

Project SafeCom News and Updates

Thursday, 25 May 2017

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1. EDITORIAL: Immigration Minister Peter Dutton presides over huge financial waste

The Age
EDITORIAL
May 16 2017 - 7:34PM

Peter Dutton is the latest in a series of immigration ministers, Coalition and Labor, who have presided over one of the most wasteful and misjudged policies in modern Australian history – mandatory offshore detention of asylum seekers and refugees.

In recent times, he has been obfuscating about whether shots were fired by drunken Papua New Guinean soldiers into the detention centre on Manus Island in which the cruel and costly policy of Mr Dutton and his predecessors has harmed some of the world's most needy and vulnerable people. As The Age reported on Tuesday, Mr Dutton was not speaking the truth when he asserted the shots had been fired into the air.

A dour and plodding former policeman, he is also presiding over one of the most ridiculously expensive, poorly planned and indulgent bureaucratic splurges of taxpayers' money in modern Australian history.

His department is spending a quarter of a billion dollars on a new headquarters, a move believed to be not utterly unrelated to his desire to run a mega homeland-security empire. Imagine how many more important things could have been done with that money – like building schools and hospitals.

So, it is with little confidence that we contemplate Mr Dutton's stewardship of the imminent closure of the Manus Island centre. That is happening not because Mr Dutton realised how flawed the policy is, but because Papua New Guinea's Supreme Court did; it ruled more than a year ago that the centre is unconstitutional and illegal.

Despite this lengthy notice, hundreds of suffering people will remain – largely unprotected and unwanted – on Manus Island in the hope that the deal for some of them to go to the US will actually proceed, let alone expeditiously.

The cost of holding refugees and asylum seekers on Manus Island and Nauru, where there is also a hellish detention centre, is about half a million dollars a person each year. It costs less than \$15,000 to process a person onshore in the community.

This is not only a fiscal travesty, it's a moral and legal one – as many as 90 per cent of the relatively small number of asylum seekers who have arrived by boat are found to be genuine refugees. Under international law ratified by Australia, they have a right to seek asylum here and our government has a responsibility to treat them correctly.

Instead, and despite being a nation that has been socially, economically and culturally enriched by immigrants, we have an Immigration Minister who extols "Australian values", whatever that might mean.

There have been leaked reports about huge numbers of cases of child abuse, squalor, self-harm, assaults and mental ill-health in the centres.

Returning to financial matters, failings are also reflected in a recent scathing report by the people's financial watchdog, the Commonwealth Auditor-General, that uncovered breaches of fundamental rules governing spending.

The pattern seems to be repeating with the mooted shift of Immigration Department headquarters; the situation is so opaque that politicians on both sides of Parliament consider it unacceptable.

<http://www.theage.com.au/comment/the-age-editorial/immigration-minister-peter-dutton-presides-over-huge-financial-waste-20170516-gw66gh.html>

2. Richard Ackland: A Pakistani man is detained indefinitely in Australia, and there is little courts can do

A man who came to Australia 17 years ago has been in detention for nearly five years with little prospect of being repatriated, or even resettled elsewhere

The Guardian
Richard Ackland
Tuesday 16 May 2017 06.00 AEST

A Pakistani national who came to Australia 17 years ago has been holed up in immigration detention since November 2012 with little prospect of being repatriated to his homeland any time soon, or even resettled in a third country.

It's one of those unsettling circumstances where the courts have accepted there is little they can do in the face of someone facing indefinite detention without charge.

In numerous decisions of the refugee review tribunal, the federal circuit court and the federal court of Australia this detainee has been anointed with the soulless sobriquet of "SZSZM".

In his latest application that went before Justice Nye Perram, SZSZM desperately pleaded to be sent to Nauru or Papua Guinea, rather than have his detention at Villawood further prolonged.

He emigrated with his parents from Pakistan to Australia when he was 11 years old. In 2006, he and his family were granted permanent residence, but unlike his parents he never applied for Australian citizenship.

He became addicted to heroin, which led to a "substantial criminal history". On 17 October 2012 his permanent residency visa was cancelled on character grounds. A few months later he applied for a protection visa, claiming to fear harm "as an outsider" if he was deported to Pakistan.

He claimed that Pakistan is a dangerous country and that he did not share the dominant view of Islam. He thought he might be kidnapped and that the authorities would not offer him protection because the police were corrupt.

A delegate of the minister for immigration accepted that SZSZM did have a genuine fear of returning to Pakistan, although he found the fear could not be established objectively.

Curiously, one of the grounds of the visa refusal was that there was no evidence SZSZM would have to disclose his criminal history and so jeopardise his employment prospects in Pakistan.

The refugee review tribunal affirmed the delegate's decision on the protection visa and an appeal to the federal circuit court was also dismissed.

FULL STORY AT <https://www.theguardian.com/commentisfree/2017/may/16/a-pakistani-is-in-indefinite-detention-in-australia-and-there-is-little-the-courts-can-do>

3. US asks refugees to swear oath to God during six-hour 'extreme vetting' interviews

Canberra Times / Reuters
May 23 2017 - 5:06PM
Michael Koziol

American officials have commenced "extreme vetting" of refugees at Australia's offshore detention centres, with lengthy interrogations about their associates and any links to Islamic State.

Representatives of the US Department of Homeland Security left Manus Island having conducted 48 second-stage interviews, with two refugees divulging details of the process to Reuters.

They said the interviews began with an oath to God to tell the truth and proceeded for as long as six hours, with in-depth questions on associates, family, friends and any interactions with the IS terror group.

"They asked about why I fled my home, why I sought asylum in Australia," said one Manus Island refugee who declined to be named, fearing it could jeopardise his application for resettlement.

The Department of Immigration and Border Protection this week confirmed 268 people had completed their second-stage security interview with US officials: 220 in Nauru and 48 on Manus Island.

In a separate part of the process, DHS also collects fingerprint and other biometric data from the refugees. The third and final stage of the process is a medical assessment.

Those assessments commenced in Nauru last week, with approximately 220 to be finished in this round, deputy immigration secretary Rachel Noble told a Senate estimates hearing.

"It will be some time yet before it is made clear how many people are going from Nauru and how many people are going from Manus," department secretary Mike Pezzullo said.

But the commencement of security interviews indicated Washington would continue to honour the so-called people swap that US President Donald Trump had called "a dumb deal".

The Trump administration said last month the agreement to offer refuge to up to 1250 asylum seekers in the centres would progress on condition that refugees satisfied strict checks.

In exchange, Australia has pledged to take Central American refugees currently living in Costa Rica. Ms Noble told Senate estimates her department was currently handling seven cases, involving 30 refugees, who would likely settle in Australia.

A spokesman for Immigration Minister Peter Dutton refused to comment on the resettlement process and the US State Department and White House did not immediately respond to questions.

A decision on the fate of the first batch of refugees interviewed is expected to be reached within the next month, a source who works with refugees told Reuters.

On taking office, President Trump announced plans for "extreme vetting", to be extended to those travelling to the US from Muslim countries.

Commenting on the refugee deal with Australia, White House press secretary Sean Spicer said in January: "There will be extreme vetting applied to all of them."

Australia's relationship with the new administration in Washington got off to a rocky start when Mr Trump lambasted Prime Minister Malcolm Turnbull by phone over the resettlement arrangement. He later labelled it a "dumb deal" on Twitter.

The relocation of asylum seekers to the US is designed to help Papua New Guinea and Australia proceed with the planned closure of the Manus detention centre by October 31.

About 38 refugees have accepted resettlement in PNG. But the fate of about 187 men deemed non-refugees is uncertain - they are being offered inducements to return home.

<http://www.canberratimes.com.au/federal-politics/political-news/us-asks-refugees-to-swear-oath-to-god-during-sixhour-extreme-vetting-interviews-20170523-qwbbx1.html>

4. Lawyers hit back at Peter Dutton on AAT visa decisions

The Australian
12:00AM May 18, 2017
Joe Kelly, Political reporter

The Law Council of Australia has attacked Immigration Minister Peter Dutton for jeopardising the independence of the Administrative Appeals Tribunal, after he questioned its decisions and political impartiality.

Law Council president Fiona McLeod said tribunal members reviewed government decisions "in accordance with law, not personal preference or ideology".

"For members to face personal criticism for fulfilling their duties is inappropriate," she said.

"Justice Duncan Kerr is a highly respected Federal Court judge who has provided excellent service to the commonwealth during his time as AAT president."

Mr Dutton expressed frustration this week with the tribunal, which has overturned more than 4300 visa decisions made by him or his delegate in the past year. He noted that Justice Kerr, a former Labor MP, was appointed by former prime minister Julia Gillard and said his term would not be renewed when it ended this week.

"It's always interesting to go back and look at the appointment of the particular Labor government of the day," he told Sydney radio station 2GB on Tuesday. "It's a frustration we live with."

Ms McLeod said the comment could undermine the standing and independence of the tribunal.

"Any suggestion by government that Australian jurists are not acting with independence is dangerous and erosive to our justice system," she said. "It undermines the public perception of the legitimate role of the judiciary and weakens the rule of law."

The AAT reviewed more than 11,300 visa decisions in the year to April, rejecting 39 per cent. Mr Dutton said some of the cases were "infuriating".

The issue boiled over when it emerged that the AAT had blocked attempts to deport six Iranian boatpeople who had voluntarily returned to Iran for holidays before returning to Australia.

Former prime minister Tony Abbott defended Mr Dutton, saying he was "doing his best to keep our country safe", and questioned how the AAT could justify its decisions.

"It seems that the AAT is, more often than not, not supporting him," Mr Abbott said on 2GB. "On the face of it, it's hard to see the justification for some of these decisions. And let's hope that over time we have people on these tribunals that reflect the decent instinct of the wider Australian people."

Justice Kerr said it would be wrong to respond to Mr Dutton's comments about his personal conduct but defended the tribunal. "They don't just make the law up, they apply the law (as) determined by the parliament and supervised by the court," he told the ABC.

<http://www.theaustralian.com.au/national-affairs/immigration/lawyers-hit-back-at-peter-dutton-on-aat-visa-decisions/news-story/bd05107b10c1cbbf1bedd7ca7a9e9917>

5. Immigration Minister Peter Dutton sets a deadline for refugee status application

Canberra Times
May 21 2017 - 3:07PM
Adam Gartrell

Up to 7500 asylum seekers who arrived in Australia by boat have been given four months to apply for refugee status or face deportation.

Branding them "fake refugees", Immigration Minister Peter Dutton says they have until October 1 to provide detail about their protection claims. He says some have refused to lodge protection claims while others have refused to give even basic information about their identities.

"This is a very serious situation and it's costing Australian taxpayers hundreds of millions of dollars a year," Mr Dutton said on Sunday. "Money that could be spent on education, on health, on police, on other services in the community. Now we aren't going to tolerate that any longer."

Many arrived without identity documents on boats run by people smugglers up to seven years ago under the previous Labor government, he said.

Mr Dutton said many were residing in Australia on government benefits which last year cost around \$250 million in income support alone.

But refugee advocates are furious over the move, saying it punishes people who have been waiting patiently to submit their claims.

The Refugee Action Coalition's Ian Rintoul called the deadline "completely arbitrary" and said it was a cruel hoax on people whom the government has left in limbo.

"These people have been denied legal help by this government," said Mr Rintoul. "They have systemically denied them the possibility of making an application. To suggest that they are unreasonably consuming taxpayers dollars is simply vicious."

Human rights lawyer George Newhouse said the move showed a "blatant disregard" for the processes of the law and the cost of legal aid.

And advocates at the Edmund Rice Centre accused Mr Dutton of "yet another unfair and extreme attack" on refugees and asylum seekers.

"Peter Dutton and the Turnbull government are deliberately making the process of applying for protection as difficult as possible," the centre's Dominic Ofner said.

"There are over 21 million refugees worldwide and the international community is facing the biggest humanitarian crisis since World War II. In this context, it is simply beyond embarrassing that our government is doing everything it possibly can to deny basic rights to 7,500 people seeking asylum in Australia."

Labor's immigration spokesman Shayne Neumann criticised Mr Dutton for branding people "fake refugees" before they had even lodged their applications.

"I think the public will see what this is all about. It's about Peter Dutton putting his name in the paper, angling for the prime ministership - not doing his job and angling for Malcolm Turnbull's job," he said. He also questioned why the government was only now acknowledging it had a problem after nearly four years in power.

