

Project SafeCom News and Updates

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1. Angry white male: David Leyonhjelm uses 'Bolt laws' in complaint against Fairfax Media
2. Dean Sherr: 18C won't stop mature debate on race. But small mindedness and arrogance might
3. European politicians take note: the 'Australian solution' is no solution at all
4. Jason Wilson: Turnbull wants to diagnose rightwing populism? He should look to his own party
5. Oxfam calls for Australia to triple humanitarian migration intake
6. John Martinkus, The Saturday Paper: Reporting the violence on Manus
7. Jack Waterford: Jig is up on our outsourced refugee hells in Nauru, Manus Island
8. Greg Barns: Detention abuse ignored by most media outlets
9. Richard Ackland: Can the law come to the rescue of abused asylum seekers and refugees?
10. Ben Doherty: After the Nauru files, how can Australia go about ending offshore detention?
11. Australia confirms Manus Island immigration detention centre will close
12. Fewer than 20 asylum seekers voluntarily resettled in Papua New Guinea: Peter Dutton
13. Manus Island detention centre to close, Peter Dutton and PNG Prime Minister confirm
14. Manus Island: Children in detention 'unacceptable', WA Premier Colin Barnett says
15. Kevin Rudd and Tony Abbott were warned PNG detention plan was unconstitutional in 2013
16. Peter Dutton's extensive briefings about risks and harm to children on Nauru
17. Save the Children's letters to Dutton and Turnbull about harm to children in Nauru – full text
18. MEDIA ALERT: BRING THEM HERE - Three ex-Nauru teachers speak out
19. Peter Dutton attacks Guardian and ABC over reporting of Nauru files
20. Peter Dutton accuses ABC, Guardian of encouraging asylum seekers not to resettle in PNG
21. 'I won't be defamed': Peter Dutton launches assault on the media
22. Michael Gordon: Dutton's new gambit 'another form of torture'
23. Lenore Taylor: Dutton blames Nauru crisis on everything but his rigid policy
24. MEDIA RELEASE: Manus refugees cannot be resettled in PNG
25. Manus Island bill \$2 billion and counting – \$1 million for each detainee
26. Offshore detention still has support after Nauru files, says Coalition minister

1. Angry white male: David Leyonhjelm uses 'Bolt laws' in complaint against Fairfax Media

Canberra Times
Matthew Knott
August 15 2016 - 12:04PM

Crossbench senator David Leyonhjelm has lodged a racial discrimination complaint with the Human Rights Commission over a Fairfax Media opinion article describing him as an "angry white male".

The Liberal Democrat senator from NSW said he was not personally offended by the article but had lodged the complaint as a test case to show how "absurd" Australia's racial discrimination laws are.

Senator Leyonhjelm, who is campaigning for section 18c of the Racial Discrimination Act to be repealed, said the piece was likely to offend or insult other white men.

But one of the nation's leading experts on anti-discrimination law said the case could backfire on Senator Leyonhjelm by demonstrating how the law in question is not the threat to free speech he claims it to be.

The comment piece by Fairfax Media chief political correspondent Mark Kenny described Senator Leyonhjelm as a "boorish, supercilious know-all with the empathy of a besser block". The piece also described him as "wacky" and "gormless".

Section 18c of the Racial Discrimination Act makes it unlawful to commit an act that would reasonably offend, insult, humiliate or intimidate someone -because of their race, colour, or national or ethnic origin. Advertisement

The laws came to the forefront of national debate when a group of Indigenous Australians successfully used them to sue prominent News Corp columnist Andrew Bolt.

"I've lodged the complaint with the Human Rights Commission about this article and against Mr Kenny to highlight the absurdity of the act," Senator Leyonhjelm told Fairfax radio on Monday.

"I'm drawing attention to the fact many people seem to think it's OK to insult white people but if it's black people being offended then that's racist."

Senator Leyonhjelm said in a statement: "Assuming the adjudicators at the Human Rights Commission are guided by the law and not racists, I anticipate the complaint should succeed."

Kenny said the complaint was "vexatious nonsense".

"It proves the point of the original piece," he said.

Australian National University law professor Simon Rice said Senator Leyonhjelm was able to make a complaint despite not being in a minority group and not being personally offended.

But he said his complaint would highlight how difficult it is to use section 18c and the protections for free speech elsewhere in the act.

"This is a lovely example of why 18c doesn't restrict free speech," he said.

"This might demonstrate how hard it is to make an 18c case - contrary to those who argue it is a recipe for disaster and is suffocating free speech."

He said Kenny's piece would be "squarely" protected by section 18d of the act which allows "fair comment on any event or matter of public interest" even if it is racially offensive.

Professor Rice said, contrary to public perception, the Human Rights Commission does not adjudicate on racial discrimination complaints. Instead, the commission is likely to ask Senator Leyonhjelm to attend a conciliation session with Kenny. If he was unhappy with the session he could then launch an expensive and lengthy court case.

Professor Rice said the commission was likely to accept the complaint. But he warned Senator Leyonhjelm had increased the chances of his complaint being dismissed as vexatious or frivolous by admitting he was not offended.

One of the first cases using section 18c examined whether it was racially discriminatory to call English people "poms" or "pommies". The complaint was not upheld.

The Turnbull government has repeatedly insisted it has no plans to change Australia's race hate laws, despite several crossbenchers and Coalition MPs pushing for change. Former prime minister Tony Abbott said in a speech on Friday that 18c was a "troubling law" which at its worst works to "prevent hurt feelings".

<http://www.canberratimes.com.au/federal-politics/political-news/angry-white-male-david-leyonhjelm-uses-bolt-laws-in-complaint-against-fairfax-media-20160814-gqsh9t.html>

2. Dean Sherr: 18C won't stop mature debate on race. But small mindedness and arrogance might

Too many 'freedom advocates' say that open debate is the best place to defeat racism and bigotry, only to cry foul when public opinion finds against them

The Guardian

Dean Sherr

Monday 15 August 2016 16.51 AEST

The insatiable appetite to repeal 18C of the Racial Discrimination Act, arising out of a narrow conception of "free speech", amid cries of censorship, amounts to one of the biggest ideological distractions of the past three years.

It's little wonder that One Nation, threatening to revive and intensify some of the ugliest and most bigoted debates this nation is capable of, is desperate to get on board the repeal 18C train – they see the opportunity to smash the floodgates open and allow all kinds of ugly hate speech at our nation's most marginalised people. If they're successful, it'll be thanks to those Liberals who think the frustrations of a bigot unable to openly vilify the marginalised are more important than our social harmony.

Between the return of Pauline Hanson's One Nation, with four senators; Sonia Kruger's "maternal concern" over Muslim immigration; and Bill Leak's ugly cartoon in response to the Don Dale report, set amid troubling global times, more than ever minorities in Australia are rightly fearful of a rekindling of the cultural wars and the subsequent victimisation of their communities.

It's little surprise, therefore, that with these increasing tensions ; and Malcolm Turnbull's double dissolution election providing the Senate with a cast of characters so whacky one starts to miss the motoring enthusiast who played with poo; a renewed push is on to repeal or amend section 18C of the Racial Discrimination Act.

Episode One of the 18C speech wars ended in a blaze of glory – soundly dumped in an all-too-rare example of Abbott government pragmatism. The ideological prime minister disappointed the IPA and Andrew Bolt (whose adverse finding launched the whole repeal push) by dumping proposed changes in the face of fierce and sustained criticism.

Indeed, the changes were so ill-conceived they united Australia's Indigenous, Chinese, Vietnamese, Lebanese, Jewish, Greek, Islamic and Armenian community groups against them.

While virtually every ethnic minority group capable of being the subject of racial vilification was united in opposition to it, the law reform was, and still is, championed by those who couldn't be. To put it crudely – it was a bunch of white men up against Australia's multi-ethnic communities.

While attorney general George Brandis, and the new IPA-trained Liberal parliamentarians, Senator James Paterson and Tim Wilson, are undoubtedly well-versed in theories of liberalism and free speech; and despite Scott Morrison's claims that he's suffered from "hatred and bigotry" for his views on marriage equality; they're hardly a cast of characters aware of the deep pains of racism.

What better way to demonstrate that than Liberal Democrat Senator David Leyonhjelm making a complaint to the RDA against Fairfax for a satirical depiction of him by Mark Kenny as a "boorish, supercilious know-all with the empathy of a besser block" and an "angry white male". Leyonhjelm, claiming it is likely to be offensive to white men, in a seemingly confused attempt to highlight either the double standards of the law and of race theory, or the breadth of the law, will likely fail on both accounts, but it demonstrates how out of touch he and the free speech brigade are with the genuine harms of racism and bigotry, and the contempt they have for real victims of it.

The overhaul of 18C wasn't abandoned for lack of ideological will. Most of the campaign's ideologues in the government admit it is regrettably off the table for now. But some government backbenchers have signalled they may be willing to cross the floor over it and Cory Bernardi has sponsored a bill to amend the section. They now have a crossbench coalition of One Nation, Family First's Bob Day, Leyonhjelm and Derryn Hinch in favour of it.

Tony Abbott has also admitted his regret over abandoning the changes, labelling its opponents, or perhaps victims of racist vilification, "thin-skinned activists", again displaying the lack of empathy for minority groups among the free-speech ideologues pushing the reform.

None of this is to say that only minorities should determine what is unacceptable. 18C requires an objective community standards test. It is not up to any one person to say, "I am offended". Nor should we dismiss or sneer at the kind of concerns that have led to the rise of Hansonist populism in July's election. But let's get real – there is scant evidence to suggest 18C is censoring or constraining public debate on anything. Kruger and Hanson's antics surely show we have plenty of space for racist inanity free of any legal recourse.

We needn't have to endure howls of free speech every time someone who exercises a bigoted opinion faces pressure for their views. Leak's cartoon was a perfect example of that.

Too many self-described freedom advocates say that open debate, rather than the law, is best place to defeat racism and bigotry; only to cry foul when the court of public opinion finds in favour of so-called "political correctness". That, after all, is what JS Mill identified as a "social tyranny" more powerful than the law.

18C does not catch all cases but it provides respite – civil, not criminal – to those which have the real potential for damage. It typically forces conciliation, not litigation. It gives power to the voiceless. It recognises, fundamentally, that there is real, calculable damage when racial vilification is allowed to fester in the public domain. It feeds the worst kind of movements capable of growing into hate that can do more than just offend – it can put racial and ethnic minorities in physical and mental harm's way.

As minorities of all backgrounds justifiably fear what the revival of Pauline Hanson and One Nation will mean for racism in this country, 18C's repeal would send all the wrong signals that the rivers of hate are starting to break through. I don't believe most Australians want that by any means. But sometimes, the loudest and angriest voices penetrate far beyond their mandate, and cause the deepest kind of personal and societal damage.

People don't need to have the right to be bigots – we can be better than that. We can have serious, mature debates about issues of significance without racial discrimination and vilification. 18C won't prevent us from doing so – only small-mindedness and arrogance will. What 18C does – providing respite to victims of racism and bigotry – is too important for that. Now is exactly the worst time to repeal it.

<https://www.theguardian.com/commentisfree/2016/aug/15/18c-wont-stop-mature-debate-on-race-but-small-mindedness-and-arrogance-might>

3. European politicians take note: the 'Australian solution' is no solution at all

In dealing with the influx of asylum seekers, it's clear that hiding behind the sovereignty of another state is becoming increasingly untenable

The Guardian
Nikolas Feith Tan
Wednesday 17 August 2016 14.26 AEST

Last week's publication in the Guardian of over 2000 files from Nauru, a small Pacific island nation that accepts asylum seekers who try to come to Australia, is another crack in the Australian asylum model. The leak confirms previous reports about conditions on Nauru: vulnerable men, women and children exposed to violence, abuse and inhuman conditions for years on end.

It shines a light on some dark corners of Australia's asylum policies, which are also carried out in other countries by private companies. These policies on the other side of the world are important to Europe because politicians have called the Australian model a success and put it forward as a solution to Europe's current crisis.

Here's an outline of Australia's asylum model to put the leaks from Nauru in context, and three reasons why we may be seeing the end of the offshore regime.

From the 'Pacific Solution' to today

Australia's cooperation with Nauru dates back to the Tampa incident in 2001. In August of that year, the Norwegian freight ship Tampa rescued 438 asylum seekers on their way Australia. The government refused to allow the ship to dock, requesting it return them to Indonesia.

Australia asked Nauru, a former protectorate, to accept the asylum seekers, triggering the "Pacific Solution". At the time, Nauru was not a signatory to the refugee convention. Under this policy, which lasted until 2008, asylum seekers bound for Australia were intercepted and detained on Nauru, or another Pacific country, Papua New Guinea, while their protection claims were processed.

In 2012, Australia reopened detention centres in Nauru and on Papua New Guinea's Manus Island as a "circuit-breaker" to stop relatively high number of asylum seekers arriving by boat and the accompanying deaths at sea. By this time, Nauru had signed the refugee convention.

However, these offshore arrangements became permanent pillars of Australia's asylum policy, one based on deterring future asylum seekers through turning back boats and detention offshore. Under this policy, at least 28 boats have been turned back since 2013.

