

# Project SafeCom News and Updates

Monday, 23 March 2015

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# 1. Adani's environmental track record to be challenged in Federal Court

The Age  
March 17, 2015 - 9:00PM  
Lisa Cox

Environmental violations in India by mining giant Adani will be the subject of a Federal Court case challenging the company's development of Australia's largest coal project.

Adani is developing the mammoth Carmichael coal mine in central Queensland and Australia's largest coal terminal at Abbot Point on the doorstep of the Great Barrier Reef.

The Mackay Conservation Group launched a legal challenge to the project in January, alleging the Abbott government failed in its environmental assessment by not taking into account projected greenhouse gas emissions from the project.

The group has lodged an additional claim with the Federal Court this week claiming Environment Minister Greg Hunt did not adequately consider Adani's environmental track record in India before signing off on federal environmental approval.

Mr Hunt would not comment on the specifics of the case on Tuesday as the matter is before the court but a spokesman said the minister had approved the project in accordance with the Environment Protection and Biodiversity Conservation Act.

Adani is fighting the claims and on Tuesday a spokesman said the mine had been assessed against strict standards and approved with more environmental conditions than any project in Australian history.

"The suggestion after the fact by activists who choose to intervene after a process is concluded that these exhaustive processes are flawed is baseless, and reflects a concerted determination to oppose mining and mining approvals in the abstract," he said.

The case escalates the hostile stoush between Adani and environment groups, which have fiercely opposed development at Abbot Point because of its proximity to the reef.

Last month, activist group GetUp released video footage shot by a film crew in India that they say documents the impact of Adani's power plants on the environment and villagers of Mundra on India's west coast.

"Adani has an appalling environmental track-record in India," Mackay Conservation Group coordinator Ellen Roberts said.

"In 2013 the Indian government found Adani guilty of serious breaches of Indian environmental law, including illegally clearing mangroves and destroying tidal creeks.

"It also found that infrastructure associated with the Adani's port in Mundra had been built without environmental approvals. None of this had been taken into account as part of the approvals process for Carmichael."

The group claims that "while Federal Environment Minister Greg Hunt chose to assess Adani's environmental record, he failed to take key evidence into account, instead relying on a self-assessment submitted by the Indian conglomerate in 2010."

Ms Roberts said Adani's activities in India had "shown a reckless disregard for the environment".

But Adani's spokesman said the laws that govern environmental approvals in Australia were "world's best practice".

"The approvals process for the mine at Carmichael was the most stringent that has applied to a single site in the history of the Commonwealth's environmental approvals regime," he said.

"Over a nearly five-year period - commenced, then completed, under successive governments of differing political persuasions - the mine was assessed against these strict standards and then approved with more conditions than any other site in our nation's history.

"In much the same way, the state approvals process in Queensland was commenced under a Labor government, and concluded under an LNP government.

"In both instances, these assessments were undertaken by subject matter experts in adherence to robust environmental approval laws before the approvals were granted."

<http://www.theage.com.au/federal-politics/political-news/adanis-environmental-track-record-to-be-challenged-in-federal-court-20150317-1m1bgy.html>

## 2. Abbott has a habit of honouring authoritarians. Will Vietnam be different?

The visit of the Vietnamese prime minister to Australia is an opportunity for Tony Abbott to correct the approach he took to human rights abuses in Sri Lanka

The Guardian

Elaine Pearson

Tuesday 17 March 2015 17.04 AEDT

When Australian prime minister Tony Abbott meets his Vietnamese counterpart Nguyen Tan Dung in Canberra this week will he simply praise Vietnam's economic progress while staying silent about its deplorable human rights situation? It's all too likely. After all, the Australian government has made a habit of honouring countries like Cambodia, Sri Lanka and China as "good friends" of Australia while ignoring their poor rights records.

Our "friends" shouldn't get off so easily. Vietnam is one of the world's few remaining one-party communist states. For nine years, Dung has overseen the suppression of basic freedoms, widespread censorship, and control of religion. More than 100 political prisoners are currently behind bars in Vietnam.

In prison are women like 48-year-old Ho Thi Bich Khuong, a blogger and land rights activist who has exposed suffering of farmers kicked off their land, showing the largely invisible human cost of Vietnam's rapid economy growth. The Vietnamese authorities have reacted to Khuong's efforts with repression and prosecution: she has been in and out of jail, and is currently serving a five-year sentence for "conducting propaganda against the Socialist Republic of Vietnam."

Also imprisoned is 46-year-old Mai Thi Dung, a Buddhist activist. The Vietnamese government routinely monitors and harasses religious groups that operate outside the official government-registered religions her independent Hoa Hao group has faced intrusive police surveillance and intimidation. The courts sentenced her to a total of 11 years in prison for her role in Hoa Hao protests.

The Australian government is well aware of the problems faced by activists like these. Australia supposedly raises political prisoner cases during forums such as the annual Australia-Vietnam human rights dialogue. But those closed-door discussions between mid-level officials are largely a theatrical exercise.

Indeed, in a cynical affront to the very spirit of a human rights dialogue, last year Vietnamese authorities prevented several activists from joining a workshop on media freedom partially hosted by the Australian government.

This dialogue, like Australia's other human rights dialogues with China and Laos, suffers from a credibility gap because of a lack of transparency about what's actually discussed, and a failure to provide clear public benchmarks to measure incremental progress on rights.

The dialogue's existence does not mean Abbott and Julie Bishop, the foreign minister, should shy away from raising these cases with Dung during his visit. Abbott has talked a lot about the importance of freedoms of speech and expression in Australia. The people of Vietnam are in desperate need of these freedoms, which have been trampled by the government.

By any account Vietnam has made little to no progress on issues like freedom of expression and religion, with critics of the government inevitably ending up in prison for their dissent. If Australian leaders fail to back up private discussions with public statements of grave concern, it's not only a missed opportunity, but a failure to stand up for the repressed Vietnamese people.

Australia should of course seek to have good relations with its neighbours. That also means raising human rights concerns – that is to say, being friends with the whole population of Vietnam, not just its rulers.

Benign statements of friendship with authoritarians do have consequences for the populations of authoritarian regimes. When the Australian government lauded Sri Lanka's former president Mahinda Rajapaksa while downplaying his government's atrocities in the country's civil war, this gave political cover to his ongoing crackdown on government critics and defiance of international pressure for a UN inquiry into war crimes.

With Rajapaksa's defeat in the last election, and a new Sri Lankan government that has spoken out against Australia's silence on human rights abuses, Australia now looks to be on the wrong side of history. "When human rights were being trampled, and democracy was at bay, these countries were silent. That is an issue for Sri Lanka," new prime minister Ranil Wickremesinghe said in February. Australia, of course, has its own serious human rights shortcomings, including its treatment of refugees and Indigenous people. A country's own human rights problems should not be an excuse for ignoring human rights violations elsewhere.

Both public and private messages conveyed to Dung during this visit matter very much – to the Vietnamese people as well as the government. Raising human rights concerns is not "lecturing", as Abbott is wont to say. It's about taking a consistent and principled position on fundamental rights that all nations, including Vietnam, have agreed to uphold.

<http://www.theguardian.com/commentisfree/2015/mar/17/abbott-has-a-habit-of-honouring-authoritarians-will-vietnam-be-different>

### 3. Deal on metadata to have a 'chilling effect' on press freedoms

Brisbane Times  
March 17, 2015 - 9:10AM  
Latika Bourke

Media companies will not be told if their journalists' communications records are being accessed via warrant, sparking fears the protections will be no more than a "tick and flick formality" that will have a "chilling effect" on press freedom.

The government and Labor have agreed to amend controversial new metadata laws after a fierce backlash from media companies amid concerns it could lead to journalists and their sources being targeted.

Attorney-General George Brandis said on Tuesday the government had only agreed to the "entirely unnecessary" extra protections of requiring a warrant for access in the case of journalists to address "red herrings" raised by the Greens and the journalists union.

The laws, set to be passed by the end of next week will require telco companies to keep customers' communication logs for two years from 2017.

Twenty crime fighting agencies including the competition watchdog, corporate regulator and tax office will be able to access the records of any user without a warrant.

But if the person involved is a journalist authorities will have to apply to a court for a warrant, under a deal struck by Prime Minister Tony Abbott and Opposition Leader Bill Shorten.

Media companies want the warrants to be contestable meaning they will know if a journalist's data is being accessed and have the ability to fight it in court.

But Senator Brandis rejected the idea on Tuesday.

"Under the warrant system we have, the subject of a warrant is never given ever given advance notice of a warrant," the Attorney told reporters at Parliament House.

Independent Senator Nick Xenophon said without forewarning the process would be a mere "tick and flick formality" that would have a "chilling effect on press freedom".

He is drafting amendments based on the United States model.

"Under the new guidelines in the US, metadata warrants are used only as a last resort, after all other options have been exhausted and media organisations have been given an opportunity to argue before a judge why a warrant should not be issued," Senator Xenophon said.

Paul Murphy from the journalists union MEAA said journalists' sources should never be identified in any circumstance.

"It's ridiculous to suggest that any warrant system is worthwhile if the journalist and the media company don't have the ability to challenge it," he told Fairfax Media.

The union wants the laws scrapped altogether but in the case that they proceed is requesting a complete exemption for journalists.

But Senator Brandis rejected the notion of a blanket exemption.

"This is not about journalists. We don't think journalists or journalists' sources are likely to be involved in terrorism or in organised crime or in paedophilia," he told Sky News.

He described as "hardly imaginable," the idea journalists and their sources could be targeted.

<http://www.brisbanetimes.com.au/federal-politics/political-news/deal-on-metadata-to-have-a-chilling-effect-on-press-freedoms-20150316-1m0q82.html>

### 4. Peter Dutton's Reign Of Terror: Degrading Treatment Is Never Enough

Peter Dutton's Reign Of Terror: When Too Much Inhumane Degrading Treatment Is Never Enough

The ghost of Scott Morrison may live on in the halls of our detention centres. But there's a new boss in town, and he's hit the ground running. Michael Brull explains.

New Matilda  
15 Mar 2015  
By Michael Brull

I suppose it was just a matter of time. Scott Morrison ended his reign of terror as Minister for Immigration and Border Protection in December last year. Though he cannot claim full credit for reinstating our offshore detention centres – take a bow, Labor – he distinguished himself with his shameless defence of the conditions on Manus Island.

Morrison also used children as bargaining chips to pass a raft of harsh laws: laws which strip asylum seekers of procedural safeguards and basic fairness, to slant the process of applying for asylum against them.

He also pushed through the Code of Behaviour, which enables the government to kick asylum seekers out of the country for the most trivial forms of misbehaviour, such as “continually” irritating someone, or “spreading rumours”.

Scott Morrison was replaced as Minister by Peter Dutton. Dutton has already distinguished himself as the only Coalition frontbencher in 2008 to boycott the apology to the Stolen Generations. He was also voted as the worst Health Minister in 35 years by a poll of about 1,100 doctors (Gillard’s Health Minister Nicola Roxon was second, and Tony Abbott came in third).

Now that Morrison has stepped down, Peter Dutton has been keen to launch his own reign of terror over asylum seekers. One would think there wasn’t much left for him to do, given how harshly we treat asylum seekers already.

Nevertheless, Dutton, along with the bureaucrats who work under him, have come up with a new outrage. It has been given the properly Orwellian name, the Migration Amendment (Maintaining the Good Order of Immigration Detention Facilities) Bill 2015. Maintaining good order sounds nice and benign, right?

Those interested can peruse the Explanatory Memorandum, which is more or less accessible to people without legal training. The basic point of the law is to give Serco guards the right to use force against detainees in detention centres, and particularly to remove any legal liabilities for use of force against asylum seekers.

How does the bill do this?

Full story at <https://newmatilda.com/2015/03/15/peter-duttons-reign-terror-when-too-much-inhumane-degrading-treatment-never-enough>

## **5. BBC News: The secrecy surrounding Australia's asylum camps**

BBC World News  
11 March 2015 Last updated at 21:49  
By Louise Evans, Sydney

Australia's policy of detaining asylum seekers in offshore facilities, for months, even years, has attracted strong criticism from bodies such as the United Nations. But government secrecy surrounding the operation of these isolated centres means many Australians know little about what life is like for those detained inside.

When journalist Eoin Blackwell needs to find out what's going on inside Australia's immigration detention centre on Papua New Guinea's (PNG) Manus Island, he calls his local contacts.

Mr Blackwell doesn't bother making official inquiries because, in his experience, information or access requests made to the Australian and PNG governments are ignored or forgotten.

"Every request I've made with the government to do with Manus has been denied or delayed until it went away," says Mr Blackwell, a former PNG correspondent for Australian Associated Press.

