

Project SafeCom News and Updates

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1. The Saturday Paper: Victims of love: life as a gay refugee on Nauru

Two gay Iranians who met and fell in love on Nauru are now virtual prisoners in their own home on the island, downcast and fearful for their safety in a country where homosexuality is illegal.

The Saturday Paper
May 21, 2016
Scout Boxall

Over a crackling phone line, Nima explains why he fled Iran three years ago: “Since I was young, when my father noticed that I [was] a homosexual, he started beating me up.” He quietly recalls the abuse meted out by authorities in Iran, where homosexuality carries the death penalty: “I was tormented. I was put under torture. I was raped. I was beaten.”

In 2013, Nima came to Christmas Island by boat. From there, he was sent to Nauru, where homosexuality is punishable by 14 years’ hard labour.

Nima describes constant abuse inflicted upon him by camp officials and other detainees. Passing through a security checkpoint, a Nauruan guard tried to sexually assault Nima with a metal detector. Eating breakfast one morning, another asylum seeker approached him, pulled down his pants and ordered Nima to have sex with him. Other detainees swore at him, threatened to beat him or tried to force open the door of his cubicle when he was showering.

It was here that Nima met Ashkan, another gay man from Iran. Despite the inhumane camp conditions, the two men grew closer. During the day, they ate together, washed each other’s clothes and protected each other. At night, they lay in bed and talked of their lives in Iran and their hopes for the future.

“We are lovers; I feel that our souls have been merged together,” Nima wrote in a 2014 statement to his immigration agent. “Now that I have Ashkan in my life, I no longer feel I am wandering alone in the wilderness.”

Under Nauru’s draconian 1899 penal code, sex between men is considered a crime “against the order of nature”. Before their release from the camp into the local community, an Australian immigration lawyer informed Nima and Ashkan that – for their own safety – they would have to hide their sexual orientation from the Nauruan government. The same lawyer presented them with a form acknowledging the criminality of their relationship and undertaking to conceal their homosexuality, which the couple refused to sign.

This incredible episode recalls a 2003 case, in which an Australian Refugee Review Tribunal initially determined that a queer couple should simply return to Bangladesh and avoid persecution by exercising “discretion”. Upon appeal, the Australian High Court found that it was unreasonable to expect gay men to live in a country where they were vulnerable to state-sanctioned homophobia. The Bangladeshi men were granted humanitarian visas and allowed to stay in Australia.

Since their resettlement in 2014, Nima and Ashkan have been victims of a series of violent, steadily escalating homophobic attacks. The couple’s relationship is common knowledge on the small island. In July last year, Nima and Ashkan were ambushed after picking up groceries. Three local men blocked their way and, after ascertaining that they were partners, beat them to the ground with wooden sticks. Vomiting and severely concussed, Ashkan was hospitalised overnight. In pictures taken after the July attack, both men have thick red welts across their torsos.

Nima and Ashkan’s legal team at the Human Rights Law Centre arranged for Tim Wilson, then human rights commissioner, to raise their case with the Department of Immigration and Border Protection. They were told that the men were “safe and comfortable” in Nauru. After the July bashing, the law centre raised the issue in a letter to the minister for immigration. A month later, an immigration official replied with a letter that dismissed the attacks as merely “unpleasant behaviour”, referred the case to the Nauru Police Force and encouraged Nima and Ashkan to be “active players” in the Nauruan community.

FULL STORY AT <https://www.thesaturdaypaper.com.au/news/politics/2016/05/21/victims-love-life-gay-refugee-nauru/14637528003272>

2. David Fedele: Resettling refugees in Papua New Guinea: a tragic theatre of the absurd

Papua New Guinea is an extraordinary country very close to my heart, but I can say with absolute surety that it is not an appropriate country in which to resettle refugees

The Guardian
David Fedele
Friday 20 May 2016 14.56 AEST

I have recently spent six weeks in the city of Lae in Papua New Guinea, with unique access to the first group of refugees resettled from Manus Island, and have been able to experience their resettled life first-hand.

Instead of integration and assistance, I have witnessed the total lack of mental support and infrastructure provided to these men, who – fresh from the trauma of their time in detention – have been left to fend for themselves far away from media scrutiny and the national spotlight.

I have also witnessed scenes of despair and disillusionment as they realise the reality of their “resettled” life is very different from what they were led to believe, and at odds with the hollow rhetoric and political spin that is being fed to the Australian public.

Papua New Guinea is an extraordinary country very close to my heart, but I can say with absolute surety that it is not an appropriate country in which to resettle refugees. After the supreme court of Papua New Guinea ruled that Australia’s detention of asylum seekers and refugees on Manus Island was illegal, immigration minister Peter Dutton continues his hardline stance, confirming that recognised refugees will not be brought to Australia, but will be settled in PNG and provided assistance to integrate into PNG life and society.

Ranked 153rd out of 187 countries on the United Nations human development index, Papua New Guinea is currently struggling to look after its own people. It is plagued with extremely high levels of corruption and political instability. There is no true social security system for its population, and excruciatingly high living costs, unemployment and crime.

Though Papua New Guineans are extremely welcoming people, there is a growing resentment towards the idea of settling refugees in their country, believing that PNG is being used as a dumping ground for Australia’s problems, and fearing they will receive preferential treatment over locals, many of whom are struggling to meet their own daily needs. There are also concerns about how Muslim refugees would be integrated into PNG, with its strong Christian majority.

Papua New Guinea is also currently in a state of political turmoil. There are serious fraud allegations surrounding the prime minister, Peter O’Neill, which has resulted in a split in the police force, leading to the closure of the national fraud and anti-corruption directorate which was investigating the allegations. Students at universities around the country are currently boycotting classes, demanding that O’Neill stand down immediately.

Lae is considered the most dangerous city in Papua New Guinea. I would describe it as rough and ready, and a number of the local buses proudly emblazon the phrase “Wild West” across their back window.

The Australian Department of Foreign Affairs and Trade’s website advises Australian citizens “to exercise a high degree of caution in PNG because of the high levels of serious crime”, with particularly high crime rates in Lae, where “bush knives (machetes) and firearms are often used in assaults and thefts”.

Yet, somehow, Australia has chosen this city as the ideal place to resettle refugees.

FULL STORY AT <http://www.theguardian.com/commentisfree/2016/may/20/resettling-refugees-in-papua-new-guinea-a-tragic-theatre-of-the-absurd>

3. Syrian refugee wins appeal against forced return to Turkey

Decision by Greek independent asylum service to overturn deportation order throws EU-Turkey migration deal into chaos

The Guardian

Apostolis Fotiadis and Helena Smith in Athens, and Patrick Kingsley in Istanbul

Saturday 21 May 2016 01.48 AEST

The EU-Turkey migration deal has been thrown further into chaos after an independent authority examining appeals claims in Greece ruled against sending a Syrian refugee back to Turkey, potentially creating a precedent for thousands of other similar cases.

In a landmark case, the appeals committee upheld the appeal of an asylum seeker who had been one of the first Syrians listed for deportation under the terms of the EU-Turkey deal.

In a document seen by the Guardian, a three-person appeals tribunal in Lesbos said Turkey would not give Syrian refugees the rights they were owed under international treaties and therefore overturned the applicant’s deportation order by a verdict of two to one. The case will now be re-assessed from scratch.

The committee’s conclusion stated: “The committee has judged that the temporary protection which could be offered by Turkey to the applicant, as a Syrian citizen, does not offer him rights equivalent to those required by the Geneva convention.”

The decision undermines the legal and practical basis for the EU-Turkey deal, which European leaders had hoped would deter refugees from sailing to Europe by ensuring the swift deportation of most people landing on the Greek islands.

