

# Project SafeCom News and Updates

Monday, 2 November 2015

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1. George Monbiot: Indonesia is burning. So why is the world looking away?
2. Prominent Australians ask world leaders to consider ban on new coalmines
3. Strike leader and Labor defector to stand for new left-wing party the Labour Coalition
4. Davis: NZ should refuse to back Australian UN bid
5. Richard Ackland: Australia's bid for the UN human rights council was conceived in a parallel universe
6. Australia's social cohesion stronger than ever even as Tony Abbott came unstuck
7. Junk Food Journalism: Why Annabel Crabb's Kitchen Cabinet Is Toxic
8. Buying silence? Immigration asked charities for multimillion-dollar bond
9. Save The Children 'made a scapegoat' on Nauru, says CEO Paul Ronalds
10. Sydney doctors walk off the job in protest at detention of children
11. MEDIA RELEASE: Darwin paediatricians & health workers stand against detention harm
12. Medical staff, students across Australia protest children in detention policy
13. Healthcare workers around Australia protest against 'child abuse' of detention
14. Amnesty says Australian officials who paid people smugglers to turn boats back committed transnational crimes
15. Australian officials paid asylum seeker boat crew, Amnesty investigation alleges
16. Coalition will not be 'bullied' on border protection, says Peter Dutton
17. Push for Royal Commission into people-smuggler cash scandal
18. People-smuggler cash scandal: Indonesian MP calls for Australia to abandon push-back policy
19. Peter Dutton attacks Amnesty International but won't say what is wrong with cash payment report
20. Peter Dutton's attack on Amnesty International draws fire from his own side
21. Use of force on detainees in onshore immigration detention soars
22. \$190 a head: the price of a more humane immigration policy
23. Up to 100 asylum seekers on Manus Island struck by food poisoning
24. The two Australian girls and their mother living in 'jail' at Villawood detention centre
25. Stowaways and ship deserters: the other faces of illegal sea arrivals
26. Tony Abbott urges Europe to adopt boat turnbacks in response to refugee crisis
27. UKIP leader Nigel Farage backs calls from Tony Abbott for EU to turn back asylum seekers
28. Catholic priests slam Tony Abbott's anti-immigration Margaret Thatcher Lecture
29. Why Tony Abbott's plan for Europe's refugee crisis cannot work
30. Wallabies star David Pocock takes swipe at Tony Abbott over asylum seeker remarks
31. The Age Editorial: Abbott's refugee policy is our disgrace
32. SMH Editorial - Tony Abbott's refugee battle: Machiavelli versus Jesus

## 1. George Monbiot: Indonesia is burning. So why is the world looking away?

A great tract of Earth is on fire and threatened species are being driven out of their habitats. This is a crime against humanity and nature

The Guardian  
George Monbiot  
Friday 30 October 2015 18.00 AEDT

I've often wondered how the media would respond when eco-apocalypse struck. I pictured the news programmes producing brief, sensational reports, while failing to explain why it was happening or how it might be stopped. Then they would ask their financial correspondents how the disaster affected share prices, before turning to the sport. As you can probably tell, I don't have an ocean of faith in the industry for which I work. What I did not expect was that they would ignore it.

A great tract of Earth is on fire. It looks as you might imagine hell to be. The air has turned ochre: visibility in some cities has been reduced to 30 metres. Children are being prepared for evacuation in warships; already some have choked to death. Species are going up in smoke at an untold rate. It is almost certainly the greatest environmental disaster of the 21st century – so far.

And the media? It's talking about the dress the Duchess of Cambridge wore to the James Bond premiere, Donald Trump's idiocy du jour and who got eliminated from the Halloween episode of Dancing with the Stars. The great debate of the week, dominating the news across much of the world? Sausages: are they really so bad for your health?

What I'm discussing is a barbecue on a different scale. Fire is raging across the 5,000km length of Indonesia. It is surely, on any objective assessment, more important than anything else taking place today. And it shouldn't require a columnist, writing in the middle of a newspaper, to say so. It should be on everyone's front page. It is hard to convey the scale of this inferno, but here's a comparison that might help: it is currently producing more carbon dioxide than the US economy. And in three weeks the fires have released more CO<sub>2</sub> than the annual emissions of Germany.

Full story at <http://www.theguardian.com/commentisfree/2015/oct/30/indonesia-fires-disaster-21st-century-world-media>

## 2. Prominent Australians ask world leaders to consider ban on new coalmines

Wallaby David Pocock and author Richard Flanagan among 61 signatories to open letter calling for the future of coal to be on the agenda at Paris climate talks

The Guardian  
Lenore Taylor Political editor  
Tuesday 27 October 2015 00.01 AEDT

Sixty-one prominent Australians, from Wallaby David Pocock to the Anglican bishop of Canberra George Browning, have signed an open letter calling on world leaders to discuss a ban on new coalmines and coalmine expansions at the United Nations climate change meeting in Paris in December.

The signatories are backing a call by the president of Kiribati, Anote Tong, and other leaders of Pacific Island nations in the recent Suva Declaration on climate change from the Pacific Island Development Forum.

The message from the signatories, who also include nobel laureate Professor Peter Doherty, former Australian of the year professor Fiona Stanley, author Richard Flanagan, former chair of the Australian Coal Association Ian Dunlop and former Reserve Bank governor and Climate Change Authority chair Bernie Fraser, runs starkly counter to the Australian government's endorsement of new coal mega-mines like Adani's proposed \$16bn Carmichael project in Queensland's Galilee Basin or Shenhua's \$1.2bn Watermark mine on NSW's Liverpool Plains.

New prime minister Malcolm Turnbull has not repeated his predecessor Tony Abbott's claim that "coal is good for humanity" and coal use should go "up and up and up in the years and decades to come".

But when the Turnbull government gave final approval to the Carmichael mine last week, Turnbull's resources minister Josh Frydenberg used the same reasoning as the former prime minister for the claim that there is a "strong moral case" for coal exports because coal lifts the poor in countries like India out of "energy poverty". Analysts dispute the rationale given that a large proportion of the poorest Indians are not on the electricity grid and could be provided with solar or other off-grid renewables more cheaply than electric power. And economists say the future of the mines is highly uncertain without any government action because of the falling price of coal.

The Labor leader, Bill Shorten, will tour Pacific Islands, including Kiribati, next week and wants to debate climate change with Turnbull, who is constrained by his promise to conservative Liberals and the National party to stick with Abbott's Direct Action policy.

Shorten has pledged to reintroduce an emissions trading scheme and has said Labor would back a tougher greenhouse target, but he has shied away from endorsing the idea that coal – Australia’s second-largest export earner – will have to be phased out in the longer term to meet global climate goals.

The Queensland state Labor government strongly backs the Adani mine and has been lobbying the federal government to help with infrastructure subsidies, although it said during last year’s state election campaign it would not provide direct state government funding.

Fraser, who resigned in frustration as Climate Change Authority chair shortly before Turnbull became prime minister, conceded the open letter was unlikely to change the Paris deliberations, which have been negotiated and disputed at preparatory meetings over years.

But he said he hoped the statement would cause leaders in Australia and overseas to think about the future of coal.

“I don’t know how far it will get in terms of the agenda for Paris. I’m sure the French don’t want surprises at this late stage,” Fraser told Guardian Australia.

“But it is worth flagging so that the idea is out there and considered, because the writing is on the wall for coal. Markets are starting to factor this in but governments have been a bit slower to see it,” he said.

“Everything points to the fact that we are already burning too much coal.”

Fraser said he was “sure Malcolm Turnbull ‘gets it’ whereas the previous prime minister didn’t” but said as far as he could see to date “only the atmospheric have changed, rather than any policy”.

“We, the undersigned, urge you to put coal exports on the agenda at the 2015 Paris COP21 climate summit and to help the worlds’ governments negotiate a global moratorium on new coalmines and coalmine expansions, as called for by President Anote Tong of the Republic of Kiribati, and Pacific Island nations,” the open letter reads. It will be published in newspapers on Tuesday.

The letter was published with the support of GetUp!, Greenpeace, Australian Conservation Foundation, Seed, Australian Youth Climate Coalition, 350.org, Doctors for the Environment Australia, Friends of the Earth, Market Forces, and the Wilderness Society.

While the draft declaration to be discussed at the Paris meeting does not directly call for a phase-out of new coalmines, a still-contested passage inserted at the insistence of the United States does call for the eventual “decarbonisation” of the world economy.

<http://www.theguardian.com/environment/2015/oct/27/prominent-australians-ask-world-leaders-to-consider-ban-on-new-coalmines>

### **3. Strike leader and Labor defector to stand for new left-wing party the Labour Coalition**

Sydney Morning Herald  
October 28, 2015 - 8:08PM  
Heath Aston

Irene Bolger, the former firebrand unionist who led the Victorian nurses' strike of the mid-1980s, and a defector from Labor's powerful administrative committee in NSW are the first two candidates for a fledgling political party that will seek to draw disenfranchised voters away from the ALP.

Ms Bolger told Fairfax Media that Labor under Bill Shorten appeared "gutless" on a range of issues, including asylum seekers, workers' rights and free trade deals.

She has joined The Labour Coalition Party and will seek election to the Senate representing Victoria.

In NSW, the party will be represented by Mark Ptolemy, an official from the National Union of Workers. A one-time Labor candidate, he quit NSW Labor's admin committee after eight years and the ALP last year.

He said he quit Labor because it no longer represents the values he holds dear like worker's rights and social justice. "I consider myself as democratic socialist but if you said that within the context of the NSW Right you'd have rocks thrown at you," he said.

Fairfax Media understands the name Labour Coalition has been carefully chosen to try to replicate the success of the Liberal Democratic Party which received 10 per cent of the primary vote in NSW.

The Liberal Party believes that was the result of confused voters believing they were voting Liberal and has taken legal action aimed at forcing a name change on the Liberal Democrats.

The Labour Coalition, which has done little more than launch a Facebook page and website since June, claims to have attracted the 500 members it requires to register to contest the upcoming federal election.

Ms Bolger will be well-known to many Victorians, who would remember her leading nurses in 1986 on a walkout from state hospitals. All elective surgery was cancelled and hospitals functioned on a skeleton staff as the strike wore on for 50 days before the Cain Labor government gave in to demands of the then Australian Nursing Federation for better pay.

She left the Labor Party that year as the socialist Left faction in Victoria disintegrated and said she believes there are nurses who were politicised at the time and other disenchanted ALP members and supporters that would be attracted to the Labour Coalition's pro-union, pro-worker stance.

"What's getting people is that Labor doesn't appear to have strong feelings about what people out there have strong feelings about," she said.

Shorten's Labor had not raised so much as a "whimper" over the case of raped Somali asylum seeker "Abyan", according to Ms Bolger.

She said 457 visas for temporary foreign workers have been used as a way to undermine the wages and conditions of Australians and the Trans-Pacific Partnership and China Free Trade Agreement would continue the erosion of worker's rights.

Despite not supporting the establishment of the Royal Commission into trade union corruption, she said it had unearthed some "interesting" deals done by modern leaders of the movement, including Mr Shorten.

"Once you start doing deals with employers, workers are always going to lose out. You compromise yourself."

The founder of the Labour Coalition, Graham George, a former smash repairer who lives in Sydney's Blue Mountains, told Fairfax Media that the party has had discussions with unions that are angry at Labor's "neo-Liberal agenda".

He said the party had had interest from former "rusted-on Labor supporters" who remember Holdens being exported from Australia to Asia.

"They see the Commonwealth Bank announcing a \$9 billion profit and they remember that Hawke and Keating sold it off," he said.

"We're going to be militant Left, proper labour and traditional union values."

In a video posted online Labour Coalition co-founder Wayne Brooks conceded the most common question the party gets is around its choice of name. But he denied it was an attempt to play on voter confusion.

"It's going to be one of those things that hangs around," he said.

Despite Mr Ptolemy's defection, the NUW remains affiliated with the ALP nationally and in NSW.

<http://www.smh.com.au/federal-politics/political-news/strike-leader-and-labor-defector-to-stand-for-new-leftwing-party-the-labour-coalition-20151028-gkkvcl.html>

## **4. Davis: NZ should refuse to back Australian UN bid**

3news.co.nz

Tuesday 27 Oct 2015 10:15 a.m.

Labour corrections spokesperson Kelvin Davis says New Zealand has a moral duty to stand up for our citizens being held in Australian detention centres.

Mr Davis has just returned from visiting Kiwi detainees at Australia's Christmas Island detention centre. After a week of waiting, he was finally granted permission to spend five hours with eight detainees and says conditions are terrible.

"These guys are angry, they're hungry, they're traumatised and they're ready to riot if it comes down to it because quite frankly the conditions are horrible – there's lockdowns, there's beatings, the diet is terrible. These guys are emotionally pretty fragile," Mr Davis told the Paul Henry programme this morning.

Around 40 Kiwis are currently being held on Christmas Island waiting to be sent back to New Zealand after Australia changed its immigration policy in December.

The new law states that anyone who isn't an Australian citizen and who has served 12 months or more in prison can be deported. Around 1000 Kiwis are affected by the legislation.

Mr Davis says until things improve, the New Zealand Government should refuse to back Australia's bid to get on the United Nations Human Rights Council.