When boats carrying asylum seekers cannot be turned back, Australia intercepts asylum seekers at sea and transfers them to Nauru and Papua New Guinea under bilateral agreements with both countries. Asylum seekers have been held in closed immigration detention for indefinite periods, though it is important to note that since October 2015 Nauru has operated as an open centre.

Context to the Nauru files

Even before the release of the Nauru files, significant evidence of human rights concerns had been reported in both offshore centres. Last year the UN Committee Against Torture reported conditions of "overcrowding, inadequate health care; and ill-treatment" in Nauru and a report commissioned by the Australian government found evidence of sexual assault of asylum seekers in detention. Earlier this year, two refugees self-immolated in protest. In Papua New Guinea, there have been repeated demonstrations and rioting among the 900 all-male asylum seekers. In 2014, two staff at the detention centre murdered an asylum seeker during one such protest.

Secrecy is a large part of Australia's model. Operations that occur on the high seas or Australia's territorial waters are confidential. Nauru introduced a non-refundable visa fee for journalists of \$8,000 dollars in 2014 and regularly refuses visa applications to foreign journalists. As a result, just two journalists have visited the detention centre in the past four years.

Against this backdrop, the Nauru files can best be understood as another blow to the Australian offshore regime. The Australian government has repeatedly stated that while it will not tolerate abuse in detention, what occurs in Nauru is out of Australia's control.

The beginning of the end?

There are three factors that suggest Australia's offshore asylum model faces an existential threat: legal challenges; practical problems; and the question of responsibility.

Firstly, the offshore regime is under legal pressure. As well as international criticism from UN human rights bodies, earlier this year the supreme court of Papua New Guinea found the detention of asylum seekers an unconstitutional violation of the right to liberty. The court ordered both Australia and Papua New Guinea to "take all steps necessary to cease and prevent the continued unconstitutional and illegal detention." The Papua New Guinean government is currently working to find appropriate arrangements in accordance with this ruling. A second legal challenge to the Manus detention regime is currently underway.

Secondly, the current policy appears fundamentally unsustainable from a practical perspective. Neither Papua New Guinea nor Nauru can provide durable solutions to those asylum seekers found to be refugees. Under the bilateral agreements, refugees are in theory allowed to remain in these countries permanently. However, Papua New Guinea has already declared itself unable to resettle refugees on its territory. Those found to be refugees in Nauru are allowed to live in the community on five-year visas.

In September 2014, Australia and Cambodia signed a \$55m deal to settle refugees from Nauru. The deal has delivered little: just five people have been settled in Cambodia, of which four subsequently chose to return to their countries of origin. This leaves unanswered the question of what to do with refugees left in Nauru and Papua New Guinea for years.

Finally, the Nauru files highlight Australian responsibility for what happens offshore. Though the Australian government denies jurisdiction over the detention centres in Papua New Guinea and Nauru, its indirect responsibility is increasingly clear. Australia instigated the opening of the centres, selected the contractors that run them, provide all funding, and choose who is transferred there. Hiding behind the sovereignty of another state is becoming increasingly untenable.

These three factors, together with the realities portrayed in the Nauru files, should make it quite clear to European politicians that the "Australian Solution" is no solution at all.

Nikolas Feith Tan is a PhD fellow for the Danish Institute for Human Rights and advisor at the Danish Refugee Council.

<https://www.theguardian.com/commentisfree/2016/aug/17/european-politicians-take-note-the-australian-solution-is-no-solution-at-all>

4. Jason Wilson: Turnbull wants to diagnose rightwing populism? He should look to his own party

Malcolm Turnbull's main concern about rightwing populism seems to be that it leads to protectionism. Never mind the refugee scapegoating his party has engaged in or the populist ideals that got Tony Abbott elected

The Guardian
Jason Wilson
Thursday 18 August 2016 15:21 AEST

The protest that interrupted Malcolm Turnbull's speech to the Committee for Economic Development of Australia (Ceda) on Wednesday was perfectly pitched. Just after the prime minister warned about the international return of "inward-looking" populist politics, in came a woman with a sign reading "FFS close the bloody camps".

Turnbull's attempt to project seriousness and toughness on economic matters was overshadowed by a reminder of how the Liberal party actually wins elections.

His attempt to criticise the likes of Pauline Hanson and Donald Trump in the name of free markets was deflated by a blunt reference to an electoral history that he, and everyone who has benefited from it, should never be allowed to disavow.

If you didn't catch the speech, Turnbull diagnosed the rise of rightwing populism as an outcome of "uncertainty":

"Political divisions in advanced economies – particularly where there is high unemployment or a high risk of unemployment – are feeding on a sense of disenfranchisement among many people who feel the rapid economic changes of our time, have left them behind."

"Political responses to this mood of disaffection can have the potential to destabilise global growth, perhaps even reversing some of the spectacular gains that we have made over recent decades, through open markets and free trade."

Note that Turnbull's main concern is that this all leads to "protectionism". He doesn't mention the blatant xenophobia that figures like Hanson and Trump invoke in scapegoating minority groups, and the heightened racial tension that this produces.

In a way, that makes sense. The Liberal party has shown, at least since the Tampa election of 2001, that it is more than happy to recalibrate the Hansonist message to its own ends. It has been populist on immigration, and ruthlessly orthodox on economics.

It has been far more concerned with departures from neoliberal doctrine than with the fate of those – including children – who have been imprisoned for seeking asylum in Australia.

Since 2001, at crucial moments, it has run on platforms that scapegoat refugees, while doing nothing to ameliorate the economic system that produces a feeling of "disenfranchisement" among those who have been "left behind", and drives some of them into the arms of racist parties.

In particular, in 2013, when Tony Abbott won the majority that Malcolm Turnbull has all but lost, he ran a relentlessly negative and cynical campaign that could almost be a prototype for Trumpism.

Where Trump promises to "build a wall"; Abbott said he would "stop the boats". Where Abbott promised to "end the waste", Trump promises to "do better deals". While Abbott pandered to climate change denying crackpots, Trump peddles conspiracy theories about his primary opponents. Each energised the rightward edge of his party.

And both men have projected hypermasculine public images while prosecuting intensely personal, sexist campaigns against female opponents. While Trump talks about "crooked Hillary", Abbott yelled about Julia Gillard's "criminal government".

Granted, Tony Abbott and Donald Trump have different relationships to their parties' establishments, but the fact that the Liberals promoted Abbott is not to their credit.

Turnbull served as a cabinet minister while all this was going on, and when the opportunity arose to knock off Abbott, he was happy to swoop on the fruits that the 2013 campaign bore. He is complicit in the further entrenchment of racially-inflected scapegoating as the Australian right's way of doing politics.

In office, Turnbull may have wound back the rhetoric, but he hasn't changed refugee policy at all, and seems unable or unwilling to rein in those members of his party who obsess about halal food or attend Reclaim Australia rallies.

If he deserves any credit at all, it arises from the fact that his lack of evident enthusiasm in administering these policies has led the likes of Andrew Bolt to criticise him relentlessly.

But that doesn't change the fact that the Liberal party has been the principal agent in embedding an immigration system, and a kind of ambient public racism, that acts as a model for populist right wing groups in Europe and elsewhere. (Labor's craven accommodation of this – after having initiated mandatory detention in the first place – is a discussion for another day.)

And Turnbull's solution to the social and economic dislocations that far-right parties exploit is ... more of the same. More free trade agreements, more tax cuts for business, and some vague noises about "innovation" and "inclusion".

None of this suggests that Malcolm Turnbull understands what gives rise to populist revolts. And anyway, no one needs to take his pronouncements on rightwing populist ideas seriously until he stops profiting from them, and closes the bloody camps.

<https://www.theguardian.com/commentisfree/2016/aug/18/turnbull-wants-to-diagnose-rightwing-populism-he-should-look-to-his-own-party>

5. Oxfam calls for Australia to triple humanitarian migration intake

Charity says Australia should resettle 42,000 humanitarian applicants a year from 2020 to 'address the global migration crisis'

The Guardian
Ben Doherty
Friday 19 August 2016 06.00 AEST

Australia could comfortably triple its humanitarian migration intake to 42,000 people a year, Oxfam has said in a statement, as the fallout from the Nauru files and the confirmed closure of the Manus Island detention centre brings renewed focus on Australia's asylum policies.

The government has faced increasing pressure over its offshore processing regime and a chorus of calls for a national summit to reorient its asylum policies after 2,100 leaked incident reports in the Nauru files were published, including reports of assaults, sexual assaults and self-harm. More than half the incidents involved children, and many related to actual and alleged abuse.

With an unprecedented global demand for resettlement places, Oxfam has said Australia should triple its annual humanitarian intake within five years, including bringing all of those held on Manus and Nauru to Australia.

The Oxfam Australia chief executive, Dr Helen Szoke, said Australia was the 12th richest nation on earth but hosted a "shameful" 0.2% of the world's refugees.

"Australia has the capacity to take in more refugees and as one of the world's wealthy countries must do its share to address the global migration crisis," Szoke said. "Based on Australia's economy, population and the increasing wave of people seeking refuge across the globe, Australia can and must commit to increasing Australia's humanitarian intake from 13,750 this year to 42,000 by 2020-21."

Oxfam proposed increasing Australia's humanitarian intake to 20,000 this year, with further increases each year to 25,000, 30,000, 36,000 and 42,000.

Australia's humanitarian intake will rise to 18,750 by 2018-19. The government has also agreed to accept 12,000 extra refugees who have fled conflict in Syria and Iraq but has not specified over what time period.

Labor has proposed lifting the annual humanitarian intake to 27,000 by 2025. The Greens have proposed lifting the intake to 50,000.

The office of the UN high commissioner for refugees says the number of people forcibly displaced from their homes worldwide by violence and war, ethnic or religious persecution, natural disaster or famine, is higher than at any time since the second world war.

The latest UNHCR figures show more than 65.3 million people have been displaced from their homes across the globe, either in foreign countries or within their own national borders.

The vast majority of the world's refugees – about 86% – are hosted by developing nations, usually ones close to the countries they have left. Turkey now hosts more than 2.5 million refugees. In Lebanon – which hosts 1.1 million – 20% of the population are refugees.

Australia sending asylum seekers and refugees to Nauru has made the tiny Pacific island the third-highest acceptor of refugees on a per capita basis.

Europe's richest country, Germany, hosted more than 1 million refugees and asylum seekers last year, representing 1.3% of its population. If Australia accepted 42,000 people, it would represent 0.18% of the country's population.

Australia's total annual migrant intake is now about 190,000 a year.

In 2012, the Gillard government raised Australia's humanitarian intake to 20,000. Malcolm Fraser's Coalition government accepted 22,500 in 1980-1981, proportionally a much larger amount, because Australia's population was then less than 15 million at the time.

The expert panel that advised the last Labor government on asylum policies recommended immediately increasing the country's humanitarian intake to 20,000, with consideration that it be lifted further, to 27,000, within five years.

Szoke said Oxfam analysis found the world's six wealthiest countries hosted less than 9% of the world's refugees but produced almost two-thirds of global GDP. By contrast, six countries and territories hosting half the world's refugees and asylum seekers – Turkey, Pakistan, Lebanon, Jordan, Palestine, and South Africa – produce just 1.9% of global GDP.

“Australian humanitarian funding to assist countries such as Jordan and Lebanon, which are hosting big refugee populations and are stretched beyond their limits, must also be boosted,” Szoke said.

“The worldwide humanitarian crisis is far too big for any one country to fix alone. The time has come for Australia to accept its share of responsibility and play a role in a global solution.”

Australia's immigration minister, Peter Dutton, has argued that the success of Operation Sovereign Borders in forcibly preventing asylum seeker boats from reaching Australia has allowed the government to close onshore immigration detention centres, release children in Australia from detention, and accept more refugees through resettlement.

“The Coalition has restored security at the border, integrity to our immigration program – and with it the trust of the Australian people,” he said in a recent speech. “This government has closed 17 detention centres, removed all the children from detention and increased the humanitarian program from 13,750 to 18,750.”

Australia is the third-highest acceptor of resettled refugees under the UNHCR's global resettlement program. But this represents less than 1% of the world's displaced population.

<https://www.theguardian.com/australia-news/2016/aug/19/oxfam-calls-for-australia-to-triple-humanitarian-migration-intake>

6. John Martinkus, The Saturday Paper: Reporting the violence on Manus

A rare visit to the Manus Island detention centres to interview and photograph refugees revealed the violence awaiting them in the community and the obstacles to reporting this black spot.

The Saturday Paper
August 20, 2016
John Martinkus

If you have ever wondered why we don't see pictures from the Australian-run detention centres on Manus Island and Nauru, this story might help to explain. This is the story of a 31-year-old Australian photojournalist from Sydney, Matthew Abbott, who managed to get to Manus Island last week. It was only for a few days but the difficulties he encountered, from both the Papua New Guinean authorities and the overseers of the detention centres there, started almost as soon as he landed. In the few days he was on Manus, he witnessed and photographed violence against refugees by the local population, saw the decomposing corpse of a refugee the Australian government refuses to repatriate, was threatened with death and was detained by the PNG police. And, yes, they tried to delete his photos.

