

Project SafeCom News and Updates

Sunday, 6 September 2015

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1. New York Times: Australia's Brutal Treatment of Migrants

The New York Times
By THE EDITORIAL BOARD
SEPT. 3, 2015

Some European officials may be tempted to adopt the hard-line approach Australia has used to stem a similar tide of migrants. That would be unconscionable.

Prime Minister Tony Abbott has overseen a ruthlessly effective effort to stop boats packed with migrants, many of them refugees, from reaching Australia's shores. His policies have been inhumane, of dubious legality and strikingly at odds with the country's tradition of welcoming people fleeing persecution and war.

Since 2013, Australia has deployed its navy to turn back boats with migrants, including asylum seekers, before they could get close to its shores. Military personnel force vessels carrying people from Iraq, Afghanistan, Sudan, Eritrea and other conflict-riddled nations toward Indonesia, where most of the journeys begin. A boat captain recently reported that Australian authorities paid him \$30,000 to turn back. If true, that account, which the Australian government has not disputed, would represent a violation of international laws designed to prevent human smuggling and protect asylum seekers.

Those who have not been turned back are held at detention centers run by private contractors on nearby islands, including the tiny nation of Nauru. A report this week by an Australian Senate committee portrayed the Nauru center as a purgatory where children are sexually abused, guards give detainees marijuana in exchange for sex and some asylum seekers are so desperate that they stitch their lips shut in an act of protest. Instead of stopping the abuses, the Australian government has sought to hide them from the world.

The Border Force Act, which took effect July 1, makes it a crime punishable by a two-year prison sentence for employees at detention camps to discuss the conditions there publicly. Australia and Nauru, which depends heavily on Australian foreign aid, have gone to great lengths to keep international journalists from gaining access to the detention center, in which more than 2,200 people have been held since 2012. Last year, Nauru raised the fee it charges for journalists' visas from \$200 to roughly \$8,000; applicants who are turned down are not given refunds.

Scores of people who have worked at the camp have become whistle-blowers. More than 40, including medical personnel and social workers, wrote a public letter to senior government officials in July saying they would rather risk arrest than stay quiet. "If we witness child abuse in Australia we are legally obliged to report it to child protection authorities," they wrote. "If we witness child abuse in detention centers, we can go to prison for attempting to advocate for them effectively."

European officials have traveled to Australia on fact-finding missions recently. Mr. Abbott, who argues that aggressively intercepting the boats saves lives, has urged European governments to follow his model, and some European leaders seem so inclined.

"The Australian model may seem attractive to politicians," said Leonard Doyle, a spokesman for the International Organization for Migration. "Politicians love fences, but what fences do is create a market for smugglers and major humanitarian problems."

The world's war zones are all but certain to continue to churn out an extraordinary number of refugees and economic migrants in the years ahead. Those people understandably will head to the most prosperous nations, hoping to rebuild their lives. It is inexcusable that some find themselves today in situations that are more hopeless and degrading than the ones that prompted them to flee.

<http://www.nytimes.com/2015/09/03/opinion/australias-brutal-treatment-of-migrants.html>

2. New York Times attacks Prime Minister Tony Abbott over 'stop the boats' policy

Sydney Morning Herald
September 4, 2015 - 7:46AM
Nicole Hasham

The New York Times has launched a blistering attack on the Abbott government's asylum seeker policies, suggesting they are "unconscionable" and urging European nations struggling with a tide of migrants not to follow suit.

The media outlet singled out Prime Minister Tony Abbott in an editorial on Thursday that indicates Australia's reputation is suffering in the eyes of some international observers under the government's hardline efforts to "stop the boats".

It described Mr Abbott's policies as "inhumane, of dubious legality and strikingly at odds with the country's tradition of welcoming people fleeing persecution and war".

It suggested asylum seekers who arrive in Australia's offshore detention network are forced into conditions "more hopeless and degrading than the ones that prompted them to flee".

"Some European officials may be tempted to adopt the hard-line approach Australia has used to stem a similar tide of migrants. That would be unconscionable," the editorial said.

But a spokesman for Immigration Minister Peter Dutton said Australia "has a lot to be proud of", citing a dramatic reduction in the numbers of children in detention and an end to reported deaths at sea of asylum seekers headed to Australia.

A Senate report into the Nauru detention facility this week concluded conditions were "not adequate, appropriate or safe" for asylum seekers, and called for children to be immediately released.

The Times editorial said the report revealed a "purgatory where children are sexually abused, guards give detainees marijuana in exchange for sex and some asylum seekers are so desperate that they stitch their lips shut in an act of protest".

But instead of stopping the abuses, the Australian government has "sought to hide them from the world".

It criticised the Border Force Act, which threatens employees at detention camps with two years in prison if they disclose conditions inside. It also criticised Nauru for raising the cost of journalists' visas from \$200 to about \$8000.

Fairfax Media revealed in June Australian border protection officials allegedly paid people smugglers to return asylum seekers intercepted north of Australia en route to New Zealand.

Indonesian officials have been investigating claims that crew members were paid \$5000 each.

The Times editorial said if true, the payments represented "a violation of international laws".

In April Mr Abbott suggested European nations must "stop the boats" to prevent people dying at sea, adding "that's why it is so urgent that the countries of Europe adopt very strong policies that will end the people smuggling trade across the Mediterranean".

The Times said while some European leaders seem inclined to take his advice and aggressively intercept boats, they should resist the urge.

"It is inexcusable that some [refugees and economic migrants] find themselves today in situations that are more hopeless and degrading than the ones that prompted them to flee," it said.

Mr Dutton's spokesman said the migrant situation in Europe was "a human tragedy" and "Australia has a lot to be proud of".

There had not been a reported death at sea since Operation Sovereign Borders began "while 1200 people lost their lives on risky journeys to Australia under Labor governments who failed to secure our borders", the spokesman said.

Under Labor there were 2000 children in detention while the Coalition had reduced this to about 100 "and is assiduously working to lower that number".

"By returning integrity to our borders we have been able to restore the integrity of our humanitarian intake of refugees from around the world to be the most generous resettlement nation in the world on a per capita basis," he said.

It is not the first time The New York Times has taken aim at the Australia's hardline border security stance. Last year it said the "boat people" issue was being exploited by Australian politicians of all sides in a way that "does Australia's otherwise commendable record on refugees no good".

<http://www.smh.com.au/federal-politics/political-news/new-york-times-attacks-prime-minister-tony-abbott-over-stop-the-boats-policy-20150903-gjer14.html>

3. Tony Abbott defends asylum seeker policy amid European migrant crisis, New York Times criticism

ABC News Online

Posted Fri 4 Sep 2015, 9:16am

Prime Minister Tony Abbott says disturbing photos of a dead Syrian child on a Turkish beach shows the need to "stop the boats", while the New York Times offers stinging criticism of Australia's border protection methods.

Three-year-old Aylan Kurdi's family had fled Kobane and was attempting to travel to Greece. He drowned, along with his mother Rehan and five-year-old brother Galip.

Mr Abbott said the photo, which has sparked fresh outrage over Syria's asylum seeker crisis, justified the need for tough border protection policies.

"If you want to stop the deaths, if you want to stop the drownings, you've got to stop the boats," Mr Abbott told ABC Murray Goulburn Local Radio.

"We saw yesterday on our screens a very sad and poignant image of children tragically, tragically dead at sea in illegal migration.

"And thankfully we've stopped that in Australia because we've stopped the illegal boats, we've said to the people smugglers 'your trade has closed down'.

"As long as people think that if they can get here they can stay here, we'll have the illegal trade, we'll have the people smugglers in business and we'll have the tragedies at sea."

The dramatic images of the three-year-old child have raised the temperature of the debate in Europe, as leaders discuss how to deal with the growing influx of asylum seekers.

British prime minister David Cameron said he had been "deeply moved" by the image and promised the United Kingdom would fulfil its "moral responsibilities" in the crisis.

Mr Abbott highlighted his approach to the issue of asylum seekers as the New York Times launched an attack on his government's policies.

The media outlet published an editorial claiming the "hardline approach" would be "unconscionable" if it was adopted by the leaders of Europe.

"Tony Abbott has overseen a ruthlessly effective effort to stop boats packed with migrants, many of them refugees, from reaching Australia's shores," the editorial read.

"His policies have been inhumane, of dubious legality and strikingly at odds with the country's tradition of welcoming people fleeing persecution and war."

<http://www.abc.net.au/news/2015-09-04/abbott-defends-asylum-seeker-policy-amid-migrant-crisis/6749344>

4. Peter Dutton hits back at New York Times attack on 'inhumane' boats policy

The immigration minister says the policy is 'safe and lawful' and dismisses 'often vague and untested' claims by critics

The Guardian
Guardian staff
Friday 4 September 2015 18.49 AEST

Immigration minister Peter Dutton has hit back at a New York Times' critique of Australia's "inhumane" boats policy by calling the government's actions lawful and effective.

As Europe's worst refugee crisis since 1945 brought the issue into global focus, Dutton launched a detailed rebuttal of the influential American newspaper's blistering assessment of the Coalition's "stop the boats" policy, saying that it "saved lives".

The New York Times said the Tony Abbott's government had been "ruthlessly effective" in preventing refugees from reaching Australia but it had harmed the country's reputation.

"His policies have been inhumane, of dubious legality and strikingly at odds with the country's tradition of welcoming people fleeing persecution and war," the Times said.

But Dutton, days after accusing Australian media of trying to bring down the government, defended the Coalition's actions.

"As soon as we were elected the Coalition government implemented strong policies to put the people smugglers out of business and end the deaths at sea," he said in a statement. "Our policies are lawful. They are safe. And they work.

"They save lives. They reduce the risks run by our border protection personnel. And they have stopped the evil people smuggling trade to Australia.

"Together, turning back boats where it is safe to do so, offshore processing and temporary protection visas have restored integrity to Australia's borders and our humanitarian migration programmes."

The statement did not mention the Times' editorial but it contained a swipe at "opponents of these policies".

“Appropriate inquiry and research of the facts about these policies would show that the often vague, untested and unsubstantiated claims by opponents of these policies are lacking in credibility,” it said.

It also rejected the Times’s analysis that Australia had damaged its international image.

“Australia has a long, proud tradition of taking in victims of persecution. The Australian people support a generous, orderly humanitarian resettlement of refugees in greatest need around the world.

“Last year Australia resettled 13,500 people under refugee and humanitarian programmes. On a per capita basis we are the most generous refugee resettlement nation in the world.”

<http://www.theguardian.com/australia-news/2015/sep/04/peter-dutton-hits-back-at-new-york-times-attack-on-inhumane-boats-policy>

5. Refugees are Australia's most entrepreneurial migrants, says research

Humanitarian migrants make twice as much money from their own businesses as people arriving on skilled and family visas, says statistics bureau

The Guardian
Michael Safi
Friday 4 September 2015 18.20 AEST

Refugees are not taking Australian jobs, they are creating new ones, according to new government research that reveals humanitarian arrivals are the country’s most entrepreneurial migrants.

People from the UK and India – most of whom arrived on skilled or family visas – contributed the largest share of the \$38bn earned by migrants in Australia, data from the Australian Bureau of Statistics, released on Friday, reveals.

But it was migrants who arrived as refugees who reported the highest proportion of their incomes in 2009-10 “from their own unincorporated businesses”.

This income increased with the length of time they spent in Australia, and “increased sharply” after five years of residency.

The report built on earlier research showing humanitarian migrants tended to work several jobs in their first few years in Australia to build capital to start their own businesses, the ABS said.

One such entrepreneur is Bassam Jabbar, who recently arrived from Iraq, and with the help of Settlement Services International (SSI), has established a glass-etching artwork business.

He told Guardian Australia the biggest hurdle to starting a business was “knowing the country, knowing how people think, the regulations”.

“Refugees have left their country, their society, their language behind and so of course they find it easier to work in their own business – especially artists,” he said.

Nearly 10% of humanitarian migrants’ incomes in 2009-10 were generated by their own businesses, almost twice the figure recorded in other categories, such as skilled and family migrants.

This income was overwhelmingly made by men, most aged between 25 and 44. Afghans earned the largest share of the profits generated by humanitarian migrant businesses.