"That would send a very strong message to Malcolm Turnbull that we're not prepared to put up with this treatment towards our New Zealand citizens over there.

"If our Government's got any moral fibre in their bodies they would say 'look, we'd love to support you but until you sort out this detention centre mess we're not going to back you'."

He says Australia is "absolutely" breaching human rights at the detention centre.

"They're trying to push through a law now that allows anybody in a detention centre to use force to maintain order. Now, just imagine how that law if it is enacted will be abused – they can just bash now and ask questions later, and say 'I had to keep law and order' or something in the detention centre.

"These laws are draconian and they're totally unnecessary. These guys could actually be at home with their families, earning a living, paying tax while their visa implications are being sorted out.

"We have a duty as a country, a civilised country, to protest laws in any country that are abusing human rights."

<http://www.3news.co.nz/nznews/davis-nz-should-refuse-to-back-australian-un-bid-2015102710>

## **5. Richard Ackland: Australia's bid for the UN human rights council was conceived in a parallel universe**

You may have missed it, but apparently we have a 'vigorous, ambitious human rights agenda'. The heads of our human rights agencies may have missed it too

The Guardian  
Richard Ackland  
Friday 30 October 2015 11.48 AEDT

The official launch of Australia's bid for a seat on the United Nations human rights council (UNHRC) was conducted, for all intents and purposes, in a parallel universe. Attorney general George Brandis's speech earlier this month was incubated in Canberra, so it should not come as a surprise that it was detached from reality.

"Across the entire panoply of human rights Australia has not only been an activist, but those rights are integral to what we Australians regard as our sense of nationhood," the attorney general said. You may have missed it, apparently we have a "vigorous, ambitious human rights agenda", domestically and internationally.

Astonishingly, Brandis claimed to have "enlarged the scope" of the Australian Human Rights Commission. Under his careful grooming its role now "is to be a trustee of all human rights, including importantly, but not exclusively, the right to freedom from discrimination".

Further, he made the well-worn, but illusory, claim that Australia is "one of the world's most generous societies to displaced people".

Attendees at this hyperventilating launch must have been pinching themselves, anxious that a mind-altering substance had not been slipped into their cups of tea.

After all, this was the very attorney general who had waged an ideological war against the Australian Human Rights Commission and announced that he had lost confidence in the president of the commission, Professor Gillian Triggs, for having the temerity to conduct an inquiry into children held in immigration detention.

The government was so affronted by the children in detention report that it attempted to engineer Triggs out of her job as president of the commission. Brandis also has overseen a cut in the commission's budget (at least 30% over three years) and has not replaced the outgoing disability discrimination commissioner with a stand-alone appointment. The sex discrimination commissioner's job is still vacant as well.

It was as though, for the Coalition government, the AHRC was public enemy number one. Miraculously, the commission now has been redeemed and wheeled into the frontline of the campaign to secure Australia a place on the UN's leading human rights body.

Foreign minister Julia Bishop was also on hand at the RG Casey building for the launch, assuring members of the diplomatic corps, senior mandarins and politicians that “our record on human rights is strong”.

The campaign for this prized UN seat is focused on five “pillars”: freedom of expression, gender equality, good governance, the rights of Indigenous people and strong national human rights institutions.

For the only western democracy without a human rights act or a developed constitutional underpinning of human rights, putting up our hand for a seat at the table looks like a piece of unmitigated presumption.

Not only doesn't Australia, as a nation, possess these protections, but the Coalition government is actively opposed to their implementation, while Labor squibbed the opportunity to do something about it in 2010.

Consequently, when it comes to real protections for free speech, marriage equality, Indigenous opportunities, good government and institutions that can uphold and enforce human rights – the five pillars – there is a chasm that yawns.

We need scarcely to be reminded of the criminalisation of those who speak out about injustices in the border protect regime.

Last month the UN's special rapporteur on the human rights of migrants, François Crépeau, cancelled a proposed inspection of Manus Island and Nauru detention centres because of the reprisals that lurk in the Border Force Act against those who speak out.

There are also punitive penalties facing journalists and publishers who report on Asio's “special intelligence operations”, even though they may not be aware that an operation has been classified in this way. Overarching these prescriptions is the data retention regime, that is both intrusive and chilling.

Under Brandis's aegis the FOI system, which is supposed to foster open democracy, has tumbled into disrepair. The funding and staffing of the office of the information commissioner have been shredded, with the privacy commissioner acting in the role only until the end of this month.

The chairman of the Australian Press Council, Professor David Weisbrot, has called on the government to repair the damage that has been done to FOI.

The interim report from the Australian Law Reform Commission on Commonwealth encroachments on freedoms pointed to the fact that parliament's joint committee on human rights has called into question incompatible pieces of legislation on 80 occasions since 2013.

The Australian arm of the New York-based Human Rights Watch has said that Australia should “lift its game” on human rights if it wants to be a worthwhile member of the UNHR council.

Possibly, this enthusiasm for membership of the council is a way of giving us a warm inner glow, despite the significant shortcomings in Australia's human rights record.

The Geneva-based UN human rights council is itself a strange affair – comprising 47 member nations, elected by the UN general assembly by secret ballot, which rotate every three years. One of its main functions is the regular universal periodic reviews of member states' human rights performance.

Obviously, strong home grown human rights are not a prerequisite for membership, otherwise what are China, Cuba, Saudi Arabia, Qatar, the Maldives and Kazakhstan doing on the council? Maybe, that is a factor that has emboldened Australia's application.

Happily, at the conclusion of launch event in Canberra, the assembled ambassadors, public servants and politicians were given DFAT showbags, containing some tea, a mug and macadamia nuts. That should get us over the line at the UN.

<http://www.theguardian.com/commentisfree/2015/oct/30/australias-bid-for-the-un-human-rights-council-was-conceived-in-a-parallel-universe>

## **6. Australia's social cohesion stronger than ever even as Tony Abbott came unstuck**

In contrast to the growing hostility towards migrants in Europe, Australia in 2015 remains tolerant, proud and optimistic, according to the latest large-scale study by the Scanlon Foundation

The Guardian

David Marr

Thursday 29 October 2015 00.01 AEDT

The country has survived the Abbott years bruised but with its best instincts intact. Despite the fear campaigns of the last few years, Australians remain tolerant, proud, resilient and overwhelmingly optimistic.

That's the message of the eighth survey of social cohesion by Andrew Markus for the Scanlon Foundation. "What makes Australia unique," says Markus, "is its acceptance of immigration and cultural diversity. And it's strengthening."

The mission of the Scanlon Foundation is to measure how this migrant nation hangs together. The figures are subtle. Old White Australia is not yet a corpse but Markus found in 2015, "lowered experience of discrimination, heightened acceptance of immigration and cultural diversity, and more positive future expectations".

Markus, a professor at Monash University and veteran of these surveys, contrasts the mood in Australia with the growing hostility to immigration in Europe. In the last fortnight, elections have seen one far right anti-immigration party surging in popularity in Switzerland and another taking power in Poland.

Soundings taken in Tony Abbott's last months found the country uneasy about social justice, particularly the gap between rich and poor. In Julia Gillard's last year, 34% of us thought the gap was growing "too large". But in the weeks before Abbott fell, that figure had risen dramatically to 44%.

[...]

The Scanlon figures do not suggest tough times are alienating new settlers. Just about all of us – in 2015 it was 93% – feel a sense of belonging in this country and 89% of us also feel pride in the Australian way of life. While we may not be as ecstatically happy as we once were, 89% of us report being happy or very happy in 2015.

That sunny mood is not disturbed by any worries we might have about the fate of refugees trying to make their way here under their own steam. Asked to nominate the most important problem facing Australia today, 2% of us nominated concern over the poor treatment of asylum seekers.

The boats have stopped but Australia remains deeply divided on the issue. The figures have barely budged in three years. Only among Greens voters is there a majority – 64% – for allowing boat people a permanent home in this country. After that, support falls off a cliff: only 11% of Liberal and National party voters can countenance the idea of letting boat people land here and stay.

The figures show how potently damaging this is for Labor where 26% of party supporters would let boat people live here and 22% want to see their boats forced back to Indonesia. Into that split, the government drives a great wedge again and again. Labor is left permanently uneasy and discredited in the eyes of its allies among the well educated, the well off and the young.

[...]

Full story at <http://www.theguardian.com/australia-news/2015/oct/28/social-cohesion-scanlon-survey-binds-australia-stronger-than-ever-even-as-tony-abbott-came-unstuck>

## 7. Junk Food Journalism: Why Annabel Crabb's Kitchen Cabinet Is Toxic

New Matilda  
By Amy McQuire  
October 29, 2015

When Crabb breaks bread with the Morrisons and Macklins of the world she helps further marginalise the people being punished by their policies, writes Amy McQuire.

ABC journalist Annabel Crabb last night began her sickeningly sweet profile of former Immigration Minister and current Treasurer Scott Morrison like this: "People describe Scott Morrison as ambitious, hard-line, even arrogant. But I've also heard compassionate, devout and a rabid Tina Arena fan. Clearly the man requires some further investigation."

Well, yes, he does require further investigation, but probably not on his infatuation with outdated popstars (no offence to Tina, of course).

Crabb has been hosting her cooking show Kitchen Cabinet for five seasons now, and no one has pulled her up on the fact it's about as nutrient rich as the majority of her desserts. She fluffs her way through interviewing some of the most powerful people in Australia by coating their numerous acts of structural violence with sugar frosting, and expecting us to become so dizzy on sugar highs that we can't process their numerous failures.

It's akin to spending a life gorging on sweets and then finding out later you have diabetes. This insidious spread of propaganda, soft interviews with hard-line politicians who wield enormous power over the lives of the most vulnerable, is sold as a fun, light-hearted look into the lives of the people we elect. But this taxpayer-funded sycophantic date with power will end up making us all sick. It completely dumbs down debate and again re-ingrains the perception that politicians are just like us, while the people their policies hurt, aren't. They are the others who don't dine with famous journalists on television.

Morrison is only the most recent example of this sycophancy, and Crabb's episode last night with the former Immigration Minister rightly raised the temperature of many.

<https://newmatilda.com/2015/10/29/junk-food-journalism-why-annabel-crabbs-kitchen-cabinet-is-toxic/>

## 8. Buying silence? Immigration asked charities for multimillion-dollar bond

The Age  
Adam Morton  
October 30, 2015 - 8:20PM

Charities working in immigration detention centres were asked to pay multimillion-dollar bonds that could be forfeited if they spoke out against government policy, as the Coalition sought to maintain secrecy over border protection.

In what critics say is the latest evidence of the government's determination to control information about its immigration detention program, aid agencies including Save the Children and the Australian Red Cross were asked to offer "performance security" – in one case, of \$2 million – during negotiations over contracts relating to work caring for asylum seekers and refugees.

It came as the non-profit organisations were also being asked to agree to clauses that would prevent them speaking to the media without government approval.

Interpreting it as a gag clause, Save the Children refused, and reached a compromise last year that did not include a bond, and allowed hundreds of staff to continue working on the island.

But a year on, Save the Children will end its work on Nauru on Saturday, having subsequently lost its contracts to Transfield Services and Connect Settlement Services.

Other organisations, including the Red Cross and Connect, agreed to pay a performance bond. For-profit Transfield Services, which has had security and administrative roles and is now taking over Save the Children's welfare work with asylum seekers on Nauru, routinely agrees to bonds under its government contracts.

The revelation comes as doctors and healthcare workers protested nationwide on Friday against the treatment of asylum seekers in detention, and amid ongoing controversy over the treatment of a refugee known as Abyan, who was allegedly raped on Nauru.

Civil society leaders said the demands placed on charities working in immigration were part of a broader push to silence organisations involved in advocacy work and social justice.

"It is certainly an attempt to silence groups, and I think the impetus for these kinds of clauses and contracts and restrictions seems to be growing," Community Council for Australia chief executive David Crosbie said.

Mr Crosbie said previous governments had made it clear that criticism could cost groups funding, but the threat was now often less overt, including the use of gag clauses.

When asked whether Save the Children had had been expected to pay a bond, chief executive Paul Ronalds confirmed it had.

"The imposition of performance securities was interpreted by us as discouraging us to speak publicly on policy issues," he said. "We had to work hard to ensure that Save the Children's right to continue to advocate was maintained."

The Immigration and Border Protection Department confirmed Transfield, Connect and the Red Cross had provided performance security, but a spokeswoman said the department did not agree that the bonds were used to try to silence non-profit organisations.

Red Cross and Connect did not answer questions before deadline. International Health and Medical Services, which runs medical care for asylum seekers, referred to the department questions about whether it paid a performance bond and agreed not to speak publicly.

Relations between Save the Children and the government soured in October last year when nine of its staff were expelled from Nauru amid accusations they had encouraged asylum seekers to self-harm and fabricate stories of abuse in a bid to get to Australia. A review by former integrity commissioner Philip Moss found the allegations against the nine staff were unsubstantiated.

Mr Ronalds declined to say whether he believed refusing to sign a gag clause had cost Save the Children ongoing work on Nauru.

In an interview ahead of the remaining 120 Save the Children staff leaving Nauru, he said he believed the charity had been treated "quite harshly" by the government.

