

Project SafeCom News and Updates

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1. Ben Doherty: Europe must not mimic Australia's tough talk on asylum seekers
2. PNG: more to Australia than just another point on a star
3. The Saturday Paper: Detention centre doctors stare down prosecution
4. Refugees forced to choose between PNG resettlement or 'custody in new prison'
5. Immigration Department admits it was behind Freedom muesli bar ban on Manus Island offshore detention centre
6. Department denies boozy culture at Manus
7. Former Nauru guards speak out against Wilson Security over spying on S. Hanson-Young cover-ups and abuse
8. Nauru detention centre guards joked about shooting detainees before riot
9. Spying and abuse described by Nauru detention centre's former staff
10. Greens call for Wilson Security ban at Nauru amid claims of spying on senator
11. Peter Dutton should consider resigning after Sarah Hanson-Young hotel room spy allegations: Greens
12. Claims asylum seekers at Nauru were water-boarded are 'unsubstantiated': Peter Dutton
13. Nauru asylum seeker rape victim refused medical treatment in Australia, family says
14. Commonwealth sued over 'negligence' of 5yo asylum seeker who lived on Nauru
15. Asylum seeker married to an Australian resident faces deportation to Iran
16. Afghan asylum seeker, 21, to be forcibly repatriated despite brothers' murders
17. School community reels at the removal of asylum-seeking student
18. Lawyer for schoolgirl detained by Immigration Department reports being denied access to client
19. MEDIA RELEASE: Immigration tries first Manus Island forced removal: Injunctions sought
20. Australia defies Afghanistan as asylum seeker forcibly repatriated
21. Asylum seeker forcibly returned to Afghanistan after appeals exhausted
22. Alleged people smuggler extradited from Indonesia to face charges in Australia
23. Alleged people smuggler Sayed Abbas appears in Perth court after extradition from Indonesia
24. Peter Dutton overturns deportation order for Vietnam war veteran
25. Former detention centre at Pontville to be sold by Christmas, MP says

1. Ben Doherty: Europe must not mimic Australia's tough talk on asylum seekers

Language is not an afterthought or addendum to policy. Increasingly militaristic rhetoric about asylum seekers drives governments in only one direction

The Guardian
Ben Doherty
Monday 10 August 2015 11.54 AEST

Language is important. Words are powerful, especially when discussing people who have no voice of their own, no place in the debate, and whose identities are shaped by the words others use about them.

The language that is used now by governments to describe asylum seekers who arrive on their borders, is a demonstration of why the debate has become so polarised, so emotive, and so intractable.

The evolution of Australian government language on asylum seekers has been a tortuous one.

In the late 1970s, when the first post-colonial asylum seekers (“boat people”) turned up on Australian shores fleeing conflict in Indochina, the then-immigration minister Michael MacKellar publicly welcomed them, drawing attention to their “harrowing” ordeals in their home country and promising “Australia would offer sanctuary”.

He publicly read statements prepared by the asylum seekers, which asked Australia to “please help us for freedom”.

The issue of asylum, MacKellar and then-foreign minister Andrew Peacock said in a statement, must not be politicised “because the basic question of human suffering involved transcends partisan advantage in an election context ... we will not risk taking action against genuine refugees just to get a message across”.

“That would be ... utterly inhuman,” they said.

As the 70s drew to a close, and as more boats continued to arrive, public unease with the arrivals began to grow louder. Echoing it, government rhetoric began to change.

Against the backdrop of the success of the Orderly Departure Plan – the multilateral UN-run program which, in 1979, began intercepting boat-borne asylum seekers in their first country of refuge and resettling them all over the world, including Australia – there emerged a sense that for people to turn up on boats was the “wrong” way of arriving.

It was improper if not unlawful, a “soft” invasion of a complacent Australia. New boat-borne arrivals began to be dismissed as “queue jumpers” and “economic migrants”.

In the 1990s, the term “illegal” – previously used to describe a person who had overstayed a visa (still a far larger number) – was re-fashioned to refer to boat arrivals in the country (by now, coming from post-war Cambodia).

It was a crucial semantic shift: the “illegal” construction gave the government the imprimatur, almost the obligation, to enact more punitive policies against asylum seekers.

Australia also saw the introduction of mandatory detention. Originally intended as a temporary policy for time-limited administrative detention, it has since been converted to a permanent policy involving indefinite detention.

Any boat-borne asylum seeker is now referred to as “illegal”. However, Australia is a party to the Universal Declaration on Human Rights, which affords any person the right to present to the country’s borders – by any means and without a visa – and claim asylum.

In 2001, asylum became terror. Within 48 hours of al-Qaida’s attack on the World Trade Centre, government ministers claimed terror groups were using asylum boats to infiltrate Australia.

Defence minister Peter Reith said unauthorised boats “can be a pipeline for terrorists”: parliamentary secretary Peter Slipper claimed “there is an undeniable link between illegals and terrorists”.

The government’s most senior security adviser, Asio chief Dennis Richardson, dismissed the concerns as “extremely remote” and said he had “not seen evidence” of terror links – but the rhetoric remained, and consciously so.

The government was anxious to present those coming by boat as an undifferentiated mass (of potential terrorists), not as individual people; the defence department issued a diktat that “no personalising or humanising images” be taken of asylum seekers, lest they find their way into the public domain.

By 2013, the language of asylum had become conflated with that of war: the Australian government was “engaged in a war” with those organising boat journeys.

This became the justification for the government keeping secrets from its own people: “if we were at war we wouldn’t be giving out advice that is of use to the enemy, just because we have an idle curiosity,” Tony Abbott said.

Australia is held up by some as an exemplar of how to deal with asylum seekers – and how to speak about them. The federal government is promoting itself as such. Abbott counselled in April that Europe must “urgently ... adopt very strong policies” like Australia’s.

What exactly is Australia offering? Australia’s avowal to stop the boats is untrue. The boats have not stopped, they are still coming, they are still being stopped: 46 Vietnamese asylum seekers were intercepted at sea last month and secretly returned to Vietnam, some reportedly to detention; undenied allegations the crew of an asylum boat travelling to New Zealand were paid (in US dollars) by Australian officials to turn around; a boat forced back to Indonesia crashing and breaking up on a reef.

Offshore processing is mired in scandal – two deaths, including a murder, on Manus Island; allegations Australian workers raped a local woman and were spirited off home to escape prosecution; yet another parliamentary inquiry into child sexual assault and other abuses on Nauru.

And in onshore detention, healthcare failures, hunger-strikes, and deaths continue to plague a broken, benighted system.

All this, despite Australia only ever dealing with a fraction of the numbers of asylum seekers of European countries. Who would want to buy a suite of policies with these outcomes?

But the UK and Europe appear to be following the Australian lead. Certainly, they are beginning to sound like Australia.

David Cameron’s “swarms of people” comment this month echoes Australian immigration minister Phillip Ruddock’s warnings years earlier of a “pipeline” of asylum seekers and of “whole villages” bound for Australia.

When Theresa May wrote that most of those on boats in the Mediterranean had come from Eritrea and Somalia as “economic migrants who’ve paid criminal gangs” she used the exact terminology of Australia’s foreign minister Bob Carr three years earlier, who dismissed Tamil asylum seekers as “a whole bunch of ... economic migrants”.

The EU, similarly, is adopting militaristic and secretive language to outline its response to irregular migration across the Med.

Leaked documents out of the EU show proposals for a “military operation” to “seek and destroy” boats and “disrupt the migrants smuggling business model”.

It is familiar rhetoric to those who’ve heard a succession of Australian government ministers propound a “military-led border security operation” to “disrupt the people smuggling trade”.

The Australian government has long refused to “comment on operational matters”. The EU is proposing an “information strategy” which includes no information at all: “rescue operations should not be publicised”.

This language is significant. It is not an afterthought or addendum to policy. Rhetoric establishes an agenda. The problem with aggressive, oppositional language – beyond the crude political distortion of a complex global issue – is that it drives policy in only one direction, leaving no option of more humanitarian policies.

Aggressive, militaristic rhetoric constrains governments (or supra-national organisations like the EU), forcing them to respond with aggressive, militaristic action.

The issue of asylum is no longer one of humanitarian responsibility, or international legal obligation. It frames the issue as a threat to national security or a violation of sovereignty.

By speaking in such a way, governments make a rod for their own backs, and are forced, by their own hand, into more and more punitive actions, to make the policies match the threat they’ve created.

Stoking domestic fears of disordered migration is electorally successful, but it leaves governments with few policy options.

Solutions do need to be found to the current crises around the world. Where it can be, order should be brought to the current disorder.

The chaos that has been seen at Calais, the drownings on the Mediterranean, or the forcible push-back of boats in the Andaman are problems too acute to be allowed to continue or reoccur.

And a perfect solution to the world’s forced migration issues may be an impossibility. But governments that believe their unilateral actions can “solve” the problem are being wilfully ignorant. The forces that drive people to move are far greater than any power they have to stop them.

By talking tough against asylum seekers – by abusing and dehumanising them, by casting their movement as some amorphous threat rather than a natural and rational human instinct – political leaders are doing nothing to solve the problem, and are only making it worse.

Europe is starting to sound like Australia on asylum, the worst thing it could do now is to start acting like it.

<http://www.theguardian.com/commentisfree/2015/aug/10/europe-must-not-mimic-australias-tough-talk-on-asylum-seekers>

2. PNG: more to Australia than just another point on a star

Australia hasn't noticed the cracks appearing in the government of its closest neighbour and biggest aid recipient, and that's dangerous.

Sydney Morning Herald
August 14, 2015
John Garnaut

When Tony Abbott was trying to steer the conversation away from Bronwyn Bishop, he called a press conference to argue that the Northern Territory should become our seventh state. With desperate times bringing desperate measures, the Prime Minister canvassed the idea of altering his beloved flag.

"If the Commonwealth star was to be a seven-pointed star rather than a six-pointed star, that's hardly a massive change," said the Prime Minister, explaining how the territory could be represented alongside the six federated states.

One problem with the Prime Minister's attempt at national distraction was that the big star beneath the Union Jack already has seven points. It's been that way for more than a century, since 1908, when the six states made room for the territory of Papua.

The bigger problem that Abbott unwittingly exposed runs much deeper than ignorance about his flag. He demonstrated that what is now the proudly independent nation of Papua New Guinea has been expunged not only from our sphere of moral and strategic responsibility, but also from our memory. And that's a dangerous thing to do to our closest neighbour and biggest aid recipient.

