

Project SafeCom News and Updates

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1. Gillian Triggs Says Something Has Gone 'Terribly Wrong' For Australia's Human Rights

'Australia has faltered in its commitment to our freedoms and rights.'

Emily Brooks

Associate Editor, HuffPost Australia

Updated August 4, 2016 18:28

President of the Australian Human Rights Commission Gillian Triggs says Australia has failed to protect basic human rights in the past decade, citing the treatment of asylum seekers, indigenous Australians and the promised marriage equality plebiscite as examples of Parliament's "faltered" commitment.

Delivering her Sir Anthony Mason lecture in Melbourne on Thursday night, Triggs said Parliament began ignoring commitments to global human rights treaties to protect national security and counter terrorism following the Twin Towers attacks in 2001.

"Something went terribly wrong. Since the start of the new millennium, Australia has faltered in its commitment to our freedoms and rights," Triggs said.

"We have been in retreat from the human rights obligations in the treaties developed in the last century. Indeed, Parliament, that former bastion of support for fundamental freedoms, has adopted laws that explicitly violate common law rights that are as old as the Magna Carta itself."

The legalisation of the restraint chair for prisoners in the Northern Territory and introduction of paperless arrests for up to four hours have "added to the culture and punishment and cruelty of indigenous people" and exemplify Parliamentary neglect for human rights, said the AHRC President.

"The laws have the effect of increasing the arrest rate of indigenous Australians and creating a risk of death in custody and of further injury to their physical and mental health," Triggs said, citing the death of an indigenous man, who had heart failure while under paperless arrest for drinking in a public place in 2015.

"My criticism, with respect, of the High Court is of their failure to consider how their decisions work in practice or to ensure that common law rights have an independent and intrinsic weight of their own."

The number of indigenous people in detention has doubled since the 1995 Royal Commission into Aboriginal Deaths in Custody. Triggs said it was "shameful" that more than 300 recommendations of the Commission were not adopted.

The AHRC President also criticised Prime Minister Malcolm Turnbull's promise to deliver a marriage equality plebiscite within the next year, labelling it an example of Parliament's failure to protect fundamental human rights.

"Why do we hold an expensive, potentially divisive, compulsory but non-binding national vote on the right to equality before the law -- a long recognised common law principle?" Triggs said.

Triggs also called the political responses to an asylum seeker's High Court case "opportunistic".

In 2015, an asylum seeker -- who returned to Australia to give birth to a child -- challenged the legality of Australia's offshore detention program in Nauru.

The Australian Government respectively authorised offshore processing to the Nauru Government, who then changed detention rules, allowing detainees to leave the centre and move around Nauru before the High Court ruled in favour.

"Both actions were opportunistic in ensuring that the High Court would reject the plaintiff's claims," Triggs said.

"There is no power however to do so if the detention is not reasonably necessary to achieve the purpose of processing the claims to refugee status.

"We should be alert and alarmed by the failure of our legal system to protect fundamental rights; by the failure of our courts and Parliament to protect the rights and freedoms that have evolved over millennia.

"Serious consideration should yet again be given to the need for a federal legislated Bill of Rights so that our courts can constrain the excesses of indefinite detention and cruel treatment."

<http://www.huffingtonpost.com.au/2016/08/04/gillian-triggs-says-something-has-gone-terribly-wrong-for-aust/>

2. Rachel Ball & Daniel Webb: Offshore detention was destined to fail and the collapse might be closer than you think

After years of uncertainty, hopelessness and abuse in Manus and Nauru, even the collusion of our major parties can't avert the looming chaos

The Guardian

Rachel Ball and Daniel Webb

Tuesday 9 August 2016 11.25 AEST

Australia's offshore camps are a house of cards. They're unsustainable and liable to collapse amid increasing corporate aversion to complicity in abuse, legal uncertainty and human despair.

The arrangements rest precariously on four pillars: corporate complicity in abuse; legal and regulatory frameworks that allow innocent people to be warehoused indefinitely; the public's willingness to accept deliberate cruelty to innocent people; and bipartisan political support.

After years of uncertainty, hopelessness and abuse in the camps, only the final pillar holds strong and even the collusion of our major parties can't avert the looming chaos.

Confronted with mounting risks and liabilities, Ferrovial, the Spanish multinational that runs the camps on Nauru and Manus, has committed not to retender when its current contract expires. The contract was to end in February next year, but the Australian government recently extended it for a further eight months. Now Ferrovial must either exit the camps, or become mired in material risk – including operational uncertainty, exposure to legal action and the devastation of its reputation – until October 2017.

Ferrovial's financial stakeholders have also come under fire. A recent report released by the Human Rights Law Centre and GetUp's No Business in Abuse campaign reveals the global banks and corporate investors linked to the offshore camps through their relationship with Ferrovial, and calls on them to take immediate action to end the business relationships that associate them with gross human rights abuse.

Already the Norwegian Central Bank, which holds a stake in Ferrovial, has acknowledged the potential for an ethical problem and referred the issue to Norway's Council on Ethics for an independent judgment. This response will sound a warning to Ferrovial's prospective successors: business in abuse will hurt you.

Ferrovial's decision to walk away ought to deter any company considering profiting from human suffering. The government's decision to unilaterally extend the offshore contract despite Ferrovial's clear indication that it does not want to continue its work in the camps certainly suggests that the market is not crowded with contractors eager to step into Ferrovial's shoes.

Cracks are also appearing in the legal framework underpinning the arrangements. The highest court in PNG recently ruled that the Manus centre is illegal and PNG prime minister Peter O'Neill has conceded it must end. It took retrospective legal changes and a last minute opening of the gates to fend off a similar legal challenge we made to the detention facility on Nauru.

The PNG supreme court is currently considering exactly how it will enforce its own orders. It has demanded answers from the Australian and PNG governments about resettlement plans for the 900 men still languishing in limbo. Our government will pretend that everything is fine but something has clearly got to give. PNG sovereignty, so often used as a shield by successive Australian governments to deflect criticism of the Manus camp, is poised to become the sword, striking a blow to the core of the current detention arrangements.

Finally, slowly but surely, public opinion is shifting. During the recent #LetThemStay campaign we saw the faces of 37 babies born in Australia but facing deportation to Nauru. These kids have never set foot on a boat but are classified by our laws as if they arrived on one, meaning they face mandatory deportation to a tiny island. Also at risk were men violently beaten on Manus, women who had been sexually assaulted on Nauru and over 50 children, many of whom had been going to Australian schools and were beginning to rebuild their lives in our communities.

The response to their plight was phenomenal. We saw doctors risk jail to speak out. Over 100 churches around Australia opened their doors to offer sanctuary. Teachers and school principals took a stand on behalf of their students at risk of being ripped from classrooms and returned to Nauru. Tens of thousands of people around Australia simultaneously took to the streets to demand compassion. So the trajectory of public opinion is clear. People are realising that the status quo is unsustainable, cruel and fundamentally wrong.

Pressure is clearly building. Rather than waiting for the current system to collapse the Turnbull government must look at innovative, humane policy alternatives. And they do exist – instead of using costly and cruel measures to close unsafe pathways, we could look at smart ways of opening up new ones. Measures which improve conditions in transit countries and re-allocate skilled migration places to skilled people who are also seeking asylum should be considered.

The Manus and Nauru camps are dead ends, not long-term solutions. Built on a foundation of deliberate cruelty and cynical political expediency, they have always been destined to fail.

Daniel Webb will be taking part in the Guardian workshop, Can we solve the asylum seeker crisis, at the Festival of Dangerous Ideas at the Sydney Opera House on 3 September 2016.

<https://www.theguardian.com/commentisfree/2016/aug/09/offshore-detention-was-destined-to-fail-andhe-collapse-might-be-closer-than-you-think>

3. Gillian Triggs says public pressure can change detention policy after Nauru files leak

Human rights commissioner says detention on Nauru and Manus Island unsustainable and 'extremely expensive'

The Guardian
Helen Davidson and Paul Karp
Wednesday 10 August 2016 11.10 AEST

Only the Australian public paying attention to the horrors in offshore immigration detention can change government policy, the Australian human rights commissioner has said.

The commissioner, Gillian Triggs, was addressing the Nauru files, a cache of more than 2,000 leaked documents from inside Australia's offshore immigration processing centre on Nauru.

The documents, published by the Guardian on Wednesday, has revealed the extent of abuses and trauma on the island over a 26-month period and reaction from the public, human rights organisations and politicians was swift, including calls for a royal commission.

Triggs told ABC radio the report backed up what the Human Rights Commission had tried to tell the parliament with its own review into children in detention two years ago.

Asked if her report was now vindicated, Triggs said: "We rely very heavily on the media to report these facts and ensure the public is accurately informed, and I think that's the case here.

"We really need to public's attention to ensure that our politicians change the policy. This is unsustainable, and of course extremely expensive to the Australian taxpayer."

If media had access to the immigration centres, the Australian public could be moved in the same way they were over the Don Dale juvenile detention abuses broadcast last month.

"Our democratic system depends on transparency and access by our journalists and also by other community groups who can speak up and take photographs. That is what really moves the public, when they actually see, preferably on video, how these children are being treated."

Elaine Pearson, the Australian director of Human Rights Watch, said the Don Dale images shocked the Turnbull government into action, and called for the same in response to the evidence presented in the Nauru files and in other investigations.

"The fact that the number of serious incidents has not declined but continued steadily, and in some cases escalated, is further proof that the failure to address abuses is a deliberate policy of the Australian government to deter further boat arrivals," Pearson told Guardian Australia.

"Australia's policy of deterrence is premised on making people in offshore locations suffer. This policy is inhumane and irresponsible, and it means refugees and asylum seekers remain vulnerable to further abuse and mistreatment. Men, women and children need to be removed from Nauru immediately."

On social media, many people reacted with shock, others with frustration and anger that the government stands by its policy despite frequent revelations about conditions on the island.

Anna Neistat, senior director for research at Amnesty International, said the leak "laid bare a system of 'routine dysfunction and cruelty' that is at once dizzying in its scale and utterly damning for the Australian authorities who tried so hard to maintain a veil of secrecy."

Neistat recently went undercover to the island to investigate the treatment and living conditions of detainees, and called for the end of government denials.

"The Australian government has engaged in one of the most successful mass cover-ups I've witnessed in my career of documenting human rights violations," she said.

The opposition defence spokesman, Richard Marles, said the Guardian's reports were concerning, and said Labor had argued for independent oversight of the centres, reopened under their government, to maintain transparency.

"The first point that really needs to be made is Australia has obligations in relation to facility on Nauru – those obligations should be ensuring that these facilities provide safe, dignified, humane refuge to the people within them," he said.

"We have been very critical of the government's lack of transparency in the running of Nauru over the last couple of years."

Marles denied oversight was prevented by the facilities being located in foreign jurisdictions, because the government "could be talking to Nauru to ensure independent oversight".

"It's not clear to me those conversations have ever occurred around that question," he said. "You could put in place mandatory reporting of child abuse – as we sought to do through private member's bills in the Australian parliament – so there are steps that can be taken here".

Marles said it was important that "people be gotten off Nauru".

"There need to be third country options found for those on Nauru and Manus, and in that the government has wholly failed," he said.

"Of course, as people's uncertainty continues, as hope is removed, you're going to see increasing acts of desperation. The government needs to get on its skates and find third country resettlement options for those on Nauru and Manus."

The shadow assistant treasurer, Andrew Leigh, told Guardian Australia he was "shocked by what I've seen" in the Nauru files reports.

"We've had range of independent reports, and I've talked to people from the UNHCR – we know people on both Nauru and Manus Island are deeply traumatised now.

"We need to get them off Manus and Nauru, they have been waiting over three years to be resettled so you can understand why they are in such terrible shape."

Leigh said the government's inability to conclude a third country processing arrangement had resulted in poor physical and mental health of asylum seekers, leaving them "amongst the most traumatised in the world" despite the flow of people to Australia being small by world standards.

"That's a population that includes refugees of the Assad regime who have been barrel-bombed," he said.

Asked what the government could do other than resettle them elsewhere, Leigh replied: "Anything short of third party settlement is inadequate for what these people need."

A refugee activism group called for an immediate public inquiry into the centres and for all detainees to be transferred to Australia or a third country.

Pamela Curr, from Australian Women in Support of Women on Nauru, which recently released their own report into the treatment of women on the island, said the situation was so dire "only a royal commission could get to the bottom of the systemic abuse experienced by women, children and men in these camps".

"Our politicians know all about this – the broader community may be kept in the dark but both Labor the Coalition know all about this and their silence is taken as consent," Curr said.

Hugh de Kretser, the executive director of the Human Rights Law Centre, told Guardian Australia: "Nothing excuses the failure to act. There is a real hypocrisy in the fact we have two royal commissions currently afoot – one into institutional child sexual abuse and another into youth detention centres – and yet at the very same time we're warehousing children on Nauru in conditions that allow this kind of abuse to thrive."

De Kretser said there needed to be a full inquiry but the safety of people on the islands or at risk of being sent to the islands was the first priority.

"We have the evidence now and the first thing the government has to do is act on that evidence and bring these people here to safety."

<https://www.theguardian.com/news/2016/aug/10/gillian-triggs-says-onus-on-australian-public-to-change-detention-policy-after-nauru-files-leak>

4. New York Times: Leaks Detail Abuse of Asylum Seekers Sent to Nauru by Australia

By AUSTIN RAMZY
New York Times
AUG. 10, 2016

Leaked documents published Wednesday reveal extensive details about the harsh conditions faced by asylum seekers who have tried to reach Australia by boat and are being held on the remote Pacific island of Nauru.

More than 2,000 incident reports, written by detention-center staff members and published by The Guardian, describe episodes of violence, including sexual assault, and self-harm. Most of the cases involved children, the newspaper said, although children made up just 18 percent of the people in detention at the time of the reports. The files extend from May 2013 to October 2015.

While the difficult conditions in the island nation have long been known, the documentation will give new evidence to opponents of Australia's policies toward asylum seekers.

Under those policies, migrants who try to reach Australia by boat without a valid visa are held offshore in Nauru and Papua New Guinea. Even if given refugee status, they are prevented from resettling in Australia.

