

Project SafeCom News and Updates

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1. Bernard Keane's Year in review: denialism and demonisation in an anus horribilis

Relying on demonisation and denialism to achieve power comes with a terrible price -- as 2016 showed across the West.

Crikey
23 December 2016
Bernard Keane

“Did I ever tell you about the man who taught his asshole to talk?”
William S. Burroughs

Last week, Prime Minister Malcolm Turnbull ended his political year by declaring that Bill Shorten was not fit to be prime minister because of his “shameless lies”, a move welcomed by the gerontariat at *The Australian* as demonstrating Turnbull was finally “a convert to a powerful negative assault on the contemporary Labor Party”. That the Prime Minister had donned his predecessor’s boxing trunks and taken to swinging haymakers at a punching bag adorned with the face of his Labor opponent was a fitting symbol of both his ever more Abbottesque prime ministership, and of 2016.

Where to start with this shocking year of so-called post-truth politics?

In *Naked Lunch*, William S. Burroughs relates the cautionary tale of a man who teaches his arsehole to speak, initially as a “novelty ventriloquist act”, but things turn grim as the orifice first learns to speak on its own, then develops teeth to “eat its way through his pants and start talking on the street, shouting out it wanted equal rights”, before the man’s mouth seals over and he is rendered mute while his arsehole yells at the world.

“For a while you could see the silent, helpless suffering of the brain behind the eyes, then finally the brain must have died, because the eyes went out, and there was no more feeling in them than a crab’s eyes on the end of a stalk.”

It’s an apt tale for an annus horribilis.

Something that’s become ever more apparent since the victory of market economics in the West is that the individualism and materialism at the heart of neoliberalism isn’t enough for most people. For all the criticism of “neoliberalism”, as variously misinterpreted by the left, few critics have been perspicacious enough — my colleague Mr Rundle is one such — to see its crucial flaw: that however much economic benefit might flow from rejecting communitarian economic policies in favour of individualism and an unfettered market, some form of binding social and cultural glue is still needed beyond material wealth — perhaps needed more than ever. And particularly needed when the economic system stops delivering growing material wealth to most citizens.

Traditionally for the right, that glue, the communal value set, has been a tribal loathing of the Other. It’s sometimes wrapped up in the flag and military fetishism, but often more overtly targeted. Even in a country like Australia that has more pursued neoliberal economics more successfully than nearly any other country, a tribalist demonisation of the Other has been a persistent social and cultural theme from the right. And that theme was the driving force of the events of 2016, in a way not seen for many decades in the West.

The Other can take many forms, of course, but uncontrolled immigration, or immigration seen as uncontrolled, delivers a ready-made target. In Australia, asylum seekers have served as Other with distinction, but since the Abbott government Stopped The Boats and dumped refugees in open-air Pacific rape camps, Australia’s Muslim communities have also done yeoman service as a fill-in threat to Aussie families. Ditto, and more so, elsewhere: Muslims and Mexican illegal immigrants served the same purpose for Donald Trump (along with the more nebulous economic threat of the People’s Republic of Gina), while in the UK, EU immigration — and fears that the great tide of illegal immigration from Africa entering Europe poses a threat to the UK — have served a similar purpose.

Nor is the tactic by any means confined to the right: historically, unions and the ALP have not been fond of high immigration or refugees either, from an employment and wages perspective, and the ALP marked 2016 with its own successful campaigns against 457 visas (itself a reheat of a less successful 2013 effort, when Julia Gillard took up the battle cry of “they take our jerbs”). But the right tends to extend xenophobia beyond merely economic concerns to fears of interracial sex. Mexicans are rapists, Trump famously said; British women would be subject to “mass sex attacks” by migrants if the UK stayed in the EU, said UKIP leader and time traveler from a Carry On film Nigel Farage, drawing on the mass sexual assaults on women by refugees in Cologne at the start of the year (to which some on the left could only respond by worrying that the right was “stealing feminism” by exploiting the attacks). And in 2016, the right more effectively exploited immigration in the UK, the US and Australia to leverage political success of varying kinds: Brexit in the UK, the election of Donald Trump in the US (both cases of elite establishment figures effectively exploiting racism to tap into economic resentment) and the re-emergence of an openly racist political party in Australia, one that is likely to see greater political success before it fragments again.

But despite the triumphant electoral march of the right this year, we also saw the problem in all this. The right has relied on tribal demonisation ever more in recent years, either in order to delegitimise progressive political opponents (e.g. Obama, Gillard) or for the more traditional reason that they themselves have not been able to deliver economically for the great bulk of

the population. And the more the right has relied on this tactic, the more atrophied its capacity to govern has become — the more it has become only about attacking the Other. The tactic has become the strategy, and then a goal unto itself.

We saw this in three different ways in 2016.

First, the reliance on demonisation and delegitimation has emboldened and normalised the lunatic fringe of right-wing politics. Hate speech and wingnuttery are now (re-)established in political discourse in Australia: anti-Semitism, homophobia and Islamophobia are routinely peddled within Parliament, and conspiracy theories are touted as fact. Even the Abbott years of “ditch the witch” never saw the like: Sandy Hook truthers given the run of Parliament House to warn of climate change conspiracies, Muslims routinely vilified, flat Earther legal theories solemnly debated. So emboldened is the far right of the Coalition that some are talking of splitting off and forming their own Party For Straight White Males, who are portrayed as downtrodden victims of (yet another) conspiracy of Political Correctness Gone Mad, in a world where 18C is the most crucial issue confronting the nation.

Second, the right’s capacity to communicate anything other than demonisation and delegitimation has almost vanished through underuse. Tony Abbott was a superb example of this: brilliantly negative in opposition, he proved unable to communicate a positive message in government and when under pressure reflexively defaulted to attacking Labor rather than leading the country. Donald Trump, similarly, offered virtually no policy detail of any kind during his election campaign beyond the threat to all those deemed Other that they were about to get their comeuppance. Similarly, the hapless government of Theresa May has proven unable to offer a coherent policy agenda other than attacks on foreign workers — and remember May is only there because Boris Johnson was so inept at communicating anything other than an avuncular vilification of the EU and immigration that he realised his own party wouldn’t have a bar of him.

The same condition has struck Turnbull, too, producing a genuine political tragedy. Once Australia’s most eloquent political communicator, who spoke to voters like they were thinking adults, a man who aimed high when talking to the electorate rather than a lowest common denominator of talking points, Turnbull has undergone the same devolution that struck Julia Gillard on her ascension to the prime ministership. He’s lost a once-feared ability to cut through and present a clear argument — making him synonymous with waffling, peculiar slogans and a dithering indecisiveness, leaving us clueless as to where exactly Turnbull wants to lead Australia. Leather-jacketed Moderate Malcolm has long since disappeared, but far more problematically, the brilliant former barrister and Australia’s most quotable political figure has vanished with him.

Thirdly, the actual process of governing has proven far more difficult than anticipated for the right. When you are focused on demonisation and delegitimation, facts are a trivial aside, if not a hindrance. But governing effectively relies on accepting and then working with facts. And it has proven difficult to seamlessly shift from denialism and delusion back to evidence-based policy. The May government in the UK, for example, has struggled to even work out exactly how it is going to exit the EU, let alone what will happen once it has completed that process. And the Turnbull government has proven almost as comically inept as its predecessor, with a string of debacles across the year: the state income tax proposal proudly unveiled and then euthanased within 36 hours, the Senate reform process and double dissolution strategy that yielded an even more hostile crossbench and the return of One Nation, the ongoing NBN debacle; the much-vaunted ABCC turned into a protectionism regulator, Scott Morrison being kept in the dark about the date of his own budget, the climate action review that was nobbled within hours of being announced. That’s far from a complete list, and it omits the serial disasters of George Brandis, a figure torn from the pages of a limp 1991 Fast Forward sketch and sent careering Mr Magoo-like through an already chaotic government.

The government’s economic performance, in particular, has been plagued by stubborn facts: the government continues to run massive deficits despite taxing at a much higher level than Labor ever did, because it is spending at a sustained level well above that managed by Labor (all of which is Labor’s fault, somehow). But despite this resolute Keynesianism, the economic has struggled to reach trend growth and actually went backwards for the first time in years in 2016. Worse, the government has presided over an extended period of wage stagnation that provides a tangible sign to voters that the economy is no long delivering the kind of gains in material wealth that are the chief promise of neoliberalism.

The result in Australia is this bizarre creature, the Turnbull government, in office but not in power as Tony Abbott observed (as always, devastating when playing negative) — incapable of articulating a coherent agenda or economic vision, much less addressing major challenges like the budget deficit, housing affordability and climate change. But it does have Burroughs’ talking arsehole, one that screams out for equal rights for straight white men — 18C reform, vilification of Muslims, denunciations of climate change conspiracies, abuse of LGBTI people.

This is the consequence of what is incorrectly called “post-truth” politics — something Turnbull, hilariously, railed at recently, as though he hasn’t been an enthusiastic post-truther himself when deemed necessary. But one can no more be post-truth than post-existence. Not merely does reality prove stubbornly resistant to denial but denialism, in all its forms, is corrosive of reason and judgment, rusting away one’s capacity to think rationally, degrading one’s ability to absorb information, undermining one’s faculty for fruitful debate. And such are the necessary, though not sufficient, mechanisms for governing competently.

Worse, constant demonisation hasn’t proved consistently successful. The Coalition felt it also had to steal the left’s economic communitarianism, embracing protectionism and xenophobic investment policies. This cleverly links with the program of demonisation by privileging the demographic group that demonisation is intended to appeal to, working class white voters and especially working class white males, but it renders the government’s economic agenda entirely incoherent. The government

is for free trade and free investment but also for industrial protectionism and a white Australia foreign investment policy. As with Trump, who has preached protectionism but is staffing his administration with hardline neoliberals, this theft of the left's economic irrational fantasies is more fig leaf than substance — but it is an extraordinarily expensive fig leaf. Tens of billions of dollars are to be wasted on a local 2800-job submarine project — almost as if the Coalition hoped to outdo in gross inefficiency Labor's automotive protectionism policy.

But this, too, will fail. The days of the manufacturing sector employing 20% of the workforce are moving beyond living memory; it currently employs less than 8%. Australia is increasingly a successful services economy and white working-class males will have to adjust to it; no level of government interventionism can send us back to 1970, however much trade unions, South Australians and political populists wish it. All that will do is make us poorer — except for those clever enough to latch onto the public teat.