<http://www.canberratimes.com.au/federal-politics/political-news/immigration-minister-peter-dutton-sets-a-deadline-for-refugee-status-application-20170520-gw9iza.html>

6. Peter Dutton gives asylum seekers in Australia deadline to apply for refugee status

Immigration minister cites Australia's level of debt while threatening 7500 asylum seekers with deportation

The Guardian
Australian Associated Press
Saturday 20 May 2017 19.11 EDT

Anyone who arrived in Australia "illegally" by boat has been given a deadline of 1 October to apply for refugee status or face deportation.

The immigration minister, Peter Dutton, says there are 7500 illegal maritime arrivals living in Australia who have yet to prove they are refugees and owed protection by Australia.

Many arrived without identity documents on boats run by people-smugglers up to seven years ago under previous Labor governments.

Dutton says Australia is one of the most generous countries when it comes to resettling refugees but can't afford to be taken for a ride by people who refuse to provide details about their protection claims.

"We are not going to allow, given the level of debt that our country is in, for more debt to be run up paying for welfare services, for people who are not genuine," he told reporters in Brisbane.

He said that, until individual processes were finalised, the government would continue to provide Medicare support, allow children to attend school and allow people to work but would not provide income support.

"The expectation is, if people can't make their claim for protection, then they need to depart our country as quickly as possible," he said.

Dutton said the four-month deadline was being imposed to "clean up the mess" left by Labor which he said had cost the country \$13.7bn.

"The government has been very clear and very determined for a long period of time that we are going to make sure that these boats don't start up again."

<https://www.theguardian.com/australia-news/2017/may/21/peter-dutton-gives-asylum-seekers-in-australia-deadline-to-apply-for-refugee-status>

7. Peter Dutton declares 'game is up' for 'fake refugees' living in Australia

ABC News Online
By political reporter Jane Norman
Sunday May 21, 2017, 08:35am

Immigration Minister Peter Dutton has given 7,500 asylum seekers living in Australia until October to lodge an application for protection, or face deportation, declaring the "game is up" for "fake refugees".

Mr Dutton said the asylum seekers had all arrived by boat under the previous Labor government and had so far either failed or refused to present their case for asylum with the Immigration Department. "If people think they can rip the Australian taxpayer off, if people think that they can con the Australian taxpayer, then I'm sorry, the game's up," he said.

The asylum seekers have now been given until October 1 to lodge an application for processing or they will be cut off from Government payments, subject to removal from Australia, and banned from re-entering the country.

According to Mr Dutton, the group is costing taxpayers about \$250 million each year in income support alone and the deadline would ensure the Government is "not providing financial support to people who have no right to be in Australia".

South Australian Senator Nick Xenophon said the new policy would have public support, and appeal to the Coalition's support base, but urged the Government to take a "calm, methodical and fair" approach.

Of the 50,000 asylum seekers who arrived by boat between 2008 and 2013, 43,000 have now been processed — which means they have either been granted a visa or had their claims rejected — or are currently having their claims assessed.

However, there are 7,500 asylum seekers "outside the process" and that is the group now subject to the October 1 deadline.

<http://www.abc.net.au/news/2017-05-21/peter-dutton-october-deadline-asylum-seekers-protection/8544890>

8. 'He wants them to fail': Lawyers furious over Peter Dutton's 'fake refugees' deadline

Sydney Morning Herald
May 21 2017 - 7:17PM
Michael Koziol

Refugee lawyers are furious over what they are calling a breach of faith from the Turnbull government in its new deadline for boat arrivals to lodge their asylum claims.

Immigration Minister Peter Dutton on Sunday announced a "non-negotiable" October 1 deadline for about 7500 asylum seekers to submit their claims for protection, or face deportation.

In what he described as a crackdown on "fake refugees" and con-artists, Mr Dutton accused asylum seekers of failing or refusing to engage in the asylum process and instead "taking the system for a ride".

But refugee lawyers argued the looming deadline was arbitrary and unfair, and would lead to thousands of rushed applications that were doomed to fail or likely to end up in the courts.

"He wants them to fail," said Kon Karapanagiotidis, chief executive of the Asylum Seeker Resource Centre. "He's politicking with the lives of 7500 people, punishing them for a morally bankrupt system he was the architect of."

Mr Dutton said some of the targeted cohort had been in Australia for five years without lodging their asylum claims. But many were barred from lodging claims until as recently as December, and were also denied work rights.

Lawyers say most of the 7500 people are known to the major community legal centres and are being helped to prepare their paperwork. But the documents are numerous, complex and difficult, especially for non-English speakers.

"They want to apply but the system is so complex they need assistance to do so," said David Manne, executive director of Refugee Legal.

"These people deserve a fair go before the law, not an arbitrary deadline which if missed could seem them sent back to places of danger like Afghanistan, Iraq or Syria. The slip of the pen could be tantamount to a death sentence."

Those who fail to make an application by October 1 would be considered to have forfeited their claim to protection, Mr Dutton said on Sunday. They will be placed on a short-term visa that provides work rights, Medicare and school education until deportation is arranged.

The 7500 people belong to a cohort of close to 30,000 asylum seekers who arrived by boat during the Labor years, referred to now as the "legacy caseload".

About 70 per cent of those processed were found to be refugees owed protection. But advocates fear rushed, incomplete applications will fail undeservedly or end up in a lengthy, expensive appeals process.

The crackdown has loomed since late last year when asylum seekers began to receive letters from the Department of Immigration and Border Protection giving them 14, 30 or 60 days to apply for asylum.

Legal centres have been in overdrive trying to speed up the claims. "We're going to do everything humanly possible to scale up our emergency help to meet the need," Mr Manne said.

Advocates said they had previously understood there would be no hard deadline and Sunday's announcement came without warning.

Mr Dutton said the group of asylum seekers yet to lodge their claim cost taxpayers \$250 million in income support last financial year, while the total welfare bill for "illegal" boat arrivals was \$1.9 billion.

"If people think that they can rip the Australian taxpayer off, if people think they can con the Australian taxpayer, then I'm sorry – the game's up," he said.

Shadow immigration spokesman Shayne Neumann took issue with Mr Dutton's use of the term "fake refugees", but said Labor would consider its position on the announcement and encouraged asylum seekers to lodge their applications "as soon as possible".

Ali*, a 23-year-old refugee working in Canberra who completed his claim with legal assistance, said the process was difficult and lengthy.

"You have to be very careful," he told Fairfax Media. "The sentences and the questions that are asked on that form, it's not easy language, even if you speak English.

"You can't really do it by yourself, you really need to see an immigration lawyer. The time frame that Peter Dutton is now saying is just horrible."

** Name has been changed*

<http://www.smh.com.au/federal-politics/political-news/he-wants-them-to-fail-lawyers-furious-over-peter-duttons-fake-refugees-deadline-20170521-gw9moc.html>

9. Michael Gordon: Peter Dutton's fake war on asylum seekers

Canberra Times
May 21 2017 - 5:33PM
Michael Gordon

Peter Dutton's war on "fake refugees" is misleading, based on a false premise and dangerous in that it pre-empts a fair hearing of claims for refugee status.

The message is that thousands of asylum seekers who arrived on boats in the Labor years have not lodged protection claims because they are not refugees and are intent on taking the taxpayer "for a ride" and "conning" the system.

Quite simply, the Minister for Immigration has not provided the evidence to sustain this charge.

The crackdown is based on the premise that the intransigence of the asylum seekers is the problem when immigration and human rights lawyers insist the vast majority are desperate to present their case for protection as about 22,000 in the legacy caseload have already done.

Most of those in the backlog were only given permission by this government to lodge their protection applications late last year, after years of living in limbo, many without work rights for much of that time.

So onerous and complex is the process that applicants have virtually no chance of navigating it without help from not-for-profit agencies that have had to prioritise the most urgent cases, find innovative ways to tackle the backlog and tell many they will have to wait for the assistance they need.

This is why the decision by Dutton to send letters to asylum seekers giving them 60 days to lodge their claims or face serious consequences early this year generated such a wave of panic and anxiety among the caseload, and pleas from agencies to work out a process to clear the backlog as quickly as possible.

Finally, Dutton's suggestion that these people are "fake refugees" is at odds with any notion of fair process and highly prejudicial. Before the claims are assessed, he has pronounced judgment.

The sudden urgency suggests the government has the capacity to process these people quickly when that is not the case. A Senate hearing earlier this year was told the average time to process each application is 247 days.

Rather than threaten to cut people off from government income support, deport them and ban them from re-entering Australia, the government should be looking at ways to work more closely with the voluntary sector. "A fair system and a fair go before the law is all these people are seeking," says Refugee Legal's David Manne.

If Dutton sees October as a realistic deadline, he should be announcing measures to help people lodge their claims, not demonising them and injecting more anxiety into their lives. Rather than a war of "fake refugees", this has the hallmarks of a "fake war" on an easy, and very familiar, target.

<http://www.canberratimes.com.au/federal-politics/political-opinion/peter-duttons-fake-war-on-asylum-seekers-20170521-gw9q1q.html>

10. Peter Dutton's 'fake refugees' policy could face court challenge from refugee lawyers

ABC Radio CAF - AM
By Eliza Borrello
Monday May 22, 2017

Lawyers are warning the Federal Government can expect to see them in court if it follows through with its latest asylum seeker policy.

Immigration Minister Peter Dutton yesterday announced asylum seekers he referred to as "fake refugees" would be deported if they did not apply for a temporary protection visa by October.

"Those people who are fake refugees, people who are refusing to provide detail about their claim of protection ... or indeed refusing to lodge their protection claims," he said.

But refugee lawyer David Manne said lodging a claim was time consuming, and he was prepared to challenge the Government's policy in court if it tried to deport any asylum seekers come October.

"These applications take many hours because we're looking at completion of forms with well over 100 questions, plus a detailed written statement, of the person's fears of return to their home country, all in English and needing expert legal help so that people can understand the requirements of the process," he said.

"Any move by the Government to deprive them of a fair hearing and to not allow them to apply can expect to see a legal challenge in the courts."

Mr Manne previously successfully challenged the Gillard Government's plan to send asylum seekers to Malaysia in 2011.

Asylum seekers had small window to apply for TPVs

Mr Manne said his legal centre had more than 2,000 asylum seekers on its books seeking pro bono help to apply for temporary protection visas.

He argued they had only had a small window of opportunity to do so.

"Successive governments left thousands of people in legal limbo not being allowed to apply for protection," he said.

"It was only in 2015 that that bar was lifted to allow people to present their cases for protection and then only in batches, incrementally, people were allowed to apply."

Temporary protection visas were abolished by Labor when the party came to power in 2007.

Mr Dutton's office said the Coalition was only able to get legislation reintroducing them through the Senate in late 2014.

But Mr Dutton believed four months' notice should be enough for the 7,500 asylum seekers with outstanding claims to get them in.

"We are not going to allow, given the level of debt that our country is in, for more debt to be run up paying for welfare services for people who are not genuine," he said.

Labor hasn't ruled out backing Dutton's policy

Labor's Immigration spokesman Shane Neumann yesterday criticised Mr Dutton for calling asylum seekers fake refugees, but did not rule out backing the policy.

"It's important that people make their application as soon as possible," he said.

"The Government's been in power for about four years now, and today they've made an announcement without actually briefing the Opposition or consulting with anyone as far as we're aware in relation to this arbitrary deadline."

He said Labor would press the Government for more details when ministers and bureaucrats front budget estimates hearings in Canberra today.

<http://www.abc.net.au/news/2017-05-22/dutton-refugee-visa-policy-could-face-lawyer-court-challenge/8545562>

11. Deadline for asylum seekers in Australia impossible to meet, lawyers say

Experts say 1 October deadline for 7,194 asylum seekers to apply for refugee status 'arbitrary, unnecessary and unfair' and 'the slip of a pen could be a death sentence'

The Guardian
Ben Doherty
Tuesday 23 May 2017 17.26 AEST

The government's deadline for all onshore asylum applications is impossible to meet, and will result in people being deported to danger, refugee legal services have told the Guardian.

On Sunday the immigration minister, Peter Dutton, announced an immovable deadline of 1 October for all asylum seekers in the so-called “legacy caseload” to have lodged their formal applications for protection.