The Australian authorities say such tough measures are necessary to discourage attempts to make the risky voyages by sea, which have sometimes ended in mass drownings. The number of attempted boat arrivals has declined sharply since the Labor Party government of Julia Gillard revived a program of offshore detentions in 2012, and the policy is maintained today under Prime Minister Malcolm Turnbull of the conservative Liberal Party.

Human rights advocates and some Australian politicians say the policy is unnecessarily harsh and puts vulnerable people at further risk of physical and mental harm.

Among the episodes outlined in the documents are multiple cases of people cutting themselves; security officers propositioning and harassing female detainees; and one instance of an officer putting his hand into a boy's shorts during a car ride. According to that report, the boy's father, who was also in the car, pulled the boy away but did not say anything to either of the two Nauruan officers present for fear of their reaction.

The documents spurred renewed criticism of the detention policy. "These files paint a disturbing picture of continuing abuse on Nauru, especially abuse of children," Elaine Pearson, the Australia director at Human Rights Watch, said in a written statement.

She said that just as revelations of the abuse of juvenile detainees in the Northern Territory of Australia set off an investigation in July, the Nauru leaks should prompt steps to end the abuse of people there.

Mr. Turnbull said at a news conference on Wednesday that Australia would "continue to support the Nauru government to provide for the health, welfare and safety of all transferees and refugees on Nauru."

He added that the documents would be reviewed to see whether "there are any complaints there or issues there that were not properly addressed."

The Department of Immigration and Border Protection of Australia said all of the cases had been forwarded to the Nauru police for investigation. "The documents released this morning are historical in nature and have been the subject of previous reporting by the department in relation to the overall number of recorded incidents over time," the department said in a written statement.

"It's important to note many of these incident reports reflect unconfirmed allegations," it added.

There are 442 people living in the Australian-run processing center at Nauru, according to the most recent government figures released at the end of June. More than 500 other asylum seekers, including people who have been granted refugee status, live outside the center on the eight-square-mile island.

The asylum seekers come from several countries, including Afghanistan, Bangladesh, Iran, Iraq, Pakistan and Somalia. The program on Nauru cost Australia \$314 million last year, according to Amnesty International.

Cambodia has taken a handful of the refugees from Nauru, but Cambodian officials have called that initiative a failure, with some people returning to their home countries and others seeking to move elsewhere.

A recent report by Amnesty International and Human Rights Watch, based on visits to Nauru by investigators from the two nongovernment organizations, said the mistreatment of migrants at the offshore processing centers appeared to be by design rather than accident.

“The fact that the number of serious incidents has not declined but continued steadily, and in some cases escalated, is further proof that the failure to address abuses is a deliberate policy of the Australian government to deter further boat arrivals,” Ms. Pearson said on Wednesday. “Australia’s policy of deterrence is premised on making people in offshore locations suffer.”

<http://www.nytimes.com/2016/08/11/world/australia/nauru-asylum-seeker-refugee-abuse.html>

5. David Marr: The Nauru files are raw evidence of torture. Can we look away?

These thousands of cries of anguish strip away the secrecy shrouding offshore detention. And without secrecy the refugee gulags are done for. Australians won’t stand for this brutality much longer

The Guardian

David Marr

Wednesday 10 August 2016 11.30 AEST

Nauru is Australia’s work. We own this despair. These thousands of reports from within the refugee prison that have come to Guardian Australia reek of misery. There is no narrative here. It’s the same, numbingly the same, day after day.

Tolling through the Nauru files are the words “I want to die”. Nauru is on perpetual deathwatch. In the face of daily threats of suicide and self-harm, the guards struggle as amateur psychologists and social workers become connoisseurs of despair.

Suicide occupies so much of the prisoners’ imagination. They threaten death as escape or simply in the hope of being treated decently. In the crushing tedium of the camp, swallowing a handful of screws or slashing their wrists offers prisoners a break in routine. Death is something to do.

“I will walk into the ocean with my daughter,” warns a desperate mother. A social worker assesses the risk of death as major. But Wilson Security knows better. A scribble by the prison administration downgrades the risk to minor.

Day after day the forms record the cries of people Australia has deliberately brought to the brink:

“I just don’t care.”

“I do not want to be alive any more.”

“I will kill myself.”

“I will not stay here. I will be dead.”

“I will do what I want to do.”

“Enough is enough.”

“I don’t care any more.”

“One more week until I die.”

“I cannot control my thoughts.”

“My head is full of crazy.”

“I need poison so I can kill myself.”

“I want to die. I want to die.”

The prisoners threaten death by hanging, jumping, swallowing razor blades, slitting wrists, cutting throats, overdosing, refusing medication and walking into the sea. At any time a cohort of prisoners toys with death by refusing to eat.

There are no surprises for our officials here. Australia has been a long time in this business. We know what endless, hopeless detention does: it sends people mad. We put a lot of resources into the task of trying to keep them alive. It’s costed into the Pacific solution.

Parking refugees on distant islands worked last time to keep their predicament hidden. But secrets are so much harder to keep these days than they were in John Howard’s time. An incident report from January last year records a prisoner threatening to “report to Save the Children, to immigration, Guardian, ABC”.

Canberra’s passion for secrecy has always been contradictory. Surely the more the world knows of the fate of refugees in these island camps, the more the deterrent power of holding them there?

But secrecy has its purpose. It helps hold the political consensus together. The truth is terrible. The regime of official secrecy allows us – even when so much is known – not to face the facts. It's a service for the squeamish.

Two years ago Peter Young, the detention system's former chief psychiatrist, told Guardian Australia that in his professional view the department of immigration was deliberately inflicting suffering on prisoners. The purpose was to force them to return home.

His verdict was measured and devastating: "If we take the definition of torture to be the deliberate harming of people in order to coerce them into a desired outcome, I think it does fulfil that definition."

Since then there has been revelation after revelation of degrading conditions, bashings, rapes and sexual assaults on Manus and Nauru. Yet the politics of detention have not shifted. A man burns himself alive; a woman survives horrifically scarred; and the political settings haven't budged.

Guardian Australia is now publishing the largest cache of material ever to be leaked from within the detention network. These are the Panama papers of Australia's refugee gulag.

Here is the raw evidence of torture deliberately inflicted. Lives come apart in stupefying boredom. Prisoners keen for the children, sisters and parents Australia has taken from them. One of the great themes of these reports is the grief of separation.

Bored kids push the rules. Parents vent. Security guards pull brawling children apart on the football pitch, in the rec room, the gym, the school bus and the patch of crushed coral that serves as a volleyball court. Fights stopped one day break out the next. No one is surprised.

But the reports are also full of apologies, courtly apologies by children and their parents for tempers lost, for threats made, for allowing their despair to show. "I am sorry," one woman says. "I am a hundred times sorry."

Their children are growing up in a contradictory little world of total surveillance and endless vulnerability. They are touched, ogled and threatened. Courtesy of Australia they are enjoying a dystopian coming of age in broken families trapped in a makeshift prison on a sweltering island.

Release into the tiny community of Nauru has its own terrors. An incident report in early 2015 records a Nauruan guard telling an asylum seeker child: "Once you get a positive RSD [refugee status determination] I will kill you in Nauru."

Australians are not brutal people. This is not like us. One of the great questions that hovers over this system is how we can allow it to go on – how we can know so much about our prisons on Manus and Nauru yet manage not to face the facts of the Pacific solution.

Put simply: we think the horrors are worth it. First because both sides of politics tell us that only by detaining refugees out there will the boats stop coming here. And second, we're assured there is somewhere in the world ready to take our prisoners off our hands.

Those are both lies.

The boats are stopped because they are turned back. They are still setting out from Sri Lanka, Vietnam, India and Indonesia, hoping to ferry asylum seekers to Australia. In June, both the prime minister and the minister for immigration, Peter Dutton, boasted they'd turned back their 28th boat.

If the smugglers' customers knew about the prisons on Manus and Nauru – widely and expensively advertised by Australia – they were not deterred from risking an expensive voyage by fear of ending up there.

Australian Border Force and the navy stopped them reaching Australia. Turnbacks have their own horrors and present diplomatic dangers for this country, but there is no doubt they work – just as they did last time under John Howard.

The second lie is worse: that some country will take the prisoners on Manus and Nauru off our hands. The hunt for the "regional solution" for resettlement is up there with search for Lasseter's lost reef.

Papua New Guinea and Nauru offer, at best, a temporary and dangerous existence outside the wire. The Cambodian solution was a stupendously expensive flop. New Zealand's offer was snubbed: too close to Australia for Canberra's liking.

Last time it was called "burden sharing" and ended – as it will again – with hundreds of refugee prisoners brought ashore to Australia because they have nowhere else in the world to go.

The maths was brutal for Canberra's grandstanding politicians: some hundreds of prisoners gave up and returned to Iraq and Afghanistan; a cohort was forced to return, some to their deaths; a handful were reunited with their families in Canada and

Scandinavia; New Zealand took more than 500 (verboden this time); and all the rest reached their original destination: Australia.

We lived with that because we had to. The last men and women to leave Manus and Nauru were damaged souls. We did that to them. They are now getting on with their lives in Brisbane and Ballarat and the outskirts of Adelaide.

Now would be the time – in the aftermath of an election campaign in which the boats barely featured – for Canberra to start bringing its prisoners quietly ashore. The problem is, the promises made to keep every last one of them out of this country are so much more extreme than last time.

What's new is the river of information flowing here about life in the island prisons. At some point – closer now that Guardian Australia has this cache of incident reports – Australians will know too much to be able to keep shying away from the facts.

The truth is in the detail. We are trying to break these people. They are resisting. The reports reveal little yearning for the countries we are trying to force them back to. Homesickness is not a theme.

Even after being trapped on Nauru for years, they see themselves on a forward journey. There is nothing to suggest history won't repeat itself here. They will land. The only question is: how much will we make them suffer before we accept the inevitable?

Despite all that's been done to them and all that their treatment at our hands tells us about Australia, they still want to live here. It's a humbling verdict.

<https://www.theguardian.com/australia-news/2016/aug/10/the-nauru-files-are-raw-evidence-of-torture-can-we-look-away>

6. Antony Loewenstein - Dark past: so little has changed in Australia's posture towards asylum seekers

After more than two decades of brutalising asylum seekers on the Australian mainland and offshore, this is what Australia represents. These are our 'values'

The Guardian
Antony Loewenstein
Friday 12 August 2016 12.40 AEST

The recently released Nauru files reveal an inventory of horrors unleashed by Australia on brown and black bodies away from public or media scrutiny. These people now have a voice, albeit in often banal descriptions of sexual abuse, rape, violence and psychological breakdown.

After more than two decades of brutalising asylum seekers on the Australian mainland and offshore, this is what Australia represents. This is who we are. These are our "values" and it's now absurd for anybody to claim otherwise.

In 2004, I interviewed the last remaining refugee trapped on Manus Island in Papua New Guinea. Aladdin Sisalem, born in Kuwait in 1979, lived on Manus Island while Australian authorities thwarted his attempts to reach the Australian mainland. "I need to belong to a country that can protect me and where I can live a normal, dignified and productive life," he told me.

His treatment at the hands of Australia, filled with deception, obfuscation and lack of sympathy, was an ominous warning of 21st century Australian officialdom and its brutal handling of those arriving by boat while fleeing the world's conflicts.

Sisalem was eventually allowed to settle in Australia, after an extended period of time on Manus Island, 10 months of which was alone at an exorbitant and futile cost to the Australian taxpayer. He became the last refugee to suffer in the makeshift facility during its first incarnation as an Australian refugee camp.

I often think of Sisalem's story because so little has changed in Australia's posture towards asylum seekers. I read over my 2004 Sydney Morning Herald online interview with him and analysis of Australia's refugee policies, and all that's altered are the names of ministers, prime ministers along with invisible and unaccountable immigration officials. Public opinion has ebbed and flowed in the interim, between outright hostility towards asylum seekers and far more compassion, and yet Australia now finds itself as a global leader in new and innovative ways to punish powerless people.

The recent report by Amnesty International and Human Rights Watch about Australia deliberately ignoring abuses on the Pacific island of Nauru, where hundreds of men, women and children live in unsafe, indefinite detention, received large global coverage. It contributes to radically shifting the international image still enjoyed by Australia; a sleepy nation with beautiful beaches and welcoming smiles. It's a cliché still believed by countless people I have met when working in Palestine, Honduras, Africa and the United States.

I'm now constantly asked why Australia, an island state, needs to further traumatise refugees fleeing Afghanistan, Iraq, Syria and elsewhere. Instead of being a global pariah for this behaviour, Canberra is increasingly admired and envied by European

countries desperately trying to keep out Muslims from the Middle East and Africa. The Nauru files prove that privatised security is willing to use violence, intimidation and mockery to quash adult and child complaints.

It's not just the ways in which asylum seekers are isolated that brings admiration for Australia globally but outsourcing the tasks of imprisonment to failing private companies. Australia began this process in the 1990s, an early adopter, and now countless European states are enthusiastically mimicking the trend. Militarising borders has never been so profitable.

A new report by Dutch NGOs Stop Wapenhandel and Transnational Institute, Border Wars, outlines the defence firms selling weapons to Middle Eastern dictatorships and the US as well as equipment to European governments desperate to build walls and surveillance networks to monitor and stop new arrivals. The same multinationals are selling weapons that fuel the wars and helping Europe keep out its victims. The almost weekly terror attacks in Europe are empowering this business model and it will only get worse.

The prospects for Australia's immigration stance to change is slim. The new Senate features Islam-fearing politicians unlikely to show any interest or sympathy for Muslim refugees stranded on Manus Island or Nauru. Surging support in Europe for anti-refugee policies, along with Donald Trump's remarkably successful insurgent campaign against Muslims, foreigners and Mexicans, shows that large numbers of the public in Western democracies want to massively slow down, if not stop, immigration. Civilians caught in the middle of wars in the Middle East and Africa will just have to suffer in silence.

There's a lesson in this for Australia and it's not pretty. Australia was well ahead of the global curve in its treatment of asylum seekers and rather than being a pariah, as I argued in 2014 when calling for sanctions against Canberra, it's become an inspiration.