"Clearly, there was no evidence to support the public allegations that were made about Save the Children, and that created an enormous strain and stress for our staff, who were already providing services to very vulnerable clients in extremely difficult conditions," he said.

"Increasingly, what we've seen both here in Australia and around the world is what I would describe as a significant diminishing of civil society's ability to speak out."

Australian Council of Social Services chief executive Cassandra Goldie said she had long been concerned about governments at all levels attempting to restrict advocacy and public work by independent non-profit organisations.

Dr Goldie said the Coalition government had stripped funding from some advocacy organisations representing the disadvantaged, and funded others on the condition they did not speak out.

"We have also seen explicit challenges to the legitimacy of advocacy by charities, such as the House of Representatives inquiry into the charitable status of environmental [organisations]," she said.

"A strong and independent civil society is essential to democracy. The Prime Minister and his colleagues play a vital role in sending the right, not wrong, signals about whether it is safe to speak up, and challenge those in powerful positions, or not."

Mr Ronalds welcomed the detention centre on Nauru being opened to allow asylum seekers to move freely on the tiny island, but said the change did not address the fundamental problem – that they had nowhere else to go.

"What hasn't changed is that none of the refugees on Nauru have any real hope for their long-term future," he said.

Calling for greater transparency and independent oversight of all Australian asylum seeker processing centres, he said he believed Save the Children had played a critical role in raising concerns on behalf of children and adults in its care.

"I'm concerned that as Save the Children's contract ends there will no longer be an agency whose mission is to uphold the rights of children on Nauru – nor will there be a human rights organisation advocating for asylum seekers and refugees, holding government to account and keeping the Australian public informed on what is done in their name and with their taxpayer dollars."

"Without transparent, independent oversight we will have little idea what's really happening on Nauru."

<http://www.theage.com.au/federal-politics/political-news/buying-silence-immigration-asked-charities-for-multimilliondollar-bond-20151030-gkmspv.html>

## **9. Save The Children 'made a scapegoat' on Nauru, says CEO Paul Ronalds**

ABC-TV - Lateline

By Jason Om and Brigid Andersen

First posted Fri 30 Oct 2015, 4:57pm

Updated Sat 31 Oct 2015, 3:29am

The head of Save The Children Australia has defended the organisation's controversial tenure at Australia's offshore processing centre on Nauru.

In an exclusive interview with Lateline, chief executive Paul Ronalds said Save The Children had been treated as a "scapegoat" and "easy target" by both Australian and Nauruan governments.

The charity's contract to provide welfare services at the processing centre on Nauru expires this weekend.

Mr Ronalds also said the charity was seeking compensation over the treatment of Save The Children workers who were accused, but later cleared by the Moss inquiry of facilitating protests on the island.

"I think Save the Children and Save the Children staff were made a scapegoat in that situation," he said.

"Clearly the Government's policy was under pressure from a range of quarters and they needed to find a circuit breaker."

Mr Ronalds said the saga had taken a significant toll on both Save The Children and the nine staff involved.

"Many of them had never had quite so much as a parking ticket, so it came as an enormous shock to them and as time went on, their level of frustration grew and of course they lost the ability to be employed in an environment that they were passionate about," he said.

"It's cost the organisation a significant amount of money. So we're continuing to talk to the Government about how those costs might be recovered."

The Moss inquiry was set up in October last year to investigate claims of sexual and physical abuse at the Regional Processing Centre on Nauru and allegations that Save the Children staff employed at the centre encouraged asylum seekers to self-harm.

While announcing the inquiry, then-immigration minister Scott Morrison said: "If people want to be political activists, that's their choice but they don't get to do it on the taxpayers' dollar and working in a sensitive place like Nauru."

The Moss inquiry found no specific evidence that Save The Children staff had encouraged asylum seekers to self-harm.

### ***Internal investigation conducted after police raids***

Mr Ronalds also told Lateline he was confident Save The Children staff had done nothing to justify recent raids on the organisation's office by Nauruan police.

The charity says police were seeking a document that was leaked to The Guardian regarding media access to Nauru.

"We've conducted an internal investigation and there is absolutely no evidence that any staff member leaked that document," he said.

"I remain very confident that once again our staff will be cleared of this allegation."

Mr Ronalds said Save The Children was an easy group to target on Nauru.

"The other organisations are Transfield, which are much larger, multinational, or Nauruans. So we're the easy target, as we've been before," he said.

He said Save The Children's public position of opposing the mandatory detention of children also led to ongoing tension with the Federal Government.

"The Government undoubtedly didn't like us giving evidence to the human rights inquiry, but that was something that we felt was a really critical opportunity for the Australian public to know what was going on with taxpayer-funded facilities on Nauru," he said.

"But it absolutely created further tension with the Government."

Mr Ronald said he was proud of the changes Save The Children made on Nauru, particularly when it came to education within the processing centre.

But he said an independent body needed to be urgently set up to monitor the situation on Nauru.

Lateline contacted Immigration Minister Peter Dutton's office for comment but he was not available.

<http://www.abc.net.au/news/2015-10-30/save-the-children-contract-ends-on-nauru/6900862>

## **10. Sydney doctors walk off the job in protest at detention of children**

Sydney Morning Herald  
October 29, 2015 - 5:00PM  
Amy Corderoy

Doctors and staff at Sydney's two children's hospitals will stage a joint protest on Friday to raise awareness of the serious damage being done to their child patients who are being held in immigration detention.

Paediatricians David Isaacs, from Westmead Children's Hospital, and Karen Zwi, from the Children's Hospital at Randwick, told Fairfax they could no longer condone the increasing damage being done to their patients.

"They are in a traumatised, agitated state and it is getting worse and worse the longer we leave them there," Dr Zwi said. "We have really reached crisis point."

She said the average time children were held in detention had now reached 417 days, with about 113 children being held in detention around Australia.

"They become more and more distressed over time, they become depressed and think life is not worth living ... they wet the bed, they can't concentrate and they have nightmares."

"There is really no medical care for a child who is distressed, they really need to be in a safe, nurturing environment," she said. "Otherwise it is impossible for them to make a recovery."

Dr Isaacs said the group wanted to meet to encourage the public to reject the ongoing detention of children.

"We think it's torture," he said. "It is immoral for us to be condoning it, whatever the reasons".

He said that given the government claimed it had already stopped asylum seeker boats, there was no reason to continue to keep children in detention.

He also said releasing the children to Nauru was not an acceptable solution.

"It is a scary, scary place and girls are being raped," he said. "They are also only being given temporary visas, they are only allowed to be there for five years and then they have to leave."

The staff and some medical students will meet at 12.30pm on Friday in front of the two hospitals, where a group photo will be taken.

<http://www.smh.com.au/nsw/sydney-doctors-walk-off-the-job-in-protest-at-detention-of-children-20151029-gklxo0.html>

## **11. MEDIA RELEASE: Darwin paediatricians & health workers stand against detention harm**

Thursday October 29, 2015

(via Ian Rintoul, Refugee Action Coalition)

Dr Joshua Francis, Paediatrician & Paediatric Infectious Diseases Specialist, 0423 528 381

On Friday 29th October at 1pm, paediatricians and other health workers and researchers from Darwin will meet at the front of the Menzies Building on the Royal Darwin Hospital campus to make a public statement that Detention Harms Children.

This will follow the weekly Paediatric Grand Round meeting which this week will focus on the impact of trauma on refugee and asylum seeker children.

Like other health professionals around the country, we are deeply concerned about the devastating effects that the detention centre environment is having on children who are being detained by Australia. Staff from Royal Children's Hospital in Melbourne and Lady Cilento Children's Hospital in Brisbane have already made a stand, and tomorrow we will be joined by others in Sydney and Adelaide, all calling for the release of children and their families.

We believe that Australians need to know about the harms caused by detention, to children and to families who have in many cases already had to flee significant hardship and persecution. We welcome media attention to the issue, and invite you to attend tomorrow at 1pm.

Tomorrow's event is being coordinated by concerned individuals, with support from the Royal Australasian College of Physicians. The views expressed do not represent the views of the Royal Darwin Hospital.

For comment: Dr Joshua Francis, Paediatrician & Paediatric Infectious Diseases Specialist, 0423 528 381

## **12. Medical staff, students across Australia protest children in detention policy**

ABC News Online

Posted Fri 30 Oct 2015, 1:05pm

Hundreds of medical staff and students across the country have used their lunch breaks to protest against the policy of keeping children in detention.

A protest outside Sydney's Westmead Children's Hospital was one of several around the nation, targeting the practice of keeping asylum-seeker children in detention centres.

Protesters waved signs and banners which read "detention harms children" and signed a petition.

Paediatrician David Isaacs said detention had harmful lifelong effects on children's mental and physical health.

"We are no longer accepting children being in detention," he said.

In Darwin, about 200 doctors, nurses and other health workers gathered outside Royal Darwin Hospital earlier this month, attended by almost 1,000 people.

The group held up a banner reading "detention harms children".

Organising paediatrician Joshua Francis said many in the group felt a responsibility to tell ordinary Australians about the traumatised asylum-seeker families they treated.

Today's protests in Sydney, Darwin and Adelaide follow similar action at Melbourne's Royal Children's Hospital earlier this month, attended by almost 1,000 people.

<http://www.abc.net.au/news/2015-10-30/medical-staff-protest-children-in-detention/6899542>

### **13. Healthcare workers around Australia protest against 'child abuse' of detention**

More than 1,000 health professionals and other staff rally outside hospitals to demand the release of children from immigration detention centres

The Guardian  
Melissa Davey and agencies  
Friday 30 October 2015 13.11 AEDT

Senior doctors and other healthcare workers from hospitals in Sydney, Adelaide, Darwin, Brisbane and Newcastle have protested against children being kept in immigration detention.

More than 1,000 health professionals and their supporters gathered outside hospitals to press the government to remove the children and their families, which one doctor called "child abuse".

Speakers at the rallies, many of whom had experience treating asylum seeker and refugee families, said the effects of detention on children were devastating.

"Keeping children in prolonged detention, without them knowing what's happening to them, is child abuse," paediatrician David Isaacs, from Sydney's Westmead children's hospital said.

"These are people who are already traumatised. They're fleeing persecution.

"We compound that by putting them in indefinite detention for very long periods."

Associate Professor Karen Zwi, from Sydney children's hospital, said anxiety, bed-wetting, nightmares and poor sleep were common among the more than 200 children still in immigration detention.

"In the extreme cases, children are self harming and attempting suicide," she said.

She said at an average of 417 days, children were being held in detention centres for too long.

A similar protest was held almost three weeks ago by staff at the Royal Children's hospital in Melbourne, who stood outside their workplace with a banner declaring "Detention harms children".

Earlier Isaacs told Guardian Australia the recent change of prime ministership had made no difference to the children's situation.

"While the rhetoric has changed towards asylum seekers under the new prime minister, Malcolm Turnbull, and has softened somewhat, we don't see any sign that the current government wants to get any children out of detention.

"We want to increase the pressure. And we won't stop with this protest. We will make noise until the detention of children ends."

Isaacs is soon to have a paper published in a renowned international medical journal that will say the detention of children constitutes torture.

He is treating a three-year-old – originally from Iran and detained in the Villawood detention centre – for tuberculosis. Once the treatment ends the boy would be sent with his parents to Nauru offshore processing centre, Isaacs said.

"It's an awful thing to do, and I have no power over his situation, none, even though I recommended to the immigration minister that he be allowed to stay," Isaacs said. He has spent time on Nauru.

"Every time he comes to see me at my clinic he is accompanied by two guards. And when his treatment is finished, his parents will be handcuffed in the middle of the night and sent back to Nauru.

"I've been told by the department of immigration that Nauru is the most appropriate placement for him."

Among the other hospitals where staff protested were the Women and Children's hospital in Adelaide, the Royal Darwin hospital, Newcastle hospital and Lady Cilento children's hospital in Brisbane.

The Greens immigration spokeswoman, Sarah Hanson-Young, praised the medical staff.

"These doctors and nurses should be congratulated for trying to protect the hundreds of children that are still locked up in Australia and on Nauru," she said.

"There is no question that locking children in immigration detention destroys them both mentally and physically. Locking up people who are seeking asylum and robbing young boys and girls of their childhood is not what we, as a caring people, should be doing."

<http://www.theguardian.com/australia-news/2015/oct/30/up-to-100-asylum-seekers-on-manus-island-struck-by-food-poisoning>

## **14. Amnesty says Australian officials who paid people smugglers to turn boats back committed transnational crimes**

ABC News Online

By political reporters Matthew Doran and Jane Norman

First posted Thu 29 Oct 2015, 5:02am

Updated Thu 29 Oct 2015, 4:27p

Australian officials who paid people smugglers to return to Indonesia have committed a transnational crime and put lives at risk, according to allegations from Amnesty International.

The organisation has released a report in which it details evidence of Australian Navy and Border Force officials intercepting a people smuggling boat and paying the crew to turn around.

It recommends a royal commission into the alleged payments, as well as an investigation into a second incident where payments were also alleged to have been made.

Senior ministers have previously expressly denied the involvement of Border Force and Defence Force officials in any payments to people smugglers, but that denial has never been extended to intelligence officials.

