Australia’s immigration detention centres in recent weeks.

A spokesman for the immigration minister Peter Dutton has confirmed that some asylum seekers have also been involved in self-harm attempts at the Wickham Point immigration detention centre in Darwin.

In Perth an asylum seeker on hunger strike is reportedly close to death after he ceased taking fluids.

A spokeswoman for the immigration department said they were working with medical staff to ensure he received “the most appropriate care possible”.

<http://www.theguardian.com/australia-news/2015/apr/02/christmas-island-detention-centre-on-heightened-alert-after-rise-in-self-harm-incidents>

30. Racist thugs’ threat to kill refugees at Maribyrnong Immigration Detention Centre

Ashley Argoon, Alex White
The Herald Sun
March 29, 2015 7:56PM

A GANG of violent criminals is threatening to kill refugees at Maribyrnong Immigration Detention Centre amid rising racial tensions.

Security guards fear they have no control over former prisoners, living alongside refugees as they await deportation because of cancelled visas.

“We believe they will take over the centre and we have no protection,” a guard said.

“Someone is going to get badly hurt ... we are not trained for former criminals.”

The Herald Sun has been told a murderer, rapist, kidnapper and paedophile are among 43 ex-prisoners living at the centre under Section 501 of the Migration Act, with that number expected to rise to 65 in the coming weeks.

A refugee, who did not want to be named out of fear for his safety, said a gang of New Zealand criminals had “blades and wires” and threatened to kill a group of Sri Lankan asylum seekers on Friday.

“We come (to Australia) to have a safe place to live, and in detention, we don’t feel safe at all,” he said.

“But we can’t do anything ... if anything happens we might not get our visas back.”

He was among a group of nine refugees so afraid of the gang that they moved into a protected ward accessible only to officers.

Police have attended two violent brawls at the centre in the past 10 days.

On March 21, a fight between detainees in the visitors’ room was witnessed by up to 60 people. A woman, who was visiting her brother, was attacked and had facial injuries.

On Friday, police were called again when “a group of 501s” kicked Sri Lankan refugees out of their own rooms.

One of the refugees said they were living in dirty clothes in a protected ward because they were too afraid to go back to their rooms.

“In front of the officers (the gang leader) said if we go back to our rooms, ‘we will kill them’,” he said.

He said "a hierarchy of security" was "supporting" the thugs. "They are bringing drugs inside the detention centre (for the gang)," he claimed.

A raid on the centre two weeks ago uncovered illegal drugs, ice pipes and a syringe while staff found a suspected ice laboratory in February.

A Department of Immigration and Border Protection spokesman said there was a "zero tolerance approach to any violent or criminal behaviour" in the centre.

Victoria Police said investigations were continuing.

<http://www.heraldsun.com.au/news/law-order/racist-thugs-threat-to-kill-refugees-at-maribyrnong-immigration-detention-centre/story-fni0fee2-1227283664888m>

31. MEDIA RELEASE: Nauru victim of knife attack

Wednesday April 1, 2015
Refugee Action Coalition
Ian Rintoul
mobile 0417 275 713

An Iranian refugee has become the latest victim of anti-refugee violence on Nauru.

Around 6am, yesterday morning (Tuesday, 31 March), the man was walking back into the Anabare lodge camp, when two local Nauruans approached on a motorcycle.

The locals got off the bike, and attacked; one of them produced a knife and slashed the hand and upper arm of the Iranian man. (Pictures attached.)

He was later treated in hospital. Nauruan police have taken a statement regarding the attack.

Attacks on refugees have become increasingly common in the aftermath of the mass arrests of refugee who were peacefully protesting against offshore processing on 4 March.

Although one man lost his eye in a rock-throwing attack last November, there are concerns that the knife attack could represent a new level of violence directed against refugees on the island.

The knife attack follows a bashing of a refugee (picture attached) on Monday 30 March, when locals harrassed two women who were walking with the man.

"Nauruan refugee are the victims of offshore processing, twice over," said Ian Rintoul, for the Refugee Action Coalition, "They were randomly selected and forcibly sent to Nauru and now they are becoming victims of resentful locals, encouraged by official mistreatment.

"The situation is untenable. Instead of protection, refugees now face increasing danger on Nauru itself."