It was only in December that Foreign Minister Julie Bishop was worrying about how PNG would cope with the "huge revenues" that would soon be flooding in from resource projects. Last week, however, the PNG Treasury admitted that those rivers of revenue have not arrived.

The country's GDP is growing faster than that of any other country, at more than 11 per cent, with vast natural gas reserves coming on stream. But falling resource prices and myriad other problems mean its budget deficit is on track to double to 9.4 per cent of GDP this year, according to the PNG Treasury's mid-year update.

"This is a frightening document," said Paul Flanagan, a former Australian Treasury official who's now an independent expert on PNG government finances at the Australian National University.

Flanagan, with his analysis of how the PNG government has no choice but to slash spending, struck a political nerve. And so did I, when I reported Flanagan's analysis and made the comparison with Greece. If the huge resources revenues have failed to materialise, and there are no more public assets left to plunder, what will happen to PNG's vast patronage system?

PNG Prime Minister Peter O'Neill issued a statement to say both Flanagan and I were deliberately spreading "misinformation". He reportedly went further in an interview, saying I was "spearheading the attack" on PNG as part of a "vendetta" to avenge my father, Ross Garnaut, who he'd previously barred from entering the country.

The Prime Minister is usually less colourful, but more effective, when directing his attacks at members of PNG officialdom and civil society who are still fighting to preserve what is left of their country's governing institutions.

One reason why the six colonies on the Australian continent first came together to talk about federation, in 1883, was that they wanted to push the French and Germans out of the South Pacific. Right up into the 1960s there were serious discussions about making the territory of Papua New Guinea Australia's seventh state, but the idea could not be reconciled with the White Australia policy and heavily protected labour market.

In the 1970s Port Moresby was home to a generation of civic-minded Australians, including my parents, who were working with bright local graduates to reconcile modern democratic institutions – particularly the rule of law – with 850 tribes that each spoke a different language. But much of this shared history, geography and responsibility disappeared from the Australian national consciousness after PNG achieved its independence in 1975.

Occasionally our leaders rediscover geography and launch a costly intervention to save a failing state. Mostly, however, to the extent that they think of the South Pacific at all, it is as a holding pen for unwanted refugees.

My father continued to make a contribution, including by chairing the unexpectedly profitable Ok Tedi mine and PNG Sustainable Development Program, which BHP Billiton had bequeathed on trust to the people of PNG. O'Neill banned him from the country in November 2012 after taking issue with his public comments.

In July 2013 O'Neill agreed with Kevin Rudd to massively expand the Manus Island detention centre. Two months later, in September, he passed legislation to expropriate what was then the country's most profitable mine and its second-largest development program, although he's had great trouble getting past the formidable new chairman, Mekere Morauta, to gain control of \$US1.4 billion in long-term development funds.

When American political scientist Francis Fukuyama arrived in PNG a few years ago he "began to wonder how any society had ever made the transition from a tribal to a state-level society". Conversely, he wrote in the introduction to his recent tome, *The Origins of Political Order*, that what he saw in PNG also prompted him to ask "why seemingly modern systems often reverted" to primitive roots.

So far, Australia has managed to get by with leaders who revert to tribalism by showering patronage upon favourites, preferring transactions over principles, and wrapping themselves in the national flag without a thought for what it represents. Our core institutions, as Bronwyn Bishop belatedly discovered, are stronger than individuals.

PNG has not been so lucky. Its 8 million citizens need their southern neighbours to stand with them to reinforce the national institutions that earlier generations on both sides of the Torres Strait worked so hard to build.

<http://www.smh.com.au/comment/png-much-more-to-australia-than-just-another-point-on-a-star-20150813-giy7jr.html>

3. The Saturday Paper: Detention centre doctors stare down prosecution

Doctors who have worked in immigration detention show no sign of being silenced, despite the possible prosecution of those who speak out.

The Saturday Paper
Aug 15, 2015
Sophie Morris

Australian Medical Association president Brian Owler had planned to visit Nauru this week to see for himself whether healthcare in the Australian-run detention centre was up to scratch.

As his departure date approached, there were delays and complications with approvals. It's not clear to Owler whether there were genuine logistical challenges, or other factors at play.

Just last month, during a speech at the National Press Club, the Sydney neurosurgeon accused the government of trying to intimidate doctors with legislation that includes two-year jail sentences for "entrusted persons" who disclose details of immigration detention.

Owler is still hoping he can tee up another date to visit Nauru, as he calls for the restoration of independent assessment of health facilities in offshore detention centres. "If healthcare is up to standard, then clearly there shouldn't be an issue with that," he says.

Already, other doctors who have visited Nauru have sounded the alarm about conditions and care. They are vowing to continue to do so, despite the provisions of the Border Force Act, which took effect last month after passing parliament with bipartisan support.

"I'm not going to shut up about it," says David Isaacs, a prominent Sydney-based paediatrician who visited Nauru for five days in December, at the invitation of International Health and Medical Services (IHMS), which provides medical care to those in immigration detention.

Full story at <https://www.thesaturdaypaper.com.au/news/health/2015/08/15/detention-centre-doctors-stare-down-prosecution/14395608002246>

4. Refugees forced to choose between PNG resettlement or 'custody in new prison'

Developments at the Manus Island regional processing centre appear to be moving to a disturbing new phase, Guardian Australia has learned

The Guardian
Richard Ackland
Friday 14 August 2015 19.20 AEST

Refugees being held in Australia's processing centre on Manus Island are being forced to choose between being resettled in Papua New Guinea or moved to custody in a new and more challenging prison, insiders have claimed to Guardian Australia.

Developments at the Manus Island regional processing centre appear to be moving to a disturbing new phase as, according to the allegations, the authorities devise methods, in violation of international legal obligations, for detainees with refugee status to be returned to the countries from which they have fled.

Those transferees at the MIRPC who have been assessed as refugees are reported to be resisting their transfer to the East Lorengau refugee transit centre, from where they are expected to transition into the PNG community.

Others are refusing to engage in the final refugee assessment round with Papua New Guinea immigration as they would prefer to stay as asylum seekers at the MIRPC. They have indicated to welfare staff at the centre they fear for their lives at the hands of the local community.

If they fail to cooperate they have been told they will be transferred to what Guardian Australia understands is a new facility at Port Moresby, along with those with a "negative" refugee assessment. They will be held there in custody and the authorities anticipate the conditions will be so intolerable they will "choose" to return home, sources say.

Insiders say those with positive assessments are well aware refugees at the East Lorengau centre are depressed and isolated, with little chance of being successfully integrated into PNG society or being able to survive financially.

The authorities are using various methods to encourage uncooperative detainees to move into the transit centre.

A source on the ground says this includes paying men at East Lorengau to make positive statements about the desirability of leaving the relative safety of the main MIRPC and then into PNG society.

"Men at the Manus Island regional processing centre are in regular contact with their friends at the refugee transfer centre, by using contraband phones. And they know that people there are depressed, hopeless and in fear of violence from local people."

Some transferees at the ELRTC have been taken on excursions to neighbouring villages to try to convince them they should move to East Lorengau. These bus tours frequently are disastrous affairs, with the threats and intimidation making it impossible for transferees to get off the bus.

Guardian Australia has been told transferees who have refused to have their final refugee status meeting are likely to be returned to their home country.

The PNG authorities have also arranged for PNG's Divine Word University to provide educational and welfare services at ELRTC, supplementing and maybe even supplanting Transfield's service contracts in the process.

Messages have been sent telling the transferees that DWU will be offering a "better service".

Guardian Australia has been told those who have been given a "negative" refugee status will be transferred to the new facility at Port Moresby. From there they will be repatriated to their home country or, if stateless, kept there.

Guards from Wilson Security have been working in Port Moresby to implement this policy.

PNG immigration has told those with a negative assessment they may be held at "any location, including correctional institutions, while your removal is being effected".

It added: "You must depart PNG as soon as practicable ... You do not have the option of going to Australia. You will never go to Australia ... You have the right to communicate with a lawyer of your choice. Lawyers must hold a PHN practising certificate in order to practice here. If the lawyer charges a fee, this must be paid by you."

Those with refugee status who are refusing to comply or failing to attend their final status meeting will also be sent to the facility at Port Moresby. It is understood conditions at the Port Moresby centre will prove to be sufficiently intolerable that those held there will have an incentive to "give-up" and return to their home country.

Refugees cannot be forcibly repatriated, but in this way PNG authorities and their Australian sponsors hope to avoid the accusation of breaching the principle of non-refoulement under the Convention Relating to the Status of Refugees and the Convention Against Torture. Australia is a contracting state to the the refugee convention and its protocol.

As at 31 July, there are a total of 942 people detained at MIRPC, and of the 677 refugee status initial assessment notifications at Manus, 394 were positive and 282 were negative, ie. nearly 60% of those assessed were found to be refugees, compared with a comparable figure on Nauru of 83%.

Meanwhile, a well placed informant at the MIRPC said the physical and mental health of transferees is rapidly deteriorating.

“A large number of men are now receiving daily doses of strong psychiatric medicine and are increasingly showing symptoms of mental illness including depression, anxiety, suicidal thoughts, self-harm and suicide attempts.

“The men on psychiatric medicine have blue cards and go daily to IHMS where they are given medicine in unmarked cups which they take in front of the staff. Most men have no idea what they are taking and some have complained that they are experiencing side effects and are addicted.”

The Department of Immigration and Border Protection in Australia denies non-compliance among transferees is rising. Even so, inmates are powerless against reprisals, they dare not make official reports about what is happening to them, while staff are reluctant to report the misbehaviour of other sub-contractors or employees because of intimidation or bullying.

The new Manus Island management contract has not been formally concluded, but Transfield Services seems confident it is the successful tenderer. Already, a Transfield Services “optimisation group” has been on the island, touring the MIRPC plus the transit centre, looking for savings that can be made under the new contract.

Rosters already have been reorganised so welfare case managers and others make rotations every three weeks rather than two weeks. In other words, it’s now three weeks on, three weeks off – the same as guards from Wilson Security. This saves on the number of charter flights to and from Australia.

Transfield workers are also expected to agree to and sign a “media policy”: there can be no show of sympathy or support for causes opposed to offshore processing. This has been interpreted even to mean that a welfare officer, or any other staffer, could not “like” a refugee on Facebook.

A spokesperson for DIBP told Guardian Australia in response to a series of questions: “The government of Papua New Guinea is responsible for the refugee determination process, for the management of those determined to be refugees and for the arrangements at the East Lorengau refugee transit centre.”

The spokesman added that at the ELRTC there is “access to support services”, but people who have refugee status “are free to return to their country of origin”.

Australia funds the entire processing and transit operations on PNG and pays for the service providers, such as Transfield Services and Wilson Security.