A spokesman for Immigration Minister Peter Dutton described the Amnesty report as "a slur on the men and women of the Australian Border Force (ABF) and Australian Defence Force (ADF)".

The report said the first case occurred in May 2015, when a boat believed to be heading to New Zealand was intercepted, carrying more than 60 people and six crew.

Amnesty said it has interviewed all of the people on board to piece together exactly what happened.

The boat was allegedly intercepted twice, before being taken to Greenhill Island near Darwin.

People on board were then encouraged to bathe on the Border Force ship, according to Amnesty International.

"It was at this point, on the original boat, that the crew claim the Australian officials gave them money," the report said.

"The crew told Amnesty International that two of them received \$US6,000 each, and four received \$US5,000 apiece, making a total of \$US32,000.

"One of the 15 asylum seekers who had remained on board described how he saw the captain meeting with the Australians in the boat's kitchen and saw the captain put a thick white envelope in his shorts' pocket."

### ***Asylum seekers turned back despite risks of human rights abuses***

The second alleged incident happened in late July, and Amnesty said it interviewed 15 people from Bangladesh, Pakistan and Myanmar.

That boat was allegedly pushed back to Rote Island in Indonesia.

Amnesty International claimed the evidence suggests a breach of international law, because "Australian officials appear to have organised or directed the crew to commit a people-smuggling offence".

"The \$USD32,000 constitutes a financial benefit to the crew to procure the illegal entry," the report said.

"The Australian officials who paid the smugglers and instructed them to land on Rote Island in May 2015 may also have participated as accomplices in the transnational crime of people-smuggling."

Further to that, Amnesty said the officials put lives at risk.

"In the cases documented by Amnesty International, Australia turned back people, at least some of whom were asylum seekers, without any assessment of each person's individual situation, including the risk of serious human rights violations or abuses, either in the country to which they were being returned or in another country to which they might be sent."

### ***ABF and ADF operate lawfully, Government says***

Mr Dutton slammed the report, saying Amnesty's suggestion Australian officials treated asylum seekers inhumanely was "a slur on the men and women of the ABF and ADF".

"[Amnesty] don't like Operation Sovereign Borders, they try and attack the Border Force staff, and the Naval staff, and I think it's a disgrace," he told Macquarie Radio.

"We went to the last election saying that we would stop the boats — stop them we have.

"And we're not going to be bullied into some watering down of that."

Foreign Minister Julie Bishop echoed the comments, saying: "Australian officials are acting in accordance with Australian domestic law and in accordance with Australia's international obligations."

<http://www.abc.net.au/news/2015-10-29/paying-people-smugglers-to-turn-around-is-transnational-crime/6894610>

## **15. Australian officials paid asylum seeker boat crew, Amnesty investigation alleges**

All of the available evidence points to a transnational crime, says Amnesty International, but immigration minister attacks report as 'slur'

The Guardian

Ben Doherty

Thursday 29 October 2015 00.56 AEDT

Australian government officials may have engaged in people smuggling, by allegedly paying the crew of an asylum seeker boat to return its passengers to Indonesia, an Amnesty International investigation has found.

In May this year, the 65 passengers and six crew of an asylum seeker boat bound for New Zealand said they were intercepted by an Australian naval ship and an Australian Border Force vessel in international waters.

Australian government officials on board reportedly paid the crew of the vessel \$32,000 – in US \$100 bills – and instructed them to return the asylum seekers to Indonesia, directing them to Rote Island.

After interviewing all 65 passengers who were on board the ship, as well as the six crew and Indonesian officials, the Amnesty report press release concluded "all of the available evidence points to Australian officials having committed a transnational crime".

On Thursday the immigration minister Peter Dutton said the government had already rejected the report's allegations.

"To suggest otherwise, as Amnesty has done, is to cast a slur on the men and women of the Australian Border Force and Australian Defence Force."

Anna Shea, a researcher on refugee and migrant rights with Amnesty UK, said evidence showed government officials were allegedly paying a boat crew, providing fuel and materiel, and giving instructions on where the boat should be sailed.

"People smuggling is a crime usually associated with private individuals, not governments – but here we have allegations that Australian officials are not just involved, but directing operations.

"When it comes to its treatment of those seeking asylum, Australia is becoming a lawless state."

Australian officials reportedly intercepted the asylum seeker boat twice, on 17 May and 22 May.

Those on board said the ship was well-equipped and that no distress signal was sent at any time. The crew said the boat never entered Australian waters and had enough food and fuel on board to reach New Zealand.

In the second interdiction, the majority of asylum seekers boarded the Australian Border Force ship after allegedly being told they could bathe on board.

Once on board, however, they said they were held in cells for several days, before they were transferred to two smaller boats and instructed to sail for the island of Rote. One boat ran out of fuel, forcing all of its passengers onto the other. That boat foundered on a reef at Landu Island, near Rote, from where locals rescued the passengers.

On the original boat, the six crew claimed Australian officials gave them \$32,000 – two of the men received \$6,000, four \$5,000 – in exchange for the crew agreeing to pilot the boat back to Indonesia.

One asylum seeker told Amnesty he allegedly witnessed a transaction between Australian officials and the ship's captain in the kitchen of the boat, and saw the captain put a white envelope in his shorts pocket.

Shea told the Guardian the 62 passengers from the vessel were interviewed, as a group, on three separate occasions in Indonesian immigration detention in Kupang in West Timor, where they are currently being held.

The six crew, who are in police custody on Rote Island, were interviewed separately to the passengers.

“What was really remarkable was the degree of correlation and consistency in the testimony of the asylum seekers and the crew, who were held in different locations, and who were not in communication,” Shea said.

Indonesian police have reported they found \$32,000 in US \$100 bills on the crew. Amnesty researchers photographed the money confiscated.

After initially refusing to comment on the allegations, citing secrecy over “on-water matters”, the Australian government denied making payments to people smugglers, and said Australian officials acted to save life at sea.

Questioned about the allegation, the then prime minister Tony Abbott said: “There’s really only one thing to say here and that is that we have stopped the boats.”

The boat turnback is the subject of a Senate inquiry, due to report in January next year. In its submission, Operation Sovereign Borders’ joint action taskforce stated the asylum seeker vessel was observed “in poor weather conditions, which were rapidly deteriorating”.

“The master of the vessel indicated they were experiencing difficulty and requested assistance. Border Protection Command assets rendered immediate assistance in accordance with our international safety at [sic] life at sea obligations and assisted the safe return of the people to Indonesia,” Major General Andrew Bottrell wrote to the inquiry.

“I believe our actions to assist this vessel were necessary to preserve the safety of life of those on board. The officers on board the Border Protection Command vessels operated in dangerous sea conditions to render assistance to the distressed vessel.”

The Department of Immigration and Border Protection has consistently maintained all elements of Operation Sovereign Borders were “conducted consistent with Australian domestic law and Australia’s obligations under international law”.

The Indonesian government has said it believes Australia paid the ship’s crew.

“We asked for clarification and for further information on this issue,” a foreign ministry spokesman, Arrmanatha Nasir, said. “We did not receive this, so in that context we cannot be blamed for believing that there was an illicit payment.”

The Amnesty report also investigated an incident in July where a second payment to crew may have been made.

Asylum seekers on board that boat reported that after being interdicted by Australian vessels and put onto a new boat, the crew were in possession of two new bags, which they were warned repeatedly not to open.

That new boat, piloted by the crew under instruction from Australia, was also returned to Rote.

The Guardian revealed in March Australia has a multimillion-dollar contract with a Vietnamese ship-builder to manufacture fishing boat-style vessels to be used to return asylum seekers to their countries of departure, usually Indonesia or Sri Lanka.

Amnesty argues Australia’s boat turnback policy is a breach of the country’s non-refoulement obligations under the Refugees Convention, which requires Australia not to return a refugee to a place where their life or liberty could be threatened.

In London on Tuesday, Abbott – since deposed as prime minister – said Europe would be fundamentally weakened by the “misguided altruism” of failing to stop the flow of migrants across its borders.

“The imperative to ‘love your neighbour as you love yourself’ is at the heart of every Western polity ... it’s what makes us decent and humane countries as well as prosperous ones. But – right now – this wholesome instinct is leading much of Europe into catastrophic error.”

<http://www.theguardian.com/australia-news/2015/oct/29/australian-officials-paid-asylum-seeker-boat-crew-amnesty-investigation-alleges>

## 16. Coalition will not be 'bullied' on border protection, says Peter Dutton

Immigration minister says Australia will not ‘water down’ policies despite Amnesty International claims officials engaged in people smuggling

The Guardian

Shalailah Medhora

Thursday 29 October 2015 12.21 AEDT

The federal government will not be “bullied” into watering down its hardline border protection policies by advocates such as Amnesty International, the immigration minister, Peter Dutton, said, after the human rights group criticised border force staff for paying people smugglers to turn asylum boats around.

Amnesty International investigated claims from May this year that Australian government officials paid people smugglers \$45,000 (US\$32,000) to return the vessel and the 65 asylum seekers aboard it to Rote Island in Indonesia.

It found that “all of the available evidence points to Australian officials having committed a transnational crime”, and that officials effectively engaged in people smuggling.

“People smuggling is a crime usually associated with private individuals, not governments – but here we have allegations that Australian officials are not just involved, but directing operations,” an Amnesty UK researcher, Anna Shea, said. “When it comes to its treatment of those seeking asylum, Australia is becoming a lawless state.”

Dutton was undeterred by the criticism, vowing to stick by the policy of turning back asylum seeker boats.

“Amnesty International and others don’t like Operation Sovereign Borders and the fact that we’ve stopped the boats,” Dutton told Macquarie Radio on Thursday. “We’re not going to be bullied into some watering down of that.”

Dutton said Amnesty International had a history of criticising the Coalition’s border protection policies, stretching as far back as the Howard era.

“They don’t like Operation Sovereign Borders, they try to attack border force staff, naval staff, and I think it’s a disgrace,” he said. “I think at the end you can take the word of people smugglers, or you can take the word of our staff at Australian border force.”

Dutton said that Operation Sovereign Borders will remain under Malcolm Turnbull, who ousted Tony Abbott in a leadership spill last month.

“We’re not going to take a backwards step,” he said. “We’re not going to water down our policies.”

Labor’s decision to reverse elements of the Coalition’s border protection policies had led to a greater number of deaths at sea. “We’re not going back to those crazy days.”

The Greens have vowed to pursue the matter of payments to people smugglers in a Senate inquiry. “This report contains evidence that contradicts an official submission from the government to this Senate inquiry,” the Greens immigration spokeswoman, Sarah Hanson-Young, said. “If they are found to have misled the Senate there will be serious consequences.”

The Greens leader, Richard Di Natale, said: “This report is serious and the government can’t just sweep it under the carpet or attack the messenger like it’s done so many times in the past on this issue.

“There has been far too much secrecy in this area ever since the Coalition came to power, and evidence of criminal activity on the high seas cannot be ignored.” The foreign affairs minister, Julie Bishop, rejected the Amnesty report without directly rejecting the claims of payment.

“Australian officials are acting in accordance with Australian domestic law and in accordance with Australia’s international obligations,” she said on Thursday.

<http://www.theguardian.com/australia-news/2015/oct/29/coalition-will-not-be-bullied-on-border-protection-says-peter-dutton>

## 17. Push for Royal Commission into people-smuggler cash scandal

Sydney Morning Herald  
October 29, 2015  
Jewel Topsfield and David Wroe

Jakarta: Australian officials who paid people smugglers to return a boat of asylum seekers to Indonesia committed a transnational crime and put dozens of lives at risk, according to a damning report that calls for a Royal Commission into the scandal.

In its report Amnesty International also calls for an investigation into a second case of possible payments to a crew intercepted by the Australian Navy and Border Force on July 25.

"When it comes to its treatment of those seeking asylum, Australia is becoming a lawless state," Amnesty International refugee researcher Anna Shea says.

In June Fairfax Media revealed an Indonesian police investigation found people smugglers had been paid more than \$US30,000 by Australian officials to return a boat that was headed for New Zealand.

The revelations – never denied by former prime minister Tony Abbott – prompted a Senate inquiry, due to report next year, and caused a diplomatic incident with Indonesia.

Ms Shea says all the available evidence points to Australian officials committing a transnational crime by, in effect, directing a people smuggling operation in May this year, paying a boat crew and then instructing them exactly where to land in Indonesia.

The report *By Hook or by Crook – Australia's Abuse of Asylum Seekers at Sea* says Australian officials may have also breached the people smuggling provisions in the Australian criminal code, although some public officials may have immunity from liability.

It accuses Australian officials of keeping asylum seekers – including a pregnant woman, two children and an infant – in cells for about a week on a Border Force ship after being told they could bathe there. It says some were denied medical care or access to their own medication.

The report also contradicts claims made by the Operation Sovereign Border taskforce that the May 2015 operation was intended to save lives following a distress call.

"The crew and asylum seekers – interviewed separately – consistently told Amnesty International that the boat was not in distress at the time of either interception on 17 or 22 May."

Instead, Amnesty International says Border Force and Navy officials put dozens of lives at risk by forcing asylum seekers onto poorly equipped vessels, one of which ran out of fuel necessitating a dangerous mid-sea transfer.