For more information contact Ian Rintoul 0417 275 713

32. School in Nauru detention centre to be closed

Children in immigration detention on Nauru are writing letters to the Australian government over plans to close the school they attend in the centre

The Guardian
Ben Doherty
Tuesday 31 March 2015 06.17 AEDT

The school for asylum seeker children inside the detention centre on Nauru is set to close.

The building the students study in - within the Regional Processing Centre 1 camp - will reportedly be converted into office space, and a gym and recreation area for detention centre staff, while the children will be sent to Nauruan schools outside the camp.

The students, aged between five and 18, are resisting the closure of their school, which is set to hold its last lessons for the current term on Friday.

They have begun a letter-writing campaign begging the government not to shut it.

Guardian Australia has been told the school will close during the next term, which starts after Easter.

Students have written letters they will send to the Department of Immigration, to the company contracted to run the detention centre, Transfield Services, and to politicians, pleading for the school to stay open.

Guardian Australia has seen copies of several of the letters. The students have asked to remain anonymous, fearing repercussions for speaking out.

“In Nauru everything is boring except RPC1 school and we heard the school is going to close and they are transferring us to Nauru College,” one student wrote.

“We don’t like Nauru College because it doesn’t have good education.

“There are too many dogs in the college, not safety, dangerous, even there is no refugee children also not going. We don’t have enough facilities in there. Please don’t close the RPC1 school. The teachers are very kind with us.”

Immigration department staff and teachers on the island have raised strident concerns about the standard of schooling in Nauru, which is still recovering from the near-collapse of the entire education system in the early 2000s.

Between 2000 and 2005 schools barely functioned on Nauru, no exams were held and there was a mass exodus of teachers from the profession. While schools have improved, the after-effects of the breakdown are still being felt.

Schools are often in poor condition, classrooms are dilapidated and toilets broken.

According to Nauruan government reports, while school is compulsory until age 15, truancy rates at some schools run at 60%, and 34% overall.

“Many young people lack ... basic literacy and numeracy,” the Nauruan government’s women’s affairs department says.

Already, when asylum seeker children are given a positive refugee status determination, they are moved out of the asylum seeker camp and obliged to attend a local school.

But, according to sources on the island, few of the 100-or-so school-aged refugees in the Nauruan community attend.

Most refuse to go as a protest against being held on Nauru, or out of fear of being assaulted.

The unaccompanied minor refugees have been especially targeted on the island. None of those boys attends school regularly.

“Realistically, the children’s education ends when they leave the camp,” an island source said.

“Most of these detainee children will not go [to local schools] as they fear they are going to a dangerous, unhygienic, and poorly-administered school.”

While most Nauruans accept the presence of refugee communities on the island, there remains a sizeable minority implacably, and in some cases violently, opposed to their resettlement.

Relations between local communities and refugees had shown signs of improvement over recent months, but have deteriorated in the last few weeks, with a number of violent attacks.

One refugee student wrote that refugees were afraid to attend school with local students.

“Their attitude is not suitable with [towards] us, even once they hit our friends in school. Sometimes some fights occur that they’re too dangerous and savage and that’s possible that someone else ... [who is] not involved gets hurt.”

The school inside the RPC1 asylum seeker camp is excellent, Guardian Australia has been told.

The school, which teaches students aged between five and 18, is well-equipped and staffed by Australian registered teachers.

The immigration minister, Peter Dutton, said of the school last week: “I went to the educational facilities, the classrooms there where young people at taxpayer’s expense are being provided with English classes and schooling otherwise that is of a standard that is at least as good as I’ve seen in Australia”.

Sources on the island questioned why the school was being closed if it was so well-regarded by the government.

The department of immigration declined to answer questions on why the school is being closed, instead directing Guardian Australia to the minister’s office.

The minister's office did not respond to questions, but a senior source in Canberra confirmed the school closure.

Guardian Australia also requested an interview with the Nauruan department of education.

Education in Nauru relies largely on government and non-government aid from overseas.

The Nauruan government spends only 7.5% of total government expenditure on education, the second-lowest rate in the Pacific, according to an International Council for Open and Distance Education report.

"Nauru's small economy and limited private sector limits job opportunities for young people. Many young people lack the basic literacy and numeracy that enable them to compete for the limited public and private sector jobs available," the Nauru government's Women's Affairs Department said in a report.

