

Project SafeCom News and Updates

Sunday, 21 August 2016

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1. Manus detainees claim false imprisonment in class action

Sydney Morning Herald
Michael Gordon
August 17 2016 - 6:54PM

Lawyers pursuing a class action on behalf of asylum seekers on Manus Island in Papua New Guinea have been given a go-ahead to expand their claim to include false imprisonment.

Victorian Supreme Court Justice Michael McDonald has ruled that the claim can be widened to allow the lawyers to argue that the detainees have been unlawfully held on Manus.

The landmark case alleges the detainees suffered serious physical and psychological injuries as a direct result of the conditions in which they were held. It accuses both the Australian government and service providers of acting unlawfully.

"This has been a very dark period of Australian history and it's about time a light was shone on it – and this case provides the main opportunity for that to be done," Rory Walsh, principal lawyer with Slater and Gordon told Fairfax Media.

"This is not going to be an inquiry that is rushed, can be spun by politicians to suit their aims or can be chewed up in the media cycle in 24 hours."

Mr Walsh said the firm sought to amend the claim after the Papua New Guinea Supreme Court ruled in April that the detention of asylum seekers on Manus Island was illegal and in breach of PNG's constitution.

"We argued, and Justice McDonald accepted, that in light of the PNG ruling, our clients should be given the opportunity to argue their detention amounts to false imprisonment and to seek additional damages on that basis."

Immigration Minister Peter Dutton was in Port Moresby on Wednesday to discuss PNG's decision in April to close down the Manus detention centre in the light of the PNG court's ruling, though the fate of the detainees remains uncertain.

More than 850 asylum seekers remain in the centre, some four months after the court decision. "Both Papua New Guinea and Australia are in agreement that the centre is to be closed," PNG Prime Minister Peter O'Neill said after meeting with Mr Dutton.

The talks came as 180 senior Catholic sisters endorsed the call from academics for refugees for a summit to discuss new approaches to the treatment of asylum seekers. Malcolm Turnbull is yet to respond to the call.

The class action, to be heard early next year, promises to be the most forensic examination yet of the treatment of around 1800 asylum seekers who were sent to the island after it was re-opened by the Gillard government late in 2012.

It has been brought in the name of an Iranian asylum seeker who was transferred to Manus in September 2013, on behalf of almost all of those detained in the centre since it was re-opened. Sixty-one asylum seekers have opted not to be part of the action.

The Iranian, Majid Karami Kamasae, suffered serious burns in Tehran as a teenager and maintains his condition was aggravated by the hot and humid conditions in detention and the lack of appropriate care. He was a victim of the violence at the centre in February 2014, when Reza Barati was murdered, and continues to suffer mental trauma.

The class action was set to begin this month but has been postponed, in large part because the Commonwealth opposed the release of many hundreds of documents, primarily on grounds that their release would not be in the national interest or could harm bilateral relations with PNG.

The Commonwealth has warned that the case could represent the largest public interest immunity challenge in Australian legal history. "We are challenging these claims as we don't accept that the Commonwealth has the legal basis to withhold these documents from scrutiny in this litigation, on the present evidence available, and in light of the likely significance of this material to the central issues in the dispute." Mr Walsh said.

"It is our case that the Commonwealth and its service providers have failed in their duty to prevent foreseeable harm to the men held on Manus Island and that the detainees are entitled to be compensated for their injuries. "Further we allege that the Commonwealth deliberately held our clients in conditions which they knew were harmful, both as a means to coerce our clients to return to the countries from which they fled seeking refuge, but also to deter others from seeking refuge in a similar manner."

Mr Walsh said Slater and Gordon is running the class action on a "No-win, No-fee" basis. If successful, the firm will seek to recover costs from the defendants.

<http://www.smh.com.au/federal-politics/political-news/manus-detainees-claim-false-imprisonment-in-class-action-20160817-gquusw.html>

2. Judge says children reporting abuse must be taken seriously

Canberra Times
Tom McIlroy
August 15 2016 - 12:30AM

Authority and respect for trusted institutions in Australian society should never override reports of danger to young people, the chair of the royal commission into child sexual abuse will argue on Monday.

Justice Peter McClellan will use a speech to the Association of Children's Welfare Agencies in Sydney to call for allegations made by children to be appropriately heard and investigated, regardless of where they originate, and without institutions or their leaders being able to diminish the preparedness of adults to act.

The speech comes days after human rights groups called for the Royal Commission into Institutional Responses to Child Sexual Abuse to investigate Australia's immigration detention centre on Nauru amid leaked reports of sexual violence, abuse and self-harm by refugees and asylum seekers detained at the facility.

The commission says investigating alleged child abuse on Nauru or Manus Island is outside its jurisdictional powers, and the speech does not cite immigration detention abuse allegations.

Justice McClellan will tell the conference the commission has heard from more than 5500 survivors of abuse in Australia in private sessions so far, and has referred more than 1600 allegations to police and other authorities.

Since the commission was established in 2013, more than 60 prosecutions have commenced as a result of the referrals.

"A picture is emerging for us that although sexual abuse of children is not confined in time – it is happening today – there has been a time in Australian history when the conjunction of prevailing social attitudes to children and an unquestioning respect for authority of institutions by adults coalesced to create the high-risk environment in which thousands of children were abused," Justice McClellan will tell the conference.

"The societal norm that "children should be seen but not heard", which prevailed for unknown decades, provided the opportunity for some adults to abuse the power which their relationship with the child gave them.

"When the required silence of the child was accompanied by an unquestioning belief by adults in the integrity of the carer for the child, be they youth worker, teacher, residential supervisor or cleric, the power imbalance was entrenched to the inevitable detriment of many children."