"In the circumstances described by the crew and asylum seekers, it is remarkable that no lives were lost and no one was injured."

Amnesty International also calls for an investigation into a second possible cash payment on July 25, when Australia intercepted a boat with 25 asylum seekers from Bangladesh, Myanmar and Pakistan.

Passengers told the human rights organisation that when they were put on a new boat on August 1, crew had two new bags they had not seen before.

"When the passengers became suspicious and threatened to open the bags the Australians repeatedly told them not to."

However an Indonesian police officer told Fairfax Media that crew members and asylum seekers on the second boat had made no mention of bribes or payments made by Australian officials.

"When we intercepted the boat, we didn't find any money, just a GPS system given by Australian officials," Ibrahim, the people smuggler unit chief for East Nusa Tenggara, told Fairfax Media.

"Where would the crew hide the money? We intercepted them while they were still on the water."

Amnesty International has taken out full page advertisements in Thursday's Sydney Morning Herald and The Age, calling on Prime Minister Malcolm Turnbull to launch a Royal Commission into the people smuggler payments.

A spokeswoman for Immigration Minister Peter Dutton denied all of the claims being made in the Amnesty report. In response to detailed written questions from Fairfax Media, the spokeswoman said that the Operation Sovereign Borders regime was "conducted consistent with Australian domestic law and Australia's obligations under international law".

"People on intercepted vessels are held lawfully in secure, safe, humane, and appropriate conditions by the personnel of the Australian Border Force and the Australian Defence Force," she said.

"To suggest otherwise, as Amnesty has done, is to cast a slur on the men and women of the ABF and ADF.

"The government will always act in the best interests of the Australian people."

She did not address direct questions about whether payments had been made by Australian officials.

In an exclusive interview with Fairfax Media this month, Indonesian Foreign Minister Retno Marsudi said the evidence of the people smuggling payments was "very obvious".

"But it seems there is very minimum information that the Australian authorities could share with Indonesia," she says. "We expressed our concern obviously at that time. I think the message has been conveyed clearly to Australia."

<http://www.smh.com.au/world/push-for-royal-commission-into-peoplesmuggler-cash-scandal-20151028-gkkejs.html>

## **18. People-smuggler cash scandal: Indonesian MP calls for Australia to abandon push-back policy**

Sydney Morning Herald

October 29, 2015 - 10:14PM

Jewel Topsfield, Karuni Rompies, Amilia Rosa, Jane Lee

Jakarta: A member of President Joko Widodo's ruling party has called on the Indonesian government to "send a strong protest" after a report found Australian officials paid people smugglers to return to Indonesia.

Charles Honoris, a member of the Indonesian House of Representatives, also renewed calls for Australia to abandon its controversial boat push-back policy and said he hoped the Australian government would be more transparent under the new Prime Minister.

"Foreign Minister Retno [Marsudi] has demanded an explanation on the June incident but got no response," said Mr Honoris, a member of Mr Joko's Democratic Party of Struggle (PDIP).

"The Foreign Minister must demand it again, especially after the release of the Amnesty International report. The Indonesian government must send a strong protest to the Australian government so that it will not recur in the future."

The Amnesty International report said Australian officials who paid people smugglers to return a boat of asylum seekers to Indonesia had committed a transnational crime, put dozens of lives at risk and called for a royal commission into the scandal.

Mr Honoris also proposed a joint investigation into the people smuggling payments between Indonesia and Australia.

"Now there is a new prime minister in Australia we hope the government will be transparent in this particular case. They have to explain what happened and I think it is time for them to abandon the boat push-back policy. I am sure the payment to boat crews – if the Amnesty International report is accurate – is something that is even against Australian law, let alone international law."

The Australian government maintained its defence of Operation Sovereign Borders on Thursday. Asked whether Australian officials had committed international crimes by paying people smugglers, Prime Minister Malcolm Turnbull said that "all of our agencies operate within the law and they operate within the law keeping our borders secure".

He would not be drawn on whether to establish a new inquiry into the matter, saying the government was satisfied its agencies were operating legally. "We have got a very important role to ensure that we stop people smuggling. People smuggling is a very, very serious crime."

Foreign Affairs Minister Julie Bishop rejected the report outright. Immigration Minister Peter Dutton said that people intercepted by the Australian Border Force and Defence Force were "held lawfully in secure, safe, humane, and appropriate conditions ... to suggest otherwise, as Amnesty has done, is to cast a slur on the men and women of the ABF and ADF."

He told Australian radio station 2GB the government would not "water down" its policy of turning back asylum seeker boats.

Shadow Immigration Minister Richard Marles urged the government to immediately say whether the allegations were true: "The Australian community deserves to be told whether this government has used taxpayer money to pay people smugglers to turn boats around at sea."

General Endang Sunjaya, the police chief of Nusa Tenggara Timur province who oversaw the investigation into the people smuggler payments, said Australian officials put the lives of asylum seekers in danger.

He also told Fairfax Media that Australia put Indonesia in a disadvantaged position because it now had to assist and process "abundant numbers of illegal immigrants".

General Endang said Australian officials had paid the captain and crew and then returned the asylum seekers in boats that lacked adequate navigational systems and fuel.

"They were turned back with less than minimal safety," he said.

"It endangered the people and as they approached Landu Island they were stranded and ran out of fuel and food supplies. This is [something that Australia] needs to be fully aware of – it put the illegal immigrants in danger. Australia and Indonesia need to sit down and thoroughly discuss these issues to ensure no country is put at a disadvantage."

General Endang said Indonesian police had proved the existence of bribes to people smugglers in June. But he said that while the Amnesty International report had mentioned possible payments to people smugglers on a second boat in July, Nusa Tenggara Timur police had found no evidence of this.

A spokesman for the Ministry of Foreign Affairs, Arrmanatha Nasir, said the government would study the Amnesty International report.

"The Indonesian position is clear that successfully handling irregular migrants takes co-operation and commitment between countries of origin, transit and destination."

He said Indonesia remained opposed to Australia's boat push-back policy.

The head of Australian National University's College of Law, Professor Don Rothwell, said that Indonesia was unlikely to pursue the range of legal options it had on Australia's alleged breaches of international law: "[Indonesia has] been in possession of these facts for a very long period of time now, yet it's chosen to deal with the matter by diplomatic means."

Amnesty International said in its report that Australian officials had breached the Protocol against the Smuggling of Migrants by Land Sea and Air. Under the protocol, Indonesia could engage in a range of dispute resolutions, but all rely on Australia's co-operation to go ahead, including the option of suing Australia at the International Court of Justice.

International law experts said that more than the current Senate inquiry was needed to deal with the allegations domestically. Sydney University international law Professor Ben Saul backed the report's recommendation for a royal commission, saying the inquiry did not have the power to deal with classified evidence without prejudicing security operations.

"At least you'd get an independent quasi-judicial scrutiny of what's going on," he said. "It could say this is legitimate or make recommendations against the practice but at the moment that can't happen because a parliamentary inquiry is limited to scrutinising technical matters of the regime without fundamentally questioning the policy premises."

Professor Rothwell said a royal commission was "premature", but, given the government had consistently refused to discuss a range of issues raised on asylum seekers and Operation Sovereign Borders, "it is fair to say that even parliamentary inquiries are unable to fully determine the truth of some of these matters".

<http://www.smh.com.au/world/peoplesmuggler-cash-scandal-indonesian-mp-calls-for-australia-to-abandon-push-back-policy-20151029-gklugb.html>

## **19. Peter Dutton attacks Amnesty International but won't say what is wrong with cash payment report**

Sydney Morning Herald  
October 30, 2015 - 9:09AM  
Latika Bourke

Immigration Minister Peter Dutton has launched a stinging rebuke of Amnesty International, rejecting the human rights organisation's investigation into boat turnbacks as an "ideological attack" but refusing to identify what he thinks is wrong with the report.

Amnesty International's report, *By Hook or by Crook*, claims Australian officials who paid people smugglers to return a boat of asylum seekers to Indonesia in May committed a transnational crime and put dozens of lives at risk.

In June Fairfax Media revealed an Indonesian police investigation found people smugglers had been paid more than \$US30,000 by Australian officials to return a boat that was headed for New Zealand.

Amnesty International's report - released on Thursday - said the officials provided the crew with maps showing them how to get back to Indonesia. It also claimed there may have been a second round of cash payments made to crew of a boat intercepted in July.

"I think the approach of some, including Amnesty in their report yesterday, goes beyond the pale," Mr Dutton told the ABC on Friday.

Asked to identify what was actually wrong with the report, Mr Dutton declined to answer and questioned why it had been compiled in the first place.

He then accused Amnesty of trying to undermine government policy.

"People are opposed to [boat turnbacks], including Amnesty, and I respect that but I think this has just been an opportunity to launch an ideological attack and I think that's why it needs to be addressed because the government is not going to be bullied into changing our position," he said.

"I think people who have compiled this report have put it together ultimately with the objective of trying to stop us from our success in Operation Sovereign Borders and I'm not going to be a party to that."

Asked directly whether Australian officials made the cash payments, Mr Dutton said: "I don't have any further comment to make in relation to that matter."

But he added: "The only point that I would make is that our staff operate within the law, within Australian law, we meet our international obligations in terms of treaties and other agreements that we operate under and the Australian Border Force staff are highly responsible."

Amnesty International spokeswoman Stephanie Cousins urged Mr Dutton to play the ball and not the man.

"We have credible evidence that crimes have been committed, which warrant an independent investigation with full cooperation of the Australian government - not defensive bluster," Ms Cousins said.

"This report is about the Australian government's policy choices. By conducting Operation Sovereign Borders in secret, without the scrutiny of independent monitors or the public, the government is asking these officials to operate without checks and balances."

She said cash payments could actually undo the government's own policies

"If Australian officials are providing a financial incentive to people-smuggling operations, this would only encourage more of these incidents."

The report is based on interviews with 62 asylum seekers, Indonesian officials and six crew members. A Senate inquiry is examining the payment claims but Amnesty wants a royal commission into the issue.

<http://www.smh.com.au/federal-politics/political-news/peter-dutton-attacks-amnesty-international-but-wont-say-what-is-wrong-with-cash-payment-report-20151029-gkmgiv.html>

## **20. Peter Dutton's attack on Amnesty International draws fire from his own side**

Sydney Morning Herald  
October 30, 2015 - 11:00AM  
James Massola

Liberal elder Philip Ruddock has distanced himself from Immigration Minister Peter Dutton's attack on Amnesty International, saying he has "a lot of time" for the human rights organisation.

Mr Ruddock is the longest-serving MP in Parliament and a long-time supporter of Amnesty, despite being at odds with it during his own stint as immigration minister in the Howard government and at one point being asked to stop wearing his Amnesty lapel badge.

Mr Dutton fired a stinging broadside at Amnesty on Friday, rejecting its investigation of boat turnbacks as an "ideological attack" but refusing to identify what he thinks is wrong with the report.

"People are opposed to [boat turnbacks], including Amnesty, and I respect that but I think this has just been an opportunity to launch an ideological attack and I think that's why it needs to be addressed because the government is not going to be bullied into changing our position," Mr Dutton said.

The report, titled *By Hook or by Crook*, claimed that Australian officials who paid people smugglers to return a boat of asylum seekers to Indonesia in May committed a transnational crime.

Fairfax Media revealed in June that Indonesian police had found people smugglers had been paid more than \$US30,000 by Australian officials to return a boat that was headed for New Zealand.

Following Mr Dutton's criticism, Mr Ruddock told Fairfax Media that "we all have different ways of expressing our views".

"I would have dealt with things perhaps a touch differently, I have a lot of time for Amnesty," he said.

But Mr Ruddock also questioned the credibility of the people smugglers who claimed to have been bribed.

"This is said to have happened by those who are alleged to have been bribed. I don't think that gives it any credibility. I would have let the matter rest," he said.

"When there are criminal acts, and this is what is alleged, those who are alleged to have paid money are guilty of an offence but so are those who received it and I haven't seen any action against those who are alleged to have been bribed."

Labor MP Andrews Giles, a co-convenor of the Parliamentary Friends of Amnesty, said it was telling that Mr Dutton had not responded to any of the specific criticism in the report.

"The minister's comments about respecting views don't seem to sit very well with his other comments about the report and his complaints about being bullied," he said.

"What appears to be the case is that the minister does not respect scrutiny or criticism in any form, and is not prepared to debate the policy."

Mr Dutton's attack on Amnesty is not the first time he has accused critics of engaging in ideological warfare.

In September, he claimed Fairfax Media and the ABC were engaged in a jihad against the Abbott government, a claim from which fellow cabinet ministers quickly distanced themselves.

<http://www.smh.com.au/federal-politics/political-news/peter-duttons-attack-on-amnesty-international-draws-fire-from-his-own-side-20151029-gkmkey.html>

## **21. Use of force on detainees in onshore immigration detention soars**

Guardian Australia obtains incident logs that list every reported 'use of force' on detainees in onshore immigration centres since 'streamlined' approval process introduced in 2013

The Guardian  
Paul Farrell and Nick Evershed  
Friday 30 October 2015 11.56 AEDT

The use of force by guards against detainees in Australia's onshore immigration detention centres has soared in the past two years after a "streamlined" approval process was introduced.