But not for all. In 2014, Tasmanian MP Andrew Wilkie wrote to the International Criminal Court asking the body to investigate Australia's mistreatment of refugees. The Refugee Action Collective Victoria followed suit in 2015. Could enterprising lawyers pursue any number of other international legal bodies and hold successive Australian politicians and officials to account (ideally legally but also morally)?

In an age where prosecuting Tony Blair and George W. Bush for war crimes in Iraq is now plausible, why not include Australian prime ministers John Howard, Kevin Rudd, Julia Gillard, Tony Abbott and Malcolm Turnbull for crimes against humanity for their detention regime? It's far-fetched but not impossible. A citizen's arrest of any of these individuals would be a great start.

Tourism Australia will soon need to design new advertisements to attract white, anti-immigration activists from around the world. These people will find a receptive audience when arriving by plane, perhaps less so by boat.

<https://www.theguardian.com/commentisfree/2016/aug/12/dark-past-so-little-has-changed-in-australias-posture-towards-asylum-seekers>

7. Michael Koziol: This country cares more about a computer cock-up than the abuse of refugees

Sydney Morning Herald
Michael Koziol
August 11 2016 - 11:28AM

It's amazing what gets up people's grills, isn't it? The census website going down is apparently a national calamity demanding urgent action. But children in Australia's care being assaulted and abused in offshore detention camps? No biggie. Move along.

The vastly divergent reactions to the census fiasco and the Guardian's publication of 2000 incident reports from Nauru are a fascinating study of the politics of this country, which appears to care more about an inconvenient IT bungle than systemic abuse of children and refugees.

"I too am very angry about this. I am bitterly disappointed about this," Malcolm Turnbull said on Thursday morning. If only he were talking about the kids.

The Nauru files, as they have been termed, are the biggest ever leak of information on what is happening in Nauru in our name. The reports are so valuable because the government won't tell us what is going on, and we're not allowed to go and see it for ourselves.

One of the files details the case of a traumatised girl who sewed her lips together. A guard's reaction was to begin laughing. Other children expressed the desire to die rather than linger on in the stifling, barren, desperate camps to which Australia has banished them. "I need death," a girl pencilled in her colouring book.

There are hundreds, thousands of these cases. Granted, we knew the basics of this stuff before – the self-harm, the hunger strikes, the sexual violence. The Nauru files should come as no surprise. But they should still provoke outrage.

And yet it seems a cock-up with an ABS computer has commanded the lion's share of indignation. "My prediction is that there will be some very serious consequences to this," Mr Turnbull told Alan Jones. "But there will be a review."

Where are the consequences for what has happened – is happening – on Nauru? Where is the review of offshore detention? Where is the royal commission?

The Prime Minister was asked about this, amid a flurry of questions about the census, on Wednesday after the Guardian's story broke. He was standing next to Scott Morrison, who as immigration minister after the 2013 election was the man in charge of implementing Operation Sovereign Borders. The responses were dry, formulaic, unfeeling.

"The material that's been published will be examined ... to see if there are any complaints there or issues there that were not properly addressed," Mr Turnbull said.

"It's important to stress that incident reports of themselves aren't a reporting of fact, they are a reporting that an allegation has been made," Mr Morrison noted.

So there you have it. Heads will roll at the ABS but behind the barbed wire on Nauru, it's business as usual.

Labor sniffed the breeze on the census and leapt into attack mode. It was a "Turnbull train wreck", Bill Shorten insisted. It had destroyed Australians' confidence in government. If you can't run the census, you can't run the nation.

"People are filthy about this right around the country," said Jim Chalmers, the shadow finance minister. Again, if only he were talking about the kids.

But he has a point, doesn't he? It's hard to gauge these things but, on balance, people gathered around the dinner table on Wednesday probably were talking about the census rather than Nauru. We all have to take a share of responsibility for that.

Take no comfort in the rapid response to revelations of child abuse at the Don Dale prison in the Northern Territory. All that proves, really, is that governments can be jolted into action if you have videos shocking enough to galvanise them.

Even then, it's no guarantee. After all, we have footage from Nauru – recall the video of a refugee setting himself on fire in April. He died. A young woman set herself alight just days later – she survived. She probably doesn't care about the census.

But now it is crystal clear where the priorities of both government and opposition lie. A minor technological glitch, soon to be resolved, will prompt anger, retribution and perhaps a Senate inquiry. The total moral failure of Australia's offshore detention regime will only bring about defensiveness, ambivalence and a swift turn away.

<http://www.smh.com.au/federal-politics/political-opinion/this-country-cares-more-about-a-computer-cockup-than-the-abuse-of-refugees-20160811-gqpxif.html>

8. The Saturday Paper Editorial: Apology expected

The Saturday Paper
Editorial
AUG 13, 2016

The most damning part, the most appalling, were the six words Immigration Minister Peter Dutton spoke in his first interview following the leak of thousands of documents recording allegations of abuse on Nauru. The words were free of emotion and everything that is wrong with this situation. "Most of that's," Dutton said, "been reported before."

This is the reality in Australia. Abuse does not trouble ministers. It does not worry voters. We know about it. But the political calculus says we do not care.

A child is beaten by a guard, their throat held, their face smashed against the ground, a chair thrown at them, and we do not care.

A parent made desperate by mistreatment plans to carry their children beneath the waves, to die with their family, and we do not care.

A girl under 10, a victim of sexual abuse, undresses and encourages a group of adults to violate her, and we do not care.

Prime Minister Malcolm Turnbull says these people, people we sent to Nauru and for whose indefinite detention we are paying, are the responsibility of the Nauru government. He ignores the calls for a royal commission. He leaves it to a failed state, a state that expelled its judiciary and its coroner, to investigate the lives we ruin there.

Scott Morrison, who was immigration minister when much of this abuse was reported, simply says: “It’s important to stress that incident reports of themselves aren’t a reporting of fact; they are reporting that an allegation has been made of a particular action.”

The Nauru files, reported by The Guardian, are a logbook of desperation. Each word is another obscenity scratched out in the history of this country’s refugee policy. Everywhere but here, these reports draw condemnation.

The UNHCR called for the immediate removal of asylum seekers from Nauru. It saw these reports as “a progressive deterioration of the situation of refugees and asylum seekers”.

The Australian Medical Association called for the establishment of an independent investigative body, removed from government, to inquire into the situation.

The senior director for research at Amnesty International, Anna Neistat, said: “The Australian government has engaged in one of the most successful mass cover-ups I’ve witnessed in my career of documenting human rights violations. They’ve repeatedly said this kind of abuse has not been going on. They’ve been lying.”

The government knows about this abuse but it does not care. The public knows, too. Dutton is correct when he says much of this has already been reported. But he is wrong when he mistakes this for an excuse. If anything, it makes it worse.

Some suffering is ignored because it is difficult. Society turns away from Indigenous disadvantage because the issue is complex and the solutions unclear. The treatment of refugees is not like that. The solution is simple: bring these people to Australia.

But for decades Australia has been told not to care for these people. It has been told they are terrorists, queue jumpers, bludgers who will take your jobs. Politicians have won elections demonising them. The public has decided not to care. People die in these camps, victims of our callousness.

One day, a prime minister will apologise to the people we hurt in offshore detention. One day we will say sorry for the boys and girls whose childhoods we stole, for the parents we drove mad, for the young men and women who tried to kill themselves to halt the unending cruelty of their lives.

We will say sorry for the things we knew. We will say sorry and hope that we never again treat people the way we treated refugees. We will talk in hushed voices about the shame of the politics under which we currently live. Ministers like Dutton and Morrison will be named for their barbarism.

One day we will say sorry and face up to the racist indifference with which we police our borders. Hopefully that day is not so far away.

<https://www.thesaturdaypaper.com.au/2016/08/13/apology-expected/14710104003597>

9. The Guardian view on the Nauru files: Australia’s offshore detention centres breed misery

Leaked documents reveal the abuses and trauma of asylum seekers in a system that should never have been created. Now it must be tackled

The Guardian
Editorial
Thursday 11 August 2016 04.37 AEST

I want death: three plain words encapsulate the horror and the shame of the treatment of asylum seekers on Nauru. That a child at the very start of life should want only to end it is a tragedy. That so many held in Australia’s offshore immigration centre express that kind of despair, as revealed in documents leaked to the Guardian, tells you the system is a disgrace. The Nauru files tally callousness and outright cruelty towards the hundreds of asylum seekers held on the island since 2012.

Each of these cases is an affront. But their volume matters too; this is not about isolated errors or abuses. There are more than 2,000 incident reports, more than half involving children, who account for less than a fifth of those incarcerated. They include seven reports of sexual assault, 59 of assault, 30 of self-harm and 159 of threatened self-harm – and yet staff from Save the Children, who wrote many of these reports, say they are the tip of the iceberg. We know, too, that adults on the island live in fear and despair. We read of a mother-to-be begging authorities to take her baby, knowing she cannot protect it.

The guards – and the company that employs them, Wilson Security – must take the blame for some of what happens on Nauru. Though some appear compassionate and committed to supporting detainees, others are clearly unfit to work there. No doubt they are hardened by the daily misery, but it is hard to imagine how any human could laugh upon seeing that a traumatised child had sewn her lips together, as some officers allegedly did. The bigger issue is that the system dehumanises the desperate. The psychiatrist who previously oversaw their care has described the environment as “inherently toxic”.

The justification for Nauru – and a second detention centre on Papua New Guinea’s Manus Island – was that they would deter asylum seekers from boarding boats to Australia. More than three-quarters of those whose claims have been assessed have been found to be refugees, with a well-founded fear of persecution and a legal right to protection. The boats are still setting out, but being turned back – in some cases, taking their passengers to jail for their attempts to leave. In any case, no one is deterred by misery that they cannot see; and they cannot see it because it has been hidden deliberately. Media access is expensive and has been highly selective. Since last year, those working in the system can be jailed for “unauthorised disclosures”. Some have blown the whistle anyway; traumatologist Paul Stevenson said he had never seen more atrocity in a four-decade career that included helping victims of the Bali bombings and Boxing Day tsunami.

Officials and politicians appear to hope that, once out of sight, asylum seekers will be out of mind, too. But ignoring the problems does not and cannot make them go away. They mount as the days pass because humans cannot live without hope. The UN high commission for refugees warns of a progressive deterioration in the situation.

This is not “offshore processing” but warehousing. The centre holds a relatively small number of refugees: 442. A few hundred more live outside on this impoverished island of just 9,000 citizens, with tensions already evident. If Australia will not accept them, it should explore a third country option seriously. Instead, it rejected New Zealand’s offer to take in 150.

Both the government and the opposition back the current arrangements, though Labor’s Bill Shorten has now called for increased oversight and the appointment of a children’s commissioner to protect the welfare of those in immigration detention. Those measures, like increased transparency – ensuring access for the media and UN investigators, for instance – might bring minimal improvements but cannot address the fundamental shortcomings.

If the test of a civilised society is how we treat the vulnerable, there can hardly be a greater condemnation than indifference towards those exposed twice over, because of their age and because they have fled their country. Britain, too, has a wretched record in this regard. It has taken in just 20 unaccompanied children of the hundreds it promised to accept, while more than 600 remain in squalor in Calais. Nauru cannot offer a home and should never have been made a dumping ground. But even if the growing clamour over its miseries can bring an end to this system, it embodies a hostility to asylum seekers – in Australia and beyond – that will persist and must be tackled.

<https://www.theguardian.com/commentisfree/2016/aug/10/the-guardian-view-on-the-nauru-files-australias-offshore-detention-centres-breed-misery>

10. Helen Davidson: Don Dale to the Nauru files: political response to the outrages couldn't be more different

Stories exposing Australia’s detention policies in the Northern Territory and on Nauru have much in common but so far very different outcomes from leaders in Canberra

The Guardian
Helen Davidson
Friday 12 August 2016 11.08 AEST

The abuse of children inside Australian institutions. Reports appearing consistently for years, subject to inquiry after inquiry. Picked up and dusted off to use in political football games, but never really taken past the try line.

The similarities of the Don Dale abuses and the Nauru files are clear. With, so far, one telling difference.

The failure in Northern Territory juvenile detention had a children’s commissioner’s investigation, the Vita report, Jodeen Carney’s review.

The NT government shut down the old centre, retrained guards and claims to have implemented all of the Vita recommendations, but detainees and advocates say there are still major issues – largely to do with the detention environment.

Nauru had the Forgotten Children report, the Moss review, Senate inquiries and a high court challenge.

The Australian government claims to have opened the Nauru centre, given detainees freedom, and is working towards freeing all children from detention everywhere. But detainees and advocates – and the portion of the Nauru files that dates past the Moss review – say there are still major problems, largely to do with the detention environment.

There are elements of race and fear at play in both controversies which are impossible to ignore.

In the NT more than 97% of juvenile detainees are Indigenous, and this overrepresentation repeats across the country. The reports on the treatment of black kids in detention, and the long road that took them there, by Indigenous media, local media, lawyers, activists and human rights groups were noted but largely ignored by mainstream Australia.

Offshore processing centres hold and deter people mainly from the Middle East and south Asia. Their treatment in detention, and their journey amid the world's greatest refugee crisis since the second world war, make occasional ripples through the national discourse.

NT politicians chanted the mantra of "tough on crime" in Darwin, a city with high rates of thefts and assaults, and pushed laws to deal with "bad kids" who had "given up their opportunity to have a second start at life".

The federal government talks of national security, stopping the boats and orderly queues through the front door, lest further hordes breach our sovereign borders and fill the country with potential terrorists, or illiterate and innumerate dole bludgers "taking Australian jobs".

So it goes, for years.

Then a story comes along – much of it new, much of it not, shocking but not surprising – and people are outraged. There was ABC's Four Corners report on the Don Dale scandal and its now infamous footage of Dylan Voller hooded in a restraint chair. Two weeks later the Guardian published the Nauru files: 8,000 pages of damning documentary evidence, written by the guards and officials who run the offshore detention system on behalf of the Australian government.

The story arrests the attention of the public. There is international condemnation.