"One time I tried to get into the centre and the Australian government said it was up to the PNG government and the PNG government said they had to call Canberra. Eventually we were told 'no' but no one would say who was telling us no," says the reporter, expressing the frustration many journalists feel about the secrecy surrounding the centre.

The BBC sent a number of written questions to the Australian Immigration Department for this story but at the time of writing had not received a reply.  
No-man's land

Located in the Bismarck Sea and more than 800km (500 miles) north of the PNG capital Port Moresby - or a 3,500 km, 10-hour flight from Sydney - Manus is one of PNG's most remote islands.

Few among the 65,000 population have benefitted from the billions of dollars successive Australian governments have spent converting a navy base into a no-man's land for asylum seekers trying to reach Australia.

Full story at <http://www.bbc.com/news/world-australia-31827074>

## 6. What's Driving the Merciless Asylum Seeker Policies in Australia?

TruthOut

Tuesday, 17 March 2015 00:00

By Catherine Wilson, Inter Press Service

Canberra, Australia - As conflicts in the Middle East and elsewhere pushed the number of refugees to 13 million last year, the international community is struggling to shoulder the humanitarian responsibility of protecting those fleeing violence and persecution in their homelands.

But in Australia - a wealthy nation, far from major war zones, whose 23 million people enjoy a per-capita GDP of 67,458 dollars - the government has implemented ruthless policies for the roughly one percent of global asylum seekers who hope to find refuge on its shores.

Why, in a country boasting of prosperity and peace, are asylum seekers demonised for seeking safety and freedom? Why have policies resulting in degrading human treatment, amounting to torture, as recently found by the United Nations Special Rapporteur on Torture, been implemented with so little public resistance in Australia?

Last year Australia received 4,589 asylum applications compared to 29,009 in France and 51,289 in the United States. Over 37 years Australia received a total of 69,445 asylum seekers, only slightly higher than the 67,400 Germany received during the first six months of last year.

Immigration is a contentious issue in many countries, but Australia is the only one to indefinitely incarcerate asylum seekers in immigration detention centres on arrival.

Those who arrive by sea are transferred to offshore detention centres in the developing Pacific Island states of Nauru and Papua New Guinea. They are refused resettlement in Australia, even if assessed as refugees. More than a year ago the government began turning asylum-seeker boats back at sea.

"There is no greater deterrent to protecting our borders and stopping boats coming to Australia than by stopping the boats physically [...]," Scott Morrison, then Minister for Immigration, said to media this past November.

This is necessary to stop people drowning at sea, the government argues, despite the policy threatening the lives of vulnerable people and violating the principle of non-refoulement laid out in the 1954 U.N. convention referring to the status of refugees.

In a report submitted to the U.N. Human Rights Council Monday, Juan Mendez, the U.N.'s special rapporteur on torture, concluded that Australia's "Migration and Maritime Powers Legislation Amendment, which has passed both the house and the Senate of Australia at this point, violates the [Convention Against Torture, or CAT] because it allows for the arbitrary detention and refugee determination at sea, without access to lawyers."

Mendez's report also found that the indefinite detention of asylum seekers on Papua New Guinea's Manus Island, together with reports of ill-treatment and outbreaks of violence, constituted a violation of the human right "to be free from torture or cruel, inhuman or degrading treatment, as provided by articles 1 and 16 of the [Convention Against Torture]."

In a statement published on Mar. 9, Daniel Webb, director of legal advocacy at the Melbourne-based Human Rights Law Center, said, "Under international law, Australia can't lock people up incommunicado on a boat somewhere in the middle of the ocean. Nor can we return people to a place where they face the risk of being tortured. Yet these are precisely the powers the Government has sought to give itself through recent amendments to its maritime law."

Australia's mandatory and prolonged immigration detention policies are also "in clear violation of international human rights law", including the Convention on the Rights of the Child, the Australian Human Rights Commission (AHRC) recently reported.

Refugee assessments were suspended more than two years ago to remove advantage to those arriving by irregular means. By mid-2014, approximately 3,624 asylum seekers, including 699 children, were in detention centres.

Long confinement on average for 413 days in harsh living conditions were key factors in 34 percent of children and 30 percent of adults being diagnosed with serious mental disorders. There were 1,149 recorded incidents of serious assault, including sexual abuse, in detention centres, and 128 of children self-harming, the AHRC found.

The government's recent announcement that children below 10 years will be released into community detention with bridging visas won't apply to those who arrived before Jul. 19, 2013.

There is recognition by Australian legal and policy experts that "critical to any asylum policy is not whether it deters, but whether the needs of those seeking protection are met." Organisations such as the Asylum Seeker Resource Centre and Refugee Action Coalition also provide refugee advocacy and support.

But a 2010 public survey revealed more than 60 percent of respondents accepted the government's hard-line stance.

Conditioning the public to accept cruelty

For some experts, even more disturbing than the policies themselves is public acceptance of routine ill treatment of refugees.

"Australia has fought its ideological war with as much moral insanity as would be found in a dictatorship," the Australian writer and social ecologist, Isobel Blackthorn, wrote in the National Forum last year.

"We are being systematically conditioned into accepting the cruel treatment of others as necessary and inevitable."

Professor Nick Haslam, head of Melbourne University's School of Psychological Sciences, told IPS, "Activists have been quick to criticise successive governments while letting the general public off the hook."

Official references to asylum seekers as "illegals", suggesting criminality – despite the United Nations High Commissioner for Refugees (UNHCR) stating clearly that "seeking asylum is not illegal and respecting the right to seek asylum includes provision of humane reception" – have not been sufficiently challenged.

There has been little public resistance to the electoral point-scoring of politicians who ignore the 'push' factors, such as global conflict, and regale the 'pull' factors, that the good life in Australia is attracting an invasion. This theory ignores the fact that the vast majority of asylum seekers head to Europe and the United States.

According to Blackthorn, "Many in Australian society adopt without question the views and falsehoods promulgated by politicians and the media that set out to inflate our sense of entitlement in 'the lucky country'."

In the 1990s, Robert Manne, Emeritus Professor at Melbourne's La Trobe University, identified a "new complacency" in Australia following the demise of communism, when many western leaders believed their actions were now beyond reproach.

During the Australian Liberal Government, led by Prime Minister John Howard from 1996-2007, "[National] self-criticism gradually became confused with un-Australian self-hatred," Manne wrote in 2011, with social and political passiveness encouraged.

Complacency and parochialism have been exacerbated by geographical isolation and two decades of uninterrupted economic prosperity due to the mineral resources boom.

"Lacking a history that makes it easy to imagine the kind of desperation borne of political oppression and fear, many Australians are genuinely disturbed by the disorderly nature of the refugee scramble for safety," Manne stated.

Haslam told IPS that public indifference is "driven primarily by the perception that asylum seekers are undeserving opportunists who are seeking entry to the country in an unfair manner" and that many are economic migrants, rather than in need of protection.

In reality, more than 88 percent of asylum seekers between 2008 and 2013 were found to be legitimate refugees.

Blackthorn suggests that the "asylum seeker issue feeds a nationalism that comes dangerously close to the far right", adding that if the public doesn't collectively use its democratic right to demand change of their government it is possible that "Australia will fall foul of the sorts of extremisms that have led to so many fleeing their homelands."

<http://www.truth-out.org/news/item/29695-what-s-driving-the-merciless-asylum-seeker-policies-in-australia>

## **7. The Saturday Paper: Geoffrey Eames, former Nauru chief justice**

Nauru's rule of law is in a parlous state, says its former chief justice Geoffrey Eames.

The Saturday Paper  
March 21, 2015  
Ramona Koval

Geoffrey Eames receives me at a spartan table in his temporary office at the Owen Dixon Chambers in Melbourne's legal district. The white bookshelves are bare. It's a far cry from his time as a romantic warrior for the legal rights of Indigenous people in a wig and gown as a barrister at law, an assisting counsel at the Maralinga and Aboriginal deaths in custody royal commissions, a judge at the Victorian Supreme Court and the Court of Appeal and, since 2010, the chief justice of Nauru. In January 2014 he was denied a visa to return to Nauru after he granted an injunction from Melbourne to prevent the deportation of Nauru's resident magistrate Peter Law.

Full story at <http://www.thesaturdaypaper.com.au/world/asia-pacific/2015/03/21/geoffrey-eames-former-nauru-chief-justice/14268564001645>

## 8. 120 academics sign letter berating Lib MP Nikolic

120 University of Tasmania academics sign letter berating Liberal Whip Andrew Nikolic for attack on free speech

The Age  
March 18, 2015 - 8:00PM  
Heath Aston, Paddy Doulman

More than 100 lecturers and academics at the University of Tasmania have accused Liberal Whip Andrew Nikolic of "abusing his parliamentary role" by attempting to prevent a senior lecturer from criticising the Abbott government.

Mr Nikolic contacted university vice-chancellor Peter Rathjen to query whether Dr Michael Powell, a lecturer in history and politics, had broken any employment rules by submitting a fiery letter to the editor of the Launceston Examiner in which he lashed the government for cutting funding to the university.

Mr Nikolic, a former Brigadier in the Australian Army who was promoted to the position of whip by Prime Minister Tony Abbott last month, has insisted he was not attempting to "stifle the free speech" of Dr Powell but was simply asking whether his views represented the university's position.

University staff reacted with fury after Fairfax Media detailed the brawl on Monday and revealed Professor Rathjen had deemed that Dr Powell was not representing the views of the university and had declined to defend his staff member publicly.

By 4pm on Wednesday, 119 university staff had signed an open letter of protest.

"We, the undersigned, believe it is Mr Nikolic's obligation as a parliamentarian to uphold the principle of free expression. Mr Nikolic using his privileged position to attempt to prevent Dr Powell from commenting is, we believe, an abuse of his parliamentary role," they wrote.

Full story at <http://www.theage.com.au/federal-politics/political-news/120-university-of-tasmania-academics-sign-letter-berating-liberal-whip-andrew-nikolic-for-attack-on-free-speech-20150318-1m2ag5.html>

## 9. AMA among 15 peak health bodies calling for all asylum children to be freed

Groups jointly urge the Australian government to appoint an independent guardian to oversee the treatment of unaccompanied children

The Guardian  
Ben Doherty  
Wednesday 18 March 2015 17.26 AEDT

Fifteen of Australia's peak health professional organisations have jointly called for the government to release all children and their families from immigration detention, and for an independent panel of doctors to oversee the healthcare of children detained.

A statement from the 15 organisations – including the Australian Medical Association, the Australian Psychological Society, and the Royal Australasian College of Physicians – said the government should immediately release all children from immigration detention in Australia and Nauru to prevent "further unnecessary and long-lasting harm to children in their care".

"Our organisations represent a wide range of health professionals who have seen, first-hand, the devastating impact of detention on the health and wellbeing of children and their families," the organisations' joint statement said.

The statement follows the release in February of the Australian Human Rights Commission's report into children in detention, "The Forgotten Children", which found that "prolonged, mandatory detention of asylum seeker children causes them significant mental and physical illness and developmental delays". The report called for a royal commission into the treatment of asylum seeker children in detention.

The peak health bodies' statement said there was "a moral imperative" for the government to implement the recommendations of the [AHRC] report, in particular to:

- remove children and their families from detention centres onshore and offshore and release them into the Australian community, and
- urgently appoint an independent guardian for unaccompanied children seeking asylum in Australia

The health bodies also called for an independent panel of health professionals to oversee healthcare in detention facilities.

Michael Smith, from the Public Health Association of Australia, said the AHRC report found 34% of children detained in Australia and Christmas Island had mental health disorders requiring psychiatric support, compared with a proportion in the general community of less than 2%.

“Disturbingly, the commission believes the rate to be possibly even higher in Nauru. Children are reported to be self-harming in detention at very high rates, with a significant number of incidents of voluntary starvation involving children also observed. The inquiry also found evidence that children have been exposed to unacceptable levels of assault, including sexual assault and violence in detention.”

The government rejected the AHRC report as a “partisan stitch-up” and pointed out that there are one-tenth the number of children in detention now compared with under the previous government.

Tony Abbott said at the time: “The most compassionate thing you can do is stop the boats.

“Where was the Human Rights Commission when hundreds of people were drowning at sea [under Labor]?”

There are 138 children in detention in Australia, according to the latest figures, and 119 in the Australian-run detention centre on Nauru. The number of children in detention peaked in 2013 at 1,992.

But children are being held in detention much longer now than previously. The average length of detention of a child is now 17 months, the AHRC’s president, Professor Gillian Triggs, has said.

The secretary of the immigration and border protection department, Michael Pezzullo, told Senate estimates in February the vast majority of children in detention would be released within “days and weeks”, though he conceded some complex cases would take months.