Abbott had been to Papua New Guinea before, once on holiday and once shooting material for the PNG Tourism Promotion Authority. He organised a business visa through some local NGOs to accompany a representative of the Human Rights Law Centre, Daniel Webb, to Manus and interview refugees detained there. It was supposed to be a simple job: take portraits of the men Webb was interviewing. No controversy, no trouble. But nothing to do with access to Australia's offshore detention centres is straightforward. As Australia's own minister for immigration and border protection has said, media access to both Manus and Nauru is an issue for those sovereign governments.

After arriving early in the day from a connecting flight through Port Moresby, Abbott and Webb were able to check in to a hotel and then after 6pm travelled to the refugee transit centre, closer to the main town of Lorengau than the main detention centre. Because of the late hour and the confusion about the presence of unannounced expatriates, the PNG guards at the centre let them in. “They didn't want to say no to a white man so they let us in,” says Abbott. The refugees were excited. They wanted to tell their stories. They wanted to cook the two dinner, which they did, and as they ate, the stories kept coming. The pair stayed at the camp until 9pm and then went back to town.

The following day, scores of refugees came to their hotel to tell their stories. As they spoke, Abbott took their portraits. “The whole point was to tell the human side of what was happening and once we explained that, they were happy to talk,” Abbott says. “The whole situation is set up to not allow these people to be seen.”

FULL STORY AT <https://www.thesaturdaypaper.com.au/world/asia-pacific/2016/08/20/reporting-the-violence-manus/14716152003633>

7. Jack Waterford: Jig is up on our outsourced refugee hells in Nauru, Manus Island

Sydney Morning Herald
Jack Waterford
August 20 2016 - 12:00AM

Nauru and Manus Island have served the Coalition well, right up to the election, but there are ominous signs that the music may stop leaving us without a seat. The Australian government may need a new policy. It's not a matter entirely within its control.

In Papua New Guinea, Prime Minister Peter O'Neill announced – after a meeting with our Immigration Minister Peter Dutton – that the Australian concentration camp on Manus Island would close. This seemed a surprise to Dutton when he was asked about the plan and the timetable and, for a time, he seemed to imply that this was PNG's problem, since the men in open-gate durance vile would not be coming to Australia.

That's the problem with PNG politicians. One can rent the government – as Kevin Rudd did in 2013 – but one can never quite buy them. O'Neill has his own political problems, not least a forthcoming election, and being held to the letter of an old deal is hardly his first priority. Anyway circumstances have changed since his Supreme Court, through our very own Terry Higgins, ruled the arrangements unconstitutional.

Meanwhile the situation on Nauru is, as one commentator put it recently, only a Four Corners report away from being politically or diplomatically unsustainable. An investigation by The Guardian has put out further evidences of great unhappiness at the camp. It is not so much that it is damning (though it is), but it is yet further confirmation that nothing in that hellhole improves.

The Guardian scoop was greeted with the usual sets of official half-denials, bluster, prevarication, obfuscation, claims of exaggeration and arguments that it is an "old story". There were innuendos of secret and hidden agendas on the part of whistleblowers and the left-Liberal media, especially the ABC. News Ltd did not notice the story, or if it did, think it worthy of even the most minor attention, no doubt helping to prove to Dutton that the non-News Ltd Media are still engaged in jihad against him.

The essential story does not turn on fresh information, as such. But what there is confirms what previous reports, whether from independent outsiders, human rights' commissions, Amnesty and the UN, and a Senate committee have previously shown – that the system is driving almost everyone there towards suicide, depression and self-harm.

These reports continually suggest indifference on the part of the department and the contractors who carry out the government's dirty work. The usual pattern is denial, "clarification" with very self-interested (and unconvincing) efforts to minimise or dispute the facts, intimidation of workers and assignment of blame or responsibility to the Nauran government.

But as at least Sam Dastyari, of the Labor Party, seems to have twigged, the Australian public is not that stupid. A clear majority agree that boat people will be stopped only if they are to be denied access to Australia, even if found (as they mostly are) to be genuine refugees. Ministers from the prime minister down continually reiterate it, invariably in a political context during that Labor in power would lack the guts to carry the policy through.

But there is evidence that the public no longer sees everything done with boat people as part of a seamless whole. The policies fit into two categories. One is about boat interception and resettlement, whether on Manus or Nauru. It is shrouded in secrecy and want of accountability, but apparently quite successful.

Then there's the policy and the practice of effectively punishing the boat people – children and women as much as men – by making their lives as miserable as possible. This happens in places that are inaccessible to outsiders, particularly to those who might alert the public to the horrible things being done in our nation's name.

More members of the public are now wondering whether the cruelty, isolation and neglect is necessary. Given the fabulous sums of money involved in detaining people on these islands, might it not be possible to give people some comfort, some dignity and some respect for the sufferings from which they have fled, or the sufferings they have endured since running into Australia's border forces?

Some in government and the bureaucracy think that any relaxation of the regime runs the risk of seeming weak in the face of resistance, or failing to "send a message" to potential boat people. After all, the department invests millions in trying to persuade potential asylum seekers that they will ruin all of their chances if they try to come by boat, since then they will never be allowed to settle in Australia.

There is no doubt that the wider world, and probably, potential boat people, know how Australia and its client governments are treating boat people. From the wider world it is coming back to us, continually, in the form of bad international press, scarcely disguised disdain and difficult relations with countries with whom we would like to be good friends, such as Indonesia.

That Prime Minister Malcolm Turnbull now "owns" the problem with almost the same enthusiasm as his predecessor is a significant barrier to his ever being counted any sort of international statesman.

Effective, and some think, deliberate institutional abuse of detainees is not of itself a moral justification for such abuse, even on some claim of being cruel to be kind. And in any event, for the desperate – the potential boat people – the important message they must receive is not that they will be punished (in contravention of international law) for taking a boat, but that doing so will be counterproductive, since it will serve to deny them refuge in Australia.

Distance and bluster and blackguarding of "advocates" may serve to keep the issues at bay. But increasingly a public that can bear to know about our maltreatment intellectually, as long as it is not shoved in their face, are being forced to confront ample evidence of what is happening. It's a bit like the Northern Territory juvenile justice system story. There was never a secret that life is tough in the NT system, that many of the guards are as brutalised as those in their custody, and that politicians (and police, and the public) turn a blind eye to a punitive regime as long as they do not officially know (or can claim they did not notice). Even sequences of reports, inquiries, criticisms and attempts to explain what is going on may not cause great ripples, especially if the reports are sober, fair-minded, somewhat academic in tone, and confined to paper, which apparently politicians do not much read much these days.

That's the power of television. The Four Corners report showed actual physical abuse on tape. Right in your face. It excited an emotional reaction as much as an intellectual one. No effort to pretend that the problems of the system are exaggerated, or that the timing of the report was "political" – with an intention to damage the Country Liberal Party – can account for the shock or the need to be seen to be doing something. At least until everyone has forgotten when, one can be sure, the same old regime will be back, whether under a re-elected CLP government or, more likely, under a "reforming" Labor government that will not have the guts to take on prison officer unions.

With Manus and Nauru, Labor can almost certainly afford to put on its concerned face and pretend to be shocked and surprised. Still, of course, 100 per cent on turn-backs, but asking aloud what the warrant has been for the mental and physical collapse of so many asylum seekers.

Labor's concern will, of course, be laden with hypocrisy and not only because Labor set up the system, with conscious intimations of cruelty to come. It has always known exactly what has been going on. A substantial minority of the party openly hates the policy, but none have had the guts to repudiate it because of the fear of being wedged by the coalition.

It has been, as ever, expediency over principle. But that it is Dastyari who is taking the opportunity to divide the boat-people policies is hardly insignificant. He's expediency and opportunism personified. But he does read (and have access to) polling data.

In any event, Dutton seemed to be more going through the motions on Nauru. His department has been more than usually inept. No one can predict when it all blows up in the government's face, but the sense that it is coming is palpable. And, like moves to dismantle Manus, the timing and the explosive are not matters in the government's control.

At least since the election (one might say at least since his election a year ago), Turnbull has seemed in a state of drift. He's not been shaping events. Not even anticipating them. All too often it has been ad hoc responses to an immediate crisis. The government is not setting the agenda or making things happen. There could hardly be better witness to that than the bungled decision to have a royal commission into NT juvenile justice.

Has Turnbull a plan for the next stage of immigration policy? Has his minister, or the department? Assuming that, for the moment at least, government persists with the turn-back policies, what is the contingency planning for a loss of access to Manus, and/or the disaster in waiting with Nauru? If something happens will the government seem unprepared, unready and surprised?

Of one thing one can be fairly sure. If there is to be, instead, a "be tough but nice" policy, perhaps at other, if more accessible venue, there will be years of cleaning up the mess, not least of shattered lives.

Ten minutes after "be tough" policies are dropped, there will be no nostalgic fans, or people who will insist that they had to be what they were. The most enthusiastic executors of the old policies will be distancing themselves from what happened in the past and pretending that they were always concerned with the consequences.

The next almost certain thing is that many people, particularly younger ones, will not forget, or come quickly to think that it was a sad, perhaps bad, piece of now ancient history. This one will niggle on, like Aboriginal massacres. One can see a royal commission – as, say into stolen children or institutional child abuse – 20 years from now. Old public servants and retired defence officers being taken through the files and asked to explain and account. The children of the next generation will be asking their mothers and fathers, "Just what did you do in the war?" The history books and the academic, defence and bureaucratic literature will be scathing. They will probably note the public's complicity, but it will seem no excuse.

<http://www.smh.com.au/comment/jig-is-up-on-our-outsourced-refugee-hells-in-nauru-manus-island-20160818-gqw599.html>

8. Greg Barns: Detention abuse ignored by most media outlets

Greg Barns
The Mercury
August 14, 2016 10:15pm

THE release of volumes of case files from the gulag that is the Nauru detention centre should have been front-page news and the lead news item after The Guardian revealed last week the extent of the abuse and torture we inflict on asylum seekers.

However, shamefully – and that word is used deliberately – our media in the main decided to focus on the Census screw-up and of course the medal haul at the Rio Olympics.

The Census story was important and it fortified a view shared by many, including this columnist, that we should not trust government with sensitive personal data.

But when PM Malcolm Turnbull and Treasurer – and former immigration minister – Scott Morrison fronted the media, journalists only asked one question about Nauru. This is despite admissions by security staff on Nauru that they ill-treat children and in one case admitted throwing rocks at a six-year-old.

Nations should be judged on the way they treat their vulnerable. In Australia we have hit rock bottom. We deserve the global criticism we get because this nation has lost its way.

Mr Morrison's hypocrisy in calling the Nauru files "allegations" when he was happy in 2014 to smear workers from the Save the Children Fund working on Nauru without evidence, should have been exposed.

The media let the Turnbull Government and the equally culpable ALP get away with the lie that abuse in detention on Nauru is a matter for the excuse for a government that runs that island. As is the case with Manus Island in Papua New Guinea, Nauru is a joint venture between Australia and Nauru, and Australia owes a duty of care to detainees.

Why does Nauru not "pique the interest" of the media, to borrow the phrase used by Indigenous Affairs Minister Nigel Scullion about the Northern Territory youth detention abuse scandal?

What is not newsworthy about guards laughing at mentally ill asylum seekers, about a woman asylum seeker being allowed two extra minutes in the shower in exchange for sexual favours, about rampant sex abuse and threats from guards to children, including a threat to kill?

Is it the case editors and journalists do not care about Australian human rights? Do they not care their failure to report fully on abuse in immigration detention is the subject of comment in global media, where Australia's reputation is as a cruel and paranoid nation?

Nations should be judged on the way they treat their vulnerable. In Australia we have hit rock bottom. We deserve the global criticism we get because this nation has, as author Peter Henning put so powerfully on these pages recently, lost its way.

Australia is running an institutionalised system of cruelty to asylum seekers and many indigenous people in the jail system.

Or is this another case of the late Palestinian scholar Edward Said's description of the white European attitude to those who are the "other"? In other words, asylum seekers are not white Europeans, so we dehumanise them and treat them as much less as human.

One day there will be a reckoning, and the ALP and Coalition will be judged by history for institutionalising cruelty and abuse. The reckoning will acknowledge the intellectual dishonesty involved in making the case for "harsh" treatment, to use a favourite term of politicians when describing torture on Manus Island and Nauru, to deter boats from coming to Australia. It is a ruse used by morally bankrupt politicians and their conservative friends.

One day those journalists and commentators who support the cruelty that is Nauru and Manus will be the subject of critical ire.

Is it not time for sport teams to boycott Australia? It was rightly done to apartheid South Africa. Australia is running an institutionalised system of cruelty to asylum seekers and many indigenous people in the jail system.

Should tourists not spend their money elsewhere rather than in this human rights pariah? Domestically, when are we going to see the architect of the cruelty, the Immigration Department, boycotted? Why should conferences allow speakers from that department present? Why not refuse to contract with the department if you are a professional services provider? Why not campaign against companies that profit from misery in detention?