After signing the deal on 18 March, EU officials claimed these deportations would be legally justified on the basis that Turkey respects refugee rights.

But the EU's executive has little control over Greek asylum protocols. The committee rejected the logic of the EU-Turkey deal, citing some of the EU's own previous directives as explanations for their decision.

While nearly 400 other asylum seekers have been returned to Turkey under the terms of the deal, no one of Syrian nationality had been sent back against their will – making Friday's decision a watershed moment.

FULL STORY AT <http://www.theguardian.com/world/2016/may/20/syrian-refugee-wins-appeal-against-forced-return-to-turkey>

4. Paul Bongiorno: Turnbull, Dutton stick to Abbott refugee strategy

The Saturday Paper
May 21, 2016
Paul Bongiorno

Back in 2008, while he was still opposition leader, Malcolm Turnbull was tackled in his party room over his ramping up of the boat people issue. His predecessor, Brendan Nelson, had agreed with the Rudd government's dismantling of the Howard-era Pacific Solution. Nauru was closed. But as the boats began to trickle back, Turnbull was asked by a backbench Liberal why he was passing up the chance to restore the bipartisanship that existed on refugees before Howard torpedoed it in 2001. In the face of a still dominant Labor government, Turnbull responded: "It's all we've got."

Eight years later, we are seeing a dramatic replay. If there were any doubts the Liberals are in mortal fear of losing the election, this past week should dispel them. Gone is the positive, sunny uplands, agile and reasonable national leader; in his place, a version of the divisive hardline Tony Abbott, the man he replaced promising a better way.

Turnbull's visit to Darwin on Tuesday set the scene for his immigration minister, Peter Dutton, to appeal to the nation's darkest xenophobia later that night. With the poll average stuck on 50-50 and with two – Essential and Morgan – putting the Labor Party in a winning position, it was time to get serious on an issue that works like a treat for the Coalition. Many Liberals had hoped that issue would be the economy, but with a budget that has failed to excite, the old faithful of national security is, to use Turnbull's earlier assessment, all they've got.

And make no mistake: Labor is winning the argument on the budget and fairness. It has been able to starkly paint the Coalition "plan" as tax cuts for the rich and nothing for the rest. Bill Shorten and his treasury spokesman, Chris Bowen, have proved far more effective in shaping the debate than Turnbull and his treasurer, Scott Morrison. The Australian Financial Review reported findings by JWS Research that voters simply have not noticed the \$3 billion given to low-income earners and women for retirement savings, funded by a crackdown on concessions for the superannuation of millionaires.

So standing on a wharf in Darwin in front of a dark blue Border Force patrol boat, the prime minister identified with the success of Tony Abbott's secretive but very effective "stop the boats" policy. He conveniently ignored that Shorten, too, has embraced the key elements of that policy – turn-backs and offshore processing – and steered the policy through Labor's 2015 national conference in the face of that dissent. Instead he homed in on the concerns of 25 Labor candidates about Nauru and Manus. "It's the same old Labor," Turnbull said. "You cannot trust them on border protection. They have proved themselves to be incapable of protecting our borders in government, and now in opposition, as we approach an election, they are riddled with dissent."

But why wouldn't intelligent, compassionate Australians – Liberal, Labor or whatever – be concerned about the damage being done to innocent men, women and children in indefinite detention on remote and inhospitable islands? Labor's policy is to beef up support for the United Nations and to make a greater effort in relocating the many found to be genuine refugees. That is, relocate them anywhere other than Australia – something this government has not been able to do, almost certainly because no one else in the region has any sympathy for Australia's policies. There's little doubt this would be just as difficult for Labor.

But niceties disappear in an election campaign. Labor, Turnbull says, is "crab-walking" towards the Greens. The PM appeared to be sprinting away from the "sympathy and grieving" he spoke about on Radio National before assuming the top job, for the "mental anguish so many on Nauru and Manus Island have had inflicted on them".

FULL STORY AT <https://www.thesaturdaypaper.com.au/opinion/topic/2016/05/21/turnbull-dutton-stick-abbott-refugee-strategy/14637528003266>

5. Multicultural success at risk under Labor: Malcolm Turnbull

The Age
May 20, 2016 - 12:15AM
Michael Gordon, Nicole Hasham

Australia's success as a high-migration, multicultural success story was based on strong border protection policies that would be at risk if Labor won the July 2 election, Malcolm Turnbull has warned.

The Prime Minister accused Labor leader Bill Shorten of not being committed to "strong borders" and warned that Labor and the Greens had to "face the natural consequences of the soft border policies they propose".

These included the prospect of families drowning at sea, asylum seekers being placed in detention and an erosion of support for high levels of immigration and multiculturalism.

"Barely a day goes past when I don't celebrate that we are the most successful and harmonious multicultural nation in the world. But we cannot be under any illusions about what our multicultural success is built upon," Mr Turnbull has written in an opinion piece exclusively for Fairfax Media.

"Strong borders are the foundation of our high-immigration multicultural success. This is not a hypothetical proposition.

"We've seen elsewhere what happens when nations lose control of their borders and fail to invest in the integration of migrants who arrive."

Mr Turnbull said this also happened in Australia under the previous Labor government "when a collapse of border security emboldened 50,000 individuals to entrust their lives to people smugglers".

Mr Turnbull also defended Immigration Minister Peter Dutton who stood by his claim that refugees accepted under separate Labor and Greens commitments to a higher intake would be "taking Australian jobs" and "languish in unemployment queues".

"I very strongly believe that the threat coming across our borders, when you look at what's happened in Brussels and Paris, the United States, the United Kingdom and elsewhere, this is a bigger issue at this election than it has ever been," Mr Dutton said on commercial radio.

Labor and the Greens have accused the Coalition of ramping up debate on border protection to win votes, with Mr Shorten claiming Mr Turnbull is running a scare campaign based on "pathetic lies".

Labor has also dismissed Mr Dutton's claims that Labor planned to double the intake immediately, at a cost of \$2.5 billion. It maintains its proposal would not ramp up refugee resettlement beyond the government's own proposed intake until 2019-20, at an additional cost over the forward estimates of just \$17.2 million.

Under Labor's policy, its final target of 27,000 a year would not be reached for a decade, costing \$1.87 billion over seven years, according to the figures.

The Greens propose increasing the intake to 50,000 next financial year but say their border protection policies would save \$160 million over the next four years because billions of dollars would be saved by closing the Manus Island and Nauru detention centres and limiting onshore detention to 30 days.

Mr Turnbull claims divisions within Labor over the party's support for turn-backs and offshore processing are driving the party towards a partnership with the Greens.

"But those who trade in gesture politics, who claim a monopoly on empathy, have to face the natural consequences of the soft border policies they propose," he writes.

"There is nothing generous about policies that lead families to drown at sea. There is nothing humane about gestures that lead to young women, men and their children in detention."

Labor has ruled out an alliance in government with the Greens and has vowed to move quickly to find third countries to resettle those who have been found to be refugees on Manus Island and Nauru.

<http://www.theage.com.au/federal-politics/federal-election-2016/multicultural-success-at-risk-under-labor-turnbull-20160519-go29p1.html>

6. Customs officials allegedly involved in drug and tobacco smuggling

The Age
May 19, 2016 - 1:13AM
Nick McKenzie, Richard Baker

A network of Australian border security officials is allegedly working for organised criminals, including drug and tobacco smugglers, in the most serious corruption scandal to ever hit the nation's border agencies.

A Fairfax Media investigation has uncovered multiple cases of alleged corruption involving staff from the Australian Border Force and the Department of Agriculture, along with maritime industry employees with government clearances.