Transfield Services had no comment in response to our questions.

<http://www.theguardian.com/australia-news/2015/aug/14/refugees-forced-to-choose-between-png-resettlement-or-custody-in-new-prison>

5. Immigration Department admits it was behind Freedom muesli bar ban on Manus Island offshore detention centre

ABC News Online

Posted Mon 10 Aug 2015, 3:22pm

Immigration authorities in Australia have belatedly admitted they directed an offshore detention centre not to distribute a huge shipment of “Freedom” brand muesli bars, but are refusing to say why the directive was made or what other brands are blacklisted.

In January, the ABC revealed the company running the Manus Island detention centre - Transfield Services - had refused a large shipment of muesli bars, apparently because the Freedom brand was considered inappropriate to give to asylum seekers housed at the facility, who are locked up.

The Department of Immigration and Border Protection at the time flatly denied they were behind the ban.

“Any assertion that the Department directed the service provider not to accept the bars is wrong,” the department said in an email on January 30.

But after a swathe of documents were released under Freedom of Information, including some that appeared to show the department directed Transfield not to distribute the bars, there has been a backflip.

The statement provided to you in January that the Department did not direct the service provider to reject ‘Freedom muesli bars’ was incorrect.

The statement was made in good faith based on the information we had at the time. Nevertheless, the information provided by the Department was wrong and we apologise for the error.

- Email from Department of Immigration and Border Protection

In follow-up questions, the ABC asked the department why a brand called Freedom had been banned, whether any other goods with similar names were likewise banned and whether there was a list of banned terms available.

"We have nothing further to add to our response," a spokeswoman for the department said.

In the documents released under FOI, one person, whose name was redacted, appears to indicate other goods may be disallowed from sale at Manus Island.

"Just don't mention the container of 'Liberty' snacks ready to go out," it said.

The FOI documents also indicate Freedom bars were removed from circulation at the Nauru detention centre.

An anonymous tweeter indicated that Freedom sanitary napkins had also been banned at offshore detention centres, which the department denied.

"In relation to the sanitary napkins, no such items have been distributed at the Nauru Regional Processing Centre," the statement said.

"No direction was provided by the department or by its service provider to ban the supply of any specifically branded sanitary napkins."

Recently introduced laws make it illegal for people working at immigration detention centres from revealing certain information, a crime punishable by up to two years' jail.

<http://www.abc.net.au/news/2015-08-10/immigration-admits-it-was-behind-freedom-bar-ban-on-manus/6686486>

6. Department denies boozy culture at Manus

Sydney Morning Herald
August 6, 2015
Lisa Martin

The immigration department insists the Australian operator of the Manus Island detention centre has always maintained a strict drug and alcohol policy.

Papua New Guinea Prime Minister Peter O'Neill has ordered a crackdown on staff drinking and drug taking, in the wake of allegations three Australian guards who worked for Wilson Security raped a local woman who also worked at the centre.

Mr O'Neill said the centre was supposed to operate a dry policy and criticised centre operator Transfield Services and Wilson Security for not enforcing the rules.

He has ordered PNG's chief migration officer to impose stricter controls and conduct regular drug and alcohol tests.

The immigration department has defended the action of Transfield.

"Service provider staff are subject to testing for alcohol consumption to ensure compliance with the drug and alcohol policy," a department spokeswoman told AAP on Thursday.

"The department expects service provider staff to act appropriately and with integrity in all their dealings."

The department was aware some disciplinary action had been taken against staff but declined to provide figures on the number of breaches.

The spokeswoman said the department takes any concerns raised by the PNG government seriously.

The PNG police investigation into the rape claims is ongoing and officers are upset the guards were suspended and returned to Australia before they could be questioned.

Immigration Minister Peter Dutton said the Australian Federal Police and his department would help with the PNG investigation.

It was important to ensure people acted within the law, he told reporters in Sydney on Thursday.

<http://www.smh.com.au/breaking-news-national/departments-denies-boozy-culture-at-manus-20150806-40jn2.html>

7. Former Nauru guards speak out against Wilson Security over spying on Sarah Hanson-Young cover-ups and abuse

ABC-TV - 7.30

By National Reporting Team's Lisa Main

First posted Thu 13 Aug 2015, 2:35pm

Updated Fri 14 Aug 2015, 7:05am

Former guards from the Nauru detention centre have spoken out against Wilson Security, accusing the Australian company of providing misleading evidence to Parliament.

The ABC's 7.30 program has obtained footage shot on cameras worn by Wilson Security staff showing guards at the centre preparing to confront detainees during the 2013 riot.

Since the parliamentary inquiry began, more guards have come forward claiming a spying operation on Greens senator Sarah Hanson-Young, first revealed in June, was more extensive than Wilson Security admitted.

The guards said the surveillance involved up to eight members of the Emergency Response Team and continued for the senator's full three-day stay on Nauru in December 2013.

Their accounts differ from concessions made by Wilson to the parliamentary inquiry that the rogue operation was "confined to an unauthorised observation from the car park" for 12 hours.

The former guards said orders were to follow and photograph the senator and make special notes about whom she met and when.

They also maintain the senator's room number at the Menen Hotel and her car registration were given to those executing the secret spy orders under the codename 'Raven'.

Apart from the guards, a doctor who worked on Nauru has also spoken out, telling the ABC the new border force laws are designed to silence the truth.

Sydney paediatrician David Isaacs said the practical effect of the new laws was that "if you do report child abuse [on Nauru] you could get into trouble, that's evil," he said.

In a late submission made to the inquiry and seen by the ABC, a former Wilson guard also confirmed the Hanson-Young spying operation.

He said he spoke to a member of the Emergency Response Team who said "Ranger 1 had us film the whole thing, we've been watching her the whole time".

He added, "they gave everything to intel so we know what she's been doing".

The former guard also said Wilson management "made very clear that anyone who spoke to the senator would be dealt with".

Culture of shredding reports from surveillance operations

When allegations of the unauthorised surveillance surfaced in June, Prime Minister Tony Abbott disputed the characterisation of the allegations, saying Senator Hanson-Young was being "looked after" while on the island.

Immigration Minister Peter Dutton also dismissed the claims, saying the senator "makes these allegations which are completely unfounded" and "she gets most of her facts wrong most of the time".

"I think Senator Hanson-Young conducts herself in a way which is frankly an embarrassment to our country," he said.

At the final Senate hearing on July 20, Wilson Security said the surveillance operation on Senator Hanson-Young was confined to the night of December 15, 2013 when a Wilson supervisor took it upon himself to authorise two employees to watch the Menen Hotel.

According to the former guards, Wilson management panicked once details of the secret surveillance operation became known outside the small operation.

One guard said he witnessed the subsequent shredding of all documents collected throughout the surveillance operation, including photos of the senator and all notes.

Several of the former guards who spoke to the ABC described a culture of shredding reports.

"When writing reports they [Wilson management] always say make the use of force look as minimal as possible, even sometimes we are aware of reports that may look bad [for Wilson] and they'll [Wilson supervisor] take it and shred it and they'll ask you to rewrite it."

The former guard said this results in underreporting of abuse.

"When I started I was probably doing 10 [reports] per rotation, by the end I was probably doing one," he said.

Guards unaware of whistleblower hotline and never breath-tested

The guards also named the supervisor who ordered the operation and said that he was not disciplined after the operation became known.

Wilson Security told the inquiry the supervisor was stood down "with pay" but promoted nine months later.

Wilson Security and Transfield, the company which is in charge of all operations on the island, have appeared three times before the Select Committee on Recent Allegations Relating to Conditions and Circumstances at the Regional Processing Centre in Nauru.

Throughout the hearings both Transfield and Wilson Security defended their operational policies, frequently pointing to a whistleblower hotline that until a few weeks ago no employee had used.

The companies also said they conducted regular alcohol tests on staff.

Former guards who spoke to the ABC said they were not made aware of a whistleblower hotline nor had they been breath-tested, nor seen any other employees breath-tested while on the island.

Several guards told the ABC alcohol was a problem and they had witnessed many guards turn up to work intoxicated.

In a July 21 Wilson Security meeting note seen by the ABC, the company acknowledged it has a long history of alcohol related incidents in both Manus and Nauru.

The parliamentary inquiry into operations at Nauru has uncovered:

- 67 allegations of child abuse - 30 of those made against staff
- 33 allegations of sexual assault/rape
- 11 Wilson staff disciplined or terminated in response to sexual abuse or the use of excessive force.

Paediatrician examined six-year-old who tried to hang herself

One guard recalled how he had to talk a transferee down for four hours when the asylum seeker managed to get hold of a large rock and a piece of wire and was attempting to drive it through his chest.

He said he had never received any training as a negotiator and "just winged it".

That guard said he is traumatised by what he experienced on Nauru and felt compelled to speak out.

Whistleblowers who worked on the island could face two years in jail if they speak out after the Border Force legislation came into effect on July 1.

Dr David Isaacs, a Sydney-based paediatrician who has run refugee clinics for 10 years, refuses to be silenced.

He said he has never seen more distressed families than the ones he saw on Nauru last December.

During his five-day visit, Dr Isaacs examined a six-year-old girl with rope burns around her neck after she attempted to hang herself using a fence tie.

Dr Isaacs said every child he saw on Nauru was suffering post-traumatic stress disorder.

"If I see child abuse in Australia and I don't report it I can get into enormous trouble," he said.

"If I see child abuse on Nauru and I do report it, I might go to prison for two years."

The inquiry is due to report in the coming weeks and the ABC understands it will make a number of key recommendations, including a demand that all children are removed from detention on Nauru, mandatory reporting of sexual abuse and a comprehensive drug and alcohol testing program on Nauru.

It may also recommend that the Immigration Department and Australian Federal Police conduct a full audit of all abuse allegations.

<http://www.abc.net.au/news/2015-08-13/former-nauru-guards-speak-out-about-wilson-security/6694014>

8. Nauru detention centre guards joked about shooting detainees before riot

ABC's 7.30 airs footage of Wilson Security guards calling detainees 'fuckers' and 'cunts' and reveals more details of 'unauthorised' spying on Greens senator

The Guardian
Calla Wahlquist
Friday 14 August 2015 07.33 AEST

Australian guards working at Nauru detention centre joked about shooting detainees before a riot in July 2013 for which a number of detainees were charged, according to footage obtained by the ABC's 7.30 program.

The footage from a body camera worn by a guard employed by Wilson Security at the Australian-run detention centre, apparently filmed a short time before the unrest began, showed several guards discussing plans to assist Nauru police during the anticipated unrest and dismissively calling detainees "fuckers" and "cunts".