Justice McClellan will argue a child's complaint must be given an appropriate response, regardless of how it is received.

"Whatever the nature of the institution and however its members are respected by the community, we must all accept that there may be members of trusted institutions who fail in their duty towards children.

"The power of the institution must never again be allowed to silence a child or diminish the preparedness or capacity of adults to act to protect children."

The commission has held 60 private sessions with people aged under 25.

The Australian Council for International Development, Human Rights Law Centre and Australian Council of Social Services released legal advice on Friday asserting the commission does have the power to examine Nauru detention.

Human Rights Commission president Gillian Triggs called for the commission to be extended to examine how Australia has managed allegations from Nauru.

The commission, due to deliver its final report by December 2017, will close applications for private hearings next month.

<http://www.canberratimes.com.au/federal-politics/political-news/judge-says-children-reporting-abuse-must-be-taken-seriously-20160814-gqs24y.html>

3. Child abuse royal commission investigating immigration department

Inquiry says it is looking into department's response to allegations of child sexual abuse in detention centres and is yet to decide if hearings are needed

The Guardian
Paul Farrell
Monday 15 August 2016 16.09 AEST

The royal commission into institutional responses to child sexual abuse is continuing its investigation of Australia's immigration department over allegations of child sexual abuse in detention centres and has left open the possibility of holding public hearings.

In a brief public statement after the Guardian's publication of the Nauru files, the commission took the unusual step of clarifying the scope of its current investigation. The cache of leaked reports sets out the assaults, sexual abuse, self-harm attempts, child abuse and living conditions endured by asylum seekers and has sparked calls for a Senate inquiry into the reports and Australia's response.

A spokeswoman for the royal commission said: "The royal commission does not ordinarily comment upon operational matters. However, because of the level of public discussion in relation to immigration detention centres, the commission indicates the following: The royal commission has an ongoing investigation in relation to the Department of Immigration and Border Protection's response to allegations of child sexual abuse in detention centres. Whether or not a public hearing is warranted has not been determined."

The statement appears to directly contradict the immigration minister, Peter Dutton, who last year said reports that the commission was investigating the department were "rubbish".

The publication of the Nauru files has put significant pressure on the royal commission. A number of leading human rights legal organisations released advice previously presented to the commission that argued it had the power to examine allegations of abuse of asylum seeker and refugee children on Nauru. The commission had previously pointed to its own advice that suggested it did not have the scope within its current terms of reference to investigate offshore detention centres.

After the revelations it remains unclear whether the commission will seek to expand the scope of the inquiry to include Nauru or whether it will hold public hearings relating to onshore detention.

The spokeswoman for the commission said: "The royal commission is conscious that a child protection panel was established by the secretary of the Department of Immigration and Border Protection in May 2015. The panel's terms of reference indicate that 'a final report will be provided to the secretary by mid-2016 covering both better practice and a comprehensive sample of reviews'.

"The royal commission anticipates that the report will deal with the department's response to, among other matters, allegations of child abuse in detention centres. The royal commission will have regard to that report in the course of its investigation into immigration detention issues."

The immigration department has not released the report and it is unclear whether the panel's findings have been presented to its secretary, Michael Pezzullo.

The commission has also been pressed for a response on whether it will examine offshore detention. The spokeswoman declined to comment on whether it would begin an investigation into Nauru.

<https://www.theguardian.com/australia-news/2016/aug/15/child-abuse-royal-commission-investigating-immigration-department>

4. Senate inquiry into Nauru child abuse allegations likely after crossbenchers indicate support

Nick Xenophon, David Leyonhjelm and Derryn Hinch open to supporting Labor's motion in wake of Nauru files

The Guardian
Gabrielle Chan and Paul Karp
Monday 15 August 2016 16.06 AEST

A Senate inquiry into allegations of sexual assault and child abuse at Australia's detention centre on Nauru will probably go ahead after key crossbenchers said they were likely to support Labor's motion.

Labor's motion has the support of the Greens, though the Greens' preference is for a full royal commission into the issue, after Guardian Australia published more than 2,000 leaked incident reports from Nauru.

Labor would need five more votes in the Senate to establish a Senate inquiry.

Nick Xenophon of NXT, who has a further two new senators in the new parliament, told Guardian Australia he would not stand in the way of a Nauru Senate inquiry. Senators David Leyonhjelm and Derryn Hinch both suggested they would be open to such an inquiry.

"I haven't seen the terms of reference but, as a general principle, we won't stand in the way of an inquiry, where there are matters of public importance concerned," Xenophon said.

Hinch told Guardian Australia he was sympathetic to the idea of an independent children's commissioner and would consider a Senate inquiry when he saw a bill or motion to establish one.

"I've read the Nauru files: they are abhorrent," Hinch said. "I've not been impressed with the immigration minister's response so far."

Hinch said the thousands of reports of abuse, mistreatment and self-harm were a cause for concern regardless of whether some were historical and not all proven, as the government has claimed when deflecting calls for an inquiry.

"The government doesn't have a good track record on this, they tend to shoot the messenger. We saw with Save the Children that they were the ones treated as criminals," he said, in reference to police investigations of whistleblowers.

Leyonhjelm said he hadn't considered the Nauru files in detail yet but described it as "very rare" and "very unusual" for him to oppose a motion for an inquiry.

He said the current immigration system and treatment of refugees was "fundamentally flawed and needs a different approach", referring to his plan to use a fee-based system to allow "allow us to accept genuine refugees through the front door" and accept economic migrants without the need for detention.

Family First party senator Bob Day, when asked about the thousands of reports of abuse on Nauru and how they had sparked calls for an inquiry, said: "That's why they [other crossbench MPs] call for an inquiry, to get into the Guardian. It's pure political opportunism."