And despite the success of the right this year, none of this augurs well for 2017: an incompetent, denialist Trump administration is likely to emerge, while an incapable, listless Turnbull government obsesses about obscure issues and tries to delegitimise Labor, presiding over tepid economic growth and a fiscal problem that keeps stubbornly getting worse. There is no reason to think that we will see anything but a further vicious circle of demonisation, incompetence and resentment. And sometimes, if you're looking closely, you'll see something at the Prime Minister's press conferences. Blink and you'll miss it, but once in while you can see that "silent, helpless suffering of the brain behind the eyes" of a government that taught its arsehole to talk.

<https://www.crikey.com.au/2016/12/23/year-review-denialism-demonisation-anus-horribilis/>

2. Cabinet archives 1992-93: Forget Tampa, boat people panic began under Keating

Sydney Morning Herald
Januari 1 2017 - 12:15AM
Markus Mannheim

"[A]ny softening of approach by the government in relation to unauthorised arrivals in this country, including their custody, will be an invitation to persons without genuine claims to pursue the same route."

This warning against boat people echoes the politics of Tony Abbott's "stop the boats" campaigns of 2010 and 2013, and the so-called "Tampa" election of 2001, won by John Howard after his government tried to stop a boatload of refugees from reaching the Australian mainland.

Yet the words belonged to then Labor immigration minister Gerry Hand in April 1992, who implored his cabinet colleagues to introduce mandatory detention of asylum seekers who arrived by boat.

Newly released cabinet archives show that Mr Hand, from Labor's Left faction, also warned that, if the government failed to "maintain strict border controls and regulate who is allowed into the ... community, there is a grave potential for Australia to become an easy target for spontaneous mass movement".

The "crisis" of 1992 that led to mandatory detention was prompted by nine boats carrying 438 mostly Indochinese asylum seekers, who had reached Australia over the preceding 26 months. Most were from Cambodia.

By comparison, almost 38,000 boat people arrived in 2012 and 2013 alone.

A small group of boat people during the early 1990s had challenged a decision to deny them refugee status. Fearing how the courts might react, Mr Hand told cabinet that detention was necessary while asylum seekers' claims were checked.

"Once these people have entered the communities of the host country and have stayed there for several years, their claims to remain permanently are influenced by factors unrelated to the original claims for refugee status such as marriage and other compassionate or humanitarian grounds," his cabinet proposal reads.

His policy, eventually adopted, also allowed the government to detain any asylum seeker who had arrived in the previous two years. However, Mr Hand said he would limit detention to nine months and ensure that refugee claims were processed more quickly.

The released cabinet minute does not document how individual ministers reacted to the proposal, which was highly controversial among human rights and some legal groups.

However, it had the support of the departments of Attorney-General's, Foreign Affairs, Treasury and Finance.

The Attorney-General's Department's main concern was how to sell the policy to the public. It said it was "essential that at the time the legislation is introduced careful consideration be given to explaining the need and justification for this legislation".

The only hint of public service criticism appeared to come from prime minister Paul Keating's department.

It warned that laws "designed to deprive a person of a right to challenge the legality of his or her continued detention should be a measure of last resort and only used in circumstances that can be justified on clear public policy grounds".

"While the department is sympathetic to the minister's situation, it is clear that any government action motivated by a desire to facilitate the proper processes will be the subject of intense public scrutiny and criticism.

"Whatever the real reasons, there exists a public perception that the current situation of the boat people (some of whom have been in detention for over two years) has resulted from government inaction."

Public debate has moved on in the 25 years since. Mandatory detention of asylum seekers is now relatively uncontroversial in Australia, which sends all boat-borne refugees to other countries.

<http://www.smh.com.au/federal-politics/political-news/cabinet-archives-199293-forget-tampa-boat-people-panic-began-under-keating-20161228-gtiuib.html>

3. Keating minister said Australia could be 'easy target' for asylum seekers

Immigration minister Gerry Hand warned in 1992 of 'spontaneous mass movement' and argued for strict border controls

The Guardian
Gabrielle Chan
Sunday 1 January 2017 00.01 AEDT

In 1992 the immigration minister Gerry Hand argued that there was grave potential for Australia to become an easy target for spontaneous mass movement unless the Keating government introduced mandatory detention of asylum seekers.

In an echo of later arguments used by the Howard government, Hand said there was immense migratory pressure worldwide in the early 90s and the asylum route was being increasingly used as a way around immigration processes.

"If Australia does not maintain strict border controls and regulate who is allowed into the Australian community, there is a grave potential for Australia to become an easy target for spontaneous mass movement," Hand argued in a submission to cabinet in April 1992.

He noted an increase in boat arrivals – nine boats had arrived carrying 438 people in just over two years before the cabinet discussion.

The 1992-93 cabinet documents released by the National Archives also show the Keating government was trying to resolve the backlog of refugee applications after the decision by Bob Hawke to let Chinese students stay in Australia after the Tiananmen Square massacre in 1989.

By the end of 1991, there were 23,081 refugee applications awaiting processing, including 16,512 from China.

While the documents show the submissions, they do not record the responses or the debate within cabinet, apart from the final decision. During this time, the cabinet agreed to reaffirm the 50-year rule on the cabinet notebooks that record such debates.

But the submissions marked a distinct change of approach by the Australian government, with cabinet agreeing in the same year to cut the annual migrant intake for 1992-93 from 92,000 places to 80,000.

This approach was also reflected in the crackdown on asylum seeker applications. Hand noted that China was emerging as a major source of illegal migration and said US reports had exposed multimillion-dollar people-smuggling rackets, which were causing the increase in asylum seeker claims. He said between 1983 and 1991 there had been a 730% increase in claims in 16 countries.

The Keating cabinet agreed to change the migration laws to enable all people who arrived by boat between 20 November 1989 and 1 December 1992 to be held in custody for no more than nine months. It also allowed for those who were refused refugee status to be removed from Australia.

Hand argued that it was "undesirable" for asylum seekers to be released into the community because soon other factors would influence their claims, such as marriage or other "compassionate" grounds. He was concerned the government would lose control over asylum seekers and they would "disappear" into their communities.

"I propose that there be an effective legislative mechanism which allows for these persons to be subject to a single custodial arrangement," he told cabinet in a submission.

Hand was concerned that courts would find the government detention invalid in some cases.

“Due to the complicated circumstances surrounding the arrival of the boats, we cannot rule out the possibility that a court might ultimately find custody invalid in some cases and order the person’s release,” the minister wrote. “Of equal concern is the possibility of a court simply exercising its general discretion and releasing these people and others, in the future, into the community.”

Hand wanted – and got – powers to ensure that if a court ordered the release of asylum seekers before the Migration Act was changed, the government would be able to take the person back into custody.

The minister also instituted changes designed to increase the efficiency of asylum seeker processing. Hand’s issue was that, while he needed to clear the backlog of claims, he felt that a group decision on the Chinese students might increase the numbers claiming asylum from China and contravene Australia’s international obligations.

The prime minister’s department and Treasury argued against this view, mostly on the grounds of cost and administrative burden.

In commenting on Hand’s submission, the prime minister’s department wrote: “This department is not convinced by the argument that such a decision would increase Australia’s vulnerability to boat arrivals from the PRC [People’s Republic of China].

“The possibility of this has always been present and did not occur at the time the 20 June 1989 PRC group was given 4 year TEPs [temporary entry permits].”

• Cabinet records for 1992 and 1993 held by the National Archives of Australia reach the open access period on 1 January 2017. Information about the cabinet records and copies of key cabinet documents, including selected submissions and decisions, are available on the archives’ website

<https://www.theguardian.com/australia-news/2017/jan/01/keating-minister-said-australia-could-be-easy-target-for-asylum-seekers>

4. Australian kids draw 'welcome' artworks for newly-arrived migrants and refugees

ABC News Online

First posted 24 Dec 2016, 7:01am

Updated 26 Dec 2016, 9:23am

IMAGES: INCLUDED ON ABC website

Thousands of Australian children have welcomed refugee and migrant children "with open arms" in heart-warming messages intended for all new arrivals to the country.

The ABC's television news program, Behind the News (BtN)— in conjunction with non-partisan not-for-profit group Welcome to Australia — invited kids in September to send in original artwork that illustrates what people loved most about living in this country.

According to BtN's series producer Nathan Bazley, the result was "overwhelming", with the program receiving 12,134 hand-drawn colour pictures from the kids of Australia. The BtN team is currently sifting through the mass of artwork and will pick their favourite 100 designs to be published in the BtN Welcome Book.

Some of the responses from the children have included drawings of people playing cricket on the beach, a hashtag advising all new arrivals #YouNeedToVisitTheBeach and a message stating that "we're honoured to have people like you in our country".

Some of the artworks have been included below and are also available on BtN's website under Welcome Book gallery.

Refugee or migrant families who come to Australia are given a welcome pack but, while it contains a lot of important information for parents, there is nothing for their kids.

The drawings are a way of giving refugee or migrant kids "a very personal and friendly welcome to their new home country," BtN said.

"When I arrived to Australia in 2003 as a refugee, we had the most dignified warm welcome any family could ask for," chief executive of Welcome Australia Mohammad Al-Khafaji said in a statement in September.

"I found a beautiful picture with the message 'welcome' in our house. That small act of kindness brought tears to my eyes as a 13 year old and that message was the most powerful gesture to welcome us to our new country."

<http://www.abc.net.au/news/2016-12-24/aussie-kids-draw-'welcome'-artwork-for-migrants,-refugees/8145980>

5. Manus Island: Australia's dirty little secret

Sydney Morning Herald
January 6 2017 - 5:54PM
Michael Gordon

"They deserved what they got!" Ronny Knight, one of PNG's more outspoken politicians, told me this week after two asylum seekers were bashed senseless by police on Manus Island.

But it was the reaction on social media that said more about the macabre tragedy that has been unfolding on one of Papua New Guinea's most remote islands for more than three years.

Predictably, Knight was assailed by Australians sympathetic to the plight of refugees and outraged by his disregard for two men who had suffered a frightful beating.

Just as predictably, Knight did not budge from his assertion that the men were drunk, behaving badly and resisting arrest. "Anyone in PNG behaving like that expects it. THIS IS PNG NOT AUSTRALIA," he thundered in a tweet.

There was a sub-plot, too, where Knight took aim at Behrouz Boochani, the Kurdish Iranian journalist who is one of around 1000 asylum seekers well into their fourth year of limbo in PNG.

Boochani visited the two men at the police station on New Year's Day, posted photographs of their battered faces and bodies and reported their emphatic denial that they were drunk or abusive before they were beaten.

Knight responded on Twitter, claiming Boochani was wrong about the innocence of the two men, had his own agenda and faced arrest for lying and insulting police. Their fates are now in the hands of the magistrate.

His tone became even more provocative when three more asylum seekers were charged with being drunk and disorderly and resisting arrest the next day. The Manus court system, Knight declared, was now being flooded with these cases.