In one exchange, a guard can be heard to say: "We've got cops at Charlie two... If they do try to escape the coppers want your team up there to give them a hand. Arrest the fuckers."

In another exchange, between three brown-shirted guards, the man wearing the camera responds to an order to "assist the cops in any way and in as much capacity" as he can by saying, "yeah, as soon as the cop tells you what to do you can do it."

Another guard jokes, "Now, I don't understand Naruan so I'm just gonna say he told me to do everything."

He continued, over the laughter of other guards, "I'm pretty sure he said shoot that guy. I'm fairly confident he gave me that order'."

A subsequent review of the riot, which destroyed much of the detention centre, criticised the Department of Immigration and major service providers for a "lack of decisive operational leadership".

One former detention guard, whose identity was shielded, also contradicted claims made by Wilson Security management in a senate committee that the actions of some of its staff in spying on Greens senator Sarah Hanson-Young during her visit to the detention centre in December 2013 were "not authorised."

The guard told reporter Hayden Cooper that eight guards were involved in the operation, codenamed 'Operation Raven', but once word got out they were told to destroy the evidence.

"Basically the individuals involved and the supervisor were called into the Wilson office, they were told to shred pages from their notebooks and any reports they had written up," he said.

He said he had no doubts that it was an extensive spying operation, and not just Hanson-Young being "looked after" by the guards, as the prime minister, Tony Abbott, claimed.

"What I was aware of, or what I had heard from the guys that were involved, was that they were briefed on her room number, her vehicle, and what time she was going to be in and out of the camp," the guard said.

"They were also told to follow her, and they were told to keep notes on who she was talking to around the island and in her room."

The interview accords with a submission made by a former Wilson Security employee to the senate inquiry into the Nauru detention centre, which also referenced what appeared to be the same body-camera video shown by 7.30.

The submission said the video made it "obvious to me that these Wilson guards were planning to use unreasonable force and assault the asylum seekers even before the riot started," before concluding, "I strongly recommend the centre is shut down, the remaining asylum seekers be processed onshore and all the refugees that were released into the Nauruan community be brought to Australia."

The senate inquiry into allegations around the conditions of the Nauru detention centre is expected to release its findings this month.

<http://www.theguardian.com/world/2015/aug/14/nauru-detention-centre-guards-joked-about-shooting-detainees-before-riot>

9. Spying and abuse described by Nauru detention centre's former staff

Whistleblowers have defied the law to speak out about a culture of cover-ups and abuse at Nauru's immigration detention centre, and they challenge the evidence given by centre operators before parliament.

ABC-TV - 7.30

Australian Broadcasting Corporation

Broadcast: 13/08/2015

Reporter: Hayden Cooper

Video and Transcript:<http://www.abc.net.au/7.30/content/2015/s4293119.htm>

Transcript

LEIGH SALES, PRESENTER: Detention centre whistleblowers are defying the law to speak out about a culture of cover-ups and abuse on Nauru and challenge the evidence given by centre operators before Parliament. A Senate inquiry into the island is due to report within days. Tonight, 7.30 can reveal the likely findings of the committee, including a demand for children to be removed from detention. As Transfield and Wilson Security seek to renew their lucrative contract to run the detention centres, the conduct of their staff is under more scrutiny, not least over a covert operation to spy on an Australian senator and Wilson's attempt to play it down. This report from Hayden Cooper.

HAYDEN COOPER, REPORTER: Inside the Nauru detention centre in the hours before the riot of July, 2013. This footage is from a camera worn by one of the Wilson security guards.

SECURITY GUARD: We've got the cops at Charlie 2.

SECURITY GUARD II: Yep.

SECURITY GUARD: If they do try to escape, the coppers want your team up there to give them a hand, arrest the f**kers.

SECURITY GUARD II: Sweet as.

SECURITY GUARD: Alright.

HAYDEN COOPER: The guards are preparing to join Nauruan police at the camp's gate in an effort to contain the unrest.

SECURITY GUARD III: So if something happens, all the cops are on standby out at Charlie 2, man. If something happens and they all go out through here, then we go Charlie 2.

SECURITY GUARD IV: Yeah.

SECURITY GUARD III: Take (beep) down. The cops have asked ERT to assist.

SECURITY GUARD IV: So just grab 'em.

SECURITY GUARD III: We assist the cops in any way in as much capacity as - because you become an authorised officer.

SECURITY GUARD IV: Yeah, yeah, as soon as the cop tells you what to do, you can do it.

SECURITY GUARD III: Yeah.

SECURITY GUARD IV: Now I don't understand Nauruan, so I'm just gonna say he told me to do everything.

SECURITY GUARD V: I'm pretty sure he said shoot that guy. I'm fairly confident he gave me that order.

HAYDEN COOPER: This video has come to light because of more and more Australians who are prepared to defy the new Border Force Act and risk two years' jail by revealing what they experienced on Nauru - guards, social workers, doctors.

DAVID ISAACS, PEDIATRICIAN: If I see child abuse in Australia and I don't report it, I can get into enormous trouble. If I see child abuse on Nauru and I do report it, I might go to prison for two years.

NATASHA BLUCHER, SOCIAL WORKER: Australian people deserve to know what's being done in their name with their tax money. And - and they don't know.

HAYDEN COOPER: Tonight, 7.30 reveals a rare glimpse of life on Nauru, through photographs, videos filmed by asylum seekers and the testimony of those who worked there. A former Wilson Security guard who feels compelled to speak out.

Is this sort of abuse still going on, do you think?

FORMER WILSON SECURITY GUARD: I'd say definitely, yes.

HAYDEN COOPER: Paediatrician David Isaacs, a man still shocked by what he witnessed on Nauru during a visit last December.

DAVID ISAACS: I saw a six-year-old girl who tried to hang herself with a fence tie and had marks around her neck. I've never seen a child self-harm of that age before.

HAYDEN COOPER: And there with him was Sydney nurse Alanna Maycock.

ALANNA MAYCOCK, NURSE: David and I heard a report from a mother that we'd seen that she'd been raped there. She was offered more time in the showers for sexual favours.

DAVID ISAACS: After five days, I went home and had nightmares. I didn't expect that. I didn't expect to be so, um, traumatised by these people's trauma. These are people, ordinary people and we're treating them with, um - sorry. We're treating them with incredible cruelty.

HAYDEN COOPER: These serious allegations of rape, self-harm and abuse have dominated the Senate inquiry, and since, some have been referred to Nauruan police. But the responses of centre operators Transfield and Wilson Security are now being called into question. Both claim staff are trained to report abuse, including through a special hotline.

NAURU DETENTION CENTRE OPERATOR REPRESENTATIVE: We have had this whistleblower hotline in place for a long time. It is actually on the backdrop of every person's screen at work.

HAYDEN COOPER: This former guard says otherwise.

FORMER WILSON SECURITY GUARD: I'd never heard of it. During my induction course when I first started work, they never mentioned it and the whole time I worked there, I never heard of it.

HAYDEN COOPER: No-one said there's a hotline you can call if you want to report abuse or anything like that?

FORMER WILSON SECURITY GUARD: Never.

HAYDEN COOPER: You never saw the whistleblower hotline advertised?

FORMER WILSON SECURITY GUARD: Never.

HAYDEN COOPER: Alcohol and drug use among guards and other staff on Nauru is a problem. This record of a Wilson Security management meeting obtained by 7.30 confirms the incidents of alcohol abuse.

Transfield told the inquiry that staff on Nauru are subject to random alcohol testing.

SARAH HANSON-YOUNG, GREENS SENATOR: Is it every day?

TRANSFIELD REPRESENTATIVE: Ah - yes, my understanding is every day, testing would occur.

HAYDEN COOPER: Can you describe for me what sort of alcohol testing was done on you while you worked at Nauru?

FORMER WILSON SECURITY GUARD: None, not once. The whole time that I worked there, I was never tested for alcohol and I'd never seen any alcohol testing.

HAYDEN COOPER: You never saw any random breath testing at all?

FORMER WILSON SECURITY GUARD: Not at all.

HAYDEN COOPER: But it's the evidence provided on so-called Operation Raven that several guards now dispute - the spying on Senator Sarah Hanson-Young during her visit to the island, an incident the Government dismissed.

TONY ABBOTT, PRIME MINISTER: I don't accept that characterisation. I believe she was being in fact looked after while she was there.

PETER DUTTON, IMMIGRATION MINISTER: My experience of Sarah Hanson-Young is that she gets most of the facts wrong most of the time.

HAYDEN COOPER: Wilson admitted the spying, but said it was limited in scope to one supervisor and two of his staff.

WILSON SECURITY REPRESENTATIVE: Senator, there was no reporting that came out of this that didn't inform any decision-making. It was the rogue actions of a misaligned individual.

HAYDEN COOPER: But several former guards have told 7.30 that in fact up to eight Wilson employees were involved.

FORMER WILSON SECURITY GUARD: What I was aware of or what I'd heard from other guys who were involved was that they were briefed on her room number, the vehicle and what time she was going to be in and out of the camp. They were also told to follow her and they were told to keep notes on who she was talking to around the island and in her room.

HAYDEN COOPER: So it was quite an extensive spying operation?

FORMER WILSON SECURITY GUARD: Yes.

HAYDEN COOPER: Do you have any doubts about that at all?

FORMER WILSON SECURITY GUARD: I have no doubts.

HAYDEN COOPER: Later when news spread, they panicked.

FORMER WILSON SECURITY GUARD: Basically, the individuals involved and the supervisor were called into the Wilson office. They were told to shred pages from their notebooks and any reports they had written up.

HAYDEN COOPER: It's not yet clear if the committee will refer this allegation to Australian Federal Police.

With the Senate inquiry drawing to a close, 7.30 understands it will make a number of key recommendations. These are likely to include a demand for children to be removed from detention, for the reporting of sexual abuse to be made mandatory and for the Immigration Department and Federal Police to conduct a full audit of all allegations. The committee may also recommend comprehensive drug and alcohol testing on Nauru and for the Immigration Ombudsman to review all complaints made against detention centre staff.

These photos obtained by 7.30 reveal the mouldy and ramshackle tents housing asylum seekers. 700 are held on Nauru at a cost per detainee of \$2,000 a day.

Natasha Blucher is another former staffer who won't stay quiet. She worked for Save the Children and wants the centre closed, but she's pragmatic.

NATASHA BLUCHER: You won't get an argument from me in relation to whether or not we need to stop the boats. We shouldn't have people getting on boats because they're desperate and drowning. Like, that argument does have merit. But you can't tell me that in a country that's developed and full of educated people, that we can't do it in a way that's not so brutal and doesn't cause so much harm to people.