But here is where paths diverge.

Within hours of the Four Corners credits rolling Australia had a new royal commission. It was hastily announced, with some missteps, but it was there. The prime minister was "deeply shocked ... and appalled". This could not be tolerated. Labor and both parties in the NT parliament supported it wholly, at least to begin with.

On the day the Guardian published a horrific cache of more than 2,000 official reports and accounts Turnbull was not so moved. He gave a commitment that the files would be examined to see if any complaints hadn't been "properly addressed".

"We continue to support the Nauru government," he said, checking his notes, "to provide for the health, welfare and safety of all transferees and refugees on Nauru."

Standing beside him, the former immigration minister Scott Morrison told reporters: "It's important to stress that incident reports of themselves aren't a reporting of fact. They are a reporting that an allegation has been made."

On Thursday his successor as immigration minister, Peter Dutton, said: "Most of that's been reported on before."

In his first media appearance after the story broke, he told 2GB's Ray Hadley: "I won't tolerate any sexual abuse whatsoever. But I have been made aware of some incidents that have been reported, false allegations of sexual assault, because in the end people have paid money to people smugglers and they want to come to our country.

"Some people have even gone to the extent of self-harming and people have self-immolated in an effort to get to Australia, and certainly some have made false allegations in an attempt to get to Australia."

The Labor opposition said it would reintroduce a bill to force the mandatory reporting of child abuse but did not back calls for the offshore centres to be shut down. Nor did it support a new royal commission, or even for one already running to have a look at the problem.

Much like Don Dale, the scandal of offshore detention shares bipartisan responsibility. For both, the problems – and their causes, escalations and critical incidents – stretch back for years through multiple governments and parties.

For the kids detained at Don Dale both camps put that aside, came together and decided to do something about it.

The 442 people, including 49 children, in detention on Nauru do not yet have that going for them.

---->>>> *Helen Davidson is Guardian Australia's reporter in the Northern Territory and is a member of the Nauru files reporting team*

<https://www.theguardian.com/australia-news/2016/aug/12/don-dale-to-the-nauru-files-political-response-to-the-outrages-couldnt-be-more-different>

11. Ben Doherty: Australia's grubby little secret is exposed in the Nauru files. A callous bureaucracy damns itself

The dry, disengaged language of the leaked reports makes an endless cycle of crises seem mundane. The cache of documents is both horrific and banal

The Guardian
Ben Doherty
Thursday 11 August 2016 08.04 AEST

Australia's grubby little secret is secret no more.

The truth of the offshore detention regime financed, controlled and run by Australian government on the remote Pacific island of Nauru has been brutally exposed by the revelation by the Guardian of the Nauru files.

For all of the extreme measures to which the Australian government has gone to keep its offshore detention regime from public eye – moving detention centres to remote foreign islands where compliant local governments keep journalists away; an extreme and unapologetic secrecy about the “on-water matters” of boat turnbacks; legislation to jail doctors and detention centre workers who speak out on behalf of those held; and restricting access for international agencies such as the United Nations – the truth about its remote camps has continued to leak out over the four years of offshore detention. Now, it is laid bare.

The Nauru files are the most comprehensive insight into conditions in the island detention camp that the Australian public has ever been given.

They reveal suicide attempts so common as to be unremarkable: refugees find their friends hanging by their neck from bedsheets, barely conscious and moments from death; children calmly report their parents have swallowed screws and will be dead soon; parents coldly reveal their plans to carry their children as they walk into the sea.

They show children left in states of extreme vulnerability and danger: a father, citing lack of proper medical care and his feeling he is “failing as their father and it's torturing me”, threatens to kill himself and his children on three separate occasions before there is intervention; a girl becomes the subject of more than 60 incident reports that reveal she has been sexually abused and has self-harmed; another girl, aged under 10, also the victim of sexual abuse, undresses in front of a group of adults and invites them to stick their fingers into her vagina.

They expose the basic privation of detention: people refusing to use fetid toilets that haven't been cleaned for weeks; women bullied into exposing their bodies to guards so they can have enough water to shower; women suffering incontinence denied sanitary pads.

And the Nauru files unveil how conditions in the camps are clinically euphemised for the outside world: critical incidents, in which refugees have attempted to kill themselves, or are raped or assaulted, are downgraded to the classifications “major” or “minor”, ensuring that Wilson – the security subcontractor on the island – won't be fined for failing to report them in time; doctors' orders that someone be moved for urgent medical treatment are overruled by a department slavishly determined to uphold a policy, regardless of medical consequence.

The dry, disengaged language reduces the endless cycle of crises to mundanity. The cache of documents is, at once, horrific and banal.

The systemic failures of the Nauru detention regime have been known previously. Alongside the testimony of those detained on the island, and of those who have worked there, evidence has emerged in government inquiries and reports, in parliamentary committees, and in the promises that problems have been addressed and improved.

But the Nauru files are damning, and they are damning because they are the words of the detention system itself, the regime's own bureaucracy revealing its casual, callous brutality.

This is the machine revealing itself to be awful, and just how awful it is.

The files prove how the organisations running the island camp – including the Department of Immigration and Border Protection – deliberately seek to suppress the reality of the island being revealed, to stop information getting out.

They demonstrate how the detention regime's massive bureaucracy is used to obfuscate, mislead, and distort information.

The downgrading of reports allows those running the camps to sanitise the conditions inside them, to claim that the situation is better than they are, to report to their Canberra superiors and paymasters that life in the detention centre, on the island, is under control, even improving.

But the whitewashing can only cover so much.

The files vindicate the whistleblowers of the Nauru regime. People such as the traumatologist and psychologist Paul Stevenson, who said conditions on Nauru were the worst “atrocities” he had ever seen in 40 years working with the victims of terrorist attacks and natural disasters, people such as Dr Peter Young, formerly the chief psychiatrist responsible for the care of asylum seekers on the island, who said the camps were “inherently toxic” and that the immigration department deliberately harmed vulnerable detainees in a process akin to torture.

The files clearly demonstrate the broader trends on the island: that mental health deteriorates precipitously the longer people are held; that the clinical advice of doctors is overridden by bureaucrats insistent that “the policy” be upheld; and, most disturbingly, that children are, by far, the most damaged by the nature and fact of indefinite detention on Nauru.

Children carry the additional burden of keeping their parents alive – mothers and fathers regularly report they would kill themselves were it not for their children. When even that is not enough, children are regularly the ones who raise the alarm when their parents do try to take their own lives, often in the forlorn hope it will mean their orphaned offspring will be moved to Australia.

Nauru is but one in a line of “solutions” engineered by Australia to address the issue of irregular migration (“solution” implying that people fleeing is a novel problem rather than a millennia-old human activity, and a domestic issue at that, one that can be fixed with a simple, single fix).

Australia now has a suite of these failed “solutions”: the Pacific, the Malaysia (struck down by the high court in 2012), the Papua New Guinea, the Nauru, the Cambodia.

None have been solutions at all.

Fundamentally, Australia’s “Nauru solution” is built on one fundamental lie – that this place is any kind of answer at all.

It is a lie enabled by countless deceptions every single day. Those are revealed in the Nauru files.

<https://www.theguardian.com/australia-news/2016/aug/11/offshore-detention-australia-secret-exposed-nauru-files>

12. Kristina Keneally: Australia fails the same lesson every time. The Nauru files show how secrecy hides abuse

How many reports into the mistreatment of children do we need to have before we finally learn something?

The Guardian
Kristina Keneally
Wednesday 10 August 2016 10.55 AEST

Today the Guardian is publishing 2,000 leaked incident reports from Australia’s off-shore detention camp for asylum seekers on Nauru. More than 51% of these incidents involve children, despite children constituting only 18% of those in detention for the period covered by reports.

Incidents range from self-harm to sexual abuse to physical assaults to cruelty.

How many times in Australia will we report on the abuse and mistreatment of children in institutional care before we finally learn from our mistakes?

The treatment meted out to the stolen generations led to Bringing Them Home report in 1997.

Aboriginal deaths in custody led to a royal commission between 1987 and 1991.

Forced adoption led to a Senate report, Commonwealth Contribution to Former Forced Adoption Policies and Practices in 2012.

The royal commission into institutional responses to sexual abuse, established in 2013, has produced three reports to date. Still under way, the commission had documented the horrific sexual abuse of thousands of children in state or state-sponsored care.

Various state governments have held inquiries and investigations into child protection, children in out-of-home care and disability services to uncover abuse, neglect and system failures.

And now the Turnbull government, sparked by harrowing footage from the Don Dale youth detention centre, is establishing a royal commission into the Northern Territory juvenile justice system.

All these reports. All these damaged children. All on our nation’s watch. All on our consciences.

Each report is in a different context. All teach us similar lessons.

Abuse and mistreatment occurs when absolute power is wielded over vulnerable people. Abuse is most easily undertaken when the victims have been dehumanised, especially on the basis of their race, disability, gender or economic class.

Abuse flourishes systematically when information doesn't flow transparently. Without oversight, monitoring and independent reporting, or where there are ineffective or no whistleblower protections, there is little chance for mistreatment to come to light. When vulnerable young people have limited access to family or other advocates, or when the media has poor or no access to institutional care or information about it, abuse can continue for years unchecked.

Publicly, in many of these circumstances, politicians and other authorities continue to assert that everything is just fine.

Like the politicians who told us nothing was amiss at the Don Dale juvenile detention centre. Goings-on there apparently didn't even pique their interest.

Australia's track record looking after children in institutional or state care is poor, and our failures continue to the present day.

Knowing all this, even before the Guardian's revelations today, how can Australians look at the situation of asylum seeker and refugee children detained by the Australian government on Nauru and assume everything is just fine?

If our governments can't assure the safety and wellbeing of young Australian citizens detained on our own soil in the Northern Territory, how can our nation be trusted with the lives of refugee and asylum seeker children we are detaining offshore?

In fact we have ample evidence that the children on Nauru are anything but "just fine". The Guardian's release of the incident reports today confirms the Human Rights Commission's 2014 report *The Forgotten Children: National Inquiry into Children in Immigration Detention*. It found that of 1,129 asylum seeker children detained by the Australian government there have been:

- 233 assaults
- 33 reported sexual assaults
- 128 incidences of self-harm
- 34% who require psychiatric support

Children on Nauru are at risk to all the circumstances that previous reports tell us foster a culture of abuse:

- They are vulnerable – some are even alone without family – and trapped in indefinite detention.
- They are dehumanised, serving no other function except as a human warning system to other would-be asylum seekers.
- They are isolated and hidden from our view, with no independent oversight and no ability for advocates to speak on their behalf.

Australia, we could actually show we've learned something from all these previous inquiries and reports, and take action now.

For example, we must demand the government appoint a children's commissioner for Nauru who can independently monitor and report on the wellbeing of children on the island. We must insist the government makes reporting abuse in offshore detention mandatory. We must advocate the government overturn the laws silencing healthcare professionals and others from speaking out about children on Nauru.

Those things aren't enough, but each would be a good start.

The best outcome, of course, would be to remove children from Nauru. Is there a politician left in Canberra with the decency and heart to stand up and for these forgotten, abused, victimised children?

I've argued previously that we will have a royal commission one day into offshore detention. It might not be for a decade or more, I said, and our children and grandchildren will wonder how we all let it happen.

Are more than 1,000 reports of cruelty and abuse of children enough to make us act now? Or will we just wait a decade to read the inevitability shameful findings of another royal commission into historical patterns of institutional abuse of children?

<https://www.theguardian.com/commentisfree/2016/aug/10/australia-fails-the-same-lesson-every-time-the-nauru-files-show-how-secrecy-hides-abuse>

13. Life in Nauru detention: a dark, wretched Truman Show without the cameras

Thousands of leaked files highlight the weight of daily frustrations in an overcrowded, overheated dystopia

The Guardian

Helen Davidson

Saturday 13 August 2016 08.02 AEST

There is horror in the Nauru files and then there is banality: countless records documenting squabbles between children, lost possessions, late buses and toilet blocks running out of soap. In the engineered society of an offshore immigration detention centre, there is drama, tedium and the unrelenting surveillance of Big Brother or The Truman Show – but without the cameras rolling.

The Nauru files catalogue an inordinate amount of suffering, abuse and anguish among the detained asylum seekers, but these are not the only stories. Because of the requirement that staff file reports on every classifiable incident, the thousands of entries document what everyday life is like in the dystopian world created by the Australian-backed companies running the camp.

How notable incidents were defined and graded was vague and changed over time. Strict reporting timeframes meant a worker sometimes had to choose between responding to a major incident and rushing to file a report within 30 minutes, to avoid a financial penalty to their organisation. As a result many incident reports designated “minor” make for horrifying reading.

The files are littered with reports about children – in particular a core group of troubled kids under the age of 10 – fighting, throwing rocks and acting dangerously by leaning out of bus windows and running across the road. Much of it is mundane.

FULL STORY AT <https://www.theguardian.com/australia-news/2016/aug/13/life-in-nauru-detention-a-dark-wretched-truman-show-without-the-cameras>

14. One day in September: a grim 24 hours in Nauru’s detention centre

Nauru files reveal spike in reported incidents three days after Australia announced its doomed plan to settle refugees in Cambodia

The Guardian

Nick Evershed and Paul Farrell

Saturday 13 August 2016 08.39 AEST

The misery and despair set out in the Nauru files, published by the Guardian, provides an unprecedented view of life in the Australian-run detention centre. We can identify the trends in incident reports over time and how they have rapidly risen on occasion. We can see how types of incidents – sexual assaults, self-harming, abuse – have changed over time.

But what was the worst day on Nauru? One day – 29 September 2014 – must be a candidate. Certainly it was among the most incident-packed. This was just three days before the then immigration minister, Scott Morrison, announced a sweeping review into conditions and allegations of assault at the detention centre. Several of the reports show the desperation of many of the asylum seekers, with several threatening self-harm.

The incident logs, show an average of 2.3 reports a day. But on this extraordinary day there were 19 reports in total, many serious, listed below:

7am A family of asylum seekers reported they couldn’t access microwaves to cook baby food.