Boochani was non-plussed. "I deeply understand the local people and know why they are angry and upset with the refugees," he said. "Their society does not have capacity for accepting 1000 men. They are victims, like the refugees."

What the furore did was lift the lid on tensions that have been building since the detention centre was declared unconstitutional by PNG's highest court last April, forcing authorities to allow detainees to come and go during daylight hours and have access to mobile phones.

It also underscored the danger of stereotyping the detainees, those whose job it is to guard and protect them and the locals who subsist on what they grow, catch and trade and speak almost 100 languages.

Just as there are compassionate security guards and dedicated health professionals, there are asylum seekers who have misbehaved since the gates were opened and the temptations of marijuana, home brew and local women presented themselves.

Boochani recently took issue with one angle in a feature by New York Times writer Roger Cohen that appeared under the headline, "Broken men in paradise: The world's refugee crisis knows no more sinister exercise in cruelty than Australia's island prisons".

"The danger of representing the men incarcerated on Manus as broken is that the more nuanced truths of life and self are lost," he co-wrote with writer and trauma worker Janet Galbraith, who is on Manus Island.

The truth is the Manus detainees are a mixed bunch, including writers, artists and professionals; men so traumatised they still refuse to leave their rooms after the violence that engulfed the centre in 2014; and some who drink too much and chase women; those who consider themselves the walking dead and those who retain the capacity to dream and hope.

What was remarkable was the furore attracted not one word of commentary from Australian politicians, Coalition and Labor, who assert the indefinite detention of asylum seekers on Manus and Nauru has been a critical factor in stopping the boats.

It was almost the same the previous week, when Faysal Ishak Ahmed died on Christmas Eve, days after being turned away from the detention centre's medical facility and, he reported to his friends, told there was nothing wrong with him.

When the issue was broached fleetingly with Malcolm Turnbull on Christmas Day, it was in another context altogether. The Prime Minister was asked to comment about reports of a disturbance in the centre after Ahmed's death. Turnbull responded with the familiar lines about making no apology for protecting Australia's borders.

Manus, you see, is Australia's dirty little secret, perhaps the ultimate and most morally reprehensible example of the end justifying the means when it comes to public policy.

It is easy for politicians to avert their eyes because it is so very far away, so removed from notions of scrutiny and accountability, and so distant from the everyday concerns of Australians who, in any case, overwhelmingly support a hard line when it comes to border protection.

It is also easy for them to deflect responsibility for the situation we have today, where most of the asylum seekers are suffering from mental illness and less equipped to rebuild their lives than they were when they sought protection from Australia.

One early failure was to foster a positive relationship between the detainees and the local population. Instead, the asylum seekers were told stories of cannibals and deadly diseases, while the locals were warned about dangerous criminals lurking behind the detention centre gates.

But the biggest failure has been not to offer a scintilla of hope to men who, in the majority of cases, have been found to have a well-founded fear of persecution in their home countries. On the contrary, the unrelenting focus has been to pressure them to return, regardless of their refugee status.

The official inquiry into the violence of February 2014 identified several causes of unrest, including frustration about delays in processing, uncertainty about how long detainees would be kept in the centre, and the lack of information about when they might be reunited with immediate family members. All still apply.

Now, the expectation of those on Manus, refugees and locals alike, is that this sad chapter is coming to a climax, though deep uncertainty about what sort of climax it will be. The Manusians want their island back; the refugees want their freedom.

It is almost two months since Turnbull announced an agreement had been reached to resettle refugees on Nauru Manus in the United States, with an initial focus on women, children and families on Nauru.

The Prime Minister also announced that the United Nations refugee agency, the UNHCR, would administer the process, which is the only reason the increasingly anxious Manus detainees have to be optimistic.

As Knight replied to those attacking him on Twitter: "I don't have the solution. Your leaders and PNG also don't. UNHCR is the ONLY mob I can see who can sort this out." The sooner the better.

<http://www.smh.com.au/comment/manus-island-australias-dirty-little-secret-20170106-gtmwfa.html>

6. Eaten Fish: Iranian asylum seeker and cartoonist's refugee claim rejected

Award-winning artist held on Manus Island told he must return to Iran despite severe mental illness

The Guardian
Michael Slezak
Thursday 29 December 2016 13.54 AEDT

Eaten Fish, the award-winning cartoonist and Iranian asylum seeker detained on Manus Island, has had his refugee claim rejected and been told he must return to Iran, despite severe mental illness and Iran refusing to accept asylum seekers who are forcibly repatriated.

In a letter dated 17 October, Papua New Guinea's minister for foreign affairs and immigration told 25-year-old Ali, who goes by the pen name Eaten Fish, that a final decision had been made to reject his application for refugee status.

The letter informed Ali he was now in the country unlawfully and would be detained indefinitely – until he either left voluntarily or was forcibly removed.

Janet Galbraith, an Australian poet and human rights worker who advocates for Ali, said the status determination process was a sham, since Ali was too ill to be able to take part in the interviews and was unable to fully explain his trauma to the authorities.

"Mr Fish has not been well enough to disclose to immigration authorities the information expected of him in order to complete and comply with the RSD [refugee status determination] interview process," Galbraith said.

In a statement passed to the Guardian via Galbraith, Ali said: "I attended all of them [refugee status determination meetings]. I don't remember how many. My memory is not good now but I think there were five important ones but I was sick and couldn't pass it.

"I didn't tell them my story because I do not feel safe to tell them and now they say I am not a refugee and want to send me to Iran, where I will be hanged or keep me in a prison here for a long time."

Galbraith said Ali suffers from post-traumatic stress disorder and severe obsessive compulsive disorder that causes him to wash himself until he bleeds. In one medical complaint seen by Guardian Australia, Ali describes debilitating panic attacks and pain all over his body.

Galbraith said Ali's anxiety is so severe he sometimes collapses and Ali cannot speak publicly about his reasons for seeking asylum for fear that his family in Iran will suffer retribution.

Ali has also complained of physical and sexual assault while in detention. In response to one of his complaints of physical assault by police on Manus Island, International Health and Medical Services (IHMS) said that "physical findings during assessment corroborated resident's claims of assault".

Galbraith said the negative assessment needs to be overturned, since the process was not fair.

"There are so many men in this situation because there are so many incredibly sick men," Galbraith said. "So going through this process is impossible. It's not something they can actually participate in. So they get these negative findings because they are so damaged and so sick.

"What I think, there needs to be recognition of the damage and the fact this so-called process can't happen because of the damage that is being inflicted on these men in the process itself."

A spokesman for the Australian Department of Immigration and Border Protection said: "The processing of asylum claims in Papua New Guinea is a matter for the government of PNG."

<https://www.theguardian.com/australia-news/2016/dec/29/eaten-fish-iranian-asylum-seeker-and-cartoonists-refugee-claim-rejected>

7. Immigration Department spent more than \$1 billion without proper authorisation, independent audit alleges

ABC News Online
By Stephanie Anderson
Tuesday 17 January 2017

The Department of Immigration and Border Protection has been accused of mismanaging offshore detention centre contracts, with an independent audit alleging more than \$1 billion was spent over the last four years without proper authorisation.

A report from Australian National Audit Office (ANAO) detailed "significant shortcomings" in the management of contracts for security and welfare services on Manus Island and Nauru.

It cited \$2.3 billion in payments made between September 2012 and April 2016, which it stated were not authorised or recorded correctly.

"\$1.1 billion was approved by DIBP officers who did not have the required authorisation and for the remaining \$1.1 billion there was no departmental record of who authorised the payments," it stated.

The report further stated that contract variations totalling more than \$1 billion were made without a documented assessment of value for money.

The Immigration Department disagreed with the claim that some payments were not appropriately authorised.

However, a response from Jenet Connell, the department's chief operating officer, acknowledged the lack of documentary evidence around the payments and cited plans to "further embed improvements".

"It is important to recognise the complex environment in which these contracts were established and continue to operate," she said.

"The garrison support and welfare services contracts were originally established during great uncertainty and over the last four years, the department has worked very hard to establish sustainable contract arrangements."

The report comes four months after an earlier audit that stated that the department was unable to demonstrate it had secured value for money in three of the four hiring processes for centres on Nauru and Manus Island.

Department failed to act on mould issues at Nauru: report

The audit report also detailed issues surrounding mould in tents on Nauru and was critical of the department's response.

It stated that the department was warned in February 2015 that the growth on the tents did not meet the Australian Mould Guideline.

Five months later, the department entered an arrangement with Transfield to clean the mould but as of August 2016, no progress had been made in the compound housing single men.

The department's chief medical officer had previously drawn attention to the extensive mould.

In a further statement issued today, the department disputed "that it did not progress work to remediate mould problems at the Nauru RPC".

Greens senator Nick McKim referred to the situation as a "bloody shambles".

"Quite frankly, this audit paints the picture of a department that has gone rogue and needs to be brought to heel, and a minister who is not up to that job," he said in a statement.

"The Australian people deserve accountability. It's their money after all."

In a statement, Immigration Minister Peter Dutton said the report was "another indictment of the Labor-Greens border failures".

"The simple fact is there would be no IMAs (illegal maritime arrivals) in Nauru or Manus had Labor maintained the Coalition's Howard-era policies of border protection," the statement said.

Audit cites discrepancies between departmental, provider records

The ANAO has conducted six audits since 2004 — a period when both Labor and Coalition governments were in power — and each identified shortcomings.

It stated that when viewed together, "the audit findings point to serious and persistent deficiencies in the department's administration".

Record-keeping was highlighted by the ANAO, which said the department "often experienced difficulty" in gaining access to records.

It further stated that the department had not developed "a systematic approach to establishing and maintaining records in support of the contracts".

"For example, the department did not update its asset register and advise Comcover of new facilities in Nauru valued at \$75 million," the report said.

"As a consequence the facility was not insured when it burnt down in a riot in 2013, shortly after being commissioned."

The report also stated there were significant records of incidents in the Nauru and Manus Island centres between 2013 and 2016, with the department and separate services providers producing different numbers of incidents recorded.

The audit also highlighted concerns over video and incident reports, stating that they "did not always reconcile".

"There were records of incidents which noted that video existed of an incident, but no corresponding video," it stated.

"During incidents there were gaps in the recording of incidents."

The department also referred the ANAO to Transfield's subcontractor Wilson Security, which it stated held almost eight terabytes of digital records.

But Wilson Security provided only two terabytes of data to the ANAO, stating "the majority of the footage was unrelated to incidents or investigations within the centre".

<http://www.abc.net.au/news/2017-01-17/audit-alleges-offshore-detention-contracts-mismanaged/8188190>

8. Immigration spent unauthorised \$2.2bn on offshore detention, says auditor

Department chastised for failing to get value for money its handling of contracts and for conditions in the camps

The Guardian

Ben Doherty

Tuesday 17 January 2017 16.56 AEDT

Australia's immigration department spent \$2.2bn on its offshore detention regime without proper authorisation, a scathing report from the government's own independent auditor has found.