HAYDEN COOPER: Dr David Isaacs believes he'll never return to Nauru because he won't be allowed back - the price of ignoring the Border Force Act and going public.

DAVID ISAACS: It's child abuse. Putting children in detention is child abuse. So, our Government is abusing children in our name.

LEIGH SALES: Hayden Cooper reporting.

Video and Transcript: <http://www.abc.net.au/7.30/content/2015/s4293119.htm>

10. Greens call for Wilson Security ban at Nauru amid claims of spying on senator

Richard Di Natale urges Australian federal police to investigate allegations Sarah Hanson-Young was followed by Wilson guards while visiting the island in 2013

The Guardian
Australian Associated Press
Friday 14 August 2015 14.35 AEST

The Greens are demanding Wilson Security be barred from rebidding for work at the Nauru immigration detention centre after claims one of its senators was subject to systematic spying.

An unnamed whistleblower alleges Sarah Hanson-Young had her every move tracked by a team of eight Wilson guards while visiting the island in 2013, a claim at odds with evidence the company has given to a Senate inquiry.

The former guard told ABC TV that management had ordered his colleagues to shred pages in their notepads and any reports they had written.

The Greens leader, Richard Di Natale, has urged the Australian federal police to investigate the claims, despite the visit occurring outside its jurisdiction.

"Can you imagine if a member of the government or opposition was spied on in the same way?" he asked reporters in Canberra on Friday. "Heads would roll."

Di Natale called for the immigration minister, Peter Dutton, to apologise to Hanson-Young for initially ridiculing her complaint.

"Unless there is a full independent police investigation of this matter then the minister needs to consider his position," Di Natale said.

Wilson Security apologised to the senator during a hearing of the inquiry, insisting the spying had been limited to the unauthorised actions of a rogue individual.

Di Natale accused the company of giving misleading evidence, possibly putting it in contempt of parliament.

"We can't have this lawless government contractor responsible for the security of innocent people," he said.

Hanson-Young is seeking legal advice.

<http://www.theguardian.com/australia-news/2015/aug/14/greens-call-for-wilson-security-ban-at-nauru-amid-claims-of-spying-on-senator>

11. Peter Dutton should consider resigning after Sarah Hanson-Young hotel room spy allegations: Greens

Sydney Morning Herald
August 14, 2015
Nicole Hasham

Immigration Minister Peter Dutton should consider resigning over fresh allegations Australian-paid security guards filmed and photographed Greens senator Sarah Hanson-Young inside her hotel room during a covert spying operation, party leader Richard Di Natale says.

The Greens have called for a federal police investigation into the incident allegedly perpetrated by staff from Wilson Security, the subcontractor that oversees security at the Australian-run asylum seeker camp on Nauru.

Senator Di Natale on Friday said Senator Hanson-Young's movements were tracked and "she was photographed and filmed inside her hotel room" during a visit to the island in December 2013.

A Greens source said several people approached the party to disclose the information.

As Fairfax Media reported in June, private security guards on Nauru allegedly ran a secret surveillance operation on Senator Hanson-Young, an outspoken opponent of onshore and offshore detention.

The Wilson guards alleged she was covertly followed and her hotel was watched in a secret operation known as "Raven".

On Thursday night the ABC also reported that former guards alleged eight members of the security company's Emergency Response Team spied on Senator Hanson-Young throughout her three-day visit to Nauru.

The former guards said orders were made to follow and photograph the senator and make notes on who she met and when.

They also claimed the senator's room number at the Menen Hotel and her car registration details were given to those taking part in the spy operation.

The guards alleged once the operation was uncovered, those involved were ordered to shred reports and pages from their notebooks.

The allegations, and those by Senator Di Natale, contradict evidence Wilson Security officials supplied to a Senate inquiry into conditions on Nauru.

The company's submission stated it "strongly rejects the allegation" that it organised a team to spy on the senator, saying some employees went to Senator Hanson-Young's hotel, primarily to ensure her "security".

The company's Southern Pacific executive general manager John Rogers also told the inquiry in June that the surveillance extended only to two staff who were sent to watch the hotel car park on one night.

The guards who spoke to the ABC accused their former employer of giving misleading evidence to Parliament.

Wilson Security would not comment on claims Senator Hanson-Young was photographed inside her hotel room.

In a statement on Friday, the company said it "categorically" rejected the claims made on the ABC.

"Unfortunately we were not invited to comment. These anonymous allegations are untrue and we stand by our sworn testimony given to the Senate Inquiry," the statement said.

When the allegations first surfaced, Mr Dutton rejected them and described Senator Hanson-Young as an "embarrassment to the country".

Senator Di Natale said the allegations were extremely serious and Mr Dutton must ensure a full police investigation and departmental review. The Greens have also written to the Australian Federal Police to request an investigation and Senator Hanson-Young is considering legal action.

Senator Di Natale said if police did not investigate, Mr Dutton should "consider his position".

"Can you imagine if a member of the government or opposition was spied on in the same way? Heads would roll over this," he said.

"A member of the Australian Parliament has been spied on for doing nothing other than her job, in an effort to try and shut down any scrutiny of what is going on in our offshore detention network."

The Australian government pays Transfield Services to operate the Nauru centre. Wilson Security is engaged as a subcontractor.

Senator Di Natale said Wilson was a "lawless government contractor" that should not be responsible for the security of asylum seekers.

"This is a law unto itself, what is going on on Nauru, and it has to stop," he said.

"If they're prepared to go to these sorts of depths to spy on members of the Australian Parliament, God only knows what is happening to those innocent men, women and children who are locked up on in these camps."

He called on Mr Dutton to apologise for ridiculing the senator.

Mr Dutton and Labor immigration spokesman Richard Marles have been contacted for comment.

<http://www.smh.com.au/federal-politics/political-news/peter-dutton-should-consider-resigning-after-sarah-hansonyoung-hotel-room-spy-allegations-greens-20150814-giz0di.html>

12. Claims asylum seekers at Nauru were water-boarded are 'unsubstantiated': Peter Dutton

ABC News Online / AAP

First posted Fri 14 Aug 2015, 5:20pm

Updated Fri 14 Aug 2015, 8:57pm

A spokesman for Immigration Minister Peter Dutton says claims by an Australian guard that asylum seekers at Nauru detention centre were water-boarded are "unsubstantiated" and the firm at the centre of the allegation strenuously denies the assertion.

The unnamed whistleblower, who works for Wilson Security, made the torture allegations in a submission to the parliamentary inquiry examining abuse at the centre.

He said asylum seekers were water-boarded and secured to metal frame beds that were thrown into the air so they crashed onto the floor.

In his submission the whistleblower also gave a detailed explanation of a technique called "zipping".

"This process occurs by using cable ties to secure an asylum seeker to a metal bed with metal bars at the base ... the bed is thrown into the air and injury caused to the asylum seeker as the bed strikes the floor," he said.

Wilson Security rejected the water-boarding and zipping claims and dismissed the submission as "inflammatory, incorrect and misleading" saying there was no evidence to support the allegations.

"There is not, and has never been, any suggestion that this has ever occurred - apart from this unparticularised and generalised claim," the company said in a submission to the inquiry.

"We are extremely concerned at the seriousness of the allegations in the submission. Of equal concern is the absence of evidence that supports the allegations - which is of particular concern in light of how serious they are. You will see in our response that we are able to reject many of the claims convincingly, with supporting documented facts," the submission said.

"However, in other cases we are dealing with unparticularised and generalised assertions with no detail. It is difficult to respond to such matters."

The company said a complaints process existed in which asylum seekers could disclose incidents of abuse, but there had been no complaints about the alleged water-boarding.

It also said asylum seekers have regular access to telephone, internet, and social media, and yet no claims had emerged.

Wilson Security urged the parliamentary committee not to make the submission public because it could cause "significant distress, consternation and agitation at the centre, and compromise the safety of people there".

Companies 'strongly reject claims'

A spokesman for Immigration Minister Peter Dutton said no claims of water-boarding had been made to the Government or brought to its attention.

"The submission to the Senate Committee makes numerous, unsubstantiated assertions," the spokesman said.

"The Government notes that both service providers to the Nauru Regional Processing Centre – reputable major companies - have strongly rejected the claims made in the submission."

The submission by the whistleblower also alleges guards regularly goaded asylum seekers into reacting and then bashed them, but the company denied there was a "random cycle of abuse".

The guard accused his employer of regularly shredding incriminating documents, a claim the security firm also denied.

He said Wilson Security staff bashed a male refugee senseless following an incident at the Jules nightclub in Nauru and the refugee was later thrown from the club's balcony.

The refugee had allegedly touched a female aid worker inappropriately, he said.

The company's version of events is that the intoxicated refugee was removed from the venue after sexually assaulting the female worker, who did not wish to press charges.

The refugee returned later with two companions and confronted staff who had removed him.

"They defended themselves and there was a resulting altercation," the company said, adding there were no serious injuries and the police were not called.

The guard claims Wilson Security staff are heavily comprised of former Australian and New Zealand soldiers who harbour ill will towards people from countries where they served.

"Many Wilson Security staff fought against the asylum seekers they are now guarding," he said.

The company said it employs a diverse workforce and provides continuing cultural awareness training.

The guard also said staff were given no training on how to deal with detainees' mental health issues.

"Rather, asylum seekers were simply cast as criminals from the start," he said.

The company insisted its training was up to scratch and staff are required to treat asylum seekers with respect and dignity based on a code of conduct.

The whistleblower also alleged "Wilson Security forced asylum seekers to provide statements that certain other asylum seekers were rioting but these 'informers' were not on Nauru at the time of the riot".

<http://www.abc.net.au/news/2015-08-14/guard-tells-parliamentary-inquiry-asylum-seekers-tortured-nauru/6699162>

13. Nauru asylum seeker rape victim refused medical treatment in Australia, family says

ABC News Online

By the National Reporting Team's Alex McDonald

Posted Tue 11 Aug 2015, 4:04pm

The family of a female Iranian asylum seeker, who was allegedly raped three months ago in Nauru, say the Federal Government has refused to allow her to be treated in Australia.

In May, 23-year-old Nazanin Bagheri left the Nauru detention centre to visit friends on the island.

She was raped as she made her way back to the family camp.

Ms Bagheri's brother Omid said following the attack, staff from medical provider, IHMS, informed the family his deeply traumatised sister would be sent to Australia for treatment.

"Some of them directly talked with us and said that in the next few days, you and your family, will transfer from here to Brisbane for having special medical care," he said.