He said was opposed to an inquiry because he claimed it was being proposed by "the same old people, trying to constantly push their own agendas". He said the Greens and others are "hideous in the way they go on ... to pander to their base".

Senator Jacqui Lambie released a statement which said she would only support the Nauru inquiry if Labor would support her policy for health concession cards for all veterans who had served overseas.

"If Bill Shorten wants my vote, I want to know if Labor will support my policy to grant an automatic health gold card to our veterans who have served in war zones," Lambie said.

On Monday Bill Shorten said there were too many reports of alleged abuse in Australia's detention centres to ignore.

"There are just too many reports to simply brush it under the carpet," Shorten said. "I do believe a Senate inquiry can help us get to the bottom of it. I trust the capacity of the Australian people, when presented with the facts, to make the judgments about what the right way to go is.

"I think we do need to get to the bottom of all the facts here. If the government's got nothing to hide, they've got nothing to be worried about."

The Greens will support the Labor motion, though the Greens had already initiated a previous report into the conditions on Nauru, which recommended that all children should be removed from detention in August last year because the centre was "insupportable".

The immigration minister, Peter Dutton, has consistently defended Australia's detention regime and suggested a number of the incident reports were not "substantiated", though he suggested more than 20 of the 2,000 were "critical".

The Greens' immigration spokeswoman, Sarah Hanson-Young, said half of the incident reports in the documents were in relation to children and should be taken seriously.

"Peter Dutton was a former policeman, a former cop and ... downplaying a child reporting to an adult that somebody has touched them inappropriately, that they feel scared, I don't think that is an appropriate response from an adult," Hanson-Young told Sky News.

New Zealand Labour's foreign affairs spokesman, David Shearer, accused Australia of losing its moral compass over offshore detention.

According to Fairfax media, Shearer has written to Australia's high commissioner in Wellington offering support for resettlement of 150 refugees in New Zealand, provided the offshore detention camps were closed.

"They highlighted the fact that this policy is unsustainable," he said. "I do think Australia's reputation is being diminished as a result."

<https://www.theguardian.com/australia-news/2016/aug/15/senate-inquiry-into-nauru-child-abuse-allegations-likely-after-crossbenchers-indicate-support>

5. Nauru says refugee claims fabricated and being used to suit 'political agendas'

Government attacks allegations in Nauru files and says refugees are being used as pawns by media and the Greens

The Guardian
Helen Davidson
Tuesday 16 August 2016 12.36 AEST

The government of Nauru has said most incidents detailed in the Nauru files were “fabricated” and has accused Australian media and politicians of using refugees as political pawns.

The Nauruan government delivered its first official statement on the files, having declined repeated requests for comment over recent weeks, in two tweets from the account of its information office on Tuesday.

“Most refugee & advocate claims on Nauru fabricated to achieve goal to get to Aust. So called ‘reports’ based solely on these claims #fact,” it wrote.

“Aust left wing media, greens MPs and advocates still using refugees as pawns for their political agendas. Very sad.”

Last week the Guardian published the Nauru files, more than 2,000 leaked incident reports from inside the Australian-backed immigration detention centre on Nauru, as well as dozens of articles and analysis pieces.

The series, which demonstrated the scope and extent of trauma in offshore detention, as well as alleged and confirmed incidents of abuse, prompted Labor to announce it would move for a parliamentary inquiry.

In response to widespread calls for it to examine the alleged abuses of children described in the files, the royal commission into institutional responses to child sexual abuse revealed it was investigating the Department of Immigration and Border Protection.

Greens senator Sarah Hanson-Young said the Nauruan government’s response was disappointing.

“What we know now is that women and children have been sexually assaulted and then punished for telling the authorities,” said Hanson-Young.

“It’s so disappointing that those who are brave enough to report their assaults are then called liars by the very people who are supposed to be protecting them. This is exactly why we need an independent judiciary inquiry and why the Greens will be moving for a royal commission when parliament resumes.

“The immigration minister and others are helping to protect abusers by bringing the credibility of their victims into question. They should be ashamed of themselves.”

The Nauruan government has repeatedly ignored media requests for information about the centre, its operations and any investigations by its police force, but has on several occasions commented through its social media account.

In February it accused the Australian media of lying and being agenda-driven in its reporting of alleged child abuse.

Nauru’s justice minister, David Adeang, accused media of dropping a story about an alleged attack on a six-year-old girl for political reasons.

In October Adeang said Nauru had no obligation to respond to Australian media.

<https://www.theguardian.com/news/2016/aug/16/nauru-says-refugee-claims-fabricated-and-being-used-to-suit-political-agendas>

6. Nauru's president says abuse reports 'cooked up' by detention centre workers

Baron Waqa says allegations are unfounded after the Guardian’s publication of 2,100 incident reports as the Nauru files

The Guardian
Ben Doherty
Wednesday 17 August 2016 16.04 AEST

The president of Nauru has alleged that the caseworkers, guards, teachers and doctors who filed the incident reports that comprise the Nauru files have “cooked up” many of the incidents.

“There are people that are advocates and those sorts of people who are wanting to discredit the program, they are always quick to put out negative sort of stuff in the media,” Baron Waqa said in an interview with Channel News Asia in Malaysia.

“But no, these allegations are unfounded and we will continue to get down to the bottom of it but as far as Nauru is concerned we look at every individual complaint there is and very quickly they’ve been thrown out, been things that have been made up, a lot of them.

“It’s sad ... because sometimes media overseas tend to play up these allegations, which have been just cooked up. And we have tried to address them and we’ve seen that a lot of them were just made up.”