Police on Wednesday arrested a Department of Agriculture compliance assessment officer, Richard Vong, over alleged links to organised criminals, including a syndicate led by suspected Melbourne drug trafficker Jimmy Chhav. They also raided his house.

Mr Vong will face court on Thursday charged with trafficking and possessing a drug of dependence, knowingly dealing in the proceeds of crime, dealing in property reasonably suspected of being the proceeds of crime and theft of Commonwealth property. A female official has been charged with knowingly dealing in the proceeds of crime and dealing in property reasonably suspected of being the proceeds of crime.

The allegations come as the government makes a virtue of its strength on border security, with Prime Minister Malcolm Turnbull claiming the opposition "lack the commitment to keep our borders secure".

However, the federal government and customs chiefs, including the nation's top border security official, Michael Pezzullo, have been repeatedly warned over four years in high-level confidential briefings about significant suspected corruption in the Border Force's ranks, especially in NSW.

Evidence, including NSW police briefing notes and testimony from crime figures, suggests that one of the most vital border security facilities, the NSW Customs Examination Facility, has been compromised by corrupt insiders, enabling criminals to import large amounts of drugs and tobacco undetected. Staff at the facility are responsible for searching containers suspected to contain contraband.

A small network of Department of Agriculture officials responsible for clearing imports into Australia have also been assisting and liaising with known drug traffickers for at least the past five years.

This network is allegedly led by Mr Vong, a suspected corrupt Department of Agriculture official, who works out of Customs House in Melbourne. The department missed multiple warnings about Mr Vong and some of his colleagues.

Fairfax Media has delayed reporting on the border corruption scandal for several months at the request of authorities.

In NSW, evidence uncovered by Fairfax Media from multiple sources, including agency officials, government briefing files and figures with underworld ties, implicates Border Force officials in drug and tobacco trafficking, and leaking to the criminal underworld.

Criminal intelligence suggests one officer has been taking kickbacks of hundreds of thousands of dollars from traffickers, while another has been facilitating importations.

Suspected corrupt officers are still operating.

The latest scandal comes three years after a network of corrupt customs officers was identified at Sydney airport and charged by the federal police. At the time, Mr Pezzullo promised sweeping reforms, including many which have been implemented.

Top security and policing officials, along with corruption experts, called for the nation's federal police watchdog, the Australian Commission for Law Enforcement Integrity (ACLEI) to have its budget dramatically increased and said the Australian Border Force had failed to deal with corruption in its ranks.

Leading corruption expert and former senior judge Stephen Charles, QC, said ACLEI – which, with about 20 investigators out of a total of 55 staff, is among the smallest corruption fighting agencies in Australia – was badly outgunned. Mr Charles said Australia needed an anti-corruption agency with hundreds of staff.

"It [ACLEI] needs to be ten-drupled," a law enforcement agency source said.

Fairfax Media can also reveal that officers from the joint state and federal Polaris waterfront crime taskforce in NSW, which has played a key role in identifying corruption on the docks, were last week told they would be shut down due to a lack of funding. State police are furious, but federal government sources insist the funding has been reallocated to other anti-organised crime taskforces.

One briefing describes how a veteran customs officer who has previously worked closely with the AFP and the NSW Crime Commission is suspected of leaking "sensitive information" to drug and tobacco importers. A customs officer is also named as having travelled overseas with a suspected criminal.

Property records obtained by Fairfax Media reveal this customs officer, who was on long-term sick leave, lives next door to the suspected criminal in the Sydney suburb of Sylvania Waters.

The border security scandal comes three years after the Sydney airport customs corruption scandal, in which a network of corrupt customs officers led by customs officer Adrian Lamella were trafficking drugs using couriers on international flights.

The reforms implemented by Mr Pezzullo and the federal government after the Sydney airport scandal appear to have failed to stop significant corruption in the agency.

One senior government source said the Australian Border Force was "incapable" of eradicating corruption in its ranks and sometimes dealt with internal integrity issues with departmental sanctions, such as demotion or sacking, rather than by conducting intensive probes that could expose corrupt networks.

The Department of Agriculture section involved in Mr Vong's alleged corrupt network was formerly named the Australian Quarantine Inspection Service.

AQIS senior managers were first warned that organised criminals had infiltrated the agency's ranks in 2012, when an officer was identified, and later charged, for leaking information to a drug importation syndicate.

Information outlining Mr Vong's alleged links to suspected drug trafficker Jimmy Chhav has been held by various law enforcement agencies for several years, but it is unclear if it was ever formally passed to the Department of Agriculture. However, the department had its own information linking the pair which was never acted upon.

In April 2012, Fairfax Media first reported Australia's maritime borders were badly exposed to corruption and that a confidential Operation Polaris report had found that "serious organised crime groups are able to access and exploit key Australian government officers."

"Polaris investigations have identified employees of law enforcement and regulatory bodies providing assistance to criminal groups. This assistance is less common but of higher consequence than private sector corruption. The employees have included members of customs and employees of AQIS.

"Operation Polaris has also determined the government's Maritime Security Identification Cards – required by tens of thousands of Australians who work in the industry – have failed to stop organised crime infiltration.

"Multiple MSIC holders are involved in drug activity and are subject to substantial intelligence holdings detailing their criminal activity and criminal associates."

Stephen Charles, QC, a former Victorian Court of Appeals judge and an expert in anti-corruption agencies, said watchdog ACLEI was unable to combat public sector corruption outside of several policing agencies.

Mr Charles, who recently gave testimony to a Senate committee about the need for the establishment of a national anti-corruption agency, said ACLEI's staff had good intentions but had limited investigative and jurisdictional capacity.

The federal government has recently passed laws to ensure that people with criminal histories are not giving the government security clearance to work on the waterfront or at airports.

In a statement, the Department of Immigration and Border Protection said it and the Australian Border Force had been "working actively with law enforcement partners to investigate allegations of serious criminality by its officers at the border."

"While the Department is unable to comment on the status of current investigations, it can confirm it has been working in partnership with ACLEI," the statement said.

It said Taskforce Pharos, an internal taskforce set up following the corruption scandal at Sydney airport to target corruption "within the border environment" continued to operate and had been instrumental in referring matters to ACLEI for further investigation.

"In addition, the Department has provided supplemental funding to ACLEI to ensure matters relating to its own officers can be fully and independently investigated."

<http://www.theage.com.au/national/customs-officials-involved-in-drug-and-tobacco-smuggling-20160518-goy672.html>

7. The mouse versus the dragon: Law enforcement struggles against alleged customs drug network

Sydney Morning Herald
May 19, 2016 - 9:16AM
Nick McKenzie, Richard Baker

It was Richard Vong's access to easy cash in 2014 which first caught the attention of his border security colleagues. The affable official was driving fast cars and dining regularly at upscale Melbourne restaurants, including the Meat and Wine Co in Southbank.

Property and mortgage records show Vong recently bought a renovated, two-bedroom investment property in Ascot Vale for \$875,000. A fellow border security official also chipped in. The property purchase by two public servants on modest salaries raised further questions.

Vong and his fellow investor both worked for the federal Department of Agriculture, an agency whose name evokes a mental image of policy wonks writing briefs about pest control and the wheat market. But Vong was at the pointy end of the department's operations, performing a similar function to some customs officers.

As a compliance officer, Vong was responsible for investigating and clearing the importation of goods into Australia.

His job gave him access to secure government systems that monitor which goods are allowed to cross the border, and those that will be examined. Over several years working in this role, Vong gained an intricate knowledge of Australia's border security. And of how it can be compromised

This is what most concerned some of his fellow border security officials, including the confidential source who tipped off Fairfax Media last year about Vong's alleged activities.