But that has not happened.

Since the assault Ms Bagheri has been kept in a separate compound away from her family.

"Because of her depression, two times she tried to kill herself," Mr Bagheri said.

"One time with cutting her hand and the last with a bottle of insecticide.

"They're keeping her in IHMS hospital after last suicide [attempt] for more than three weeks. And after that time she hasn't talked with anybody, she hasn't eaten anything."

While local police initially denied the assault had occurred, they eventually conceded it had and began to investigate. However, no charges have been laid.

Australian Border Force has also confirmed it is aware of the incident and said it takes allegations of sexual assault seriously.

A spokesperson for the Immigration Minister said in a statement: "The individual concerned is receiving appropriate medical and mental health support and care in Nauru."

"Medical professionals have advised that the individual does not require a medical transfer."

Greens Senator Sarah Hanson-Young said the Government over-ruled a decision to bring Ms Bagheri to Australia for treatment.

"The information that I've been given is that staff at the detention camp have said that she can no longer be transferred to Australia," Ms Hanson-Young said.

"That she won't be given the medical assistance she needs and that directive has come from Canberra.

"What we know is that nobody has been charged as a result of this. In fact witnesses haven't even had statements taken.

"These are the incidents that are going on on a regular basis inside Nauru and somebody needs to start taking responsibility for them."

Allegations of widespread sexual assaults on Nauru

A Senate Select Committee has been probing several allegations of corrupt behaviour and physical and sexual assaults within Nauru's detention centre.

Ms Hanson-Young said the report will be tabled within weeks.

"That process has shed a lot of light on a lot of incidents that the Government denied, and didn't want to talk about, were happening," she said.

"There is a cover up of the abuse and level of safety in the Nauru camp and the community as a whole."

However for Ms Bagheri, it appears unlikely she will receive medical treatment in Australia.

Last month a leaked IHMS document suggested asylum seekers in Nauru who required medical care would now be flown to Papua New Guinea.

The minister's office has confirmed asylum seekers may be transferred to other countries in order to receive medical treatment not available on Nauru.

<http://www.abc.net.au/news/2015-08-11/asylum-seeker-allegedly-raped-denied-treatment-in-australia/6689192>

14. Commonwealth sued over 'negligence' of 5yo asylum seeker who lived on Nauru

ABC News Online
Posted Fri 14 Aug 2015, 3:53pm

Landmark legal proceedings have been launched against the Commonwealth Government over the alleged negligence of a five-year-old girl at Nauru detention centre.

Darwin lawyer John Lawrence on Friday told the Northern Territory Supreme Court the Iranian asylum seeker suffered significant mental injuries caused by a year spent in detention.

He said medical records showed she suffered post-traumatic stress disorder (PTSD), severe anxiety disorder, severe depression and bed wetting.

He said the girl's family wanted compensation from the Commonwealth for allegedly breaching its duty of care.

They are also seeking an injunction stopping their return to Nauru.

Lawyers representing the Commonwealth argued the case needed to be heard in the High Court as it involved a migration decision.

In April the ABC obtained medical records of the girl completed between January and February this year.

"This child should not be sent back to Nauru as she continues with a significant PTSD syndrome to the exposure to traumatic events during her previous stay, with ongoing severe anxiety symptoms, and risk of self-harm," one of the reports said.

It records the prescribing of anti-depressant medication to the girl.

The report said she was "still talking of hurting herself as per previous threats, parents are worried about when she is on her own at school, that she could hurt herself".

Another report said the child was wetting the bed and soiling herself during the day and at night, while a separate report said she displayed signs of anxiety that may have been getting worse.

<http://www.abc.net.au/news/2015-08-14/commonwealth-sued-over-treatment-of-5yo-asylum-seeker/6699010>

15. Asylum seeker married to an Australian resident faces deportation to Iran

Mojgan Shamsalipoor, 21, who claims she was raped and tortured in Iran, removed from Brisbane high school and transferred to Darwin detention centre

The Guardian
Joshua Robertson
Tuesday 11 August 2015 13.56 AEST

An Iranian woman who claimed she was repeatedly raped, tortured and told to marry an older man has failed to win asylum in Australia and now faces being deported to her home country.

Mojgan Shamsalipoor, 21, who has been placed back in detention after her asylum claim was rejected by immigration officials, planned to return to Iran to apply for a spouse visa after marrying an Australian resident last year.

But Shamsalipoor, who fled Iran in 2012 with her brother Hussein after she was told she would never see her mother again unless she married a man in his late 50s, was warned by friends and family it was unsafe to return, her supporters say.

Her husband, Milad Jafari, said she was now being denied contact with her brother in a Darwin detention centre after being forcibly relocated on Friday from Brisbane where she was three months away from graduating high school.

“The immigration department was actually promising her if she was going to be separated from her husband, she will be with her brother [in detention],” Jafari told Guardian Australia.

“They have not let them see each other for more than one hour and yesterday they cancelled their visit. They say she has to put in an application and that takes time.”

Jafari said the siblings had been placed in separate sections of the detention centre in Darwin; she in the family quarters, her brother in the single quarters.

“She doesn’t want to eat or drink, she’s very upset about the situation,” he said.

Jafari said he planned to move to Darwin to be closer to Shamsalipoor “so I can support her”.

“But before I go I’m going to fight for her, no matter what happens, because this is my last chance to tell everybody I love her and how much I care about my wife,” he said.

Jafari said lawyers had suggested Shamsalipoor’s hopes of obtaining a spouse visa from overseas would now likely be dashed because her asylum claim had been rejected. She is due to speak soon to a migration lawyer recommended by prominent barrister Julian Burnside.

Queensland Teachers’ Union member and supporter Jessica Walker said Shamsalipoor’s sudden removal from detention in Brisbane, where she attended Yeronga state high school daily under the watch of security guards, had left fellow students “distracted” and teachers and parents in shock.

“Forty-seven of our students, including Mojgan, are on these bridging visas or with no visas,” Walker said.

“Other kids now in community detention were at the same detention centre in Brisbane as she was. So they’re now thinking, if that happened to her, what’s now going to happen to us?”

“The kids today were asking: ‘Why has she been taken? What would happen if she went back to Iran? What can we do? It’s not fair, she’s married to an Australian, he’s a new Australian but that shouldn’t matter’.”

Shamsalipoor married Jafari, also 21 and from Iran, late last year after they met at Brisbane’s Milperra high school. They then transferred to Yeronga, where Walker said it was “very obvious” their relationship was genuine.

She lived with Jafari and his parents, who were granted permanent resident protection visas in 2012 after more than two years in community detention.

Walker said Shamsalipoor had prepared to return to Iran to finish her schooling and apply for a spouse visa after her asylum claim was rejected.

But she abandoned those plans “after she received advice from family and friends in Iran that it would be very unsafe for her to return”.

“That was all at the last minute because everything was planned for her to go and then she said I can’t and that’s when she went into detention [in Brisbane in late 2014],” Walker said.

In Iran Shamsalipoor had experienced “repeated sexual assault, was raped by more than one person and suffered mental and physical torture by someone who was meant to protect her”, Walker said.

“She was told she had to marry a much older man, whom she thinks is aged 58 to 60 years, or she would never see her mother again,” she said.

This ultimatum prompted her brother to take her out of Iran to Australia via Indonesia, Walker said.

While in detention in Brisbane, Shamsalipoor was escorted to school by guards who routinely searched her for forbidden items such as money.

On one occasion, a guard who found her with \$20 which Jafari had given her for an excursion “yelled at her” in front of a group of shocked parents and students, Walker said.

“It’s just horrible the way she’s been treated,” she said.

When Shamsalipoor learned her brother’s asylum claim was rejected in 2014, she suffered a “significant panic attack” at school, where she had to be sedated by ambulance officers with morphine, Walker said.

The school community, through teachers, the principal and the Parents and Citizens’ Association have for months petitioned immigration minister Peter Dutton to intervene in Shamsalipoor’s case.

“Every time we get the same response back, that she’s being ‘well cared for in line with her circumstances’,” Walker said.

Students are planning to dedicate a school multicultural day concert on Friday to Shamsalipoor, who had been due to perform.

Comment has been sought from the immigration department.

<http://www.theguardian.com/australia-news/2015/aug/11/asylum-seeker-married-to-an-australian-resident-faces-deportation-to-iran>

16. Afghan asylum seeker, 21, to be forcibly repatriated despite brothers' murders

Afghan man whose father disappeared and brothers were killed by the Taliban being sent back to Kabul despite recurring violence in the city

The Guardian

Ben Doherty

Tuesday 11 August 2015 16.37 AEST

A 21-year-old Afghan asylum seeker whose brothers were killed by the Taliban and whose father disappeared is set to be deported from Australia to Kabul on Tuesday despite a wave of violence in the city that has left more than 50 dead.

The man, known as R to protect his identity, was told on Tuesday to gather his possessions ahead of his forced removal from the country.

Friends said the man was “terrified” of being returned to Afghanistan.

R fled his home in Logar province in 2011 after the Taliban threatened his family because he had attended a vocational school that was seen to be sympathetic to western ideas.

After three threatening letters, R’s father and uncle disappeared – neither have ever been found – and R’s mother urged him to leave the country. He came by boat to Australia, and lived in the community for three years before being re-detained by immigration authorities.

Since coming to Australia, R’s family has continued to be threatened, and his two younger brothers were murdered in a Taliban ambush in 2013.

R is a Shia Muslim and an ethnic Tajik, both minorities targeted by the Sunni Pashtun Taliban.

But R has no legal avenue to contest his forced deportation. His legal challenges have been exhausted and Australia’s migration system does not permit any further merit reviews of his case, or allow for the consideration of new circumstances, such as the targeted killing of his brothers.

“The current legal system that exists in Australia for processing refugee claims doesn’t allow any mechanism to reopen cases after a final decision has been made,” said Victoria Martin-Iverson, an advocate who has supported R in hearings.

“Not even if that decision was several years ago, and not even in the face of dramatic events in country of origin. It is quite clear that there has been a significant deterioration in the security situation in Kabul. It is also clear this young man faces risk of persecution and possibly even death.

“There is something desperately amiss with the refugee assessment process and the limitations on further appeals if a young man from an ethnic and religious minority can be forcibly returned to a nation at war.”

Afghanistan has refused to accept forced repatriations from other countries, such as Sweden, and appears reluctant to accept to Australia’s forced deportations.

A previous attempt to deport R last month failed because the Afghan embassy refused to grant visas to the escorts who were to take him back.