The Nauru files, published last week by the Guardian, detail more than 2,100 incident reports from within the Nauru regional processing centre. They reported systemic physical and sexual abuses, humiliating treatment and harsh conditions, and widespread self-harm and suicide attempts.

The incident reports in the Nauru files are written and filed not by asylum seekers or refugees but by people employed to work in the detention centre. The files show incident reports written by case workers, child protection specialists, guards and medical staff.

Some of the more than 2000 incident reports in the files are complaints or allegations of improper or illegal behaviour. However, there are also firsthand reports of sexual or physical assaults, fights, problems with food, water or sanitation, acts of self-harm or suicide attempts witnessed by workers at the centre. Many have been corroborated by independent reporting, pictures and medical evidence.

“I think we’ve done our best to handle all the problems and I think the main thing is to process the asylum seekers,” Waqa said.

Waqa said despite foreign criticism and opposition to offshore processing, “the regional processing centre is a program that’s been going on for quite some time and it’s been going very very well”.

Waqa, recently re-elected as president to a second three-year term, said regional co-operation was needed to address the issue of irregular migration and that Australia’s policy of offshore processing had been effective in stopping boat journeys.

“We need to work together, everyone needs to try and address this problem with asylum seekers. It’s a huge problem in Europe and elsewhere. We know that it will continue to escalate in Europe but we are more fortunate in this part of our world. It’s sort of quietened down a great deal, especially in illegal entry into Australia. That has stopped.”

Waqa’s comments mirror those of Australia’s immigration minister, Peter Dutton, who last week dismissed many of the Nauru files reports as “hype”, previously known, or false. Dutton also accused asylum seekers of committing acts of self-immolation in order to get to Australia.

But Waqa’s comments come the same day as 103 former workers on Nauru signed an open letter saying conditions on Nauru had reached “crisis level” and that all asylum seekers and refugees on the island should be brought immediately to Australia.

As well, 1800 academics have signed an open letter to the prime minister, Malcolm Turnbull, and all members of parliament, urging “a more just and humane approach to refugees”.

The academics, from universities across the country, called for an immediate end to offshore processing, boat turnbacks and mandatory detention.

<https://www.theguardian.com/australia-news/2016/aug/17/naurus-president-says-abuse-reports-cooked-up-by-detention-centre-workers>

7. Call summit on Nauru, Manus Island, Malcolm Turnbull urged

Canberra Times
August 16 2016 - 10:41PM
Michael Gordon

Malcolm Turnbull had been urged to convene a summit to consider ways to end the ordeal of around 2000 asylum seekers who have been in limbo on Nauru and Manus Island for more than three years.

More than 1800 academics, including experts who have advised Coalition and Labor governments on refugee policy, have backed the call, as has the president of the Human Rights Commission, Professor Gillian Triggs.

The academics say the scale of suffering on both remote islands demands a new approach based on regional co-operation that rejects the “binary choice” that only a hardline policy of deterrence will prevent deaths at sea.

They have endorsed a policy paper calling for an end the “harmful policies of offshore processing, boat turnbacks and the mandatory detention of people seeking asylum” - policies also embraced by Labor.

The push comes amid warnings from Jesuit Priest Frank Brennan and others that the current arrangements are a "recipe for human disaster" and calls for the government to set a timetable for finding third countries to resettle those on Nauru and Manus or bring them to Australia.

"We've seen over years now a continuing deterioration in the way that asylum seekers are dealt with and some of the tragic consequences, including self-immolations, suicides and suicide attempts," says one of the academics, Professor Harry Minas, director of the Centre for International Mental Health at the University of Melbourne. Advertisement

Professor Minas said that after two decades of the general population being taught to be fearful of asylum seekers, "there may be the beginnings of a shift in the way people are thinking about these things".

"It's time to go back, ask what are our national objectives, what are our legal responsibilities and whether we are discharging our ethical and moral obligations to people who are very vulnerable and look for a better way of doing these things," he told Fairfax Media.

Called A Just and Humane Approach for Refugees, the paper argues that the treatment of asylum seekers on Nauru and Manus is in breach of the international prohibition on cruel, inhuman and degrading treatment.

It also laments that Australia has routinely denied people seeking asylum who are in the community on bridging visas the right to work and to adequate healthcare.

The Human Rights Commission is planning to release a more comprehensive paper on September 7, with Professor Triggs strongly endorsing the call for a summit to canvas new approaches.

Professor Minas conceded the policy paper released by the academics was one of many to have been put forward and conceded that none had so far gained traction.

"The only way to make progress is to open the debate up, have a high-level summit convened by government and ask what is the best that Australia can do - because, at the moment, we are very far from that."

With Robert Manne, Tim Costello and John Menadue, Father Brennan has proposed that the government maintain the turn-back policy, keep the offshore centres in reserve, but settle those on Nauru and Manus in Australia or other developed countries.

Interviewed on Sky News Father Brennan stressed the need for an end to the suffering of those on Nauru and Manus, saying it was better to risk some boats attempting to bring asylum seekers to Christmas Island now "than in six months' time, when Nauru blows apart".

"The election is over. Let's allow a reasonable period of time for Turnbull and for (Labor's Bill) Shorten and (Greens leader Richard) Di Natale to come to the table and say, 'Right, we're going to lock ourselves into stopping the boats, but equally we are going to set a timetable for resettling these people.'"

The Prime Minister's office has not yet responded to questions from Fairfax Media.