Violet Roumeliotis, the chief executive of SSI, said she “wasn’t surprised at all” by the data.

“Being from countries where they need to be enterprising to survive, because there’s no welfare state, refugees are keen to pick an area of passion or where they have a skill and start a business,” she said.

<http://www.theguardian.com/world/2015/sep/04/refugees-are-australias-most-entrepreneurial-migrants-says-research>

6. Dangerous Ideas speakers: Australia's asylum seeker policies are cruel and unacceptable

Tariq Ali, Johann Hari, Naomi Klein, Laurie Penny and Jon Ronson use a statement to Guardian Australia to separate themselves from Operation Sovereign Borders architect Jim Molan

The Guardian
Tariq Ali, Johann Hari, Naomi Klein, Laurie Penny and Jon Ronson

Wednesday 2 September 2015 15.46 AEST

We are thrilled to be in Australia this week for the Festival of Dangerous Ideas and are all greatly looking forward to our respective events at the Sydney Opera House.

For authors dealing with themes of social justice and basic fairness, this feels like a critical time to be invited to join Australia's public debate. For instance, at the very time we entered the country, Australia's Border Force was in the midst of a shocking attempt to expand its powers, announcing plans to perform random document checks on the streets of Melbourne.

We were very pleased that, in response to public outrage, this plan was quickly scrapped – a powerful testament to the importance of the right to protest and freely express dissent.

As we have learned more about the migration debate here in Australia, we were surprised to discover that the festival's co-curator, the Ethics Centre, is no mere bystander. One of its board members is retired Major General Andrew James "Jim" Molan, co-architect of Tony Abbott's "Operation Sovereign Borders," the draconian program relying on the remote island detention centres condemned as cruel and inhumane by multiple respected human rights organisations.

Molan is so proud of his accomplishments turning back and imprisoning asylum seekers that he has recently proposed Australia as a model for Europe. "In Australia's situation ... judicious boat turn-backs was the key. Now success is the continued application of effective policies with resolve," he has written.

As festival speakers, we wish to separate ourselves – in the strongest possible terms – from Molan's views and policies. Australia's cruel practices towards migrants are wholly unacceptable, and they most certainly should not be exported to Europe, where they would make an already intolerable moral crisis far worse.

We also wish to express our firm solidarity with this country's courageous migrant rights movement, which has long fought against the unjust treatment of asylum seekers in Australian-controlled detention centres, as well as on the streets of Melbourne.

We look forward to sharing more dangerous ideas with you in the days to come.

<http://www.theguardian.com/commentisfree/2015/sep/02/dangerous-ideas-speakers-australias-asylum-seeker-policies-are-cruel-and-unacceptable>

7. Cruise operator takes aim at Tony Abbott over shipping and border policy

Sydney Morning Herald
September 2, 2015 - 9:08PM
Heath Aston

A cruise operator says government plans to open up Australia's coastline to more foreign-crewed, foreign-flagged vessels could threaten the Coalition's much-trumpeted border security policy.

Bill Milby, of North Star Cruises, made the claim on Wednesday as he responded to Prime Minister Tony Abbott's assertion that it was "just not true" that a federal bureaucrat twice advised North Star to re-register its ship overseas and take on a foreign crew if it wanted to survive in business.

"I take offence with Mr Abbott saying I'm not telling the truth," Mr Milby told Fairfax Media.

In the company's submission to a Senate review of a bill to amend the Coastal Shipping Act, Mr Milby, a 25-year veteran of the cruise industry, recounted how an official from Deputy Prime Minister Warren Truss' Department of Infrastructure and Regional Development advised him to lay off Australian workers.

He said the advice came during a personal meeting with the official, which was witnessed by another departmental official, in Canberra on June 16.

"It is true, I don't tell lies, I was there. Tony Abbott couldn't know what was said during that meeting unless he was hiding behind the door," Mr Milby, whose company operates on the West Australian coast, said.

He said the proposed changes, which are supposed to make ship freight more competitive by allowing ships to use foreign crews paid at foreign wage rates for up to half the year, would have unintended consequences for Australia's strict border control.

The bill allows for vessels to pull up at virtually any point on the remote northern coastline.

Under the proposed legislation, ships can anchor at "harbour" but the definition of harbour includes estuaries, navigable rivers, creeks, channels, docks, piers and jetties, he said.

"I don't think Mr Abbott understands the legislation," Mr Milby said.

Speaking in Perth, Mr Abbott said the changes to the industry were warranted because Australia's fleet halved from 30 ships to 15 ships under Labor.

"Costs for Australian shipping increased by almost 65 per cent in the first year of Labor's changes, and the percentage of Australian freight carried by shipping in Labor's term of office, between 2007 and 2013, dropped from 27 per cent to 17 per cent," he said.

"Labor were absolutely catastrophic for coastal shipping and for jobs in coastal shipping."

Labor has dubbed the changes "WorkChoices on water".

According to submissions to the Senate standing committee on rural and regional affairs and transport, a number of resources-related and industrial companies back the changes.

But the owner of Intercontinental Shipping Group, Peter Cadwallader, a 50-year member of the Liberal Party, has warned that if the bill becomes law his bulk-carrier business will become "completely uncompetitive".

Mr Milby will appear as a witness at public hearings of the Senate inquiry on Monday.

<http://www.smh.com.au/federal-politics/political-news/cruise-operator-takes-aim-at-tony-abbott-over-shipping-and-border-policy-20150902-gjdo9s.html>

8. Peter Hartcher: Putting the muscle into border enforcement

Sydney Morning Herald
August 31, 2015 - 9:13PM
Peter Hartcher

The Australian Border Force is a new federal body, just eight weeks old. It is a law enforcement body.

Because Labor and the Coalition agreed on its creation, you heard almost nothing about it.

Until last Friday. That's when the Australian Border Force got its baptism of fire for threatening the freedom of movement of the people of Melbourne.

Specifically, its regional commander for Victoria and Tasmania, Don Smith, said in a press release that "ABF officers will be positioned at various locations around the CBD speaking with any individual we cross paths with".

The agency later cancelled its planned operation amid public uproar and the Prime Minister said it was "a mistake".

But the government says that only one thing went wrong with the planned operation in Melbourne: the press release.

"Nothing untoward happened except for the issue of a poorly worded press release," Tony Abbott said.

Apart from any disciplinary action that it may take against any of its officers for issuing the release, the only change the ABF intends is to add "checks and balances" to the way its press releases are approved.

The creation of the Australian Border Force is a transformative event for Australia.

Not because it has the power to stop and challenge members of the public randomly; no force in Australia has that authority.

It's transformative because it represents a new era for the way Australia conceives its border.

Since World War II, the essence of Australia's border doctrine was to give force to the urgent need to "populate or perish".

With the creation of the Australian Border Force on July 1, it changed to "police or perish".

Or, as the Parliamentary Library's Harriet Spinks put it, the Australian Border Force is a "key milestone in the process of change which has seen the Department of Immigration shift its focus from nation building and migrant settlement, towards a greater emphasis on border security".

The Chifley government created the Immigration Department in 1945 because, as its first minister, Arthur Calwell, said, the Pacific War showed that "we cannot continue to hold our island continent for ourselves and our dependants, unless we greatly increase our numbers".

The driving force behind the creation of the Australian Border Force, the secretary of the Immigration and Border Protection Department, Mike Pezzullo, said in a speech last year that with the advent of the ABF, "we will be able to declare the original mission of 1945 – to build the population base - to have been accomplished".

Not because Australia is shutting down its migration intake. On the contrary. Next year, Australia is expected to receive about 190,000 permanent new immigrants.

Australia expects to issue a total of about 6 million visas to immigrants, tourists, students, business visitors and workers, a huge number for a country of 23 million.

Pezzullo's essential concept, however, is that while the enormous legal flows of people and goods should move as swiftly and smoothly as possible, the corollary is that more active security measures are needed to sift out the illegal.

He said: "Increasingly, border agencies are coming to realise that they face an enemy and that they need to organise and operate accordingly."

For illegals, says the Immigration Minister, Peter Dutton, Australia needs the "hardest borders possible".

Hence the Australian Border Force. It was created in the merger of two federal departments – the Department of Immigration and Border Protection with the Australian Customs and Border Protection Service. With about 6000 officers, it is the law enforcement arm of the newly merged department.

The officers in the old Immigration Department were compliance officers rather than law enforcement. They never carried guns.

The staff in the old Customs agency were a bit of both and some did carry weapons. But in the new Australian Border Force, all staff eventually will be expected to be classified as "use of force" officers, with powers to restrain and handcuff people.

All staff will be expected to pass fitness tests. All new recruits eventually will be given firearms training.

And this is where Friday's operation came in. Under the new doctrine, there are three layers to the border. There is pre-border, where applications are made and scanned and intelligence checks operate to reduce risk.

Second is the traditional border, where people arrive at an airport and submit their papers. And there is "behind the border". This is a zone that the rest of us know as "in Australia".

And it is here where the new body will be increasingly active, working with state and territory police forces, in ferreting out illegal activity and illegal immigrants.

The aborted Friday operation was bungled because it was "our first hit-out in community safety operations", as an official put it, and no existing protocols and practices had been established.

But the real, though undeclared, Australian Border Force target in this operation was Melbourne taxi drivers who didn't have valid visas. This hardly seems the sort of hard target, the criminal "enemy", that Pezzullo wanted to seek out.

No matter what the Australian Border Force does about its press releases, it needs to rethink its checks and balances with "behind the border" operations. Newly uniformed, gung ho, wannabe cops, many of them armed, will need strict command supervision lest they become the sort of threat that they are supposed to be protecting us from.

<http://www.smh.com.au/comment/putting-the-muscle-into-border-enforcement-20150831-gjbxaj.html>

9. Richard Flanagan: Australia's treatment of asylum seekers was bound to lead to something like Border Force

As history teaches us, tyranny condoned against some will finally become a tyranny visited on us all. Tony Abbott cannot distance himself from this

The Guardian
Richard Flanagan
Monday 31 August 2015 11.23 AEST

It was news to me, as I suspect it was to many Australians on Friday, that there had been created in our country a paramilitary force that seemed not answerable to the legal limits and public expectations of our police and military forces, but only, and directly, to politicians – those same politicians who of late seem to have little respect for the rule of law, the truth, or the necessary independence of the judiciary.

Known as the Australian Border Force, this goon squad – formerly public servants, lately militarised at considerable taxpayer expense, given guns, the power to detain people, vaguely fascistic uniforms and a mandate that seems to not recognise the laws of their own country – were, we now told, mounting a large operation on Melbourne CBD streets, “speaking with any individual we cross paths with”.

As is so often the case with the Abbott government, this comic event felt like Vladimir Putin meets Rob Sitch’s Utopia; something sinister undone by a reliable stupidity, perhaps our last national virtue. The hallmark bullying swagger of this government’s was matched in this instance by a grovelling backdown as the illegality of the proposed actions become clear and public condemnation overwhelming, and the arse-saving swung into full gear.

Peter Dutton, the minister responsible, seemed, understandably, not to want to take any responsibility, until his office finally came out and said they had been sent the press release announcing the operation two days prior to the operation – but no one had read it. Really? Oh no, it later emerged; they saw it twice, and once at a high, but not ministerial level. Really?

No denial was made though about knowledge of the operation, which is only to be expected given Border Force’s commander reports directly to the minister. Former independent MP Tony Windsor wondered if the minister might not have been gazumped by the prime minister with his craziest captain’s call to date, at which point Captain Ahab himself staggered out onto the sinking bridge of his government to deny all knowledge of the event.

The prime minister blamed it on bad wording and went on to criticise anyone criticising decent public servants doing their job. Which begged other questions: if it was just bad wording why then cancel the otherwise blameless Operation Fortitude? And what if bad wording spoke the truth of a worse culture in Border Force that now saw intimidation as one of its core duties?

Roman Quaedvlieg, the darkly uniformed head of the goon squad, blamed the now apparently lowly Don Smith, (who, as many pointed out, didn’t sound so lowly as commander of Victorian and Tasmanian operations of the Australian Border Force) drafter of the original media statement announcing the operation.

But what was really going on here?