10am An asylum seeker told a child protection worker that he and his family had not been coping well. He said he hadn’t been eating much the past three weeks except biscuits and milk, and had decided to stop even this. “Anything is possible in this place,” he said when asked whether he was considering harming himself.

11.25am An asylum seeker child at the school expressed her unease about the Nauruan security guards. She told a teacher: “Nauruan guards should always have an Australian with them as they don’t know what to do.”

12.30pm An asylum seeker told a caseworker he had been pushed by a guard, causing his sunglasses to fall off his head.

12.30pm A woman said she feared her case would never be resolved. She said she would poison herself and her children – but she would leave her husband “to live his life”.

1pm A child asylum seeker told a caseworker her mother was not “emotionally well”. She said if things continued along the lines of the immigration department’s recent messaging she would consider self-harming.

2.13pm A student skipped school because a group of asylum seekers had said school was cancelled and the buses would not be coming for their usual pick-up.

2.30pm A teacher filed a report about one of her pupils. The student told the teacher that if she received a negative refugee status decision she would be the first to self-harm. She made a gesture of cutting across her throat.

2.30pm An asylum seeker was seen with blood streaming down his face, shouting near the volleyball area. A large number of unaccompanied children aged between four and seven witnessed this.

2.39pm An asylum seeker with blood streaming down his face was seen being escorted away by a large number of guards. He was still shouting and appeared to the caseworker to be distressed. The caseworker was critical of the presence of the large number of security staff who took no action to move the children away. She wrote that the children had witnessed the asylum seeker "bashing his head with rocks".

3pm A caseworker found a child crying in her room. She asked what was wrong. The girl said she left Iran for safety but instead "found herself locked in a rubbish bin for so long she wants to die". She said she spent every day thinking of ways to kill herself.

4pm An asylum seeker said that he would keep his lips sewn together and would die in five days. He said Wilson Security guards had laughed at him and other protesters when they saw them.

4.05pm An asylum seeker said he had been told that Wilson Security's "big boss" had told security guards to hurt and kill people when the cameras are turned off.

4.10pm A woman said she hadn't eaten for three days as part of a protest against the Australian government's announcement about resettlement in Cambodia. She said more asylum seekers would soon stop eating.

4.30pm An asylum seeker saying goodbye to a caseworker called out, "I'm going to kill myself," and laughed and laughed in what the caseworker wrote was a "jovial manner". The caseworker said no further information had been obtained "due to physical distance and other priorities".

5.15pm A caseworker reported that guards had been increasingly asking asylum seekers for sexual favours. One woman described requesting for a two-minute longer shower to wash her son's hair; she said a guard would only allow her to do so if she showed him her body. She said both expatriate and Nauruan guards had been asking for sexual favours in exchange for cigarettes. Asylum seekers were afraid to report this.

6.15pm An asylum seeker said he was threatened by another asylum seeker when he got off the school bus. The boy said he had been threatened before on several occasions by other asylum seekers who told him not to attend school, engage in recreational activities or speak to Save the Children staff. He said he had been threatened for not attending protests.

9.20pm A group of young asylum seekers were planning a protest the following day. There were concerns they might harm themselves.

9.50pm An asylum seeker told a caseworker he was on a hunger strike and had not eaten for four days.

<https://www.theguardian.com/australia-news/2016/aug/13/one-day-in-september-a-grim-24-hours-in-naurus-detention-centre>

15. Nauru data leak paints 'disturbing picture' of refugee abuse, human rights groups say

ABC News Online
First posted Wed 10 Aug 2016, 9:40am
Updated Wed 10 Aug 2016, 9:55am

The release of a huge archive of files into detention at Nauru are extremely distressing to read and almost replicate the evidence handed over to the Government two years ago, Human Rights Commissioner Gillian Triggs says.

The leaked files, published on The Guardian website this morning, detail the trauma and abuse inflicted on children held in detention by Australia on the Pacific island of Nauru.

More than 2,000 incident reports were leaked which outlined various abuses, including assaults, sexual assaults and self harm between 2013 and 2015.

It was the largest leak of documents from inside Australia's asylum seeker regime.

The reports range from a guard allegedly grabbing a boy and threatening to kill him when he moves to the community, to a guard allegedly slapping a child in the face, The Guardian reported.

Ms Triggs said about 50 children were being held on Nauru, but they have been vastly over-represented in the incident reports.

"Distressing though it is to read, its sad to realise, for example, as you pointed out, that the statistical reports in relation to children is far higher, and we reported that as well," she said.

"They almost exactly replicate the evidence that we reported to Parliament, in our own report the Forgotten Children, in relation to Nauru, two years ago."

Human Rights Watch Australian director Elaine Pearson said the files painted a "disturbing picture" of the abuse on Nauru.

"The fact that the number of serious incidents has not declined but continued steadily, and in some cases escalated, is further proof that the failure to address abuses is a deliberate policy of the Australian Government to deter further boat arrivals," she said.

"This policy is inhumane and irresponsible, and it means refugees and asylum seekers remain vulnerable to further abuse and mistreatment."

Reports reflect unconfirmed allegations: Government

The Department for Immigration said it was checking the reported cases had been dealt with appropriately.

"The documents released this morning are historical in nature and have been the subject of previous reporting by the Department in relation to the overall number of recorded incidents over time," it said in a statement.

"It's important to note many of these incident reports reflect unconfirmed allegations.

"The department is seeking urgent advice from its service providers today to confirm all of these matters have been previously and appropriately reported to it, consistent with the policies and procedures covering such matters."

Ms Pearson said the Turnbull Government should act now, much like they did when the alleged abuse in juvenile detention was exposed in the Northern Territory.

"The Australian Government needs to take immediate steps to remove people from this environment of abuse," she said.

Shen Narayanasamy, from the activist group, GetUp, said the files indicated the situation on Nauru was much worse than previously thought.

"The real question for Prime Minister Turnbull is, clearly we know children are being sexually abused, women are being abused, and men are being detained for years without charge, at what point, is he going to understand that torturing people in this manner is not legitimate government policy?"

<http://www.abc.net.au/news/2016-08-10/nauru-data-leak-paints-disturbing-picture-of-refugee-abuse/7712890>

16. Nauru guard admits throwing rocks at young children, allegedly injuring five-year-old child

Canberra Times
August 10 2016 - 1:43PM
Nicole Hasham

A Nauru detention centre guard has admitted hurling rocks at a group of young children, which allegedly struck a five-year-old boy in the face, cutting his lip and chipping teeth, official documents show.

Doctors say the Iranian boy, Mohammad Mahdi Eskandarikhah, now aged 6, has not been properly treated or assessed for suspected autism and should be immediately brought to Australia.

The release of the documents, obtained by Doctors for Refugees, coincides with video in which young children at Nauru speak of "broken hearts" at being bullied and neglected on the remote island.

It forms part of a broader pattern of systemic abuse and neglect of children, most recently evidenced in Guardian Australia's release on Wednesday of 2000 incident reports detailing trauma suffered at Nauru.

About 50 asylum-seeker children live at the Australian-funded detention centre at Nauru and an estimated 80 to 100 live as refugees in nearby camps.

A Wilson Security incident report states that about 9.30pm on March 6 last year, a group of boys and girls aged under 8 were "misbehaving" in the centre by pulling down toilet paper, pumping out handwash and throwing stones.

A separate report by a staff member says after being hit by a stone, "I soon lost my temper and picked up a handful of rocks and threw them towards the children . . . I am unsure if any rocks hit them. I remember yelling at them because I was angry".

A Save the Children report stated that Mohammad's parents said a rock hit their son in the face, cutting his lip and chipping two teeth.

His parents said in the days following, Mohammad was in pain, struggled to eat and suffered anxiety.

The report said Mohammad regularly displayed "challenging", aggressive and defiant behaviours and his parents had struggled to manage this.

His mother also had "unstable mental health", which increased the risk of emotional harm to Mohammad.

Doctors for Refugees said Mohammad should immediately be brought to Australia for assessment and treatment.

Consultant paediatrician Nikola Morton said the boy's files repeatedly referenced a diagnosis of Autism Spectrum Disorder, but he had never been formally assessed.

The group's convenor, Dr Barri Phatarfod, said: "If this happened to your own six-year-old, you'd be horrified ... so imagine the effect on a six-year-old with developmental issues, locked up in a hostile, foreign environment and attacked by those supposedly watching over him."

A Department of Immigration spokeswoman said it was aware of the alleged assault against the boy, adding "a guard's employment was terminated and the matter was referred to the Nauru Police Force".

She said the child was a refugee and the Government of Nauru handled his medical care.

Comment has been sought from Wilson Security and Broadspectrum.

Meantime, footage filmed at Nauru last year, obtained by Fairfax Media, further emphasises the suffering experienced by children at Nauru – including having rocks thrown at them.

"Nauru is very dangerous for us, we can't go outside at anytime because they drink or they fight ... they throw rocks [at] us, they don't like us and we don't like to be here too," one girl says.

Another says: "We are kids, we have broken hearts, we have little hearts, we come to here to get our wishes, but here is not our wishes".

Save the Children Australia director of policy and public affairs, Mat Tinkler, said his organisation's staff "witnessed and reported numerous incidents of abuse and self-harm while working on Nauru".

"Save the Children reported these incidents consistently to the Australian Government. We have continued to make the ongoing problems on Nauru directly known to senior members of the Turnbull Government," he said.

"The incidents detailed in the media today again underscore the urgent situation on Nauru ... the Turnbull Government must immediately resettle asylum seekers and refugees left in limbo on Nauru in an appropriate, developed and humane country."

Guardian Australia on Wednesday published details of 2000 leaked reports relating to assaults, sexual abuse, self-harm attempts, child abuse and poor living conditions at Nauru.

Prime Minister Malcolm Turnbull said his government "continue[d] to support the Nauru government to provide for the health, welfare and safety of all transferees and refugees on Nauru ... [the published material] will be carefully examined to see if there are any complaints there or issues there that were not properly addressed".

Treasurer Scott Morrison, a former immigration minister, said incident reports were "not findings of fact" and reflected a reporting system that was established to "provide an opportunity to follow up and [provide] discussion both at the centre level and between governments".

<http://www.canberratimes.com.au/federal-politics/political-news/nauru-guard-admits-throwing-rocks-at-young-children-allegedly-injuring-fiveyearold-child-20160810-gqp1am.html>

17. Former Save the Children workers say Nauru files 'just the tip of the iceberg'

Twenty-six former workers, case managers, social workers, child protection specialists and teachers jointly call for the detention centre to be closed

The Guardian
Helen Davidson
Wednesday 10 August 2016 15.44 AEST

The horrifying trauma and abuses contained in the more than 2,000 leaked Nauru files are “just the tip of the iceberg”, former Save the Children workers who wrote many of them have said.

In an unprecedented statement, 26 former workers, including case managers, social workers, child protection specialists, teachers, and adult, child and youth recreation workers have joined to publicly address the abuses and trauma that occurred on Nauru, and to call for the centre’s closure.

Their statement was in response to the Guardian’s publication of the Nauru files, the largest cache of leaked documents from inside Australia’s offshore immigration processing regime.

The documents have laid bare the extent of trauma, mental illness and abuse over more than two years, as well as the inadequate responses by service providers employed by the Australian government.

One former teacher, Jane Willey, said the Nauru files did not reveal the full extent of what they had experienced and reported.

“It appears from looking through the published database that nowhere near the full extent of the incident reports written on a day-to-day basis have been released,” she said. “What you are seeing here is just the tip of the iceberg.”

Another former teacher, Judith Reen, said it was common for Save the Children staff to write reports which were then scrutinised by Wilson Security and downgraded.

“We were expected to simply report incidents and then trust Wilsons, the very organisation whose staff were sometimes alleged perpetrators, to conduct investigations,” she said.

“The lack of independent oversight meant that this reporting system was ineffective and placed asylum seekers at greater risk inside the camp.”

Natasha Blucher, a former Save the Children senior caseworker, said none of the signatories were behind the leak or were aware of where it came from, but that its release allowed them to speak out.

“As the authors of many of these reports, we encourage you to understand that despite the clinical and objective language we have used in our professional roles – these reports document intense suffering experienced by families, children and individuals and are irrefutable evidence of the harm caused by offshore detention,” she said.

Samantha Betts, a former child and youth recreation worker who has given evidence to a Senate inquiry, also disputed comments made earlier on Wednesday by the treasurer, Scott Morrison.

“Contrary to what the Australian government is trying to claim, these are not simply allegations,” she said. “These are objective reports of incidents that we witnessed firsthand, written in the course of our professional duties.”

<https://www.theguardian.com/news/2016/aug/10/former-save-the-children-workers-say-nauru-files-just-the-tip-of-the-iceberg>

18. Australian Medical Association: Asylum Seekers Subject To Atrocious Treatment

10 Aug 2016
Picture credit: paintings / Shutterstock.com

The Australian Government has been accused of a deliberate policy of “appalling abuse and deliberate neglect” in its treatment of refugees and asylum seekers being held on Nauru.

In a scathing report, Amnesty International and Human Rights Watch allege the Government has denied asylum seekers appropriate medical care and has structured its detention operation “so that many experience a serious degradation of their mental health”.

The report, based on interviews with 84 refugees and asylum seekers as well as an unspecified number of service providers, described medical facilities on Nauru as rudimentary and said those with serious conditions frequently faced long delays before receiving specialist care.

It included an account from a service provider who said ambulances sometimes took up to three hours to attend, and often people were discharged from the local hospital while they were still sick or half-conscious.

“We are not allowed to ask the hospital why they are being discharged, or what medication they’ve been prescribed, or for their medical records,” the service provider said.

The claims of widespread abuse, neglect and harm have been echoed in hundreds of incident reports filed by detention centre guards, caseworkers and teachers that have been leaked to Guardian Australia.

The 2116 reports, covering the period May 2013 to October 2015, include accounts of assault, sexual abuse, attempted self-harm, child abuse and squalid living conditions – more than half involving children.

Among them were numerous accounts of children threatening to kill themselves, engaging in highly sexualised behaviour, or suffering great emotional distress.