The report, published on Tuesday by the Australian National Audit Office, condemned the Department of Immigration and Border Protection for its handling of contracts to run offshore detention, saying the detention regimes on Nauru and Manus held people in unhealthy and dangerous conditions, were wasteful of public money, and damaging to Australia's reputation.

The auditor found the department failed to get "value for money" in running offshore detention: contracts were signed "in great haste to give effect to government policy decisions and the department did not have a detailed view of what it wanted to purchase".

In some cases, private contractors tendering for contracts were invited to suggest elements they would like written into contracts, and contracts were signed before agreement on a price.

In addition the auditor raised safety concerns, finding massive gaps in the video recordings taken within the island detention camps.

The Nauru and Manus camps have been riven by allegations of systemic physical and sexual abuse of asylum seekers by guards, violent incidents, acts of self-harm and suicide attempts. On Manus, one asylum seeker was murdered inside the detention centre in 2014, while in 2015 a staff member was allegedly drugged and gang-raped.

All incidents in detention, where they are recorded by CCTV, are required to be kept by the department. The department told the auditor it had eight terabytes of stored video, but only provided a quarter of that amount.

The auditor found:

--- video and incident records did not always reconcile. There were records of incidents which noted that video existed of an incident, but no corresponding video; and

--- during incidents there were gaps in the recording of incidents.

The auditor also had access to reports from the department's chief medical officer, who reviewed conditions on both Manus Island and Nauru.

"The chief medical officer's reviews have drawn attention to work, health and safety issues relating to the garrison support and welfare services contracts, including: increased risk of infections and disease due to vermin and pests; water pooling; extensive mould and inadequate cleaning of wet areas; inadequate food hygiene; and overcrowded accommodation. The Department of Immigration and Border Protection has often been slow to respond to issues raised by the chief medical officer or service providers."

The auditor highlighted a case where it took 11 months – from January 2016 to December 2016, before the department took any action about mould growing in tents in the Nauru detention centre. Mould remains a problem in the camp, the department says.

Overall, the auditor reported that the department's handling of its offshore processing detention network, "has fallen well short of effective contract management practice".

It found that \$2.2bn was spent by the department on offshore processing without appropriate, or in some cases any, approval. "\$1.1bn was approved by DIBP officers who did not have the required authorisation; and for the remaining \$1.1bn there was no departmental record of who authorised the payments."

"In addition, this audit highlighted further weaknesses in the department's management of procurement. Substantial contract variations totalling over \$1bn were made without a documented assessment of value for money."

The auditor said the Department of Immigration and Border Protection had previously been warned about its profligacy in contracting. In September, the audit office condemned the department for allowing detention contracts to blow out by more than \$1bn without seeking any alternative quotes.

"This audit [in January] has identified a recurrence of these, and other, deficiencies, which have resulted in higher than necessary expense for taxpayers and significant reputational risks for the Australian government and the department."

In response to the auditor's report, department deputy secretary Jenet Connell wrote that it was important for the auditor "to recognise the complex environment in which these contracts were established and continue to operate".

"The pressure placed on the department to simultaneously manage thousands of asylum seekers, negotiate with host governments, engage service providers and operate all the logistics for the regional processing centres, while continuing to manage the immigration detention network in Australia, was immense."

Connell said that the department disputed that more than \$2bn was spent without authorisation. "The vast majority of these payments were fixed monthly contractual fees which are dependent on the number of residents in the RPCs. The department acknowledges that there is a lack of documentary evidence supporting our decisions on approving these payments."

Connell said the department had begun work to remove mould from tents on Nauru.

<https://www.theguardian.com/australia-news/2017/jan/17/immigration-spent-unauthorised-22bn-on-offshore-detention-says-auditor>

9. 'Fallen well short' of standards: Audit slams Immigration Department over Nauru and Manus Island contracts

Canberra Times
January 17 2017 - 3:01PM
Michael Koziol

Billions of taxpayer dollars were handed to the private contractors running Australia's offshore detention centres without adequate authorisation or value-for-money assessments, the Commonwealth auditor has found.

In a scathing report, the Australian National Audit Office said the Immigration Department had "fallen well short" of expected standards in its management of contracts for detention facilities on Manus Island and Nauru.

Out of \$2.3 billion paid over 40 months, \$1.1 billion was approved by officers without the appropriate authorisation and another \$1.1 billion was paid with "no departmental record" of who had authorised the payments.

The ANAO also concluded the contracts themselves lacked effective guidelines and management mechanisms, owing partly to the "great haste" with which the detention centres were established in 2012-13. Many faults persisted in later contracts, the ANAO said.

And in an astounding oversight, the department failed to update its asset register or advise Comcover about a new \$75 million facility in Nauru - meaning the building was not insured when it burnt down in a riot in 2013, within weeks of being commissioned.

Released on Tuesday, the report follows a similarly blistering ANAO audit published in September which identified "serious and persistent deficiencies" in the department's procurement of garrison support and welfare services for the offshore detention centres.

While acknowledging that "in the aggregate", payments made to contractors in the last financial year aligned with the purpose of their contracts, the ANAO concluded there were multiple instances where value-for-money assessments were not conducted.

A \$1 billion extension to Transfield's 2014 contract was made last year "without documented consideration of value for money". Another system allowed Transfield, now Broadspectrum, to spend up to \$112 million a year without direct value-for-money assessment.

The auditor noted that while the contract required full substantiation of any intermediary or "pass through" costs, "Transfield did not provide it and [the department] generally did not seek it".

An agreement struck with Transfield to review only five per cent of invoices for pass through costs under \$10,000 contravened the department's finance guidelines, the audit found.

The Department of Immigration and Border Protection denied it made payments without the appropriate authorisations, or that it failed to give due consideration to value for money.

But it agreed to implement the ANAO's recommendations, including taking "immediate steps" to strengthen procedures and comply with its own Accountable Authority Instructions.

In a statement posted on its website, the department acknowledged that "its decision-making processes in this complex and rapidly evolving environment may not have been adequately documented". Many of the recommendations were already being implemented, it said.

Greens immigration spokesman Nick McKim said the audit revealed "a department that has gone rogue and needs to be brought to heel" by Immigration Minister Peter Dutton.

There were 871 people detained on Manus Island and 383 in Nauru at the end of November, according to government data - while many more now live in the Nauruan community.

The auditor identified that speed was of the essence when the then Labor government opted to establish offshore processing centres on the islands in 2012. Contracts were described "only in general terms", while service standards were "not articulated" and delivery timeframes were not clearly established in the contracts.

One in five supporting guidelines were "never settled", including around the use of force and restraints, procedures for handling deaths, and management of safety and security. Transfield instead "operated under its own procedures", the ANAO said. Many of these faults persisted into the current contracts, the audit found.

In its response, Broadspectrum said it disagreed with any suggestion it had not complied with obligations under its contract with the DIBP. The company also said its ability to respond to the audit was compromised because it had only been provided with a "heavily redacted" draft copy.

Following the audit's release on Tuesday, a Broadspectrum spokeswoman declined to comment, directing Fairfax Media to the department's online statement.

The cost of the audit was \$1.5 million.

<http://www.canberratimes.com.au/federal-politics/political-news/fallen-well-short-of-standards-audit-slams-immigration-department-over-nauru-and-manus-island-contracts-20170117-gtsvb0.html>

10. EDITORIAL: Audit reveals stupidity of Australia's refugee detention policy

The Age
EDITORIAL
January 20 2017

The federal government's offshore detention policy, an expedient extension of that of its Labor predecessor, not only falls far short of humanitarian and international legal standards, but of the basic financial rectitude that ought to underpin the expenditure of taxpayers' money.

The damaging and unending internment on Nauru and on Papua New Guinea's Manus Island of hundreds of vulnerable people fleeing persecution and worse is, in other words, not only immoral, but a cavalier misuse of billions of dollars of scarce public funds.

We know this because the people's financial watchdog, the Commonwealth auditor, in recent days released a report showing breaches by the government and its bureaucrats of fundamental rules governing spending.

This compounds the sheer fiscal stupidity of a policy that costs taxpayers \$500,000 a year to keep a refugee – and as many as 90 per cent of the relatively small number of asylum seekers who have arrived by boat in recent years are proven to be genuine refugees – in these cruel offshore camps, as against \$12,000 to process a person onshore in the community.

The Australian National Audit Office's damning assessment is that the Immigration Department has "fallen well short" of expected standards in its management of contracts for detention facilities on Manus Island and Nauru. While we do not claim corruption has occurred, the degree of ineptitude and/or recklessness uncovered creates a fertile environment for dishonesty and a lack of probity.

The debacle beggars belief. The report found that of \$2.3 billion paid over 40 months, \$1.1 billion was approved without appropriate authorisation.

A further \$1.1 billion was paid with "no departmental record" of who had authorised the transfers. The watchdog concluded the contracts' lack of effective guidelines and management mechanisms stemmed in part from the "great haste" with which the detention centres were established in 2012-13.

The Department of Immigration and Border Protection even failed to inform the Australian government's self-managed insurance fund, Comcover, about a new \$75 million facility in Nauru – so the building was not insured when it burnt down in a riot in 2013, within weeks of being commissioned.

It gets worse. The audit office delivered a similarly shocking report back in September, identifying "serious and persistent deficiencies" in the department's procurement of garrison support and welfare services for the centres.

With risible understatement, the feckless department is now acknowledging on its website that "its decision-making processes in this complex and rapidly evolving environment may not have been adequately documented". Quite. And adding irony to injury, the audit itself cost taxpayers \$1.5 million.

There were 871 people detained on Manus Island and 383 on Nauru at the end of November. More live now in the struggling Nauruan community. They should all be brought to Australia, where they can be processed quickly and safely.

In any case, Papua New Guinea's highest court almost a year ago declared the Manus Island centre unconstitutional, so the situation is unsustainable. The refugee issue is difficult and complex; were there a ready solution it would have been implemented long ago.

Preventing people from perishing at sea is a noble aim. Well-resourced regional processing centres should be set up, removing the incentive to get on boats. The situation will be mitigated, but not solved, should incoming US President Donald Trump uphold an agreement for his nation to accept some of the refugees. But our government must shut these disgraceful centres.

<http://www.theage.com.au/comment/the-age-editorial/audit-reveals-stupidity-of-australias-refugee-detention-policy-20170120-gtv9sr.html>

11. Human Rights Watch report card gives Australia a fail for offshore detention

Annual assessment says fundamental freedoms under threat globally from 'new generation of authoritarian populists'

The Guardian

Helen Davidson and Ben Doherty

Friday 13 January 2017 01.45 AEDT

Papua New Guinea and Australia must move swiftly to close the Manus Island detention centre, nine months after the PNG supreme court ruled it illegal and unconstitutional, Human Rights Watch has said.