<http://www.canberratimes.com.au/federal-politics/political-news/call-summit-on-nauru-manus-island-malcolm-turnbull-urged-20160816-gqtlqi.html>

8. Love Makes a Way protesters rally outside Bill Shorten's Melbourne office

Christian activists 'stand up for compassion' and call for asylum seekers held on Nauru and Manus Island to be brought to Australia

The Guardian
Melissa Davey
Wednesday 17 August 2016 11.23 AEST

Protesters from the Love Makes a Way Christian movement have held a rally outside the federal opposition leader Bill Shorten's electorate office in Victoria, calling for asylum seekers in offshore detention centres to be brought to Australia.

The action was one of about 40 held at MPs' offices across the country this week after the Guardian's publication of the Nauru files, a set of more than 2,000 incident reports detailing child abuse, hunger strikes, sexual assaults and day-to-day life at the Nauru detention centre.

Year 12 student Angelica Panopoulos, 17, from the Refugee Action Collective, said she wanted to make it clear to the Labor leader that his calling for a Senate inquiry into the abuses was not enough. He should call for the asylum seekers to be brought to Australia, she said.

"I'm sick of the hypocrisy of it all," she told Guardian Australia. "On one hand you have politicians condemning violence against women but then you have women being assaulted in detention and politicians ignoring it. You have politicians talking about the importance of children's education and safety, and then ignoring the human rights of children in detention.

"To be honest, the Nauru files shouldn't be shocking, because we know this is happening, we have so much evidence. It's time for something to be done."

About 35 protesters sang, "Where were you when the abuses came to light?" and read out excerpts from the Nauru files outside Shorten's Moonee Ponds electorate office. They held up signs that read "Refugees are people too" and "Keep kids safe".

Ian Ferguson, minister of the Brunswick Uniting Church and a member of the Love Makes a Way group, said Shorten's call for a Senate inquiry was "a right step to take".

"However, he also said he continues to support offshore processing and we want him to reconsider that position and make the government bring the people on Nauru and Manus Island here," Ferguson said.

"What is it going to take? My sense is that the government isn't going to change its stance while public opinion still appears to be in support of the offshore processing policies – which is unbelievable but true.

"That's part of what we are about, standing up for compassion and encouraging compassion in others. We stand as Christians here saying values of Australians of compassion and standing by the most downtrodden should be considered by the leaders."

He described Australia's treatment of asylum seekers as a "stain" on the country and as "something we will be living down for decades to come".

The protesters stuck paper dolls on which excerpts from the Nauru files were written on the windows of Shorten's office. They stayed for about an hour, chanting, singing and peacefully protesting as a single police officer looked on.

When contacted by Guardian Australia, a spokesman for Shorten said only: "Labor's position on offshore processing is clear."

<https://www.theguardian.com/australia-news/2016/aug/17/love-makes-a-way-protesters-rally-outside-bill-shortens-melbourne-office>

9. Protester storms stage during Malcolm Turnbull speech

ABC News Online

By political reporters Anna Henderson and Stephanie Anderson

First posted Wed 17 Aug 2016, 11:34am

Updated Wed 17 Aug 2016, 11:49am

A protester has briefly interrupted the Prime Minister during his major economic speech in Melbourne.

The woman — holding a sign that read "FFS close the bloody camps" — made it onto the stage where Malcolm Turnbull was delivering his address.

"For f***'s sake Malcolm, close the f***ing camps," the protester yelled at Mr Turnbull.

Organisers tried to dim the lighting as the woman was approached and ushered off the stage.

At least five other protesters were held back by security in the room.

Earlier today, Opposition Leader Bill Shorten again called for the Government to support a Senate inquiry into the immigration detention centre on Nauru.

Mr Shorten told reporters in Melbourne while the Nauruan Government should not be told how to conduct its politics, the Australian Government should be talking to officials.

"We do believe the Senate should investigate the most recent spate of serious complaints," he said.

"It is not good enough for the Immigration Minister to brush it all under the carpet and say 'there is nothing to see here' ... I think it is appropriate for our Parliament to investigate these matters.

"I don't think they can be swept under the carpet."

<http://www.abc.net.au/news/2016-08-17/protesters-interrupt-malcolm-turnbull-in-melbourne/7751932>

10. Refugee protesters interrupt Malcolm Turnbull economic speech

Canberra Times
August 17 2016 - 1:49PM
Tom McIlroy

Refugee rights protesters have interrupted Prime Minister Malcolm Turnbull's first major speech since the election, calling for offshore immigration detention camps in Papua New Guinea and Nauru to be closed.

Mr Turnbull had just begun a speech to the Committee of Economic Development of Australia in Melbourne on Wednesday when protesters began yelling in the room.

One woman, holding a sign that said "FFS CLOSE THE BLOODY CAMPS" stood about five metres from Mr Turnbull on stage for more than a minute.

The woman refused to leave the stage at the Grand Hyatt Hotel, before being escorted away by security, as the audio of the speech was cut.

Social media reports suggested there were up to eight protesters, chanting "shame on you, close Nauru" and demanding an end to contracts with Wilson Security.

Mr Turnbull quickly returned to the speech and yelling from inside the room died down.

Protesters were escorted from the room by Australian Federal Police officers.

The government has faced ongoing domestic and international criticism over offshore detention efforts this week, after more than 2000 incident reports about abuse, self-harm and neglect of asylum seekers and refugees on Nauru were leaked to the media.

Mr Turnbull's office has been contacted for comment

<http://www.canberratimes.com.au/federal-politics/political-news/refugee-protesters-interrupt-malcolm-turnbull-economic-speech-20160817-gguk8b.html>

11. Guerilla protesters leave Malcolm Turnbull speechless in the ballroom

Canberra Times
Tony Wright
August 18 2016 - 8:30AM

Malcolm Turnbull had barely got through his predictable declaration that Australia needed a clear economic plan to secure its future; the high-powered audience was happily digging in to the remains of its luncheon dessert, a chocolate confection with icecream ... when the whole enterprise turned to custard.