FULL STORY AT <http://www.smh.com.au/national/the-mouse-versus-the-dragon-law-enforcement-struggles-against-customs-drug-network-20160518-goxrwk.html>

8. Govt targets boats as budget sales job flops

Australian Financial Review

March 18, 2016

by Phil Coorey

The federal government has failed to convince the public of the merits of its budget, helping explain why it has shifted its election message to a scare campaign over asylum seekers and a Labor/Greens alliance.

As Prime Minister Malcolm Turnbull spent Wednesday defending controversial comments by Immigration Minister Peter Dutton concerning illiterate and innumerate refugees taking Australian jobs, comprehensive research into the budget sales job, conducted by veteran pollster John Scales and his company JWS Research, finds the budget has many positive measures which the government has failed to sell.

Consequently, the overall view of the May 3 budget – which was the policy springboard for the Turnbull government's election campaign – remains negative with just 17 per cent saying it was good for them personally and 37 per cent saying it was poor. Only 21 per cent believed it would be good for the country and 37 per cent said it would be poor.

But when individual measures are put to voters, there is very strong support for some. For example, the extra \$2.9 billion in health funding is the most popular with 75 per cent support and the new \$840 million PaTH program to help unemployed youth has 65 per cent support. Additional school funding is popular (64 per cent), as is the crackdown on multinational tax avoidance (67 per cent), the budget's infrastructure package (72 per cent) and the \$1.1 billion innovation package (53 per cent).

The two issues that have hogged the headlines – the company tax cuts and the allegedly retrospective elements of the superannuation crackdown – are among the most unpopular measures, suggesting Labor has framed the budget for the government with its criticisms of both measures.

Plan fails

The capping of superannuation retirement accounts at \$1.6 million has 38 per cent support and the \$500,000 lifetime non-concessional cap has 33 per cent support. Despite Mr Turnbull and Treasurer Scott Morrison spending the first week selling the benefits of the company tax cuts, the centrepiece of the budget's economic message has just 38 per cent support.

Conversely, the decision to leave alone negative gearing and capital gains tax deductions for investors attract just 29 per cent support each.

Mr Scales deduced from the research that the government's aim to present the budget as an economic plan rather than a list of measures had not worked.

"At the micro level, that's been understood [but] that's been missed by the general population," he said.

"They're asking what is in it for them, they're saying 'there's nothing in it for me'."

Mr Scales said hammering the asylum seeker drum would not sustain the government for the duration of the campaign and it "needed to get back and sell the main economic agenda".

The research showed there was enough in the budget to impress voters and these measures needed to be better accentuated.

Changing tack

Towards the end of the first week of the campaign, the government shifted its message towards boats and exploiting dissent within Labor over its support for the Coalition's tough policy stance.

Mr Turnbull began muscling up on the campaign trail this week and on Tuesday night, Immigration Minister Peter Dutton caused outrage.

In attacking the Greens for wanting to bring in 50,000 refugees, Mr Dutton said many refugees would not be "numerate or literate in their own language, let alone English", would take jobs from Australians and be a drain on welfare and Medicare.

Labor leader Bill Shorten slammed "deeply divisive and offensive remarks", as not only offensive to refugees but Australia's immigrants.

<http://www.afr.com/news/politics/election-2016-govt-targets-boats-as-budget-sales-job-flops-20160517-goxk0s>

9. Peter Dutton says 'illiterate and innumerate' refugees would take Australian jobs

The Age
May 18, 2016 - 6:12AM
Latika Bourke

"Illiterate and innumerate" refugees would take Australian jobs or "languish" on the dole and use free health services provided by Medicare, Immigration Minister Peter Dutton has said, in remarks Labor has condemned as "deeply offensive".

Mr Dutton was responding to criticisms by conservative Sky News presenter Paul Murray when he made the comments about a Greens idea to boost the refugee intake to 50,000.

"They won't be numerate or literate in their own language, let alone English," Mr Dutton said.

"These people would be taking Australian jobs, there's no question about that.

"For many of them that would be unemployed, they would languish in unemployment queues and on Medicare and the rest of it so there would be huge cost and there's no sense in sugar-coating that, that's the scenario."

Mr Dutton has ramped up his media appearances in the opening weeks of the election campaign to exploit internal Labor divisions on asylum seeker policy.

Labor has hit back over the remarks, describing them as xenophobic and offensive, and calling for Mr Dutton to apologise.

"These are deeply offensive comments and Mr Dutton should immediately apologise for these half-baked remarks," a Labor spokesman said.

"This country has a proud tradition of multiculturalism and for Mr Dutton to make such narrow-minded and xenophobic remarks exposes the right-wing brigade behind Malcolm Turnbull.

"One of the first acts of this government was to slash Australia's humanitarian intake to 13, 750."

Opposition Leader Bill Shorten has vowed the Labor Party will stand firm on the issue but has struggled to contain an outbreak of nearly two-dozen MPs and candidates who want the opposition to take a different line.

The issue dominated Labor's first few days of campaigning after it was revealed the candidate in the seat of Melbourne, Sophie Ismail, flagged concerns about turning back asylum seeker boats and the offshore detention centres in Papua New Guinea and Nauru.

Mr Dutton's characterisation of asylum seekers is at odds with the Refugee Council, which says: "Research has shown that refugees, once they have the opportunity to establish themselves, make important economic, civil and social contributions to Australian society. Australia's refugees and humanitarian entrants have found success in every field of endeavour, including the arts, sports, media, science, research, business and civic and community life."

The council acknowledges the difficulties refugees from non-English speaking countries have in learning a new language but says: "Refugee and humanitarian entrants are often keen to make up for lost time and take up the many and diverse opportunities provided by Australia's education and training systems. Refugee young people in particular can be highly motivated and ambitious in their educational and career goals."

<http://www.theage.com.au/federal-politics/federal-election-2016/peter-dutton-says-illiterate-and-innumerate-refugees-would-take-australian-jobs-20160517-goxhj1.html>

10. Shorten blasts Dutton over refugee comments: 'Hanson would be proud'

Canberra Times

May 18 2016 - 12:27PM

Matthew Knott

Opposition Leader Bill Shorten has accused the Turnbull government of reviving the "Pauline Hanson rhetoric of the past" following Immigration Minister Peter Dutton's controversial comments about "illiterate" and "innumerate" asylum seekers taking Australian jobs.

Mr Shorten went on the offensive over the issue, demanding Prime Minister Malcolm Turnbull pull his cabinet colleague into line over his "pathetic", "offensive" and "deeply divisive" comments.

Mr Turnbull had earlier dodged the issue on Wednesday morning by refusing to take questions from travelling journalists about Mr Dutton's remarks.

Asked about the Greens proposal to increase Australia's refugee intake from around 13,700 to 50,000, Mr Dutton said on Tuesday: "They won't be numerate or literate in their own language, let alone English.

"These people would be taking Australian jobs, there's no question about that.

"For many of them that would be unemployed, they would languish in unemployment queues and on Medicare and the rest of it so there would be huge cost and there's no sense in sugar-coating that, that's the scenario."

Foreign Minister Julie Bishop defended Mr Dutton, saying he was making the "self-evident" point that it is highly expensive to resettle refugees and that it is time for a "reality check" on the issue.

At a press conference in Sydney, Mr Shorten said: "Mr Dutton's comments are comments that Pauline Hanson would have been proud to make and if this is the best that the Liberal Party can do, it is not very good at all.

"Mr Turnbull needs to come out and recognise the damage Mr Dutton's remarks are doing.