Australia is the only country in the world that mandatorily detains children as a first resort. The United Nations has said this is in breach of international law, particularly the covenant on the rights of the child, to which Australia is a party.

The peak medical groups who have called for the release of all children from detention are:

Royal Australasian College of Physicians

Royal Australian College of General Practitioners

Royal Australian and New Zealand College of Psychiatrists

Royal Australian and New Zealand College of Obstetricians and Gynaecologists

Australasian College for Emergency Medicine

Australian Medical Association

Australian Psychological Society

Public Health Association of Australia

Children’s Healthcare Australasia

Australian Association of Social Workers

Australian Medical Students for Refugee and Asylum Seeker Mental Health

Australian College of Nursing

Australian College of Mental Health Nurses

Australian College of Midwives

Maternal, Child and Family Health Nurses Australia

<http://www.theguardian.com/australia-news/2015/mar/18/ama-among-15-peak-health-bodies-calling-for-all-asylum-children-to-be-freed>

## 10. Asylum bill faces defeat as crossbenchers express qualms

Legislation seeks to give review tribunal greater powers to reject claims for refugee status, including for failure to produce the correct documents

The Guardian  
Shalailah Medhora  
Monday 16 March 2015 17.54 AEDT

A bill that would increase the risk threshold for asylum seekers claiming refugee status, and lead to their claims being automatically rejected if they did not produce the correct documentation, faces defeat after failing to secure the support of key crossbenchers.

The migration amendment (protection and other measures) bill seeks to give the refugee review tribunal greater powers to reject asylum seekers' claims for refugee status, including if they have false or incorrect identification documents.

The bill would increase the risk threshold for complementary protection, which extends Australia's protection obligations beyond the framework put forward by the UN. Complementary protection offers refuge to people who are at risk of harm or persecution but who don't necessarily fall within the confines of the UN definition of refugees. For example, women at risk of "honour" killings or genital mutilation could be covered under Australia's system of complementary protection.

The bill would seek to increase the threshold from likely to probable, meaning asylum seekers have to prove a more than 50% chance of harm or persecution if they returned to their home countries.

The Greens oppose the bill outright, whereas Labor and a number of crossbenchers are seeking to make amendments, including scrapping the increase in the risk threshold, which is schedule two of the bill.

"While schedule two remains ... Labor can not support this bill," the shadow higher education minister, Kim Carr, told the Senate on Monday. "Labor has grave concerns about the bill's significant changes to the way Australia determines whether it has an obligation to protect non-citizens."

He went on: "Labor puts the government on notice as we did before. We will not support your attempts to walk away from Australia's international protection obligations and place the lives of the vulnerable at risk."

The Motoring Enthusiast party senator, Ricky Muir, who holds one of the eight vital crossbench votes, supports Labor's amendments. "I cannot, in all good conscience, support a change that raises a real prospect of sending children and families ... to persecution or other forms of life threatening harm," he told the Senate on Monday. "Is this increased chance something I want rested on my shoulders?"

He also opposed the granting of greater powers to the refugee review tribunal without legal recourse for asylum seekers.

"I have concerns that due to the removal of legal assistance and the shifting of the refugee status determination process from an inquisitorial process to an adversarial one, there's a real chance that genuine refugees will be sent back to their home countries where they face persecution or harm," Muir said.

His fellow crossbencher Nick Xenophon also raised "serious concerns" about schedule two of the bill, which he said "simply goes too far". He said he could not support the bill while schedule two remained in it.

The newly independent senator Glenn Lazarus will put forward his own amendments to the bill. His office has told Guardian Australia that he rejects the bill in its current form because of its "risk to life" and failure to meet Australia's international obligations.

The independent senator Jacqui Lambie, who is recovering in a Tasmanian hospital after minor surgery, also opposes the legislation. She has requested a pair from the government whips so her vote will be counted.

The Liberal Democrat senator, David Leyonhjelm, and Family First's Bob Day support the bill.

The Greens senator Sarah Hanson-Young said the bill would "undoubtedly put lives at risk". "The bill seriously compromises the integrity of Australia's rigorous protection determination system, erodes procedural safeguards and it hands unprecedented power to the minister of the day," she said. A Coalition backbencher, Cory Bernardi, has slammed the Greens as "sanctimonious and pious", arguing that Australia will always "comply with our international human rights obligations".

He said increased border-protection powers were necessary to stop people smugglers from "smuggling jihadis" out of Australia to fight overseas. "They don't care who is on the boats," Bernardi said of the Greens.

Guardian Australia has sought comment from the government on whether it will consider Labor's amendments to the bill.

<http://www.theguardian.com/australia-news/2015/mar/16/asylum-bill-faces-defeat-as-crossbenchers-express-qualms>

## 11. Government's plan to lower protection threshold likely to be stymied in Senate

The Age  
March 17, 2015 - 6:28PM  
Michael Gordon

The Abbott government's plan to reduce the threshold for assessing whether people face torture or degrading treatment if they are returned to their countries of origin faces certain defeat in the Senate.

But the fate of several other provisions that will make it more difficult for thousands of asylum seekers to press their claims for refugee status remains uncertain.

Labor, the Greens and several crossbenchers plan to vote down a new framework for assessing the claims of those who are not refugees, but seek "complementary protection" under other international treaties, including the convention against torture and other cruel, inhuman or degrading treatment.

Critics including crossbenchers Ricky Muir and Nick Xenophon, fear the changes raise "the real prospect of returning people to persecution or other forms of life-threatening harm".

If passed, the legislation would apply a "more likely than not" threshold that would only protect those who face more than a 50 per cent chance of suffering significant harm if returned to their home countries.

The existing framework applies the same threshold for complementary protection as for assessing refugee claims: that there is a "real chance" of the person facing harm if returned.

Several senators have expressed concern that the lower threshold could result in women facing honour killings or female genital mutilation.

Labor has vowed to oppose the lower threshold and will move amendments to several other provisions. These include one that would refuse protection visas to those who do not provide evidence of their identity without a valid explanation. Another change requires asylum seekers to specify all arguments to support their claims from the outset.

Greens senator Sarah Hanson-Young says the legislation will deny refugee protection to those who are thought to have, or who actually have, provided false identity, citizenship or nationality documents.

She says the change "ignores the realities of seeking asylum and goes against the basic principles of the refugee convention".

Liberal senator Cory Bernardi defended the legislation on national security grounds, telling the Senate: "If you look at some of the issues we are facing in this country today, whether it is terrorist activity, insurgent activity, extremist activity or general crime, you will find there are elements of this that can be traced back to a disorderly migration program.

"To say that is not being racist or anything like that; it is simply stating some facts and some truths."

<http://www.theage.com.au/federal-politics/political-news/governments-plan-to-lower-protection-threshold-likely-to-be-stymied-in-senate-20150317-1m1ez3.html>

## 12. Tanya Plibersek castigated by Coalition over boat turn-back comments

Labor's foreign affairs spokeswoman said Australia's relationship with Indonesia strained over boat turn-back policy

The Guardian  
Shalailah Medhora  
Monday 16 March 2015 11.30 AEDT

Senior members of the government have criticised comments from the deputy opposition leader, Tanya Plibersek, who said that the Coalition's boat turn-back policy has strained the relationship between Australia and Indonesia.

At the weekend Plibersek linked the boat turn-back policy, which is the cornerstone of the government's anti-people-smuggling measures, with a souring relationship between leaders.

"We certainly have been opposed to turn-backs," Plibersek told Sky News. "Tony Abbott can't get a phone call returned from the Indonesian president – it has affected our relationship with Indonesia in the past. It [the turn-back policy] has not been good for it."

The prime minister, Tony Abbott, has asked to speak to the Indonesian president, Joko Widodo, about the Bali Nine drug traffickers Andrew Chan and Myuran Sukumaran, who are on death row in Indonesia.

Widodo has refused to grant clemency to the duo, who have exhausted nearly all avenues of appeal and are expected to face death via firing squad shortly.

The foreign affairs minister, Julie Bishop, has criticised Plibersek for making the connection between the phone call and the boat turn-backs.

“She tied the issue of border protection in with the execution of two Australian citizens and that was a very crude and ill-informed statement to make,” Bishop told ABC radio.

“We inherited from Labor the live cattle ban, the Snowden allegations, and the fact that through the change of Labor policies on border protection Indonesia once more found itself a destination point for a number of people seeking to come to Australia through the people-smuggling trade. And we’ve had to deal with all of those issues one by one, and we do it quietly and methodically and respectfully,” she said.

A spokesman for Plibersek said that her statements “were in relation to a different matter” and not in relation to Chan and Sukumaran.

“Labor doesn’t play politics with this highly sensitive matter – it’s too important,” the spokesman said. “Labor has always offered the government every support in efforts to have clemency granted for these two young men.”

The social services minister, Scott Morrison, who implemented turn-backs when he ran the immigration portfolio, has called Plibersek’s statement “insensitive”.

“This is a very disappointing and insensitive comment. It’s one that I hope she regrets given the very strong bipartisan nature of the way that we’ve been dealing with this issue,” Morrison told 2GB radio.

On Sunday Abbott slammed the comments as “irresponsible”.

“This is just really loose and irresponsible talk from the Labor party. The relationship with Indonesia is strong. It’s at least as strong under this government as it was under the former government,” he said.

“The fact that the people smuggling trade has all but shut because of the policies of this government is one of the reasons why the relationship is stronger today.”

Last week an Indonesian minister warned Australia that Jakarta would withdraw its support for Coalition border-protection policies, effectively unleashing a “human tsunami” of asylum seekers, if Canberra kept agitating for Chan and Sukumaran’s release.

Abbott has vowed to press on.

“I have raised the question of the Bali Nine and the two Australians on death row with the Indonesian president on a number of occasions and we had a phone call about a fortnight ago,” Abbott said.

“It was specifically on this subject and I made the Australian position absolutely crystal clear. He also made the Indonesian position pretty clear as well. He might think that the subject has been well and truly discussed, but my request for a phone call stands and it’s up to the Indonesian president to respond.”

The prime minister was heavily criticised by Indonesians for saying Jakarta should reciprocate the aid money Australia sent after the 2004 Boxing Day tsunami by sparing Sukumaran and Chan.

In a backlash to those comments, Aceh residents began a grassroots campaign to collect coins to repay the aid.

<http://www.theguardian.com/australia-news/2015/mar/16/tanya-plibersek-castigated-by-coalition-over-boat-turn-back-comments>

### **13. Moss review: rapes, sexual assault, drugs for favours on Nauru**

Rapes, sexual assault, drugs for favours in Australia's detention centre on Nauru: independent Moss review

Brisbane Times  
Heath Aston  
March 20, 2015 - 10:28PM

An independent review into sexual abuse inside Australia’s detention centre on Nauru has found evidence of rape, sexual assault of minors and guards trading marijuana for sexual favours from female detainees.

The review, conducted by former integrity commissioner Philip Moss, found no evidence that Save the Children staff on Nauru had coached detainees to embarrass the Abbott government.

Former immigration minister Scott Morrison called the Moss review in October 2014 after Save the Children staff were removed by his department amid suspicions they had encouraged self-harm, facilitated protests and fabricated assault allegations.

New Immigration Minister Peter Dutton shrugged off criticism that the damaging report was released on Friday afternoon under the cover of the death of former prime minister Malcolm Fraser but acknowledged the contents of the review were "concerning".

Mr Moss found compelling evidence that at least three women have been raped inside the detention centre and raised concern that sexual assault is likely to be under-reported due to a climate of fear and detainees worrying about their future refugee status.

"The review became aware of three allegations of rape (two female and one female minor), one which the Nauruan Police Force is investigating and two which the victims do not want to pursue by making a complaint. These allegations are concerning. They are also concerning because two of the victims do not feel able to bring forward these allegations to relevant authorities," the report states.

The report confirmed that one of the suspected rapists, a male detainee, has been given refugee status and settled on Nauru.

Many of the complaints by female asylum seekers revolve around Nauruan guards employed by Australian contractors Wilson Security and Transfield Services, with allegations of drunkenness and lechery. Twelve guards have been sacked by those companies for misconduct.

Female detainees live in an environment of fear, according to the review. It details instances of guards spying on women as they lie inside their tents in their underwear due to the tropical heat of Nauru.

A female detainee reported a guard "drunk and on drugs" stopping her in front of a tent. "Then he suddenly grabbed my arm and he said 'you are so sexy and you're so beautiful'," she told Mr Moss.

An incident in which a guard demanded to see a female detainee naked in return for allowing her an extra two minutes in the shower with her young child was confirmed.

Mr Moss found evidence of "sexual favours being exchanged for marijuana is possibly occurring" based on interviews with detainees.

A Wilson intelligence report of June 2014, obtained by the review, suggested that "organised prostitution ... in relation to trading of contraband" was happening.