The first Afghan forcibly deported by Australia, a Hazara man called Zainullah Naseri who was sent back last year, was reportedly kidnapped and beaten by the Taliban before he escaped.

Kabul airport, where R will land, was targeted by a Taliban suicide bomber on Monday. The explosion at a security checkpoint killed five people and injured 16, mainly civilians, including at least one child.

The Taliban claimed responsibility for the attack but said the bomb was intended to kill a convoy of foreigners.

That attack followed a deadly week in the troubled Afghan capital. More than 50 people were killed in Kabul, in three separate attacks, on Friday alone.

Early in the morning, a truck bomb was detonated near an army base in Shah Shahid, in the south-east of the capital, killing 15. At least 240 people were injured in one of the biggest explosions ever witnessed in the city.

That evening, a suicide bomber killed 20 police recruits at Kabul's police academy, and later gunmen attacked Camp Integrity, a Nato base near the airport that houses US special forces, killing 11 people, including an American soldier.

The road to R's insurgency-prone home province of Logar, south of Kabul, was bombed last Thursday by the Taliban. Six died.

The recent surge in violence has highlighted a broader trend: 2015 has been one of Afghanistan's deadliest postwar years.

In the first six months of 2015, the UN documented 4,921 civilian casualties, including 1,592 people killed, a 1% increase on last year's record number. A quarter of the civilian casualties were children.

And the violence is expected to continue.

Since the Taliban confirmed the death of its leader, Mullah Omar, last week, some fighters have pledged allegiance to the new chief, Mullah Akhtar Mansour. But others are resisting, and an internecine power struggle within the Taliban could derail the fragile peace talks under way between it and the Afghan government.

"We suspect the upsurge in violence may be triggered by the succession battle within the Taliban," Nicholas Haysom, head of the UN mission in Afghanistan, told the BBC.

<http://www.theguardian.com/australia-news/2015/aug/11/afghan-asylum-seeker-21-to-be-forcibly-repatriated-despite-brothers-murders>

17. School community reels at the removal of asylum-seeking student

ABC Radio - Life Matters
Wednesday 12 August 2015 9:06AM

(Audio through website link)

Full story at <http://www.abc.net.au/radionational/programs/lifematters/school-community-reels-at-the-removal-of-asylum-seeking-student/6689350>

Mojgan is in the last months of completing year 12 at Yeronga State High School in Brisbane, where she has been studying for 4 years. She also recently got married. But after her asylum seeker claim was rejected, she has been living in Brisbane Immigration Transit Accommodation centre.

And on Friday, it's been reported she was taken involuntarily from her Brisbane residence to a detention centre in Darwin.

The Immigration Department says that the reasons were "operational" and not related to her interview with the ABC.

Mojgan is one of a number of Iranian asylum seekers who have been put back in detention while negotiations are allegedly under way to return them to Iran after their asylum claims have been rejected.

But members of her community at Yeronga High School are distressed by her case and are speaking out.

Full story at <http://www.abc.net.au/radionational/programs/lifematters/school-community-reels-at-the-removal-of-asylum-seeking-student/6689350>

18. Lawyer for schoolgirl detained by Immigration Department reports being denied access to client

ABC Radio CAF - PM
By Eric Tlozek
First posted Fri 14 Aug 2015, 4:38pm
Updated Fri 14 Aug 2015, 4:49pm

The lawyer for a Brisbane schoolgirl detained by the Immigration Department says he has been denied access to his client.

Kevin Kardigamar has been trying to see Iranian asylum seeker Mojgan Shamsalipoor in the Wickham Point detention centre since Monday.

Teachers, supporters and the husband of the Brisbane high school student engaged the Darwin lawyer after Ms Shamsalipoor was transferred from Brisbane's immigration detention on August 7.

Mr Kardigamar said the Australian Border Force rejected his attempts to provide legal representation because he did not have signed authority from her.

"Of course that was impractical," he said.

"I couldn't get any signed authority from the client unless I get to see her in the centre."

Mr Kardigamar said he had since provided authority from Ms Shamsalipoor's husband, but the process had been further delayed.

"It clearly is an abrogation of fundamental legal rights," he said.

"These are people in very vulnerable situations and who also have not committed any crime and they're languishing in a detention centre which is very akin to a prison.

"To make it that difficult for a legal representative to go and visit our client who has requested that visit, it really doesn't fit right within our legal or democratic system."

Ms Shamsalipoor's husband Milad Jafari, an Australian permanent resident, said the delays in securing legal representation for his wife were frustrating.

"Mr Kevin is the only one who can help us and they're denying that help," he said.

"They don't want this help to be done.

"It makes me feel like there is nothing else I can do for her.

"It makes me feel like I should die."

'We miss each other so much'

Mr Jafari said both he and his wife were suffering because they had been separated.

"We both miss each other so, so much," he said.

"We haven't been away from each other for six days in our relationship.

"I'm having a really bad time actually.

"I'm having trauma, sometimes I get breathless and I cannot talk and I have really low blood pressure."

Teachers and students from Yeronga High School protested on August 14 against Ms Shamsalipoor's transfer.

"We're protesting because of the lack of common sense that it appears to us to move somebody out of a school system when there's a couple of months to go," teacher Ken Myers said.

Mr Myers, who runs refugee charity Helping Hands, said many of the students at Yeronga High School were asylum seekers, and were asking about their own prospects after Ms Shamsalipoor's removal.

"[They've been asking] what happens now?" he said.

"What happens to me? So I'm an asylum seeker, are they going to come and raid me, take me and put me in jail too? I'm as scared now as I was when I was in Iran. I'm as scared now as I was when I was in Sri Lanka."

The Immigration Department confirmed visiting requirements for lawyers had changed.

In a statement, it said: "It is not a new requirement for a legal representative to provide evidence of their authority to act on behalf of a detainee."

"Detainees have access to a range of communication tools which they can utilise to engage with legal representatives and migration agents."

<http://www.abc.net.au/news/2015-08-14/detained-schoolgirls-lawyer-says-he-has-been-denied-access/6699204>

19. MEDIA RELEASE: Immigration tries first Manus Island forced removal: Injunctions sought

Thursday August 14, 2015
Refugee Action Coalition
Ian Rintoul
mobile 0417 275 713

Late yesterday afternoon, Thursday 13 August, Immigration authorities used a show of force by PNG police as the first phase of attempting forced removals of rejected asylum seekers on Manus Island.

Up to six PNG police marched into Oscar compound to remove a 27 year-old Iranian asylum seeker from Oscar Compound. The man has been placed in a newly built solitary confinement prison compound inside the detention centre, and been given a notice that a PNG immigration has completed a deportation risk assessment and found 'there is no legal barrier to your removal...'

It is expected that up to 10 other "double-negative" asylum seekers could get similar treatment in coming days. The 'failed' asylum seekers have been told they can still access financial incentives with IOM if they voluntarily agree to return home.

Around two weeks, Immigration posted notices of "Departure Planning information." (photo attached.)

The very public use of the PNG police in Oscar is clearly an effort to intimidate asylum seekers into voluntarily signing to return to their homes countries.

Papua New Guinea has no arrangements with Iran to accept forced removal of asylum seekers.

"There is no reason to believe that PNG is any more able to arrange forced removals to Iran, than Australia," said Ian Rintoul, spokesperson for the Refugee Action Coalition. "The use of force is designed to coerce people into signing to return 'voluntarily'."

The action against the 'double-negatives' also comes on the eve of final directions hearings for Supreme Court challenge in Port Moresby, scheduled for Monday 17 August.

"The Immigration Department is trying to preempt the Supreme Court challenge," said Rintoul, "We will seek injunctions in the Supreme Court to prevent any removals from Manus Island, before there is a final consideration of the Supreme Court constitutional challenge to the detention centre," said Rintoul.

"The Australian and PNG government have been abusing asylum seekers human rights since they were first moved to Manus Island. The Immigration Department would like nothing better than to remove some of the evidence by getting some of them to sign to return to their countries."

"Immigration should halt any moves to forcibly remove asylum seekers from Manus Island. They have always been Australia's responsibility. In the name of deterrence they have been the victims of the worst offshore mistreatment. They should all be brought to Australia."

For more information contact Ian Rintoul 0417 275 713

20. Australia defies Afghanistan as asylum seeker forcibly repatriated

ABC Radio CAF - PM
By Angela Lavoipierre
First posted Tue 11 Aug 2015, 5:10pm
Updated Wed 12 Aug 2015, 4:35am

The Australian Government is hoping to break an impasse with Afghanistan by forcibly repatriating an Afghan asylum seeker.

The Afghan government wants to stem the flow of forced returns from Australia and other countries and, in recent weeks, has blocked the return of the man involved.

Last night, Australia made another attempt to send him home, in a case that could serve as a precedent for hundreds of other Afghans in his position.

The man, known only as Abdul for security reasons, was scheduled to board a flight to Kabul, via Dubai, in Perth last night.

The ABC understands his planned repatriation in July was cancelled at the last minute because the Afghan government would not issue visas to the man's guards.

Professor William Maley, director of the Asia-Pacific College of Diplomacy at the Australian National University, said the case was part of a global pattern.

"The Afghan government has refused to accept returnees from European countries and has also refused to issue visas to guards to accompany one person from Australia whom the Australian Government was attempting to send back to Afghanistan," he said.

Bombing campaigns add to unrest

It comes as the situation continues to deteriorate in the Afghan capital Kabul, which has just experienced its bloodiest weekend in years.

"The situation is extremely fragile in Afghanistan at the moment," Professor Maley said.

He said the violence was contributing to the Afghan government's reluctance to accept forced returns.

"Kabul, the capital city, has been hit by a series of bomb blasts in the last few days, including ... a bomb blast at the entrance to Kabul international airport [yesterday]," he said.

"It's also the case that there have been bomb attacks in other parts of the country as well as part of this campaign, and this has set people's teeth chattering in a way that hasn't been the case for quite some time."

Professor Maley said Abdul's case had the potential to harden Afghanistan's resolve if the situation became embarrassing.

"Somebody in his position could indeed be turned around at the airport, but it's equally likely that if the Afghan government finds his case embarrassing, even if he's allowed into the country, it would prompt a further round of instructions to Western countries not to even contemplate such returns in the future."

It is not clear whether or not the correct visas have been issued to Abdul's guards, but Ian Rintoul from the Refugee Action Coalition said he expected the repatriation would go ahead.

"You would have to say that it's very likely the Australian Government will get away with this particular removal," he said.

"The fact that it has gone as far as it has and they've taken Abdul from Yongah Hill would indicate the Afghan government has issued visas for the escorts that they didn't issue last time."