Given the failure of the Australian media, with a few notable exceptions, to focus on the shame of detention, it is left to consumers, businesses, sports and people of conscience to take up the cudgels.

Lawyer Greg Barns was an adviser to NSW Liberal premier Nick Greiner and the Howard government. Disendorsed as the Liberal candidate for Denison in 2002, he joined the Democrats. In 2013, he was Wikileaks Party adviser.

<http://www.themercury.com.au/news/opinion/talking-point-detention-abuse-ignored-by-most-media-outlets/news-story/d95548c789b9101f9bcfa541bb4f8a03>

9. Richard Ackland: Can the law come to the rescue of abused asylum seekers and refugees?

Since the publication of the Nauru files, plenty of legal advice has surfaced on how to redress the abuse of refugees and asylum seekers in offshore detention

The Guardian
Richard Ackland
Monday 15 August 2016 11.56 AEST

What can be done to redress the horrible mistreatment of people held in offshore detention? Can Peter Dutton or any of his servants or agents be dragged into court and punished? Can't international law come to the rescue of tortured asylum seekers and refugees? Are other civil or criminal remedies and responses available?

Big questions with interesting possibilities but much as many would like to see a punitive response dished out to those who implement this abuse, the pathway is relatively untrod and uncertain.

Australia is a party to the Rome statute that established the international criminal court, which can prosecute crimes against humanity – and that includes “inhumane acts ... intentionally causing great suffering or serious injury to body or to mental or physical health”. The first trials for crimes against humanity took place at Nuremberg after the second world war.

Some years ago the federal MP Andrew Wilkie wrote to the ICC prosecutor in The Hague requesting an investigation and prosecution of the then prime minister, Tony Abbott, and 19 of his cabinet ministers in relation to the mistreatment of asylum seekers.

Not much more was heard about this submission other than outrage from Andrew Nikolic, now an ex-MP, who said the accusations were “vague and embarrassing”, and the then immigration minister, Scott Morrison, who said he would keep on doing what he was doing and would not be intimidated.

As a condition to becoming a party to Rome statute and agreeing to the jurisdiction of the ICC, Australia introduced to the commonwealth criminal code provisions relating to crimes against humanity, providing for a penalty of imprisonment of 25 years (see: 268.12 and 268.13). This adds a frisson of excitement to the prospect of getting some really nasty types charged up and in court.

The provision in the code mirrors the relevant part of the statute of Rome, so our domestic law provides for such a crime with elements, such as: infliction of severe physical or mental pain or suffering which are not incidental to lawful sanctions; and the conduct is committed knowingly as part of a systemic attack on civilians. There are also provisions dealing with “imprisonment or other severe deprivation of liberty”.

Domestically, the commonwealth director of public prosecutions would be the prosecutor but only if the attorney general agreed and any offences would have to be prosecuted in the name of the AG. On the face of it there is plenty of evidence of conduct that fits the ingredients prescribed in the criminal code.

FULL STORY AT <https://www.theguardian.com/commentisfree/2016/aug/15/can-the-law-come-to-the-rescue-of-abused-asylum-seekers-and-refugees>

10. Ben Doherty: After the Nauru files, how can Australia go about ending offshore detention?

Migration experts say it is unlikely closing camps on Nauru and Manus Island would restart boats – ‘We are beyond that point’

The Guardian
Ben Doherty
Tuesday 16 August 2016 07.57 AEST

Migration experts, including former senior officials in Australia's immigration department, have urged the government to close its offshore detention camps after the extent of abuses in the detention regime were revealed by the Nauru files.

The publication by the Guardian of more than 2,000 leaked incident reports – detailing systemic physical and sexual abuses, humiliating treatment and harsh conditions, and widespread self-harm and suicide attempts – has refocused public attention

on conditions in detention, sparked calls for a royal commission, and led Labor and the Greens to promise a new Senate inquiry into offshore detention.

Migration experts, including church leaders, academics, and former heads of Australia's immigration department, have argued that offshore detention serves no purpose in deterring boat-borne asylum seekers, and continues to inflict severe physical and mental harm on people who are not alleged to have committed any crime and who, overwhelmingly, have been found to be refugees legally owed protection.

The government has consistently maintained that offshore detention is necessary to act as a deterrent to people smugglers and asylum seekers who might try to come to Australia by boat.

"What we are not going to do is enter into an arrangement that sends a green light to people smugglers," the immigration minister, Peter Dutton, told ABC's 7.30 last week in defending offshore processing. "Because we will end up with people drowning at sea again and the vacancies that we create by taking people off Nauru and Manus would quickly be backfilled by new arrivals."

John Menadue, the former secretary of Australia's immigration department, rejected the argument that boat arrivals were linked to continued detention offshore.

"It is very, very unlikely that bringing those 2,000 wounded souls to Australia would restart boats. We are beyond that point. And at this stage, the only humane option is to bring people to Australia, or perhaps allow them to go to New Zealand, as has been offered by that country. It's the only option that is humane and defensible."

Menadue said where processing took place was not the critical issue: "What is important is that processing is efficient, humane and fair."

Australia had to work much harder, he said, to forge strong and trusting relationships with other countries in the region – particularly the transit countries of Thailand, Malaysia and Indonesia – to be able to build a genuine "regional arrangement" for addressing irregular migration flows.

Menadue said the 2012 refugee transfer arrangement with Malaysia, ultimately defeated after it was opposed by the Coalition in opposition and the Greens, and then struck down by the high court, could have been the "building block" for more effective regional cooperation.

Under the deal 800 boat-borne asylum seekers in Australia would have been transferred to Malaysia for processing under the auspices of the UN high commissioner for refugees in exchange for 4,000 registered refugees in Malaysia being flown to Australia for resettlement.

Late last week, after the revelations of the Nauru files, the Malaysia arrangement's most vocal opponent, the then opposition leader Tony Abbott, questioned whether he was wrong to oppose the deal, saying: "Letting it stand would have been an acknowledgment of the government-of-the-day's mandate to do the best it could, by its own lights, to meet our nation's challenges."

"It would have been a step back from the hyper-partisanship that now poisons our public life."

Menadue said the defeat of the Malaysia transfer arrangement had been "a tragedy, because that has given us Nauru and Manus Island".

Peter Hughes from the Australian National University's Crawford school of public policy – formerly the deputy secretary of the immigration department and the official who negotiated the ultimately blocked refugee transfer arrangement with Malaysia – has written that the Australian government now needed to find a way to resettle those now held on Nauru and Manus.

"Realistically, the only option is Australia and New Zealand," he said.

Hughes argued that, at best, only a handful of refugees might be able to stay on Papua New Guinea and Nauru, and that efforts to find a suitable "third country" for resettlement had foundered.

In three years since the reinstatement of offshore processing, only one country, Cambodia, has agreed to accept refugees from Australia. At a cost of more than \$40m to Australia, it has resettled one person.

"If there was somewhere else 'acceptable', it would have been found by now and the refugees would have moved there," Hughes wrote. "Regional countries will be wary of helping out, given the propensity of Australians to drag them into our domestic disputes and make them the target of criticism for getting involved."

"The pressures of asylum seeker and refugee populations faced by many countries around the world mean that the price that Australia would have to pay (in whatever form) for any country taking even small numbers would be very high."

The director of the Kaldor centre for international refugee law at the University of New South Wales, Jane McAdam, said those held in detention offshore should be brought to Australia, as the majority of those held under the first iteration of offshore processing, between 2001 and 2007, ultimately were.

“Transferring asylum seekers to offshore processing centres was never going to be a durable solution,” she said. “As the former secretary of the immigration department, Andrew Metcalfe, said in Senate estimates in 2008, other countries were very reluctant to resettle refugees from Nauru ‘essentially for the reason that those folks are seen as Australia’s responsibility and Australia is a country with sufficient resources to deal with the issue.’”

McAdam said other elements of Australia’s asylum policies, such as boat interdictions and turnbacks, did not comply with international law. She argued that Australia should reorient its policies to comply “with both the letter and the spirit of international law”.

“Protection must be front and centre,” she said. “We need policies founded on respect for human dignity and the premise that every person should be able to live a safe and dignified life.

“If we did this, many of our current policies simply could not continue – mandatory detention, turnbacks without proper screening, offshore processing without rigorous oversight and durable solutions in place.”

McAdam said, historically, Australia had had one of the best refugee status determination systems in the world, and could be an exemplar again.

“Australia could show principled international leadership on refugee protection at a time when this is sorely needed. By modelling good practice and ‘protection in action’, we could help to develop the regional protection space.”

Father Frank Brennan, professor of law at the Australian Catholic University, described the Manus and Nauru detention centres as “ticking time bombs” and said that for the government to continue to hold people in indefinite detention was “morally reprehensible”.

He told the Guardian the Australian government should impose a time limit – proposing the end of this year – to facilitate third-country resettlement or bring people to Australia.

Brennan argued the indefinite warehousing of people in offshore detention was not necessary to stop boats, and that moving people out of those detention centres would not restart boats coming to Australia, because Australia was capable of successfully interdicting boats leaving from Indonesia.

“The Houston panel saw only three purposes to be served by holding people on Manus and Nauru: a temporary circuit breaker; a standby for any future influx; a part of the jigsaw for a regional solution with regional processing centres,” he said.

“The ticking time bombs on Nauru and Manus meets none of those purposes.

“It’s time for the major parties to commit to a timetable for resettlement in appropriate countries. If proven refugees are still being warehoused on Nauru or Manus Island at the end of the year, they should be resettled in Australia.”

Brennan told the Guardian that while some in the refugee advocacy community would oppose any position that maintained boat interdictions and turnbacks, it was a solution that would allow for the camps on Nauru and Manus Island to be emptied.

He said while the government had a mandate to “stop the boats”, it had no mandate to publicly punish people – not accused of any crime – as a deterrent to others.

“They have no mandate to make these people suffer more, in our name, for no appreciable benefit to anybody.”

Several migration experts who spoke anonymously to the Guardian have said that within the immigration department there was widespread, and growing, realisation that the offshore detention regime was failing and unsustainable.

Some suggested the government needed to find a way to close the Manus and Nauru camps in practice, while still retaining the policy of “offshore processing” – even if only in theory.

It was suggested to the Guardian that opponents of offshore processing needed to allow the government a “face-saving” option to close the camps while still ostensibly retaining its policy, heeding the advice of Sun Tzu who counselled leaving opponents a way to escape, usually quoted as an entreaty to “build your opponents a golden bridge to retreat across”.

<https://www.theguardian.com/australia-news/2016/aug/16/after-the-nauru-files-how-can-australia-go-about-ending-offshore-detention>

11. Australia confirms Manus Island immigration detention centre will close

The Guardian

Ben Doherty

Wednesday 17 August 2016 17.58 AEST

Immigration minister Peter Dutton offers no details on plans for the 854 detainees, but says none will be resettled in Australia

Australia and Papua New Guinea have confirmed that the Manus Island detention centre will be closed, but offered no detail on the future of the 854 men held there – except that Australia remains adamant it would accept none of the detainees for resettlement.

PNG's prime minister, Peter O'Neill, and Australia's immigration minister, Peter Dutton, met in Port Moresby on Wednesday.

O'Neill released a statement following the meeting saying that officials from both countries were making progress on how to close the centre.

"Both Papua New Guinea and Australia are in agreement that the centre is to be closed," O'Neill said, but offered no time frame on the closure, only stating that the process should not be rushed.

"A series of options are being advanced and implemented. This must take into account the interests of the people of Papua New Guinea and the wellbeing of asylum seekers and refugees."

Dutton confirmed later on Wednesday that he had discussions with O'Neill on the closure of Manus. Dutton also failed to give any indication as to where those held on Manus would go, but said none of the refugees would ever be settled in Australia.

"It has been the longstanding position of this government to work with PNG to close Manus and support those people as they transition into PNG or return to their country of origin," Dutton said.

"Our position, confirmed again today with PNG, is that no one from Manus Island regional processing centre will ever be settled in Australia.

"In addition to the removal of all children from detention and the closure of 17 detention centres, this is a further dividend of the Coalition's strong and consistent border protection policies."

Labor's immigration spokesman, Shayne Neumann, said it was extraordinary that Australians were learning about the possible closure of Manus from the PNG prime minister rather than the Australian minister.

"This is yet again an example of the lack of transparency and accountability and openness of this government to offshore detention and processing," Neumann said.

"The Australian public have a right to know in circumstances where about \$1.2bn of taxpayers money is going to offshore processing, what is actually happening.

"Surely the minister should be consulting the opposition and trying to get a bipartisan approach in this space."

Newman called on the minister to inform Australians where the asylum seekers would be sent and what arrangements would be made for health, education and other needs.

"Tell the Australian public what is happening," Neumann said.

Iranian journalist Behrouz Boochani, who has been found to be a refugee, but held in the detention centre for more than three years, told the Guardian that the men on Manus were wary of "good news".

"Yes, they [the men] are surprised, but it's hard for them that believe in this news. Some of them told me that this news is like other positive news that we heard."