In one account, a security guard was heard to laugh moments after seeing a girl who had sewn her lips together. In another, a teacher reported that a student was “dreaming of blood and death and zombies” because his mother was on hunger strike and refused to hug him. Several reports detailed children sitting on the laps of security guards, including one girl who was “leaning her backside into the crotch of [name redacted]”, and a boy who was being bounced on the lap of a guard who was whispering in his ear.

Amnesty International and Human Rights Watch representatives who visited the island for 12 days last month said the circumstances in which people were being detained - a third of the 1200 refugees were living in cramped tents in hot and humid conditions, and all were limited to two-minute showers and forced to use filthy toilets – were physically draining and exacerbated mental health problems.

“Prolonged detention in appalling conditions exacerbated the trauma many had suffered from persecution in their home countries,” the report said.

Many of those interviewed reported having developed severe anxiety, insomnia, mood swings, prolonged depression and short-term memory loss while on the island, while children were suffering from nightmares and engaging in disruptive and troubling behaviour.

“Adults and children spoke openly of having wanted to end their lives. More than a dozen of the adults interviewed said they had tried to kill themselves...and many more said that they had seriously considered ending their lives,” the report said.

It included the account of a nine-year-old boy who told his mother that, “I want to burn myself. Why should I be alive? I want my daddy. I miss my daddy”, after his father was transferred to Australia, without his family, for medical treatment.

Amnesty International and Human Rights Watch said support and treatment for those suffering mental health problems was inadequate, and patients whose illness was severe enough to justify their transfer to Australia were returned several months later to the same conditions that had contributed to their trauma in the first place.

“Australia’s atrocious treatment of the refugees on Nauru over the past three years has taken an enormous toll on their wellbeing,” Human Rights Watch Senior Counsel on Children’s Rights Michael Bochenek said. “Driving adult, and even child, refugees to the breaking point with sustained abuse appears to be one of Australia’s aims on Nauru.”

Amnesty International Senior Director of Research Anna Neistat, who was one of the researchers who visited Nauru, condemned the treatment of asylum seekers as “cruel in the extreme”.

“Few other countries go to such lengths to deliberately inflict suffering on people seeking safety and freedom,” she said.

The human rights organisations said the Australian Government’s failure to address what they described as serious abuses “appears to be a deliberate policy to deter further asylum seekers from arriving in the country by boat”.

But Department of Immigration and Border Protection rejected the findings of the report, which it said was conducted without consultation.

“We strongly refute many of the allegations in the report, and would encourage Amnesty International to contact the Department before airing allegations of this kind,” it said in a statement.

FULL STORY AT <https://ama.com.au/ausmed/asylum-seekers-subject-‘atrocious’-treatment>

19. Nauru files: widespread condemnation of Australian government by UN and others

UN high commissioner for refugees 'gravely concerned' by allegations raised and says all refugees and asylum seekers should be moved off Nauru

The Guardian
Helen Davidson and Ben Doherty
Wednesday 10 August 2016 19.53 AEST

Two United Nations agencies and dozens of human rights, legal, religious and medical groups have demanded the Australian government put a stop to the suffering of asylum seekers and refugees in its offshore processing regime, following the publication of the Nauru files.

The Australian government faced widespread condemnation after the Guardian revealed thousands of leaked documents from inside its detention centre on the Pacific island of Nauru, covering a period of more than two years.

The documents, part of the largest ever leak from inside the Australian-run regime, included incident reports detailing countless instances and allegations of abuse and trauma, often perpetrated by or involving detention centre staff.

The UN high commissioner for refugees said it was "gravely concerned" by the allegations raised and said all refugees and asylum seekers should be moved off Nauru "to humane conditions".

"The documents released are broadly consistent with UNHCR's longstanding and continuing concerns regarding mental health, as well as overall conditions for refugees and asylum seekers on Nauru," it said.

"UNHCR has observed and reported a progressive deterioration of the situation of refugees and asylum seekers on Nauru through its regular visits since 2012."

Officials from the UNHCR were present – though they had not spoken to him – when a 23-year-old Iranian refugee, Omid Masoumali, doused himself in petrol and set himself alight on Nauru in May this year in protest at conditions on the island.

After delays in flying him from Nauru for medical attention, Masoumali died in a Brisbane hospital two days later.

In the wake of the publication of the Nauru files, the UNHCR said permanent and humane solutions for Nauru's asylum seeker and refugee populations were needed urgently. "Delays in immediate action to rectify the current situation are exacerbating human suffering and causing ongoing deterioration."

A group of 26 former Save the Children staff released a statement on Wednesday afternoon to say they were the authors of many of the reports but the leaked cache was just "the tip of the iceberg".

On Wednesday the Australian Department of Immigration and Border Protection said many of the incident reports "reflect unconfirmed allegations or uncorroborated statements and claims – they are not statements of proven fact".

"The documents published today are evidence of the rigorous reporting procedures that are in place in the regional processing centre – procedures under which any alleged incident must be recorded, reported and where necessary investigated," it said.

The department said it was examining the matters raised to ensure the reporting process by the centre's service providers was appropriate, but there was no evidence to suggest under- or misreporting.

"The Australian government provides support to the Nauruan government, including the deployment of Australian federal police officers to work alongside the [Nauruan police force] and build their capacity to investigate complex and sensitive incidents.

"It also takes seriously its role in supporting the government of Nauru to protect children from abuse, neglect or exploitation."

Amnesty International's senior director for research Anna Neistat, who went undercover last month to investigate the centre, said the Guardian's report "laid bare a system of 'routine dysfunction and cruelty' that is at once dizzying in its scale and utterly damning for the Australian authorities who tried so hard to maintain a veil of secrecy".

"The Australian government has engaged in one of the most successful mass cover-ups I've witnessed in my career of documenting human rights violations," said Neistat. "They've repeatedly said this kind of abuse has not been going on. They've been lying."

The Australian Medical Association called for the establishment of an investigative body, entirely independent of government, to immediately assess the health and living conditions of every person in offshore detention.

“These disturbing reports echo long-held concerns by the AMA about the lack of proper physical and mental health care being provided to people in immigration detention,” said the peak body’s president, Dr Michael Gannon.

The Australian Lawyers Alliance called for Comcare, the federal workplace regulator, to investigate and prosecute for the abuses under the Work Health and Safety Act, which a spokesman, Greg Barnes, said applied to anyone in a workplace, not just employees.

A number of people and organisations, including activist group GetUp and the Australian churches refugee taskforce, called for the establishment of a royal commission, the country’s most powerful form of inquiry.

Some drew comparisons with the Four Corners television report last month that broadcast brutal treatment of young people in juvenile detention in the Northern Territory, noting that the former sparked an immediate inquiry. The response from the federal government on Wednesday was muted.

Hugh de Kretser, the executive director of the Human Rights Law Centre, told Guardian Australia: “Nothing excuses the failure to act. There is a real hypocrisy in the fact we have two royal commissions currently afoot – one into institutional child sexual abuse and another into youth detention centres – and yet at the very same time we’re warehousing children on Nauru in conditions that allow this kind of abuse to thrive.”

The Australian Council for International Development and the Australian Council of Social Service said the current royal commission into institutional responses to child sexual abuse should immediately examine incidents and allegations raised in the Nauru files.

“In the face of the extraordinary evidence of such abuse and harassment of children in immigration detention in Nauru there must be an investigation into whether this is an explicit breach of the Department of Immigration and Border Protection’s duty of care,” said the former’s chief executive, Marc Purcell.

More than half of the 2,116 Nauru files reports related to children.

Unicef said the Nauru files were further evidence that the island nation was not a suitable place to resettle refugee children, and called on the Australian government to find a permanent resettlement solution for families.

“The Australian government must take immediate action for children and their families to prevent further harm,” Nicole Breeze, director of policy and advocacy at Unicef Australia, said, adding that Australia should also do more to assist with resettling refugees from across the region and around the world.

Other advocacy groups called for the immediate transfer of the 48 children believed to still be living on Nauru.

The End Child Detention Coalition called for the government to legislate time limits to getting juveniles out of detention and into community situations. “Even short periods of detention are incredibly harmful for children, with extremely high rates of depression and unaddressed trauma exacerbated by detention,” said the chair of the group, Leanne Torpey.

The Australian human rights commissioner, Gillian Triggs, responded to the report by urging the Australian public to “speak out and talk up”. “We really need the public’s attention to ensure that our politicians change the policy,” she said.

The prime minister, Malcolm Turnbull said the incident reports would be “carefully examined to see if there are any complaints ... or issues ... that were not properly addressed.” He said the Australian government supported Nauru in ensuring the welfare of people in detention.

The treasurer, Scott Morrison – a former immigration minister – told reporters incident reports “are reports of allegations, they are not findings of fact in relation to an incident”.

The Labor leader, Bill Shorten, urged the government to improve oversight in the detention centres, and appoint a children’s commissioner to protect the welfare of children in immigration detention. “Just because people are indirectly in the care of Australia doesn’t absolve Australia of ensuring that people are safe,” Shorten told reporters. “And so these files, I think, again point to the immediate need for an independent children’s advocate.”

The Greens party called for a royal commission into conditions in detention as a matter of urgency. Greens immigration spokeswoman, Sarah Hanson-Young, said the government could not claim ignorance of “institutionalised child abuse, taxpayer-funded sexual assault” of women in Nauru.

“This is not new information to [current immigration minister] Peter Dutton. It’s not new information for Scott Morrison, and I don’t believe it’s new information for Malcolm Turnbull,” she said. “The sad truth is the government knowingly turned a blind eye [to] collateral damage for their stop-the-boats policy.”

<https://www.theguardian.com/australia-news/2016/aug/10/nauru-files-widespread-condemnation-of-australian-government-by-un-and-others>

20. 'They don't care': a refugee's story of reporting sexual assault on Nauru

The Nauru files document Nina's frustration and distress at the lack of action that followed her reports of sexual assault and harassment by detention centre staff

The Guardian
Helen Davidson
Saturday 13 August 2016 08.01 AEST

Nina (not her real name) had been abused and assaulted as a child in her home country of Iran. She still lived with the fear of telling anyone but now, as an adult, she wanted to be braver. And so, when a nurse allegedly sexually assaulted her while she was in hospital after attempting suicide on Nauru, she decided to report it.

The Guardian's publication of the Nauru files shows she was one of many victims to receive an inadequate response from the system charged with her care.

In a police statement Nina describes coughing and feeling nauseous and having blurred vision. While lying on a bed as two male nurses in the detention centre tried to put a needle in her arm, she alleges, she felt one of them place his genitals in her hand.

"I could distinctly feel it but I was not in a position to move my hand or to complain to anyone," she told police.

Nina said the encounter brought back memories of her childhood assaults. "At the moment I feel very overwhelmed, I cannot sleep at night, I get a lot of nightmares," she said. "While I sleep I dream that someone is trying to assault me but I feel helpless, my voice doesn't come out and I can't push the person away."

The alleged assault occurred in mid 2014 and there has been no apparent resolution through either the police investigation or that by the Australian government's service providers.

Nina's story has been pieced together from documentation in the Nauru files, a cache of more than 2,000 leaked incident reports published by the Guardian. The reports are written by guards, caseworkers and teachers about the trauma caused to asylum seekers held on the remote Pacific island of Nauru. They also contain the voices of those detained.

Nina said she have requested CCTV footage from the emergency department but was told by a representative of IHMS, the health service provider in the detention centre, that cameras were switched off "for the purpose of maintaining confidentiality".

"The manager of IHMS just told me, 'Sorry all cameras are off,' and that they are always [off]," she told the Guardian.

"After that just one time I went to the police station to fix my statement about that day, then after that nothing. No follow from police, no follow from Wilson or IHMS. They didn't give me any answers."

A spokeswoman for IHMS said they could not comment on the operation of CCTV in the hospital, and that administration of the hospital was not its responsibility, but that cameras in the IHMS clinic do not operate during treatment for privacy reasons.

She reported the alleged assault to two separate caseworkers. She "stated that she is scared if she reports this she would be accused of lying", one said.

The second noted that Nina said she felt "very unsafe and uncomfortable"

Faced with a barrage of assault allegations from and about detainees – and with limited resources and scant experience – Nauru's police have struggled. In Nina's case, as for all cases relating to sexual assault involving the detention centre, no one has been charged.

In November Transfield acknowledged Nina's complaint. A letter from the company noted the allegation was in the hands of the Nauruan police but instructed her to submit a request form if she wished to speak with IHMS further and assured her there would be a meeting within 72 hours.

"We consider your complaint resolved, however if you should be dissatisfied with our handling of the complaint please contact your case manager, a client services officer, or relevant external third party," it concluded.

A second letter three days later clarified it was "only the DIBP complaint that was closed".

IHMS said it had been made aware of the incident soon after it was alleged to have occurred, and met with Nina six days later.

"IHMS investigated the alleged incident but no IHMS employee fitting the description given by the patient was able to be identified by IHMS," she said.

The spokeswoman said the matter was referred to the immigration department, Wilson Security, and the Nauru police force, and Nina had not requested another interview.

Nina's voice carries through the Nauru files. They show that this encounter was not the only time she was allegedly targeted by a detention centre staff member.

In August and September 2014 Nina reported to Save the Children that she and a friend had been sexually harassed by a group of Wilson Security guards. While the pair were waiting at a bus stop the group laughed at them and made lewd gestures, she said. She later claimed that one of them had exposed his genitals. After two months she had received no response and asked why she was still seeing the staff member around the centre.

FULL STORY AT <https://www.theguardian.com/news/2016/aug/13/they-dont-care-a-refugees-story-of-reporting-sexual-assault-on-nauru>

21. Nauru files show Wilson Security staff regularly downgraded reports of abuse

Leaked documents show security contractor breached guidelines on how seriously to rate incidents of violence and self-harm

The Guardian

Paul Farrell and Ben Doherty

Friday 12 August 2016 06.10 AEST

Self-harm and sexual abuse incident reports filed on Nauru were routinely altered and downgraded in seriousness by the security company tasked with protecting asylum seekers on the island, new documents reveal. Save the Children, one of the major agencies in the detention centre, protested that they were "usually downgraded without any clear justification". A spokeswoman for Wilson Security said the company followed the reporting guidelines established by Australia's immigration department and denied that incident reports are systematically downgraded in breach of the guidelines.