The review obtained information from intelligence reports authored by Wilson Security staff, highlighting possible "subversive" activity by Save the Children staff.

"None of this information indicated conclusively to the review that particular contract service provider staff members had engaged in these activities," it found.

Mr Moss has proposed that the department find a way to resolve the unfair deportation of the staff.

Save the Children chief executive Paul Ronalds said the charity was sure from the start its staff had done nothing wrong.

"The idea that they could do anything to put children in harm's way is absurd. We have said this right from the very beginning. The Moss Inquiry shows beyond a doubt that there was and is no basis to these claims," he said.

"What's deeply troubling is the evidence uncovered by the Moss Inquiry supporting allegations of sexual and physical assaults on Nauru including allegations of rape, one of which was against a child.

"There was never any need for fabrication or exaggeration by Save the Children staff – the evidence is clear."

Mr Dutton said the government accepted all 19 recommendations of the Moss Review and said Nauru would work to solve problems highlighted.

"They don't have a tolerance for illegal behaviour, including in particular sexual assault. I find the thought of anybody, in particular children, being sexually assaulted completely abhorrent," he said.

"It's not something that we would accept in Australia and it's not something that the Nauruans accept in their community either."

The Australian Lawyers Alliance said the Commonwealth cannot outsource care of asylum seekers and could be liable for a "swathe of future compensation claims".

"The nature of allegations raised in the Moss Review of sexual harassment, rape, trading sexual favours for marijuana and cigarettes and children being touched inappropriately, if proven, show that the Commonwealth has failed in its duty to take reasonable care of asylum seekers."

<http://www.brisbanetimes.com.au/federal-politics/political-news/rapes-sexual-assault-drugs-for-favours-in-australias-detention-centre-on-nauru-independent-moss-review-20150320-1m46za.html>

## **14. Rapes and fears for safety on Nauru uncovered by independent Moss review**

Report by former integrity commissioner Philip Moss also found no information to support claims that Save the Children workers encouraged asylum seekers to protest or self-harm

The Guardian  
Ben Doherty and Paul Farrell  
Friday 20 March 2015 16.16 AEDT

At least two women have reported being raped, others have been forced to expose their bodies in exchange for access to showers, an independent report on immigration detention conditions on Nauru has found.

In an 86-page report, released suddenly on Friday afternoon, the former integrity commissioner Philip Moss also found "no information which substantiates" claims that Save the Children workers on Nauru encouraged protests or acts of self-harm.

Nine Save the Children staff were summarily dismissed at the government's insistence after a three-page security report alleged, without any corroborating evidence, they were facilitating protests and sending confidential information off the island.

Their dismissal is the subject of a legal challenge. Moss found their dismissal should be reviewed by the government.

The Moss review was established in October by the then immigration minister Scott Morrison to investigate two separate tranches of claims: allegations of sexual and physical assault of asylum seekers, including children, in the Nauru detention centre, and reports that Save the Children Staff were facilitating or encouraging protest and self-harm.

Moss found many asylum seekers on Nauru "are apprehensive about their personal safety and have concerns about their privacy in the centre".

He said "transferees also said that they were concerned that making a complaint could result in a negative impact on the resolution of their asylum claims. In some cases, transferees told the review that they had not reported particular incidents because they had lost confidence that anything would be done about their complaints."

The review found there were limited resources for the investigation of sexual assaults by the Nauruan authorities, including no forensic services, but it also said detention centre staff – contracted by the Australian government – acted appropriately in investigating allegations.

The immigration minister, Peter Dutton, said the government accepted all the recommendations in the report, and added that sexual assault was "not something that we would accept in Australia, and it's not something that the Nauruans accept in their community".

The review was commissioned, in part, from allegations that arose from a Transfield intelligence report that alleged Save the Children staff had encouraged detainees to protest and even commit acts of self-harm.

The secretary of the immigration department, Mike Pezzullo, said there was "no conclusive evidence" that Save the Children employees encouraged protest activity.

Dutton was also questioned about the timing of the report – which was completed in early February – which came shortly after the death of the former prime minister Malcolm Fraser and with less than an hour's notice.

He said: "The secretary was on a plane earlier this morning to come up to Brisbane. I had wanted to make the announcement last week and I had to go to Cambodia.

"I think any suggestions frankly from you or from anybody else that this relates to Malcolm Fraser's death, I just find quite an appalling question, to be honest."

Transfield Services, the private contractor with overarching responsibility for running the Nauru detention centre, said it would continue to work cooperatively with the Department of Immigration and Border Protection, its sub-contractors and the government of Nauru to implement all the review's applicable recommendations.

<http://www.theguardian.com/australia-news/2015/mar/20/rapes-and-fears-for-safety-on-nauru-uncovered-by-independent-moss-review>

## 15. Moss review recommends changes for immigration detention on Nauru

ABC Radio CAF - PM  
Stephanie Smail  
Friday, March 20, 2015 18:25:00

DAVID MARK: A report by the former integrity commissioner, Philip Moss, has recommended a string of changes to the way the Nauru detention centre operates.

He was investigating allegations of sexual and physical assault on asylum seekers, including children, at the centre.

He's also investigated allegations that staff on Nauru employed by the charity, Save the Children, encouraged refugees to self-harm or manipulate abuse allegations.

The Moss Review says there's no information to prove those allegations.

Stephanie Smail reports.

STEPHANIE SMAIL: The Moss Review looked at a string of allegations about sexual and physical abuse against asylum seekers on Nauru.

They included claims of rape and forcing women to expose themselves in return for access to showers and other facilities.

The report says many asylum seekers living in the detention centre are apprehensive about their personal safety and have privacy concerns.

It also found some cases of sexual and physical assault aren't being reported.

Philip Moss says when staff at the detention centre are made aware of issues, they have, in the most part, dealt with them appropriately and referred issues to police on Nauru when necessary. But he says there is room for improvement.

He wants the Nauruan government and the Immigration Department to overhaul how abuse claims are handled.

The Immigration Department has accepted the Moss Review's 19 recommendations.

Mike Pezzullo is the secretary of the Immigration Department.

MIKE PEZZULLO: You don't want to place anyone in a position where, for instance, a child is the subject of unwarranted and indeed completely depraved sexual attention in response, in relation either to someone's gratification or in some cases, getting preferred access to things like showers or the ability to have a longer bath so you can shampoo someone's hair.

I mean I find it abhorrent, and we're going to crack down on the behaviour in partnership with all of the stakeholders I mentioned earlier.

STEPHANIE SMAIL: He says there are a couple of dozen allegations that warrant further attention.

The Immigration Minister Peter Dutton says he believes people on Nauru are safe.

PETER DUTTON: It was a very difficult environment, I think people need to understand the pressures on the staff, on the Nauruan government, on people within my own department at that time, and in the preceding months and years before that, because the boats had come freely and we had many, many people in held detention.

STEPHANIE SMAIL: The other substantive part of the report deals with allegations that staff working for the charity Save the Children encouraged asylum seekers to self-harm and fabricated claims of abuse.

Ten of the charity's staff were removed from the island after those claims surfaced.

Philip Moss reviewed intelligence reports and interviews from Wilson Security, the security provider at the centre. But he says none of the information indicated conclusively that Save the Children staff had engaged in those activities.

Mr Moss acknowledged there is still an Australian Federal Police investigation into the case, but he has recommended the Immigration Department review its decision to remove the staff from the island anyway.

The department secretary says he accepts that recommendation and he met with Save the Children last week.

MIKE PEZZULLO: The contractual point in time decision to remove the staff, or to seek to have them removed, because they had to be removed both contractually but also in terms of their visa status by the government of Nauru, is something that should be reviewed in the context of looking at all of the circumstances that led up to that point in time decision.

So I've already agreed with Save the Children. I met with their CEO last week, that was one of the preparatory matters that we were engaged in, in preparing the action plan to respond to the Moss Review.

STEPHANIE SMAIL: Mike Pezzullo has set his department a two month deadline to work on fulfilling the recommendations.

The Immigration Minister Peter Dutton says the report shows why the Government is so determined to stop asylum seeker boats reaching Australia.

PETER DUTTON: Twelve-hundred people did die at sea when these boats were coming and do I want to see anyone in detention? Of course I don't. But I also can't allow a situation again where we see a flotilla of boats coming, and we end up with the sorts of things that we're talking about today. That's what I don't want to return to.

DAVID MARK: The Immigration Minister Peter Dutton ending Stephanie Smail's report.

<http://www.abc.net.au/pm/content/2015/s4201808.htm>

## **16. Moss review: no evidence charity staff lied about Nauru assault claims**

Moss review: Immigration report finds no evidence charity staff lied about Nauru detention centre assault claims

ABC News Online  
Posted Fri 20 Mar 2015, 2:39pm

A long-awaited immigration report has found no evidence to support claims that charity staff lied about reported sexual assaults committed against asylum seekers inside the detention centre on Nauru.

The independent review by former integrity commissioner Philip Moss was set up to examine allegations made by former immigration minister Scott Morrison that Save the Children employees acted inappropriately.

The Immigration Department ordered 10 members of charity group Save The Children to leave Nauru in October last year after the workers made claims of sexual abuse against women and children inside the Nauru detention centre.

The claims included that women inside the centre were being forced to strip and exchange sexual favours with guards so they could have access to the showers.

Immigration Department secretary Mike Pezullo said his organisation has accepted all 19 recommendations in the report.

"The report does not find any conclusive evidence that the Save The Children employees in any way actively encouraged protest activity or the like," he said.

"Working with Save the Children, Mr Moss recommends and we will undertake a joint review of a breakdown of the trust relationship that transpired, and if there's anything further to be said I'll do so at a later date."

Immigration Minister Peter Dutton said Australian and Nauruan officials are committed to ensuring security in the centre.

"I find the thought of anybody, in particular children, being sexually assaulted completely abhorrent," he said.

"It's not something that we would accept in Australia and it's not something that the Nauruans accept in their community either."

### ***Charity workers deserve an apology: Greens***

Greens senator Sarah Hanson-Young said Save The Children staff should receive an apology from the Government.

"What this report shows is that the allegations that myself and others raised with the minister last year have been reconfirmed," she said.

"Allegations of sexual harassment, sexual assault, allegations of women and children effectively stripping, showing their bodies for access to amenities.

"And most harrowing of all, programs, young people, girls, being too scared to talk about being raped."

Ms Hanson-Young said the report has been very heavily redacted but details the sexual assault of children and "the inappropriate engagement of children as young as three".

"While the picture of abuse inside the Nauru detention centre remains very murky and very unclear, what has been confirmed is that many staff of both Wilsons and Transfield security officers have been fired and have lost their jobs as a result of these allegations being further investigated," she said.

"The Save The Children staff who were subjected to being fired and removed from the island by the minister, what this report shows is that they had done nothing wrong, there's nothing in this report that suggests that they did anything wrong."

Mr Dutton angrily rejected claims the Government tried to bury the findings of the review amid media reports on the of Malcolm Fraser.

"I think any suggestions frankly from you or from anybody else that this relates to Malcolm Fraser's death, I just find quite an appalling question to be honest," he said.

<http://www.abc.net.au/news/2015-03-20/no-evidence-charity-workers-lied-about-nauru-assaults-report/6336446>

## 17. Save The Children Staff Ordered Off Nauru Prepare Legal Fight

Staff expelled from the island in controversial circumstances have begun exploring legal options, as leaked transcripts reveal fresh details about their removal. Max Chalmers reports.

New Matilda  
16 Mar 2015  
By Max Chalmers

Nine former employees of non government organisation Save The Children have engaged legal counsel and are exploring avenues for redress after they were suddenly forced out of their jobs on the Australia-backed immigration detention centre on Nauru last year, and ordered to return to Australia.

The staff were among a group of 10 singled out by the Department of Immigration amid accusations that employees in the centre had been breaching their contractual obligations by assisting asylum seekers conduct protest actions, leaking information to media outlets, and coaching self-harm.

Until now, no official reason for the removal of the 10 staff has been given.

But in leaked transcripts obtained by New Matilda, Immigration officials point to a variety of reasons for the move.

The transcripts detail interviews conducted as part of the Moss review, a report compiled by former Integrity Commissioner Philip Moss examining separate allegations of staff misconduct and sexual assault on Nauru.

In one transcript, the Department of Immigration's Director of Program Delivery, Kylie Burnett defends the decision to order the 10 staff off Nauru, and is asked by Moss to identify the "most telling" factor leading to the decision.

Burnett responds only vaguely by referring to the need to "remove the risk of behaviours that had been ongoing", but also points to an intelligence report as a catalyst.

"So maybe it's the intelligence report, because that kind of went, 'Oh, this is the straw that breaks the camel's back.' ... But I really think it came down to an executive view that we had an obligation to make sure that we were taking some form of action to reduce the risk."