Quaedvlieg proved more enlightening in a recent interview in Lloyd’s List Australia, where he made it clear that Border Force’s “policy role is definitely led by the Department [of Immigration and Border Protection] ... The most effective model ensures policy and operations work together with regular feedback and evaluation cycles so that our solutions, whether policy or operational, are holistic, practical and achieve agreed outcomes.” (My emphasis.)

“As ABF commissioner,” Dutton declared just two months ago announcing Quaedvlieg’s appointment, “Mr Quaedvlieg will work closely with the secretary of the department; ensuring that the operational and policy aspects of Australia’s border protection are joined at the highest levels.”

Which raises further questions: what was meant to be the “agreed outcome” of this operation? And who agreed to it “at the highest levels”? As a major public operation, what did Dutton know? And are we to believe that this very public action – the first publicised action by Border Force – was not authorised by Tony Abbott’s cabinet, even if they did not know of its particular details, as part of its ever more desperate attempts to create an election over national security?

Certainly Windsor, a man with no small experience of the ways of national politics, believes so, seeing it as part of the Abbott government’s “agenda to create fear”. It’s “a very sad agenda ... to frighten people,” he said. “I have no doubt that some of these people in Tony Abbott’s government hope that something goes wrong domestically. They can taunt a Muslim into doing something so that they can say that we’re the only one who can protect you.”

In this, the Orwellian Border Force seems well primed to do the dirty work. On Australia Day, Mike Pezzullo, head of the Immigration and Border Protection Department – striking the necessary tone of the commander of the Night’s Watch of the Seven Kingdoms waiting for the white walkers to come over the wall and eat us all – told those public servants who hoped for a position in the soon-to-be-created Border Force that they “must man the ramparts and protect our borders”.

“Operational workers at the agencies hoping to be picked for the nation’s new border protection team,” reported the Canberra Times on 29 January 2015, “must first prove themselves in boot-camp style tests of strength and stamina including push-ups, squats and shuttle-runs.”

It is an iron law of bastardry that to humiliate others you must first be humiliated yourself. In this spirit, Border Force was an equal opportunity enforcer with “female border officials in the over-55 age group expected to perform four push-ups and six repetition squats as well as undergoing heart rate tests after mounting 22 steps in 60 seconds”.

Those who survived such idiocy to make it in the goon squad then had to work to a mission statement that reads like something out of a Philip K Dick sci-fi dystopia—except that Philip K Dick never gave such offence to the English language as this:

“We consider the border not to be a purely physical barrier separating nation states, but a complex continuum stretching offshore and onshore, including the overseas, maritime, physical border and domestic dimensions of the border.

Treating the border as a continuum allows an integrated, layered approach to provide border management in depth – working ahead of and behind the border, as well as at the border, to manage threats and take advantage of opportunities.”

In Border Force world there is no space for reds under our bed, because the refugees are already there, while sleeping on top as well.

“By applying an intelligence-led model and working with our partner agencies across the border continuum,” this Matrix-induced drivell goes on, “we deliver effective border control over who and what has the right to enter or exit, and under what conditions”.

Other than the weird licence such words give to find and punish evil, well, anywhere – hot spots of global people smuggling such as Flinders Lane, my pub, your cafe – the last two clauses, eerily echo John Howard’s infamous 2001 speech in which he declared: “But we will decide who comes to this country and the circumstances in which they come.”

Only now, it seems they seem to want to decide a whole lot more about us all.

Some critics had the temerity to suggest that the proposed Melbourne operation might lead to racial profiling. Of course racial profiling would have had to have occurred, but that was only the beginning of things with a goon squad so politicised and militarised, tasked with answering to an enemy within, of imaginary borders that must be patrolled in the major streets of our cities now.

It is a truth wearily demonstrated by history that acts of tyranny condoned against some will finally become a tyranny visited on all. And in our acceptance of the antidemocratic, frequently illegal, often inhumane and occasionally criminal practices perpetuated against asylum seekers that have seen fellow human beings variously beaten, raped, molested, humiliated and murdered at Australian taxpayers’ expense, we have cleared a road for our own governments to begin treating us similarly.

And were that to happen, and if innocent victims were to use the courts to seek to protect their freedoms against the excesses of Border Force, would the attorney general – the purported custodian of the rule of law – then accuse them of “lawfare”?

If the public broadcaster sought to question such actions that infringe on our liberties would they be attacked as anti-Australian?

Would it be demanded of journalists that instead of digging to uncover crimes they join Team Australia?

And who is Team Australia anyway? Coal companies, thugs, rapists, goons and News Corp propagandists? To which list I almost forgot to add that epitome of Team Australia achievement, Prince Philip.

Much as the prime minister wishes to distance himself from Friday’s fiasco, he cannot. It is he who created the climate of division, promoted the hysteria and cultivated the hate; who sanctioned the offshore crimes and the lies and legal ruses to hide them; who passed the laws that protected the guilty and punished the innocent and sanctioned the creation of a state paramilitary force to enforce it all. As he said on the day of the inauguration of Border Force: “God bless you, God bless your work.”

The deeply antidemocratic excesses of the Abbott government should disturb any thinking Liberal party supporter. The left for 40 years had to live down the follies of Trotskyites and Maoists in the early 1970s. But their antidemocratic acts never reached beyond student and union politics. The ultra-left never came close to being a federal government.

Paradoxically, those who battled the ultra-left in the 1970s on student campuses and took on much of their authoritarian ardour – the far right – now run Australia. For some time it has been evident that the Abbott government has been the worst in our history – the most inept and the most incompetent. But with such actions as Friday’s aborted exercise in police state intimidation, the Abbott government also begins to look in its desperation to cling to power the most dangerous. Perhaps knowingly, perhaps not, they are summoning into existence forces with powers they do not understand and no democracy should allow. These excesses will be a very long time being forgotten.

The Liberal party can look forward to decades of living such ignominy down. For the highest purpose of a democratic government is to bring a society together and hold it together, not to divide it with fears, with rumours of wars, with acts of belligerence against other and then against its own. It is not to instil fear on our streets with a paramilitary force run by politicians.

The forces that for two centuries held nations together are now in eclipse, and new ideas that make a murderous cult in the Middle East more attractive to young Australians than their own society can only be battled by finding new ways of bringing us together, not further dividing us and weakening our sense of ourselves as a society. A political party needs reminding that they are only that, that it’s our Australia, not theirs, and certainly not their goons. And it’s time we took it back.

<http://www.theguardian.com/commentisfree/2015/aug/31/australias-treatment-of-asylum-seekers-was-bound-to-lead-to-something-like-border-force>

10. Tim Wilson: Border Force: preserving freedom doesn't sit with governments

Sydney Morning Herald
August 29, 2015
Tim Wilson

The increasing paramilitarisation of wandering bureaucrats was always going to lead to overreach that united everyone in favour of defending civil liberties.

On Friday, the government's rebranded immigration enforcement agency, Border Force, was supposed to have its first outing working with Victoria Police. In the clear light of day, Operation Fortitude was relatively routine. Victoria Police was going to do its job and provide a visible police presence to enforce the law. Officers were also to work with other agencies to promote inter-agency co-operation. It has been done before.

But that wasn't how Border Force presented it. In a chilling statement the force said "ABF officers will be positioned at various locations around the CBD speaking with any individual we cross paths with". I read this in news reports and thought ABF had been selectively quoted. Instead the original press release was accurate. Such statements are antithetical in a liberal democracy.

Logic said Border Force could only match its actions with its words by stopping people when they had no reasonable grounds of suspicion, or engage in racial profiling. Neither are acceptable. It is also absurd that any of us walk around with our passport, or that we should be expected to do so.

Horrified in response I called the minister's office seeking an explanation.

Later, the agency issued a clarifying statement that "the ABF does not and will not stop people at random in the streets and does not target on the basis of race, religion or ethnicity".

By that stage the damage was done.

Regardless of Border Force's intentions, it raises serious questions about the culture of an agency where anyone thought such statements could be publicly released.

It also raises questions about the increasing paramilitarisation of bureaucrats. No one has an issue with the law being enforced. We expect it. It's necessary.

But it's the job of the police to enforce the law. Increasingly governments are giving more powers to bureaucrats to actively seek out compliance with laws and regulations, rather than simply processing paperwork. That only leads to those unskilled and untrained to overstep the mark and risk infringing our civil liberties.

That's clearly what happened on Friday to the point that the failure of one government agency forced the hand of Victoria Police to abandon its operation.

But it's also a reminder that preserving freedom doesn't sit with the government. A healthy democracy is a constant negotiation between the government and the governed. We negotiate the terms of the agenda at the polling booth.

But our responsibilities don't end there. We have an ongoing obligation to hold the arms of government to account. We periodically have debates about the merits or otherwise of laws to protect rights and freedoms. But freedom doesn't solely live in laws.

It sits in the hearts and minds of the body politic. On Friday, it didn't matter where you were on the political spectrum. Every Melburnian understood in a free and pluralist society it was their responsibility to defend freedoms and basic decency for all.

---->>>> *Tim Wilson is Australia's Human Rights Commissioner.*

<http://www.smh.com.au/federal-politics/political-opinion/border-force-checks-abandoned-in-melbourne-cbd-as-interagency-cooperation-clarified-20150829-gjal9v.html>

11. Gillian Triggs: powers for Australian Border Force 'disrespect human dignity'

President of the Human Rights Commission says exercise planned for Melbourne show federal parliament is failing to protect rights of ordinary Australians

The Guardian
Australian Associated Press
Friday 4 September 2015 06.55 AEST

The federal parliament has failed the people by passing dozens of laws that infringe on Australians' rights, Gillian Triggs has said.

The president of the Australian Human Rights Commission delivered a lecture in Darwin on Thursday night on the creeping powers of government and how they infringe on civil liberties.

She said it was "particularly troubling" that the major political parties had agreed with each other in a "complicit and compliant parliament" to pass laws threatening civil and human rights, compounded by the militarisation of the government and criminalisation of behaviour that had previously been legal.

She cited dozens of new laws, including the metadata retention laws, foreign fighter laws, mandatory detention of asylum seekers and refugees, paperless arrests, and laws banning doctors and people in public employment from speaking about conditions in detention centres.

Triggs said no MPs in the House of Representatives challenged the laws giving the Australian Border Force additional powers, such as those it wanted to use during the raids planned for Melbourne last weekend in cracking down on antisocial behaviour and visa breachers.

She said the only people in the upper house to object were Greens senators Sarah Hanson-Young and Scott Ludlam.

"Parliament has not stood up for the rights of ordinary Australians, they have not spoken up to ensure that the government complies with the freedoms we take for granted," Triggs said.

"I'm afraid we've turned a blind eye to what's happening to the children and their families and what's happening in the Manus and Nauru detention centres because it was too far away and we didn't see it, but when the same Border Force officials are starting to exercise some of their perceived powers in our shopping malls, we start to see the very same disrespect for human dignity and freedoms actually now being turned back on to Australian citizens themselves," Triggs said.

"When we allow the rights of others to be abused, that will turn back on us and our rights will be abused."

<http://www.theguardian.com/australia-news/2015/sep/04/gillian-triggs-powers-for-australian-border-force-disrespect-human-dignity>

12. Martin McKenzie-Murray: Inside Border Force's power

The Saturday Paper
Sep 5, 2015
Martin McKenzie-Murray

He's known as "The Pez" in Canberra circles, and his rise has been inexorable. At least, that's what they say; and origin stories are important in the capital. Mike Pezzullo, secretary of the Department of Immigration and Border Protection, was a graduate employee in the Department of Defence in the early '90s when his wife was tapped for an advisory position with then foreign affairs minister Gareth Evans. Wanting to start a family, she declined, but her husband got the gig. From there he became Kim Beazley's deputy chief of staff. "The rest is history," a source says. "He rose and rose and rose. And he always loved a uniform. Now he's got one."

Today, the Pez is head of one of the most controversial departments in the country. Its policies have been condemned by the United Nations, questioned by its own Moss report and now, with the recent release of a senate inquiry, its Nauru camps have been deemed unsuitable for children. All of this was foreseen. But most of those who gave warnings are gone. The department has undergone a massive flight of executives. If you work there, you don't call Pezzullo Pez. Or Mike. Not anymore. "This used to be a first name organisation," a source says. "The secretary would be called Andrew or Martin. Now it's 'Mr Secretary' or 'Secretary Pezzullo', which is an Americanisation. All of the staff, right down to the lowest levels, have a fear of getting this wrong."