Boochani said O'Neill's statement gave the refugees and asylum seekers held on Manus no detail on their futures.

"They did not mention that when they will close this hell prison. We want to know when exactly we will get freedom and where we will go. This is our right that know about our future.

"People are scared to that show they are happy. I remember that PNG supreme court made decision on April and these people were scared to show their happiness, and they are like that time now."

The future of the Manus detention has been in doubt since the PNG supreme court ruled in April that the detention centre was "illegal and unconstitutional".

Following that decision, superficial changes were made to the detention regimen, but the men remain detained still, they live in the same compounds, behind steel fences, and are not free to leave if and when they choose, only on a bus run by the detention centre operators.

A second court challenge to the detention regime – arguing that the detention centre breaches PNG’s constitutional guarantee to liberty – is set to go before the bench of the same court next week, and a judgement is expected quickly.

O’Neill said yesterday he would uphold the initial court ruling.

“The supreme court has delivered its ruling and our government is complying with this decision. I look forward to further updates as the process of closing the centre moves forward.”

Even before the court ruling, O’Neill has wanted to close the detention centre. Visiting Australia in March, he said the Manus detention centre was “a problem” that had “done a lot of damage” and that his country did not have the resources to resettle all the refugees held there.

Australia’s entire offshore regime has been under unprecedented pressure since the publication of the Nauru Files by the Guardian last week.

The publication the files – more than 2,000 leaked incident reports detailing systemic physical and sexual abuses, humiliating treatment and harsh conditions, and widespread self-harm and suicide attempts – has refocused public attention on conditions in detention, sparked calls for a royal commission, and led Labor and the Greens to promise a new Senate inquiry into offshore detention.

The Manus Island detention centre has had a troubled existence since being reopened in 2012.

In 2014 three days of unrest and an invasion of the detention centre by PNG police and others saw more than 60 asylum seekers seriously injured. One man was shot, another had his throat slit and 23-year-old Reza Barati was murdered by guards who beat him with a nail studded piece of wood, kicked and dropped a rock on his head.

PNG’s supreme court heard up to 15 expatriate and local guards killed Barati. Two local men were convicted of his murder this year.

But the detention centre has also been plagued by consistent allegations of abuse and privation. Rape, physical and sexual assault, and drug abuse are common, the centre’s water supply has failed, and detainees are fed expired food. Suicide attempts and acts of self-harm are common, and some men have alleged they have been beaten and tortured in solitary confinement.

Human Rights Watch Australia director Elaine Pearson said the move to close the Manus detention centre was welcome but “long overdue”.

“These men should immediately be moved to Australia or a safe third country, not simply shunted down the road to a transit centre or moved to Nauru or Cambodia. Nearly a thousand men on Manus have already lost three or more years of their lives locked up in limbo for no good reason. They’ve endured dirty, cramped conditions, inadequate medical care and violence. Finally, it is time to let them move on with their lives in safety and dignity.”

Spokesman for the Refugee Action Coalition Ian Rintoul said he was concerned the PNG and Australian governments were seeking to pre-empt the upcoming supreme court hearing, by suggesting the centre was slated for imminent closure.

“At Monday’s hearing, lawyers for the Manus asylum seekers and refugees will be seeking orders for the unconditional release of all detainee and the return of all of them to Australia. Anything less than the unconditional release and return to Australia will be a denial of justice.”

He said the men should be brought to Australia.

“It is sheer bloody-mindedness by the Australian government that has kept these people in detention.”

Efforts to resettle refugees in PNG have foundered. Barely a handful have been resettled outside the centre and almost all have been forced to return to detention after being assaulted, robbed, and in one case, left homeless in other parts of the country.

<https://www.theguardian.com/australia-news/2016/aug/17/manus-island-detention-centre-to-close-australia-and-papua-new-guinea-agree>

12. Fewer than 20 asylum seekers voluntarily resettled in Papua New Guinea: Peter Dutton

Canberra Times
August 18 2016 - 9:58AM
Tom McIlroy

Immigration Minister Peter Dutton has conceded fewer than 20 of the 850 asylum seekers held on Manus Island have voluntarily resettled in Papua New Guinea, as the government struggles to deal with the closure of the controversial detention centre.

Speaking a day after the PNG government confirmed it would end detention on Manus following an April court ruling finding the centre was in breach on the country's constitution, Mr Dutton lashed out at media reports about conditions in offshore processing and said detainees held by Australia lived received appropriate mental health care.

Asked if it was true that some men who had resettled voluntarily in PNG had later sought to return to the detention centre, Mr Dutton said refugee advocates in Australia were to blame for sending social media messages to detainees telling them not to agree to resettlement offers.

Speaking on ABC radio on Thursday, Mr Dutton said Australia was supporting hundreds of asylum seekers and refugees who had returned to their countries of origin.

"Many people have returned home, hundreds have returned home... some have moved into PNG society," he said, before conceding it was "quite a low number" and fewer than 20.

"We provide thousands of dollars in taxpayers' assistance to provide packages of support to help those people return back to their countries of origin and many hundreds have done that.

"One of the difficulties... is we have advocates who think they're well intentioned, here in Australia, who keep messaging... saying 'don't accept the settlement packages, stay in the centre because eventually the Australian government will change its mind and you'll come and settle in Australia'.

"That has been very counter productive and the very people they are trying to help, unfortunately they're trapping them in a situation which is not desirable.

"There are many cheap seats in this debate but for those of us who have to make tough decisions about saving lives at sea... these are the tough decisions we make each day."

Mr Dutton said there was "no third country option" for people currently held on Manus Island.

Papua New Guinea announced Wednesday that Australia has agreed to close the Manus Island detention centre, but Australia denied the closure was imminent.

No detail has been provided on how the closure will be implemented and where about 850 men detained on Manus will be moved to.

"Academics and people from the ABC and The Guardian offering up free advice on how people should stay... it's counterproductive," Mr Dutton said on Thursday.

"This is a very difficult legacy to deal with. This will take years and literally billions of dollars to deal with Labor's legacy on border control loss."

Mr Dutton accused charity Save the Children of leaking 2000 incident reports from the Nauru detention centre in recent weeks, many of which showed self-harm, abuse, sexual assault and other harm to asylum seekers and refugees.

Fairfax Media has contacted Save the Children for comment.

Guardian Australia reported Mr Dutton was extensively briefed about how prolonged detention harmed children held on Nauru, before he sought to dismiss reports as "hype" or part of false allegations.

On Tuesday, Fairfax Media reported Australia was warned by one of the framers of the PNG constitution that a 2013 deal to send asylum seekers for processing was unconstitutional.

<http://www.canberratimes.com.au/federal-politics/political-news/fewer-than-20-asylum-seekers-voluntarily-resettled-in-papua-new-guinea-peter-dutton-20160817-gqv609.html>

13. Manus Island detention centre to close, Peter Dutton and PNG Prime Minister confirm

ABC News Online

By political reporter Stephanie Anderson

First posted Wed 17 Aug 2016, 2:53pm

Updated Wed 17 Aug 2016, 3:37pm

The Manus Island regional processing centre is set to close following a meeting between officials from Papua New Guinea (PNG) and Australia.

Immigration Minister Peter Dutton confirmed the future closure, after meeting with PNG Prime Minister Peter O'Neill today.

In a statement, Mr Dutton said no-one from the centre would be resettled in Australia.

"It has been the longstanding position of this Government to work with PNG to close Manus and support those people as they transition into PNG or return to their country of origin," he said.

"Our position, confirmed again today with PNG, is that no-one from Manus Island Regional Processing Centre will ever be settled in Australia."

The ABC understands Australia will give PNG extra resources to cope with the transition.

Mr O'Neill also issued a statement, confirming "both Papua New Guinea and Australia are in agreement that the centre is to be closed."

"A series of options are being advanced and implemented.

"It is important that this process is not rushed but carried out in a careful manner.

"This must take into account the interests of the people of Papua New Guinea and the wellbeing of asylum seekers and refugees."

Mr O'Neill called for the closure of the centre in April, after PNG's Supreme Court ruled Australia's detention of asylum seekers on Manus Island was illegal.

According to the latest immigration detention statistics issued by the Department of Immigration and Border Protection in June, 854 men remain on Manus Island.

Late last year, Mr Dutton said preparations were underway to accommodate more asylum seekers at Christmas Island, although that was contingent on a court case the Government eventually won.

He told Sky News at the time the Department of Immigration and Border Protection had been planning in case of a loss.

"It's prudent for my department ... to put in place contingency arrangements," he said.

We will play our role'

Mr O'Neill has previously said PNG did not have the resources to resettle the men.

Addressing the National Press Club in Canberra in March, he said questions surrounding the costs of resettling refugees remained.

"We have issues about the cost of the resettlement, who is going to pay for it," Mr O'Neill said.

"Certainly, the [PNG] Government does not have the resources to resettle the refugees as required, but we will play our role."

Greens Senator Sarah Hanson-Young said the announcement was a sign "offshore detention's time was over".

Senator Hanson-Young told the ABC the Government must now bring the men to Australia.

"The Turnbull Government must ensure that these people are given a chance to rebuild their lives in safety in Australia," she said.

<http://www.abc.net.au/news/2016-08-17/manus-island-to-close-png-prime-minister-confirms/7759810>

14. Manus Island: Children in detention 'unacceptable', WA Premier Colin Barnett says

ABC News Online

By political reporters Francis Keany and Louise Yaxley

First posted Thu 18 Aug 2016, 3:02am

Updated Thu 18 Aug 2016, 4:45am

West Australian Premier Colin Barnett says his Government would be prepared to accommodate asylum seekers from Nauru, ahead of the closure of the Manus Island Detention Centre in Papua New Guinea.

The state Liberal leader has weighed in over the fate of asylum seekers on Nauru, amid renewed concerns about conditions on the island.

The Federal Government has repeatedly ruled out resettling refugees from offshore processing centres.

But Mr Barnett said if the Commonwealth changed its mind, his state would be prepared to accept asylum seeker families.

"The answer to your question is that particularly for families, as long as they don't present a security or safety risk, I do welcome them being in Australia," Mr Barnett told the ABC's Lateline program.

"The one thing I find unacceptable is children in detention."

Mr Barnett stopped short of demanding the Federal Government reconsider its position.

"I wouldn't call on the Federal Government but if they decide to do that we would certainly accommodate a number of them [asylum seekers] in Western Australia and we'd certainly support them as a state government."

Pressure mounts for Coalition to find third settlement country

Immigration Minister Peter Dutton has confirmed the Manus Island detention centre in Papua New Guinea will close but has not outlined a timetable for when that will happen.

"I just don't want to define [the timetable]," he said.

"I'm hoping it can happen as soon as possible but it's an issue for the PNG Government to work through and we'll support them in that decision."

He flagged assistance to help PNG resettle those in the facility but was adamant they would not come to Australia.

The Federal Opposition has called on Mr Dutton to provide more information about the support Australia will provide to the 800 men who are still in the facility.

Shadow immigration minister Shayne Neumann said the Government needed to be upfront about the final cost to taxpayers.

"We'd like the minister to tell us how much is a substantial amount of money.

"We need to know and the Australian public needs to know because these are taxpayer dollars."

Mr Neumann also called on the Government to fast-track resettlement negotiations with a third country and to engage more closely with the United Nations High Commissioner for Refugees.

"These people have been languishing in indefinite detention for more than three years."

Manus Island condemned by human rights lawyers

Daniel Webb from the Human Rights Law Centre spent last week on Manus Island and said the centre was a "dead end policy arrangement" that was destined to produce "nothing other than human suffering and destined to collapse".

"I spent the whole of last week interviewing these men who have been there for three years," he said.

"I met a range of people — a guy who knows seven languages, someone else who used to work for the UN, a range of people, range of ages from different parts of the world.

"What they all have in common is after three years of fear and violence and limbo.

He noted there have been three deaths in the three years since Manus was reopened.

"Resettlement in PNG is not safe or viable — if it was it would have happened three years ago," he said.

New Zealand has a long-standing offer to accept some asylum seekers from Australia but Mr Webb said the Government should take responsibility itself.

"Rather than sort of prowling around the region looking for whether there is some other countries we can pay off to take this issue off our hands, the best, the safest, the humane and the most viable way forward is the most obvious one."

<http://www.abc.net.au/news/2016-08-18/wa-govt-opens-door-to-nauru-refugees-ahead-of-manus-closure/7760854>

15. Kevin Rudd and Tony Abbott were warned PNG detention plan was unconstitutional in 2013

Canberra Times
August 16 2016 - 7:58AM
Tom McIlroy

Australia was warned that a 2013 deal to send asylum seekers for processing in Papua New Guinea would be found unconstitutional and leave the federal government's offshore detention regime significantly weakened, letters obtained by Fairfax Media show.

Sir Robert Woods, a former judge of the PNG National and Supreme Courts, wrote to then prime minister Kevin Rudd and opposition leader Tony Abbott in July 2013 warning Australia would be embarrassed by a ruling that sending asylum seekers to PNG amounted to an illegal deprivation of liberty because they were not guilty of any criminal offence.