Asked by Moss if the decision was "a question of sending a signal", Burnett responded, "I think there was an element of that".

The intelligence report Burnett references is referred to throughout the transcript, and appears to be the Transfield document recently revealed by Greens Senator Sarah Hanson-Young.

Elsewhere in her interview, Burnett suggests the "mishandling of information" was a key reason for the removal of the staff.

"I would say that the thing we had to act on, and the thing that was most important to take action on was the mishandling of information, because that's what we had pretty hard evidence on, in terms of their previous behaviours, pattern of behaviours, media requests," Burnett told Moss.

When asked by Moss if the decision to identify the 10 staff was "the proper thing to do", Burnett replied simply: "Yes".

When Save The Children staff were removed in October, CEO Paul Ronalds said the Department had "declined to provide any justification for the removal".

"We don't even know what the specific allegations are against the staff," he said.

New Matilda understands Save The Children have since been made aware of the nature of the allegations, though the organisation declined to comment further.

Those allegations could soon be tested in a court of law, with David Shaw, a partner at legal firm Holding Redlich, confirming to New Matilda he was acting on behalf of nine of the 10 staff expelled from Nauru.

“Holding Redlich, and Counsel retained by Holding Redlich on behalf of the Save the Children clients, are currently considering what legal options are open to them in respect of their expulsion from Nauru,” Shaw told New Matilda.

Shaw said he could not make further public comment at this time.

“Strict secrecy provisions apply to what can be said by our clients in relation to their work on Nauru, and we do not wish to be drawn into discussion of matters which might ultimately need to be determined by a Court.”

The confirmation of legal intent comes as the Department of Immigration continues to withhold the full findings of the Moss Report.

After pressure from the Senate, Assistant Minister for Immigration Michaelia Cash confirmed “a public version” of the report would be made publicly available.

Charged with investigating the allegations against the 10 staff, the Moss Report is likely to have significant bearing on the case.

The Department of Immigration has been contacted for comment.

<https://newmatilda.com/2015/03/16/save-children-staff-ordered-nauru-prepare-legal-fight>

## **18. Save the Children staff say Moss review exposes negligence on Nauru**

Women and children seeking asylum are in ‘absolutely horrific’ conditions that Australia was told about, says one former detainee social worker

The Guardian

Ben Doherty

Saturday 21 March 2015 06.00 AEDT

A Save the Children employee accused of encouraging protest and self-harm among detainees on Nauru says the Moss review has exposed the government’s “absolute negligence” in caring for asylum seekers.

The Moss review into “conditions and circumstances” within the Australian-run detention centre on Nauru detailed: an allegation that a child was raped; reports of rape by two women; women stating that they were forced to expose their bodies in exchange for access to showers; internal security reports of an illicit trade of marijuana for sexual favours; and consistent reports of self-harm by children, including lip-stitching, an attempted hanging, and self-wounding.

But in his 86-page report, released Friday afternoon, former integrity commissioner Phillip Moss said he found no information indicating conclusively that Save the Children workers on Nauru encouraged protests or acts of self-harm.

A Save the Children worker said: “This report exposes the absolute negligence of the government in ensuring these people are properly protected. The government has been aware of these problems for months – the intelligence reports and the incident reports show that. But instead of addressing these very serious problems, its reaction has been to allege the complaints are exaggerated, that asylum seekers have been coached. What is happening to women and children on Nauru is absolutely horrific.”

Nine Save the Children staff were summarily dismissed at the government’s insistence after a three-page security report alleged that they were facilitating protests and passing confidential information off the island. Their dismissal is currently the subject of a legal challenge. Moss found their dismissal should be reviewed by the government.

The Moss review was established in October by the then immigration minister, Scott Morrison, to investigate two separate tranches of claims on Nauru: allegations of sexual and physical assault of asylum seekers, including children, within the detention centre, and reports that Save the Children Staff were facilitating or encouraging protest and self-harm.

Moss found many asylum seekers on Nauru were “apprehensive about their personal safety and have concerns about their privacy in the centre”.

He said “transferees also said that they were concerned that making a complaint could result in a negative impact on the resolution of their asylum claims. In some cases, transferees told the review that they had not reported particular incidents because they had lost confidence that anything would be done about their complaints”.

The review found there were limited resources for the investigation of sexual assaults by the Nauruan authorities, but it also said detention centre staff – contracted by the Australian government – had acted appropriately in investigating allegations.

Examining the reported trade in marijuana within the detention centre, Moss cited a Wilson's security report which found "it became apparent that organised prostitution was occurring in relation to the trading of contraband".

The review notes a Transfield report which found "a number of female asylum seekers ... participate in providing sexual favours for personal gain".

A Nauru source said of that allegation: "This just demonstrates their complete lack of understanding about what is sexual assault, what is coercion, what is consent. It completely ignores the fact these women are in detention."

The immigration minister, Peter Dutton, said the government accepted all the recommendations in the report, and added that sexual assault was "not something that we would accept in Australia, and it's not something that the Nauruans accept in their community".

He said the government was dealing with the issue of asylum seekers, and that it had inherited "the very difficult issue of dealing with Labor's absolute failure to maintain the integrity of Australia's borders over the preceding six years".

Dutton said the government had accepted and responded to all 19 of Moss's recommendations.

The prime minister, Tony Abbott, said that the policy of offshore processing was fundamentally right. "I would certainly say that the vast majority of people the vast majority of the time are being well treated, well looked after. Occasionally I daresay things happen, because in any institution you get things that occasionally aren't perfect, but look, the most compassionate thing we can do is stop the boats; that's what we've done and those centres on Nauru and Manus are an important part of that."

The Moss review was commissioned – in part – from allegations that arose from a Transfield intelligence report that alleged Save the Children staff had encouraged detainees to protest and even commit acts of self-harm.

The secretary of the immigration department, Mike Pezzullo, said there was "no conclusive evidence" that Save the Children employees encouraged protest activity.

Dutton was also questioned about the timing of the release of the report – which was completed in early February – shortly after the death of Malcolm Fraser and with less than an hour's notice. He said: "The secretary was on a plane earlier this morning to come up to Brisbane. I had wanted to make the announcement last week and I had to go to Cambodia.

"I think any suggestions frankly from you or from anybody else that this relates to Malcolm Fraser's death, I just find quite an appalling question, to be honest."

Greens senator Sarah Hanson-Young, whose letter last year to Morrison was one of the catalysts for the Moss review, said the review confirmed media and whistleblower reports of "a toxic culture of abuse". "This report contains accounts of children as young as three being abused, young girls too scared to come forward after being assaulted and threats of rape made to women who are about to be resettled on the island." She said the government's decision to release the report on the Friday afternoon of Malcolm Fraser's death was "shameless".

Save the Children chief executive Paul Ronalds said the agency's staff had been exonerated by the report. "We are proud of our dedicated staff on Nauru who work with some of the most vulnerable children in the toughest of circumstances. The idea that they could do anything to put children in harm's way is absurd. We have said this right from the very beginning. The Moss inquiry shows beyond a doubt that there was and is no basis to these claims."

Ronalds said he was deeply troubled by "evidence uncovered by the Moss Inquiry supporting allegations of sexual and physical assaults on Nauru". He said the Australian government should immediately end its practice of mandatory and prolonged detention. Save the Children would work with the department of immigration on a review of the dismissal of its staff, he went on.

Transfield Services, the private contractor with overarching responsibility for running the Nauru detention centre, said it would continue to work cooperatively with the Department of Immigration and Border Protection, its subcontractors and the government of Nauru to implement all of the review's applicable recommendations.

The Moss review is the second damning report into Australia's immigration detention regime within two months. In February, the Australian Human Rights Commission report into children in immigration detention in Australia – the commission was prevented from visiting Nauru – found "prolonged, mandatory detention of asylum seeker children causes them significant mental and physical illness and developmental delays".

The government dismissed the AHRC report as a "blatantly partisan" and "a political stitch-up" and pointed out that fewer than one-tenth the number of children remain in detention than under the previous government. However, children are now held longer in detention.

Earlier this month, the United Nations special rapporteur on torture Juan Mendez said Australia was systematically violating the international convention against torture by leaving children in immigration detention and holding asylum seekers in dangerous and violent conditions on Manus Island.

<http://www.theguardian.com/australia-news/2015/mar/20/save-children-moss-review-negligence-asylum-seekers-nauru>

## 19. 'Things happen': Tony Abbott on sexual assault allegations in offshore detention

Australian prime minister tells radio interviewer 'occasionally ... things happen' when asked about Moss review of immigration detainee safety on Nauru

The Guardian  
Daniel Hurst Political correspondent  
Friday 20 March 2015 19.37 AEDT

Tony Abbott has responded to a review into allegations of sexual assault in offshore immigration detention centres by saying that "occasionally ... things happen".

The Australian prime minister argued that most asylum seekers transferred to the Nauru and Manus Island processing centres were treated well most of the time.

"Occasionally, I daresay, things happen, because in any institution you get things that occasionally aren't perfect," Abbott told 2GB on Friday.

"But, look, the most compassionate thing we can do is stop the boats. That's what we've done and those centres on Nauru and Manus are an important part of that."

Abbott's remarks followed the release on Friday of a government-commissioned review by the former integrity commissioner Philip Moss, who noted two specific allegations of rape of two women at the Nauru centre. One of those cases was still being investigated by local police.

The review also concluded that Nauruan guards trading marijuana with detainees in exchange for sexual favours was "possibly occurring"; many people transferred to the centre were apprehensive about their personal safety; and there was under-reporting of sexual and other physical assault.

During the interview with Abbott, the 2GB broadcaster Ben Fordham did not directly raise the substance of the assault allegations, but asked whether the government would act on the Moss report's broader call for improvements to the way abuse claims were investigated.

"You won't be surprised, Ben, that I haven't caught up with the details of that," Abbott replied.

"I know that immigration minister Peter Dutton has got it in hand, but I certainly would strongly defend our policies when it comes to border protection. I'd strongly defend the policy of processing boat people who come illegally to our shores in third countries, and the Nauru centre will continue for as long as it is needed, as will the Manus one."

When Fordham pressed Abbott to explain whether the investigative processes were adequate or needed to be improved, the prime minister said: "Well, Ben, I never say that there's nothing that can't go wrong or that there's nothing that couldn't be improved."

"Of course, you always improve all sorts of things, but the policy of offshore processing of people who come illegally to this country by boat is right – it really is right. And I would certainly say that the vast majority of people the vast majority of the time are being well treated, well looked after."

Abbott then made the comments acknowledging occasions when "things happen".

The prime minister previously faced criticism in November 2013 for saying during a visit to Sri Lanka that while the Australian government deplored any use of torture it accepted "that sometimes in difficult circumstances, difficult things happen".

The secretary of the immigration department, Mike Pezzullo, received the Moss report early last month and Dutton released it in Brisbane on Friday afternoon.

The review found people were concerned that making a complaint could negatively affect the outcome of their asylum applications, or had "lost confidence that anything would be done about their complaints", or did not want to make a report for cultural reasons.

But it also said that when formal complaints had been lodged, contract services providers had acted appropriately "in the most part" in dealing with them.

The minister said the government accepted all of the recommendations. "I find the thought of anybody, in particular children, being sexually assaulted completely abhorrent," Dutton said, vowing to work with Nauruan police to build the capacity of local investigators.

Dutton rejected "an appalling question" about why the report was released hours after the death of former Liberal prime minister Malcolm Fraser. He said Pezzullo was on a plane from Canberra before news arrived of Fraser's passing.

<http://www.theguardian.com/australia-news/2015/mar/20/things-happen-ony-abbott-on-sexual-assault-allegations-in-offshore-detention>

## 20. Moss confirms Triggs' Forgotten Children report: Graeme Innes

Moss review: Former disability commissioner says Government review confirms Gillian Triggs' Forgotten Children report

ABC Radio CAF - AM

By Sarah Sedghi, Naomi Woodley

First posted Sat 21 Mar 2015, 8:10am

Updated Sat 21 Mar 2015, 8:13am

A former disability commissioner with the Human Rights Commission says the Government's recently released Moss review confirms the criticisms made by Human Rights Commission president Gillian Triggs.

Ms Triggs was heavily criticised by the Abbott Government for her Forgotten Children report, which called for a royal commission into the detention of children under both Labor and Coalition governments, and was labelled a "transparent stitch-up" by Prime Minister Tony Abbott.

But former disability discrimination commissioner Graeme Innes said the Moss review into sexual abuse in Australia's detention centre on Nauru showed the Government was wrong in its criticism of the commission and Ms Triggs.

He also said the allegations detailed in the Moss review further exposed the treatment of asylum seekers in immigration detention.