The Guardian's investigation into the Nauru files, the largest cache of leaked documents published about the immigration detention system, reveals that more than 100 reports made by other Australian companies working in the detention centre were downgraded in seriousness by Wilson Security.

While there may be a legitimate reason to downgrade the risk assessment of an incident if it has been incorrectly recorded, the Guardian's analysis of the documents shows a number of incidents that appear to have been altered in breach of the reporting rules for these events.

Wilson Security is the company subcontracted to provide security on Nauru. It is contracted directly by Transfield Services (now Broadspectrum) which is in turn contracted by Australia's immigration department to run the Pacific detention centre.

The 2,000 incident reports published by the Guardian are records written by guards, caseworkers and medical officers on Nauru. Their reports include allegations of self-harm, assault, abusive behaviour, accidents, sexual assault and bullying. Events are classified in seriousness as "critical", "major" or "minor". Some are labelled simply as "information" reports. How these reports should be filed are set out in Transfield's incident reporting rules.

The downgrading by Wilson was recognised by other providers, and apparently admitted by Wilson. On 6 September 2015, a senior Save the Children's manager on Nauru wrote an email to staff on the island.

Message for staff: downgrading of Incident Reports by Wilsons

Hi All,

In recent months Wilsons have been downgrading SCA Incident Reports when they are submitted to them at Command. They are usually downgraded without any clear justification.

In a meeting with Wilsons yesterday, it was agreed that Wilsons will not downgrade incident risk ratings when SCA submit them to Command. They may discuss with you differences in the interpretation of the incident, but they will not actually change the risk rating.

If Wilsons believe an incident should be downgraded, this will occur during the Incident Management Group (IMG) meeting which is held every weekday – SCA's Operations Manager attends this.

Please advise me or [REDACTED] if you continue to have IRs downgraded, or if you feel pressure to downgrade an incident.

Thanks,

[REDACTED]

In one case an incident report of a self-harm threat by a child was made by a Save the Children worker in January 2015. The asylum seeker child had stopped taking her medication but told the worker “she will die and she doesn’t care about anything anymore”.

The Save the Children worker reported it as a “major” incident. At the bottom of several report forms guidelines state: “Threat self-harm & assault incidents involving minors (under 18) is classified as a major incident. Actual self-harm incidents involving minors (under 18) is classified as a critical incident.”

But a Wilson Security officer overruled the caseworker’s decision. They crossed out the word “major” and instead labelled it as a “minor” incident.

A spokesperson for the immigration department said a mechanism for reclassification was entirely appropriate.

FULL STORY AT <https://www.theguardian.com/australia-news/2016/aug/12/nauru-files-show-wilson-security-staff-regularly-downgraded-reports-of-abuse>

22. Wilson Security bosses could face fresh senate hearing

Documents leaked to the Guardian show the company gave incomplete details of abuse to senators

The Guardian
Ben Doherty
Saturday 13 August 2016 17.10 AEST

Wilson Security bosses may be hauled back before the Senate to answer questions over inconsistencies between their evidence to a committee hearing over abuses in detention on Nauru, and revelations by the Guardian in the Nauru files.

The files – 2,000 pages of leaked incident reports from within the Nauru regime – have revealed that Wilson Security failed to report up to 16 allegations of child abuse in the Nauru detention centre to the senate.

A senate inquiry into conditions and allegations of abuse at Nauru detention centre last year asked Wilson Security for details of all known incidents or allegations of sexual assault, child abuse and assaults on minors.

Wilson Security, which provides the guards for the detention centre as well as other security services, provided a table of reports of sexual abuse and child abuse.

But the Nauru files show the Wilson report to the senate was incomplete and that at least 16 serious cases of child abuse and sexual assault were not disclosed, including allegations a guard sexually assaulting a young boy, a child being choked by a guard, and a guard shining a torch on the genitals of a girl he had forced to go to the toilet on the ground.

In one instance, incident reports show that Wilson Security knew the name, position, and station of a Wilson Security guard who allegedly hit a five-year-old girl “so hard it lifted her off her feet”, but then told the senate it did not have sufficient information to identify the alleged offender.

Wilson Security has maintained that all of its evidence to the senate was full and correct. The company had “fully cooperated with and, based on the information to hand, provided honest and accurate evidence” to the inquiry, a spokeswoman said in a statement to the Guardian.

Sarah Hanson-Young, the Greens senator who had asked Wilson Security executives for the sexual and child abuse details, said she would move to have the company’s executives recalled before the senate to answer questions about their earlier evidence.

“Wilson Security and Broadspectrum have many questions to answer, not the least why they have played down the level of systematic abuse and harm happening on their watch.

“These government contractors, which have been paid billion of dollars by the Australian government are either grossly incompetent or lying criminals. They must now explain to the Senate which one it is.”

Misleading the parliament is a serious criminal offence. Contempt of the senate carries a possible prison term, though this has never been imposed in Australia.

Hanson-Young said once the new parliament was resumed at the end of this month, she would move to re-establish the previous senate committee investigating Australia’s offshore detention regime.

“As members of parliament we each have responsibly to ensure that the government is kept to account and when we know children are being abused there is no excuse for turning a blind eye.”

Wilson Security has maintained its evidence to the senate inquiry was comprehensive and accurate. In a statement, a spokeswoman said the company maintains a rigorous and robust reporting system for all incidents and allegations.

“Wilson Security takes the welfare and safety of the asylum seekers at the regional processing centres seriously.

“All allegations of inappropriate behaviour on Nauru by asylum seekers or staff are reported through a comprehensive information and incident reporting system, referred to the relevant stakeholders for action, and where appropriate referred to the relevant authorities.”

<https://www.theguardian.com/australia-news/2016/aug/13/the-nauru-files-wilson-security-bosses-face-fresh-senate-committee-hearing>

23. From pleas to threats to harm: files reveal escalation of trauma on Nauru

The leaked reports chart distress increasing over time as uncertainty takes its toll on asylum seekers and the staff sent to guard them

The Guardian
Helen Davidson
Thursday 11 August 2016 08.40 AEST

There's the father who threatened to kill his children four times. The girl under six who was bullied, allegedly sexually abused and became the subject of 60 separate reports over two years. And there's the woman whose apparent psychotic episodes became the subject of a debate over whether she was “putting it on”.

Sometimes the incidents recorded in the Nauru files appear as one-offs. But often they follow a pattern. A cry for help would become a threat, a threat would become an act, the act would be belatedly and often inadequately handled. Rinse, repeat.

The files show the progression of trauma as individuals' distress escalated without remedy. A sample explored below are among countless stories of men, women and children growing increasingly distressed, some falling into deep mental illnesses, and some threatening violence against themselves or their families.

The pattern is displayed in the thousands of pages of documents. But what isn't shown, according to some former employees, are caseworkers “going ballistic” behind the scenes.

“We're watching it and yelling at our managers,” one said. “That's all we can do. That's what it is all the time. That's what is happening.”

‘I'm ready for her to die’

A father in Nauru threatened to kill himself and his children at least three times before the children were eventually moved, the Nauru files show.

The man first reached out to caseworkers in July 2014 to say he wanted to relinquish care of his children. He was “failing as their father and it's torturing me”, he told one.

The caseworker passed on the information to high welfare watch, and said a senior caseworker would see the man again the following week. But eight weeks later the asylum seeker made his first recorded threat to kill himself and his children after their application for refugee status was rejected. He was apparently not referred to mental health services.

Another two months later he made his second threat after becoming frustrated that his daughter was not receiving treatment for an almost year-long medical issue.

FULL STORY AT <https://www.theguardian.com/news/2016/aug/11/from-pleas-to-threats-to-harm-files-reveal-escalation-of-trauma-on-nauru>

24. Peter Dutton says refugees self-harming to get to Australia, warns against Nauru abuse reports 'hype'

ABC News Online
By political reporter Stephanie Anderson
Posted Thu 11 Aug 2016, 8:48am

Peter Dutton has responded to the leaking of thousands of files alleging abuse of children and adults in Nauru's offshore immigration detention centre by saying some refugees are self-harming and filing false claims in an effort to get to Australia.

More than 2,000 incident reports published by The Guardian outline various allegations of abuse, including assaults, sexual assaults and self-harm between 2013 and 2015.

Human rights and refugee advocacy groups have seized on the documents as proof that the Government is overseeing a failed detention system, but Mr Dutton said some of the incidents were false reports.

The Immigration Minister said the allegations would be investigated by Nauruan authorities, but "some people do have a motivation to make a false complaint".

"I have been made aware of some incidents that have reported false allegations of sexual assault, because in the end, people have paid money to people smugglers and they want to come to our country," he told 2GB Radio.

"Some people have even gone to the extent of self-harming and people have self-immolated in an effort to get to Australia. Certainly some have made false allegations."

In May, a 23-year-old Iranian died in a Brisbane hospital after self-immolating on Nauru.

A second refugee, a 21-year-old Somali woman, set herself alight the following day.

Mr Dutton also responded to what he called "hype" by saying that the centre was on Nauru, not Australia.

Prime Minister Malcolm Turnbull yesterday rejected renewed calls from The Greens for a royal commission to be established to investigate the claims further.

Mr Turnbull said the Government would assess the information that was now in the public domain.

"It will be carefully examined to see if there are complaints there or issues there that were not properly addressed," he said.

Shadow immigration minister Shayne Neumann stopped short of supporting a royal commission into the matter, but said the Government should revisit a Labor bill allowing for an independent children's advocate.

The Department of Immigration and Border Protection yesterday responded to the allegations by saying "many of the incident reports reflect unconfirmed allegations or uncorroborated statements and claims — they are not statements of proven fact".

<http://www.abc.net.au/news/2016-08-11/dutton-says-refugees-'self-harming'-to-get-to-australia/7719450>

25. Comparing Nauru to Guantánamo Bay is ridiculous, says Australian immigration minister

Peter Dutton plays down abuse allegations and says that as Nauru is not part of Australia they are an issue for the government there

The Guardian
Paul Farrell
Friday 12 August 2016 00.37 AEST

Australia's immigration minister, Peter Dutton, has rejected comparisons between the Nauru detention centre and Guantánamo Bay as a "ridiculous analogy" as the fallout from the publication of more than 2,000 leaked incident reports continues.

On Wednesday the Guardian published the Nauru files, which reveal in staggering detail the scale of abuse and trauma of children in Australian offshore detention.

The publication of the files has led to renewed calls for a range of reforms of Australia's policy of mandatory offshore detention for asylum seekers who have arrived by boat. The government has also faced growing international pressure over the release of the reports.

Dutton has declined to respond to multiple requests for comment from the Guardian.

But in a gruelling interview on the Australian Broadcasting Corporation's 7.30 program on Thursday night he faced heavy questioning about the files from Leigh Sales, including about whether the facility was turning into a "Guantánamo Bay-style situation".

Dutton said: "No, and with respect I think that's a ridiculous analogy. I think the situation is that people have paid people smugglers for a migration outcome, they want to come to Australia."

“It’s turning into a situation where people are making a choice that they don’t want to go back to their country of origin in cases where we’re offering thousands, literally thousands and thousands of dollars for people to return to their country of origin, to provide support.”

He reiterated earlier comments he had made that he would not tolerate sexual assaults or abuse on the detention centre. But he continued to play down the seriousness of the allegations contained in the Nauru files.

“You’re talking about cases where children might not want to go to school, where children are complaining about conditions at the local park, the local beach. These form the basis of some of these complaints.”

The Guardian’s investigation revealed harrowing incidents, from a guard allegedly grabbing a boy and threatening to kill him once he was living in the community to guards allegedly slapping children in the face.

Dutton continued: “The point that I would make is that one representation of a child or a woman in any of these reports is one too many.”

He was also pressed on the differences in responses at Nauruan and Australian facilities.

“There would be incident reports at detention centres here in Australia on a daily basis as there would be at schools, as there would be at correctional facilities, they are investigated and there is an obligation on the contractors on Nauru to report every instance,” he said.

Dutton also faced questions about the differences between the Australian government’s swift decision to establish a royal commission into the juvenile detention system in the Northern Territory and the comparatively muted response to the release of the Nauru documents. Dutton responded: “There are considerable differences ... Nauru is not part of Australia, so this is an issue for the Nauruan government.”

<https://www.theguardian.com/news/2016/aug/11/comparing-nauru-to-guantanamo-bay-is-ridiculous-says-australian-immigration-minister>

26. 'People have self-immolated to get to Australia' – immigration minister's response to Nauru files

Peter Dutton dismisses revelations and accuses asylum seekers of making false claims of sexual assault

The Guardian
Ben Doherty and Paul Farrell
Thursday 11 August 2016 10.39 AEST

Australia’s immigration minister, Peter Dutton, has accused asylum seekers of setting themselves on fire, deliberately self-harming, or making false allegations of sexual assault in order to come to Australia.

On Thursday Dutton dismissed the revelations contained in the Nauru files published by the Guardian, which contain graphic reports of sexual assault, child abuse and self-harm written by detention centre staff and said: “Most of that’s been reported on before.”

He said: “I won’t tolerate any sexual abuse whatsoever. But I have been made aware of some incidents that have been reported, false allegations of sexual assault, because in the end people have paid money to people smugglers and they want to come to our country.

“Some people have even gone to the extent of self-harming and people have self-immolated in an effort to get to Australia, and certainly some have made false allegations in an attempt to get to Australia.”

Dutton’s comments were the first he has made since the Guardian’s publication of more than 2,000 leaked incident reports from the Nauru detention centre.

Greens senator Sarah Hanson-Young said Dutton’s comments were abhorrent.

“Comments by minister Dutton this morning that incidents involving child sexual abuse may be fabricated are abhorrent. To attack a child for telling an adult – someone they should trust – that they’ve been abused is unthinkable.

“It is unacceptable for the Turnbull government to continue to send people to an island prison in which we know children are experiencing abuse and violence.”

Dutton’s comments followed a commitment from Labor to reintroduce a private member’s bill to parliament to impose mandatory reporting of child abuse in offshore immigration detention after the leaked reports detailed systemic abuse of children.