For decades, before it got tangled with Hansonism and its proxies, Australia's immigration policy was largely uncontroversial. It was also successful. Successful in that it bore up refugees – the children of immigrants were beginning to rank more highly on education attainment and income than their counterparts. Unlike much of Europe, which distributed visas as a claim to cheap labour, Australia accepted refugees as future Australians. We welcomed husbands, wives and children. Our immigration policy understood that integration wouldn't work without the individual's family.

Mandatory detention began under Keating, and was implemented as a form of deterrence. On that matter, nothing has changed. Over decades, we have only perfected the logic. "Mike was a strong proponent of tow-backs, even under Labor," a source says. "He would argue that one good tow-back would send a strong message. And the Malaysia transfer scheme, well that was a virtual tow-back. Within 24 hours of being on Christmas Island you'll be on your way. It was always about deterrence."

Full story at <https://www.thesaturdaypaper.com.au/news/immigration/2015/09/05/inside-border-forces-power/14413752002322>

13. Melbourne CBD goes full Mad Max as Border Force's Operation Fortitude slammed into reverse

Sydney Morning Herald
August 29, 2015
Charles Waterstreet

There's a new brand in town and it's cracking down. ABF (Australian Border Force) locked arms with Sex Crimes Division in the Northern Territory to raid 19 "establishments" in Darwin on Wednesday suspected of being massage parlour fronts offering special sexual services "alongside massages". Darwin is full of "young foreign workers and students" but ABF said Operation ABACI was not targeting workers but businesses exploiting young foreign workers and students who worked without papers. Top Enders were not going to get away with Happy Enders. There's a new brand in town.

The brand-new brand cost \$10 million to shed the old Customs and Immigration tags, smarten up the uniform, get guns, gas, and batons, and generally militarise those kicking out queue-jumpers, over-stayers, layabouts, female browns, non-Australians, non-citizens without rigid documentation.

Operation Fortitude was to be the perfect storm for perfect storm troopers. Imagine all the agencies working together, in tandem, arms locked together. The ABF were lock-stepped with the heavies from Metro Train in Melbourne, the bouncers of Yarra Trains, the hitmen of the Sheriff's office, the enforcers from the Taxi Services Commission in an almighty once-in-a-lifetime final crackdown on antisocial behaviour to outstanding warrants. Fortitude was to target people travelling to and fro about the CBD who were randomly crossing paths without operatives from the Operation. This all-streets sweep is the stuff Mussolini could only dream of, the Brown Shirts, the army and ticket collectors working as a team to end the wholesale plundering of our transport system and porous borders.

We all slept better on July 1 this year, when ABF commissioner Roman Quaedvlieg launched his command. He is a very tall Jon Hamm impersonator, who reports directly to the no-sense baby-faced but brutal Minister for Immigration and Border Protection, Peter Dutton (rhymes with mutton).

Australians want a man in charge of our borders with an unpronounceable name. It will confuse boat people and typists alike. Melbourne was holding its quasi-criminal breath, cupping their collective ears for the sound of jackboots and jangling ticket punchers all morning. The mission of Operation Fortitude was to target random people suspected of being brown, or shifty.

Field Commander Don Smith, Chief of all Victoria and all Tasmania, put it like this: "ABF officers will be positioned at various locations in the CBD, speaking with any individual who cross paths with ... you need to be aware of your visa conditions". ABF officers have noses like bloodhounds, and can spot a queue-jumper at 50 metres. They are brown, like Adam Goodes, but can't take a mark.

If the mission was to question everyone crossing their paths, it would mean that everyone in the CBD was likely to be questioned, frisked and asked to "give us your papers", like it was Casablanca. Unless the ABF backed up with the ticket crunchers and taxi rambos, narrowing their mission to whoever they reasonably suspected of being brown or ticketless or paperless, it would be illegal and stupid.

Melbourne was going full frontal Mad Max: Fury Road, with Immortal Joe and his army of War Boys, aided by Imperator Furiosa standing side by side with Bullet Farmers, the Vuvalini led by a naked woman from the Green Place. At about 2pm, Quaedvlieg hit the "Abort" button, literally bad mouthing his Victorian/Tasmanian Commander for speaking clumsily, although it was written. Victorians were getting the Latham virus of calling a spade a black or brown. Suddenly, the Trammies, the taxi guys, the sheriffs were stood down, brushed aside for another D-day after which the Operation was unfortunately named, and dismissed, they returned to their barracks or bars. Melbourne was lawless again.

The good work of the ABF in assisting cops in breaking the back of small tobacco sold in milk bars throughout Broadmeadows and Meadow Heights paled into insignificance. The seizure of \$20,000 worth of cigarettes was once hailed as proof of the new breed of upending crime and you would see pictures of six triumphant cops with hands folded, red and blue torches on the ground like a Mel Gibson movie,. But all that was forgotten in the Giant Stuff-Up now called Reverse Operation Fortitude.

What would happen to the 4500 newly knitted ABF uniforms with insignias, name badges, buttons and safety helmets? I can see the next ABF float in the Sydney's Gay Mardi Gras 2016.

<http://www.smh.com.au/comment/melbourne-cbd-goes-full-mad-max-as-border-forces-operation-fortitude-slammed-into-reverse-20150828-gjaeuj.html>

14. Border Farce: eight ways the government and bureaucratic spin is riddled with holes

Sydney Morning Herald
August 31, 2015 - 12:25PM
Nicole Hasham

The Immigration and Border Protection portfolio hinges on secrecy and a tightly curbed flow of information, which makes the statements of public officials critically important.

Australian Border Force's blighted involvement in a Melbourne police operation last Friday was triggered by what Prime Minister Tony Abbott called a "badly worded" press release.

But the confusion, abstraction and contradiction proffered by official sources did not stop there, leaving many unanswered questions and creating doubt about who, and what, the public should believe. Below are some examples.

Amid the bungling, Immigration Minister Peter Dutton did not make a single public appearance. On Monday morning he explained his absence to 2GB host Ray Hadley, saying he was sick and "didn't get out of bed yesterday".

1) What was the Australian Border Force even planning to do in Melbourne?

The controversy began with a now-infamous press release issued at 9.16am on Friday, in which Don Smith, ABF Regional Commander for Victoria and Tasmania, warned "ABF officers will be speaking with any individual we cross paths with" during a crackdown on visa fraud.

At 1.46pm, following public outrage and protests, the ABF clarified it "does not and will not stop people at random in the streets".

2) Was media misreporting to blame for the controversy?

Scrambling to hose down the story on Friday, the Australian Border Force issued a statement saying it "will not be 'stopping people at random' in Melbourne to 'check people's papers' as reported in media".

This statement implied the media had misreported the stated intent of the operation.

ABF Commissioner Roman Quaedvleig later conceded the press release "incorrectly construed what our role was ... it should have been better explained, it was clumsy."

3) Was the press release cleared by those in the Border Force's upper ranks?

Mr Quaedvleig said the press release was "released at the lower levels of the organisation", indicating that he and other senior officials were not to blame for the farce.

But he confirmed Mr Smith signed off on the quotes attributed to him. Mr Smith is the head of the Border Force in Victoria and Tasmania – surely not someone considered to be at the "lower levels of the organisation".

The Guardian Australia has reported that the border force assistant secretary for communications and media, Mark Jeffries, also cleared the statement.

4) Was Mr Dutton involved in issuing the press release and did he have prior knowledge of the Melbourne operation?

Mr Quaedvleig said Mr Dutton's office was "not involved" in issuing the press release, which was "circulated at a regional level in the state of Victoria".

On Friday Fairfax Media asked Mr Dutton's office if he knew in advance of the operation. The reply? "Ministers don't direct operational matters".

On Saturday Mr Abbott sought to distance the government from the press release, saying it went out "at arm's length from the executive government".

"All sorts of press releases go out all the time – but they go out under the authority of the relevant officials, they go out under the authority of the relevant agencies and that all happens at arm's length from ministers," he said.

But later that day it emerged the press release was sent to Mr Dutton's office on Wednesday as an attachment to a briefing note about the operation. It was not opened because it appeared "routine"

The Guardian Australia has reported that a shorter briefing note, with the press release attached, was also sent to Mr Dutton's office on Thursday morning.

5) How extensive was the operation meant to be?

In its original press release, the ABF said the operation would focus on "people travelling to, from and around the CBD" and officers would be "positioned at various locations".

In its clarification, the ABF played down the extent of its involvement, saying while the operation would occur at numerous locations, its officers would be stationed "at only two" of them

6) Was the operation a genuine "first"?

The ABF initially trumpeted the operation as a grand premiere in which "officers will for the first time join forces with a diverse team of transport and enforcement agencies".

On Saturday, Mr Abbott conceded "there was no additional involvement of Australian Border Force in this than is customary in any number of other routine operations" – which begs the question as to why a press release was even issued.

The department also conceded "joint operations of this type are common and were previously conducted by departmental immigration officers".

However the department is yet to answer questions from Fairfax Media about where operations of this type were previously conducted, and if they are planned in future.

7) Has this type of Border Force operation happened in Sydney?

Asked about the Melbourne operation on Friday, NSW Police Minister Troy Grant said "the Border Force already engages in NSW".

"Not just on that issue [visa fraud]. They also go into work places, they also target prostitution et cetera. So they do a range of stuff. So it's just Victoria catching up."

After the operation was cancelled, Mr Grant's office clarified that he was referring only to joint raids of premises such as brothels that have been carried out by NSW Police and immigration officials for many years.

8) Did Labor support the Border Force's powers being used in the way planned for Melbourne?

Asked about the operation on Friday morning, Labor leader Bill Shorten did not immediately condemn it.

"Labor obviously believes in targeting crime," he said.

"I do hope that any of these actions are done to try and protect Australian laws, to make sure that people are not overstaying their visas, to make sure that temporary guest workers are not being exploited."

On Saturday, following the dramatic fallout, Mr Shorten described the operation as "one of the most catastrophically silly ideas I've seen this government do".

<http://www.smh.com.au/federal-politics/political-news/border-farce-sorting-fact-from-fiction-out-of-government-and-bureaucratic-spin-20150831-gjbf13.html>

15. Naomi Klein tells Q&A: Australians should rise up in protest over Nauru detainees

Treatment of those held is 'tantamount to torture ... I find that more shocking than they fact they were going to check papers on the streets of Melbourne'

The Guardian

Oliver Milman

Tuesday 1 September 2015 07.55 AEST

Australians should take to the streets to protest over the treatment of refugees in Nauru that is "tantamount to torture" rather than just focus on the activities of the border force in Melbourne, Canadian author Naomi Klein has said.

Klein, appearing on ABC's Q&A program, said the policy of keeping asylum seekers in offshore detention centres was more disturbing than last week's aborted Australian Border Force operation in Melbourne, which prompted protestors to gather outside Flinders Street station.

A furious backlash against a plan for border force agents to check the visa status of people in central Melbourne saw the operation hastily ditched before it began. The government has blamed a clumsily worded press release for the furore, denying there would be random checks of the public.

"I'd like to see people rise up in streets of Melbourne and the streets of Sydney about what's happening in Nauru," Klein said. "The United Nations has said what's happening on Nauru is tantamount to torture in some cases. The stories are horrific; people sewing their mouths shut they are so desperate.

"Frankly I'm a lot more shocked by the fact that migrants made refugees by wars that your government and my government have participated in are sent to islands so far away, locked away with no hope so they take their own lives.

"I find that more shocking than the fact they were going to check papers on the streets of Melbourne, although I think that's a problem too."

Fellow panellists Tariq Ali, a British author, and Laurie Penny, a British feminist writer, agreed with Klein. Ali said the proposed Australian Border Force action "creates a climate of fear", adding that he wished he'd joined in the protest himself.

But another panellist, conservative writer and analyst Tom Switzer, said that a distinction needed to be made between the "overreach" of the scrapped visa checking operation and Australia's overall immigration policies.

"People broadly speaking support the policies," he said. "It's brutal stuff, no question, but it sends a deterrent and European governments are looking to the Australian model because border security is now a big issue in European politics.