Human Rights Watch released its annual report card on more than 90 countries on Friday, assessing the state of human rights in individual nations, including progress made on specific issues including women's health and safety, police brutality, and legislative protection of human rights.

Globally, HRW's executive director, Kenneth Roth, argues in the report, fundamental human rights are under threat from a "new generation of authoritarian populists" who regard rights not as a check on official power but as a barrier to the will of the majority.

"The rise of populism poses a profound threat to human rights," Roth writes in the report. "Trump and various politicians in Europe seek power through appeals to racism, xenophobia, misogyny, and nativism.

"They all claim that the public accepts violations of human rights as supposedly necessary to secure jobs, avoid cultural change, or prevent terrorist attacks. In fact, disregard for human rights offers the likeliest route to tyranny."

The PNG supreme court demanded last April that the government work with its Australian counterpart to close the controversial Manus Island immigration detention centre, where Australia forcibly sends asylum seekers who arrive in the country by boat.

Despite the court's order, the detention centre remains in operation, albeit with limited freedom of movement for detainees. The two governments appear at an impasse, refusing responsibility for the more than 800 men held inside.

Human Rights Watch found neither country had taken any steps to close it: "Many refugees are afraid to leave the center due to acts of violence in the community. For instance, in August, Manus locals robbed and assaulted three refugees; one of the locals attacked them with an iron bar."

Human Rights Watch called for the centre's closure and for the immediate resettlement of detainees in Australia or a third country. "Refugees and asylum seekers on Manus have suffered enough, it's time to let them move on with their lives in safety and dignity."

The HRW report criticised Australia's policy of offshore detention for asylum seekers who arrive in the country by boat as "draconian", saying people are held in abusive and dangerous conditions.

The report also highlighted the continuing disproportionately high rate of Indigenous incarceration, the ban on same-sex marriage (including the abortive attempt at a plebiscite on the issue), as well as a push to wind back protections under the Racial Discrimination Act.

Proposed counter-terrorism laws introduced by Malcolm Turnbull's government were condemned as overly broad. HRW said a bill introduced in September that would allow for ongoing detention of terrorist offenders who have completed custodial sentences could amount to arbitrary and indefinite detention, based on a low standard of proof and secret evidence. Another bill extends control orders to 14-year-olds.

Human Rights Watch found little had changed for the better in PNG, which in 2016 remained one of the most dangerous places in the world for women and girls. Police and prosecutors continued their track record of rarely prosecuting cases against perpetrators of family violence, despite a government focus on reform.

Sorcery-related violence continued, with horrific acts committed against women accused of being witches, and the country's judicial system recorded its first conviction under a 1975 law outlawing abortion.

Homosexuality remained illegal and punishable by up to 14 years in prison, and the death penalty has not been abolished, despite both issues being subject to recommendations at the UN periodic review. The PNG government said LGBT rights were not a priority.

The Human Rights Watch report does not include a chapter on Nauru, the island state that hosts Australia's other offshore processing centre, but HRW's Australia director, Elaine Pearson, told Guardian Australia: "Nauru has seen backsliding on human rights in the past year."

"There has been an absence of accountability for violence and harassment faced by refugees and asylum seekers on Nauru, and in fact senior officials have simply denied such abuses took place rather than investigating the allegations. More broadly, there has been an erosion of democracy and rule of law.

"Nauru imposes severe limits on freedom of expression and the media – it continues to block foreign journalists from entering the country. Institutions like the judiciary are deeply politicised and political opponents have faced intimidation, threats and travel bans."

<https://www.theguardian.com/law/2017/jan/13/human-rights-watch-report-card-gives-australia-a-fail-for-offshore-detention>

12. Turnbull government and Donald Trump highlighted in Human Rights Watch 2017 report

Canberra Times
January 13 2017 - 1:30AM
Tom McIlroy

Leading international human rights advocates have slammed the Turnbull government's hardline and highly secretive offshore immigration detention regime as well as its attempts to strengthen counter-terrorism laws in a review of practices around the world.

The latest report by Human Rights Watch also highlights the rise of populist politicians such as US President-elect Donald Trump and strongmen leaders in Russia, the Philippines, Turkey and China as putting the postwar system of universal rights at risk, warning that converging trends of authoritarianism, fake news and rejection of fact will challenge efforts to promote tolerance and equality.

Australia's asylum seeker boat turn-backs, silencing of offshore medical staff and service providers and ineffective resettlement schemes in Papua New Guinea and Cambodia are highlighted in the report, which singles out immigration detention centres on Manus Island and Nauru for specific breaches of human rights and describes the policies as highly secretive and draconian.

The annual review of more than 90 countries, which was released on Thursday in Washington DC, says Indigenous Australians remain disproportionately subject to the criminal justice system and criticises political blocks to same-sex marriage and effective administration of the Human Rights Act.

Human Rights Watch says of the more than 900 asylum seekers and refugees are living on Manus Island, only about 25 have been allowed to move to the PNG mainland to work in Lae or Port Moresby.

The report says several returned to Manus over fears to their personal safety and poor work and living conditions.

A further 1200 refugees housed on Nauru "regularly endure violence, threats, and harassment from Nauruans, with little protection from local authorities," the report said.

Gay and lesbian asylum seekers in both countries continue to face harassment and abuse, despite Nauru's decriminalisation of same-sex conduct.

"[Detainees] face unnecessary delays in, and at times denial of, medical care, even for life-threatening conditions.

"Many have dire mental health problems and suffer from depression. Self-harm and suicide attempts are frequent. In May 2016, two refugees self-immolated in separate incidents; one died and the other was badly burned."

The report also highlights the failure of Northern Territory justice officials to act on reports of human rights abuses in the Don Dale Youth Detention Centre, a controversy which prompted Prime Minister Malcolm Turnbull to establish a royal commission in July last year.

The Coalition's ongoing moves to strengthen counter-terror laws, including allowing judges to authorise continuing detention for offenders who have served their sentences but who are considered an "unacceptable risk" to the community, risk "arbitrary and indefinite detention using a low standard of proof and secret evidence".

Human Rights Watch executive director Kenneth Roth said Mr Trump's election and moves away from human rights protections by leaders such as the Philippines' Rodrigo Duterte, Turkey's Recep Tayyip Erdogan and Vladimir Putin in Russia were a key concern for 2017.

"Trump and various politicians in Europe seek power through appeals to racism, xenophobia, misogyny, and nativism," he said.

"They all claim that the public accepts violations of human rights as supposedly necessary to secure jobs, avoid cultural change, or prevent terrorist attacks.

"In fact, disregard for human rights offers the likeliest route to tyranny."

<http://www.canberratimes.com.au/federal-politics/political-news/turnbull-government-and-donald-trump-highlighted-in-human-rights-watch-2017-report-20170112-gtpylr.html>

13. Commonwealth Ombudsman slams government handling of visa cancellations and deportations

Sydney Morning Herald
January 9 2017 - 7:16PM
Tom McIlroy

The Commonwealth Ombudsman has produced two scathing reports on practices by Australian immigration authorities.

The number of people deported from Australia because of serious criminal convictions has increased more than tenfold since 2014, with a huge spike in the number of New Zealanders being sent home - one of two scathing ombudsman's reports on Monday on practices by Australian immigration authorities.

The review of section 501 of the Migration Act considered the treatment of people who have their Australian visas cancelled because of crimes resulting in more than 12 months' imprisonment, finding the number of visas cancelled shot up from 76 in 2013-14 to 983 in the last financial year.

Of the 1219 non-citizens who had their visas cancelled between January 2014 and February 2016, 697 were from New Zealand and 124 were from Britain, many of whom have been in Australia since childhood.

The Ombudsman found the federal government had failed in its promise to cancel visas well before an individual's expected release date from prison, causing prolonged family separation and undermining consideration of the best interests of children.

The report found serious delays in deciding the outcome of revocation requests meant former prisoners were spending long periods in limbo inside immigration detention.

"The delays in deciding revocation requests undermines the department's policy of giving primary consideration to the best interests of those who have young children and/or experience prolonged family separation," Commonwealth Ombudsman Colin Neave said.

The deportations have caused disquiet at the highest levels of the trans-Tasman relationship. In October 2015, former New Zealand prime minister John Key raised the issue with Malcolm Turnbull, citing the cases of hundreds of Kiwis facing deportation and being held for months in detention while their claims were processed.

The Ombudsman's report recommended better co-operation between state and federal authorities, prioritisation for cases of people with responsibilities to care for children and long-term residents, and new standard timeframes for processing cases.

A spokeswoman for Immigration Minister Peter Dutton said the government made no apologies for strengthening deportation laws "to further protect the Australian community".

"Since the laws were strengthened, the government has cancelled the visas of serious criminals including 158 visas for child sex offences, 361 for assault, 78 for rape and 33 for murder, to name a few."

The second report found many people who had bridging visas cancelled by the government because of a criminal charge, conviction, or threat posed to the community faced "prolonged and potentially indefinite periods of immigration detention".

Investigators received complaints about individuals being held in immigration detention for prolonged periods after criminal charges were withdrawn or where the person was acquitted, fined or given a good behaviour bond, and said some people on bridging visas were being denied the presumption of innocence.

"To suddenly deny a person their liberty to live freely in the community based on nothing more than an allegation that has led to the laying of criminal charges, raises the question of whether the department is acting prematurely by cancelling a visa and whether the department is not following the spirit of the explanatory statement that introduced this legislation," the report said.

The department was unable or unwilling to provide the investigation with key data and information, in some instances despite repeated requests.

The report recommended adequate time and resources be given to people having their visas cancelled to seek legal advice and make a case against the cancellation, that proper explanation of cancellations be provided in the individual's own language, that people not be transferred between detention centres until the appeal period expires and for the minister to act promptly in some cases.

"The ongoing detention of many individuals in this cohort is inappropriate and has negatively impacted upon their mental health," Mr Neave said.

<http://www.smh.com.au/federal-politics/political-news/commonwealth-ombudsman-slams-government-handling-of-visa-cancellations-and-deportations-20170109-gtocww.html>

14. MEDIA RELEASE: In 2017, brutality rules on Manus: it's time to bring the refugees here

Sunday January 1, 2017
Refugee Action Coalition
Ian Rintoul
mobile 0417 275 713

Two Iranian refugees, Mehdi and Mohammad, have been savagely beaten by PNG police and PNG Immigration officials on New's Eve. (Photos attached. Mehdi in green T shirt. Others photos available on request.)