The legacy caseload is about 30,500 asylum seekers who arrived in Australia by sea between August 2012 and January 2014. Their claims for protection were frozen under Labor’s “no advantage” rule.

The majority – 23,000 of the 30,500 people – in the legacy caseload have applied for protection. But 7,194 have not yet formally applied, most because they were banned from applying until as late as October last year, or are on a waiting list for legal assistance.

The required protection application – form 866 – has 101 questions and is 41 pages long. Almost all asylum seekers require legal assistance to correctly fill it out; even then it typically takes between 10 and 15 hours.

The government has cut legal funding for asylum applicants by 85%, and most legal centres offering pro bono assistance have waiting lists longer than a year.

Dutton said on Sunday anybody who failed to lodge their application by 1 October would be deemed to have forfeited their claim to protection. “They will be subject to removal from Australia, prohibited from applying for any Australian visa, cut from government income support and banned from re-entering Australia,” Dutton said.

The executive director of Refugee Legal, David Manne, told Guardian Australia the deadline would be an impossibility for thousands of asylum seekers.

“Despite the huge scaling up of free legal assistance, by us and others, it simply can’t be met. And the government well and truly knows that, no one should be surprised. The deadline is arbitrary, unnecessary and unfair.”

Manne said international law obliged Australia to provide people an opportunity to fairly present their case for protection. “Otherwise, if you deprive people of that opportunity, it risks an unfair hearing and serious miscarriage of justice, in these circumstances that could well result in somebody being sent back to torture and death.

“The slip of a pen could be a death sentence.”

Manne said in the wake of the government’s announcement, his organisation had been inundated with offers of volunteer support, including from major law firms offering to send lawyers to assist with protection applications. However their waiting list is more than 2,000 people long.

Manne said people in the legacy caseload were “desperate to apply” for protection, but the vast majority had been banned from making an application until as late as October last year.

Manne said the characterisation by the government of asylum seekers who have not yet applied for protection as “fake refugees” was without foundation.

“To cast aspersions over thousands of people that they’re somehow fake refugees when they haven’t been able to present their claims yet, let alone have them heard, it’s not only baseless, but it’s quite improper, highly prejudicial, and tantamount to prejudgment of someone’s case before it’s heard.”

He said that any attempt to deport a person for failing to lodge a protection application would be challenged in court.

The chief executive of Melbourne’s Asylum Seeker Resource Centre, Kon Karapanagiotidis, said asylum seekers were presenting to ASRC offices “terrified and panicked” they faced deportation without having a chance to make a claim.

“Like it wasn’t hard enough for these people,” Karapanagiotidis said. “They wake up on Sunday to be told they are trying to rot the system, when they have been wanting to apply since 2012.”

People in the legacy caseload had been banned from applying for protection for between 961 and 1,600 days, Karapanagiotidis said. The most vulnerable were people who were suffering poor mental health or post-traumatic stress disorder, and who hadn’t engaged with legal services.

He said he was urging all asylum seekers to seek legal assistance, because, under the fast-track system, no new information could be presented beyond the initial application, even new evidence of further persecution.

Before fast-track was introduced, 90% of asylum applicants were found to have valid protection claims. Under the new system, that number has fallen to about 70%.

The government’s new deadline for asylum applications was the subject of sustained questioning before Senate estimates on Tuesday.

The department told estimates there were 7,194 people – out of 30,500 in the legacy caseload – who had not formally lodged applications. Half of that number were in families with children.

Iranian nationals, with 2,583 asylum seekers, were the largest cohort, followed by stateless people, 1,196, a group that includes a significant number of Rohingyas, a persecuted ethnic minority from Myanmar.

Then 991 are Sri Lankans and 403 Afghans, while the remainder are significantly smaller national groups, including Pakistanis, Vietnamese and Bangladeshis.

On average it takes the immigration department 261 days – more than eight months – to process somebody on the fast-track refugee assessment, and that time is trending up, department officials said.

The department secretary, Mike Pezzullo, told estimates his department projected that all the applications could be lodged by 1 October, but he conceded the legal sector had told his department it would not be able to meet the deadline. “I do accept that that’s a contestable view, but that’s the rate at which we’re currently tracking.”

Pezzullo said there was no leniency in the deadline. “Whether we hit zero or 100 or 300 or 400 [applications outstanding] at that point [1 October], the commissioner [of the Australian Border Force] and I have to turn our mind as to how we will operationalise a departure strategy ... how we will aggressively pursue a departure policy.”

Senior department sources have previously told Guardian Australia there is recognition within the department it cannot process the volume of applications it has demanded of asylum seekers, but there is political pressure to be seen to be clearing the legacy caseload.

<https://www.theguardian.com/australia-news/2017/may/23/deadline-for-asylum-seekers-in-australia-impossible-to-meet-lawyers-say>

12. Asylum seekers unaccounted for in Canberra, at risk of deportation, Legal Aid says

ABC News Online

By Jake Evans

Tuesday May 23 2017, 12:53pm

Up to 32 asylum seekers have slipped through the cracks in Canberra and likely do not know about a new deadline to apply for protection visas, Legal Aid ACT has said.

The dedicated legal service provider said it was unable to contact dozens of asylum seekers in the territory, who have not formally applied for temporary protection visas.

The individuals, who arrived between 2012 and 2013, were moved into the community until they had the ability to apply for the visas, but now cannot be located.

Legal Aid ACT was not able to establish contact with the asylum seekers when they first arrived and only recently learnt of their existence.

Migration clinic coordinator Zouheir Dalati said it was not known how the asylum seekers were lost, but some may have moved interstate and not updated their address.

Mr Dalati said they may not know there are services that could help them.

He also said a distrust of authority and lack of language skills may be preventing them from coming forward.

On the weekend, Immigration Minister Peter Dutton announced a new October deadline for visa applications and said asylum seekers who have not applied for protection by then will be deported.

Mr Dalati said the unaccounted for asylum seekers likely have no idea about the new deadline.

"They are asylum seekers but until just very recently they didn't get the chance actually to apply [for a temporary protection visa]," Mr Dalati said.

"My guess is they are yet to know about all these recent changes and probably they are still waiting to get an invitation to apply for protection visas.

"If we don't assist them, they really don't have anywhere else to go."

Mr Dalati said Legal Aid ACT was unable to get details on the 32 asylum seekers from the Department of Immigration.

He said the documents the asylum seekers needed to complete were complicated and it would take between 30 to 60 days to collect the relevant information.

A spokesperson from the Department of Immigration and Border Protection said it had "been in contact with most illegal maritime arrivals (IMAs) in the ACT who are yet to lodge a protection application and will follow up with the remaining IMAs shortly".

They said the department continued to work with stakeholders such as Legal Aid groups to engage with those who had not already submitted a claim for protection.

<http://www.abc.net.au/news/2017-05-23/dozens-of-asylum-seekers-unaccounted-for-in-canberra/8548692>

13. Peter Dutton's office tells Canadian-Australian: 'go back to US and deal with Trump'

Doug Stetner, who has represented Australia in underwater rugby, called Dutton's office to voice support for asylum seekers

The Guardian
Joshua Robertson
Saturday 20 May 2017 10.28 AEST

A Canadian-born Australian citizen who called Peter Dutton's Brisbane office to voice opposition to treatment of asylum seekers says an electorate officer told him to "go back to the United States then and deal with Trump".

Doug Stetner, an Australian citizen for 21 years, who represented the national men's team at the 2015 underwater rugby world cup in Colombia, said the response from the immigration minister's staffer was both "offensive and comical".

"Basically, go back to where you come from. I felt like I was talking to Pauline Hanson's party. It was very disappointing," Stetner said.

The Brisbane resident, who has been eligible to vote in the last eight federal elections, said he decided to contact his local MP Ross Vasta after reading of revelations of the strategic worsening of conditions for Nauru and Manus Island detainees.

But Vasta's office did not pick up, so Stetner decided to contact the immigration minister's electorate office in Strathpine. He said a male staffer fielded the call.

Stetner, 55, a university computer systems administrator, said he was polite but firm. "Basically I said I disagreed with the way they were handling things over there [on Nauru and Manus Island] and they should bring all of these people back to Australia until they can determine what's going to go on with them."

He said the staffer told him he did not know what it was like in the detention centres as "reporters are not telling you what's real".

"I said, 'If you let the reporters in there, we might get what's real,' but they're blocking the media so you just get to a point where you don't trust the government on anything they're saying," Stetner said.

Stetner told the electorate officer it made him "embarrassed or ashamed to be an Australian to see this going on" in Australian-run detention centres. "And then he came out with, 'Well, why don't you just go back to the US then and deal with Trump?'

"I was a bit surprised by that. I said I was an Australian citizen and Canadian, not American. Anyway, they represent us and all I can do is call them and tell them this is what I'm thinking."

Guardian Australia twice contacted Dutton's electorate office to seek the staffer's account of the conversation. Two male staffers who answered calls denied having a conversation with Stetner.

Neither the office, nor Dutton's ministerial media spokesman, also contacted by Guardian Australia, provided a response.

<https://www.theguardian.com/australia-news/2017/may/20/peter-duttons-office-tells-canadian-australian-go-back-to-us-and-deal-with-trump>

14. Refugees in need of medical treatment on Nauru will only be sent to Australia if at serious risk, documents reveal

ABC Radio CAF - AM

By Sarah Whyte

Friday May 19, 2017, 11:44am

Asylum seekers and refugees detained in Nauru will only be transferred to Australia for medical treatment if they are at risk of dying or a permanent disability, documents obtained by ABC reveal.

The documents suggest the Australian Border Force was imposing the tough condition.

And it appears that most medical cases are being transferred instead to Papua New Guinea.

International Health and Medical Services, the company the Australian Government contracted to provide medical services to detainees on Nauru, wrote in an internal email that "Government will now only approve medical transfers to Australia if refugees or asylum seekers are likely to face permanent disability or death".

"IHMS needs to find the next five or six urgent outstanding cases for transfer and add to the clinical case review list for next week," Dr Heather Miller, medical director of IHMS, wrote in the email.

"ABF have advised they will only transfer to Australia if the condition will lead to permanent disability or death."

When asked about the email, IHMS directed questions to Australia's Immigration Department.

The Immigration Department said refugees were eligible for the Government of Nauru Overseas Medical Referral process if required medical services were not available there.

And they said that process was managed by the Government of Nauru.

ABC sought a comment from the Government of Nauru, but have not received a reply.

This week, in a secret recording obtained by AM, a doctor working on Nauru slammed what he called "a broken system", after being unable to organise an MRI for his patient waiting for 10 months to be examined.

'I don't know why they took him to PNG'

"Mohammed", a Lebanese refugee who did not want to be identified, has been in a Papua New Guinea hospital for the past two weeks, with a serious leg injury.

His brother "Joseph", who lives in Australia, said he was worried about him.

"My brother has problem in his knee, and it's hard for him when he walks, when he moves, it's hard for him," his brother said.

Joseph said Mohammed had been living on Nauru for four years, and for a year-and-a-half he was in immense pain.

Mohammed told the ABC that specialists who visited Nauru with the International Medical Services had recommended surgery on his knee straight away.

"When I saw the specialist he said I need to have an operation and that should be done as soon as soon," he said.

But he said the Australian Border Force told him a week before that he would not be going to Australia as expected, but to Papua New Guinea for treatment.

"They told me I am coming to PNG for a medical assessment ... they didn't say why," he said.

"My mental health is really bad, and every day it is really bad."

Both he and Joseph had expected Mohammed to be flown to Australia for the operation, but instead he was sent to a hospital in Papua New Guinea.

"I'm shocked of this situation. I got shocked when they sent him to PNG because [anyone] who want to do an operation or medical treatment, they should bring him to Australia," Joseph said.

"I don't know what happened, I don't know why they took him to PNG."

Joseph said he was calling Mohammed weekly.

"Doctors told him 'we need to do the operation here', but he is scared and said 'I don't want to do anything here, I need somebody next to me from my family'," he said.

"They told him 'do whatever you want to do, we're not going to send you back to Australia. You will be here or we'll send you back to Nauru'."