The European Commission's country paper on Nauru says, "teaching and student learning standards are low", while the United Nations, as part of its Millennium Development Goals assessment, says high truancy rates are the "result of perceived low value of education, due to lack of jobs".

<http://www.theguardian.com/australia-news/2015/mar/31/asylum-seeker-children-start-campaign-to-save-their-nauru-school-from-closure>

33. Government knew of abuse on Nauru months before it acted, staff to allege

Current and former workers at asylum seeker detention centre are prepared to tell Senate inquiry that the government was aware of abuse before Moss report

The Guardian
Ben Doherty
Tuesday 31 March 2015 13.00 AEDT

Current and former workers on Nauru are preparing to tell a Senate inquiry that the government knew of allegations of sexual abuse and assault of asylum seekers in the island's detention centre for months before it acted.

Guardian Australia is aware of up to a dozen staff members who are preparing written submissions to the inquiry into immigration detention conditions on the Pacific island.

Several staff have indicated they would be prepared, if asked, to give evidence in person before the committee. Previous whistleblowers who have revealed sensitive information about allegations of abuse or mistreatment on the island have been investigated by the Australian federal police at the request of the immigration department.

Staff are bound by strict confidentiality clauses, and risk up to two years' prison for speaking publicly about the detention centres, or their work within them. But information provided to a parliamentary inquiry falls under the Parliamentary Privileges Act, and people cannot be prosecuted for providing a submission or giving evidence.

Staff have told Guardian Australia they can provide working documents, intelligence and incident reports, which demonstrate reports of physical and sexual abuse dating back to November 2013. The government has maintained it acted as soon as it was made aware of allegations of abuse and violence on Nauru.

Releasing the Moss review this month, immigration minister Peter Dutton said: "I find the thought of anybody, in particular children, being sexually assaulted completely abhorrent. It's not something that we would accept in Australia and it's not something that the Nauruans accept in their community either. So I know that the Nauruan government takes this issue very seriously. I know that they will deal with matters in relation to this report."

A spokesman for the immigration department told Guardian Australia: "The Department of Immigration and Border Protection is aware of the Senate select committee into Nauru and will cooperate fully with all proceedings."

The government-commissioned Moss review found credible evidence of sexual and physical abuse of asylum seekers, including children, at the centre. They were backed up by more than 150 pages of leaked interviews with detention centre staff and detainees.

The Senate committee will be chaired by Labor senator Alex Gallacher. Greens senator Sarah Hanson-Young, who moved the motion establishing the committee, will be deputy chair. Coalition senators Cory Bernardi and Linda Reynolds will be members, while crossbench senators Ricky Muir, Glenn Lazarus and Jaqui Lambie will be participating members. Submissions close on 27 April and the committee intends to report in June.

Hanson-Young told the ABC she would like the committee to hold hearings in Nauru and in Darwin, where asylum seekers are sent to from the island if they require significant medical treatment.

"I would like to take this inquiry to Nauru. I think it is really important, that would obviously need to be a matter for negotiation. If the Senate believes this is important enough then we should be able to go," she said.

The committee will have the power to subpoena immigration department staff, and senior managers from detention centre managers Transfield and security subcontractor Wilson's, to answer questions and produce documents on the running of the centre.

Following the Moss review and the Forgotten Children report into children in immigration detention by the Australian Human Rights Commission, pressure continues to build on the government over its asylum seeker policies.

Liberty Victoria has launched an online campaign protesting against cuts made a year ago to legal assistance for asylum seekers making a refugee claim.

Kon Karapanagiotidis from the Asylum Seeker Resource Centre said the funding cuts had created an almost insurmountable barrier to people accessing justice and a fair assessment of their refugee claim.

"Assessing refugee claims can quite literally be the difference between life and death. Vulnerable people going through this process without lawyers compromises the integrity of the system and leads to poorer decision-making. It inevitably leads to people who are refugees not being recognised as such and being wrongfully returned to harm."

And a coalition of disability groups has released a joint statement calling for legislative changes to ensure asylum seekers with disabilities are not placed in mandatory detention.