"This report confirms that. And it's just another independent source of advice confirming that, as Australians, we should be very concerned about the way that we're treating people who've done nothing wrong, who have just left very difficult situations in their own countries and sought asylum with us," he said.

"The Government was mistaken in criticising Professor Triggs anyway, irrespective of the findings of this report. That was a totally inappropriate action by the Attorney-General and the Government."

Former family court judge Alistair Nicholson, who chairs child advocacy group Children's Rights International, said the review showed Nauru was no place for children.

"It confirms, really, the sorts of criticism that Gillian Triggs and the Human Rights Commission made of the system generally," he said.

"The Nauru facility is an appalling facility. It's not a proper place to hold children.

"The evidence is all one way and it's an extreme discredit to Australia that we should be party to this sort of behaviour and treat people in this way.

"It's particularly, I suppose, ironic that ... this report should have been released on the day of Malcolm Fraser's death. Because Malcolm himself had made it very clear what his views were about this."

### ***Moss review found evidence of sexual abuse***

The Moss review found evidence of rape, sexual assault of minors and guards trading marijuana for sexual favours.

Former integrity commissioner Phillip Moss found that at least three women had been raped inside the centre and he raised concerns that assault was likely to be under-reported because detainees were worried about their refugee status.

Mr Moss detailed one allegation that a female asylum seeker was asked to expose herself in return for longer showers.

Immigration Minister Peter Dutton urged people in the centre to report sexual abuse, saying "sexual assault of any nature is not to be tolerated and never will be".

"My strong pleading to people is: if at all possible, please make the approach to the appropriate authority," he said.

Greens senator Sarah Hanson-Young described the culture inside the Nauru detention centre as "toxic and dangerous ... and the situation remains murky".

The review found a number of staff from the centre's operator Transfield and security provider Wilsons have been sacked for misconduct. The Government said it retained confidence in both providers.

The review also cleared 10 Save the Children staff from any suggestion that they coached the detainees into self-harming to embarrass the Coalition Government.

The Government is set to implement the 19 recommendations, many of which call for better training for centre staff and Nauruan police and officials. Others focus on child protection.

The earlier Forgotten Children inquiry interviewed children in detention under both Labor and Coalition governments and, through its report, documented hundreds of cases of assault and self-harm and found long periods of detention were damaging to children.

The Government had questioned the timing of the report, calling it "partisan" and saying the Human Rights Commission ought to be ashamed of itself.

<http://www.abc.net.au/news/2015-03-21/moss-review-confirms-forgotten-children-report/6337576>

## **21. Scott Morrison: no apology over dismissed Nauru Save the Children staff**

Contractors ejected from Nauru over allegations they coached asylum seekers to self-harm, but Moss review finds claims were unsubstantiated

The Guardian  
Daniel Hurst Political correspondent  
Sunday 22 March 2015 16.15 AEDT

The former immigration minister Scott Morrison has refused to apologise for airing allegations about Save the Children staff "coaching" asylum seekers to self-harm in the Nauru processing centre, after an official review found a lack of evidence to substantiate the claims.

Philip Moss, a former integrity commissioner, said he had uncovered no conclusive information that contract service providers on Nauru had facilitated protest activity, encouraged self-harm or fabricated assault allegations.

In a report released by the government on Friday, Moss called on the immigration department to review its decision in October last year to eject 10 Save the Children staff members from the Nauru centre. Their dismissal is currently the subject of a legal challenge.

Morrison previously said he had received information indicating "that there may have been a level of coaching and facilitation and co-ordination amongst people who are working for one of our service providers".

"Now 10 people in relation to those issues have been asked to leave Nauru and that instruction was given to Save the Children last week," Morrison told 2GB on 7 October.

In a press conference on 3 October announcing the Moss review, Morrison said service providers were "employed to do a job not to be political activists".

"Making false claims and worse – allegedly coaching self-harm and using children in protests – is also completely unacceptable, whatever their political views or whatever their agendas," Morrison said at the time.

Morrison, who is now the federal social services minister, was asked on Sunday whether he conceded his comments about Save the Children staff had been wrong.

He replied that the allegations had been presented to him in a formal report, and he took action by referring that information to the Moss review.

"I'm pleased that the Moss review has investigated those allegations and the other very serious allegations and I'm pleased that they've come back and the government has accepted all of those recommendations," Morrison said on the sidelines of the New South Wales Liberal party campaign launch.

"It was my action on seeing all of these allegations not to draw any conclusions on them at all, as I said at the time, and to refer them off to an independent review."

When asked directly if he would apologise to Save the Children, Morrison said: “Well, I made no allegations; I referred allegations for a proper inquiry.”

The Greens senator Sarah Hanson-Young demanded an apology.

“The Abbott government’s eagerness to shoot the messenger meant that, in this case, they shot first and asked questions later,” she said on Sunday.

Moss said he had been unable to obtain information supporting the allegation of contract service provider staff members coaching or encouraging transferees to engage in self-harm, other than two intelligence reports compiled by Wilson Security in September 2014.

He said one of those reports, on 28 September, concluded it was probable there was a degree of internal and external coaching, and encouragement, to achieve evacuation to Australia through self-harm actions.

Moss said another intelligence report two days later concluded it was probable some staff were coaching and encouraging self-harm, and it suggested that incident reporting by Save the Children staff had been “increasingly emotive in recent weeks”.

The 30 September intelligence report cited a July report in the Australian newspaper headlined “Advocates coaching asylum seekers to self-harm for political reasons”.

The newspaper article was based on an interview with Greg Lake, a former immigration department official, who referred to “certain prominent advocates who will coach and encourage asylum-seekers to self-harm as a political protest”.

Moss said: “The article did not refer to any encouragement to self-harm by contract service providers in Nauru or more specifically by Save the Children staff members.”

A ministerial submission to Morrison on 2 October said, in part, that the 30 September intelligence report “raised concerns – not yet verified – about the veracity of allegations of mistreatment towards transferees in the past few days, which was reported widely in the Australian press”.

The same day the immigration department directed Save the Children to remove 10 employees from working on Nauru. “No details of any specific allegations concerning the 10 Save the Children staff members were provided to the department before it issued the notice to remove and the department has confirmed that it did not request such details,” the Moss review said.

On 3 October, Morrison called a media conference to announce the Moss review and the removal of the Save the Children staff.

His announcement came hours after the Daily Telegraph reported the coaching allegations under the headline “Truth overboard”.

Morrison said at the time that he was “drawing no conclusions about any of these matters” but added that “the public don’t want to be played for mugs with allegations being used as some sort of political tactic in all of this”.

Morrison referred to “the orchestration of protest activity and the facilitation of that protest activity on Nauru, including the tactical use of children in those protests to frustrate the ability of those who work at the centre to deal effectively and safely with those issues, their coaching and encouragement of self-harm for people to be evacuated off the island and fabrication of allegations as part of a campaign to seek to undermine operations and support for the offshore processing policy of the government”. Departmental officers told the Moss review the removal of the staff acted as “a circuit breaker” and reduced protest activities.

Allegations of confidential information being leaked to the media and advocacy groups were referred to the Australian federal police and therefore were not investigated by Moss.

Moss said the review had “not obtained any information which substantiates the alleged misconduct in terms of inappropriate attitude, emotive reporting and links to refugee advocacy groups in relation to the 10 Save the Children members”.

In the report, Moss noted two specific allegations of rape of two women at the Nauru centre; concluded that Nauruan guards may be trading marijuana with detainees in exchange for sexual favours; found many people transferred to the centre were apprehensive about their personal safety; and suggested there was under-reporting of sexual and other physical assault.

The opposition’s immigration spokesman, Richard Marles, reaffirmed Labor’s support for offshore processing but said “that does not mean that asylum seekers are the enemy”. “If we owe asylum seekers anything, and we do, it is that the facilities that we provide afford asylum seekers with safe, dignified and humane refuge,” he said.

<http://www.theguardian.com/australia-news/2015/mar/22/scott-morrison-no-apology-over-dismissed-nauru-save-the-children-staff>

## 22. Save the Children staff removed from Nauru deserve an apology, CEO says

Brisbane Times

March 21, 2015 - 9:25PM

Natalie O'Brien

Nine charity workers who were removed from Nauru amid now-debunked claims that they encouraged detainees to hurt themselves are suing the federal government.

The nine Save the Children workers were ordered off the island after the Immigration Department received complaints about them.

But a government report issued on Friday exonerated the workers, prompting the chief executive of the organisation to say his staff deserved an immediate apology.

The workers were accused of encouraging self-harm among detainees on Nauru, as well as facilitating protests and making up allegations of assault - all claims that were found on Friday to be unsubstantiated.

Chief executive Paul Ronalds said the workers involved were some of the best social workers and teachers in Australia, but as a result of the Immigration Department's actions, some of them had left the organisation and others had been redeployed to different areas.

He said they had launched legal action against the federal government. Immigration Minister Peter Dutton did not respond to requests for comment.

"We are delighted - but not surprised - they have been exonerated," he said on Saturday. "They are some of the most highly skilled, highly professional staff in Australia and an apology is warranted."

Mr Ronalds said that "some mud always sticks" so it was good to get the allegations cleared.

He also said the report, prepared by former integrity commissioner Philip Moss, provided "the most powerful evidence yet of the harm being done to children in detention".

Mr Moss was asked by former immigration minister Scott Morrison to conduct a review of sexual abuse in Australian's detention centre on Nauru last October, after Mr Morrison had removed the Save the Children staff on the advice of his department.

It had been claimed the staff had coached detainees to concoct stories to embarrass the Abbott government.

The review, which was released on Friday after news broke of the death of former prime minister Malcolm Fraser, found no evidence of any wrongdoing by the staff.

But it did find evidence of rape occurring in the Nauru centre, sexual assault of minors and guards trading marijuana for sexual favours from female detainees.

At least three women had been raped, the report found, but noted concerns that sexual assault was being under-reported because of a climate of fear and worry among victims about their future refugee status.

The new Immigration Minister, Mr Dutton, has said the government accepted all of the 19 recommendations of the review and said Nauru would work to solve the problems. He said it had no tolerance for illegal behaviour, particularly sexual assault.

Prime Minister Tony Abbott responded to questions about the review in a radio interview with 2GB saying, "Occasionally, I daresay, things happen, because in any institution you get things that occasionally aren't perfect."

His comments were criticised by Greens Senator Sarah Hanson-Young. "I find it appalling to have heard the Prime Minister's comments simply brushing aside these cases of assault and harassment," she said.

"Women being forced to strip and show their bodies for access to amenities, the trading of dope for sexual favours inside the centre and the inappropriate touching and abuse of children and yet our Prime Minister simply brushed it aside as something that goes on in our detention centres. Well it should not be going on, it should be stamped out and the women and children removed.

"It is the culture of secrecy that has allowed the abuse to breed."

Labor immigration spokesman Richard Marles said the government's timing of the release of the Moss review represented "an appalling low, even for this government" and that the government was more concerned about the potential for protest than about the sexual assault of minors.

"This is a government which has lost its moral compass," he said.

"We need for the government to give the people a sense of confidence that every person within these detention facilities are safe... and to ensure that we do not see sexual assault occurring within this facility.

"This report is difficult reading for any party which has been involved in the establishment of the facility in Nauru. But Labor is not standing here saying there's nothing to see here, which is effectively the stance of this government."

<http://www.brisbanetimes.com.au/federal-politics/political-news/save-the-children-staff-removed-from-nauru-deserve-an-apology-ceo-says-20150321-1m4ifq.html>

## **23. MEDIA RELEASE: Rock throwing Nauruans seriously injure refugee couple**

Tuesday March 17, 2015  
Refugee Action Coalition  
Ian Rintoul  
mobile 0417 275 713

An Iranian refugee couple was hospitalised last night (Monday) after being attacked by rock-throwing Nauruans (photos attached).

Around 10pm, Nauru time, the married couple was riding their motorcycle past the Menon Hotel when they were hit by a shower of rocks.

The motorcycle crashed after the male driver was knocked unconscious when one rock struck him on the head as they rode past the hotel.

The husband had regained re-gained consciousness a couple of hours later in the hospital and was able to talk to other refugees. The full scale of his injuries, and those of his wife are not known.

The attack is the latest in a series of physical attacks by locals on refugees. In a similar incident last November, an Iranian refugee was blinded in one eye after being hit by one of the rocks thrown by locals.

Ten days ago, a six year old asylum seeker lost two teeth when a Nauruan guard threw rocks at children inside the family camp.

Following protest last week, the refugee camp was stoned by around 25 Nauruan locals.

"We fear for the safety of the refugees on Nauru. There is no sign that the police take these attacks seriously. In some cases, the police do not even come to the scene of the attack," said Ian Rintoul, spokesperson for the Refugee Action Coalition.