"There is a widespread tradition in this country that a tough border protection policy helps boost confidence in a large-scale immigration policy."

Switzer and Klein also clashed over climate change, which is the topic of Klein's latest book, *This Changes Everything*, which argues that capitalism is unsuited to tackling the issue of soaring greenhouse gas emissions.

Switzer, who said many environmentalists are "watermelons" because they conceal "socialist agendas", said Klein's call to racially reshape capitalism is "a radical agenda, it's bad politics because stands almost no chance of gaining widespread support, not just in Australia especially in developing countries chugging their smoking path to prosperity".

"For all its flaws, capitalism is responsible for lifting so many people out of poverty. If you undermine capitalism you are going to entrench poverty and people would rightly say it's not only immoral, it's wicked."

Switzer said that while most conservatives in Australia accept that human activity is influencing the climate, temperatures are only rising "marginally" and they are "not going up in accordance with the models" put forward by the UN's Intergovernmental Panel on Climate Change.

Klein said conservatives needed to be "scientifically honest" and argued that climate change challenges a worldview that opposes collective action.

"Our attempts to just tinker around the edges, have a carbon trading scheme here, change our light bulbs there, has seen our emissions go up by 63%," she said. "That model [capitalism] isn't working. Climate change provides an unyielding science-based deadline. We have to supercharge our efforts."

Klein added that Australia's lack of renewable energy in its electricity grid is "scandalous" given its potential solar and wind resources.

<http://www.theguardian.com/australia-news/2015/sep/01/naomi-klein-tells-qa-australians-should-rise-up-in-protest-over-nauru-detainees>

16. Labor calls on Auditor-General to investigate Australian Border Force

Sydney Morning Herald
August 31, 2015 - 7:10AM
Lisa Cox
With Richard Willingham

Labor has called on the Auditor-General to investigate what training Australian Border Force officials have been given since the agency was established in July this year and whether their legal powers extend to random visa checks.

Opposition Immigration spokesman Richard Marles has written to Grant Hehir in the aftermath of Saturday's aborted Operation Fortitude in Melbourne's central business district.

Mr Marles said the Australian Border Force had been brought into ridicule after a press release was issued on Friday quoting Victoria and Tasmania regional commander Don Smith saying ABF officials would be positioned around Melbourne's CBD "speaking with any individual we cross paths with".

The government has blamed the incident and protest that followed on a "poorly worded press release" and says it was never the intention of authorities to conduct a visa blitz.

It emerged on Sunday that the media release had been sent to Immigration Minister Peter Dutton's office last week, but his office says no one read it because it was regarded as "routine".

"What is concerning me is the lack of understanding about the legal powers of officials of ABF which these [Mr Smith's] comments appear to betray," Mr Marles says in his letter.

"Accordingly, I would request that you undertake an investigation in relation to the training that has been provided to officials of ABF as part of its inception, specifically as to: a) the powers that ABF officers possess and b) the circumstances in which these powers can be legally exercised."

Mr Marles said it was critical there be a prompt investigation because of the "significant community anxiety" the incident had caused.

Victorian Premier Daniel Andrews said on Sunday he had received text messages from distressed multicultural community leaders for whom Friday's events had brought back "some very stark memories of great tragedy and fear".

Mr Andrews praised the response of the wider community's action to the operation.

"You saw a very, very Victorian response as people literally took to the streets to protest against something that was ill-conceived and not something supported by my government, not something supported by Victoria Police and indeed not something supported by the Victorian community," Mr Andrews said.

Fairfax Media asked Mr Dutton's office whose idea it was for ABF officials to join the Victoria Police-led operation, and what training and powers officials have.

A Department of Immigration and Border Protection spokesman said their role in Operation Fortitude, if it had proceeded, was to be a small one.

He said the ABF routinely provided "low level support" to state and territory operations and "should operations result in doubts over visa compliance by particular individuals, they are referred to ABF officers for compliance checks".

"In this operation, six ABF officers were to assist partner agencies in various locations by conducting background visa checks on individuals only in the event they were referred to us," he said.

Labor and the Greens said it was an "astounding admission" that Mr Dutton's office had not read the material it received, with both accusing the Minister of "incompetence".

"Minister Dutton is showing himself to be a bumbling and incompetent minister who needs to step up or resign from his position," Greens leader Richard Di Natale said.

Mr Marles told a later press conference the Minister needed "to take responsibility and explain to the Australian people what was intended with Operation Fortitude and who made the decision to abandon this operation".

Opposition Leader Bill Shorten said the government was trying to "to throw some middle-level bureaucrat in a uniform under the bus" rather than take responsibility for Friday's chaos.

But Foreign Minister Julie Bishop told Network Ten's Bolt Report Labor's reaction was "completely and utterly over-the-top", repeating the government's position that the problem had been a "poorly worded press release".

<http://www.smh.com.au/federal-politics/political-news/labor-calls-on-auditor-general-to-investigate-australian-border-force-20150830-gjb1gt.html>

17. Border force launches internal review in wake of 'badly worded' press release

Commissioner Quaedvlieg tells staff ABF 'would never randomly check people's visa status – we cannot do so under law and it is not who we are or what we do'

The Guardian
Lenore Taylor political editor
Monday 31 August 2015 18.09 AEST

The government has suggested Victorian border force officials are to blame for the press release, which incorrectly suggested ABF would be “speaking with any individual we cross paths with” during a multi-agency crackdown on crime and antisocial behaviour.

But the media adviser for immigration minister Peter Dutton replied “thanks for letting me know” the second time his office was sent the controversial press release on Thursday morning.

Guardian Australia revealed at the weekend the release had actually been sent to the immigration minister Peter Dutton’s office twice – as an attachment to a briefing note about the operation. A spokesman for Dutton confirmed the first email had been received on Wednesday afternoon, but said the press release had not been read because it “looked like a routine operation”.

The second email, sent from Victorian border force last Thursday morning to both Dutton’s office and the office of assistant immigration minister Michaelia Cash, appeared to be seeking an assurance from the minister’s office that someone had read the material.

It read: “Hi, apologies. I should have sent this for noting originally,” and confirmed ABF was intending to publicly post the media release on Friday morning.

A staff member for Dutton replied, “Thanks for letting me know.”

Asked about the press release over the weekend, the prime minister, Tony Abbott, said it was “over the top and wrong” but added that “all sorts of press releases go out all the time – but they go out under the authority of the relevant officials, they go out under the authority of the relevant agencies and that all happens at arm’s length from ministers. It all happens at arm’s length from the executive government”. Abbott said it was “very, very badly worded”.

Quaedvlieg said on Friday the press release had been “cleared at a low level in the organisation”, later clarifying that included ABF’s commander for Victoria and Tasmania, Don Smith, who was quoted in the release.

Dutton, who has been accused of “going into hiding” since the furore occurred, called in to Ray Hadley’s 2UE radio show on Monday to explain that the ABF had been included in the Victorian operation as part of a crackdown on taxi drivers, that this was similar to how operations had been conducted under former Labor governments, and to attack Labor for “questioning the professionalism” of ABF staff.

He also spoke to Sky News, saying the “confected demonstration ... wasn’t mums and dads who were outraged ... it was conducted by the CFMEU ... they were there conducting another demonstration and they moved up the road to join the national socialist alliance, another level-headed outfit.”

Dutton said the wording of the press release had been “regrettable”.

“What upsets me the most is seeing Bill Shorten and [Labor’s immigration spokesman] Richard Marles out there attacking the Australian Border Force officers who are in uniform, and I just won’t stand for that,” Dutton said.

“I’ve been crook over the weekend, I didn’t get out of bed, so I didn’t get to the media, but this morning I saw an interview by Mr Marles attacking the training and putting all these questions out about the professionalism of the ABF and I just won’t stand for that,” he said.

“What happened was the Victorian police approached [Australian] Border Force, they wanted to conduct an operation ... as part of that they wanted to check taxi licences and the roadworthiness of some of the taxis there.

“The border force officers are there basically to get referred people who might have questions about their visas, so they might be working in a taxi, but it may be they are a student on a visa that doesn’t have work rights, so the police interview those people, establish those facts and then refer them to the Australian Border Force officers.

“That is exactly how it has operated for years under Liberal and Labor governments. For Marles and Shorten to be attacking the men and women of [Australian] Border Force is an absolute disgrace.”

It is understood six ABF officers were to be involved in Operation Fortitude, at two separate locations.

<http://www.theguardian.com/australia-news/2015/aug/31/border-force-launches-internal-review-in-wake-of-badly-worded-press-release>

18. Australian Border Force to have up to 6000 officers, most trained in use of force

Sydney Morning Herald
September 1, 2015 - 6:21AM
Peter Hartcher

The new law enforcement agency that came controversially to public attention on Friday, the Australian Border Force, is building a 5000 to 6000-strong body of officers, most trained for use-of-force operations.

Several thousand are already trained to use guns, and eventually the agency will have about twice as many weapons-ready officers as in the agencies it replaced, according to a senior official.

The ABF, created on July 1, is the enforcement arm of the merged Customs and Immigration departments.

The ABF cancelled a planned operation after issuing a press release saying its officers would be "speaking with any individual we cross paths with" in Melbourne's CBD in a joint operation with Victoria Police on Friday.

The aborted operation was bungled because it was "our first hit-out in community safety operations", as an official put it, and no existing protocols and practices had been established.

The so-called Operation Fortitude was cancelled before it began, and Prime Minister Tony Abbott said it was a mistake.

No agency in Australia has authority to stop and question members of the public without probable cause.

"Some knucklehead decided it'd be a good idea to sound like Dirty Harry," the rogue cop played by Clint Eastwood in a 1971 movie, an official said.

But the embarrassment has not affected plans to build a force of 5000 to 6000 officers to enforce immigration and customs laws, officials said.

Where previously public servants of the Immigration Department had to rely on police departments for enforcement of immigration law, the ABF is tasked with conducting enforcement itself, including armed raids.

While the ABF does not have general jurisdiction in the community and can only act in partnership with state or territory police, it can participate in armed raids, whereas previously immigration officials had to stand back and watch passively.

The old Customs and Border Protection Service had some enforcement powers and access to guns, but officials said that the new agency would be much more muscular than its two parent agencies combined.

After a 12-month transition, all ABF staff will be expected to pass fitness tests, and most staff will be classified as "use of force" officers, with powers to restrain and handcuff people and to defend themselves, officials said.

And of those, most eventually will be given firearms training, and armed depending on job function. For instance, ABF officers working in the areas of counter-narcotics, counter-terrorism, marine patrol and bkie gang operations would carry guns.

The net effect would be that about twice as many weapons-trained officers would work in the ABF as in the previously separate departments of Immigration and Customs combined, a senior official said.

ABF officers working in community safety operations such as the aborted Friday exercise would not be armed, the official said.

Opposition immigration spokesman Richard Marles has asked that the Auditor-General examine the training and powers of ABF officers after Friday's incident.

<http://www.smh.com.au/federal-politics/political-news/australian-border-force-to-have-up-to-6000-officers-most-trained-in-use-of-force-20150831-gjc0tx.html>

19. Public response to Operation Fortitude should be same for Nauru, Naomi Klein says

ABC News Online
First posted Mon 31 Aug 2015, 10:46pm
Updated Tue 1 Sep 2015, 2:56am

The social response to the Australian Border Force's (ABF) cancelled Operation Fortitude in Melbourne last week should also happen for the situation in Nauru, Canadian author and social activist Naomi Klein says.

The planned major policing operation, which received heavy public backlash from the community for its instructions for officers to question people on the streets of Melbourne over issues such as "visa fraud", was discussed on Monday night's Q&A program.

Federal Immigration Minister Peter Dutton's office over the weekend revealed they did not read the "clumsily worded" press release.

Klein said she was surprised by the ABF's initial boldness.

"I can't get past the fact that this force, this Border Force, somehow felt emboldened enough to do this in the first place," she said.

Ms Klein said she thought the ABF's attitude was telling of their actions "in places that are much more tucked away".

"It is one thing for people to rise up when it's happening on the streets of Melbourne, but I would like to see people rise up on the streets of Melbourne, streets of Sydney, about what's happening in Nauru," she said.

"I don't think that [the ABF] would have had the idea that they could have done this if somewhere else they were exercising unchecked power and we know that they are.