A former acting NSW District Court judge, Sir Robert helped draft the country's constitution before independence in 1975.

PNG's Supreme Court ruled in April detention on Manus was illegal and unconstitutional, with a subsequent court process on resettlement and compensation leaving about 750 detainees in limbo.

A former acting NSW District Court judge, Sir Robert helped draft the country's constitution before independence in 1975.

PNG's Supreme Court ruled in April detention on Manus was illegal and unconstitutional, with a subsequent court process on resettlement and compensation leaving about 750 detainees in limbo.

The Turnbull government says Australia is not a party to the ongoing case but High Commission officials have attended hearings this month.

Days after Mr Rudd signed a deal with PNG Prime Minister Peter O'Neill to ensure no asylum seeker who came by boat would ever be resettled in Australia, Sir Robert warned both sides of Australian politics that a bilateral political agreement could not circumvent rights enumerated in Section 42 of the PNG constitution.

The "hardline" agreement, signed weeks after Mr Rudd rolled Julia Gillard ahead of the 2013 federal election, meant those processed on Manus would be settled in PNG if they were found to be refugees.

A series of letters from Sir Robert show he explained a subsequent memorandum of understanding between the two governments was a "legal fiction" and insufficient protection from a Supreme Court challenge to the deal.

He said eligibility requirements for PNG citizenship and land ownership made the plan problematic and could anger local communities.

"The whole scenario is a relic of the worst of past colonialism where a country like Australia waves a bag of money at a former colony and says to that country: 'Do as we tell you'," Sir Robert wrote.

The April decision said the Manus centre breached the constitutional rights of asylum seekers to personal liberty, vindicating the warnings.

This week, Sir Robert said he received no reply to the letters from the federal government or opposition at the time.

A former senior legal official within the PNG government, he assisted the assembly that drafted the PNG constitution and led an inquiry into student riots in PNG in 2001.

In a speech to the Samuel Griffith Society on Friday, Mr Abbott suggested that as opposition leader in 2011 he should have allowed the Gillard government to implement its Malaysian solution, allowing for processing of 800 asylum seekers to deter the flow of boats.

The speech surprised Labor figures, including senator Stephen Conroy, who said ongoing scandals on Nauru and Manus Island could have been avoided as part of the deal.

Opposition Leader Bill Shorten called for cooperation on a Senate inquiry into offshore detention.

"It was the current Liberal government in opposition which opposed our plan, which I believe in large part has led to the failure so far in terms of some of the conditions we keep hearing about," he said.

"We don't want people being manipulated, abused, drowned at sea, [but] we don't support having policies which will incentivise people smugglers."

<http://www.canberratimes.com.au/federal-politics/political-news/rudd-and-abbott-were-warned-png-detention-plan-was-unconstitutional-in-2013-20160815-gqsjae.html>

16. Peter Dutton's extensive briefings about risks and harm to children on Nauru

Exclusive: Save the Children provided immigration minister with detailed analysis well before Dutton referred to allegations in the Nauru files as 'hype'

The Guardian
Paul Farrell
Thursday 18 August 2016 04.00 AEST

Australia's immigration minister was extensively briefed about the impact prolonged detention was having on children held on Nauru, official correspondence shows, before he dismissed reports of sexual assault and abuse as "hype" and "false allegations".

Peter Dutton has repeatedly sought to diminish the significance of the Nauru files, published by the Guardian – more than 2,000 leaked incident reports that contain accounts of self-harm, abuse, sexual assault and other incidents from the offshore centre up until October 2015.

The Guardian can reveal that the offices of senior members of the Australian government – including prime minister, Malcolm Turnbull, attorney general George Brandis and Dutton – all received an extensive dossier in May 2016 that outlined the ongoing harm to children held on Nauru and the "numerous child rights violations" that had occurred.

Dutton also personally received an earlier briefing in August 2015, to which he personally responded, and met with chief executive of Save the Children Australia, Paul Ronalds, after receiving the first written report.

The child rights agency – which provided welfare services on Nauru from 2013 to 2015 – compiled data collected internally by their staff, including from incident reports, case files and other testimony in order to provide a snapshot "that goes beyond anecdotal reports". The correspondence indicates that the briefing showed that the rate of child exposure to reportable incidents indicated a deterioration of their mental wellbeing, and the escalating risks of sexualised behaviour, depression and self-harm as the length of detention increased.

The full report remains secret. Save the Children Australia is unable to release it due to laws that criminalise the disclosure of information about Australia's immigration detention system passed by the government in 2015.

In response to questions from the Guardian about the extent of their briefings to the government, Save the Children Australia's director of policy and public affairs, Matt Tinkler, said: "The prime minister and immigration minister should not be surprised about the misery, abuse and harm being suffered by children on Nauru, which was again evidenced in the documents published by the Guardian Australia last week.

"Over the last year Save the Children provided senior members of the government with two detailed reviews of the incidents our staff witnessed, heard and reported while working in the Nauru centre.

"These reviews presented a full picture of the damage effective indefinite detention is having on asylum seeker and refugee children and their families. The analysis was based on 1,000 incident reports and 1,800 monthly caseworker reports from the Nauru detention centre."

Dutton said last week that while he would not tolerate "any sexual abuse whatsoever" there were "some people do have a motivation to make a false complaint".

Official correspondence obtained by the Guardian – and published in full here – between Save the Children and senior members of the Coalition government show that Dutton was warned as recently as May 2016, just as the federal election was under way, that offshore detention on Nauru was continuing to harm children.

The May 2016 letter, which was addressed to Brandis, Turnbull and Dutton from Ronalds, said: “Using the evidence gathered through data analysis, staff observations and other credible sources, the enclosed report on ‘Child Asylum Seekers in Nauru’ identifies significant and numerous child rights violations in this context.

“Children were, among other things, detained for extraordinary periods of time, disproportionately negatively affected by the experience of detention, frequently exposed to harm, violence and abused, and were often separated from their parents.”

It recommended that the child asylum seekers and their families not be transferred to or forced to remain in locations where they were at serious risk of harm, that they be subject to ongoing independent oversight and that they be given access to effective remedies to address human rights abuses.

A senior adviser to the department of the prime minister acknowledged receipt of the May 2016 briefing, and said it had been referred to Dutton “who has portfolio responsibility for this issue”. The Guardian understands the prime minister did not personally receive the briefing.

Dutton declined to respond personally, and instead a departmental official wrote in May 2016 that they noted the recommendations made and said Australia “remains committed to the regional processing and settlement arrangements in place on Nauru”.

But the May 2016 briefing was not the first that Dutton was provided with this level of analysis. He was also given an earlier briefing based on Save the Children’s analysis of their incident reports and casework reviews in August 2015.

Power wrote in a letter to the minister: “The data review is a rigorous analysis of all of the incident reports and monthly casework reviews which SCA has on record in relation to the 281 children who have been held on Nauru. It provides an evidence-based case study to inform discussions about the impact that detention has on the welfare of children.”

Dutton responded personally, and said: “With respect to the review of data held by SCA in relation to the welfare of children at the Nauru RPC, I reiterate that I take matters of child protection very seriously and the Department of Immigration and Border Protection shares this attitude.

“The implementations of recommendations arising from the Moss review has resulted in improvements to centre security and care for children and vulnerable persons in the Nauru RPC [regional processing centre].

“The department is working closely with the government of Nauru (Gon) to assist with the development and implementation of a child protection framework on Nauru.”

On the last official count at the end of June, 442 people – 338 men, 55 women and 49 children – were held in the Nauru regional processing centre. The other offshore centre, on Manus Island in Papua New Guinea, was holding 854 people, all men. On Wednesday Dutton announced the Manus Island detention centre would be closed but gave not details about the future of detainees.

Australia’s policy has been criticised regularly by the UN.

The release of the correspondence shows the extensive behind the scenes lobbying efforts by Save the Children Australia that have been under way over a lengthy period of time.

The government is facing a likely Senate inquiry into the response to allegations of abuse and sexual assault. The backing of the inquiry by Labor, the Greens and key crossbench senators indicate the inquiry is likely to be successfully established.

The prime minister, attorney general and Dutton were all contacted for comment regarding the Save the Children reports.

<https://www.theguardian.com/australia-news/2016/aug/17/revealed-peter-duttons-extensive-briefings-about-risks-and-harm-to-children-on-nauru>

17. Save the Children’s letters to Dutton and Turnbull about harm to children in Nauru – full text

Letters reveal Australia’s immigration minister was extensively briefed about the impact prolonged detention was having on children held on Nauru

The Guardian
Thursday 18 August 2016 08.27 AEST

The Guardian can reveal that the offices of senior members of the Australian government – including prime minister, Malcolm Turnbull, attorney general George Brandis and Dutton – all received an extensive dossier in May 2016 that outlined the ongoing harm to children held on Nauru and the “numerous child rights violations” that had occurred.

18. MEDIA ALERT: BRING THEM HERE - Three ex-Nauru teachers speak out

Sunday 21 August, 4.00-6.00pm Gaelic Club, 64 Devonshire St, Surry Hills

A very special public forum put on by Teachers for Refugees will feature three former Save The Children teachers on Nauru.

Secondary school teachers Evan Davies and Judith Reen and primary school teacher Jennifer Rose have all featured in The Guardian's coverage of the damning Nauru files.

Their presentation will include rarely seen photos and video footage revealing the appalling and demeaning conditions faced by refugees at the Nauru school and elsewhere on the island.

Evan said, "We have a responsibility to speak up. We have an obligation to reveal the disturbing things that we know and what we have seen."

Judith Reen: "On Manus and Nauru, squalid living conditions are inflicting maximum misery and discomfort. The companies involved will not self-report abuses committed by their own staff.

"Moreover, the Nauru Police Force (NPF) are ill-equipped to investigate crimes or abuse. And it is entirely inappropriate for the Department of Immigration and Border Protection (DIBP) to divest its responsibility. In reality, this is an Australian-run facility."

Jennifer said the kids' deterioration was distressing: "That's a terrifying thing to see. Children who are previously happy unable to get out of bed for a week at a time because they are just depressed. I've taught in Australia, I've taught in the UK and I've never seen children in that state of depression."

Rachael Jacobs from Teachers for Refugees said: "These teachers' defiance of the Federal Government's Border Force Act is an inspiration for educators in Australia, not least those of us who teach refugees and migrants".

Mark Goudkamp, also from Teachers for Refugees, added: "Their voices are adding to the groundswell demanding that the offshore camps be closed and the refugees be brought to Australia. Teachers will have a large contingent at the 27 August protest, starting Sydney Town Hall at 1pm. We also plan to initiate days of school based actions as part of the campaign to #BringThemHere".

Interviews and photos are available on request. For more information, contact Mark Goudkamp on 0422 078 376 or Rachael Jacobs on 0414 305 600.

19. Peter Dutton attacks Guardian and ABC over reporting of Nauru files

Minister accuses news organisations of 'trivialising' grave issues 'by trying to promote the 2,100 reports as somehow all being serious when they're not'

The Guardian
Paul Farrell and Paul Karp
Thursday 18 August 2016 11.03 AEST

Australia's immigration minister has launched a wide-ranging attack on the Guardian and the Australian Broadcasting Corporation, saying he wasn't going to "be defamed" by their reporting of allegations of child abuse and sexual assault at the Nauru detention centre.

Speaking on the ABC's AM radio program on Thursday, Peter Dutton criticised reporting about Australia's detention centre on the Pacific island. He attacked news organisations, refugee advocates and Save the Children Australia, accusing the child rights agency of leaking the more 2,000 incident reports published last week by the Guardian as the Nauru files.

The files – the largest cache of leaked documents released from inside Australia's immigration regime – revealed the devastating trauma and abuse inflicted on children held in Nauru.

The government has faced heavy domestic and international criticism about the files and Labor has launched a push for a Senate inquiry.

Dutton initially played down the files' significance but the Guardian revealed on Thursday he had received extensive briefings from Save the Children about the ongoing risks of harm to children.

In response to questions on AM about the briefings, Dutton said: “We received correspondence from Save the Children – we do on a regular basis. They’ve leaked the documents, the 2,100 documents that the Guardian’s reporting that the ABC now reports on, and we will look at each of those cases.”

Dutton, a former police officer, said: “I’ve spent much of my professional career investigating sexual assaults and assaults against people and arresting people for that. I take these issues very seriously.

“The trouble, frankly, with the approach of the Guardian and the ABC has been to trivialise the very serious issues by trying to promote the 2,100 reports as somehow all of those being serious when they’re not.

“Many of those reports relate to corporal punishment by children by their own parents. They report about some minor assaults by detainees on detainees, refugees on refugees.

“We are going through all of that information. It doesn’t help that the files leaked by Save the Children, they’ve only put out a redacted version. We’ve asked them for all of the details.”

He later said: “I’m not going to be defamed by the Guardian and by the ABC because we are doing everything within our power to provide support to people.”

At the Senate inquiry into Nauru in 2015, the detention centre contractor Wilson Security said that incident reports filed would eventually be provided to Australia’s immigration department.

The Guardian has highlighted the allegations of family violence in the Nauru files and broken down the incident reports by seriousness and category.