Deportation could create precedent: activist

Mr Rintoul said it could create a troubling precedent for hundreds of Afghan asylum seekers who had also been denied refugee status by Australia.

"It could mean that the way was more open for the Government to more systematically attempt to remove Afghan asylum seekers and that would be a huge issue for Afghanistan, it would be a huge issue for Australia because, as I said, it's probably a couple of hundred people who would be more or less immediately vulnerable," he said.

Afghan community leader Ali Khan made a number of last ditch efforts to stop the deportation, including speaking with the ambassador and even the airline, Emirates.

"If they say that it is not safe for Abdul to be deported back to Afghanistan then that should be taken into consideration by the [Department of Immigration]," he said.

"In the meantime, I have also contacted the Emirates airline to trigger this issue for their consideration as well, because it is their duty of care as well for not returning people to danger."

In a statement, the Afghan Embassy in Australia said it was against forced returns in general.

"Given the last days' attacks in Kabul, we think it is not appropriate to return anyone under such circumstances," the statement said.

Immigration Department spokeswoman said she could not yet comment on the removal for "operational reasons".

"People who have exhausted all avenues to remain in Australia and have no lawful basis to stay are expected to depart," she said in a statement.

<http://www.abc.net.au/news/2015-08-11/afghan-asylum-seeker-in-limbo-ahead-of-forced-repatriation/6689578>

21. Asylum seeker forcibly returned to Afghanistan after appeals exhausted

The man, known only as R, was told to gather his belongings and was put on a flight out of Perth on Tuesday night

The Guardian

Ben Doherty

Wednesday 12 August 2015 13.53 AEST

A 21-year-old asylum seeker is understood to have been forcibly returned to Afghanistan, after last-ditch legal appeals for his case to be re-examined failed.

After being told to gather his belongings at Yongah Hill detention centre yesterday, the man – who can be identified only as R – was taken from the centre, and is understood to have been put on board a flight from Perth on Tuesday night.

Friends and advocates had not heard from him for several hours on Wednesday and believed he was on his way to Kabul.

R fled his home in Logar province in 2011 after the Taliban threatened his family because he had attended a vocational school that was seen as sympathetic to western ideas. After three threatening letters, R's father and uncle disappeared – neither has ever been found – and R's mother urged him to leave the country.

He came by boat to Australia, and lived in the community for three years before being redetained by immigration authorities.

R's family has been threatened again since he came to Australia, and his two younger brothers were murdered in a Taliban ambush in 2013.

R is a Shia Muslim and an ethnic Tajik, both minorities targeted by the Sunni Pashtun Taliban.

But R's asylum claim – made before his brothers' murders – failed, and he exhausted all legal appeals to his removal.

Australia's migration system does not permit any further merit reviews of his case, or allow for the consideration of new circumstances, such as the targeted killing of his brothers.

The Australian government's first attempt to remove R failed when his escorts were refused visas by the Afghan embassy. Guardian Australia understands that has been resolved.

But the Afghan government has shown a consistent reluctance to accept forced repatriations. Several asylum seekers, deported from European countries after they were refused refugee status, have been refused entry to Afghanistan at the border this year.

Afghanistan's minister for refugees and repatriation, Hussain Alami Balki, said earlier this year he opposed all forcible returns to Afghanistan.

Balki said Afghanistan's deteriorating security situation meant it was no longer safe for Afghans to be returned.

"The situation in Afghanistan has changed now. Most of those who are being returned are coming from the provinces that are very dangerous and those who are being returned can't go back to their provinces.

"They shouldn't deport anyone because we can't take care of them here."

A spokeswoman for Australia's Department of Immigration and Border Protection said R "currently has no ongoing matters before the department".

"People who have exhausted all avenues to remain in Australia and have no lawful basis to stay are expected to depart."

The spokeswoman said: "Australia does not return people to their country of citizenship where this would contravene our obligations under international human rights instruments Australia is party to, including the Refugees Convention."

Afghanistan, and in particular its previously relatively-secure capital Kabul, is currently seized by a wave of violence.

More than 50 people have been killed in the capital in the past week in terrorist attacks.

A power struggle within the Taliban – after confirmation of the death of its leader Mullah Omar – is believed to be one cause of the recent surge in violence and attacks on civilians.

<http://www.theguardian.com/australia-news/2015/aug/12/asylum-seeker-forcibly-returned-to-afghanistan-after-appeals-exhausted>

22. Alleged people smuggler extradited from Indonesia to face charges in Australia

ABC News Online

By political reporter James Bennett

First posted Thu 13 Aug 2015, 10:34pm

Updated Thu 13 Aug 2015, 10:49pm

An alleged Afghan people smuggler connected to a mass drowning at sea has been extradited from Indonesia to face charges in Australia.

Successive Australian Governments have sought the extradition of Sayad Abbas over three boat trips that left Indonesia between 2009 and 2011.

He was allegedly involved in one voyage which resulted in 200 people drowning off East Java in December 2011.

Previous extradition efforts had failed because Indonesian courts ruled people smuggling was not covered by the two countries' extradition agreement.

In 2013, he was briefly allowed to go free.

The Federal Government has welcomed Indonesia's agreement to surrender him.

Abbas will face 27 people smuggling related offences.

Abbas has previously denied the charges against him and said he was asked to gather information about boat movements for the Australian Federal Police.

He would face a maximum of 20 years in prison if found guilty of the Australian charges.

<http://www.abc.net.au/news/2015-08-14/afghan-people-smuggler-extradited-from-indonesia/6696518>

23. Alleged people smuggler Sayed Abbas appears in Perth court after extradition from Indonesia

ABC News Online

By Joanna Menagh

First posted Fri 14 Aug 2015, 1:17pm

Updated Fri 14 Aug 2015, 1:31pm

An alleged people smuggler has made a brief appearance in the Perth Magistrates Court after being extradited from Indonesia.

Afghan man Sayed Abbas is facing 27 charges relating to allegations he organised boatloads of asylum seekers to travel to Australia between March 2009 and August 2011.

Through a Dari interpreter, 33-year-old Abbas told the court he did not understand the charges he was facing.

The case was adjourned until next month so Mr Abbas can seek legal advice.

He made no application for bail and was remanded in custody until he appears in court again next month.

The Australian Federal Police said Mr Abbas's extradition followed a six-year investigation, and the charges against him relate to three boats carrying a total of 209 asylum seekers.

The AFP said Mr Abbas was extradited after surrendering himself to officers in Jakarta yesterday.

<http://www.abc.net.au/news/2015-08-14/alleged-people-smuggler-in-court-after-extradition/6698486>

24. Peter Dutton overturns deportation order for Vietnam war veteran

Immigration minister allows Michael McFadden, 69, to be released from detention to care of RSL

The Guardian

Ben Doherty and agencies

Wednesday 12 August 2015 16.42 AEST

A 69-year-old Vietnam war veteran, Michael McFadden, will be released from immigration detention immediately after a deportation order to remove him from Australia was overturned by the minister, Peter Dutton.

"It's a fantastic outcome that Michael McFadden is to be released into the RSL's care. It's just disappointing that he spent nearly two months in detention, deprived of the medical and psychological care that he needs," the RSL veterans centre's legal advocate, Nick Wiesener, told Guardian Australia.

Wiesener said McFadden would be reunited with his children and grandchildren later on Wednesday afternoon.

He was expected to spend the night with his family before spending three weeks at the St John of God psychiatric hospital in Richmond, in Sydney's north-west.

McFadden will then be released into the care of the RSL, who will provide permanent housing for the veteran, as well as medical and psychological care.

"His family is ecstatic he is going to be released," Wiesener said. "And he will be out in time for his 70th birthday which is this weekend."

McFadden, who was born in Britain but has lived in Australia since he was 10, served in the Australian army during the Vietnam war as a signaller and a driver.

He believed he was an Australian citizen, but was actually the holder of a permanent resident visa which was revoked when he was sentenced to prison for a series of minor offences.

McFadden's offending was reportedly related to the post traumatic stress disorder suffered in Vietnam, and his alcohol dependence since.

His deportation was ordered under new laws which were introduced this year, changing the criteria for removal.

Previously, people who served more than two years in jail may have had their visa cancelled. That has been changed to mandate the removal of any non-Australian citizen who serves more than 12 months in prison. The element of discretion has been removed, meaning people must have their visa cancelled.

"The change has created a significant distinction," Wiesener said. "Where previously it was used for people convicted of serious, often violent, crimes, now people who might have been sentenced for multiple minor offences are being caught up in these laws.

"I think this case has been an unintended consequence, and the government has recognised that, in overturning the deportation order."

The RSL would help McFadden apply for Australian citizenship as soon as possible.

"He served this country, he deserves to be a citizen of it," he said.

<http://www.theguardian.com/australia-news/2015/aug/12/peter-dutton-overturns-deportation-order-for-vietnam-war-veteran>

25. Former detention centre at Pontville to be sold by Christmas, MP says

ABC News Online

Posted Tue 11 Aug 2015, 6:51pm

The Defence Department wants to sell off its former Tasmanian detention centre before Christmas, according to a Tasmanian federal MP.

The department announced in June that the land at Pontville, near Hobart, which currently houses a small arms rifle range, would be put on the market.

A public meeting will be held in Brighton, on Hobart's northern outskirts, on Thursday to discuss potential buyers of the 517-hectare site.

Federal MP for Lyons, Eric Hutchinson, told 936 ABC Hobart community input was vital.

"I certainly would encourage members of the community and people who have a potential interest in the site to come forward, because time is now of the essence," he said.

"It will be sold, and I know there is an intention from the department to have it sold before, perhaps, Christmas."

Pontville is listed on the Commonwealth Heritage List, and also contains sensitive flora and fauna areas.

Any future use would need to be consistent with its heritage status, and protect the environmental and heritage value of the site.

Mr Hutchinson said a number of potential buyers had already shown interest in the property.

"There is interest from people who have interest in the environmental or heritage values of the site, as there is in those people in the potential for re-opening the rifle range which was always... the original use for the site," he said.

Tasmanian senator Jacqui Lambie has suggested that former detention centres should be converted into detox centres for methamphetamine addicts.

Mr Hutchinson said he was aware of Senator Lambie's suggestion but he was not aware of any proposal for Pontville to be converted to a rehabilitation centre.

"I'm not suggesting for a minute that's not a very worthwhile suggestion but... now is the opportunity because from the Defence Department's point of view, without any clear suggestions, the property will be sold," he said.

<http://www.abc.net.au/news/2015-08-11/pontville-former-detention-centre-to-be-sold-by-christmas/6689974>