"Mr Dutton didn't just insult refugees when he made those comments. He insulted the millions of migrants who've contributed to making this a truly great country - refugees like Victor Chang, like Richard Pratt, like Frank Lowy."

Mr Shorten called for Mr Turnbull, "if he has any shred of self-respect left on this matter", to "immediately condemn" Mr Dutton's comments.

"But of course I'm sceptical if he will condemn Mr Dutton's comments because I wonder if Mr Turnbull is actually feeding the lines to Mr Dutton," he said.

"Australians expect more from their Prime Minister.

"They expect more from this electoral process that we are undertaking than scare campaigns and pathetic lies.

"Australians want to see in this election a contest of solutions to make this country better, not this string of orchestrated rubbish we've seen Mr Turnbull and Mr Dutton come up with."

Speaking in Cairns, Mr Turnbull said Australia has the most successful multicultural society in the world.

"We invest more in settlement than many other countries do," he said.

"So it is, it's very expensive.

"We don't begrudge the money but it's important to get it right."

He then shut down questions on the topic, saying: "We are going to do have another doorstep in Townsville and this is really for the local Cairns media."

Asked repeatedly whether Mr Dutton's comments were appropriate, Ms Bishop on Wednesday declined to criticise her colleague.

"Peter Dutton is pointing out the very real cost involved in issuing humanitarian and refugee visas," she told Sky News.

"Often the people who come to Australia on these visas are from very troubled backgrounds - particularly from Afghanistan but also Pakistan and beyond - and there is an extremely high cost involved in ensuring they can be a contributing member of society.

"Let's have a reality check here.

"Of course the cost of cost of ensuring people who come here to Australia as a refugee on a humanitarian visa is very high."

<http://www.canberratimes.com.au/federal-politics/federal-election-2016/bill-shorten-blasts-peter-dutton-over-illiterate-refugee-comments-says-pauline-hanson-would-be-proud-20160518-goxrli.html>

11. Mark Kenny: Peter Dutton's refugee comments show Malcolm Turnbull's Coalition has yielded to panic

Once again the fear of asylum seekers has been elevated to centre-stage in an election. But there's a chance it could backfire for the PM.

Canberra Times
May 18 2016 - 12:48PM
Mark Kenny

This election campaign was meant to be a breeze for the Coalition. But now, as belief in an easy victory yields to panic, a tactical error may prove personally costly for Prime Minister Malcolm Turnbull.

Peter Dutton's deliberately incendiary claim that refugees are often innumerate and illiterate, that they would take Australian jobs, and become a net drain on the economy, reeks of the Tampa-like exaggerations of 2001. And it appears every bit as calculating. Obviously the specifics are different, but the broad subject matter of asylum seekers is the same as is the political motive: to bring to the surface community anxiety that hordes of intruders could overwhelm Australia taking our jobs, and changing our way of life.

Ostensibly, Dutton's comments were addressed to the Greens policy of dramatically increasing the intake to 50,000. But functionally, the message was about Labor, which the Coalition says, lacks the internal resolve to truly keep the boats stopped.

Apart from the obvious factual contradictions inherent in Dutton's warning - summed up neatly by the PM's own description of Australia as "the most successful multicultural nation on Earth" - there is the damage this harsh rhetoric does to social cohesion, and more pointedly, to Turnbull's political identity.

The latter has been in steady decline since he assumed the top job, driven by the sense that the 'right' of the Liberal Party had made much more of an impression on Turnbull than he had made on his party. His adoption of Tony Abbott's minimalist climate change policy, and Abbott's obvious can-kicking exercise on same-sex marriage equality, have been noted.

But other policy and rhetorical positions have steepened Turnbull's descent including his refusal to touch negative gearing based tactically on the party room view that any change at all would muddy the Coalition's clean scare campaign against Labor's policy. Thus, it flatly contradicts Turnbull's mission to replace Abbott's simplicity and slogans, with sophistication and explanation.

Turnbull's approval ratings have dropped sharply over his months in office as has his standing on a list of 11 leadership qualities by even larger margins.

And now, after surrendering his goodwill with climate-conscious voters and disappointing social progressives who shared his views on marriage equality, Turnbull finds himself parroting the same divisive reactionary rhetoric as Abbott on boats and borders.

Once again the fear of asylum seekers has been elevated to centre-stage in an election. But this time, it is not just Labor's convictions that voters might be questioning.

Turnbull was popular because he wasn't Tony Abbott. Not because he was Tony Abbott.

<http://www.canberratimes.com.au/federal-politics/federal-election-2016-opinion/australian-election-peter-duttons-refugee-comments-show-malcolm-turnbulls-coalition-has-yielded-to-panic-20160518-goxods.html>

12. Tony Wright: Remind us, Peter Dutton: who built the Snowy Mountains Scheme?

An ugly, anti-immigration dunderhead from the 1950s could barely have found a more pointed construction of words than those uttered by Peter Dutton.

Canberra Times
May 18 2016 - 4:46PM
Tony Wright

The Snowy Mountains Hydro-Electric Scheme, Australia's greatest post-war infrastructure project, employed 100,000 people from its start in 1949 to its completion in 1974.

More than 65 per cent of those workers were migrants from around 30 countries, and a lot of them were "displaced persons" - refugees from a war that had left Europe a ruin.

Large numbers of them couldn't speak or write English at first, which meant they were functionally illiterate in Australia.

Melbourne wharfies initially refused to dock the first ship of "New Australians" who had arrived in 1947, claiming these foreigners were coming to take Australian jobs.

In fact, there weren't many jobs available at first. It wasn't long before there were riots at the biggest migrant reception centre, Bonegilla, near Albury-Wodonga, among those who became fearful they were in detention with no employment awaiting them.

The Minister for Immigration in 1952, Harold Holt, found emergency funding to calm them and speed them into jobs. Lord knows what might have happened if he had called them illiterate layabouts.

These were the very people who went on to help Australia attain long-term economic prosperity and growth and who, with their children, drove cultural change to the point that Australia now embraces traditions from dozens of countries and from every continent bar Antarctica.

Australia's current Immigration Minister, Peter Dutton, is either ignorant of Australia's early post-war history, is unconsciously (or, god help him, deliberately) repeating the dumb xenophobia of those old-time wharfies or is trying to hook into latent ethnocentric views for political purposes.

He is, of course, perfectly entitled to make an argument that the Greens' proposal that Australia increase its humanitarian intake from 13,700 a year to 50,000 is economically fraught and over the top. Indeed, Australia's promise to take an extra 12,000 refugees from Syria is currently taking the nation's humanitarian intake to the highest level since 1954.

There are immense costs involved, and any responsible Immigration Minister would be required to say so.

But to use the sort of language that Mr Dutton employed this week is inexplicable in a context that does not take into account the basest political dog-whistling.

"They won't be numerate or literate in their own language, let alone English," he said of prospective refugees.

"These people would be taking Australian jobs, there's no question about that."

An ugly anti-immigration dunderhead from the 1950s could barely have found a more pointed construction of words.

And remind us again: who built much of modern, post-war Australia, including the Snowy Mountains Scheme?

<http://www.canberratimes.com.au/federal-politics/federal-election-2016-opinion/election-2016-remind-us-peter-dutton-who-built-the-snowy-mountains-scheme-20160518-goy0k2.html>

13. Neil McMahon: English overboard: Dutton ditches the dog whistle and barks instead

Peter Dutton's statement on asylum seekers was, in its way, a work of art. Critics may yet come to consider this latest gust of enthusiasm the Minister's best work yet, writes Neil McMahon.