On Wednesday a group of legal academics and migration experts, including Frank Brennan, argued that the policy of turnbacks makes punitive detention unnecessary to deter dangerous boat journeys.

More than 100 former detention staff have also spoken out about the detention system.

The day after the PNG and Australian governments jointly confirmed the Manus Island detention centre would close, Dutton reaffirmed the government’s position that none of the 854 men held there would ever be resettled in Australia.

However, he conceded “quite a low number ... less than 20” men had been resettled in PNG.

Several of the men who had been moved into the PNG community in Lae had made their own way back to the Manus detention centre. In some cases they tried to break back into detention, after being robbed, assaulted, and in at least one case, left homeless in PNG.

For three years, the government has sought ‘third countries’ which might accept refugees from Australia’s offshore detention centres. Only one man, moved from Nauru, has been resettled in Cambodia, but Dutton told ABC’s AM program there were not third-country options available to the men on Manus.

“There is no third-country option available for people out of Manus at this point in time. That’s the reality that we deal with.

“We have a look at these people to help them return back to their country of origin or they settle in PNG. They are the two options available to these people.”

He said those found not to be refugees would be forcibly returned to their countries of origin. Countries such as Iran, however, refuse to accept forced returns.

According to the minister’s department, 98% of the men on Manus who have had their refugees claims assessed have been found to be refugees with a “well-founded fear of protection” in their homelands, and who are legally owed protection.

<https://www.theguardian.com/australia-news/2016/aug/18/peter-dutton-says-he-wont-be-defamed-by-guardian-and-abc-over-nauru-files>

20. Peter Dutton accuses ABC, Guardian of encouraging asylum seekers not to resettle in PNG

ABC News Online

By political reporter Anna Henderson

First posted Thu 18 Aug 2016, 8:14am

Updated Thu 18 Aug 2016, 8:42am

Immigration Minister Peter Dutton has accused the ABC and The Guardian of encouraging asylum seekers not to resettle in Papua New Guinea.

The Federal Government has struck a deal with Papua New Guinea to close the Manus Island detention centre, but is yet to provide a timeframe for the centre to be shut down.

Mr Dutton said he wanted to see the men in the centre resettled in Papua New Guinea, and stressed they would not be relocated to Australia under any circumstances.

He conceded that since the centre opened fewer than 20 detainees had agreed to be resettled in PNG, but apportioned some of the blame to advocates and media outlets.

Mr Dutton refused to explicitly say whether he had full prior knowledge of the thousands of incident reports from inside the Nauru offshore detention centre that were leaked to The Guardian earlier this month.

"The ABC reporting on The Guardian's reports, who report on ABC reports do not help people in these centres," Mr Dutton told AM.

"We received correspondence from Save the Children, we do on a regular basis, they leaked the 2,100 documents that The Guardian's reporting that the ABC reports on, and we will look at each of those cases."

Incident reports misrepresented

Mr Dutton said he took the allegations very seriously.

"I completely abhor any violence, particularly of a sexual nature, against any people in particular women and children," he said.

Mr Dutton also questioned the way the allegations were reported, saying many of the incident reports had been misrepresented.

"The trouble, frankly, with the approach of The Guardian and the ABC has been to trivialise the very serious issues by trying to promote the 2,100 reports as somehow all of those being serious, when they're not," he said.

He said many of the reports related to the corporal punishment of children by their parents and minor assaults by detainees against other detainees.

Offshore detention on Nauru and Manus Island was reintroduced under the former Labor government, and while Opposition Leader Bill Shorten is critical of the length of time people are spending in the facilities, he is not advocating for detainees to be moved to Australia.

Western Australian Liberal Premier Colin Barnett said the state would be prepared to accept asylum seeker families if the Commonwealth reopened onshore resettlement.

New federal Labor backbencher Cathy O'Toole, who represents the North Queensland seat of Herbert, told ABC News she would be open to onshore resettlement.

"If that's the process that we end up with and that's the outcome where we are going, for me personally yes," she said.

<http://www.abc.net.au/news/2016-08-18/dutton-slams-abc-guardian-for-asylum-seeker-png-coverage/7761854>

21. 'I won't be defamed': Peter Dutton launches assault on the media

Canberra Times
August 18 2016 - 11:32AM
Matthew Knott

Why won't the media give Peter Dutton a break?

First there was the boom microphone that picked up his remarks about Pacific Islands being swamped by rising seas as their leaders operate on "Cape York time". They were "light-hearted" comments made in a "private conversation", but if anyone was offended he was sorry.

Then there was the text message he inadvertently sent to a News Corp journalist describing her as a "mad f---ing witch." He apologised for the "robust language".

Then a Fairfax reporter tweeted a rather spooky photo of Dutton encased in shadow at a press conference. His team asked that the "unflattering" photo be deleted.

Last year Dutton declared Fairfax was running a "jihad" against the Abbott government and was intent on its destruction.

Now it's the ABC and The Guardian out to get him.

The Immigration Minister appeared on the ABC's AM program on Thursday morning and there was plenty to discuss.

Dutton and Papua New Guinea Prime Minister Peter O'Neill had just announced their plans to shut down the detention centre on Manus Island. And then there were the 2000 leaked incident reports from Nauru, published last week, that included disturbing allegations of self-harm and sexual assault.

Here was the perfect platform, one might think, to put some facts on the table and calmly present his side of the story.

But no.

To describe the Immigration Minister's approach as as "shooting the messenger" would be like saying Usain Bolt runs at a decent clip or Gina Rinehart is alright for cash. This was an all-out assault, a heavy artillery blitz.

Like Donald Trump in the US, Dutton is mad as hell at the media and he isn't going to take it any more.

"The ABC reporting on The Guardian's reports who report on the ABC's reports do not help people in these centres," Dutton said, slamming those in the "cheap seats" criticising the government.

Presenter Michael Brissenden ploughed on. Would Dutton comment on reports that he had been given a detailed dossier in May about the "numerous child rights violations" occurring on Nauru?

"Well again [you're asking me] to comment on the ABC commenting on the Guardian reports," Dutton said.

An exasperated Brissenden told Dutton he thought he was being a "little unfair".

"I'm just asking you if the reports are true or not," he said.

Dutton was having none of it. There was a victim of mistreatment everyone seems to be overlooking: him.

"I'm not going to be defamed by The Guardian and by the ABC because we are doing everything within our power to provide support to people," Dutton replied.

Drawing on his time as a Queensland police officer, Dutton said: "I've spent much of my professional career investigating sexual assaults and arresting people for that.

"I take these issues very seriously. Like all Australians I abhor any violence."

Media organisations making a big deal of the allegations in the Nauru files, he said, were not serving the public interest but rather "trivialising" serious issues.

Many of the leaked reports, he insisted, were about parents punishing their children or asylum seekers fighting with each other. To focus exclusively on the claims of abuse was wrong.

"I think people should be a little more circumspect," he said, before accusing aid charity Save the Children of leaking the incident reports to the media in a bid to damage the government.

Soon after the interview was over, Save the Children strongly denied the "false" claim and essentially accused Dutton of making it up.

Circumspection, indeed, seems to be in short supply.

<http://www.canberratimes.com.au/federal-politics/political-opinion/i-wont-be-defamed-peter-dutton-launches-assault-on-the-media-20160818-gqvapd.html>

22. Michael Gordon: Dutton's new gambit 'another form of torture'

Canberra Times
Michael Gordon
August 19 2016 - 6:00PM

Peter Dutton is taking his war on people smuggling to a new level, one that defies logic and basic decency and appears to be more about establishing his big-C conservative credentials than protecting the nation's borders.

Not content with contradicting his Prime Minister and declaring there is no third country option for the refugees stranded on Manus Island, Dutton now insists that any refugees who are granted PNG citizenship will never be allowed to travel to Australia.

The news came not at a media conference or in a press release after the proposition had been endorsed by the cabinet or Coalition party room, but in response to a text message from a listener during a radio interview with the very supportive Ray Hadley on Thursday.

The listener's question was simple enough: if "these people" at some point in the future were granted a PNG passport, would they then be able to travel to "our country"?

No, came the answer. "That would be the case in any arrangement that we enter into," Dutton explained.

"There likely would be a change to some law which we would need Labor to support, and we'll wait and see whether they do support that, but I've made it clear that, even if people are granted citizenship elsewhere, they're not then coming to Australia."

Listeners were not told that those who have already spent three years in detention on Manus have to be in PNG for eight years before they can even apply for citizenship, or that many of them have brothers, sisters, wives, children and cousins in Australia.

Nor were they told how denying certified refugees with valid passports and no criminal records entry to Australia – surely the most basic right of freedom of movement – could conceivably encourage the people smuggling trade.

Nor were they told that citizens of other countries have no ability to lodge protection claims concerning persecution in their country of origin if they visit Australia.

In some cases, it was a mere quirk of fate that meant that some family members arrived before, and others after, Kevin Rudd declared before the 2013 election: "As of today, asylum seekers who come here by boat without a visa will never be settled in Australia."

For those on Manus with family in Australia, the daily queuing for meals in the detention centre is the most painful reminder of separation, because meal-time used to be family time.

After Dutton's remarks, I spoke to two asylum seekers at the detention centre with family in Australia and the response was sadly predictable. This was, said 24-year old Ben, who has cousins in Melbourne, another form of the mental torture the asylum seekers have endured to for the last three years.

The refugees on Manus and Nauru did not, of course, get a vote in the July 2 election, but they stand to lose the most from Malcolm Turnbull's wafer-thin victory.

Had Labor won, Bill Shorten vowed to put his immigration minister on the first plane to Geneva to enlist the UNHCR in finding resettlement countries, whilst retaining turnbacks and offshore processing.

Had Turnbull scored an emphatic victory that enhanced his authority, he gave the distinct impression that ending the misery of those on Nauru and Manus would be a priority. That, at least, was my conclusion when he told Four Corners' Sarah Ferguson that finding "alternative places for them to settle" would be "easier" after the election.

Almost two months on, this does not appear to be the case. Rather, Dutton gives every indication that little effort is being made to find third countries with established resettlement programs; that first-world resettlement options like the US, Canada and New Zealand are off limits; and that the options for those on Manus are to go home (even if they are refugees) or settle in PNG.

The Immigration Minister appears to be driven by twin convictions: one, that the slightest hint of compassion will be viewed as a sign of weakness that will embolden the people smugglers and lead to deaths at sea; and two, that public opinion is overwhelmingly on his side.

Rather than increase pressure on the government to find a solution for those who have been left in limbo, the leaking of the "Nauru files" to Guardian Australia appears only to have hardened his resolve.

In one interview this week, he insisted he was not going to be "defamed" by the likes of the Guardian or the ABC, and said flatly there was "no third country option for people out of Manus at this point in time".

In another, he defamed those who have been found to have a well-founded fear of persecution if they return to their country, telling 7.30's Leigh Sales: "I think the situation is that people have paid people smugglers for a migration outcome."

Implicit in his refusal to bend is what amounts to a vote of no-confidence in the ability of Operation Sovereign Borders and the ADF to repel any attempt to restart the smuggling trade through turnbacks, co-operation with Indonesia and the policy that new arrivals will be processed offshore and not resettled in Australia.

What we do not know is how much effort Turnbull is devoting to finding an outcome, and whether Foreign Minister Julie Bishop is engaged in talking to counterparts in developed and developing countries with resettlement programs.

One likelihood is that Malaysia, the country that was spurned as part of any response not once, but twice, by the Coalition purely to extract partisan political advantage, is part of any such endeavour.

What we do know is that PNG has neither the will nor the capacity to resettle anything like the 850 souls who are still living in the detention centre it has committed to close after it was deemed unconstitutional by PNG's highest court in April.

What we also know is that the mental state of those on Manus and Nauru continues to deteriorate at an alarming rate, and that there will be more tragic consequences if no solution is found.

It isn't the conditions on Nauru or Manus that are the biggest problem, or the level of care the asylum seekers are afforded, or the tensions within the refugee populations and with the wider communities. It is that people can only survive for so long without any hope before they are broken.

This is the reality that only Turnbull has the power to address, with or without the support of his ambitious Immigration Minister.

<http://www.canberratimes.com.au/comment/duttons-new-gambit-another-form-of-torture-20160819-gqwaj.html>

23. Lenore Taylor: Dutton blames Nauru crisis on everything but his rigid policy

Immigration minister leaves no room at all to take a softer stand on settling refugees, thereby turning a difficult situation into an intractable impasse

The Guardian
Lenore Taylor
Saturday 20 August 2016 06.30 AEST

Peter Dutton would dearly like to channel some of the rising anger over Australia's indefinite offshore detention of refugees towards those who are trying to hold him to account for the policy.

This week he sought to blame Guardian Australia, the ABC, academics, Save the Children, other human rights groups and the refugees themselves for his problems.

But by flailing around with inaccurate criticisms, false descriptions of what has been happening and myopic assessments of the possible solutions, the immigration minister only succeeds in highlighting his own increasingly desperate political situation.

Dutton says the government has been searching for places to resettle the 442 men, women and children on Nauru and the 854 men on Manus Island – and that's true, it has.