The two refugees were in the Lorengau settlement area on Manus last night when PNG officials arrested them around 8pm.

The refugees say they were doing nothing wrong and were only going to join New Year celebrations.

It seems their crime is being outside the detention centre

The two refugees are still in police custody this morning, 1/1/17, although no charges have been laid.

"That two refugees could be beaten so badly by PNG police on New Year's eve makes it clear that there is no freedom for refugees on Manus," said Ian Rintoul, spokesperson for the Refugee Action Coalition.

"We would expect the PNG police to be held accountable for the alleged assault, but the PNG police routinely act with impunity.

"The Australian government itself is a party to the brutality, having ignored the PNG Supreme Court decision in April 2016 to close the detention centre.

"The government says that the refugees on Manus may be considered for resettlement in the US - but any resettlement in the US seems to be months away if it happens at all. There has been no request even for Manus refugees to even show 'an expression of interest' in going to the US.

"But every day Manus detention takes its toll. At Christmas, Faysal lost his life. Slowly but surely the lives of all those being held on Manus is being lost.

"The latest bashings are just the latest indication of the reality of Australia's offshore detention regime. It's time the government stopped playing politics with the lives of innocent people, and brought all the asylum seekers and refugees to Australia."

For more information contact Ian Rintoul 0417 275 713

15. MEDIA RELEASE: Bashed Manus refugees need urgent medical treatment

Sunday January 1, 2017
Refugee Action Coalition
Ian Rintoul
mobile 0417 275 713

Two Iranian refugees, Mehdi and Mohammad, arrested and bashed by up to 10 PNG police and immigration officers last night (New Years eve) on Manus Island are still in police custody 24 hours later.

Neither of the refugees has been seen by doctors or received any medical attention for what appear to be serious injuries.

The refugees have confirmed to the Refugee Action Coalition that they were first approached around 8pm, by PNG Immigration officers who told them they had no right to be outside of the detention centre.

The Immigration officers were quickly joined by PNG police, who began to assault the refugees -- beating their head, face, neck and back.

Neither have had received any pain relief. Mehdi says he believes that his wrist and jaw may be broken; while Mohammed is suffering severe headache and pain and thinks his nose is broken.

"Ultimately the refugees are Australia's responsibility. We are calling on the Australian government and the PNG police to ensure that the arrested refugees get immediate medical treatment," said Ian Rintoul, spokesperson for the Refugee Action Coalition.

"It is a bad enough that refugees are arbitrarily arrested and bashed on Manus. Denying medical treatment to refugees is also part and parcel of systemic failure of Australia's offshore detention regime."

For more information contact Ian Rintoul 0417 275 713

16. Manus Island asylum seekers bashed on New Year's Eve, refugee advocates say

ABC News Online
Sunday January 1, 2017

Two asylum seekers on Manus Island have been arrested and assaulted by up to 10 Papua New Guinea police and immigration officers, refugee advocates say.

The Refugee Action Coalition said the two Iranians suffered several broken bones in the incident on New Year's Eve, and photos supplied by the coalition also showed the pair with cuts and bruises on their faces.

The men have not received any medical treatment, it said.

A spokesperson for the Department of Immigration said the department was aware of an incident involving two asylum seekers, but that it was a matter for the PNG police force.

Ian Rintoul from the Refugee Action Coalition said it was not good enough.

"The Australian Government is ultimately responsible for all the people who are held on the island, but I think it's very clear that we need an investigation into this particular bashing," Mr Rintoul said.

He said the men involved had done nothing wrong when they were set upon by the police officers.

"It seems very likely that we are talking about broken noses, broken wrists other broken bones and the police have made absolutely no attempt to get medical attention for them," he said.

"There needs to be oversight on the role of the PNG police and the attitude of the PNG police."

The incident follows the death of a Sudanese asylum seeker who collapsed at the Manus Island detention centre just before Christmas.

"This bashing on New Year's Eve is an indication of the kind of treatment that is systematically handed out, part and parcel of what the Australian Government maintains in the offshore detention centres," Mr Rintoul said.

<http://www.abc.net.au/news/2017-01-01/manus-island-asylum-seekers-bashed-on-new-year's-eve:-advocates/8156796>

17. Iranian refugees in custody on Manus after assault by PNG police, advocates say

The two men were reportedly confronted by PNG immigration on New Year's Eve and told they were not allowed to be outside detention centre

The Guardian
Australian Associated Press
Monday 2 January 2017 06.42 AEDT

Two Iranian refugees on Manus Island were reportedly assaulted by a group of Papua New Guinean police and immigration officials on New Year's Eve and are now in custody without charge or medical attention.

The Refugee Action Coalition says the two men, whose first names are Mehdi and Mohammad, were joining in new year's celebrations when they were confronted by PNG immigration officials who told them they had no right to be outside the detention centre, and, along with police officers, assaulted them.

The Australian Department of Immigration and Border Protection said on Sunday night it was aware of an incident on Manus Island on Saturday involving two Iranian refugees but, as a law and order matter, "the issue is primarily one for the PNG police force".

The Refugee Action Coalition says the Australian government is a "party to the brutality".

"It's time the government stopped playing politics with the lives of innocent people, and brought all the asylum seekers and refugees to Australia," said the organisation's spokesman, Ian Rintoul.

Rintoul said the men were allowed to be outside the detention centre and were not doing anything wrong. Photos sent to the Refugee Action Coalition show severe injuries.

The spokesman said the men were in custody without charge and had not received medical attention or pain relief.

"Mehdi says he believes that his wrist and jaw may be broken while Mohammed is suffering severe headache and pain and thinks his nose is broken," he said in a statement.

The Refugee Action Coalition obtained details of the reported assault through a phone call with a friend of the men who is also a refugee.

<https://www.theguardian.com/australia-news/2017/jan/02/iranian-refugees-in-custody-on-manus-after-assault-by-png-police-advocates-say>

18. Turnbull government must act after 'asylum seekers bashed on Manus': refugee advocates

Sydney Morning Herald
January 2 2017 - 1:26PM
Tom McIlroy

Refugee advocates have called on the Turnbull government to urgently address the alleged bashing of two Iranian asylum seekers by police and PNG immigration officials on Manus Island, with claims the pair were held for 36 hours without adequate medical attention.

Refugee Action Coalition spokesman Ian Rintoul said the two men, Mehdi and Mohammad, were taking part in New Year's Eve celebrations in the island's Lorengau settlement on Saturday when local immigration officials told them to return to the immigration detention centre, before the men were assaulted by officials and local police officers about 8pm.

Photos of their injuries show blood and bruising to their faces, necks and backs, including a large bruise across Mohammad's shoulders which appear to be the result of being struck with a long object.

The men were released on Monday morning after being denied appropriate medical treatment or being charged, Mr Rintoul said.

The Department of Immigration and Border Protection said the bashing allegations were a matter for PNG police.

Mr Rintoul said one of the men, 26-year-old Mehdi, had told friends and advocates he believed his wrist and jaw may have been broken during the assault, while 28-year-old Mohammed reported severe headaches and a possible broken nose.

He said Australian Border Force officers had attended the police station on Monday, offering to take the refugees from local police for medical treatment from a private operator within at the detention centre. Police allegedly demanded bail of 200 kina (A\$85) on charges of drunkenness and resisting arrest.

Mr Rintoul said both charges were "manufactured" and the men had reported deteriorating medical conditions.

"The human rights of the Manus refugees have been systemically abused since they were placed in the illegal detention prison in August 2013.

"The Australian government has a responsibility and a duty of care to those that have put in harm's way on Manus Island. The human rights of those who seek asylum cannot be suspended on the basis of a dubious US resettlement deal that is months away if it ever happens.

"The Manus refugees and asylum seekers must be brought to Australia where they can get the protection they need."

Fairfax Media has contacted PNG police for comment.

Earlier Mr Rintoul called on Immigration Minister Peter Dutton and his department to address the incident.

"The government just keeps trying to deny any responsibility but the Australian government has complete control over the detention centre and over the refugees who are in the detention centre."

On Christmas Eve, 27-year-old Sudanese refugee Faysal Ishak Ahmed died in Brisbane after being told there was no bed for him at Manus Island detention centre's medical clinic just five days earlier.

He died after collapsing, hitting his head and suffering a seizure.

Speaking on Sydney radio, Mr Dutton said he would wait to see the facts of the case, suggesting advocates were using the incident to attack the government's offshore detention regime.

"If people have had an interaction with the PNG police on a New Year's Eve night, I would wait to see the full facts of that case before I make any comment, to say that they were targeted because they were refugees or because they were part of the Manus Island population," he said.

"I think we're better to wait for the full facts instead of letting the refugee advocates try and use this as an opportunity to again attack the government's successful border protection policy."

<http://www.smh.com.au/federal-politics/political-news/turnbull-government-must-act-after-asylum-seekers-bashed-on-manus-refugee-advocates-20170101-gtkk5g.html>

19. Manus Island asylum seekers 'bashed by PNG police' released from custody

ABC News Online

By Papua New Guinea correspondent Eric Tlozek

Monday January 2, 2017

Asylum seekers on Manus Island say two Iranian men are being treated for injuries they received when they were beaten by police officers on New Year's Eve.

The men were released after 36 hours in the cells at the Lorengau Police Station on the island, where they said they did not receive food, water or medical treatment.

They were eventually taken to the medical clinic inside the Manus Island detention centre.

Photos of the men show injuries to their faces, bodies and hands.

They told other asylum-seekers up to 10 police officers beat them after they were stopped by PNG immigration officials on their way into town.

Iranian asylum-seeker Benham Satah, who met the men on their release, said both were seriously injured.

"They are very injured," he said.

"One of them, his nose is probably broken.

"He says when he is urinating there is blood in his urination. The other one says his jaw is broken."

Mr Satah said the men were released on 400 Kina (\$170) bail after being charged with being drunk and disorderly and resisting arrest.

He said both men denied the charges and said they had not been drinking on New Year's Eve.

Police and PNG immigration authorities are yet to respond to the allegations.

Dutton waiting for the 'full facts'

The Federal Government said it was not yet clear what triggered the incident.

But Immigration Minister Peter Dutton said the advocates may be using the incident to attack the Government's immigration policies.

Mr Dutton told Sydney radio station 2GB that he wanted to hear from the PNG police before commenting further.

"If people have had an interaction with the PNG police on a New Year's Eve night, I would wait to see the full facts of that case before I'd make any comment to say that they were targeted because they were refugees or because they were part of the Manus Island population," he said.

"I think we're better off to wait for the full facts instead of letting the refugee advocates try to use this to again attack the Government's successful border protection policy."

A spokesperson for the Department of Immigration said the department was aware of an incident involving two asylum seekers, but that it was a matter for the PNG police force.