"We fear that anti-refugee feeling in the Nauruan community is being encouraged by the Nauruan government's use of force to repress peaceful protests. There is a minority already willing to physically attack refugees.

"Nauru is a hell-hole for asylum seekers and is unsafe for refugees. Australia's offshore policy of dumping asylum seekers on Nauru has created an impossible situation. The refugees have no future; Nauru has said there will not allow resettlement. But Australia is paying tens and tens of millions to the Nauruan government to keep them on the island."

Ten refugees, including three children are due to appear in the Nauruan district court tomorrow (18 March) following the mass arrests made on 4 March.

For more information contact Ian Rintoul 0417 275 713

## **24. Nauru: Iranian refugee couple pelted with rocks by local men, sources say**

Man and wife were knocked off their motorbike by rocks and taken to hospital

The Guardian  
Ben Doherty  
Tuesday 17 March 2015 12.50 AEDT

An Iranian refugee couple has been taken to hospital after being pelted with rocks and knocked off their motorbike on Nauru on Monday night.

The man and his wife were riding past the Menon Hotel in the capital Yaren about 10pm when local men began throwing rocks at them, sources on the island said.

At least one large rock hit the man in the face, knocking him and his wife from the bike. Onlookers found him unconscious on the road, bleeding from a large gash on his face.

The couple has been found to be refugees and has been settled in the Nauruan community.

They were taken to hospital, where the man regained consciousness and was able to speak to other refugees.

The attack is the latest in a string of assaults. Asylum seekers and refugees, sent by Australia to Nauru to be resettled on the island, have reported rising hostility.

A series of street demonstrations held by refugees and asylum seekers this month, protesting against Australian government policies and conditions on Nauru, further inflamed tensions.

Video footage taken during one of the protests showed a Nauruan man, not in any uniform, walking from behind a line of police to punch a refugee who was filming the protests.

After the protests, a six-year-old asylum seeker lost two teeth when a guard reportedly threw rocks at children inside the family camp. The camp has also been stoned from outside several times.

In an effort to separate the populations, refugees have been banned – by order of the Nauruan police chief, Corey Caleb – from going to certain parts of the island, including the hospital, schools, parliament, wharves, ports and the airport.

Tension between locals and refugees predates this month's protests.

In November an Iranian refugee was left blind in one eye after a rock attack by locals in the capital. And in the same month, a letter was distributed in the asylum seekers' camps, and to the houses where refugees live, warning them to leave the island.

The letter, signed "The Youth of Nauru", warned of "bad things happening" if refugees stayed, and told them to stop taking jobs and fraternising with local women.

"Refugees are taking over all our job opportunities and spreading over our small congested community, making our lives miserable," it said.

In October, four unaccompanied minor refugees – aged between 15 and 17 – were assaulted by a group of Nauruan men. One of the boys was taken to hospital with head injuries.

Ian Rintoul, from the Refugee Action Coalition, said his organisation feared for refugees' safety. "There is no sign that the police take these attacks seriously. In some cases, the police do not even come to the scene of the attack," he said.

Rintoul said there was no future for refugees on Nauru, as the island nation would not allow permanent resettlement. He said the Australian government was paying tens of millions of dollars each year for a temporary solution.

Guardian Australia has approached the immigration department for comment. Caleb did not return calls.

The legal fallout from the refugees' protests continues. It is understood at least 10 refugees, including three children, have been instructed they must appear before the district court on Wednesday over their role in the protests.

Their bail notices do not specify what charges they will face.

<http://www.theguardian.com/world/2015/mar/17/nauru-iranian-refugee-couple-pelted-with-rocks-by-local-men-sources-say>

## **25. 'Even God can't help you here': Nauru refugees describe a life devoid of hope**

In covert interviews, refugees settled on Nauru under Australia's asylum policy tell of fear, desperation and a profound sense of helplessness

The Guardian  
Karl Mathiesen  
Thursday 19 March 2015 17.31 AEDT

Refugees who have been settled on the Pacific island of Nauru under Australia's offshore asylum policy have told the Guardian in covert interviews of their deep sense of helplessness, and fear of Nauruans who resent their presence.

Since May, more than 400 people who were detained after trying to arrive in Australia by boat have been found to be refugees and released into an island population of less than 10,000. Their arrival has convulsed Nauruan society and there is growing antipathy towards them.

They live in several guarded camps dotted around the island. Their cramped quarters provide the basics, but little more. In the following interviews they describe a monotonous and unsafe existence devoid of hope. Many are escaping through a heavy regimen of sleeping pills. Depression is ubiquitous.

The refugees' future is uncertain. The Nauruan government has given them five-year visas; Australia has said they will never be allowed to settle there.

Full story at <http://www.theguardian.com/world/2015/mar/19/even-god-cant-help-you-here-nauru-refugees-describe-a-life-devoid-of-hope>

## **26. MEDIA RELEASE: Nauru refugees defy repression**

Thursday March 19, 2015  
Refugee Action Coalition  
Ian Rintoul  
mobile 0417 275 713

Around 350 refugees from camps across the island have staged yet another peaceful protest on Nauru.

The refugees protest inside the Anabare camp began around 4pm Nauru time - photos attached.

Police and government officials monitored the protest. (Video of today's protest

The protest follows another assault on refugees at Ananbare camp last night (Wednesday, 18 March), just after 11pm.

Two masked assailants, carrying a baseball bat, on a motorcycle and a machete, attacked two refugees outside the camp. One refugee (photo attached) was struck across the back by the bat as they rode past. (Statement to Nauru police available on request.)

Yesterday's (Wed 18 March) scheduled court appearance by protesters arrested on 4 March was adjourned until 8 April after the magistrate listed 11 people, while the prosecution listed only 10 - including children. There is still no indication of what charges are being laid against those arrested.

For more information contact Ian Rintoul 0417 275 713

## **27. Asylum claim refused because daughter has Down syndrome, says family**

Sri Lankan girl, Eliza Foneska, refused asylum because she has Down syndrome, says family

ABC News Online  
By the National Reporting Team's Caitlyn Gribbin  
First posted Sat 21 Mar 2015, 1:59pm  
Updated Sat 21 Mar 2015, 2:08pm

A Sri Lankan family who want to work in a Christian crisis centre in remote Australia say their daughter was refused a temporary visa because she has Down syndrome.

The Immigration Department issued a temporary work visa to eight-year-old Eliza Fonseka's parents, but not to the child, because she was considered to be a "significant cost to the Australian community in the areas of health care".

Eliza's father Angelo Fonseka said his daughter was in good health and not on medication, and the family had Australian private health insurance to cover any medical costs.

"We have given in writing that we will take responsibility for Eliza, she doesn't need any support from the government," Mr Fonseka said.

"In Sri Lanka we are not relying on any government benefits. As parents we are supplying everything. If we migrated to Australia we will do the same thing."

The family plans to move to Shark Bay, 800 kilometres north of Perth, to work at a Christian crisis centre that provides food, accommodation and support to people in need.

"We want to help them. My wife is a worship leader, she wants to be [on] the worship team in Shark Bay some day," Mr Fonseka said.

In a statement, the Department of Immigration said it could not discuss the specific details of the case, but said the visa assessment process was extensive.

"If an applicant has a significant medical condition, their medical reports are referred to a Medical Officer of the Commonwealth (MOC)," the statement said.

"A MOC is required by law to take into account the health care costs and community services likely to be required by a person with a condition of the same level and severity as the applicant.

"A person with a medical condition may fail to meet the health requirement if a MOC assesses their condition as likely to result in significant health care and community service costs to the Australian community or prejudice the access of Australians to such services during their stay in Australia."

The Immigration Department said health waiver provisions exist for certain subclasses of visas and the family could consider investigating that option.

The West Australian Premier Colin Barnett responded to the Fonseka's plea.

He wrote to them and said he had personally contacted Immigration Minister Peter Dutton and hoped they would be "successful in obtaining a favourable outcome".

### ***'This is so hurtful, it is a harsh decision'***

Mr Fonseka said the Immigration Department's decision to refuse his daughter's application was upsetting.

"I would say as parents this is so hurtful, it's a harsh decision," he said.

"She's an innocent child, an eight-year-old child and I believe whatever God created, no man has authority to destroy, reject or discriminate.

"She does swimming, dancing, everything and according to psychologist reports and even the doctors, school reports, everything is perfect.

"They have clearly said she doesn't need residential or institutional care. Only thing is we need to guide her and give her the best to improve her skills."

The family's sponsor Pastor Tim Hargreaves runs the Shark Bay Crisis Centre mostly by himself.

Mr Hargreaves, 77, said he badly needed the help of the Fonseka family.

"I'm pretty fit and able ... but it's hard yakka and I need a younger couple to give me a hand," Mr Hargreaves said.

"I'm appalled. It's heartless and I'm ashamed for my own Australian Government to be a party and identify with such a decision."

The Fonseka family are appealing the Immigration Department's decision to refuse Eliza's visa application.

<http://www.abc.net.au/news/2015-03-21/asylum-claim-refused-because-daughter-has-down-syndrome/6337058>

## **28. MEDIA RELEASE: Rooftop protest at Yongah Hill detention centre**

Thursday March 19, 2015  
Refugee Action Coalition  
Ian Rintoul  
mobile 0417 275 713

The Yongah Hill detention centre has been locked down this evening after growing numbers of asylum seekers have joined the roof-top protest that began around 3.30pm (Perth time) .

Twelve asylum seekers from Iran, Iraq and Lebanon, and from three compounds, Eagle, Hawke and Swan, are now on the roof.

The protest began with a couple of asylum seekers climbing onto the roof; numbers have grown throughout the afternoon.

The protest is over the long times in detention times as well as the general conditions.

Some of those on the roof have been detained for two and half and three years. One asylum seeker in Yongah Hill has been detained for almost six years.

"The protest is against IHMS [the health provider]; it is against Serco and it is against Immigration," one Yongah Hill asylum seeker said.

There is no nurse at Yongah Hill after 5pm and none are on duty on weekends. There are complaints of racism and abuse by some of the Serco guards.

Yongah Hill was also the scene of a bashing by so-called criminal deportees on 5 March that left a Nigerian asylum seeker in a coma.

For more information contact Ian Rintoul 0417 275 713

## **29. Yongah Hill detainees injured during protest, protesters claim**

ABC News Online  
By Nicolas Perpetch  
Posted Fri 20 Mar 2015, 6:23pm

Detainees at the Yongah Hill immigration centre claim several people were injured in scuffles with guards during a protest over the level of medical care and other services provided.

About a dozen detainees yesterday climbed on rooftops in several compounds at the centre, 80km north-east of Perth.

They said they were protesting over the time it took to process their cases and cuts to after-hours medical care.

One of the men on a roof was a Lebanese detainee who another detainee claimed had partly lost sight in one eye after allegedly being given the wrong eye drop treatment.

Another detainee watching from the ground said a guard had told him to go back inside his accommodation unit.

"He grabbed me by my T-shirt and another officer beat me," he claimed.

He said he was thrown against a fence and hit his head and collapsed.

Another detainee said other men then tried to intervene and fought with guards.

### ***Detainees used towels to mop up injured, protesters claim***

He alleged several detainees were left injured and bleeding.

"Detainees were just helping each other, paper towels and bath towels were all we could use to clean up guys who were badly injured," he said.

The claims were put to the Department of Immigration and Border Protection, but it did not directly respond.

The department has also been asked if any guards were injured.

It confirmed a small number of detainees had been involved in a protest and said trained negotiators were engaging with the detainees.

But it would not comment on claims detainees were injured or whether they received medical treatment.

"It would not be appropriate to make further detailed comments on matters that are subject to continuing operations," the department said in a statement. "The wellbeing of those in our care is a high priority for the department. People in immigration detention receive medical care commensurate with that available in the wider community."

The department said the centre was presently calm and normal routines were being followed.

<http://www.abc.net.au/news/2015-03-20/yongah-hill-injuries-during-protest-detainees-claim/6337282>

## **30. MEDIA RELEASE: Two still on roof at Yongah Hill Centre**

TWO STILL ON ROOF-TOP PROTEST AT YONGAH HILL DETENTION CENTRE

Friday March 20. 2015  
Refugee Action Coalition  
Ian Rintoul  
mobile 0417 275 713

Almost 24 hours after the protest began, two asylum seekers remain on the roof of the Yongah Hill detention centre.

From around 3.00pm (Perth time) yesterday (Thursday) the number on the roof grew to 12 by around 7.00pm.

Seven asylum seekers came off the roof around midnight Perth time. One of them was hospitalised shortly after, following a serious self harm incident.

Around 11am (Perth time), another asylum seeker came off the roof and was immediately tackled and handcuffed by Serco staff. A scuffle developed between guards and detainees in the yard, after which Serco agreed that the man would be taken to hospital for mental health treatment.