At the tables reserved by the Committee for Economic Development (CEDA) for the media, chairs were tossed back and earnest young people leapt to their feet, shouting.

With dessert spoon poised in mid-air and icecream melting, I suddenly understood why I had not recognised the journalists at our table, or those adjoining.

Few of those wearing media badges were actually journalists.

Despite their business suits, quiet demeanour and carefully combed hair (which, combined, should have been a dead giveaway), they were all undercover rebels, and their rebel-yell was already deafening.

"Malcolm Turnbull, shame on you! Shut down Manus and Nauru," they cried, running hither and thither, dodging security guards, thrusting arms in the air and causing general startlement to Melbourne's gathered money-shakers.

The Prime Minister looked momentarily thunderstruck before being struck actually mute. Someone had turned off his microphone.

A woman brandishing a large placard clambered on stage right next to Mr Turnbull and began shouting words that might once have made a sailor blush. "Fer f....'s sake," she hollered. "Close the bloody camps."

In case you were deaf, her placard reinforced the message: "FFS, close the bloody camps", it echoed.

For what seemed long minutes, the Prime Minister stood staring at this apparition, apparently barely able to comprehend what was happening. Eventually, a protective agent reached the woman but seemed unable to decide whether to tackle her or reason with her. Eventually, he and others took her arm and marched her offstage.

How she had infiltrated this high-powered crowd armed with a placard - indeed, another woman near the stage waved an identical poster - seemed inexplicable. How others had strolled in with home-made media badges also had no immediate explanation.

This was the Prime Minister's first major economic speech since the election. CEDA had hired the splendid ballroom at the Grand Hyatt at the top end of Collins Street. The moneyed and the large-L Liberals had gathered.

Yet security had been breached. Spectacularly.

Order was restored, but all the wind had gone out of Mr Turnbull's economic manifesto.

Outside, there was still much caterwauling as security tried to clear the building. One of the women demonstrators sat upon the carpet, wailing and complaining, with the loud help of a colleague, of being assaulted. More language that might once have caused a wharfie to go pale echoed around the expensive foyer. The alleged assaultee climbed to her feet and stalked off.

The protesters later identified themselves as belonging to WACA - the Whistleblowers Activists and Citizens Alliance - who want an end to the detention of asylum seekers on Nauru and Manus Island.

Mr Turnbull was not thrilled.

The Prime Minister's Office has demanded a "please explain" from CEDA and Mr Turnbull's office also ordered the Australian Federal Police to provide a full "incident report" by Thursday morning.

<http://www.canberratimes.com.au/federal-politics/political-news/guerilla-protesters-leave-malcolm-turnbull-speechless-in-the-ballroom-20160817-gquvo8.html>

12. More than 100 Nauru and Manus staff call for centres to close

Current and former employees of Save the Children, IHMS and Broadspectrum risk prosecution by signing letter calling for detainees to be brought to Australia

The Guardian
Helen Davidson and Ben Doherty
Wednesday 17 August 2016 06.11 AEST

'This is critical': 103 Nauru and Manus staff speak out – their letter in full
<https://www.theguardian.com/australia-news/2016/aug/17/this-is-critical-103-nauru-and-manus-staff-speak-out-their-letter-in-full>

More than 100 former employees from the Nauru and Manus detention centres have put their names to a letter calling for detainees to be brought to Australia after the publication of the Nauru files.

The letter says a proposed parliamentary inquiry does not go far enough and that many of them have already given evidence to past inquiries and investigations.

"This has reached crisis level and requires an immediate response," said Toby O'Brien, a former child protection officer for Save the Children. "The evidence is already overwhelmingly clear."

The letter follows one by 26 former Save the Children Workers, who publicly spoke out against offshore detention last week after the Guardian published the Nauru files. Many could face prosecution under the as-yet-unused Border Force Act which criminalised the disclosure of information about the centre by employees.

In addition, more than 1,800 academics from universities across Australia have signed an open letter to the prime minister and to all MPs calling for an end to offshore processing, boat turnbacks and mandatory detention.

The letter also argues Australia must work with other states in the Asia-Pacific region to create a regional refugee resettlement framework based on equity, capacity and responsibility, and contribute towards making the international system more sustainable.

The academics, from universities across Australia, have called for a national policy summit bringing together asylum seekers, refugees and former refugees, migrant and refugee advocates, policy experts, community representatives and politicians from all parties to create "a more just and humane approach to refugees".

The Nauru files revealed the contents of more than 2,100 incident reports from a time period of just over two years on Nauru. More than half the incidents involved children, and many related to actual and alleged abuse.

Among the revelations was evidence that Wilson's Security failed to disclose information to a Senate inquiry, and that the immigration department ignored unanimous advice from service providers to reunite a rape victim with her family.

"We've given evidence and it's been ignored," said Natasha Reid, a former case manager with the Salvation Army and Broadspectrum on Nauru.

"No change has occurred for the men we worked with since the last Senate inquiry. The camp is not safer, conditions have not improved, the physical and mental decline of those held continues."

Last week the immigration minister, Peter Dutton, dismissed the reports as being hyped and about incidents already known, and he alleged many were false. Dutton also accused asylum seekers of self-immolation purely to get to Australia.

Chris Loughheed, deputy education manager with Save the Children, rejected Dutton's statements. "These reports are accurate observations written by experienced professionals," he said.

"People are in immediate danger. Too much time has already passed. The Australian government must take responsibility and bring them here immediately."

Shivani Keecha said there were several investigations and inquiries held while she worked on the island as coordinator of Save the Children's child protection team in 2015.