Labor, which reopened Nauru and Manus and supports offshore processing as a policy platform, stopped short of calling for Australia's offshore detention camps to be closed. It said a royal commission into the abuses into detention was not needed.

Two UN bodies – Unicef and the UN's high commissioner for refugees – have called for all asylum seekers and refugees to be removed from offshore detention, while Gillian Triggs, the president of the Australian Human Rights Commission, said an Australian royal commission could investigate "matters in which Australia is internationally responsible".

Shayne Neumann, Labor's spokesman on immigration, told ABC's Lateline on Wednesday night that Labor's migration amendment (mandatory reporting) bill, put before the last parliament last October, would be reintroduced.

The bill would require every person working in any Australian-funded facility, including offshore detention camps, to report any form of child abuse to the Australian Border Force commissioner, who must, in turn, report it to the relevant police authority and child protection agency. Neumann said Labor would also propose the creation of an independent children's advocate.

"We need action now," he said. "An independent children's advocate would act on each case individual case, dealing with each case as it does in any court."

Neumann said immediate action to protect children was needed rather than a public inquiry. "We don't need a royal commission to tell us that there are real problems here."

He said the abuses on Nauru were, ultimately, Australia's responsibility. "It's all very well for the government to say, 'Look, it's Nauru's problem' – we are paying taxpayers' money, we have indirect responsibility, we cannot abdicate a responsibility for vulnerable people, women and children and men in these circumstances.

"We must get back in the game ... it seems inaction and inertia is the government's approach in this regard and we should not find this acceptable and the Australian public doesn't find it acceptable."

Malcolm Turnbull said on Wednesday the incident reports would be "carefully examined to see if there are any complaints ... or issues ... that were not properly addressed".

The Department for Immigration and Border Protection issued a statement saying the documents published by the Guardian were evidence of "the rigorous reporting procedures that are in place in the regional processing centre".

All alleged incidents in detention had to be reported and, where necessary, investigated, the government said.

"Many of the incident reports reflect unconfirmed allegations or uncorroborated statements and claims – they are not statements of proven fact. The Australian government continues to support the Nauruan government to provide for the health, welfare and safety of all transferees and refugees in Nauru."

But Triggs took issue with the government's response. "These are not unsubstantiated allegations," she told ABC Breakfast on Thursday. "Most of them are incident reports where professionals of one kind or another have reported this evidence."

Triggs said she had examined the reports published in the Nauru files: "We're not seeing change and we're seeing, of course, an environment of secrecy."

Michael Bochenek, senior counsel in the children's rights division of Human Rights Watch, interviewed asylum seekers on refugees on Nauru in July for a report issued in conjunction with Amnesty International.

He said most of those on Nauru had been held there for three years, "much of that time in overcrowded tents in prison-like conditions". "They regularly endure violence, threats, and harassment from Nauruans. Nearly everybody I interviewed told me that their mental wellbeing had deteriorated sharply as a consequence of the abuses they've suffered and the prolonged uncertainty they face about their future."

In the wake of the publication of the Nauru files, dozens of human rights, legal, religious and medical groups have demanded the Australian government put a stop to the suffering of asylum seekers and refugees in its offshore processing regime.

The acting chief executive of the Refugee Council of Australia, Tim O'Connor, said all asylum seekers and refugees in offshore detention should be brought to Australia immediately.

"The clear evidence of abuse included in these thousands of pages of documents compiled by Australia's offshore immigration detention contractors is devastating proof of the systematic abuse that continues within the Australian initiated and funded offshore immigration detention program."

<https://www.theguardian.com/news/2016/aug/11/labor-will-reintroduce-bill-to-force-mandatory-reporting-of-child-abuse-after-nauru-files>

27. Liberal MP appeals to 'people of conscience' after release of Nauru files

Russell Broadbent says Coalition needs to consider whether there are adequate safety measures to protect those in detention

The Guardian
Katharine Murphy Political editor
Wednesday 10 August 2016 18.22 AEST

The Liberal MP Russell Broadbent says the government needs to consider whether there are adequate checks and balances to ensure the safety of people in immigration detention after the release of new records revealing the scale of abuse of children in offshore detention.

Broadbent, who was active alongside fellow Liberal moderates on asylum issues during the Howard era, said the incident reports published by the Guardian on Wednesday are “the sort of thing that brought John Howard to a place where he had to do something about it”.

The Victorian Liberal said the prime minister, Malcolm Turnbull, was fully aware of Australia’s responsibilities with offshore detention but, he added, when governments moved to contract out responsibility for the management of the centres the adequacy of checks and balances was called into question.

“That is now being tested by your story,” Broadbent said.

The backbencher said churches and “people of conscience” needed to rally on the issue and he blasted the new Senate crossbenchers for prioritising a discussion about repealing protections in the Racial Discrimination Act.

“When there are issues like this that face the nation – compared to [concerns about the welfare of detainees on Nauru], changing 18C is a 15th-order issue.”

Broadbent’s intervention followed an undertaking on Wednesday from Turnbull to “carefully examine” the material about incidents on Nauru to see if there are any complaints or issues that were not properly addressed.

The Labor leader, Bill Shorten, said the government needed to implement Labor’s policy of putting in place an independent children’s advocate because offshore detention had to be conducted “in the safest possible way”.

Labor MPs also remain deeply troubled by conditions in offshore detention. The Tasmanian Labor senator Lisa Singh told Guardian Australia on Wednesday it remained her personal view that the offshore detention centres on Nauru and on Manus Island in Papua New Guinea should be shut down.

Labor had a bruising debate about asylum policy at its national conference last year, which resulted in the party supporting offshore processing with additional safeguards – but Singh said that debate would not be the end of the party’s internal conversation about asylum policy.

Singh said people detained on Nauru had committed no crime and yet they faced periods of indefinite detention where they were retraumatised.

“If [the Guardian Australia report] is not a wake-up call to end the practice of detaining children then I don’t know what is,” Singh said on Wednesday.

She said there was now a number of strong components to Labor’s asylum policy as a consequence of the conference debate “but that doesn’t mean the debate is over”.

The Labor MP Andrew Giles – who led the left faction push at the national conference for the ALP to oppose boat turnbacks – told Guardian Australia he was horrified and distressed by the material published on Wednesday.

Giles did not disavow the policy Labor resolved at the national conference but he said: “That material shows [the immigration minister] Peter Dutton’s claims that asylum seekers are safe are baseless.

“What these revelations do is ask all of us to think about how we approach the politics of this issue.”

Josh Wilson, the new Labor member for Fremantle who replaced one of Labor’s strongest campaigners on protecting the human rights of asylum seekers, Melissa Parke, said there was clear evidence of “chronic, systemic, institutional harm” going on in immigration detention.

“In the view of any sensible, caring Australian, these practices are unacceptable and have to change,” Wilson said.

<https://www.theguardian.com/news/2016/aug/10/liberal-mp-russell-broadbent-appeals-to-people-of-conscience-after-release-of-nauru-files>

28. Fact check: immigration minister Peter Dutton's claims against Nauru files

Peter Dutton defends Australia's asylum seeker policies and plays down Nauru files – but his claims don't stack up

The Guardian

Paul Farrell

Friday 12 August 2016 14.47 AEST

Peter Dutton has defended Australia's asylum seeker policies after the Guardian's publication of the Nauru files, more than 2,000 leaked incident reports from Australia's offshore detention centre on the Pacific island of Nauru.

Speaking on ABC's 7.30 on Thursday, Dutton made a wide range of claims about the incident reports published by the Guardian, the nature of the allegations they disclosed and whether Australia was responsible for what happened on Nauru.

He also rejected comparisons between the Nauru detention centre and Guantanamo Bay, as organisations around the world have lined up to condemn the Australian government.

We've taken a look at his comments and fact-checked his claims. Here's how they stack up.

FULL STORY AT <https://www.theguardian.com/news/2016/aug/12/fact-check-immigration-minister-peter-duttons-claims-against-nauru-files>

29. Federal government asks Australian Federal Police to find Nauru whistleblowers

Sydney Morning Herald

October 5 2015

Nicole Hasham

The federal government called in the Australian Federal Police to investigate information leaks from the Nauru detention camp six times in as many months, prompting claims it is pursuing whistleblowers instead of those who allegedly assaulted and raped asylum seekers.

While Immigration Minister Peter Dutton insists that crimes allegedly committed in the Nauru centre should be dealt with by the island's local police, his department routinely asks Australia's top law enforcement body to probe who is disclosing information from inside the camp.

Leaks about alarming incidents at the Australian-funded facility add fuel to domestic and international claims the government has abandoned its human rights obligations by allowing asylum seekers to live in dangerous, inhumane conditions.

In the six months to March this year the Department of Immigration and Border Protection asked the AFP to investigate six alleged cases of "unauthorised disclosure of Commonwealth information" from the Nauru centre. Four were investigated but there was insufficient evidence to make any prosecutions.

It is believed one referral related to a submission by Save the Children workers to a Human Rights Commission inquiry into children in detention.

Legal experts claimed such use of anti-whistleblower laws was draconian and designed to intimidate others into silence.

Figures supplied to Fairfax Media show the department was by far the heaviest user of anti-whistleblower laws – specifically, section 70 of the Crimes Act.

In the period the department made six Nauru referrals, just three other referrals were made relating to Commonwealth operations.

One was by Greens Senator Sarah Hanson-Young, who referred the office of former Immigration Minister Scott Morrison over the alleged release of Nauru information to a journalist.

A department spokesman said it did not identify specific offenders when asking the AFP to investigate unauthorised disclosures.

While such disclosures should, in some circumstances, be referred to the AFP, "sexual assault in Nauru is a matter for the Nauruan Police Force", he said, adding the government was committed to helping provide safe conditions for detainees and refugees.

A Senate inquiry into the Nauru centre in August found local police, which are reportedly under-resourced, had laid charges in just five out of 50 cases referred to them.

It said the department and the AFP should fully audit all criminal conduct allegations from the Nauru facility.

Senator Hanson Young said "there is a witch hunt on at the Nauru detention camp and, instead of going after the people committing sexual assault and abuse, the government is chasing whistleblowers".

"It is concerning that child abuse investigations are palmed off to the incompetent Nauru authorities, but talking about child abuse is taken more seriously," she said.

Nauru police reject claims they are under-resourced and not qualified to conduct investigations.

An anonymous submission to the Nauru Senate inquiry alleged Wilson Security, the detention centre subcontractor that has been the subject of several damaging leaks, was investigating the identity of whistleblowers with a view to terminating their employment.

The company denied the claims, saying it supports the need for whistleblower protection.

The UN this month postponed a planned visit to Australia because the government cannot guarantee legal protection for detention centre workers who discuss conditions faced by asylum seekers.

The United Nations' Special Rapporteur on the human rights of migrants, Francois Crepeau, said the Border Force Act, which makes it a crime for immigration and border protection workers to disclose information about offshore detention centres and threatens them with imprisonment, "serves to discourage people from fully disclosing information relevant to my mandate".

<http://www.smh.com.au/federal-politics/political-news/federal-government-asks-australian-federal-police-to-find-nauru-whistleblowers-20150930-gjyj0i.html>

30. Labor's plan to strengthen rules on reporting abuse of children seeking asylum could pass Senate

Nauru files prompt private member's bill proposal to deal with mandatory reporting of abuse and advocacy for children in offshore detention

The Guardian
Katharine Murphy Political editor
Friday 12 August 2016 06.31 AEST

Labor would appear to have a strong prospect of securing Senate support for a proposal to beef up reporting requirements and advocacy on behalf of children in offshore detention.

Since the publication on Wednesday of the Nauru files – a cache of leaked documents revealing the scale of trauma inflicted on children held by Australia in offshore detention – Labor has signalled an intention to bring forward a private member's bill which would deal with mandatory reporting of abuse .

Given the government commands a slim majority in the House of Representatives, such a proposal would be unlikely to clear the lower house – although this week one Liberal MP, Russell Broadbent, signalled it could be time to review the checks and balances to ensure people were safe in offshore detention.

Although the lower house looks like a long shot, the Senate is a clearer proposition.

Nick Xenophon, who has a Senate bloc of three, said the idea was positive. He said he would need to discuss it with his parliamentary colleagues but "my personal view is this seems to be a constructive proposal that is worth seriously considering".

Xenophon's in-principle support was backed by the former broadcaster turned Victorian senator, Derryn Hinch. "I haven't seen the ... bill, but I'll look at this issue sympathetically," Hinch told Guardian Australia on Thursday.

"The Nauru papers are awful reading, and the government's track record isn't good when it comes to shooting the messenger, like those Save the Children whistleblowers."

The Greens would also support Labor's legislation, although the relevant spokeswoman, Sarah Hanson-Young, thinks additional reporting does not address the problem of governments failing to act on evidence from reputable sources of unconscionable conduct in offshore detention.

With that caveat, a spokeswoman for Hanson-Young said: "Of course we would support it."

Combined with Labor senators, that level of support, if it eventuated, would equate to a slim majority in the Senate chamber – which would be a mechanism for applying renewed political and parliamentary pressure to the government to at least improve oversight in the detention centres.

It is unclear whether Labor intends to proceed with its proposal in the lower house or the Senate when parliament resumes later this month.

On Thursday the opposition immigration spokesman, Shayne Neumann, said the proposal would require broad support, and he looked forward to working with the Greens and the crossbench “to ensure its successful passage, in the leadup to the resumption of parliament”.

Neumann said the private member’s bill would amend the Migration Act to make it unequivocal that if an immigration or border protection worker reasonably believed that a minor had suffered or was suffering a reportable assault in detention, the worker must, within 24 hours, alert the Australian Border Force commissioner, and then police and child protection agencies.

On Wednesday, the prime minister, Malcolm Turnbull, said the government would examine the incident reports published by Guardian Australia to ensure they had been followed up.

But on Thursday, the immigration minister, Peter Dutton, dismissed the material. “Most of that’s been reported on before,” Dutton told 2GB.

<https://www.theguardian.com/australia-news/2016/aug/12/nauru-files-labor-optimistic-about-strengthening-rules-on-reporting-abuse-of-refugees>