Ian Rintoul from the Refugee Action Coalition said the Australian Government should investigate the incident.

The incident follows the death of a Sudanese asylum seeker who collapsed at the Manus Island detention centre just before Christmas.

The ABC has sought responses from police on Manus Island and from Papua New Guinea's Immigration service.

<http://www.abc.net.au/news/2017-01-02/manus-asylum-seekers-bashed-in-png-released-by-police/8157646>

20. 'Bashed' asylum seekers on Manus Island 'deserved what they got': PNG minister

The Age
January 2 2017 - 7:03PM
Michael Gordon

Manus Island MP Ronny Knight has declared that two asylum seekers who say they were bashed by police and PNG immigration officials on New Year's Eve "deserved what they got".

The outspoken MP says the pair were treated like any local who caused a public nuisance and resisted arrest. "This is Papua New Guinea. This is not Australia," Mr Knight said.

"These two were drunk out of their brains and stopping traffic and punching cars and harassing women as they were walking home from the night market," Mr Knight, PNG's Vice Minister for Trade, Commerce and Industry, told Fairfax Media.

His claims were emphatically rejected by friends of the two, who insist they were the victims of a drunken and unprovoked assault by local immigration officials, and then police, and will plead not guilty when they face court on Tuesday.

"The refugees said the first to attack them were two PNG immigration officers who were drunk and came to them and said 'you don't have the right to be outside of the prison [detention centre] at this moment'," reported one detainee, the Iranian Kurdish journalist Behrouz Boochani.

"After a few minutes the police joined them and beat them extremely badly in the head, face, back and hands."

The two, identified as Mehdi, 26, and Mohammad, 28, were being treated at the detention centre's medical clinic for facial and hand injuries late on Monday after spending 36 hours in the East Lorengau lock-up before another detainee, Benham Satah, paid bail of 200 kina (\$A85) each.

They have each been charged with one count of being drunk and disorderly and one count of resisting arrest.

Local police commander David Yapu insisted police had used "reasonable force" to arrest the men after receiving a complaint about their behaviour from Mr Knight.

"They should have co-operated and come with the police, but instead they resisted," Mr Yapu told Fairfax Media. He did not believe anyone had suffered serious injuries.

Mr Satah said the police commander could have set bail at 1200 kina – 300 kina for each charge for each man – but had agreed to the lower figure because of the asylum seekers' financial situation. "I am grateful for that," he said.

He said both men protested their innocence at the police station and asked to undergo a blood test to demonstrate they were not drunk. "They weren't drunk. They were bashed, they were beaten and they have to suffer from it and there will be no justice."

Mr Boochani visited the men in the lock-up and said they were "scared and distressed". "Mohammad said he is pissing blood and has stomach pains. Some local people gave them food but Mohammad vomited the food and Mehdi thinks his hand is broken."

A spokesperson for Australia's Department of Immigration and Border Protection said any questions about the issue should be directed to PNG authorities, but added: "The individuals are being assessed by medical staff and will receive follow-up treatment as required."

A spokesperson for the Refugee Action Coalition, Ian Rintoul, said the episode highlighted the human rights abuses inflicted on refugees on Manus, inside and outside the detention centre, and repeated the call for them to be brought to Australia "where they can get the protection they need".

The incident comes less than one week after another refugee, Faysal Ishak Ahmed, died after falling, hitting his head and suffering a seizure at the detention centre after filing formal complaints that his medical conditions were not being treated.

The health provider, International Health and Medical Services, has rejected claims that Mr Ahmed was denied access to medical care, saying he was seen by clinicians and other allied health professionals on numerous occasions in the three months preceding his death "and his presenting medical issues were assessed, investigated and managed".

Melbourne's Refugee Action Collective will hold a vigil for Mr Ahmed on Tuesday evening.

<http://www.theage.com.au/federal-politics/political-news/bashed-asylum-seekers-on-manus-island-deserved-what-they-got-png-minister-20170102-gtkv2w.html>

21. PNG minister defends Manus Island police accused of assaulting refugees

Ron Knight says officers were attacked first when they tried arresting two men for being drunk and 'the reality of keeping peace' means 'they have to be brutal'

The Guardian
Ben Doherty
Tuesday 3 January 2017 12.01 AEDT

A Papua New Guinea government minister has defended police on Manus Island accused of assaulting two Iranian refugees on New Year's Eve, saying the officers were attacked first when they tried to arrest the men for being drunk.

Ron Knight, the MP for Manus and vice minister for trade, commerce and industry in the PNG government, said he saw the incident and police used reasonable force after they were first attacked.

"Two very drunk asylum seekers stopping traffic and harassing women yesterday were approached by police," Knight wrote on Twitter. "They punched a policeman and were arrested using reasonable force.

"I saw what happened. The police reacted as they do in any situation where they get assaulted first. This [is the] PNG reality where cops are outnumbered."

Knight told Guardian Australia: "We cannot compare Australian and PNG police standards. This is PNG and the reality of keeping peace here with a small force is they have to be brutal. I would add that their [the refugees] injuries are what locals also get when assaulting police and acting like this. Only locals don't get bail."

Knight said the police were sober and professional.

The men and other refugees on the island vehemently dispute Knight's version of events, and say it was the immigration officers and police who were drunk, and who aggressively told them they were not allowed to be outside the detention centre at night.

"The refugees said the first to attack them were two PNG immigration officers who were drunk and came to them and said 'you don't have the right to be outside of the prison at this moment'," a fellow refugee told Guardian Australia.

"After a few minutes the police joined them and beat them extremely badly in the head, face, back and hands."

The men suffered serious injuries, including suspected fractures, facial wounds and internal injuries. Pictures show the men with wounds to their faces, backs and limbs.

The two men, whose first names are Mehdi and Mohammad, spent 36 hours in police custody before being bailed on payment of 200 kina (\$A100) on charges of drunkenness and resisting arrest.

The New Year's Eve incident is the latest to involve clashes between locals and refugees on the island.

Knight has repeatedly said security inside the immigration detention centre had deteriorated so badly that the compounds were dangerous and lawless. He has posted online pictures of weapons and home-brew alcohol allegedly seized from inside the centre.

"It is so blatantly obvious that whoever is running RPC is not doing it right," he said.

Knight said Manusians were particularly offended by the perception that detention centre employees have unofficial immunity from local laws. Knight has said previously that local resentment at both workers and detainees at the centre is growing.

In 2015, three Australian and New Zealand security guards allegedly drugged and gang-raped a local woman inside the detention centre but were flown out of the country before police could charge them. Other detention centre employees have allegedly been involved in thefts, assaults and driving offences. No one has ever been charged.

"Officially, it is now known by locals, we have two laws in this land. One for Australians and one for locals. Fucking disgraceful," Knight wrote on Twitter.

"My caution to all is if they keep acting like this against locals then soon we will see reprisals and bloodshed. That's not a threat, it's fact."

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"My caution to all is if they keep acting like this against locals then soon we will see reprisals and bloodshed. That's not a threat, it's fact."

Jerry Singirok, a former PNG defence force commander, told Australia's ABC radio the incidents showed a "total breakdown in discipline" in both the police force and the army.

"The police are a law unto themselves ... they've taken a lot of civil situations out of control ... they beat up unarmed people. And same with soldiers, the soldiers are no different from the policemen," he said.

<https://www.theguardian.com/australia-news/2017/jan/03/png-minister-defends-manus-island-police-accused-of-assaulting-refugees>

22. Three more asylum seekers arrested on Manus

The Age
January 3 2017 - 6:43PM
Michael Gordon

Three more asylum seekers on Manus Island have been charged with public drunkenness and resisting arrest after an incident on Monday night.

Provincial Police Commander David Yapu said he would "not tolerate such behaviour and nonsense from foreigners. The law is for everyone to abide with".

The three men, two Bangladesh nationals aged 24 and 26 and a 22-year-old Burmese national, have been released on police of K300 (\$130) each.

Ronny Knight, the MP representing Manus Island, said the three had been consuming home brew and abusing locals when police were called.

"They were a bit violent with police so they got slapped around, but not in a bad way," Mr Knight said. "They were handled properly."

The arrests came before immigration officials took what might be the first steps towards including the refugees on Manus in the resettlement deal struck with the United States.

Almost 900 asylum seekers remain in the detention centre that was declared unconstitutional in April. Scores more who have refugee status reside at a transit centre in the province's only town of East Lorengau. More than a dozen are living in the PNG community.

The resettlement deal was announced on November 12, with Immigration Minister Peter Dutton saying the initial focus would be on the most vulnerable refugees, particularly women, children and family groups on Nauru.

On Tuesday, those in the detention centre were informed they should go to the Lorengau centre if they wanted to express interest in being part of the US deal. Refugees who spoke to Fairfax Media said they were sceptical, as there was plenty of space for applications to be made in the detention centre.

The latest arrests follow a violent confrontation between two asylum seekers and PNG immigration officials and police on New Year's Eve that left the pair with serious facial and other injuries.

The two, identified as Mehdi, 26, and Mohammad, 28, were still being treated at the detention centre's medical clinic on Tuesday after being released on bail, having spent more than 36 hours in the East Lorengau lock-up.

They have each been charged with one count of being drunk and disorderly and one count of resisting arrest and are expected to appear in court on Wednesday. The three who were arrested on Monday night are due to appear in court on Friday on the same charges.

Mr Knight has declared that the two who say they were bashed by police and PNG immigration officials on New Year's Eve "deserved what they got".

"These two were drunk out of their brains and stopping traffic and punching cars and harassing women as they were walking home from the night market," Mr Knight, PNG's Vice Minister for Trade, Commerce and Industry told Fairfax Media.

His claims were emphatically rejected by friends of the two, who insist they were the victims of a drunken and unprovoked assault by local immigration officials, and then police, and will plead not guilty when they face court.

<http://www.theage.com.au/federal-politics/political-news/three-more-asylum-seekers-arrested-on-manus-20170103-gtldnv.html>

23. Manus Island police defend treatment of Iranian asylum seekers during New Year's Eve arrest

ABC News Online
By Papua New Guinea correspondent Eric Tlozek
Thursday January 5, 2016

Police on Papua New Guinea's Manus Island have defended their treatment of two asylum seekers who were injured while being arrested on New Year's Eve.

The two Iranian men in Australia's offshore detention centre were beaten by police on New Year's Eve, and are due to face court today on charges of being drunk and disorderly and resisting arrest.

Manus Province Police Commander David Yapu said the men were harassing people and obstructing traffic, and that they were injured when officers used "reasonable force" to arrest them.

"They were so violent at that time that the police had to use reasonable force to get them onto the police vehicle and get them to the police station," Commander Yapu said.

Both men said they had not been drinking, and were beaten after they argued with immigration officers.