"Nothing changed. It was already too little too late. We don't need more evidence. We know these centres cause unacceptable harm. We need to bring these people to Australia and start the process of rebuilding their lives."

A psychologist who worked in the centre but is not known to be a signatory to the letter told Guardian Australia the reality was far worse than the files revealed, and he was personally aware of a number of severe cases and incidents which had not appeared.

He said any written request for an asylum seeker to speak with a counsellor or psychologist would see them sent to him. "One of the things I experienced while there, and why I was so traumatised, was I would say 98% of the people I dealt with were suicidal," he told Guardian Australia.

"I saw perhaps six or seven people a day. If I saw seven people six of them were suicidal." He said in his usual practice on the mainland he would ordinarily see two to three a year.

The psychologist said one incident between two detainee families, which saw one moved to Australia, sparked some conversations among detainees about getting transferred. "There was this general conversation around that's how you get to Australia, you accuse someone of a crime and you get shifted to the mainland."

But he said because of this talk there grew a "culture of disbelief" and immediate suspicion, which he said was "horrific given the number of times people actually were being assaulted or abused".

"Virtually every person I was seeing wanted to end their life," he said. "Adults, children, teenagers. This constant story of: I want to die, I don't want to be here, I want to end my life."

"From an ethical point of view my job is to advocate for people and empower them, to end their suffering, but what needed to happen to end their suffering was out of my control."

Prof Louise Newman from the University of Melbourne said Australia needed to comprehensively reform its laws around and attitudes towards those seeking asylum in this country.

"There is an urgent need for a national conversation to endorse a new way for treating people seeking asylum in Australia. We need comprehensive law reform."

The group behind the academics' letter, Academics for Refugees, has also published a policy paper on alternative policies.

Australia's unique policy of mandatory detention of all asylum seekers who arrive by boat (it does not apply to those who arrive by plane) has been government policy since 1992. It presently has bipartisan support.

On Tuesday the Nauruan government, which did not respond to any requests during the Nauru files reporting and publication, said the refugee claims were "fabricated" and being used to suit a political agenda.

<https://www.theguardian.com/australia-news/2016/aug/17/more-than-100-former-nauru-and-manus-staff-call-for-centres-to-close>

13. Hundreds of protesters target Turnbull and other MPs over Nauru files

Christian movement Love Makes a Way holds vigils outside MP offices calling for the closure of detention centres on Manus Island and Nauru

The Guardian

Elle Hunt

Monday 15 August 2016 12.42 AEST

The organisers of a Christian movement calling for an end to offshore detention have described renewed commitment to the cause after the publication of leaked incident reports from Nauru.

Vigils were held at federal politicians' offices across Sydney on Monday morning, calling for the immediate closure of Australia's offshore immigration detention centres.

The action was organised by Love Makes a Way, a Christian advocacy group, in the wake of the Guardian's publication of the Nauru files last week.

About 40 people gathered outside the electorate office of the prime minister, Malcolm Turnbull, in Edgecliff from 8am, coinciding with similar vigils at Labor and Liberal politicians' electorate offices around Sydney.

The small crowd was led in a chant of "the arc of the moral universe is long but it bends towards justice", a quote from Martin Luther King, before a moment of silence and prayer for a change of the government's detention policy.

Paper dolls inscribed with quotes from the leaked incident reports were taped to the entrance of Turnbull's office to symbolise people who had sought asylum in Australia and were being held in detention.

Matt Anslow of Love Makes a Way said the Nauru files were "explosive" evidence of the frequency and extent of abuse in detention on Nauru.

"We need to put pressure on the government and the opposition to find a solution to this problem – to shut down the camps," he said.

"The impact has been significant from what we've seen so far – just the clarity of the data has made people want to get up and do something."

He said though abuse in detention had been widely reported on, the "sheer extent" of the problem on Nauru as revealed by the incident reports had prompted people to take action. "I think it's getting people off the proverbial couch."

Similar events were held outside the electorate offices of more than 30 federal politicians, including Tanya Plibersek's in Broadway, Anthony Albanese's in Marrickville, Matt Thistlethwaite's in Maroubra and Tony Abbott's in Warringah.

The gathering outside Plibersek's office attracted at least 40 people.

But the divisive nature of the issue was highlighted by the response of some passersby. Michael Frost, a supporter of Love Makes a Way, tweeted that a Muslim schoolgirl who attended the vigil in Warringah had been told to "go back to where you came from". A man walking his dog passed the gathering in Edgecliff referred to the offshore processing centres as "war camps" and said loudly, "Keep the camps open".

Love Makes a Way was founded in 2014 with a sit-in prayer vigil at the office of the then immigration minister, Scott Morrison. Anslow said it had begun a movement of "fairly unorthodox or radical action". Over the past two years almost 300 people had been arrested at events organised by Love Makes a Way.

There was a small police presence outside Turnbull's office on Monday morning but no representative of the prime minister.

"In a way you don't expect politicians to respond immediately – they want to try to act like things are under control," Anslow said. "I think this level of pressure from the community is felt, even if it's not admitted."

He said there had been a change in tone in politicians' discussion of detention. "A couple of years ago no one wanted to talk about the morality of it ... It means there's pressure to be seen to be treating people humanely."

Protests were also planned at the Brisbane offices of the Department of Immigration and Border Protection and the Perth electorate office of the foreign minister, Julie Bishop, later on Monday.

Anslow said Love Makes a Way had more than 40 actions planned throughout the week in the lead-up to a rally on 27 August.

<https://www.theguardian.com/australia-news/2016/aug/15/hundreds-of-protesters-target-turnbull-and-other-mps-over-nauru-files>

14. Scott Morrison says he followed Tony Abbott's orders on Malaysia solution

Canberra Times

August 18 2016 - 10:44PM

Mark Kenny

Tensions are rising in the government after Treasurer Scott Morrison distanced himself from the Coalition's most aggressive political act against Julia Gillard's minority government in 2011: the decision of the Abbott opposition to block the Malaysian "people-swap" solution.