<http://www.abc.net.au/news/2017-05-19/document-reveals-only-refugees-at-serious-risk-sent-to-australia/8540410>

15. Exclusive: Self-harm, suicide and assaults: brutality on Manus revealed

Exclusive: Secret papers show 16 self-harm and suicide attempts in one week at Australia's offshore detention centre

The Guardian

Ben Doherty and Nick Evershed in Sydney and Behrouz Boochani on Manus Island

Thursday 18 May 2017 06.08 AEST

Confidential documents from inside Australia's offshore detention centre on Manus Island reveal bleak and brutal conditions inside, including persistently high rates of self-harm, repeated suicide attempts, regular violent and sexual assaults, and warnings of an emerging culture of drug use by staff and detainees.

Incident reports obtained by the Guardian show that on several occasions, four men in detention on Manus have attempted suicide and self-harm in a single day. In one week, 16 self-harm and suicide attempts were recorded by authorities.

Internal working documents show a deteriorating state of mental health for many refugees and asylum seekers detained on the Papua New Guinean island. Medical reports obtained by the Guardian and revealed here in redacted form detail incidents of psychosis, hallucinations, refusal to eat or drink, and of complete withdrawal from communication.

"Recent deterioration in mental state ... Placed on HI SME due to increased distress related to auditory/visual/tactile hallucinations that REDACTED has been experiencing with increasing frequency. Continues to experience distressing hallucinations of a man trying to kill him."

Several refugees and asylum seekers have made sustained and repeated attempts to kill themselves, the documents show. Internal documents for Broadspectrum, the private company that manages the Manus site on behalf of the Australian government, detail three levels of "Whiskey watch" – close observation of people deemed to be at most risk of killing themselves.

"Depending on the assessed risk the Whiskey team monitor the movements and presentation of the transferee either through a constant line of sight (HIGH), 30 minute observations (MODERATE), or three-hourly observations (ONGOING)."

It is common for several refugees to be on "high" watch simultaneously. Shift documents show that people at serious risk of self-harm have to be kept within "arm's length" of a guard for 24 hours, even when bathing or sleeping. If refugees on "high" watch speak to anyone, go anywhere, or do anything, it must be recorded by guards.

Despite the extreme levels of surveillance within the camp, suicide attempts remain common, the documents show.

"Two episodes of self-harm over the past 24 hours, latest at 1300 hrs 20/8/16. Long history of unstable behaviour with multiple episodes of self-harm, aggression, violence and other anti-social traits. Self lacerated ... requiring suturing by the IHMS medical team at the clinic following a Code Blue. Reviewed by IHMS MH and commenced on High SME."

"Overdose ... this morning @ 0400 hrs in Delta compound. Transferred to IHMS medical and remains an inpatient for observation. IHMS MHN review:

"Client reported that he did not want 'to be saved, I just want to die'.

"Described impulsive behaviour and thoughts.

"Reported that he has no current plan to end his life but 'it will come later'.

"Ongoing thoughts of suicide."

Guards are issued with "cut-down knives" to rescue refugees who attempt to hang themselves, and are instructed on how to remove hanging people and revive them. The Guardian has seen these instruction documents but has chosen not to publish them or their details.

PNG and Australian government officials announced this week that the closure of the Manus Island detention centre would begin this month. Demolition of the first compounds will begin on 28 May, and all refugees and asylum seekers will be removed by 31 October.

The Guardian revealed on Wednesday that Broadspectrum and Wilson Security have waged a year-long campaign to make the detention centre more inhospitable, in an effort to coerce people to progress through the assessment and resettlement processes and leave the centre, despite acknowledging they would face danger outside.

The four and a half years of the Manus detention centre's second iteration have been marked by violence, including one asylum seeker being murdered by guards, several deaths, including two because of alleged medical neglect, and regular protests, violent outbreaks and clashes, such as the rampage on Good Friday during which "drunken soldiers", according to police, opened fire on the detention centre.

Manus Island's notorious Chauka confinement section, a series of shipping containers arranged as an isolation unit about 400 metres from the rest of the detention centre, has been closed after consistent reports of violence and inhumane treatment.

But newly revealed documents shed light on the treatment of the refugees who were forcibly taken there, and detail injuries suffered.

"While in Chauka, X was instructed to sit on the (dirt) floor. When his brother was carried in 15 minutes later, X thought he was dead and became agitated. The security guards reportedly responded by bashing and pushing X, tearing his shirt in the process. X was reportedly then forced to the floor and his hands tied tight behind his back which hurt his shoulder and still causes pain. Around 15h00 X having had a brace placed around his neck, was brought to IHMS with his brother, indications from IHMS are that X's wrenched shoulder is an injury consistent with having been restrained."

FULL STORY AT <https://www.theguardian.com/australia-news/2017/may/18/self-harm-suicide-and-assaults-brutality-on-manus-revealed>

16. Exclusive: Scale of surveillance in Manus Island detention centre laid bare

Exclusive: Secret papers seen by Guardian reveal intensive monitoring of refugees and asylum seekers, and an all-pervasive fear about outside eyes looking in

The Guardian
Ben Doherty
Friday 19 May 2017 06.05 AEST

Within the Manus Island detention centre, everything is watched.

Guards stand over public and private spaces, CCTV monitors corridors and staircases, while roving patrols detail in incident reports where refugees are gathered and who is talking with whom.

Despite the move to an ostensibly "open" centre, the level of surveillance inside the detention centre remains, according to those held within it, oppressively high.

"Everywhere we can go they are watching," said one refugee, who declined to give his name because he feared it could jeopardise his application to be resettled in the US. "Even outside the camp, they are following, monitoring us.

"We have no freedom, no peace. We have no life."

Documents obtained by the Guardian reveal how in detention, refugees and asylum seekers are forensically monitored by staff, who report back to central databases on issues such as their appearance ("Well-groomed/dishevelled"); their manner ("Engaged with a warm manner", "Unstable and incoherent"); and associations ("Seen talking to X and Y").

All refugees and asylum seekers are given "risk ratings" based on their past behaviour, risk of suicide or self-harm, behaviour towards others, and history of refusing to eat or drink. Any change in demeanour, even in something as simple as failing to say hello to a caseworker or guard, is noted and categorised.

Daily the camp "mood" is rated, and a "threat level" assessed, considering the likelihood of disturbance, violence or mass protest.

Despite the move to an "open" centre on Manus, and permission being given for refugees to have mobile phones, camp managers maintain a close watch on communications.

Computer use is comprehensively monitored and landline phone calls inside the detention centre are all listened in on.

But while everything inside detention is scrutinised, of perhaps even greater concern is an all-pervasive fear over outside eyes looking in.

Prime among the Australian camp manager's concerns about the Manus immigration detention centre is the risk of "reputational damage".

Its planning documents reveal repeated concern about "adverse media" and the release of information "causing reputational damage to PNG/Australian governments".

Several refugee advocates seeking to visit Manus have been turned around at Papua New Guinean immigration in recent weeks, while others have been arrested, removed from Manus Island, and deported from the country. Journalists have had their pictures plastered on posters around the camp with warnings – Toksave – that they should not be spoken to.

Free reportage has been the bete noire of the detention regime on Manus. The "media handling" directions for the centre tell staff "the department has an interest in the management of publicity and media".

"No member of staff employed by any service provider in any capacity will make unauthorised statements or comments to the media at any time."

Under the Border Force Act, detention centre workers who speak publicly about conditions inside or treatment of refugees face up to two years' jail.

A media inquiry at the detention centre, or "anything likely to cause major media interest", is ranked as a "critical incident", the same rank as somebody murdering someone or killing themselves, an escape, a fire in the detention centre or large-scale protests.

<https://www.theguardian.com/australia-news/2017/may/19/scale-of-surveillance-in-manus-island-detention-centre-laid-bare>

17. Revealed: year-long campaign to make conditions harsher for Manus refugees

Exclusive: Documents show how the Australian government sought to drive refugees and asylum seekers from its detention centre in Papua New Guinea

The Guardian

Ben Doherty and Nick Evershed in Sydney and Behrouz Boochani on Manus Island

Wednesday 17 May 2017 06.09 AEST

For more than a year, camp managers and security staff have waged a campaign to make Australia's detention centre for refugees and asylum seekers on Manus Island as inhospitable as possible, leaked documents reveal.

FULL STORY WITH DOCUMENTATION AT <https://www.theguardian.com/australia-news/2017/may/17/revealed-year-long-campaign-to-make-conditions-harsher-for-manus-refugees>

A plan drafted in early 2016 outlines moves to coerce those recognised as refugees into leaving the detention centre and accepting resettlement in Papua New Guinea, while pushing asylum seekers to abandon their protection claims and return home.

Documents obtained by the Guardian acknowledge that many felt unsafe in the Manus community, would face violence and danger if forced out and had been "institutionalised" during their detention.

The detention centre on the PNG island is one of Australia's two offshore holding centres – along with the other on the Pacific island of Nauru – for asylum seekers and refugees.

Australian Border Force and PNG immigration officials announced this week the demolition of the Manus detention centre would begin this month, and every detainee within would be removed – forcibly if necessary – by 31 October.

Under the confidential plan to coerce people to leave, refugees were to be separated from "transferees" – those who had not been formally recognised as refugees.

The documents, from camp manager Broadspectrum and security contractor Wilson, reveal efforts to push those recognised as refugees to accept relocation to the East Lorengau transit centre, and ultimately resettlement in PNG, while persuading those without refugee status to abandon their claim to protection and go home.

The document says: "Conditions for refugees at East Lorengau refugee transit centre should be more attractive than for refugees at Lombrum RPC. Conditions for refugees at the RPC should be more attractive than conditions for transferees."

Read Document: <https://interactive.guim.co.uk/embed/aus/2017/apr/manus-docs/1A.pdf>

Transferees, who cannot be resettled in PNG, would be moved to a compound at the western end of the detention centre because "it does not have air conditioning". Camp managers also mooted imposing a smoking ban to encourage refugees to accept resettlement in the community.

The documents from inside the Manus Island detention centre reveal that the Australian government understood there were serious risks to opening up the centre, risks highlighted by a shooting rampage at the camp on Good Friday by “drunken soldiers” after a dispute about the use of a soccer pitch.

One plan mooted was to forcibly remove refugees and asylum seekers from the detention centre into the transit centre in a single day.

Planning documents that proposed “moving residents into accommodation with less amenity than they currently have” forecast the forced removal raised an “extreme” risk of violence and protests, and warned of the potentially “catastrophic consequences” of using the PNG police, whom Australian authorities describe as “not trained” for the relevant tasks.

The documents raise the possibility of “extreme” outcomes, including that the commander of the naval base – where the detention centre is housed – “does not support the concept of an open centre given it is in the middle of the Navy base”; and that Manusians, already affronted by the imposition of 1,000 men with whom they have been forced to share their small, resource-poor island, are wary of, if not outright hostile towards, the new arrivals.

“The community considers the refugees as a threat,” planning documents say. “The community targets asylum seekers to either harm them or steal from them.”

For both cases – the navy commander’s possible response and the community reaction – the officials say there is a 50% likelihood of the scenarios occurring.

The Australian government-contracted managers running the detention centre have been aware from the outset that the move to push people out – without a plan for their ultimate resettlement – would be distressing for those detained.

“Many cohort members have forged friendships under very difficult circumstances thus creating support networks,” one document says. “Some groups even have gardens but in the main they have created a space to call their own.

“It is not ‘home’ but it is the next best thing, it is what they have become used to and moving these individuals around at any time will elevate the tension across the MRPC.”

FULL STORY WITH DOCUMENTATION AT <https://www.theguardian.com/australia-news/2017/may/17/revealed-year-long-campaign-to-make-conditions-harsher-for-manus-refugees>

18. UN and human rights groups condemn campaign to punish Manus Island men

Amnesty International says Australian government has practised ‘extreme abuse, wilful negligence and cruelty’

The Guardian
Ben Doherty
Wednesday 17 May 2017 15.59 AEST

Human rights groups and the UN have condemned Australia’s offshore processing regime as uncertainty surrounds the imminent closure of the Manus Island detention centre and the future of the 829 men held there.

In response to revelations in the Guardian that the Australian government and its contractors had engineered a year-long campaign to make conditions inside the detention centre more punitive in order to encourage refugees to leave, the Human Rights Law Centre and Amnesty International reiterated calls for Australia to abandon offshore processing.

Internal working documents from the detention centre revealed conditions for those held there would be made progressively more oppressive, in order to coerce people to accept resettlement in PNG or abandon their claims for protection, despite camp managers acknowledging refugees would face violence and danger in the community, were suffering severe mental health issues and had been institutionalised during four years in detention.