The government told Senate estimates there were 268 detainees with disabilities in onshore immigration detention facilities as at 30 September last year. Forty-nine of those were children. The minister's office has been contacted for comment.

On Monday night Julian Burnside QC launching a swingeing attack on Labor and Coalition policies as he delivered the Hal Wootten Lecture at the University of NSW.

He said mandatory detention of boat-borne asylum seekers caused serious physical and mental harm, and that the temporary protection visas reintroduced in December had encouraged people to board boats run by people-smugglers, because they felt it was the only way they could be reunited with their families.

"One of the most distressing things about the present situation is that it is based on a series of lies. When politicians called boat people 'illegals' and 'queue jumpers' they are not telling the truth. When politicians say that they are concerned about people drowning in their attempt to reach safety, they are not telling the truth," he said.

"Australia is now judged overseas by its behaviour as cruel and selfish. We treat frightened, innocent people as criminals. It is a profound injustice."

<http://www.theguardian.com/world/2015/mar/31/government-knew-of-abuse-on-nauru-months-before-it-acted-staff-to-allege>

34. Operation Sovereign Borders gets new chief, Major General Andrew Bottrell

The immigration minister, Peter Dutton, announces replacement for Angus Campbell who is now chief of army

The Guardian
Paul Farrell
Monday 30 March 2015 18.32 AEDT

A major general who was involved in the withdrawal of Australian forces from Afghanistan has been appointed to head Operation Sovereign Borders.

Andrew Bottrell, whose appointment was announced by the immigration minister, Peter Dutton, took part in Operation Slipper in Afghanistan from December 2012 to November 2013, and has received numerous commendations for his duty.

The federal government's asylum seeker policies have fallen broadly under Operation Sovereign Borders.

A core key part of the operation has been the controversial practice of turning back asylum seeker vessels to Indonesia, and placing asylum seekers in orange lifeboats for their return journey.

The federal government has turned back at least 12 asylum seeker vessels. But information about the asylum seeker operations remain largely secret, with the government adopting a policy of not commenting on "on-water matters".

The announcement on Monday follows the appointment of the previous OSB commander, Lieutenant General Angus Campbell, as the chief of army.

Dutton said: "LTGEN Campbell has been instrumental in achieving the government's goal of stopping the boats, taking back control of Australia's borders and defeating people smugglers who manipulate vulnerable men, women and children.

"His outstanding leadership has ensured that all agencies of government are now joined up and working effectively to tackle the evil trade of people smuggling.

"MAJGEN Bottrell is more than capable of building on the achievements of his predecessor and I look forward to working with him."

<http://www.theguardian.com/australia-news/2015/mar/30/operation-sovereign-borders-gets-new-chief-major-general-andrew-bottrell>

35. Townsville mother and son, 10, face deportation due to boy's autism diagnosis

ABC News Online

By Isobel Roe

Posted Thu 2 Apr 2015, 6:15pm

A Queensland woman and her son are at risk of being deported back to the Philippines because of the 10-year-old boy's autism diagnosis.

Townsville nurse Maria Sevilla and her son Tyrone, who have been in Australia for eight years, had a skilled working visa rejected by the Immigration Department because of her son's autism.

Tyrone was diagnosed in 2008.

The letter said Tyrone may be a burden on the taxpayer if he becomes a citizen later in life.

The Townsville Hospital nurse has appealed to the Migration Review Tribunal but it too has rejected the application.

Because the application was rejected they could be deported in 28 days.

"I hope I'm not considered as a burden. I'm trying my best to work for Tyrone's future," Ms Sevilla said.

"He loves to play under the sun. He was a bit fair when we came here to Australia and now he's like, brown skinned."

Queensland Disabilities Minister Coralee O'Rourke called it a "cold, heartless decision" by the Federal Government.

"I call on them to reverse the decision," she said.

Immigration Minister Peter Dutton said the family could go back to the tribunal and attempt again to sway its decision.

But Ms Sevilla said she hoped Mr Dutton would exercise his ministerial power and allow them to stay.

Ms Sevilla said she would not be able to give Tyrone the same quality of life in the Philippines.

"It's like, I'm pleading for our life, for Tyrone's future," she said.

The ABC has approached the Minister for comment.

<http://www.abc.net.au/news/2015-04-02/townsville-woman-faces-deportation/6369438>