In surprisingly frank comments set to deepen antipathy between Mr Morrison and the Liberal Party's conservative right faction now led by Mr Abbott, Mr Morrison, who had been shadow immigration minister, said the rejection in the Senate of the Labor government plan to stop the boats, was down to Mr Abbott alone.

"I acted in accordance with my leader's instructions," Mr Morrison told Sky News when pressed on the reason the opposition had refused point-blank to legislate the scheme at the time.

After the High Court ruled its first incarnation was invalid, the Labor government had sought opposition or Greens support to pass enabling legislation in the Senate.

Both refused.

The arrangement signed off with the Malaysian government would have seen a random selection of up to 800 asylum seekers who arrived by boat, transported to Malaysia in exchange for Australia settling 4000 accredited refugees.

The government was acting in accordance with the best advice from the Department of Immigration, which said the scheme would act like a "virtual towback".

Citing that advice, Labor argued asylum seekers could not be sure of staying even if they overcame all of the perils of a long sea voyage and made it to the mainland. Some would end up back where they had started, having lost the thousands of dollars paid to people smugglers.

Yet despite strenuous government pleas at the time and significant concessions sought and granted, the Abbott opposition remained utterly defiant, condemning the arrangement outright as ineffective and as inhuman.

A succession of Liberals welled with tears as they spoke of children suffering and of conveying to relatives news of family members lost at sea.

Yet some 582 boats carrying 38,890 souls came to Australia in the aftermath of the Malaysian deal's demise, resulting in far more suffering and perhaps more than 600 asylum-seeker drownings from vessels that failed to make it.

Last week, Mr Abbott stunned the political community by admitting the decision to block the Malaysian proposal may have been a mistake. He told a forum in Adelaide that even though he still harboured doubts about whether it could have worked, its frank rejection had exacerbated the hyper-partisanship in those years and that such an atmosphere persisted to this day.

"I wonder, though, about the former government's people-swap with Malaysia . . . I doubt it would have worked" he had said.

"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."

Responding to Mr Morrison's most recent comments, a spokesman for Mr Abbott simply denied the suggestion that the then opposition leader had given orders to his hardline immigration spokesman.

"The speech didn't say that our decision on the people-swap was wrong, it said it had been a line-ball call," the spokesman said. "And like all policy decisions, it was a team effort."

The airing of this difference is the latest expression of deep tensions within the government between the conservatives loyal to Mr Abbott on the one hand and Mr Morrison, whom they accuse of abandoning the former prime minister last September in exchange for promotion to the Treasury portfolio under Malcolm Turnbull's new leadership.

Labor's inability to stop the surge of boat arrivals was a key factor in the bitter uncompromising politics of the Gillard term, with the Coalition prosecuting a relentless attack over each arrival and charging that the government had created a porous northern maritime border over which it had relinquished any effective control.

<http://www.canberratimes.com.au/federal-politics/political-news/scott-morrison-says-he-followed-tony-abbotts-orders-on-malaysia-solution-20160818-gqvroz.html>

15. Peter Dutton says six people returned to Sri Lanka after boat arrival tipoff

Immigration minister says authorities were 'ready and waiting' for vessel trying to reach Australia

The Guardian

Paul Karp

Wednesday 17 August 2016 10.37 AEST

The Australian government has returned six Sri Lankans attempting to reach Australia by boat, the immigration minister has said.

On Wednesday Peter Dutton confirmed the government had returned the group after "recently intercepting a people-smuggling venture".

Dutton said the Australian and Sri Lankan governments continued to work closely on the issue of boats trying to reach Australia.

"Our Sri Lankan partners provided advice that this vessel might be targeting Australia so we were ready and waiting to locate and detain the boat," he said.

Boat turnbacks and the return of people seeking asylum remain controversial. Experts and human rights groups, including Amnesty International, argue they do not comply with international law.

Asylum seekers who attempt to come to Australia by boat are typically interviewed at sea by border protection officials and the interviews are then assessed by the immigration department.

In May a human rights lawyer told Guardian Australia a group forcibly returned to Sri Lanka after it reached the Cocos Islands had their claims for refugee status ignored because they were only asked cursory questions including their names, where they came from and why they came.

Asylum seekers returned to Sri Lanka routinely face court on charges of illegally leaving the country, such as the group returned in May who were immediately arrested.

Several reports have alleged that asylum seekers returned from Australia to Sri Lanka have faced arbitrary arrest, persecution, police brutality and torture.

The return of the Sri Lankans comes after Guardian Australia published more than 2,000 leaked reports detailing assaults, sexual assaults and self-harm in Australia's offshore detention centre at Nauru.

The Nauru files have led to calls for a parliamentary inquiry and to close offshore detention.

Legal academics and migration experts, including Frank Brennan, have argued the policy of turnbacks make punitive detention unnecessary to deter dangerous boat journeys.

Dutton said the return of the six Sri Lankans "shows that there has not been, and will not be, any change to Australia's robust border protection policies".

"We have worked cooperatively with Sri Lanka for several years now and since Operation Sovereign Borders began in 2013 every Sri Lankan boat that has attempted to come to Australia illegally, has failed," he said.

"People should not believe people smugglers' lies and risk their lives trying to get to Australia in unsafe boats; they will be turned back and will have wasted their money."

<https://www.theguardian.com/australia-news/2016/aug/17/peter-dutton-says-six-people-returned-to-sri-lanka-in-boat-turnback-operation>