The two remaining protesters are able to get water and food.

For more information, contact Ian Rintoul 0417 275 713

## **31. MEDIA RELEASE: PNG Supreme Court challenge to Manus detention**

### **PNG SUPREME COURT CHALLENGE TO MANUS ISLAND DETENTION CENTRE**

Wednesday March 18, 2015  
Refugee Action Coalition  
Ian Rintoul 0417 275 713  
in PNG: Ben Lomai + 675 7154 1004

This morning (Wednesday 18 March), 9.30am, the Supreme Court, Port Moresby, will hold its first directions hearing in a new challenge to the Manus Island detention centre.

The action will seek enforcement of constitutional rights under s57 of the PNG constitution; challenging the constitutionality of the detention centre.

It also raises issues of the breach of asylum seekers' human rights in detention -- seeking redress for their inhumane treatment, torture and the denial of liberty.

"Asylum seekers on Manus Island have been systemically denied due process of law and been denied the protection of their rights under PNG law," said Ian Rintoul, for the Refugee Action Coalition.

The action alleges that the conditions in the detention centre are sub-standard and inhuman.

The legal action is seeking the release of all asylum seekers in Manus detention and ultimately the closure of the detention centre.

The lawyer for 25 asylum seekers detained on Manus Island, Ben Lomai, will seek orders from the Supreme Court to gain access to the detention centre to take full statements from asylum seekers incarcerated there.

Initial instructions from the asylum seekers to Lomai layers take the Supreme Court action against the PNG government was obtained when 58 asylum seekers were held in Lorengau prison during the January mass hunger strike.

For more information contact Ian Rintoul 0417 275 713 or in PNG, Ben Lomai + 675 7154 1004.

## **32. MEDIA RELEASE: Lawyers win PNG Constitutional challenge**

### **MANUS ISLAND PNG CONSTITUTIONAL CHALLENGE WINS LAWYERS' ACCESS TO DETENTION CENTRE**

Friday March 20, 2015  
Refugee Action Coalition  
Ian Rintoul  
mobile 0417 275 713

In a major breakthrough in the legal challenge to the Manus Island detention centre, the PNG government has agreed to provide access to lawyers to obtain statements from asylum seekers incarcerated there.

Final orders by the Supreme Court will be made on Tuesday 24 March, but initial access will be for a period of two months with provision to apply to extend the time period, if necessary.

"We are extremely happy to finally have legal access to the detention centre," said Ian Rintoul, spokesperson for the Refugee Action Coalition.

"Ever since the detention centre was opened, asylum seekers have been denied access to lawyers and legal advice. The centre has operated under a complete cloak of secrecy under which the Australian Immigration department, the PNG government, G4S, Transfield and Wilson's Security violated the human rights of asylum seekers with impunity.

"Hopefully that dark time is coming to an end. For the first time asylum seekers will have an opportunity to openly make statements regarding their treatment to a lawyer.

"Asylum seekers have been denied the fundamental right of people to obtain legal advice. They have been denied, habeus corpus, the fundamental democratic right to be taken before a court, established by the Magna Carta, 800 years ago, has been denied to them by both the Australian and PNG governments."

For more information, contact Ian Rintoul 0417 275 713

### **33. Riot squad on standby at Villawood detention centre**

Riot squad sent to Villawood detention centre amid ongoing disturbance and property damage

Brisbane Times  
March 19, 2015 - 11:22AM  
Heath Aston

The NSW riot squad is on standby outside Villawood Detention Centre after violent disturbances overnight and on Thursday.

A group of about eight detainees have destroyed property inside the centre and the situation remains unresolved, according to Immigration Minister Peter Dutton and NSW Police.

A fire was lit inside a bin, filling an area of the centre with smoke.

Fairfax Media understands the group who instigated the disturbance are not asylum seekers.

They are held within the Blaxland maximum security wing of the centre.

No one is thought to be injured.

There are up to 500 detainees at Villawood. Apart from asylum seekers there are people held pending deportation and others in dispute over visas.

A spokeswoman for NSW Police said the riot squad was at the scene as a precaution but officers would be guided by federal authorities if the stand-off progresses further.

Fire and Ambulance crews are also at the scene.

Mr Dutton said three detainees involved in the disturbance have been "extracted". "They have been dealt with and put aside," he said.

He said early advice to him suggested there are no injuries but property has been damaged.

The centre's private operator, Serco Australia, is negotiating with the group, assisted by police. Mr Dutton said the government would act decisively if the situation progressed.

"They will be left not in two minds that this type of behaviour will not be tolerated in detention centres," he said.

The flare-up comes a day after Customs officers conducted a search of the compound and reportedly seized syringes, drugs, drug pipes, smart phones and garden shears, which were all confiscated.

Customs officials searched the centre after a tip-off from Serco.

A spokeswoman for Mr Dutton said the situation was ongoing.

"Police and other services are at the centre assisting with managing the disturbances and as a contingency should they be required," he said.

"The [Immigration] Department and Serco are working very closely with AFP and NSW Police onsite to manage the disturbance in [the Villawood Centre].

"At present the rest of the centre remains calm."

In 2011, detainees caused \$9 million damage to the centre when staff were pelted with roof tiles and an office building set alight. Piles of rubbish and wooden furniture were set on fire by members of a group of about 100 angry detainees.

Five asylum seekers who took part in the riot were given jail sentences of between 14 and 22 months.

<http://www.brisbanetimes.com.au/federal-politics/political-news/riot-squad-sent-to-villawood-detention-centre-amid-ongoing-disturbance-and-property-damage-20150319-1m2sc8.html>

## **34. Villawood riot resolved without police intervention, says immigration minister**

Peter Dutton says unrest did not involve asylum seekers, but 'hardened criminals' who are facing deportation from Australia

The Guardian  
Ben Doherty  
Thursday 19 March 2015 17.45 AEDT

A riot brewing for most of the week inside Villawood detention centre has been resolved without police intervention, the immigration minister said.

The NSW police riot squad was put on standby, but its intervention in the centre was ultimately not required, Peter Dutton said on Thursday.

The unrest did not involve asylum seekers, but people convicted of a criminal offence who are about to be deported from Australia.

The rioting was confined to the Blaxland maximum security wing and there were no injuries.

Dutton said those involved in the protests were "hardened criminals ... who have had their visas cancelled ... some of whom have committed armed robbery and manslaughter".

He said the government would have zero tolerance for riotous behaviour or possession of illegal contraband inside the detention centre.

"It's the law, and we will enforce it at every opportunity."

Thursday's resolution to the disruption inside the centre came after several days of rising tension. TVs were ripped from wall mountings and at least one fire lit in a rubbish bin.

Three alleged ringleaders were removed from the centre's population.

During a raid earlier in the week, police seized suspected drugs, pipes, syringes, garden shears and smartphones.

In 2011, riots in Villawood caused \$9m damage to the centre, when an office building and piles of wooden furniture were set alight.

Last year a memorandum of understanding was signed between the NSW police and the Australian federal police, defining the roles and powers of the police forces in the event of a disturbance.

<http://www.theguardian.com/australia-news/2015/mar/19/villawood-riot-resolved-without-police-intervention-says-immigration-minister>

## **35. Manus guard sacked for reportedly assaulting handcuffed asylum seekers**

A detention centre guard has been fired by Australian government subcontractor Wilson Security after a series of formal complaints

The Guardian  
Ben Doherty  
Wednesday 18 March 2015 14.38 AEDT

A detention centre guard on Manus Island has been sacked for reportedly assaulting asylum seekers while they were handcuffed.

Several asylum seekers made formal complaints against the Wilson Security guard: one reported that the guard grabbed him in a chokehold around the throat and threatened to kill him, while two others said he slapped them as they sat, handcuffed, on a bus, according to Transfield Services documents from Manus.

Guardian Australia has seen feedback and complaints forms filled out by several asylum seekers, and statements by a witness, in English and Farsi, which describe the incidents.

Guardian Australia has been told the guard's name, but has chosen not to publish it.

The complaints were investigated by Wilson Security, the security subcontractor on Manus, following protests earlier this year.

A spokesman for Transfield Services, the company contracted by the Australian government to run the Manus Island detention centre, said the guard's employment was terminated and he was taken from the island after the investigation.

"All complaints are thoroughly and promptly investigated. As a result of this complaint and investigation an employee was dismissed.

"Wilson Security has a strongly reinforced code of conduct. Any conduct falling outside of this is investigated thoroughly and will not be tolerated."

In a formal statement to Transfield, one asylum seeker alleged:

"I wrote a complaint 10 days ago against [the guard]. During my transfer to Chauka and PNG police station, he tried to choke me. Also, he pulled me on the ground: that injured my leg. In the police station, he threatened to kill me."

The asylum seeker asked to be told the outcome of his complaint, and for the guard to be removed from the compound.

Another asylum seeker said in a statement the guard assaulted him while he was being moved from Chauka – the off-site security cell of the Manus detention centre – to prison after a widespread hunger strike in the detention centre.

"In the afternoon, about 20 of us were separated from the rest of the people in Chauka; we were then handcuffed behind our back using plastic handcuffs. We were then led out to the bus one at a time.

"When my turn came, I was taken onto the bus, I was walking towards the back of the bus, when one of the guards came up behind me placed his hand on the back of my head and pushed me strongly onto the floor, I moved around and sat down on the floor as there were no seats left.

"A person I know ... asked me if I wanted his seat. I told him no, I was fine on the floor.

"The same guard who had pushed me came up and asked what I was saying, and without waiting for a reply he slapped me on the left side of my face with his open right hand. This in my country is a great insult."

Another asylum seeker witnessed the assault.

"When I was at Chauka, 10 of us were separated and handcuffed behind our backs, we were led onto a bus, one at a time. I was sitting on the single chair about three from the back of the bus," he said in a statement.

"I saw Javad brought onto the bus and Karim come on behind him [names have been changed]. Karim was asking where to sit as all of the seats were full. Javad just said 'behsin' which means 'sit' in Farsi. The guard then came forward and slapped both Javad and Karim with his right open hand to their faces. This guard then got off the bus."

Guardian Australia has spoken to asylum seekers on Manus who have corroborated the accounts. Most expatriate guards on Manus Island are former soldiers and peacekeepers. Allegations of assault against them are uncommon. But several asylum seekers have complained about conditions in Lorengau jail and their treatment by Papua New Guinean police.

One asylum seeker told Guardian Australia: "One of the police came to us, he was drunk, he started [to] insult us, like 'fuck you', and 'why you come to our country and my prison?'"

The asylum seeker said men, not in uniform, threatened them with knives and sticks from outside the cell.

Another said: "I go to PNG jail and over there PNG police say they will take my eyes off my head and take my head off my body and [that] we asylum seekers are pigs and dogs."

A third said: "We have patients as well in jail, when we ask for treatment they start beating people and abuse us. In front of us they beat people like animal." The asylum seekers held in Lorengau prison said they were held more than 20 to a cell, without access to a toilet.

Calls to the PNG police have not been returned.

<http://www.theguardian.com/australia-news/2015/mar/18/manus-guard-sacked-for-reportedly-assaulting-handcuffed-asylum-seekers>

## 36. Iraqi people smuggler Sayed Omeid pleads guilty to organising two asylum-seeker boats

ABC News Online

By Joanna Menagh

First posted Tue 17 Mar 2015, 11:02am

Updated Tue 17 Mar 2015, 11:29am

An Iraqi man once described as one of Australia's most wanted people smugglers has pleaded guilty in a Perth court to organising two asylum-seeker boats 14 years ago.

Sayed Omeid has been in custody since he was extradited to Australia from Malaysia in November 2013.

He had been due to stand trial in the District Court in Perth in May, but today entered pleas of guilty to two charges of organising boatloads of asylum seekers to travel to Australia between January and August in 2001.

A third charge was withdrawn by Commonwealth prosecutors.

Omeid's lawyer, Jonathan Davies, said there was "quite a deal of history" attached to the case, which he also described as "very complicated".

Mr Davies said his client's case was linked to that of Hadi Ahmadi, who in 2010 was sentenced in Perth to seven-and-a-half years jail for organising two boats carrying more than 550 asylum seekers to travel to Christmas Island in 2001.

Ahmadi was the first person to be extradited from Indonesia for people smuggling offences.

He had been in custody since his extradition in June 2009 and because of time already served he was eligible for release on parole in 2012.

It is believed he has since returned to Iran where he has family.

No details of Omeid's offending was given in court today.

He was remanded in custody until a sentencing hearing, which is expected to take place in May.

<http://www.abc.net.au/news/2015-03-17/iraqi-people-smuggler-sayed-omeid-pleads-guilty-in-perth-court/6325590>