But it started that search with an intransigent mindset that more or less doomed it from the start. Stopping the boats was not just the primary objective; it was an absolute. Any boat that even attempted a journey was an unacceptable sign of policy failure.

The bipartisan race to the bottom began in the 2013 election, and by 2016 had become so entrenched that any expression of compassion by a Labor candidate for refugee children facing deportation to Nauru was fodder for an immediate "soft on people smugglers" political attack.

Even when turnbacks under Operation Sovereign Borders have stopped people-smuggling operations – even though the government now boasts to the Daily Telegraph that it has established a "ring of steel" across the waters of northern Australia – any resettlement option that leaves open even the remotest chance that an asylum seeker embarking by boat might one day, somehow, end up here has been deemed to pose a risk that people smugglers might start to try their luck again. However small that risk is, and however unlikely it is that people smuggling operations will succeed, these options have been ruled out.

And so the asylum seekers languish, and their suffering escalates, and gradually, despite every effort to keep it out of sight, pressure from the international community and the Australian public starts to build and the political consensus frays.

When John Howard found himself in this situation, he set up a process that eventually resulted in the majority of those on Nauru, who were found to be genuine refugees, being settled in Australia and New Zealand.

Some in the Coalition can see history repeating. Russell Broadbent, a Liberal moderate who was one of those agitating on asylum issues during the Howard years, noted recently that the Nauru Files – the 2000 incident reports from Nauru published by Guardian Australia – were “the sort of thing that brought John Howard to a place where he had to do something about it”.

But, however logical resettling refugees here might seem, especially with the “ring of steel” in place to head off any people-smuggling resurgence, Dutton seems to be leaving no room at all for that kind of backdown, no space to balance the limited risk of a couple more turnbacks against the crushing moral weight of our detention policy.

And that purely political choice turns a difficult situation into an intractable impasse – with 1,296 lives as its human consequence.

It’s a choice that means we have also rejected all other ideas to break the deadlock, including New Zealand’s standing offer to take 150 refugees, and options to entice refugees to accept resettlement in Cambodia with the chance to apply to be part of Australia’s humanitarian intake after a number of years, and options similar to the Gillard government’s Malaysia swap deal (which even Tony Abbott now wishes he hadn’t joined with the Greens to scupper).

Of the 854 men on Manus Island, 98% of those who have had their claims assessed have been found to be refugees who have a “well-founded fear of persecution”. Papua New Guinea has so far resettled only a tiny handful and despite the announcement that the detention centre will close – because the PNG courts say it has to – there are still no answers about what will happen to the men despite two deaths, documented assaults and rising mental illness and despair.

Of those assessed on Nauru, 77% have been found to be refugees. Only one has agreed to resettlement in Cambodia. There are no other resettlement options even though Dutton seemed to suggest on ABC’s 7.30 report this week that the refugees on Nauru had refused to go to New Zealand, Canada, the United States or Malaysia.

After three years in detention, with no idea where, or when they might be able to rebuild their lives, Nauru is also a growing human rights disaster.

Dutton has variously accused Guardian Australia of “hyping” and “trivialising” the plight of those on Nauru with the publication of the Nauru Files.

“The trouble, frankly with the approach of the Guardian and the ABC has been to trivialise the very serious issues by trying to promote the 2,100 reports as somehow, all of those being serious when they’re not. Many of those reports relate to corporal punishment by children by their own parents. They report about some minor assaults by detainees on detainees, refugees on refugees,” he said on ABC radio on Thursday.

But that is exactly what we reported. As we explained when we published the document cache, it contained incident reports – short summaries of events in the Nauru detention centre ranging from serious allegations of sexual assault, to observations of a threat of self-harm, to abuse of a child, or more mundane incidents such as a child falling over when playing soccer. In our data log we record each incident under its official risk rating – minor, major or critical, and type, from sexual assault, suicide attempts and self-harm to property damage and lost items.

Dutton says he is investigating the allegations in the leak (bizarrely he also attacked Save the Children for not providing him with the unredacted documents, which Nauru service providers have confirmed his department already has) and insists the allegations of assault and sexual abuse will be taken seriously, while dismissing the trivial nature of other incidents.

But that misses the point. All but a few carefully selected journalists are prohibited from visiting Nauru. One reason for publishing the Nauru Files was to provide a picture of the reality of life there through the everyday bureaucracy of the reports, the serious allegations and the minor daily indignities and humiliations. This isn’t just about sexual abuse. It’s about the sanity-sapping uncertainty, and tedium and tension of life under indefinite detention, which quickly amounts to systemic abuse. And Peter Dutton is in charge of the system.

We’ll continue to do what we can to document the consequences for the human beings whose lives are on hold because Australia’s toxic political debate has turned a difficult policy problem into a stand-off without any obvious end point.

Dutton says we in the media sit in the “cheap seats” with no responsibility for finding a solution. But our job is to hold power to account and that is what we are doing. We can report and discuss possible answers. But, Minister Dutton, the moral judgments and the decisions about solutions are your job and your responsibility. Whoever you try to blame.

<https://www.theguardian.com/australia-news/2016/aug/20/dutton-blames-nauru-crisis-on-everything-but-his-rigid-policy>

24. MEDIA RELEASE: Manus refugees cannot be resettled in PNG

Refugee Action Coalition
Thursday August 18, 2016
Ian Rintoul
mobile 0417 275 713

Peter Dutton is desperately trying to avoid the implications of the PNG Supreme Court ruling in April that the agreement between Australia and PNG was unlawful.

No amount of huffing and puffing or repeating the tired phrase that 'no refugee from Manus will be resettled in Australia' can alter the fact the asylum seekers were taken to Manus unlawfully.

"Peter Dutton is shamefully trying to avoid the decisions of the PNG Supreme Court. He has to face up to the fact that Australia has responsibility for those people that Australia illegally transferred to Manus Island," said Ian Rintoul, spokesperson for the Refugee Action Coalition.

"The PNG Supreme Court hearing on Monday 22 August will determine the future of those who have been held unlawfully and systematically denied their human rights.

"Peter Dutton and Peter O'Neill will be required to accept the court's rulings. People who were illegally taken to Manus Island cannot be forced to stay in PNG against their will.

"Lawyers acting for the asylum seekers and refugees on Manus will seek orders for the immediate, and unconditional release of all those on Manus, and for those who wish to go, to be returned to Australia.

"There is no durable or secure settlement arrangement in PNG. It is a joke that Dutton keep referring to resettlement in PNG. He should stop providing gratuitous advice to the Australian media and start to implement the PNG Supreme Court decision. It is increasing obvious that Dutton has no grasp of the real situation that confronts the Australian government.

"People have been brutalised on Manus for over three years, and have been waiting since April when the court ordered that they be freed.

"For those who do not wish to go to Australia -- some people have families in other countries -- PNG and Australia will need to secure safe, acceptable third countries and provide travel documents in order for them to travel to that third country.

"Peter Dutton also needs to act immediately to release all the Manus asylum seekers and refugees being held in Australia.

"About Nauru, Peter Dutton also knows that the government's own Moss review established the truthfulness of the incident reports that were reviewed in 2015. It is the Minister who can no longer be taken seriously."

For more information contact Ian Rintoul 0417 275 713

25. Manus Island bill \$2 billion and counting – \$1 million for each detainee

Canberra Times
Adam Gartrell
August 21 2016 - 12:15AM

The detention centre on Manus Island has cost Australian taxpayers about \$2 billion since it was reopened four years ago – more than \$1 million for each of the 2000 people who have been imprisoned there.

As the Turnbull government scrambles to find a place to send the 854 refugees and asylum seekers that remain in the notoriously harsh facility after it was declared illegal by Papua New Guinea's Supreme Court, a new analysis reveals just how much it has cost the federal budget to build and run the centre.

While official figures relating to the cost of offshore detention are opaque, analysts in the Parliamentary Library have trawled years of Senate estimates hearing transcripts to piece together a total cost for Manus.

They show the centre has cost Australians at least \$420 million to build and maintain, and \$1.25 billion to run since the Gillard government reopened it in late 2012 – giving a total of more than \$1.6 billion.

However the library's figures do not include the last year of capital costs or the last four months of operating costs, estimated to add hundreds of millions more. The figures also do not include the costs of resettlement, charter flights to and from the island, or the additional aid spending Australia has directed towards PNG in exchange for hosting the centre. Much of the money has been lost to corruption.

The library cautions its figures cannot be considered "precise" because of the gaps and inconsistencies in the official numbers.

The roughly \$2 billion total would fund almost half the Gonski school reform shortfall. It's more than the government is spending on its innovation package and Great Barrier Reef rescue plan put together.

Immigration Minister Peter Dutton confirmed last week the centre would close but could not offer a timeframe or say where the men would go. He insists they will not come to Australia and concedes other options – such as resettlement in PNG or transfer to Nauru or some other country – could be hugely expensive.

There is speculation the government could be on the brink of inking a new resettlement deal with Malaysia, even though the Coalition blocked the Gillard government's Malaysian "people swap" deal.

Former prime minister Tony Abbott last week offered an extraordinary mea culpa on his pivotal role in killing off that deal, saying while he didn't believe it would work he now thinks he should have let it proceed.

Malaysian Prime Minister Najib Razak subsequently gave a speech in which he suggested he was open to doing more on refugees.

Labor decided to resurrect the Manus Island and Nauru centres – originally established by John Howard but shuttered by Kevin Rudd in 2008, restarting the people smuggling trade – only after the Malaysia deal was blocked.

Greens Senator Sarah Hanson-Young said the cost of Manus Island is not just measured in dollars and cents but also in destroyed lives.

"Every day we leave these people on Manus Island it damages their mental health further and costs the taxpayer millions of dollars," she said. "The truth is, whether these people remain in the camp or are dumped in the PNG community the government has committed the Australian taxpayer to picking up the tab until they're brought here."

According to the UNSW's Kaldor Centre, 1960 people have been sent to Manus Island since September 2012. Numbers peaked at more than 1300 in early 2014 but have since fallen to 854.

The majority of those still there are Iranian men who have been on the island for up to three years.

As of June this year, 541 of the 551 detainees who had had their refugee claims processed by the PNG government had been adjudged genuine refugees entitled to resettlement – 98 per cent. The government could also be liable for between \$500 million and \$1 billion in estimated damages in a lawsuit being brought on behalf of detainees.

<http://www.canberratimes.com.au/federal-politics/political-news/manus-island-bill-2-billion-and-counting--1-million-for-each-detainee-20160820-gqx8do.html>

26. Offshore detention still has support after Nauru files, says Coalition minister

Human services minister Alan Tudge says offshore detention integral to Australia's border protection as analysis reveals Manus has cost taxpayers \$2bn

The Guardian
Gabrielle Chan
Sunday 21 August 2016 13.50 AEST

The minister for human services, Alan Tudge, has said there is still public support for offshore detention in the wake of the Nauru files published by Guardian Australia.

Asked by Paul Kelly on Sky News if he believed "given the revelations in recent weeks that there is still public support for offshore detention", Tudge responded: "I still think there is public support for our strong border protection regime which as you know consists of three parts.

"Turning back the boats when it's safe to do so, offshore detention and temporary protection visas.

"The success of our border protection regime rests on those three operating together so if you remove one of those then there is a very high risk that the boats will start to come once again and I don't think the Australian public want that."

After the government last week held talks with the Papua New Guinea prime minister Peter O'Neill regarding the closure of the Manus detention centre, an analysis by the parliamentary library emerged that showed Manus had cost Australian taxpayers about \$2bn since it was reopened by the Gillard government in 2011.

This would equate to more than \$1m for each of the 2,000 people who have been imprisoned there and the figures have not included the most recent capital costs.

The government has been under pressure over offshore detention after the Nauru files detailed around 2,000 incident reports, some of which relate to trauma and abuse inside Australia's offshore detention centre.

Tudge said former detainees on Nauru had a number of options, including returning to their home countries and the “Cambodia option”. The Coalition has consistently rejected the idea of taking up an offer from New Zealand to take some of the refugees.

“Minister Dutton is very reticent with doing a deal with somewhere like New Zealand because effectively that could become a backdoor measure into Australia because obviously permanent residents and citizens of New Zealand also get access to Australia,” Tudge said.

“We have always had a very strong position that people who arrive here unlawfully by boats won't be able to settle in Australia.”

He said there were 300 people currently employed on the island of Nauru – which he said was now effectively an accommodation centre as people were free to come and go – while some people had started their own businesses.

Asked how the government could verify Australia's border protection policy had stopped drownings at sea, Tudge said it had stopped drownings between home countries and third countries to Australia.

“We have stopped the drownings from the boats who are travelling between either the person's home country or indeed a third country to Australia,” Tudge said.

“That is at least what is partially within our control and we have managed to do that. That is real. It is very significant, the fact we have saved lives at sea by doing so.

“It is a tough policy to achieve those objectives but I think when you weigh up all the other imperfect alternatives I think this is the right moral course of action.”

<https://www.theguardian.com/world/2016/aug/21/offshore-detention-still-has-support-after-nauru-files-says-coalition-minister>