PNG and Australian government officials have announced that the closure of the Manus Island detention centre would begin this month. Demolition of the first compounds will begin on 28 May and all refugees and asylum seekers will be removed by 31 October.

The HRLC’s director of legal advocacy, Daniel Webb, who has travelled to Manus Island three times, said the revelations were further proof the Manus regime was deliberately designed to be harmful for the refugees held there.

“If settlement in PNG was a safe and viable option, it would have happened ages ago instead of using cruel tactics to force people down clearly unsafe roads. It’s our government’s responsibility to find a humane way forward for all.”

Webb said the “US deal” – under which America has agreed to consider resettling an as-yet-undetermined number of refugees from Australia’s detention centres – might only provide safety for some.

“It is our government’s responsibility to ensure safety for all,” he said. “The government has known for years that the Manus camp’s days are numbered. But it has never had a decent or humane plan for the innocent men trapped inside it.”

Amnesty International’s refugee coordinator, Graham Thom, said the internal working documents from the detention camp proved the Australian government had designed a deliberately abusive system.

“The leaked planning documents illustrate yet again just how far the Australian government is willing to go,” he said. “Instead of protecting vulnerable people, the government and its contractors have practised extreme abuse, wilful negligence and cruelty simply to make an example of them. It’s beyond belief.”

Amnesty released a report this week detailing a violent assault that occurred on Good Friday, during which “drunken soldiers” – in the words of the regional police commander – attempted to storm the detention centre, firing weapons into buildings where refugees and soldiers were hiding.

Coincident but unrelated, the UN’s special rapporteur on the rights of migrants, François Crépeau, has released a report of his visit to Australia last year.

Crépeau initially postponed his visit, out of fear that people who spoke to him about Australia’s migration policies and practices could be jailed under the Border Force Act. He ultimately did visit and was able to speak with workers in the system, as well as refugees and asylum seekers.

In his report, Crépeau wrote that Australia’s policies of treating boat-borne asylum seekers differently from those who arrived by plane was a clear breach of international law.

“The strong focus on securitisation and punishment blemishes the country’s good human rights record,” he wrote. “The special rapporteur observed that some of the country’s migration policies have increasingly eroded the human rights of migrants, in contravention of its international human rights and humanitarian obligations.

“The Australian authorities have put in place a very punitive approach to unauthorised maritime arrivals, with the explicit intention of deterring other potential candidates. Unauthorised maritime arrivals are treated very differently from unauthorised air arrivals, especially when they result in protection claims. This distinction is unjustifiable in international refugee and human rights law and amounts to discrimination.”

Crépeau said the use of offshore detention as a “deterrent” by the Australian government was unprincipled and unlawful.

“It is a fundamental principle of human rights law that one person cannot be punished only for the reason of deterring another.”

Crépeau’s report made more than 30 specific recommendations, including that Australia implement a bill of rights, “or at least a legislative guarantee of human rights – a human rights act – with a clause of precedence over all other legislation”.

The national president of the Australian Lawyers Alliance, Tony Kenyon, said Crépeau’s comments were a wake-up call to the status of human rights protections in Australia.

“Australia should guarantee that no one will ever again be subjected to the systematic inhumane treatment that arises in offshore detention, as has been revealed by so many reports and investigations,” Kenyon said.

“As Australia seeks election as a member of the UN Human Rights Council, it must demonstrate its commitment to respecting human rights by implementing the recommendations of UN experts.”

Australia is running against Spain and France for one of two seats on the influential United Nations Human Rights Council for 2018-2020.

Australia’s foreign affairs minister, Julie Bishop, is flying to New York this week to launch Australia’s candidacy for elections to be held in November. Australia is considered a solid chance – though not a certainty – to win a seat.

Human Rights Watch’s Australian director, Elaine Pearson, said Australia’s international reputation had been tarnished by offshore detention.

“At a time when the world is facing serious migration challenges, some diplomats from other countries are horrified by Australia’s approach to refugees,” she said. “Australia would have a better chance of winning the seat if it followed the recommendations of UN officials and experts to end offshore processing and the abuses that come with it.”

The Guardian contacted both Broadspectrum and the Department of Immigration and Border Protection regarding the planning documents. Both declined to comment.

<https://www.theguardian.com/australia-news/2017/may/17/un-and-human-rights-groups-condemn-campaign-to-punish-manus-island-men>

19. Michael Gordon: Calculated cruelty on Manus is a reflection on all of us

Canberra Times
May 19 2017 - 2:34PM
Michael Gordon

PNG's decision to begin demolishing the Manus Island detention centre should have been good news this week, signalling that an end to the suffering by more than 900 refugees and asylum seekers is in sight.

Instead, it served only to ramp up the pressure on a population independent clinicians have found to be battling some of the highest rates of depressive and anxiety disorders ever recorded.

Why? Because the alternatives to staying in the centre that came under fire from drunken soldiers on Good Friday loom as even more frightening than staying there.

A fraction of more than 700 who have refugee status can move to East Lorengau, the only town on the province, and stay in a transit centre against the wishes of the local officials and population, where several have already been beaten.

The rest can relocate to Port Moresby, where around 40 asylum seekers and refugees are living in cheap motels in daily fear of being robbed and beaten, where the prospect of securing a job and a future is next to zero.

Their two remaining options are to return to persecution in their home country or find a third country that will take them. This is where the deal between Barack Obama and Malcolm Turnbull comes in, because the United States is the only third country on offer.

The problem with the deal is not that Donald Trump doesn't like it; it's that it involves an understandably painstaking and slow process that will be even more protracted if those seeking resettlement are located in several different (and unsafe) places.

Herein lies the deliberately cruel irony: while there is no time limit for resettling the Manus refugees in America, there is a rigid time limit for shutting down the centre, with one of the four compounds to close completely on June 30.

Then there is the case of the more than 220 who do not have refugee status. They have been told they can go back to where they came from with \$20,000 to assist their "reintegration", or be returned against their will with nothing.

But here's the tricky bit. Those with "negative status" include men who were so traumatised by the violence that engulfed the centre more than three years ago that they refused to be interviewed on the grounds that resettlement in PNG was too dangerous to contemplate.

They also include the likes of the asylum seeker known as Eaten Fish, who has won international recognition as a cartoonist, but suffers from extreme post traumatic stress disorder and other anxieties and was in no condition to present his case for refugee status when he was interviewed.

No doubt this group also includes those who would not have met the criteria for refugee status had they been processed promptly after being transferred to PNG, but are now so damaged that they could not cope if they were returned.

The news that demolition would soon begin was conveyed to the asylum seekers in English by a PNG official who introduced himself as Graham and told them to listen up because he would not repeat himself.

"Most of us had no idea what they were saying as there were no interpreters for any community," says Rohingya refugee Imran Mohammad.

So why impose rigid deadlines that could have unforeseen and violent consequences? Why not give traumatised people the best chance of presenting their case for resettlement in a country with an exemplary record for resettling refugees?

Why suggest, as Peter Dutton did, that those who were attacked during the Good Friday rampage were somehow responsible because three of them had led a boy into the centre with nefarious intent, when this incident was totally innocent and unrelated to the violence?

Why, as The Guardian Australia reported this week, seek to coerce refugees to leave the detention centre by making conditions there "less attractive" than they are at the East Lorengau transit centre?

The answer to all these questions is the same: to increase the pressure on those who tried to come to Australia without an invitation to go back to where they came from, irrespective of how vulnerable and traumatised they were when they arrived or have since become.

This week there was also confirmation on two fronts of what the refugees said on the night of the Good Friday violence, that shots were fired into their accommodation blocks placing lives at risk.

Local police chief David Yapu never accepted Dutton's link with the incident where a local boy was given food by three refugees, but he had initially endorsed the Border Force line that a few shots were fired into the air.

"Some of the shots were fired through the compound and some of the bullets penetrated through the walls," he told my Fairfax colleague Michael Koziol, before the ABC's Lateline cited a Wilson Security incident report confirming this to be true.

All of this unfolded while Foreign Minister Julie Bishop flew to New York to launch Australia's campaign to win a seat the world's pre-eminent human rights body, the UN's Human Rights Council.

On arrival, Bishop asserted that Australia's treatment of those now in their fourth year on Manus and Nauru was "not as a negative at all" as far as the bid was concerned, and that Australia's offshore processing regime was only raised overseas in the context of stemming the flow of people smuggling.

"The government can blow its own trumpet on the world stage all it likes, but actions speak louder than words," responds Daniel Webb, director of legal advocacy at the Human Rights Law Centre.

"For as long as our government continues to be deliberately cruel to innocent people – people who've done nothing other than seek a life in safety – it will lack credibility on human rights."

The temptation is to blame Dutton, surely the least accountable minister in memory, for the ongoing human rights abuses that are funded and overseen by Australia, but that is the easy option.

Ultimately, what has occurred and continues to occur on Manus Island and on Nauru is a consequence of the choices we have approved, and a reflection of who we are.

<http://www.canberratimes.com.au/comment/calculated-cruelty-on-manus-is-a-reflection-on-all-of-us-20170519-gw8pdg.html>

20. Manus Island closure does not fix flaws in detention policy, Amnesty says

Immigration minister Peter Dutton says the Australian-run detention centre will progressively shut down

The Guardian
Helen Davidson
Tuesday 16 May 2017 13.00 AEST

Moving refugees from one immigration facility to another does not fix the "fundamental flaws" in Australia's offshore processing policy, Amnesty Australia has said following news the Manus Island centre will start closing within weeks.

On Monday detainees at the Australian-run centre in Papua New Guinea were told they would have to start moving out of their compounds before demolition, beginning at the end of this month and scheduled for completion by 31 October.

"You need to consider your options," a PNG immigration official told them. "No one will be resettled in Australia."

On Tuesday, the Australian immigration minister, Peter Dutton, said the centre would progressively shut down.

"The centre won't close drop dead on 31 October, they will start to decommission parts of the centre in the run-up," he said.

Refugees were told they could settle into the PNG community, move temporarily into the East Lorengau processing centre, or return home or to a third country where they had a right to live.

Non-refugees were told they could return to their home country with financial assistance, or be deported. No financial assistance would be available after August, they were told.

The US deal, to take an unspecified number of refugees presuming they pass extreme vetting processes, remained in place and would be unaffected by the move, the PNG official said.

Kate Schuetze, Amnesty International's Asia-Pacific researcher, said there was still no clear picture of what the closure meant and warned that many refugees were fearful of moving outside the centre.

"Moving from one centre to another doesn't really fix the fundamental flaws in this policy," she said. "It doesn't provide safety to refugees fleeing persecution and it potentially exposes them to violence in the community."

Some refugees have moved to the East Lorengau transit centre but have reported facing attacks and intimidation from Papua New Guinean people.

"It's not clear what security arrangements are going to be in place at the centre or the restrictions on their freedoms in the community."

Schuetze noted there had been a number of attacks in the community, including the Good Friday shooting.

Schuetze said members of the Manus Island community were as much victims of the policy as detainees and integrating refugees would likely be difficult, if not impossible, because of the lack of infrastructure and mechanism in place.

"They've been given misinformation by the Australian government and any integration has been discouraged because the purpose [of offshore detention] has been punishment and deterrence," she said. "[Integration] is something PNG as a nation would have limited or no capacity to do on their own."

While the country had successfully accepted a large number of West Papuan refugees, they had much closer cultural and kinship ties, which would have greatly assisted the integration, she said.

For years, advocates and activists have been calling for governments to close the offshore detention centres but Schuetze said what was occurring now was different.

"What refugee advocates are calling for is providing for the safety of detainees ... If not in Australia then another rights-protecting country," she said. "The US arrangement may go some way to achieving that. Leaving people behind on Nauru or Manus isn't an option."

The progressive activist group GetUp called for detainees to be brought to Australia.

GetUp's human rights director, Matthew Phillips, said not all detainees would be taken to the US and their safety must be ensured.

"These people have suffered enough," he said. "We know that PNG is an incredibly unsafe place for refugees. They should just be brought to Australia."

"Just bring them to Australia. Allow them to start rebuilding their lives. We have caused enough suffering and, given the centre is closing, there remains no reason to keep people in PNG."

The chief executive of the St Vincent de Paul Society national council also criticised the instruction given to non-refugees to return to their home country by August or be deported without assistance.

"It is not an option for asylum seekers and refugees to return to their place of origin when doing so could result in persecution or harm," Dr John Falzon said.