ABC The Drum

By Neil McMahon

First posted Wed 18 May 2016, 2:22pm

Updated Wed 18 May 2016, 2:24pm

"They won't be numerate or literate in their own language, let alone English. These people would be taking Australian jobs, there's no question about that. For many of them that would be unemployed, they would languish in unemployment queues and on Medicare and the rest of it so there would be huge cost and there's no sense in sugar-coating that, that's the scenario."

What a moment for Peter Dutton.

Like a mountaineer opting to climb the final stage of Everest in thongs, he first boldly threw aside an Australian leader's favourite tool of trade - dog whistle be gone; no need for it once you have mastered the art of actually barking. And then he gave us what might be called the "English Overboard" affair of the 2016 campaign, a neat bookend to the kiddies-in-the-drink

spectacular that so distinguished the 2001 showdown - the very election at which Dutton first presented his chiselled features and chosen fancies to voters.

Dutton's statement on asylum seekers was, in its way a work of art - and a particularly Queensland work of art at that. Sir Joh Bjelke-Petersen himself would've been proud to have produced this collision of words and sentences, tumbling forth and governed only by the rule that each sentence was to make a swift nonsense of the sentence immediately preceding it.

And what a joy it is to behold - a minister holding forth on questions of literacy with the grammatical flair of an autocorrected drunk text.

In the space of three sentences, refugees were painted as the cleverest bunch of illiterate yet industrious job-hogging layabout if completely hypothetical invaders the Australian people had ever been invited to collectively clutch their pearls over.

(For good measure on the literacy front, Dutton questioned whether these folk would be "numerate ... in English", which doesn't add up at all. Counting is counting, Minister, and knows no tongue - eight weeks, to pick a random example, will always be eight endless, painful weeks, no matter the language in which we might grimly tally the toll. The words we use for counting - one, two, three - you following, Minister? - they would be a matter of literacy.)

Moving on and back to the fearmongering at hand. Despite, or perhaps because of, his blithe defiance of the need to make any sense, Dutton almost got away with it. Actually, he did get away with it on Sky News when he first said it, and make of that what you will. But not long after his warnings hit the outside world it became clear the Minister was actually stranded and left straddling in the most painful of positions.

Sir Joh himself could have warned him to take care - in a famous missive with almost eerie pertinence to Dutton's current role, the master of the Queensland word salad once advised:

You can't sit on a fence, a barbed wire fence at that, and have one ear to the ground.

Indeed you cannot, and nor should you try to dance on one, as Dutton is learning after his frolic along the wire last night. Not that he is one to be deterred easily.

He is, after all, a one-time northern copper, a determined bunch. Not for nothing was the young Dutton, aged just over 30, sent in on the frontline of that 2001 election.

Like many of his Queensland brethren - Sir Joh actually looked like a peanut, Peter Beattie like a plump tomato, Campbell Newman an overripe asparagus - Dutton came blessed with a certain farm-fresh visage. In his case, it was like a Brussels sprout had been cross-bred with Donny Osmond - and it was from those formidable teeth that one deduced he meant business.

And so it has proven, though taking care of business has made him perhaps even more prone than others to the pitfalls of public focus. His most famous how-to-wreck-a-photo-op moment came when a hovering microphone caught him cracking wise about rising sea levels swamping our Pacific neighbours. Prior to last night, this was his most notable contribution to comedy folklore, alongside his aborted stand-up experiment with Operation Border Force at Flinders Street station.

But critics may come to consider this latest gust of enthusiasm the Minister's best work yet, coming as it does a precise 100 days before the 15th anniversary of the Tampa crisis - the event that sealed the 2001 election result for John Howard, and therefore Dutton's political career.

A mere 17 days after Tampa came 9/11, and two months after that, polling day. Within those weeks lies the origin story for the politics of today - right up to that Dutton interview last night. Only the dog whistle was missing.

But he's always shown signs he didn't much see the need of it when you could just say things right out loud. In his maiden speech, this much was clear. He spoke of crime "causing older Australians to barricade themselves in their homes"; of "the boisterous minority and the politically correct" with their outsized influence; of the "silent majority ... fed up with bodies like the ... Refugee Action Collective".

Taking no prisoners, and taking no time to parse the nuance of his own words, he declared:

As a police officer, I have seen the best and the worst that society has to offer. I have seen the wonderful, kind nature of people willing to offer any assistance to those in their worst hour, and I have seen the sickening behaviour displayed by people who, frankly, barely justify their existence in our sometimes over-tolerant society.

Now there's a sentence to ponder, and ponder again. Or you could just take the advice Sir Joh would give once he'd laid down the law: don't you worry about that.

<http://www.abc.net.au/news/2016-05-18/mcmahon-dutton-ditches-the-dog-whistle-and-just-barks-instead/7425250>

14. Editorial: Australia's disgraceful inhumanity to people seeking asylum

The Age
Editorial
May 18, 2016 - 5:57PM

The cynicism and dishonesty with which the Coalition government is seeking to create and fan irrational fears about people seeking asylum is as shameful as it is absurd.

On the day Malcolm Turnbull's disapproval rating eclipsed his approval rating for the first time since he snatched the prime ministership and declared he would lead by treating citizens as intelligent and mature, he and some of his most senior colleagues resorted to the opposite.

Their attempt on Wednesday to demonise some of the world's most vulnerable people as a simultaneous threat to Australian jobs and a potentially dreadful drain on the welfare system suggests electoral panic. Immigration Minister Peter Dutton, Mr Turnbull and Foreign Minister Julie Bishop not only insulted the integrity and dignity of people fleeing persecution, war, and worse, but the intelligence and decency of Australians.

Consider these words from Mr Dutton, in response to a suggestion from the Greens that, at a time when there are more displaced people in the world – 60 million – than at any time since the Second World War, Australia should boost its humanitarian intake. "These people would be taking Australian jobs ... for the many who would be unemployed, they would languish in unemployment queues and on Medicare so there would be huge cost and there's no sense in sugar-coating that."

Ms Bishop backed him, reiterating the financial argument, while Mr Turnbull lauded his minister and in effect claimed that Australia's treatment of people seeking asylum was beyond reproach.

The Age has long and consistently argued the treatment of such people by recent Coalition and Labor governments has been a disgrace. We understand the issues are complex, and that were there a ready solution, it would have been evident long ago. But cruelly placing people in grim offshore detention centres where they suffer awful health problems, both physical and mental, is wrong, and lowers the standing of our nation. We believe our government should process people onshore, in the community, and lead in the creation of an enhanced regional and international solution with sufficient resources to process refugees so that they do not take the dire risk of getting on people-smuggler boats.

The appalling status quo is clearly unsustainable, as Mr Turnbull and his team must surely be aware, as should Opposition Leader Bill Shorten and his treasury spokesman Chris Bowen, a former immigration minister, who in rushing to denigrate Mr Dutton merely looked hypocritical.

Labor governments have been as deplorable as the Coalition. It was Kevin Rudd who led a team including Mr Shorten and Mr Bowen to the 2013 election with the draconian policy that not only would anyone who arrived by boat seeking asylum – a legal act despite dissembling to the contrary – be kept in mandatory offshore detention, they would never be allowed to settle in Australia, even if found to be genuine refugees. As many as 90 per cent of people who arrive by boat seeking safety are genuine refugees.

The Coalition's cost argument is risible. It costs taxpayers \$400,000 a year to keep someone in offshore detention. That's a total of about \$3.5 billion a year, four times what is spent on Indigenous health and one of the fastest-growing items in recent fiscal history. Processing asylum seekers in the community costs \$12,000 a year. That would free up ample money to not only assimilate, employ and tax arrivals and establish a regional queue.

Australians should be dismayed by the waste and inhumanity that continues in their name, and demand honesty and honour from candidates. Enough is enough.