The men said they would plead not guilty to the charges when they appear in court today.

Men still recovering from injuries

On New Year's Eve the men were held for 36 hours in the cells at the Lorengau Police Station on the island, where they said they did not receive food, water or medical treatment.

They were eventually taken to the medical clinic inside the Manus Island detention centre.

The two men told other asylum-seekers up to 10 police officers beat them after they were stopped by PNG immigration officials on their way into town.

The two Iranian men are still recovering from their beating.

Iranian asylum-seeker Benham Satah, who met the men on their release, said both were seriously injured.

"They are very injured," he said.

"One of them, his nose is probably broken.

"He says when he is urinating there is blood in his urination. The other one says his jaw is broken."

The Federal Government said on Monday it was not yet clear what triggered the incident, but Immigration Minister Peter Dutton said advocates might be using the incident to attack the Government's immigration policies.

<http://www.abc.net.au/news/2017-01-05/manus-police-defend-treatment-of-asylum-seekers-in-nye-arrest/8162814>

24. Manus Island refugee who had breakdown found 'hungry and homeless'

Behaviour of Hamed, who has been released from Lorengau prison following an acute mental health episode, described as erratic and bizarre

The Guardian

Ben Doherty

Wednesday 11 January 2017 06.47 AEDT

A refugee jailed following an acute mental breakdown in the Manus Island detention centre has been released from prison, only for him to be found wandering the streets of the Papua New Guinea town of Lorengau, half-naked, "hungry and homeless" according to fellow refugees, politicians and police.

The behaviour of Hamed, a refugee from Iran whose surname Guardian Australia has chosen not to publish, has grown increasingly erratic and bizarre, leading to conflicts with the Manusian population.

"He sometimes was naked and only wearing boxer shorts in the Lorengau streets and most of the time he was hungry and homeless," Manus refugee Behrouz Bouchani has reported. "The small children made fun of him and disturbed him. The refugees, local people and police beat him because he was mentally ill and he used to disturb people. Everyone would run away from him because of his behaviour."

Hamed's deteriorating mental health came to authorities' attention as long ago as June, when he was found wandering the detention centre, distressed, naked and screaming incoherently. He was put into "managed accommodation" where he was allegedly assaulted by, and assaulted, guards, before being put in the Lorengau jail for the first time.

Leaked "psychological support" files from within the Manus Island detention centre refer consistently to Hamed's "chaotic presentation" and report he was "agitated, aggressive, verbally abusive, pushing boundaries constantly, and has required police presence on numerous occasions".

He has since been jailed several times after suffering severe mental episodes and behaving unpredictably or aggressively. Detention centre staff have told Guardian Australia Hamed is “a very sick man. He needs serious help”.

Manus MP Ron Knight, who arranged for Hamed to be released from prison so he could access mental health care, said he was receiving none.

“To be blunt, the guy is dangerous to all around him and he needs psychiatric help. There is none for him here.”

Knight said he approached the Australian High Commission in Port Moresby about Hamed being committed to a psychiatric facility.

“The response to me was basically that our authorities should handle it.”

A spokesman for Australia’s department of immigration and border protection said Hamed was housed at the East Lorengau refugee transit centre, and his care was the responsibility of PNG’s immigration authorities.

“Refugees have access to services, including mental health services, available at the Lorengau Hospital as well as clinic services provided by International Health and Medical Services (IHMS),” the spokesman said.

The department declined to comment on Hamed’s specific health care. PNG’s immigration and citizenship service did not return calls from Guardian Australia.

Since the PNG supreme court ruled, nearly 10 months ago, that the Manus Island regional processing centre was “illegal and unconstitutional”, cosmetic changes to the detention regime have brought those in detention into greater contact with the Manusian population, which has led to rising tensions.

The men remain in detention, behind high metal fences, unable to move freely and with their communications monitored, but they are allowed to catch daily buses into Lorengau township, returning at night. Scores of men found to be refugees have been moved into the Australian-built and -run East Lorengau refugee transit centre – established as a temporary accommodation for refugees being resettled elsewhere – but which has become de facto long-term housing while Australia negotiates a resettlement plan with other countries.

Boochani, an Iranian refugee and journalist detained on Manus, said Australia was trying to shift responsibility for refugees to PNG.

“The refugees in Manus prison have been under systematic torture for a long time and they need medical treatment and specialist psychological treatment, but instead of protecting them Australia has released them in Lorengau town without any psychological treatment. It’s obvious that this situation will make trouble both for the refugees and the local people,” Boochani told Guardian Australia.

He said police on Manus were acutely conscious of the tension the presence of refugees was creating in Lorengau.

“The system puts people in conflict and this is a big problem at this moment. Hamed, as a refugee who is need of psychological care, is an example of how Australia does not care about what local people want or about refugees. Instead of providing medical treatment for him, Australia has abandoned him in Manus society where it makes trouble for locals, police, the court and refugees.

“After causing so much psychological harm they have left a man with a lot of mental problems in a strange society without any protection and put him in danger. They have left him hungry and homeless.”

Knight said he was concerned for the safety of the people of Manus as well as that of refugees now allowed out in the community.

He said neither the PNG nor Australian governments was willing to take responsibility for the welfare of refugees, who were being forced into the refugee transit centre without adequate support.

“I am continually facing a brick wall of silence from PNG and Australia who seem to be chucking the issues back and forth.

“I have no option now but to make some connection with asylum seeker representatives and come to some common understanding on rules of conduct for both them and my people ... lay down some ground rules for common understanding. Failing that, I assure you, bloodshed will occur.”

In June, 14 refugees and asylum seekers in the detention centre complained formally about the treatment of Hamed to Broadspectrum, the company subcontracted by the Australian government to run the detention centre.

“We, the signatories to this complaint form want to know why you are not providing mental health support to Hamed ... and instead you have subjected him to ill-treatment and corporal punishment because he is not behaving normally due to his mental ailment.

“He is sick and he must be in hospital, not in public ... he doesn't have any control over his actions.”

<https://www.theguardian.com/australia-news/2017/jan/11/manus-island-refugee-who-had-breakdown-found-hungry-and-homeless>

25. Manus Island: UN calls for investigation into bashing and arrest of two Iranian asylum seekers

ABC News Online
By Papua New Guinea correspondent Eric Tlozek
Wednesday January 18, 2017

Two Iranian men who were bashed by police in Papua New Guinea have returned to court after being arrested for a second time.

Police arrested Mehdi Bohlouli and Mohammad Rabani — who are housed at Australia's offshore detention centre on Manus Island — for failing to appear in court on January 11 on charges of being drunk and disorderly and resisting arrest.

The men were charged after being beaten by police during an incident on the island on New Year's Eve.

They went to the court twice after being bailed, but were told police were not ready to try their case.

They did not appear when the matter was eventually heard in the Manus Island District Court, and the magistrate issued a warrant for their arrest.

The men were due to appear in court again on January 18.

One of the men was being kept in police custody, while the second was sent back to the detention centre because he was ill.

Meanwhile, the United Nations in PNG has expressed concern at the treatment of both men and called for an investigation into the actions of police.

"If there are allegations of any kind of illegal force, or beating or whatever, that has to be investigated," said Kedar Poudyal, an advisor at the UN's Human Rights Office in Port Moresby.

"If there is any charge against any refugees, because they are vulnerable people, they should be provided with legal support and a speedy trial."

The Manus Province police commander, David Yapu, has previously said there will not be any investigation into the bashing of the asylum-seekers, because it was likely they had been injured while resisting arrest.

Mr Poudyal urged police to reconsider and investigate the officers involved.

"It's good for the police to conduct an investigation and tell people 'we have conducted an investigation and found out this'," he said.

"It's important for them as well."

<http://www.abc.net.au/news/2017-01-18/un-calls-for-investigation-into-bashing-and-arrest/8191094>

26. UN 'gravely concerned' about bashing claims as US officials set to visit Manus

Canberra Times
January 19 2017 - 2:12PM
Michael Gordon

The United Nations has expressed "grave concern" over the treatment of two asylum seekers, who say they were savagely beaten by Papua New Guinea police and immigration officials on Manus Island before being arrested on New Year's Eve.

The UN's country team in PNG has urged the PNG government to investigate allegations of excessive use of force, torture and harassment of asylum seekers by officials, and to bring the relevant persons to justice if found guilty.

The intervention comes as officials from the United States' resettlement support centre prepare to visit PNG for their first round of interviews next month.

Refugees on Manus were told on Thursday that American immigration officers would come to the island February 14 and that the process would take between six and 12 months. They were also told there was no need for them to leave the detention centre in order to be eligible for resettlement.

Sources familiar with plans for the visit say there is no indication that America's President-elect, Donald Trump, intends to scuttle the resettlement deal announced by Malcolm Turnbull in November.

Officials from the resettlement support centre have completed one round of interviews on Nauru, with the Australian government saying priority for resettlement in the US will be afforded to women, children, families and the most vulnerable.

The UN's PNG team has also raised the case of a third asylum seeker who was arrested last week "apparently without charges being brought" and urged that he be given a fair trial with adequate legal representation.

The two who suffered facial and other injuries when they were arrested appeared in the East Lorengau court this week on charges of being drunk and disorderly and resisting arrest.

Arrest warrants for the two men had been issued after they failed to appear in court last week, though supporters said this had been the result of a number of scheduled appearances being cancelled and the mental state of the men.

One had been on a hunger strike for several days after the beating and the other had self-harmed when told he was going to be arrested.

In court on Wednesday, their arrest warrants were revoked and their bail conditions extended.

The two, identified as Mehdi, 26, and Mohammad, 28, were back in the medical centre at the detention centre on Thursday and advocates assert both are extremely vulnerable.

The pair deny being drunk and abusive on New Years' Eve and have asked to be given legal representation when the hearing resumes on January 25.

Local police commander David Yapu has insisted police had used "reasonable force" to arrest the men after receiving a complaint about their behaviour from local MP, Ronny Knight.

The outspoken MP told Fairfax media the pair "deserved what they got" and were treated like any local who caused a public nuisance and resisted arrest. "This is Papua New Guinea. This is not Australia," Mr Knight said.

Pictures taken of both men in the East Lorengau lock-up after their arrest suggested both had been badly beaten.

Mr Yapu told Fairfax Media the third man arrested as a 25-year-old Iraqi who has been charged with possession of marijuana. He, too, was granted bail and will re-appear on January 23.

The significance of the statement by the UN country team in PNG is that it suggests the overwhelming majority of the more than 900 men on Manus are considered vulnerable and, as a consequence, eligible for resettlement in the US.

<http://www.canberratimes.com.au/federal-politics/political-news/un-gravely-concerned-about-bashing-claims-as-us-officials-set-to-visit-manus-20170119-gtuilk.html>