"Given a deal that would see the men relocated to the US is moving too slowly, the only viable thing to do is to bring them to Australia."

<https://www.theguardian.com/australia-news/2017/may/16/manus-island-closure-does-not-fix-flaws-in-detention-policy-amnesty-says>

21. Manus Island refugee compound to begin closure in weeks, asylum seekers told

Canberra Times
May 16 2017 - 10:08AM
Michael Koziol & Michael Gordon

Australia's refugee processing centre on Manus Island will commence closure in two weeks, with asylum seekers told on Monday to "consider their options".

The long-awaited closure will be complete by October 31, asylum seekers were told, as Immigration Minister Peter Dutton has previously indicated.

Those who have been found to be refugees will have access to temporary accommodation, while those who have not are being encouraged to go home voluntarily.

A PNG immigration official, believed to be centre co-ordinator Jeffrey Kiangali, told asylum seekers on Monday: "PNG, with Australian support, will close the Manus RPC [regional processing centre] by October 31, 2017."

In a recording sent to Fairfax Media, asylum seekers were told: "You need to consider your options and make a decision about your future. Closure of [the] RPC is an opportunity to get on with your life."

M Block within the Foxtrot compound will be the first to close, starting on May 28, with Foxtrot to shut entirely by June 30. Advertisement

Those in the Foxtrot compound were told that once it was closed the power would be turned off and their belongings relocated. "The area will be locked and no one will be permitted to enter."

The immigration officer said: "In coming months, other compounds will be closed and demolished.

"Everyone will need to move out of [the] RPC before it is closed down. Do not leave it too late to make a decision."

Refugees could reside in the PNG community or live temporarily at a transit centre in East Lorengau, the men were told, but "no one will be resettled in Australia".

Refugees are awaiting acceptance for resettlement by the United States under an agreement struck between Malcolm Turnbull and former US president Barack Obama.

The Manus Island facility has previously been slated for closure by October or the end of 2017 after the PNG Supreme Court ruled it unconstitutional.

While the detainees were told the move would not affect their refugee status or the eligibility for resettlement in the US, they were warned that "disruptive or difficult behaviour could exclude you from resettlement".

Those with negative status were told they could voluntarily return to their country of origin with an Australian "integration support package" or be forcibly returned without assistance.

The deadline for applying for voluntary return with assistance was August 30, after which returns would be managed by PNG alone.

Many detainees who have been given negative refugee status say they refused to submit their claims because they feared resettlement in PNG after the violent riots at the centre in February 2014.

Others who did submit claims said they were unable to present their case effectively and should be reassessed.

Detainees say they fear being relocated temporarily to the transit centre and fear for their safety if they are resettled elsewhere in PNG.

Behrouz Boochani, an Iranian refugee and journalist at the centre, told Fairfax Media: "I'm sure they will threaten people to accept this decision. The refugees don't want to live in PNG."

News of the impending closure came on the day Manus Island police commander David Yapu admitted PNG soldiers had fired bullets directly into the refugee compound during a rampage on Good Friday.

PNG authorities had previously maintained the soldiers, described as drunken, had only fired their weapons "into the air".

An Amnesty International report on the incident, released on Monday, verified two dozen images and videos from the rampage and concluded "with a high degree of certainty" that soldiers had opened fire on the facility.

<http://www.canberratimes.com.au/federal-politics/political-news/manus-island-refugee-compound-to-begin-closure-in-weeks-asylum-seekers-told-20170515-gw5fa8.html>

22. 'Welcome to Lorengau': reality of detention camp on Manus belies holiday-style brochure

Guide for refugees moved to Australian-run transit centre lists sights to see – and where to go for 'fishing and snorkelling trips'

The Guardian
Ben Doherty
Thursday 18 May 2017 12.49 AEST

"Welcome to Lorengau," the brochure says, beneath a cliched picture of a sunset idyll, palm trees curving over the sands of a deserted tropical beach.

But no holiday brochure is this: it is the Lorengau guide written by Transfield (now Broadspectrum) for refugees moved from immigration detention to the East Lorengau refugee transit centre, "your temporary accommodation" according to the brochure, though some men have been there for more than a year.

The brochure is designed to help refugees negotiate life outside detention. The men held in the East Lorengau centre are allowed to go outside during the day but their movements are restricted, and they cannot leave Manus Island.

Papua New Guinean and Australian government officials have announced that the closure of the Manus Island detention centre is to begin this month. Demolition of the first compounds will begin on 28 May and all refugees and asylum seekers will be removed by 31 October.

The East Lorengau refugee transit centre has the capacity to house 280 men. There are more than 800 now held in the detention centre. Refugees unable to stay at the transit centre will be housed elsewhere in PNG, an immigration official said this week.

The holiday-style brochure details sights to see in Manus Island's main town – the government offices, temporary market, Catholic church, courthouse, police station and pharmacy. It explains where phone cards and credit can be bought, where "fishing and snorkelling trips" can be organised, and where "you will be able to buy fresh local produce at a low price".

The brochure has a map of Lorengau township and of Papua New Guinea, as well as a guide listing basic phrases in Tok Pisin.

Further internal documents from the Manus Island detention centre show security staff planning to take refugees and asylum seekers on swimming excursions, noting it would prepare them for resettlement in Papua New Guinea – "which is not a landlocked country".

But early swimming trips had to be cancelled after refugees swam out from the beach and refused to come back.

Many refugees were going swimming anyway, having found a spot where the wire fence was sagging. The fence has since been upgraded to a three-metre steel perimeter.

In August 2016 a 34-year-old Pakistani refugee, identified only as Kamil, drowned at a waterfall near Lorengau which was a popular swimming spot for refugees.

<https://www.theguardian.com/australia-news/2017/may/18/welcome-to-lorengau-reality-of-detention-camp-on-manus-belies-holiday-style-brochure>

23. Manus Island crackdown failed to persuade asylum seekers to leave

Canberra Times
May 17 2017
Michael Koziol

Punitive measures designed to convince asylum seekers on Manus Island to go home or settle permanently in Papua New Guinea have largely broken down or failed in their objectives.

Documents leaked to The Guardian have uncovered an ambitious push to drive refugees and asylum seekers out of the facility, including forced separation and phasing out cooked meals.

But most of the plans either never came to fruition or largely collapsed, leaving the Turnbull government scrambling to reduce the centre's population ahead of an October 31 closure deadline.

In the 12 months to 31 March, 76 people left Australia's regional processing centre - either to live in transit accommodation, accept resettlement in PNG or return to their country of origin.

But government papers show 829 asylum seekers remain at the facility, with refugees awaiting potential settlement offers from the US and resisting inducements to live permanently in PNG.

A briefing paper by contractor Broadspectrum shows authorities last year planned to separate refugees from non-refugees and subject both cohorts to harsher conditions, including replacing catering with a cash supermarket.

The harshest treatment was to be deliberately meted out to non-refugees, who were to be housed in the western side of the centre, which lacks air-conditioning to temper the tropical heat.

One of the goals was to sever communication between the two groups and remove the "potential negative influences" of those friendships.

But refugees and advocates told Fairfax Media on Tuesday that despite attempts, the forced separation had largely broken down over the past year.

"It's not strict anymore. They tried to make it strict but it's not strict," said Ian Rintoul of the Refugee Action Coalition. "It broke down because of capacity more than anything else. They stopped trying to enforce it so much."

Meal catering continues for all asylum seekers, while a proposal to ban smoking at the centre did not proceed, and cigarettes are still sold there.

The 2016 Broadspectrum plan stated that "conditions and entitlements should become more attractive as asylum seekers move through the process", with extra incentives given to those who agree to resettlement in PNG.

Refugees on Manus Island have largely resisted that option, due to concerns about safety, healthcare and cost of living. Immigration Minister Peter Dutton last month said about 36 people had taken up the offer.

Iranian refugee and journalist Behrouz Boochani told Fairfax Media: "They used a lot of tricks to put people in a situation to accept the PNG option but only [a] few people accepted that."

On Monday, asylum seekers were told the centre would commence closure later this month, starting with M Block in the Foxtrot compound.

Mr Dutton used the announcement to reiterate that those who were not refugees needed to voluntarily leave PNG and go home.

"Now, as they can see, the government is definite about the closure date," he told Sky News. "If they are not refugees, they need now to make plans to return back to their country of origin."

"We'll help them do that ... but it needs to be made very clear to them yet again that they aren't going to be settling in our country."

Some non-refugees have been forcibly deported, but the matter is complicated because some governments, including Iran, will not accept involuntary returns.

A spokesman for Mr Dutton said questions about operations at the facility should be directed to PNG authorities.

<http://www.canberratimes.com.au/federal-politics/political-news/manus-island-crackdown-failed-to-persuade-asylum-seekers-to-leave-20170517-gw6lle.html>

24. Soldiers fired bullets into Manus Island refugee compound, PNG police admit

Canberra Times
May 15 2017
Michael Koziol

Papua New Guinea police have conceded multiple gunshots were fired into Australia's refugee compound on Manus Island during an Easter rampage that has been shrouded in mystery and conjecture.

It followed a report by charity Amnesty International claiming to have established "with a degree of certainty" that bullets were fired into the regional processing centre, despite initial police denials.

Manus Province police commissioner David Yapu on Monday back-tracked from his earlier assertion that drunken PNG soldiers only fired shots "into the air" during the Good Friday altercation.

"Some of the shots were fired through the compound and some of the bullets penetrated through the walls," Mr Yapu told Fairfax Media. He could not say how many shots were fired at the centre.

Mr Yapu said his initial claim that shots were not fired at the compound resulted from a "preliminary investigation". A final report is still forthcoming and "by this week I want to see some progress on that", he said.

The April 14 incident, in which PNG soldiers clashed with refugees and asylum seekers at the Manus Island facility, prompted divergent accounts from PNG police, the refugees and Immigration Minister Peter Dutton.

Mr Dutton stoked controversy with his assertion that an earlier incident involving a child being led into the centre by a group of men may have contributed to rising tensions between refugees and the local community.

The revelation that PNG soldiers fired gunshots into the compound will raise concerns about the safety of refugees and asylum seekers at the centre, which is now an "open" facility that people can leave at will.

Amnesty International commissioned Berlin-based experts to review six videos and 21 images that purported to show damage to the detention centre sustained in the clash.

Technicians used geo-location tools to verify the footage and photographs were consistent with the Manus Island centre, and also confirmed the images "had not surfaced" prior to the incident.

"I think we can say with a degree of certainty that multiple shots were fired into the detention centre, as opposed to shots just being fired into the air," Kate Schuetze, Pacific Researcher at Amnesty International, told Fairfax Media.

Photographs of holes in walls and gates were inspected by a military expert whose conclusion "was that the damage shown is consistent with the use of gunfire, as well as the popping sounds that you can hear in the video", Ms Schuetze said.

Amnesty called for an urgent and impartial investigation by PNG and Australian authorities.

In the aftermath of the incident, Mr Yapu lashed out at the "unethical and unacceptable behaviour of the drunken soldiers" who targeted asylum seekers following a dispute about the use of a Navy oval.

Refugees posted photographs purporting to show injuries sustained from rocks thrown in the fight. Mr Yapu said the soldiers also assaulted local police, immigration officials and service providers.

The Manus Island detention facility is slated for closure later this year, while refugees are awaiting the outcome of applications to be permanently resettled in the United States.

An Immigration Department spokesman said the matter was under investigation by PNG authorities and "as such, it would be inappropriate to comment further".

Greens immigration spokesman Nick McKim said the revelations showed Mr Dutton was responsible for "an appalling act of neglect".

"People in his care are being shot at and he has not lifted a finger to keep them safe," Senator McKim said.

<http://www.canberratimes.com.au/federal-politics/political-news/soldiers-fired-bullets-into-manus-island-refugee-compound-png-police-admit-20170514-gw4sr3.html>

25. Manus Island: Leaked security report says M16, shotgun fired into detention centre

ABC-TV - Lateline

By David Lipson

Friday May 19, 2017, 5:08am

A leaked draft report obtained exclusively by Lateline has for the first time outlined what happened during the Good Friday rampage at the Manus Island detention centre, culminating in claims gunshots were fired into the facility. The document, understood to have been written by a member of Wilson Security, said an M16 assault rifle and a shotgun were used in the clash between members of the Papua New Guinea Navy and staff and residents at the detention centre.