<http://www.theage.com.au/comment/the-age-editorial/australias-disgraceful-inhumanity-to-people-seeking-asylum-20160518-goy8cu.html>

15. 'Blood' painted on Immigration office building in Brisbane

Sydney Morning Herald / AAP
May 20, 2016 - 2:55PM

Protesters have painted outside Brisbane's Department of Immigration office with fake blood to highlight conditions faced by women in Australia's offshore detention centres.

The small group held a silent vigil outside the city building on Friday morning, bringing attention to allegations of sexual violence against asylum seekers on Nauru.

They painted on a footpath the name Nazamin, an Iranian asylum seeker reportedly raped last year.

"The 'blood' can easily be cleaned off by water but the damage done to refugees in the aftermath can last a lifetime," protester Mandy McNulty said.

A 2015 Senate inquiry recommended that all asylum-seeker children and their families be removed from Nauru.

Last week Immigration Minister Peter Dutton defended health services at the island's detention centre after Naima Ahmed, a 22-year-old Somali woman, and her premature newborn baby were flown to Brisbane for treatment following an emergency caesarean.

"The flow of information from the government is so intermittent and we feel the public has a right to know more about what is happening in Australia's name," Ms McNulty said.

"We've written to Malcolm Turnbull and called his office but we feel this is the best way to get our message across."

<http://www.smh.com.au/federal-politics/political-news/blood-painted-on-queensland-immigration-office-20160520-go zu07.html>

16. Australia's indefinite detention of refugees illegal, UN rules

Government told it should compensate five people who were incarcerated without charge on secret security grounds

The Guardian
Ben Doherty
Wednesday 18 May 2016 06.17 AEST

Australia's indefinite detention of refugees on secret security grounds is arbitrary and illegal, the UN has ruled, in the latest of 51 cases – the most of any country – before the human rights committee.

The government should offer compensation to those it incarcerated without charge for up to six years, the UN's human rights committee said in its latest rebuke, which could harm Australia's ambitions to secure a seat on the powerful UN human rights council.

Australia's Attorney General's Department declined to comment on the breach of the international covenant on civil and political rights, citing the caretaker conventions in place during the election campaign.

The latest adjudication by the UN human rights committee relates to five refugees – one Iranian, three Sri Lankan Tamils and one Afghan Hazara – who were illegally detained between 2009 and 2015 because the Australian Security Intelligence Organisation had made an "adverse security assessment" against each of them.

They were recognised as refugees by Australia – "for whom return to their countries of origin was unsafe" the committee said – but were refused visas on security grounds.

But they were not allowed to know why they had been deemed security risks, nor were they permitted to see any of the evidence against them, or contest it. As a result, they were held in detention indefinitely, without facing charge or trial, or without any to the courts.

Asio later reversed its security assessments against all five refugees and released them to live in the community. All five are still in Australia. Each spent between four and six years in incarceration without charge.

At the peak of detentions, more than 50 people were arbitrarily detained on secret grounds. Almost all have had their security assessments removed and have now been released.

The Guardian understands that between six and 10 people remain in unlawful detention. The government will not confirm how many.

The UN found the refugees' detention was arbitrary and contrary to their right to liberty because the Australian government had failed to justify why the refugees presented a security risk.

The refugees suffered "cruel, inhuman, or degrading treatment" because their detention was arbitrary and indefinite, and because they were held in inadequate conditions.

And the committee rejected Australia's argument that the healthcare it provided to the refugees was sufficient to address their mental health concerns, finding that the fact of indefinite detention on secret grounds caused "serious psychological harm" which could not be addressed by treatment in detention.

While indefinite administrative detention is legal under Australian law, it is incompatible with Australia's international treaty obligations under the ICCPR, the committee ruled.

Australia is “obligated” to “provide ... rehabilitation and appropriate compensation” to those detained, the committee found. “The state party is also under an obligation to take steps to prevent similar violations in the future.”

The human rights committee has now found violations in 51 cases of refugees incarcerated by Australia under ASIO adverse assessments, the largest number of human rights case successfully brought before the it.

Prof Ben Saul, Challis chair of international law at the University of Sydney who acted for the refugees, told the Guardian that Australia’s breaches of international human rights law were egregious and sustained. “Short of torture or execution, indefinite detention is the worst thing you can do to a person under international human rights law,” he said.

“These people have done nothing wrong. No evidence has ever been presented to them that they have broken any law. It is not illegal to seek asylum. It is illegal to detain asylum seekers indefinitely.”

Saul said the human rights committee was an independent and un-politicised body of international law experts.

“Australia is utterly hypocritical when it comes to adhering to international law,” he said. “We constantly lecture China about international norms over its behaviour in the South China Sea, but when it comes to the findings of the committee, Australia just responds, ‘We disagree ... we interpret human rights differently.’”

“If you’re making up your own version of international law, it shows a complete disrespect, even a contempt, for the international system.”

Australia is lobbying for a position on the human rights council, competing against Spain and France in the “western Europe and others” group.

Two out of the three countries will be elected in the 2017 ballot. The three-year term runs from 2018 to 2020.

Saul said Spain and France had well-resourced diplomatic missions across the world and Australia’s sustained breaches of international law would be used against it.

The office of international law within the Attorney-General’s Department is responsible for advising the government on its treaty obligations and responsibilities under international law.

The AG’s department responded to queries from Guardian Australia saying that, because the government was in caretaker mode before the election, it was not in a position to respond on the government’s position.

Historically, Australia has considered the findings of UN treaty bodies and responded within six months.

In response to previous, similar findings, the government has affirmed it is “entitled to take measures, including detention, to uphold Australia’s national security”. The government has also argued with the UN’s interpretation of the ICCPR, claiming that “lawfulness” does not mean “lawful under international law” or that arbitrary detention is not lawful.

<http://www.theguardian.com/law/2016/may/18/australias-indefinite-detention-of-refugees-illegal-un-rules>

17. Australia slammed for locking up refugees on secret ASIO advice

The Age
May 16, 2016 - 1:13PM
Daniel Flitton

The United Nations has savaged Australia’s policy of locking away refugees for years without charge or trial on the basis of secret intelligence assessments.

An international legal panel at the UN has demanded compensation over “serious psychological harm” done to five men incarcerated for five years - only to be suddenly released into the community in recent months after the secret security finding was reversed.

The UN finding again throws a spotlight on what the legal panel slammed as Australia’s “arbitrary” practice of indefinite detention for any refugee the Australian Security and Intelligence Organisation initially deems a risk to national security.

At its height more than 50 refugees were held for years after 2009 inside Australia’s immigration detention network on security grounds.

They have predominantly been held in the Broadmeadows facility in Melbourne’s north, and Villawood detention centre in Sydney.

Yet most of the affected refugees have since been quietly released during the past 18 months after ASIO subsequently revised its adverse assessment.

One refugee Ragav, (not his real name) who was released last year after more than 1800 days in detention without knowing why, told Fairfax Media of how his mind dulled with the ordeal.

The latest ruling is the third time the UN has specifically criticised indefinite detention in Australia, but successive governments have refused to change the practice.

Former prime minister Tony Abbott last year dismissed criticism of Australia's refugee policy, declaring he was "sick of being lectured to by the United Nations".

The High Court has also upheld the use of indefinite detention.

The five men - three Sri Lankan Tamils, an Iranian and Afghan - arrived by boat in 2009 and 2010, and were each judged to qualify as refugees with a well-founded fear of persecution.

But they were later told that a routine security check by ASIO before a visa was issued had raised concerns, but not the reasons why.

Refugees, unlike citizens, permanent residents or other visa holders, are not allowed to appeal an ASIO decision.