"This country has been very good at using distance and out of sight, out of mind — whether it was the Woomera Detention Centre, or Christmas Island now."

Ms Klein said the critical lesson was that when people rise up to send a message, they can impact policy.

"So don't just do it when it is in your front yard. Do it when it's in your back yard too," she said.

Operation used to create climate of fear: Tariq Ali

Fellow Q&A panellist Tariq Ali, a British-Pakistani author and political campaigner, was in Melbourne when the protests at Flinders Street Station started last week.

He said despite the operation's cancellation, the fact it was tried out in Melbourne was done to create and encourage fear.

"The fact that this is happening, actually, is quite disturbing and the reason it's worrying is because what it creates — having this force in the main cities patrolling — all it does is create a climate of fear. It worries people," Mr Ali said.

He said it was a tactic usually used by governments who were preparing for war.

"I remember in Britain once they sent tanks outside Heathrow before the Iraq War to show that something was building up and terror attacks and this, that and the other," he said.

Mr Ali said he hoped the Government had learned its lesson from the incident, addressing the role social media played in Operation Fortitude's unravelling.

"Social networks were used very positively and within a few hours, several hundred people had gathered to stop it," he said.

"So I think, from that point of view, it was very positive and I hope that parliamentarians put a stop to it because it is in no-one's interest this should be taking place."

Writer and journalist Laurie Penny agreed, praising the public's response.

"I think it is a fantastic demonstration of the power of democracy and the power of networks to organise very fast," she said.

"Over the past few months, I have seen a broad consensus developing among young people and leftists, in Europe and elsewhere, against the anti-immigrant rhetoric that is ramping up in Western nations, particularly this year.

"For a nation which is founded, like Britain was, on colonialism, a nation that is a nation of immigrants to come in and say "'e are going to start checking everybody's papers now' is the grossest hypocrisy imaginable."

<http://www.abc.net.au/news/2015-09-01/operation-fortitude-response-should-be-same-for-nauru/6739132>

20. Jack Waterford: Border Force fiasco calls into question culture and leadership of 'paramilitary' group

Canberra Times
September 4, 2015 - 11:45PM
Jack Waterford

When Roman Quaedvlieg was with the AFP, he took the lead role in buying Tasers for ACT Police.

Faced with a choice of buying Tasers with or without video-recording devices, he unhesitatingly chose ones that did not. It was only after sustained public criticism about his approach to accountability that he decided the next tranche of Taser-purchases would include video.

Quaedvlieg is now the Commissioner of the paramilitary Australia Border Force, one with still largely undefined functions of saving us from drug smugglers, people smugglers, international prostitution and pornography, functions once performed ably with a fraction of the resources this newly defined national security function now requires. And without guns or black uniforms of the Hugo Boss style.

He gave us, on Friday a week ago, the extraordinarily dissembling but hilarious and immortal collection of denials, obfuscations and blame-shiftings over planned ABF involvement in a Melbourne police operation. Press statements issued by the ABF had implied that armed Border Force members in full black Hugo Boss-style regalia would be randomly stopping people in the street, asking them to produce evidence of their right to be in the country. Naturally, people with nothing to hide had nothing to fear.

According to Quaedvlieg, the public impression was all a mistake, a misunderstanding, a misinterpretation, perhaps a mischievous one induced by the media jihad of which Quaedvlieg's minister, a former police colleague, has recently spoken, after it was safe to rise above the parapet.

The ABF media statement had, it seems, been issued by a low-level person, a person with one pip fewer than Quaedvlieg, according to Mr Loyalty, Buck Stops Here. It was the media's fault. Or social media's fault. Or that of advocates or activists. The statement had not been cleared at higher levels. No, the minister's office had not been told.

Nor, at least by implication had Quaedvlieg or his gung-ho boss, Mike Pezzullo, been in the loop. Nor would they, or could they, have imagined such a thing.

No answer Quaedvlieg gave cleared up a single question. But the assertion of fact detectable in the babble, as well as his spin, were less than reliable. He mostly looked like a witness at a royal commission being invited to listen to a tape recording. It turned out, for example, that the minister's office had twice been sent copies of the media statement. We have only its word that it had not been studied there. Given a general pattern of micromanagement of refugee, border security and national security stunts, I do not believe it. Deniability is built into the plan.

Even after, or perhaps because of, Quaedvlieg's "clarifications", ministers, from the Prime Minister down, were contemplating a fresh public relations disaster for the government.

It was messy of itself, with a capacity to run and run. Like so many recent disasters (and like the Gillard government's) it was an own goal. It tended to confirm a general impression of dysfunction, idiocy and incompetence in everything done by the Abbott government.

It was aggravated by persisting in denial of the obvious and attempts to shift blame. It was not an "insider" disaster. Ordinary voters as much as the twittering classes dislike officious cops and pseudo-cops. It invited questions going to the very heart of the national security anxiety being willfully, and falsely, instilled by the government.

The reluctant conscripts inside the new "force" shrivelled in embarrassment at the incompetence of its leadership. Folk of the conservative right, even ones given to believing in a bit of authoritarian high-handedness with folk who don't matter much, were appalled at the idea of people in camp uniforms demanding passes from citizens on the public byways.

Quaedvlieg's boss, departmental secretary Michael Pezzullo, so often to be found advocating a new "security paradigm" by which tough and in-your-face border security is a linch-pin of the modern state, was, for once, out of sight. He was not, apparently, accepting responsibility either.

If it had not already been apparent in the new department of Immigration and Border Security that absolute loyalty, discipline and responsibility was exclusively an process going upwards, it was now. The buck goes downwards. It's always the fault of someone else.

If only to underline the point, Quaedvlieg announced an inquiry. The prospect of its blaming him or Pezzullo must be rated as low as of the organisation's culture of accountability being enhanced by the report. Heads will roll but only to remind everyone of the need for obedience.

Apart from Friday's fiasco, their taste in and for uniforms and guns, and their affection for a command culture, Pezzullo and Quaedvlieg cannot be accused of being mere hacks for the coalition. They may have, at least until Friday, delighted ministers, but they are but there to serve. Any minister.

Pezzullo, after all, was a former Labor staffer who worked with Gareth Evans when Minister for Foreign Affairs, and, later, for Kim Beazley, when Leader of the Opposition. In those days Labor, seeking some harmless, but "strong"-sounding post-2011 point of difference with John Howard on refugee issues announced it would set up a Coastguard, later called a Border Force, to save Australian sovereignty from the diabolical threat of poor people fleeing oppression. (At that stage it was not to save such people from themselves, by drowning, as we now pretend; it was simply, as it always has really been, to stop them coming at all.)

The coastguard idea, which fell considerably short of being the private army now established, was strongly pooh-poohed by the Howard government, both as likely to produce more, not less, duplication of activity and financial waste, and to make controlling the borders more difficult.

It has yet to be established that this judgment was wrong, or has been rendered redundant by extending the idea into a bigger organisation, more military and much more secretive in style. Rudd and Gillard did not implement the policy.

After Beazley's downfall, Pezzullo returned to Defence as a deputy secretary. Then to Customs. He was a big winner, under Scott Morrison, with the implementation of the secretive "stop-the-boats" strategy.

Morrison, more than most ministers, is entirely correct in his dealings with public servants but has a pronounced appetite for people with big ideas capable of advancing his primary agenda – him.

It is, essentially, to Pezzullo's advocacy that we owe the idea of an ABF and linkage of customs and immigration functions. It is to his infighting skills that Customs swallowed Immigration.

The new department, now post-Morrison, is built in Pezzullo's image. Many old immigration hands decided, or were encouraged, to abandon ship. Most warm and cuddly departmental functions, focused on resettlement, migrant assistance and multiculturalism, were exiled to social agencies (ironically now mostly to Morrison) or junked.

It is trying to build a new culture but it is clear that it will be one even more toxic than the old. Pezzullo, famously, is not known for encouraging argument, debate, or thinking out of the square. All independent thinking, if any, is done by him. His own intellectual tendencies, as can be observed by reading his laborious if philosophical speeches, are narrow, something disguised by his verbal aggression. There had been little enough imagination, in the department before but even by comparison new immigration culture will never be called multicultural or open-minded.

Pezzullo wants, ultimately to head Defence. Morrison, at one stage, wanted to be minister of defence. Leaks emerged suggesting that Morrison would be the ideal person to save us from the then Minister, the hapless David Johnson. Alternatively, it was suggested, border control activities might be – should be – put in a new super-duper Defence organisation having a lot more focus on impermeable borders.

That the Navy was working on border matters to Morrison and that Defence was, unwillingly, giving political cover to claims of a blanket need for secrecy about "on-water" activities meant there was a considerable overlap anyway.

But other ministers, and departments, plainly resented the empire building, and nothing came of it.

Pezzullo has always been a responsive can-do public servant, anxious, as all public servants are, to help make government policies succeed. Recently he has become an open advocate for the policies themselves. He has observed that both Labor and the coalition agree on almost all of the policies of stopping boats, detaining boat people, placing them in overseas concentration camps, being generally indifferent to their welfare, and avoiding, or offloading, as much external scrutiny as possible. (That's not quite as he would characterise it, but it is what it means). That perhaps a quarter of the population, including prominent church leaders, think differently is hardly relevant, except perhaps as evidence of their stupidity.

There has been recent talk in the senior councils of government of Pezzullo being detached to perform some special national security for Abbott. Finance head, Jane Halton, would, if the idea progresses, hold the fort at Immigration.

Just what this assignment is and whether it fits in with Abbott's request from national security agencies for an "announceable" a week on national security crises is not clear. But it may explain why Pezzullo has been mysteriously absent during all of the period of intense scrutiny of his Border Force project — one Pezzullo has (amazingly) compared, for breadth, vision and genius with the 1970s Tange Defence reforms.

Quaedvlieg is a modern policeman of the type now routinely making it to the top. It's a long time since he did crime fighting. For him it's patronage, position papers, briefing notes, budgets and rosters. He is, first, an ambitious, reasonably able bureaucrat and paper-shuffler, skilled in attending to, even anticipating, the needs of bosses, including politicians.

He has trodden the management path, if without much in the way of traces, apart from entries on a curriculum vitae. He has been, almost invariably as a manager, in all of the high status or fashionable police operational units, including in the Queensland Police, the Australian Crime Commission and the AFP. Despite this it is hard to associate him with the solving of any particular crime, a fresh approach to some form of social problem, or lasting change in any unit he controlled. A colleague once told me he had never known anyone, in any organisation, so ambitious. But, in a police culture of good old boys and "yes" men and women answering to media tarts, he has been careful, until now, about the spotlight.

He is agreeable enough but does not give good, or memorable speeches. His fate, probably, is that people will be replaying last week's press conference, as a Fawcett Towers quality how-not-to-do-it exercise, long after we are all dead, and no one will remember anything else.

The Border Force Fiasco is much more than last Friday. It can be seen through a thousand prisms. As a study of leadership, accountability and responsibility. As yet another example of the Abbott government's haplessness, hopelessness and current incapacity to win a trick. About whether it is actually smart to stir up public anxieties about aliens, strangers and terrorists. About whether the ABF contains the sort of people to whom we ought to give guns, and, implicitly, the right to use them. About whether it has the checks and balances necessary whenever people are vested with power over the lives of others.

But perhaps one needs some other objects in the foreground. This week we have seen dead children on Turkish beaches. Crowds — real crowds, representative of millions, not thousands — of helpless people, at Budapest railway station, being prevented from going further into Europe. Fresh victims being generated in Syria. More hundreds, maybe thousands, drowning in the Mediterranean.

It may be, as both Labor and the coalition pretend, that Pezzullo's agency has made Australia safe from, and thus not responsible for, such scenes being played out in Australia. If, after all, you stop the boats, no one can drown, surely. If you are consciously cruel to those who try, including children, you may deter someone getting into a boat and drowning, surely.

If you look the other way about what happens, you cannot be personally or morally responsible, can you? And anyway, isn't the principle of the thing — that not a drop of water can touch our beaches without our permission — a worthy thing of itself? An affirmation of those modern notions of sovereignty that Pezzullo is struggling to articulate? Not to mention the culture of fear and loathing which makes us feel so united, here in Team Australia.