Incident logs obtained by Guardian Australia that list every reported "use of force" at all mainland detention centres and Christmas Island reveal that the rate of reported incidents per 1,000 detainees rose from 2.6 in January 2013 to 70.3 in March 2015.

The federal government wants to introduce new powers allowing staff more latitude in the use of force and granting them greater immunity from prosecution.

The bill has been criticised by legal experts, including one former judge who said it would effectively allow asylum seekers to be beaten to death. Labor and a number of crossbench senators do not support the bill in its current form, and it has been blocked in the Senate.

A number of factors have contributed to the rise in reported use of force, Guardian Australia's analysis shows. The introduction of mandatory offshore processing for asylum seekers who arrive by boat led to an increased use of restraint for scheduled transfers to Manus Island and Nauru.

In March 2013 the use of restraints was folded into the same category of reporting as the use of force by detention provider Serco, which also increased the reporting count.

A leaked report from February 2014 shows the rise in the overall rate coincided with a relaxation of restrictions around the use of force, including a "streamlined" approval process for the use of force and deregulation of the "enhanced escort position", a controversial elbow and arm lock.

In total, 2,937 use of force incidents were reported between January 2013 and March 2015. This is less than the actual number of incidents per detainee, as some entries log multiple uses of force, such as when use of force is approved in advance for a busload of detainees. Twenty-five incidents involved the use of force on minors.

Use of the enhanced escort position appears to be far more widespread than previously thought. A keyword analysis suggests that 1,147 uses of force incidents – about a third of the total – involved the technique.

Using keywords, incidents were categorised as relating to self-harm (237), transfers or escorted trips (1,322), the enhanced escort position (1,147), and medical reasons (344).

### ***Use of force incident logs***

Every logged use of force incident from onshore detention centres (including Christmas Island) from January 2013 to March 2015

[See table graph]

### ***Methods***

The logs of use of force incidents were obtained by a freedom of information request, then converted into a spreadsheet from the original PDF for analysis. Population statistics for all onshore facilities (including Christmas Island) were obtained from the Department of Immigration and Border Protection and used to calculate the rate per 1,000 detainees for use of force incidents.

Incidents were categorised by the presence of words or phrases in the text of the log.

The incidents show a range of ways that use of force is used, including handcuffing asylum seekers on their way to court hearings.

One incident reads: "Pre-approved planned use of force, mechanical restraints and EEP was utilised on detainee during his escort to federal court."

Another reads: "Client mechanically restrained while on escort in non secure areas – 16/10/2013 pre-approved by DIBP."

Full story at <http://www.theguardian.com/australia-news/2015/oct/30/use-of-force-on-asylum-seekers-in-onshore-immigration-detention-soars>

## **22. \$190 a head: the price of a more humane immigration policy**

The actual cost for Australia to have a more humane immigration policy isn't as high as you might think.

Sydney Morning Herald  
October 29, 2015 - 10:01PM  
Jessica Irvine

From beyond his political grave, Tony Abbott reached a grasping hand this week to once again dredge up fear of asylum seekers, using a speech in London to warn of the "peril" of untrammelled migration. We'll lose control of our borders. We'll be overrun. We'll all lose our jobs. Just think of the welfare bill!

When fear runs free it's important to ask: what's the worst that could happen?

What would the economic cost be of a higher humanitarian migration intake?

That is exactly the question a new paper "Stop the Boats: Do the ends justify the means?" by Gordon Menzies, an associate professor of economics at the University of Technology, Sydney, seeks to answer.

Menzies, a former RBA official and Oxford University lecturer, starts by observing that Australia's intake of so called "boat people" has been low compared to our total migration intake.

In the first 12 years of the 21st century, Australia's annual intake of migrants averaged about 150,000. The humanitarian component was just a tenth of this, about 15,000. The average intake of "boat people" was about 4000 a year.

Looking at the cumulative intake since 2000, within three years we could have created another city the size of Hobart (200,000 people). Within 10 years, we could have created another Adelaide (1.2 million people). During the entire 12-year period, Australia added enough migrants to populate another Brisbane (2 million people).

Yes, Australia is being overrun by migrants, but of an entirely different type than those who inhabit the headlines: skilled migrants, students and family reunions.

By contrast, Menzies notes, the number of boat arrivals during this time (58,000) "would make for a poor crowd at the MCG" (with a capacity of 100,000).

Australia has managed this mass-migration program pretty well.

Of course, we're talking mainly here about the "right" sort of migrants, in the popular imagination. They're more likely to be English speaking, more likely to have recognisable skills and more likely to be of working age.

Illegal maritime arrivals, by contrast, are more likely to speak other languages, more likely to be young and therefore not in the workforce yet and they tend to have fewer workforce qualifications.

So what if we took more of this group and less of the former?

Menzies runs an experiment. What if, over the first 12 years of this century, we took 10,000 more boat people each year and 10,000 fewer skilled migrants? Today we'd have 120,000 more boat people and 120,000 fewer skilled migrants.

There would undoubtedly be a cost to economic production, Menzies finds.

But the cost would be "small and manageable".

Indeed, he finds economic output would be \$190 lower per person per year if we changed the composition of migration in this way.

That is, GDP would be 0.29 per cent smaller per year. Compound this for a generation, over 40 years, it would mean a one-off cost to GDP of 5 per cent – about on par with a commodity price shock.

"Even if the modelling were mistaken by a factor of two, the impact on the economy is arguably quite manageable. Whatever obstacles stand in the way of a more liberal immigration policy, a crippling economic cost is not one of them."

Indeed, the modelling likely overstates the cost by taking a pessimistic view of the employability of boat people relative to skilled migrants. Menzies assumes they are half as employable.

Also, it excludes the fact that while many boat people arrive too young to work, they will eventually grow to working age.

It also doesn't take into account that refugees traditionally display high levels of entrepreneurship. If we'd stopped the boat that Frank Lowy fled Europe on, one of our largest companies, Westfield, wouldn't exist.

Plus, to the extent that many boat people are so-called "economic migrants", this probably makes them more employable.

As Menzies points out: "It seems a little odd to be critical of people pursuing financial advantage when our whole economic system is based on that motive."

Of course, there are other costs not captured here, including increased welfare and housing costs.

And yes, these new migrants will compete for the low-skilled jobs of some workers in our outer suburbs.

But, as Menzies notes, a more liberal migration policy would avoid several hidden costs, not least the trauma to detention staff, forced to administer the "stop the boats" policy.

There is also the detriment to Australia's "social capital", important for volunteering, charitable giving and tax compliance, from such a high-profile violation of human rights by the government.

Australia also incurs international brand damage by being a country that flagrantly flouts international rules.

We have little to fear – and potentially much to gain – from embracing those who've come across the seas.

<http://www.smh.com.au/comment/190-dollars-a-head-the-price-of-a-more-humane-immigration-policy-20151029-gkltsc.html>

## **23. Up to 100 asylum seekers on Manus Island struck by food poisoning**

Food has been an ongoing issue for the men in the Transfield-managed detention centre, with some complaining it is 'inedible'

The Guardian  
Ben Doherty  
Friday 30 October 2015 11.17 AEDT

Food poisoning has struck Australia's detention centre on Manus Island, with up to 100 asylum seekers and refugees in detention struck by diarrhoea and vomiting.

The outbreak appears confined to Delta compound.

"The medical centre was full of Delta guys," one refugee told Guardian Australia. "They sent them in five groups there, they gave them medication and sent them back because there's not enough space down in the clinic."

Food has been an ongoing issue for the men in detention, with some complaining it is "inedible".

They allege when visitors arrive at the centre – department officials, ministers, human rights groups – the food temporarily improves, before reverting.

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"The medical centre was full of Delta guys," one refugee told Guardian Australia. "They sent them in five groups there, they gave them medication and sent them back because there's not enough space down in the clinic."

Food has been an ongoing issue for the men in detention, with some complaining it is "inedible".

They allege when visitors arrive at the centre – department officials, ministers, human rights groups – the food temporarily improves, before reverting.

Men in detention also regularly post photos of out-of-date food they say they've been served, or question its provenance.

One man posted a photo of his meal on 6 October: "Today's lunch. If someone finds out what kind of animal's meat it is please let me know."

In August, the ABC revealed the Australian Department of Immigration and Border Protection ordered centre manager Transfield not to distribute \$30,000 worth of muesli bars inside the detention centre because they were branded with the logo of the company that made them: Freedom Foods.

Guardian Australia has approached Transfield for comment.

Meanwhile, the supreme court of Papua New Guinea has reserved judgment in a case brought before it contesting the constitutionality of the Australian-run detention centre on Manus.

The case challenges the memorandum of understanding between Australia and PNG that re-established offshore processing in PNG in 2012, arguing the detention of asylum seekers violates section 42 of the PNG constitution which protects personal liberty as a "right of all persons".

Lawyer representing the detained asylum seekers Ben Lomai said the men could not be detained because they had not broken any laws in PNG, nor had they entered the country illegally.

"The court noted ... that all the asylum seekers were forcibly transferred against their will from Christmas Island to Manus Island," he said outside court. "The court further noted that the asylum seekers have never committed criminal offences to warrant their detention."

Lawyers for the PNG immigration department said administrative arrangements between Australia and PNG over refugees were ongoing.

The court retired on Thursday to consider its decision.

<http://www.theguardian.com/australia-news/2015/oct/30/up-to-100-asylum-seekers-on-manus-island-struck-by-food-poisoning>

## **24. The two Australian girls and their mother living in 'jail' at Villawood detention centre**

Sydney Morning Herald  
October 29, 2015 - 1:44PM  
Nicole Hasham

Selwa Abas stands out in the busy school drop off: she is the only child escorted by a guard. Classmates tease the five-year-old for living in a "jail" and when she returns home, each pocket of her bag is searched.

Selwa and her sister Yasmin, 3, are Australian citizens. But they have been living with their mother behind locked gates at Sydney's Villawood detention centre for almost a year, after the federal government cancelled their mother's visa.

In doing so, the government acknowledged the decision was not in the children's best interests. Their mother Zahra, who is pregnant with her third child, has begged Immigration Minister Peter Dutton to intervene.

"They were happy Australian kids, why [did the government] do this to them, they don't deserve to be here," she told Fairfax Media from inside the detention centre.

"[My children] are really upset inside and they are asking me 'What are we doing for Christmas, are we getting out? Why are we here?'".

Ms Abas, originally from Iraq, arrived on a boat from Indonesia in 2009 with other family members. They were taken to Christmas Island then granted protection in Australia.

Her father, known as Captain Emad, arrived in Australia in 2010. He fled two years later, after ABC's Four Corners program alleged he was running a people-smuggling racket from Canberra.

The case cast a spotlight on his family, and the Department of Immigration determined Ms Abas, who was 19 when arriving in Australia, had falsified information on her visa application, including the reason why she needed protection.

Ms Abas said this week her father was "abusive, controlling and angry" and told the family to lie to immigration officials about their names and background.

"In Indonesia he wanted to break my legs because I wanted to run away from him, and he took a hammer and hit my leg and I got stitches from it," she said.

"He told us to tell un-genuine information and I did, but my intention wasn't anything bad, I just wanted to live [in] freedom without him abusing me any more."

Under the former Labor government, the department said while Ms Abas had breached her obligations under migration law, her visa would not be cancelled.

But in December last year when the Coalition was in office, then Immigration Minister Scott Morrison personally intervened to cancel Ms Abas' visa. She was informed on Christmas Eve.

In a letter to Ms Abas, the veracity of which the department did not dispute, Mr Morrison wrote that she had been living in Malaysia for many years, rather than in Iraq where she claimed to have suffered persecution, and should not have been granted a protection visa.

He said there was no evidence she was under duress from her father when applying for a visa.

"Notwithstanding that the best interests of the dependent children would be served by a decision not to cancel the mother's visa, this is outweighed by the seriousness of the non-compliance," Mr Morrison wrote.

Ms Abas was taken into detention in January, and lives in residential-style housing. Her Australian citizen husband suffers medical problems and depression after an accident and cannot care for the children, forcing them to live with their mother at Villawood indefinitely.

Ms Abas' husband visits the family in detention and she is 21 weeks pregnant. She is also severely depressed and fears for the future of her unborn baby and young daughters.

Salwa, once a bubbly child with many friends who loved the film Frozen, is now lonely and suffers nightmares. Yasmin has become unhappy and clingy.

"Every day [Salwa] says 'I had a really bad day, I hate this school, I hate you, I hate this place', and then she goes in her room and cries. She doesn't want to go out, she doesn't want to eat," Ms Abas said.

"It's like a jail - you have no freedom, no control over your life or your children's life."

Mr Dutton and the Department of Immigration refused to answer questions regarding Ms Abas, or explain why she was the only family member being detained. A spokeswoman for Mr Dutton said his department was "managing" the case.

<http://www.smh.com.au/federal-politics/political-news/the-two-australian-girls-and-their-mother-living-in-jail-at-villawood-detention-centre-20151027-gkkaa6.html>

## 25. Stowaways and ship deserters: the other faces of illegal sea arrivals

Sydney Morning Herald  
October 29, 2015 - 4:03PM  
Nicole Hasham

Some swim out to a container ship and clamber aboard; others spend weeks in a dark cargo hold. A few slip away when the ship has docked, heading to big cities where they can melt into the crowd.