The report titled "Debrief Points - Critical Incident 14th April 2017", is riddled with spelling and grammatical errors but provides a detailed timeline of the four-hour-long confrontation. "A member of the PNGDF produce [sic] a weapon, believed to be an M16 Assault Rifle, and proceeded to discharge his weapon randomly into the air and towards the RPC, Staff and facilities," the report said.

Greens senator Nick McKim recently visited Manus Island and was denied entry to the detention centre but he did manage to meet with asylum seekers in a nearby town. He backs the Wilson document's findings. "This is confirmation that bullets were fired into the detention centre," Senator McKim said. "That's no surprise to me because I've actually held one of the bullets that ended up on the floor of one of the sleeping areas inside the Manus Island camp."

Timeline of confrontation

The document confirms reports the trouble began when asylum seekers, referred to as residents, were playing soccer on a nearby field. The Manus Regional Processing Centre is located within the PNG Naval base. Local children wanted to use the soccer pitch — but "using profanities" the residents "told them to go away".

The father of one of the children, a PNG Navy officer, approached the residents and told them to leave, but they refused and, according to the report, "commenced assaulting the Navy member. This caused other Navy personnel to come to his assistance".

'Rocks and punches thrown'

Fighting escalated, rocks and punches were thrown and the residents fled to the Regional Processing Centre. The report said two groups of Navy personnel then gathered outside a gate to the detention centre — those involved in the soccer pitch dispute and a second group.

"Members in Group 2 returned and armed with lengths of bamboo and other assorted weapons and commenced assaulting staff and a member from PNGICSA [PNG Immigration and Citizenship Service Authority]," the report said.

"... a number of Wilson Security staff had been injured."

Lateline understands several of the injured staff were Australian citizens.

"Security staff had to withdraw back along Route PUGWASH as Navy Personnel continued to try and assault them and also drive a vehicle into Gate 22 in an attempt to gain access," the report said.

Staff told to find cover

According to the report, at the detention facility's security control room, security staff watched on CCTV as several men pulled out firearms and started shooting.

"The Navy Personnel were still angry and produces [sic] firearms and commenced discharging them. These were believed to be one by M16 Assault Rifle and one by shotgun," the report said.

Some staff members came out of buildings to investigate before all were yelled at and told to move and find cover.

That moment seems to have been captured in mobile phone footage published online by the Refugee Action Coalition.

Eventually, with several security staff in need of medical assistance and many more fearing for their lives, the mob dispersed.

'A building situation'

A recent report from Amnesty International also said guns were fired directly into the facility, not just "into the air" as claimed by the Department of Immigration and Border Protection.

In the wake of the incident, Immigration Minister Peter Dutton said tensions had risen on the island because of allegations surrounding asylum seekers and a young local boy.

"There was an alleged incident where three asylum seekers were alleged to be leading a local five-year-old boy back toward the facility and there was a lot of angst around that, if you like, within the local PNG community," Mr Dutton said.

"I think some of the local residents were quite angry about this particular incident and another alleged sexual assault."

The leaked report contains no reference to the alleged incident involving the five-year-old. Its summary concluded:

"It was an incident that had not been thought of or talked about. It was in hindsight an incident that escalated to almost worse [sic] possible case scenario and could be looked at as the end state to a building situation we all knew about but did not see coming. To predict what was going to happen that afternoon was impossible, but again should have been something that should have been discussed as a possible outcome of recent events."

The report does not detail what those recent events were, nor does it explain the context of the so-called "building situation" but it could relate to two separate arrests earlier this year.

One a 28-year-old Pakistani refugee — charged in March over the alleged sexual assault of a 10-year-old girl — and another asylum seeker charged in January for allegedly assaulting a 19-year-old student.

Two investigations are underway into the Good Friday incident, one by PNG Police and another by PNG Defence.

An official from Wilsons Security, who did not want to be named, told Lateline the leaked document seemed in line with normal debriefing protocols.

Lateline approached Mr Dutton's office but no comment was provided.

<http://www.abc.net.au/news/2017-05-18/leaked-report-says-m16,-shotgun-fired-into-manus-detention-centr/8534340>

26. Border Force chief backs Peter Dutton's view of Manus Island shooting

Canberra Times
May 22 2017 - 8:45PM
Michael Koziol

An alleged incident involving a boy being "led" into the Manus Island refugee compound was not referred to Papua New Guinea police until four days after Immigration Minister Peter Dutton sensationally raised it in a television interview.

But the head of the Australian Border Force strongly backed Mr Dutton's view that the incident "contributed" — and, in fact, was "correlated" — to the Good Friday rampage five days later in which drunken PNG soldiers opened fire on the compound.

Border Force commissioner Roman Quaedvlieg said it was "almost inconceivable" that the April 9 event, in which a group of asylum seekers "imported" a boy under 10 into the compound, did not inflame tensions between detainees and the Manus community.

Such tensions had been escalating for 12 months, he told a Senate estimates hearing on Monday. PNG locals were increasingly concerned about refugees' "encroachment" on PNG defence force facilities, as well as lewd, sexualised and "generally disrespectful" comments towards women, and "bartering and exchanging local goods for sex", he said.

In Mr Quaedvlieg's view, the incident involving the boy not only contributed to unease, but "was correlated to the Good [Friday] event". But he revealed it was not referred to PNG police until April 24, 15 days after it happened and four days after Mr Dutton implied it had sparked the Good Friday shooting.

However, Mr Quaedvlieg said "the referral process was under way" from the day of the incident, when the boy's mother was asked if she wanted it brought to police attention. "She said yes and it was," he told the hearing.

Secrecy has shrouded the April 14 rampage and its roots, but new details emerged on Monday, including an acknowledgment from assistant commissioner Kingsley Woodford-Smith that nine people were injured, comprising five contractors, two detainees, a PNG soldier and an immigration officer.

Despite that, Mr Quaedvlieg said he had not requested a report from his own Border Force personnel stationed at the centre, because the incident was still under investigation by PNG. Greens immigration spokesman Nick McKim said that explanation beggared belief.

"When Australian citizens come under fire, including Australian government employees, the Australian people are entitled to know the facts," Senator McKim told Fairfax Media.

"Both the department and the minister have consistently provided false information about this shooting, and when they're called on it they simply refuse to give accurate information."

Meanwhile, the Department of Immigration and Border Protection confirmed Australian-funded operations on Manus Island would continue once the regional processing centre closed in October.

Deputy commissioner Mandy Newton said the capacity of the East Lorengau Refugee Transit Centre would expand to 440 from 298 "at the completion of some additional works being undertaken". Close to 60 men currently live at the centre.

It is envisaged any refugees not accepted by the US under a deal struck with the Obama administration could be sent to the transit centre, or other accommodation, after the main facility is closed.

But immigration officials said any movements "will be a matter of what the PNG authorities do", because Australia will pull out of the island entirely on October 31.

"After the first of November, we won't be providing funded ongoing contracted services at all," department secretary Mike Pezzullo told the hearing. The PNG government might provide some services but "it won't involve us", he said.

Liberal senator Ian Macdonald took issue with the depiction of Australia's nearest neighbour as an unsafe country for refugees, labelling the depiction "racist in the extreme" and claiming he always felt safe in PNG.

<http://www.canberratimes.com.au/federal-politics/political-news/border-force-chief-backs-peter-duttons-view-of-manus-island-shooting-20170522-gwa7hl.html>

27. Manus Island: Nine people injured in shooting, Immigration Department says

ABC News Online

By political correspondent Louise Yaxley

Monday May 24 2017, 11:25am

The Immigration Department has contradicted its earlier version of what happened during a shooting on Manus Island on Good Friday, revealing that nine people were injured as "many" shots were fired into the refugee compound by PNG defence force personnel.

A statement from the department originally said a weapon was fired into the air and no-one was injured. But department secretary Mike Pezzullo corrected that today, telling a Senate Estimates hearing "it appears that the number of weapons deployed was greater than one".

"Some shots — quite a number it seems — were fired laterally into the compound," he said. "Many more shots were fired. "It was an unacceptable — from our point of view — breakdown in the discipline of the relevant personnel who went to their accommodation accessed those weapons and fired those rounds."

He stressed to the committee that the original statement was based on the information available at the time.

Border Force Assistant Commissioner Kingsley Woodford-Smith told the Senate committee nine people were injured, none seriously. He said five were service providers, one was a PNG Defence Force Officer, another was employed by the Immigration Department and two were asylum seekers living in the compound.

In April, Immigration Minister Peter Dutton told Sky News the Good Friday shooting was sparked because locals were angry after asylum seekers allegedly led a local boy towards the centre.

"I think it's fair to say the mood had elevated quite quickly. I think some of the local residents were quite angry about this particular incident and another alleged sexual assault," he said at the time.

PNG Police Commissioner David Yapu said a 10-year-old boy was given fruit by residents of the processing centre, but said nothing happened to him and no official complaint had been made.

Border Force Commissioner Roman Quadvlieg today told the committee of rising tensions and a febrile environment on Manus Island, and said anything could spark "something like the Good Friday incident".

He listed a series of incidents in the Lorengau township including "bartering and exchange of money and goods for sex with the local women by the RPC [regional processing centre] residents".

Mr Quadvlieg also said a resident of the processing centre had been charged with a number of counts of sexual penetration of a child after an incident in March this year.

And despite Commissioner Yapu's view, Mr Quadvlieg said a child under 10 was taken into the centre.

"The very fact that a child under the age of 10 is in an environment where there are single adult males — after dark — and that child is left unattended even for minutes at a time is of fundamental and profound concern," he said.

"When you take that incident as I have just described it and you insert that against the backdrop of the broader environment and landscape that I have described, it is in my operational experience almost inconceivable to assert there is no correlation between that incident and rising tensions on the island," Mr Quadvlieg said.

<http://www.abc.net.au/news/2017-05-22/manus-island-nine-people-injured-in-shooting/8546588>

28. Manus Island shooting left nine injured, immigration department admits

Department secretary says more than one weapon fired and an unknown number of rounds was fired into compound

The Guardian
Ben Doherty
Monday 22 May 2017 18.02 AEST

Nine people were injured, including refugees and Australian staff, during the Good Friday shooting incident at the Manus Island detention centre, the immigration department has conceded.

Until a Senate estimates hearing on Monday, the department had maintained that "no one was injured" when Papua New Guinean military personnel discharged a weapon into the air during the incident.

However, the immigration department secretary, Mike Pezzullo, told the hearing in Canberra there was more than one weapon fired and that an unknown number of rounds were "fired laterally into the compound".

His department confirmed nine people were injured in the shooting assault on the centre: five employees of service providers (including Australian citizens); one PNG defence force soldier; one PNG immigration officer; and two refugees within the detention centre. None of the injuries were life-threatening.

Pezzullo said the information in the initial statement was "based on available evidence at the time ... in the first hours after the incident".

The PNG police have said soldiers went on a "drunken rampage" on Good Friday following a dispute over the use of a soccer field nearby to the detention centre.

The soldiers reportedly fired up to 100 shots at the detention centre, assaulted an immigration official and tried to ram a car through the fence in an attempt to storm the centre.

A security report from within the centre leaked to the ABC said an M16 and a shotgun were used to shoot at buildings where refugees and staff were hiding.

However, the immigration minister, Peter Dutton, has linked the Good Friday shooting to an incident a week before, saying there was “angst” on the island over a boy who went inside the detention centre seeking food, leading to elevated tensions between Manusians and refugees.

This version of events was supported in estimates by Australian Border Force commissioner Roman Quaedvlieg, who said the incident was of “profound concern”.

Under questioning Quaedvlieg said the incident was referred to PNG police on the 24th of April – 15 days after the boy went into the centre and four days after Dutton publicly linked it to the Good Friday shootings. Quaedvlieg later said that the “referral process” had started earlier when the boy was examined by doctors. The boy was not injured or harmed.

The three refugees who helped the boy – he had come to the men asking for money or food – have demanded the release of CCTV footage of the boy entering the camp. They say it corroborates their version of events that he freely walked in upon invitation and was given fruit.

The Australian government’s version of events of what sparked the Good Friday shootings has been contradicted by PNG police, the PNG defence force, PNG parliamentarians, refugees and its own staff inside the centre.

Manus police commander David Yapu has consistently stated there was “no complaint ... made by the parents of the boy”, no police investigation and it was unrelated to the Good Friday shooting.