If Jesus were around and not in Nauru, wouldn't He be standing, gun on hip, right alongside Pezzullo?

<http://www.canberratimes.com.au/comment/border-force-fiasco-calls-into-question-culture-and-leadership-of-paramilitary-group-20150902-gjdmkm.html>

21. ABF recruitment: What Australia's newest security agency is looking for in new recruits

Sydney Morning Herald
September 1, 2015 - 12:37PM
Nicole Hasham

Wanted: men and women to join Australia's newest national security agency. Must be willing to take an oath, use force, and fire a gun.

The Australian Border Force, the paramilitary unit that drew ridicule last week when it ruined a police operation in Melbourne, is looking for staff.

The job advertisement gives detailed insight into the Abbott government's controversial military-style overhaul of frontline immigration roles, which until recently were filled by regular public servants.

The recruitment drive comes amid calls for the purpose and powers of the new security agency to be more clearly defined, after public outrage over its visa-check plans forced a complex police operation to be aborted.

The 150 new recruits must "complete Use of Force training" and be willing to "use personal defence equipment, including a firearm".

So far about 860 people have applied online for the \$42,865-a-year job, plus super - a wage level criticised on social media as "disgustingly low".

The recruitment campaign has drawn strong interest on the Australian Border Force Facebook page, however some users questioned the merits of joining after last week's embarrassing debacle.

Recruits would be trained at an Australian Border Force college in Sydney or Canberra.

They would be required to take an oath or affirmation, pledging to discharge their duties well and uphold "the good reputation of the Australian Border Force".

They must also undergo fitness tests, which the department said involved "flexibility, agility, strength, balance, coordination, power, speed and endurance" activity.

The Border Force began in July when frontline immigration and customs functions were merged.

Fairfax Media reported in January that existing workers who wanted to keep their operational jobs were forced to submit to boot-camp style tests including push-ups, squats and shuttle-runs. Those who failed would be punted to a desk job.

Female border officials aged over 55 were expected to perform four push-ups and six repetition squats, plus heart rate tests after climbing 22 steps in 60 seconds.

Those aged up to 34 years were asked to do eight push-ups plus 15 repetitions squats for male officials, and 12 for females.

Most officers were being fitness-tested for the first time in their working lives.

As reported on Tuesday, the Border Force, is building a 5000 to 6000-strong body of officers, most trained to use force. Several thousand are already trained to use guns.

Following last week's controversy, government appointed Human Rights Commissioner Tim Wilson said the "increasing paramilitarisation of wandering bureaucrats" would only lead to those "unskilled and untrained to overstep the mark and risk infringing our civil liberties".

The Greens called for the powers of Border Force officers to be clarified, telling the ABC "it needs to be cleaned up. They're not an arm of the military and they're not a police force."

A department spokeswoman did not provide details of the firearms used, or guidelines on when they should be discharged, but said all training was "consistent with legislation and international best practice".

"Only officers certified in appropriate [use of force] training can deploy with personal defensive equipment which includes a firearm," she said, saying the training was given to staff in units including marine and counter-terrorism.

She said Border Force officers planned to take part in the Melbourne police operation would not have been armed.

Recruit applications close on September 6.

<http://www.smh.com.au/federal-politics/political-news/the-australian-border-force-recruitment-drive-what-australias-newest-security-agency-is-looking-for-in-new-recruits-20150830-qjbb2k.html>

22. Plush puppies show Border Force has a soft and cuddly side

The Age
September 6, 2015 - 12:15AM
Adam Gartrell

The Abbott government's paramilitary-style Australian Border Force has established a fearsome reputation but it's not all boots and batons – it has a soft and cuddly side too.

Government tender documents show the Department of Immigration and Border Protection is paying Melbourne-based toymaker Wompro to produce 2000 Border Force-branded plush dogs.

The department is spending \$14,877 on the toys – about \$7.50 per puppy – which will primarily be used as "corporate gifts" for international dignitaries and visitors.

A spokesperson for the department said the toys would replace the depleted stock of Customs-branded plush dogs.

"It is standard practice for Australian government agencies to have stock of corporate gifts available for customary purposes to assist with stakeholder relationships," the spokesperson said in a statement.

The dogs will also be given to detector dog foster carer volunteers. Foster carer families host labrador puppies until they're 15 months old, when they're returned to the department for training.

"People in the program dedicate countless hours in assisting to raise purpose-bred puppies for the Australian Border Force with the objective of preparing them for the rigorous and highly successful Detector Dog Program," the spokesperson said.

Tender documents show the ABF is also spending \$12,700 on new branded notebooks.

The ABF shot to national prominence 10 days ago when it spoiled a police operation in Melbourne.

Operation Fortitude had to be cancelled after a public backlash to an ABF statement that suggested its officers would be stopping people on the streets for random visa checks.

ABF commissioner Roman Quaedvlieg said it was a "clumsily worded" press release that mischaracterised the agency's role in the operation but the episode tarnished the agency's reputation.

Critics lampooned the agency on social media and labelled it Border Farce. As a result of the controversy, the government is now facing calls to more clearly define the agency's purpose and powers.

Labor's wastewatch spokesman Pat Conroy said the government had spent hundreds of thousands of dollars rebranding after the name change.

"People are sick and tired of this appalling waste," he said. "They want the public servants and their political masters to get on and do their jobs, not spend tens of thousands of dollars on toy puppies."

On its website, Wompro says customers "enjoy an outstanding return on investment for your brand" with its plush toys.

Wompro is one of the world's largest plush suppliers and has produced toys for everyone from Disney to Ford.

<http://www.theage.com.au/federal-politics/political-news/plush-puppies-show-border-force-has-a-soft-and-cuddly-side-20150903-gjevzt.html>

23. Mentally ill Iranian asylum seeker girl, 17, begs not to be sent back to Nauru

Girl and her family in detention in Darwin expect to be returned to island despite psychiatrist's report warning she could 'acutely deteriorate'

The Guardian
Helen Davidson
Tuesday 1 September 2015 07.24 AEST

A 17-year-old girl and her family who sought asylum in Australia expect to be returned to the offshore detention centre on Nauru, despite a psychiatrist's recommendation against it because of the girl's severe mental health problems.

The teenager has written to the immigration minister, Peter Dutton, pleading that she and her family not be sent back to the processing centre.

The Iranian girl and her family were detained on Christmas Island after seeking asylum by boat. After six months they were sent to Nauru for seven months, then Brisbane for 11 months when the younger son needed medical care. The family was transferred to Darwin's Wickham Point detention centre three weeks ago.

A psychiatrist's report, written upon the girl's release from hospital in Brisbane and seen by Guardian Australia, describes self-harm and attempted suicide.

"[She] also reported being at the receiving end of inappropriate sexual comments and propositions by security staff while at Nauru detention centre and was, understandably, very, very distressed about this," the report said.

Multiple reviews and inquiries have revealed high levels of abuse and mistreatment at the Nauru centre. On Monday a Senate inquiry called for all children to be removed from detention on the island.

The psychiatrist's report concludes: "Taking all the above into consideration, it is strongly recommended that [she] not return to Nauru for processing. Given her previous reported experience while at Nauru, it is highly likely that her mental state will acutely deteriorate, with a resulting acute escalation of her risk (namely suicidal ideation and another possible attempt), should she return to Nauru."

Her father told Guardian Australia the girl was still very unwell and under constant monitoring by staff at the Wickham Point detention centre.

"She is not OK," he said. "She is not eating, not sleeping, not everything."

In her letter the girl told Dutton of her self-harm attempts and feelings of hopelessness, but said she had been encouraged to write by a friend.

"When I was in Brisbane, I was optimistic for my future," she wrote. "Brisbane's school organised activities for all the student. I was look forward that day attend the activities with my friend."

“But, I can’t make it. Me and my family has been transferred to Wickham Point. We being told we will be send back to Nauru maybe. My world is falling apart. I lost in darkness.”

The girl’s mother also has severe mental health problems and has had two miscarriages while in Australian detention. She is in a Darwin hospital, according to the father.

“She is 10 days in the hospital,” he said. “She is depressed, hungry and she cry.

“I tell case manager, mental health doctor, boss manager, that she is not good, she is very very bad, very depressed.”

The family’s lawyer, Sayed Kher, told Guardian Australia he was seeking an assurance from the federal government that there at least be a warning before a decision to transfer the family so they could access legal avenues to fight it.

On behalf of his clients, Kher has made two submissions seeking their release into the community and to reunite with family. A number of family members were in Sydney on bridging visas, he said, adding they had arrived on a different boat but at the same time as his clients.

The first submission was rejected in April, and the second, sent this month, has received no reply.

“I can confirm that [the family] are receiving appropriate care for their needs which is provided and coordinated by IHMS [International Health and Medical Services], and at a standard equivalent to that available to people in the Australian community,” said the April reply from the government’s immigration status response group.

“I can further confirm that the immigration detention placement of [the family] is currently considered to be appropriate to their circumstances. If there are any changes to the family’s circumstances, their case will continue to be progressed with due care and process.”

Kher said: “It is heartbreaking. By law there is nothing [left] but for the minister to exercise discretion but he does not want to.”

The case is similar to that of a five-year-old girl, also at Wickham Point, now before the supreme court. The girl’s family and legal team are seeking a legal injunction against their return to Nauru – also strongly recommended against by multiple medical professionals. The minister has previously flagged the family would be given at least three days’ warning of any transfer while legal action was under way.

Dutton’s office has not responded to questions.

<http://www.theguardian.com/australia-news/2015/sep/01/mentally-ill-iranian-asylum-seeker-girl-17-begs-not-to-be-sent-back-to-nauru>

24. Asbestos: Immigration Department, contractors knew of Nauru risk, emails show

Sydney Morning Herald
September 4, 2015 - 5:18PM
Nicole Hasham

Piles of burnt rubble riddled with asbestos lay around a prison at Nauru where scores of asylum seekers have been held and government subcontractors have worked, posing a "potentially serious" health risk, leaked emails show.

The Department of Immigration and Border Protection says tests later showed airborne asbestos fibres were not above "monitoring thresholds".

But it did not report the potential problem to Comcare, the federal workplace safety regulator, despite being required to notify the agency of suspected asbestos exposure relating to the department’s work. Asbestos fibres can cause lung diseases including cancer.

Confidential emails seen by Fairfax Media reveal government officials and subcontractors said staff should either wear protective clothing and masks or avoid the prison entirely. However, a former staff member alleges those measures were not implemented, and neither workers nor asylum seekers were protected while the risk was being assessed.

United Voice, the union representing staff of government subcontractor Wilson Security, said it has repeatedly raised the issue of asbestos exposure at Nauru but the company "blatantly failed to address" it.

The incident will stoke further fears over the welfare of asylum seekers and workers in the Pacific island nation, host to an Australian-funded detention centre, which a Senate report this week found was "not adequate, appropriate or safe". A New York Times editorial on Thursday described the centre as "purgatory".

Fairfax Media has sighted emails from December last year in which a department official said tests had "discovered a potentially serious asbestos exposure at the prison".

"After the old prison was burnt down in 2007, a new prison was built on the same site without any clean-up [and] the burnt debris is still there," she wrote.

The email notes staff from government subcontractor Wilson Security and detention centre health provider International Health and Medical Services, "visit the prisoners on occasions".

"It has been suggested all personnel avoid that area if possible, until a clean-up is organised," the official says, asking for department staff to be informed.

In other emails, an employee believed to be from Wilson Security describes the asbestos as "a real concern". She says the reports of contamination were yet to be formalised but recommended staff not visit the prison.

"However, we currently have an asylum seeker that requires visits from our behaviour team once a fortnight ... which we will not be undertaking without protective clothing and respiratory mask," she says.

Asbestos is a common building material on Nauru.

An email from a senior department official last November said 27 sites on the island were being tested, including refugee accommodation.

After riots at the detention centre in 2013, about 60 detainees were arrested and taken to the Nauru prison. Many others have been held there for other alleged offences or convictions – sometimes for years.

In one email, a Wilson Security manager says many staff members worked in the prison after the riots and its rooms and yards had been used for training.

Fairfax Media provided details of the emails to the department, Wilson Security and detention centre operator Transfield Services, which did not dispute they were genuine.