The federal government may have "stopped the boats" but stowaways, ship deserters and illegal seaport arrivals from cruise, cargo and other ships continue to test its tough border regime.

Figures show in the five years to June, 458 stowaways, ship deserters and illegal seaport arrivals were known to have come to Australia.

They either hid themselves on a ship, slipped away from the vessel or arrived at a seaport but were not cleared for entry.

Data supplied to Fairfax Media shows 95 such arrivals last financial year, 67 of which were taken into immigration detention.

Refugee and Immigration Legal Centre executive director David Manne has represented several stowaways and ship deserters, including a 15-year-old Ethiopian boy who stowed away on a cargo ship from Africa which docked at Gladstone, Queensland. After legal wrangling he was granted a protection visa last year.

Mr Manne said the current global humanitarian crisis involves "people in unprecedented numbers ... taking desperate measures to get to safety".

Mr Manne said the Ethiopian boy was looked after on the ship, and now lives in Melbourne where he is "kicking a soccer ball as well as any of his peers".

But not all stowaways are so lucky. In 2005, two African stowaways were discovered in a cargo hold filled with phosphate in a Perth-bound bulk carrier. Two fellow stowaways had died.

After several weeks of sailing, the crew reported hearing muffled voices and scratching on the metal hull and investigated.

The four had boarded in Morocco with just a few days' worth of food and water, thinking they could sneak off in a European port. The two survivors were repatriated after reaching Australia.

Gladstone Mission to Seafarers chaplain Russell Cunningham said ship deserters were usually seeking "a better life free from oppression and exploitation ... escaping persecution on board could also be a motivator for some".

"From my experience they always head for big cities where they can get help to blend in, but usually always end up just being exploited and used as cheap labour on a building site or in a restaurant," he said.

In August a Turkish crew member was reportedly caught on a bus heading to Brisbane after failing to return to his ship at Gladstone.

In April a Chinese man also reportedly deserted ship at the same port and made it to Sydney, before handing himself in to immigration officials.

An Immigration Department spokeswoman said it "remains alert to any manner of illegal maritime arrival" and penalties apply for those who fail to comply with the rules.

<http://www.smh.com.au/federal-politics/political-news/stowaways-and-ship-deserters-the-new-faces-of-illegal-sea-arrivals-20151027-gkjgm6.html>

## 26. Tony Abbott urges Europe to adopt boat turnbacks in response to refugee crisis

Sydney Morning Herald  
October 28, 2015 - 7:46AM  
Nick Miller

Europe's compassion towards refugees is leading it into "catastrophic error", Tony Abbott is expected to warn a gathering of political leaders in London on Tuesday night. The recently ousted prime minister will reportedly also talk up Australia's policy of asylum seeker boat turnbacks, urging European countries to follow suit.

The professed Catholic, surprisingly, will speak against one of Jesus' 'greatest commandments', according to an excerpt of the speech given to News Corp media ahead of its delivery.

"The imperative to 'love your neighbour as yourself' is at the heart of every Western polity... but right now this wholesome instinct is leading much of Europe into catastrophic error," Mr Abbott is to say.

In the Bible, Jesus is asked what is the greatest commandment and replies "Love the Lord your God with all your heart and with all your soul and with all your mind... And the second is like it: Love your neighbour as yourself."

Mr Abbott is due to give the keynote address at the second annual Margaret Thatcher Lecture at London's Guildhall.

The lecture, given in the former British prime minister's memory, accompanies a fundraising event for the Margaret Thatcher Centre, which aims to educate future generations about the UK leader's life, values and achievements.

In a part of the lecture given to News Corp journalists, Mr Abbott says "All countries that say 'anyone who gets here can stay here' are now in peril, given the scale of the population movements that are starting to be seen. There are tens - perhaps hundreds - of millions of people, living in poverty and danger, who might readily seek to enter a Western country if the opportunity is there.

"Who could blame them? Yet no country or continent can open its borders to all comers without fundamentally weakening itself. This is the risk that the countries of Europe now run through misguided altruism."

Mr Abbott says he was "loath to give public advice to other countries" when he was prime minister.

But he says Australia was the only country that had successfully defeated people smuggling, and "our experience should be studied".

"Our moral obligation is to receive people fleeing for their lives," he says. "It's not to provide permanent residency to anyone who would rather live in a prosperous Western country than their own. That's why the countries of Europe, while absolutely obliged to support the countries neighbouring the Syrian conflict, are more than entitled to control their borders against those who are no longer fleeing a conflict but seeking a better life.

"This means turning boats around, for people coming by sea. It means denying entry at the border, for people with no legal right to come; and it means establishing camps for people who currently have nowhere to go.

"It will require some force; it will require massive logistics and expense; it will gnaw at our consciences - yet it is the only way to prevent a tide of humanity surging through Europe and quite possibly changing it forever."

Mr Abbott also says it was "striking how little has been done" to address the problem of ISIS at its source.

"It can't be defeated without more effective local forces on the ground."

"Those who won't use decisive force where needed end up being dictated to by those who will.

"Leaving anywhere, even Syria, to the collective determination of Russia, Iran and Daesh should be too horrible to contemplate."

The previous evening, Mr Abbott had attended drinks at a free market think-tank in London where he offered policy and political tips to a UKIP MEP (member of the European Parliament).

Mr Abbott had been the star guest at an Australian Liberals Abroad event, held at the Institute of Economic Affairs in London.

UKIP is a British right-wing liberal party advocating stricter migration controls including an Australian-style 'stop the boats' policy in the Mediterranean.

<http://www.smh.com.au/federal-politics/political-news/tony-abbott-urges-europe-to-adopt-boat-turnbacks-in-response-to-refugee-crisis-20151027-gkk6z9.html>

## **27. UKIP leader Nigel Farage backs calls from Tony Abbott for EU to turn back asylum seekers**

ABC News Online

First posted Wed 28 Oct 2015, 7:18am

Updated Wed 28 Oct 2015, 7:26am

United Kingdom Independence Party (UKIP) leader Nigel Farage has described former prime minister Tony Abbott as "heroic" for his stance on asylum seekers.

Speaking at the second annual Margaret Thatcher Lecture in London to an audience of conservatives, Mr Abbott urged Europe's leaders to turn back asylum seekers, or risk "catastrophic disaster".

"It will gnaw at our consciences," he said.

"Yet it is the only way to prevent a tide of humanity surging through Europe and quite possibly changing it forever."

Speaking to Radio National, Mr Farage called Mr Abbott "heroic" and "absolutely right".

"There is a very big difference between being a civilised country that recognises that there are genuine refugees from time to time and having a lunatic policy, that I'm afraid [German chancellor Angela Merkel] has pushed, saying 'Please, world, come here, we're pleased to have you'," he said.

"What we've seen even from the EU's own figures is that over 80 per cent of those that are coming are economic migrants, they're not people who qualify for refugee services at all, and I think Tony Abbott is absolutely bang-on with his comments."

Mr Farage said the European Union had been "utterly irresponsible" in its approach to asylum seekers, encouraging mass migration.

"Thousands of people are dying ... they're drowning in the Mediterranean, they're in the hands of people traffickers and now we've got winter coming, so goodness knows what that's going to mean for people living in some pretty cold parts of the Balkans or elsewhere," he said.

"I said myself six months ago ... if we sent the wrong message, there'd be an exodus of biblical proportions, and that's exactly what's happened."

However, Refugee Council of Australia president Phil Glendenning slammed Mr Abbott's call, saying such action would cost, not save, lives.

"In terms of what Mr Abbott's proposing in Europe, it would be an utter catastrophe if people fleeing from persecution were told to go back there, were pushed back to sea where they would quite likely drown," he said.

"I find it very disappointing that an Australian prime minister would say this."

Mr Glendenning said he believed many European countries were more interested in "saving" people than "stopping" them, citing his recent visits to Italy and Malta.

"There's a fundamental right in international law for people to escape persecution and to seek protection and by any measure, by any means," he said.

"Sending them back to the persecution that they are fleeing takes away a fundamental plank of the civilisation that we've held dear for the last 50 or so years."

<http://www.abc.net.au/news/2015-10-28/farage-backs-abbotts-asylum-seeker-call-as-heroic/6891188>

## **28. Catholic priests slam Tony Abbott's anti-immigration Margaret Thatcher Lecture**

Sydney Morning Herald  
October 28, 2015 - 10:38AM  
Latika Bourke

Two of Australia's leading Catholic priests say they are "appalled, ashamed and offended" that former prime minister Tony Abbott would cite the Bible on the world stage to argue for anti-immigration measures.

Mr Abbott on Wednesday morning told the Margaret Thatcher Lecture in London that world leaders should follow his example and turn boats around and deny asylum seekers entry.

Mr Abbott, a former trainee priest and devout Catholic, urged Tory ministers to ignore their consciences and the "wholesome instinct" to love thy neighbour, as is preached to Catholics in the Bible.

"It will require some force," he warned.

"It will gnaw at our consciences, yet it is the only way to prevent a tide of humanity surging through Europe and quite possibly changing it forever.

"This wholesome instinct [to love thy neighbour] is leading Europe to catastrophic error," he declared.

Catholics consider the New Testament teaching to "love thy neighbour as thyself" as one of the Bible's central messages.

Retired Bishop Pat Power told Fairfax Media he was "absolutely astounded" and "appalled" by Mr Abbott's use of the Bible to preach a "narrow-minded" and "hard-hearted" approach to some of the world's most vulnerable people.

"I'm ashamed that a former Australian PM would be putting out a message like this," he said.

"People will make their own judgements but that's completely at odds with what's at the heart of Christianity. I'm certainly offended."

He said asylum seeker issues were complex but noted Australia's "history of compassion" and acceptance of refugees in the past had improved the country as a whole.

Human Rights lawyer and Jesuit priest Frank Brennan joined Bishop Power in condemning Mr Abbott's speech.

Both cited Pope Francis' first visit outside Rome to the Italian migrant island Lampedusa in 2013, where he called for a "reawakening of consciences".

"We have lost a sense of brotherly responsibility," the Pope said at the time.

Father Brennan said the parable of the Good Samaritan was "just as relevant" as it had ever been in relation to the plight of asylum seekers and said Mr Abbott's advice for European leaders was simplistic and wrong.

He said that, while Australia could return asylum seekers to Indonesia because they were not fleeing direct persecution, no European leader could return asylum seekers to Libya with a straight face.

"Mr Abbott is confusing the situation regarding Australia," he said.

He also said Mr Abbott lacked the credentials to preach to the rest of the world because he had not resolved human rights breaches in detention camps on Nauru and Papua New Guinea.

"The appalling thing is that ex-PM Abbott has no right to preach to the world because, having stopped the boats, he insisted on maintaining the facilities at Nauru and PNG," he said.

"They are not just harsh, but cruel, and they don't deter asylum seekers because we've now locked the front door."

Mr Abbott boasted to his Tory audience that the detention camps had all but closed.

Figures published by the Department of Immigration show that, as of September 30, 2015, there were 934 asylum seekers on Manus Island and 631 on Nauru. As of August 31, there were 1807 people in onshore detention facilities.

Opposition Leader Bill Shorten said on Tuesday that European leaders grappling with a massive crisis did not need advice from Mr Abbott.

He called on Prime Minister Malcolm Turnbull to state whether he backed the former prime minister's remarks.

"Tony Abbott's flown to Europe to lecture Angela Merkel, the head of the German government, to lecture Francois Hollande in France, to lecture David Cameron in England about what to do with this issue," Mr Shorten said.

"I am not sure European leaders grappling with a scale and a dimension of a problem which we don't have in Australia are necessarily going to benefit by Tony Abbott's advice.

At a later media conference in Adelaide on Wednesday, Mr Turnbull said he would leave it to other commentators to respond to Mr Abbott's remarks.

"Tony has given a speech. I will leave others to run the commentary on it," he said.

"He has obviously had a remarkable career in public life, including two years as PM. We owe him a great debt for that. His views are in hot demand everywhere in the world."

<http://www.smh.com.au/federal-politics/political-news/catholic-priests-slam-tony-abbotts-antiimmigration-margaret-thatcher-lecture-20151027-gkk9cj.html>

## 29. Why Tony Abbott's plan for Europe's refugee crisis cannot work

The former Australian prime minister bases his proposals for a multi-state continent on a narrow and contentious policy of containing far fewer people

The Guardian

Ben Doherty

Wednesday 28 October 2015 16.08 AEDT

Tony Abbott's plan for Europe to "stop the boats" arriving on its shores cannot work.

While the former Australian prime minister said in the Margaret Thatcher lecture in London that "stopping the boats and restoring border security is the only truly compassionate thing to do", there are fundamental reasons why a "turn-backs" policy is impractical, illegal, and an impossibility.

### **Scale**

"The second wave of illegal boat people [in Australia] was running at the rate of 50,000 a year – and rising fast."

This is not true.

Australia's parliamentary library compiles comprehensive figures of the number of boat-borne arrivals. The largest number to reach Australia in a single year was 20,587 in 2013. The former PM's figure is a two-and-a-half times exaggeration.