The Manus Island detention centre was again the focus of questioning in budget estimates, as demolition of the camp has begun. The building housing computers – used by refugees and asylum seekers to communicate with family, legal representatives, and others outside the detention centre – has been closed.

The first accommodation block, M Block in Foxtrot compound, which currently houses 12 Sri Lankan refugees, will close on Sunday. Any refugee who refuses to move will be forcibly removed.

The East Lorengau refugee transit centre – to where refugees will be moved – is being expanded, at Australian expense, from its current capacity of 298 to 440, by doubling the numbers of bunks in some rooms. There are currently 790 men held in the Manus detention centre.

Estimates heard further details about the “US deal” for resettlement of refugees from Australia’s offshore detention centres on Manus and Nauru.

There is still no confirmation on how many refugees the US will resettle, and none have been accepted yet, but the legal and constitutional affairs committee was told 1,440 refugees from Australia’s two offshore detention centres have expressed an interest in going to America.

More than 900 have had a first-stage interview with the US state department and 800 have had fingerprint and biometric testing.

The US Department of Homeland Security has conducted security interviews with 268 refugees. Medical testing, the final stage of screening, will begin on Nauru this week. The US has proposed the resettlement of 1,250 refugees from Australia’s offshore regime, although there is no commitment for the country to resettle any. All refugees, the administration has consistently stated, will be subject to “extreme vetting”, though this has not been precisely defined.

<https://www.theguardian.com/australia-news/2017/may/22/manus-island-shooting-left-nine-injured-immigration-department-admits>

29. 'We're not investigating': Immigration department ignores Manus Island leak to Andrew Bolt

Canberra Times
May 23 2017 - 4:11PM
Michael Koziol

The immigration department has declined to investigate how sensitive CCTV footage from Manus Island became known to conservative commentator Andrew Bolt despite the department’s refusal to release it publicly.

A group of asylum seekers, accused of “leading” a boy into the compound on April 9, have urged Immigration Minister Peter Dutton to release CCTV footage of the incident, claiming it would clear them of wrongdoing.

The department refused Fairfax Media’s request to see the footage on Tuesday, despite Australian Border Force commissioner Roman Quaedvlieg confirming at Senate estimates it was not classified material.

A spokeswoman said it would be "inappropriate" because the matter had been referred to PNG police.

The footage was the property of contractors Broadspectrum and Wilson Security but was also possessed by the department and Mr Dutton's office, Mr Quaedvlieg said.

On April 26, Bolt told his Sky News viewers the footage showed the boy was "walked well inside the camp" with one man's hand "on his shoulder". The men left the boy outside a dormitory tent, gave him a bag of food and then took a "selfie" with him, Bolt said.

He also referenced the contents of an ABF report on the incident, while Mr Quaedvlieg provided on-the-record quotes to Bolt's program.

On Tuesday, Mr Quaedvlieg told the estimates hearing it was "in the detriment of the public interest to be commenting on [the video] in public" and said: "I'm not going to discuss it and prejudice a potential criminal investigation."

Mr Quaedvlieg also said he had not followed Bolt's commentary but confirmed the apparent leak was not under investigation by the department.

"We're not investigating," he said. "I don't know whether Andrew Bolt actually has possession of the footage. I certainly haven't shared it with him."

The department took a different view on leaks of classified material, having last year called in the Australian Federal Police after the ABC's Lateline program obtained sensitive department documents.

A Fairfax Media story on visas and citizenship also became the subject of an AFP investigation after referral from the Department of Human Services.

Immigration boss Mike Pezzullo told the estimates hearing it was "regrettable" journalists were not required to adhere to the same secrecy provisions as public servants.

"We don't refer journalists to the Australian Federal Police because they don't have obligations - unless they've broken the law otherwise - to protect official secrecy," Mr Pezzullo said.

"Which is regrettable at times because it used to be the case that more weight was placed on the protection of official secrecy. But that doesn't seem to be the fashion."

Bolt never confirmed whether he had physically seen the CCTV footage or sighted the ABF report. He declined to comment Tuesday.

<http://www.canberratimes.com.au/federal-politics/political-news/were-not-investigating-immigration-department-ignores-manus-island-leak-to-andrew-bolt-20170522-gwatgw.html>

30. Two Coalition MPs join Tim Watts in call for more private sponsorship of refugees

National party MP Andrew Broad and Liberal Russell Broadbent support Labor party MP's call, saying it numbers brought in through sponsorship could rise from 1,000 to 10,000

The Guardian
Katharine Murphy Political editor and Ben Doherty
Monday 22 May 2017 21.03 EDT

Two government MPs have supported a motion from Victorian Labor MP Tim Watts arguing for increased private sponsorship of refugees to increase Australia's resettlement intake.

In a week when the immigration minister, Peter Dutton, branded some asylum seekers "fake" refugees and warned the so-called "legacy caseload" of about 7,500 people to formally apply for protection by 1 October or face deportation, the two MPs took the opportunity of a parliamentary debate to send a much more welcoming message.

Watts has brought forward a motion which calls on Australian governments, businesses and community organisations to explore ways to use private sponsorship to expand the resettlement of refugees through formal channels.

Victorian National party MP Andrew Broad seconded the Watts motion, telling parliament lived experience in his electorate of Mallee suggested sponsored refugees not only boosted economic activity but were also good for the soul of communities.

"I really think this needs a push along," Broad said.

He said he had recently read a book about the origins of the Holocaust and the history had brought home to him the requirement for political leaders to deal properly with refugees and “take their population on the journey”.

Broad said in the community of Nhill, in western Victoria, a sponsored refugee program had “not only brought a labour force into the town, it’s changed the culture of the town, it’s opened the hearts of the people in the town”.

“It has actually worked,” Broad told parliament.

“And so what I say to people when they are a little bit apprehensive about Australia taking more refugees, it’s really about what are the services we are going to provide, what communities are we going to put in and how are we going to integrate people into our community.

“These are beautiful people.

“I am so proud of humble country folk who are being part of the solution. We can do this, we can replicate this in many towns across Australia and it will bring so much good.”

In a subsequent radio interview, Broad said an additional 10,000 people could be brought in through sponsorship, up from the current figure of 1,000.

The MP said the boost “would have to be integrated with businesses that could demonstrate job security and integration support”.

“And it can’t just be the workers,” he told the ABC. “It must be the families too.”

Another government MP, the Victorian Liberal Russell Broadbent, also spoke in support of the motion.

He said pilot programs supporting refugees moving to particular communities were fine but they lacked scale. Broadbent said more people went through the pie stand at the MCG in 20 minutes than participated in pilot programs.

Broadbent, a prominent party moderate who has argued for humane asylum policies, said fairness was in the DNA of Australians “but we don’t carry it through internationally in the way I believe we should”.

“And I can’t stand here and say ‘I can’t say this because my party will be upset with me’, because this is about relationships.”

Broadbent told parliament Australia was not in a position to take the multitudes of people wanting to come as refugees, but where a community wanted to sponsor families or individuals “we can make it easier for them to do that”.

“What [Tim Watts] has put out is a clarion call for compassion, conscience and common sense.”

Watts, a Victorian Labor MP, told parliament the current refugee crisis was the defining humanitarian issue of our time “and a challenge Australia has all too often failed to rise to”.

He said while Australia’s refugee debate was toxic, there were points of potential consensus between political parties. “I believe we can build out from these areas of consensus to increase the positive impact Australia can have on the international refugee crisis.”

Watts said community or private sponsorship allowed the costs of resettlement to be borne by communities, rather than the commonwealth.

He said Canada’s private program had settled more than 200,000 refugees since 1978 beyond the formal government humanitarian program.

“Perhaps the Australian community can do a better job at this task than those of us in the parliament,” Watts said.

Professor Jane McAdam, director of the Kaldor Centre for International Refugee Law at UNSW, said the proposal was welcomed in principle, “because it will enable more refugees to find protection in Australia, simultaneously stimulating the economy, schools and resources in rural areas”.

“Experiences here and overseas show what a positive impact refugees can make to all aspects of life, and that they tend to be some of our most hardworking and committed residents.”

However, McAdam said, any sponsored places should be in addition to government-sponsored places.

“The current scheme proposed by the government comes out of the existing refugee quota – in other words, the more sponsored refugees there are, the fewer government places are available. This in fact reduces the government’s commitment to refugee protection at a time when we are seeing the largest number of refugees in the world since WWII.

“Any private sponsorship scheme should be additional to the government’s quota – as is the case in Canada – and should ensure that all refugees have access to the same level of support.”

In a submission to the immigration department, Save the Children recommended Australia increase the number of sponsored humanitarian places to 5,000 for 2017-18.

“Australia’s community sponsorship scheme should be reformed and expanded. In particular, Australia’s community sponsorship opportunities should be taken out of the humanitarian intake so that they genuinely supplement, rather than subsidise, the Australian government’s commitments and do not result in the creation of a ‘fast lane’ for those with financial resources and connections, at the expense of those without,” the submission said.

Save the Children argued the up-front costs of sponsorship – between \$30,000 and \$40,000 plus additional costs for further family members – should be significantly reduced, in favour of an “assurance of support” model, where a sponsoring person or organisation guarantees support for a humanitarian migrant.

<https://www.theguardian.com/australia-news/2017/may/23/two-coalition-mps-join-tim-watts-in-call-for-more-private-sponsorship-of-refugees>

31. Peter Dutton's department given go-ahead for \$250m office upgrade

Canberra Times
May 16 2017 - 12:01AM
Adam Gartrell

The Coalition is set to use its numbers on a powerful parliamentary committee to approve the Immigration Department's controversial plan to spend a quarter of a billion dollars on an office upgrade.

Despite concerns about the value of the \$256 million office fit-out - believed to be the most expensive in federal government history - the Public Works Committee is poised to approve it next week.

While the committee is yet to finalise its report on the "Headquarters Project", it is understood the five government members will recommend the proposal - backed by Immigration Minister Peter Dutton - goes ahead. However the four Labor members of the committee will take what is a rare step for a public works project and submit a dissenting report spelling out their concerns, Fairfax Media understands.

Under the proposal, the number of buildings the department inhabits in the national capital would shrink from 12 to five, with the main office located in a new state-of-the-art building next to Canberra Airport.

The price tag for the 85,700 square metre multi-building fit-out suggests the renovations will cost close to \$3000 per square metre - well above the \$1200 to \$1800 per square metre target for such projects.

The government has budgeted \$22.6 million for the fit-out, and another \$20.5 million will come from the department's operating budget. The department says the remaining \$212m will come from landlord "lease incentives".

Immigration boss Mike Pezzullo says the consolidation - which has been linked to Mr Dutton's desire to create a supercharged Department of Homeland Security - will ultimately deliver \$200 million in savings to the taxpayer over 30 years.

But members of the committee - both Liberal and Labor - have publicly criticised the complexity of the proposal and the department's handling of it.

In Parliament in February, Labor senator Alex Gallacher said he believed taxpayers would end up paying much more through hidden costs in the lease deal.

He also pointed to the department's "unenviable record" of poor contract management and cost blowouts.

At a subsequent public hearing, Liberal committee chair Scott Buchholz said the committee was "deeply unimpressed" with the department, accusing it of poor preparation and failing to provide vital information about the mega-proposal. He even went so far as to liken Immigration bosses to "unco-operative witnesses".

The Public Works Committee usually comes to consensus decisions, although it did split last year over an expensive Department of Foreign Affairs and Trade proposal to upgrade its diplomatic mission in Doha.

Senator Gallacher was furious last year when the Department of Finance told the committee a lease on its new state-of-the-art offices would cost \$194 million but the true cost was later revealed to be \$376 million.

The Immigration fit-out is due to begin in August this year and be completed by February 2021. The upgraded buildings would accommodate 6000 staff. There will also be security upgrades worth \$12 million.

The fit-out will include "a unified watch floor, situation rooms, briefing rooms, incident rooms, operation planning rooms, associated intelligence support rooms, and surge rooms". The new building would include an armoury, conference and training facilities, evidence rooms and map rooms. The department envisions an "innovative" and "modern" new office with "large efficient floor plates to support future flexibility" and an open environment that will "promote collaboration and positive cultural renewal".

<http://www.canberratimes.com.au/federal-politics/political-news/immigration-departments-250m-upgrade-set-to-proceed-after-committee-splits-20170515-gw4upl.html>