In July the department told a Senate committee it was aware that Nauru jail buildings were built with asbestos but it had "not undertaken any precautionary or constructive works" and had no plans to do so.

A Comcare spokesman said the agency had not been notified of any asbestos issues on Nauru by the department or Transfield Services.

"The department has a duty to notify Comcare if a worker suspects exposure to asbestos where it relates directly to work being undertaken by the department," he said. This would also apply to contractors and subcontractors.

The department did not respond to questions over how staff and asylum seekers were protected when officials were alerted to the potential asbestos risk, saying only that it "takes safety and security very seriously and seeks expert advice in relation to any risks identified".

Three days after first being contacted about the issue by Fairfax Media, a department spokeswoman said a baseline study indicated "no airborne asbestos fibres have been detected on Nauru above the monitoring thresholds" in any location tested.

A former Nauru contractor told Fairfax Media old framing and rubble lay around the prison, and many staff were concerned the asbestos risk was being "hidden".

"It was not made public, there were no briefings in regards to it," the former worker said.

He said "nothing was done" for asylum seekers living at the prison – an account confirmed by an asylum seeker previously held there.

Refugee Council of Australia chief executive Paul Power said it was "outrageous that [asylum seekers] living 24 hours a day seven days a week in that situation ... have not been warned of the dangers or given any support to protect themselves."

Wilson Security and Transfield Services refused to comment. This week Transfield revealed its government contract, which expires in October, was set to be renewed for five more years.

<http://www.smh.com.au/federal-politics/political-news/asbestos-immigration-department-contractors-knew-of-nauru-risk-emails-show-20150903-gje3z1.html>

25. Abbott government under pressure to cut Nauru aid after New Zealand crackdown

Sydney Morning Herald
September 4, 2015 - 1:42AM
Nicole Hasham

The Abbott government has been urged to cut funding to Nauru after the New Zealand government suspended \$1.2 million allocated to the nation's judicial system due to concerns about civil rights abuses.

New Zealand's Foreign Minister Murray McCully has withheld justice funding to the tiny Pacific nation, which hosts an Australian-funded detention centre, after several worrying incidents including the removal of senior members of the judiciary.

Mr McCully reportedly said issues with the justice sector and human rights had not been resolved despite assurances from the Nauru government.

"I've made it clear we are very reluctant to take our funding away ... but where the system that we're funding is essentially part of the problem rather than the solution, we don't have much choice," Radio New Zealand reported.

The New Zealand Herald reported Mr McCully citing the access of asylum seekers to justice as "a concern of ours".

The New Zealand government has expressed concern about the fate of Nauruan opposition MP Roland Kun, who was among three MPs suspended from Parliament for giving interviews with foreign media that criticised the government.

His passport was confiscated, preventing him from reuniting with his wife and three children in New Zealand.

After the MPs were suspended Foreign Affairs Minister Julie Bishop called on Nauru to respect freedom of speech and "uphold fundamental values of a robust democracy".

The Nauru government last year sacked its only magistrate, Australian Peter Law. It then cancelled the visa of the island's chief justice, Geoffrey Eames, a former Victorian Supreme Court judge. Justice Eames had issued an injunction aimed at preventing Mr Law's removal, however it was ignored.

Justice Eames had been Nauru's chief justice for three years and is believed to have expressed concerns to the Nauruan government about the conditions faced by asylum seekers.

Nauru has also banned access to Facebook and imposed a \$8000 visa fee for foreign journalists.

Greens senator Sarah Hanson Young said the Abbott government must follow New Zealand's lead and suspend funding to Nauru.

"Gripped in the throes of a systemic legal collapse, the Nauruan government should not be receiving kickbacks from Australia," she said.

"New Zealand has realised that the Nauruan justice system cannot be trusted with its money, but Australia is so desperate to lock refugees up there that it will apparently turn a blind eye to anything."

She said until the rule of law was re-established on the island, the detention centre should be closed.

Ms Bishop said she spoke to Nauru President Baron Waqa on Thursday and Australia's development assistance, which supports health, education and public sector management, is not under review.

"I understand that the legal processes involving opposition MPs in Nauru are progressing and judicial processes are being followed. I received assurances from President Waqa that the rule of law will be upheld," she said.

"We will continue to engage with Nauru until this issue is resolved."

In a statement, the Nauruan government said it was disappointed by New Zealand's decision, describing it as "misguided and ... based on misinformation". "Any suggestion that the Nauru justice system is not independent or that the rule of law is not being upheld is completely wrong," it said.

<http://www.smh.com.au/federal-politics/political-news/abbott-government-under-pressure-to-cut-nauru-aid-after-new-zealand-crackdown-20150903-gjefjg.html>

26. MEDIA RELEASE: PNG removes appeal rights for asylum; more deportation threats

Refugee Action Coalition
Wednesday September 2, 2015
Ian Rintoul
mobile 0417 275 713

In what seems to be a knee-jerk response to the Supreme Court constitutional challenge to Manus Island, the Papua New Guinea Immigration department has summarily removed the right of appeal from asylum seekers on Manus Island.

At an "open" meeting of Manus Island asylum seekers yesterday morning (1 September), around 30 asylum seekers from the various compounds (surrounded by more than 40 security guards) were told that they would no longer be able to appeal against negative refugee determination decisions.

Until now, asylum seekers have been able to appeal against a negative determination. But yesterday a PNG immigration official told the meeting, the PNG Minister for Immigration had decided that people who got a negative result on the first interview would no longer be allowed to appeal.

The meeting was also told that the Minister said there would be no more cases in the court to stop them being deported. "There are two options; either you go back voluntarily by IOM or you will be forcibly deported by PNG immigration," the official told the meeting, "PNG has decided not to hold anyone with a negative result."

The Supreme Court however has extended an injunction preventing the removal of 26 asylum seekers until the next directions hearing of the Supreme Court on 7 September. The Supreme Court will also consider a general application for further orders against the refoulement of any of the Manus detainees.

The meeting of asylum seekers was also told there would be no chance to see a lawyer. Yet, the constitutional right to have access to a lawyer is one of the fundamental issues being considered by the Supreme Court. None of the detained asylum seekers have ever been informed of their constitutional rights or allowed to have access to a lawyer.

"The decision to remove appeal rights from asylum seekers is one more indication of the arbitrary circumstances of asylum seekers on Manus Island. Around 50 per cent of those who received a negative decision at their first interview were being accepted on review," said Ian Rintoul, spokesperson for the Refugee Action Coalition.

"PNG Immigration is trying to pre-empt the decisions of the Supreme Court and violate the rights of asylum seekers. It is a shabby and transparent attempt to deprive them of their constitutional rights and to intimidate more asylum seekers to accept being returned."

For more information contact Ian Rintoul 0417 275 713

27. A life in limbo: the refugees who fled torture only to end up trapped indefinitely on Manus

It's 766 days since Papua New Guinea agreed to resettle refugees from Australia's detention centre on Manus Island. So far, not a single one has been resettled, but 41 have been moved to quasi-detention in a 'transit centre'. They have no idea if they will leave it, they tell Guardian Australia

The Guardian
Ben Doherty on Manus Island
Saturday 5 September 2015 07.35 AEST

Mohsen is late, but effusively apologetic as he sits down.

"I can't sleep at night for the nightmares," he says.

"In the dark I am back in that prison in my country," – a middle-eastern country Guardian Australia has chosen not to name for fear of consequences for his family – "so instead I sleep in the day".

Mohsen spends his nights sitting up, either in his room or outside, talking and smoking with the other refugees who are held in the quasi-detention of the bureaucratically-named East Lorengau Refugee Transit Centre, on a high, isolated ridge at the edge of town.

His days here are listless. Mostly, he does not wake until three in the afternoon. Today, it's nearly five by the time he arrives in town.

But Mohsen knows he is one of the few who can make even that small journey.

Not far from here, on neighbouring Los Negros island, 942 asylum seekers continue to live behind the tall security fences of the Australian-run asylum detention centre inside Lombrum army base. Their claims for protection are still being languorously assessed, mired in non-cooperation from one side or another, or have already been rejected.

But 41 men – Mohsen included – have been found to be refugees, and since January they have been steadily moved from the detention centre to the transit centre, on Manus Island itself.

Here, their lives are still heavily restricted: they can move around the island, though never leave it; they have a curfew, recently repealed though still observed out of safety concerns; they cannot work; and their communications are heavily restricted.

But for the first time in years they are free, perhaps to the greatest extent they ever will be, to tell their stories.

When Guardian Australia meets Mohsen in Lorengau township, he asks that we find somewhere away from the main street to talk.

The road, a patchwork of choking gravel dust and new bitumen installed with Australian aid money, is too busy for Mohsen to feel he can speak freely.

In particular, the regular passage of Transfield vehicles, running back and forth from the detention centre, a 45-minute jolting drive from here, discomfits him. Transfield is the Australian company that runs the detention centre where he was held nearly two years.

Now, seated on a quiet verandah, Mohsen is surrounded by the low-slung asbestos-clad homes of local Manusians. A thunderstorm has scudded through town in the last half-hour, taking the oppressive heat from the day, and Mohsen noticeably relaxes. He stops looking over his shoulder.

But his conversation is intensely focused, centred on a single word, to which he keeps returning, time and time again: freedom.

“Freedom,” he says, holding up one finger, “I came only for that.”

“They think we came for money, or something like that. But we had money in my country. I had house, car, my business. But my life was not safe. We came only for freedom, for safety. We are not economic migrants. We are refugees. Why we cannot be free? How long we wait? How long?”

Time is something Mohsen might appear to have much of. But it is something of which he is acutely aware. He feels it slipping by, he feels it being wasted. “Tomorrow is my birthday,” he says, suddenly smiling. “Maybe I celebrate,” he asks. The smile vanishes. “How?”

Mohsen will be 28, and it will be his third birthday on this island, his 733th day in detention.

Full story at <http://www.theguardian.com/australia-news/2015/sep/04/a-life-in-limbo-the-refugees-who-fled-torture-only-to-end-up-trapped-indefinitely-on-manus>

28. MEDIA RELEASE: Attempted suicide on Manus Island: let Transfield tour fund managers!

ATTEMPTED SUICIDE ON MANUS ISLAND -- ADVOCATES SUGGEST A GOOD TIME FOR TRANSFIELD TO TOUR FUND MANAGERS

Refugee Action Coalition
Tuesday September 1, 2015
Ian Rintoul
mobile 0417 275 713

A 25 year-old Burmese asylum seeker attempted suicide at Manus Island yesterday afternoon, Monday 31 August.

The emergency unfolded over almost four hours as the man climbed onto the roof of Delta Compound around 3pm and made attempts to hang himself using bed sheets and electrical cable, before making a final attempt to jump just before 7pm.

More than 50 Transfield and IHMS medical personnel were mobilised during the emergency.

The man tied electrical cables to the sheets to try to prevent staff from using Hoffman knives to cut him down. He had the bed sheet tied around his neck as he was caught on the roof at about 6.45pm. He was handcuffed and shackled before being taken off the roof to the new high security area next to the medical centre.

On the eve of the renewal of the Transfield's multi-billion dollar contract to manage offshore detention centres, Transfield's chief executive Graeme Hunt, suggested that investors in Transfield could get 'tours' of the detention centres.

"Now might be a good time for Transfield to open Manus Island, to the media, as well as fund managers," said Ian Rintoul, spokesperson for the Refugee Action Coalition, "so the stark reality of detention on Manus Island can be revealed. The truth is that Transfield Services's profit is based on blood money from the Department of Immigration and Border Protection.

"The Senate report has also lifted the lid on Transfield's complicity with abuse of woman and children on Nauru."

Meanwhile, there is still no confirmation of the fate of the third Iranian asylum seeker who was scheduled to be removed from PNG last week. The Supreme Court has extended the injunction against removals until 7 September, the date of the next directions hearing in the Supreme Court constitutional challenge to the Manus Island detention centre.

Threats of deportation have now been made against asylum seekers on Manus Island, who have refused to make applications for asylum in PNG. There are around 200 people who have refused to make protection applications in PNG because they were forcibly taken to PNG after seeking protection in Australia.

The Supreme Court action in PNG will test the lawfulness of their transfer to and detention on, Manus Island.

For more information contact, Ian Rintoul 0417 275 713