The semantic deception that it is illegal to seek asylum by boat in Australia is another persistent trope, despite also being untrue. Under international law, all people have a right to present to the borders of a country seeking asylum. They break no law by doing so.

But, on a practical level, the number of people seeking asylum in Europe is factors greater than those who ever attempted to reach Australia.

In a single week in August, 20,843 migrants reached Europe, more than Australia's largest ever yearly figure.

In the month of August, 190,000 people reached Europe's external borders, Europe's border agency Frontex reported. The figure for the first nine months of 2015 was 710,000.

Australia's "crisis" was infinitesimal in comparison to the movement of people into, and across Europe.

In Europe they are not coming by one or two sea routes - seeking Christmas Island from Cisarua in Java or Australia's west coast from Batticaloa in southern Sri Lanka. Those reaching Europe are coming via at least eight established "routes", which shift and move, wax and wane, with changing circumstances in home countries and host.

The forces that compel people to leave their home countries are far greater than governments' abilities to stop them. When borders are blocked, people seek, and ultimately find, another way.

Governments absolutely must seek to manage flows of people across borders. Nation-states have the right, indeed the obligation, to control, as best they can, the movement of people across its frontiers.

But "stopping boats" at one single border, or pushing them back to another country, does not staunch the movement of people, as the Australian and European experiences both show.

It simply leaves people in limbo: in potential danger in their homeland, stuck in camps or in transit, or, at its most dramatic iteration, seen in the Andaman Sea this year, stranded at sea.

### **Politics and law**

"The countries of Europe, while absolutely obliged to support the countries neighbouring the Syrian conflict, are more-than-entitled to control their borders against those who are no longer fleeing a conflict but seeking a better life. This means turning boats around, for people coming by sea. It means denying entry at the border, for people with no legal right to come."

Australia is a single, sovereign nation-state.

It has a navy and a department of immigration and border protection, and the power to act unilaterally to enforce policies.

The European Union is a politico-economic union of 28 member states: each of which has different policies and politics towards asylum seekers and refugees.

Germany, outlining an economic case why migrant inflows will boost its already powerful economy, has indicated a willingness for refugees to make asylum claims, be processed, and, if successful, settle within its borders.

Efforts by Greek border guards to unilaterally, and forcibly return asylum seeker boats were widely condemned and ultimately proved ineffective. In the first nine months of this year, more than 350,000 people crossed via the Eastern Mediterranean Route, the vast majority by boat across the Aegean from Turkey to Greece.

There is additional law, too, governing European nations. Article 19(1) of the Charter of Fundamental Rights of the European Union prohibits "collective expulsions", such as boat pushbacks. The article guarantees that any expulsion of a non-citizen is based on a specific examination and decision for that person.

The idea of a unified Europe openly acting to unilaterally 'turn back the boats' is a political unreality and an illegality.

### **Refoulement**

"It's good that Europe has now deployed naval vessels to intercept people smuggling boats in the Mediterranean – but as long as they're taking passengers aboard rather than turning boats around and sending them back, it's a facilitator rather than a deterrent."

Australia says boat turnbacks "where safe" are a powerful deterrent to asylum seekers coming by boat. "Where safe" is the critical caveat, observed in the rhetoric though not always in the practice.

Australia has returned boats to Indonesia and to just-post-war Sri Lanka.

Neither country is party to the refugees convention, so does not, in law, offer protection to refugees. Evidence of torture of those returned to Sri Lanka has been consistently documented. Boats forced back to Indonesia have foundered on reefs and its passengers requiring rescue.

Australia is required, under the non-refoulement obligations of the refugees convention, not to return a refugee to a place "where their life or liberty would be threatened".

Several international refugee law authorities have argued consistently that Australia is breaching its non-refoulement obligations, and is acting illegally when it returns boats.

Europe's position is even more restricted. The ability for Europe to return boats is non-existent.

A significant number of boats are crossing the Mediterranean are coming from Libya, a country itself wracked by civil war and a place where those returned would almost certainly face a threat to life or liberty.

From May 2009 Italy began returning boats to Libya after signing an agreement with that country. However, the operation was suspended in 2012 after the European Court of Human Rights ruled that Italy's actions violated the European Convention on Human Rights in failing to protect the people from torture and inhuman or degrading treatment or punishment.

---->>>> *Ben Doherty is Guardian Australia's immigration correspondent and a 2015 Thomson Reuters Fellow at the Reuters Institute for the Study of Journalism, Oxford University, studying government rhetoric and media reportage of migration issues.*

<http://www.theguardian.com/world/2015/oct/28/analysis-why-tony-abbotts-plan-for-europes-refugee-crisis-cannot-work>

## **30. Wallabies star David Pocock takes swipe at Tony Abbott over asylum seeker remarks**

ABC News Online

Posted Thu 29 Oct 2015, 7:14pm

Wallabies star David Pocock has taken a swipe at Tony Abbott after the former prime minister urged European leaders to close their borders to asylum seekers.

Mr Abbott made the comments during a lecture in London yesterday, when he told conservative politicians to act by "turning around the boats".

He said the concept of traditional humanitarian values was leading Europe into catastrophic error, prompting a response from Pocock, who will be a key player in this weekend's Rugby World Cup final against the All Blacks.

Pocock took aim at the remarks on Twitter, responding to a comment that Mr Abbott was denying his faith when he says love thy neighbour excluded refugees.

"You must've missed the translation that says 'love they (white) neighbour'," he said.

It is not the first time Pocock has weighed into political issues.

He made headlines in 2013 when he refused to get married until same-sex marriage was legal.

He also took place in a protest against the Maules Creek coal mine, chaining himself to machinery and getting arrested last year.

<http://www.abc.net.au/news/2015-10-29/pocock-takes-swipe-at-abbott/6897536>

## **31. The Age Editorial: Abbott's refugee policy is our disgrace**

The Age Editorial  
October 29, 2015 - 12:15AM

Australia's policy of turning back boats carrying asylum seekers is so base in its ideals and so ruthless in its execution that it has led border control officials beyond the limits of international law. That former prime minister Tony Abbott has proffered it as an archetypal policy for European nations facing pressure from asylum seekers is as saddening as it is bewildering.

Amnesty International contends Operation Sovereign Borders has broken several conventions designed to protect persons from danger or persecution and that the government has breached anti-smuggling protocols. Indeed, it says the government's actions have further endangered asylum seekers. The Age has been saying as much for years.

As The Age's Jewel Topsfield reported this year, Border Force officials in May paid \$US32,000 to the crew of a boat carrying asylum seekers off northern Australia. After holding the passengers in cells for some days, officials transferred the entire cohort to overcrowded boats, supplied them with fuel, a global positioning system device, maps and life-jackets, and directed them to land on an Indonesian island.

Amnesty says this act, of paying the crew and aiding covert passage into Indonesia, grafted Australia to the chain of illegalities that is people smuggling. That is how perverted the game has become. What the Abbott government pompously portrayed as a noble endeavour – the protection of lives – was an artifice to satisfy a craven political agenda.

Yet Tony Abbott, the man who stood at the helm of the nation and contended his "stop the boats" policy was a wise and good thing, now has the temerity to promote this as the solution to Europe's considerable problems. He suggests Europe should lock its borders, turn back boats at sea (using force, if necessary), deposit asylum seekers and migrants in camps and so on, because this "is the only way to prevent a tide of humanity surging through Europe, and quite possibly changing it forever".

We detect a reversion to the dog-whistling old days. But Mr Abbott went further. He suggested leaders should abandon the "love thy neighbour" tenet that underpins humanity, else Europe risks falling into "catastrophic error". And there we detect the corruption of Mr Abbott's moral compass. That is how extreme his views really are, and what poverty of leadership this nation endured for two long years.

Mr Abbott's views are so detached from events on the ground in Europe that it beggars belief any leader of integrity would take them seriously. He does not (or refuses to) recognise the world is in the midst of an historic wave of migration, triggered by terrorism and war; by political, religious and gender-based persecution; and by the inability or unwillingness of states, police and justice systems to curb violence and enforce respect for human rights.

Millions of people are on the move. Deny them safety, lock them out of opportunity and there is a very real risk that lives will be lost, the violence will continue and hopes will diminish to nothing – and that will exacerbate grievances.

Fortress Europe and Fortress Australia are anachronistic, unjust and odious concepts. The world already has changed, and this tide of migration cannot be stopped by plugging holes in fences or transferring people into inflatable dinghies and pointing them to lands where thugs and criminals rage. Nor can it be halted by locking people in flimsy camps, where they are denied hope and lose dignity.

Amnesty's damning indictment of Australia's asylum-seeker policies must not be ignored by voters nor swept aside by political cowardice. We urge the Turnbull government to turn this around, and we urge leaders from legal, business, religious and cultural communities to condemn policies that are so perverted. We must stand up for what is right.

<http://www.theage.com.au/comment/the-age-editorial/abbotts-refugee-policy-is-our-disgrace-20151028-gkky9p.html>

## **32. SMH Editorial - Tony Abbott's refugee battle: Machiavelli versus Jesus**

Sydney Morning Herald  
October 28, 2015 - 9:30PM  
Read later

Many people will struggle to reconcile the former prime minister's seemingly contradictory sources: a political schemer intent on retaining power, and a prophet of compassion.

Former prime minister Tony Abbott has evoked both Machiavellian political philosophy – you have to be cruel to be kind - and Biblical teaching – "love your neighbour as you love yourself" – in urging Europe to reject asylum seekers.

Failing to stop them through "some force" would be a "catastrophic error", he told conservatives in London.

Many people will struggle to reconcile Mr Abbott's seemingly contradictory sources: 15th century Italian philosopher Niccolò Machiavelli, a political schemer intent on retaining power, and Jesus, a prophet of compassion.

Even more will wonder how Mr Abbott can justify inflicting suffering on many thousands of refugees for the sake of deterring people smugglers and some economic migrants drawn to the prosperous West.

"We are rediscovering the hard way that justice tempered by mercy is an exacting ideal as too much mercy for some necessarily undermines justice for all," Mr Abbott said of the massive population movements across Europe.

His comments echo Machiavelli in *The Prince*: "A wise prince is not troubled about a reproach for cruelty which keeps his subjects united and loyal because, giving a very few examples of cruelty, he is more merciful than those who, through too much mercy, let evils continue from which result murder or plunder, because the latter commonly harm a whole group, but those executions that come from the prince harm individuals only."

The difficulty in accepting that the Australian approach would work in Europe, however, is that Mr Abbott's argument is built on four highly contestable foundations: one, that people would not flee Syria or northern Africa if there were no people smugglers; two, that asylum seekers should settle in their first country after fleeing to be regarded as refugees, when in fact many of those nations reject them; three, that economic refugees from Syria or Libya are the norm; and four, that some nations – namely, Germany – are saying they will accept all comers.

Another difficulty is that Mr Abbott's assertion of success in Australia ignores the current situation here. While most Australians accept a tough border policy, calls are growing for a more humane approach.

The Herald accepts that Mr Abbott's turn back the boats policy and offshore detention regime has stopped many risky boat trips to Australia. Deaths at sea have been avoided. We even accept that some people sought asylum here for purely economic reasons.

The cost of Australia's tough stance against people smugglers and economic migrants, however, has been inhumanity to many refugees who deserve our protection.

Mr Abbott conceded that "our moral obligation is to receive people fleeing for their lives". Yet Australia, without the sharp increase in refugee intake the Herald has demanded, is condemning some asylum seekers to danger in conflict-torn homelands, so that others who use official routes might have priority.

Australia, too, has detained desperate arrivals in detention centres on Nauru and Manus Island. These centres are akin to jails; their operations secret and safeguards uncertain. The treatment of detainees is, by most accounts, below par. The contractor, Transfield Services - which is rebranding as Broadspectrum - is accused of losing control of staff and not being properly accountable to the Commonwealth, thereby exposing detainees to harm.

The challenge for Mr Abbott's successor, Prime Minister Malcolm Turnbull, is to retain control of Australia's borders as a deterrent, but to do so in a lawful and humane manner.

A case before the High Court challenges the constitutional validity of detention arrangements on Nauru, which may also have implications for Manus Island. The Commonwealth seeks to defeat the challenge with the chilling claim that it does not control the facilities or how asylum seekers are treated. Days before the hearing, the legal ground shifted when the government of Nauru announced it would allow the 650 asylum seekers freedom of movement and faster processing. The Human Rights Law Centre has said that, even if those arrangements were valid, they "may be amended or terminated at any time".

Regardless of the looming outcome of that case, most Australians expect the Turnbull government to face up to and redress the failings in the existing policy.

An independent ombudsman should investigate incidents and oversee conditions in all detention centres. What's more, the government should reconvene the expert panel headed by former Defence Force Chief Angus Houston. Some of his panel's recommendations were not implemented. In the new environment where boats are not arriving, the focus must be on new policies to improve treatment of asylum seekers without reducing deterrence, while at the same time striking long term resettlement deals for those on Nauru and Manus Island.

<http://www.smh.com.au/comment/smh-editorial/tony-abbotts-refugee-battle-machiavelli-versus-jesus-20151027-gkkdlj.html>