The secret ruling left them trapped in what has previously been described as a "legal black hole" of indefinite detention - not able to return to their home, not permitted release into the community, and with no other country willing to settle them.

"The Immigration department treats these ASIO assessments as a licence to detain, even though ASIO doesn't make that recommendation," said international law specialist Ben Saul.

"But after executions and torture, indefinite detention is the worst thing you can do to a person under international human rights law."

Professor Saul, Challis Chair of International Law at the University of Sydney, appealed to the UN Human Rights Committee, a panel of legal experts, arguing the secret basis for the security assessment made it impossible to evaluate the justification for detention.

The UN legal panel ruled indefinite detention was not justified and Australian authorities had failed to demonstrate why other measures, such as mandatory reporting or monitoring, could not have satisfied security concerns.

Professor Saul said it was appalling that the senior leadership in the government - Prime Minister Malcolm Turnbull, Foreign Minister Julie Bishop, and Attorney General George Brandis - were each lawyers but allowed indefinite detention to continue.

ASIO has previously said it constantly reviews and updates assessments based on the security environment.

The five men have all been subsequently released after ASIO revised its assessment, the last in December.

But the UN found that the men's protracted detention and the government's refusal to provide information or appeal "cumulatively inflicted serious psychological harm".

The Commonwealth Ombudsman has repeatedly warned of serious risks to mental and physical health from indefinite detention - with reports showing at least one-in-four of the refugees with adverse assessments had attempted or threatened suicide.

Australia has sought to win agreement from other countries to settle the refugees with adverse assessments, without success.

<http://www.theage.com.au/national/australia-slammed-for-locking-up-refugees-on-secret-asio-advice-20160515-govuw.html>

18. Michael Gordon: No, Prime Minister, you can't airbrush away the damage done on Nauru and Manus

WA Today
May 17 2016 - 2:21PM
Michael Gordon

It's not yet day 10 of the campaign, and Malcolm Turnbull has played the asylum-seeker card with all the deftness and subtlety of a Tony Abbott shirtfront.

Until now, Mr Turnbull has been content to let Peter Dutton do the dirty work, serving up his daily tally of the number of Labor MPs who have ever expressed the slightest discomfort with any elements of Coalition (or Labor) border protection policy.

Now, with a Border Force patrol boat to provide the photo opportunity, Mr Turnbull has stepped up to declare that Labor doesn't have the courage, or the will, or the conviction to stop the boats.

But, no, Prime Minister, the 25 Labor MPs you say are only the "tip of the iceberg" are not in open mutiny over Bill Shorten's (and Labor's) commitment to turning back the boats and offshore processing (notwithstanding the breathless headlines in the Herald Sun).

Many have done nothing more than express similar sentiments to you, like when you told Fran Kelly you "sympathise with, and grieve for" the "mental anguish" that so many on Nauru and Manus Island have had inflicted on them.

Most of them simply share the concerns you said you had for those on Nauru and Manus in your very first televised interview after becoming PM, before the bureaucrats and Mr Dutton pulled you up.

Many of them believe the United Nations refugee agency when it asserts, after visiting both places with health professionals, that refugees and asylum seekers should be removed "immediately".

The agency described both arrangements as "completely untenable", despite the best efforts of Nauru and Papua New Guinea, saying prolonged detention had proved "immensely harmful" for the around 2000 people on Nauru and Manus Island.

That was after a shocking spike in self-harm on Nauru and the decision by PNG's highest court that the denial of liberty to those on Manus violated that country's constitution – and countless reports chronicling instances of abuse and sky-rocking levels of mental illness.

Yet, in the story Mr Dutton and now you are trying to project, these and other problems are airbrushed away and anyone with a scintilla of empathy is disqualified from office. It's unbecoming.

But it isn't turnbacks, or even offshore processing per se, that is causing most angst among the "Labor dissidents" (and several on your own side); it's the miserable failure, year after year, to find any enduring solution for those who have been found to have a legitimate fear of persecution if they return to their home countries.

After almost three years in office, you have only come up with one third-country option, Cambodia: one of the poorest and most corrupt countries on Earth. Tens of millions has been spent and fewer than a handful resettled (unsuccessfully).

This is the policy failure Labor says it would rectify, though neither Mr Shorten nor his immigration spokesman, Richard Marles, have nominated their preferred resettlement countries.

It is the policy failure you are banking on the electorate being content to ignore.

<http://www.watoday.com.au/federal-politics/federal-election-2016-opinion/election-2016-no-prime-minister-you-cant-airbrush-away-the-damage-done-on-nauru-and-manus-20160517-gox5r0.html>

19. Peter Dutton's figures on Labor's refugee policy don't add up

The independent parliamentary budget office says ALP plan costs \$1.87bn over seven years, not the \$2.5bn over four years quoted by immigration minister

The Guardian
Lenore Taylor Political editor
Thursday 19 May 2016 13.46 AEST

Malcolm Turnbull says Labor's refugee policy would put a dangerous "strain ... on the budget" which his immigration minister, Peter Dutton, quantifies as \$2.5bn over the next four years. But it appears the government has costed a different policy.

Labor is proposing the same refugee intake as the government for the next three years - a gradual increase to take the program to 18,750 in 2018-19 - so for the next three years the cost of the major parties' policies would be the same.

After that Labor proposes to increase the refugee intake by 1,200 refugees in each of the seven years between 2019 and 2025, to take the intake to 27,000 in 2025.

Costings by the independent parliamentary budget office - provided to Labor before it promised the long-term increase in the refugee program at its national conference last year - calculated the cost at a total of \$1.87bn over those seven years.

In a statement, Dutton said his cost estimate assumed that refugee and humanitarian program would double immediately.

"Labor's decision to just double the figure was done solely for political purposes," he said. "There was no science in doubling the figure - it was purely done to try to win over the left during the debate at ALP conference on boat turn-backs.

"A doubling of the [refugee program] annually as committed to by Labor would cost an estimated \$2.5bn over the four-year period of the forward estimates."

Asked about the reaction to Dutton's comments that refugees often were not "numerate or literate in their own language, let alone English" and would "languish on unemployment queues" or take "Australian jobs", Turnbull said the government had "got the balance right".

"We think what Labor is proposing is too much. It will strain the system both in terms of giving good settlement services and in term of the budget," he said, suggesting Dutton had been "demonised".

The parliamentary budget office said Labor's policy would cost \$17.2m in 2019-20, \$61.8m in 2020-21, \$130.1m in 2021-22, \$221m in 2022-23, \$335m in 2023-24, \$473m in 2024-25 and \$634m in 2025-26. Labor has resubmitted the policy to the independent parliamentary budget office to have the costings updated for its final policy calculations.

<http://www.theguardian.com/australia-news/2016/may/19/malcolm-turnbull-says-labors-refugee-policy-would-dangerously-strain-budget>

20. Poll shows almost half of Labor voters oppose bringing Manus Island detainees to Australia

Bill Shorten accuses Malcolm Turnbull of dishonesty as prime minister insists Labor cannot be trusted on border protection

The Guardian
Lenore Taylor Political editor
Tuesday 17 May 2016 17.37 AEST

New polling shows 48% of Australians, including 43% of Labor voters, oppose the idea of bringing asylum seekers from Manus Island to Australia even though Papua New Guinea's supreme court has found the centre illegal.

The finding, in the latest Essential Report, underlines Bill Shorten's challenge as he faces Labor candidates concerned about the humanitarian impact of the near-identical policies of the major parties on asylum seekers and a prime minister repeatedly claiming the concerns would lead to a Labor government restarting the people-smuggling trade.

The Essential poll found the election race is tight, with Labor leading by 51% to 49% after 10 days of campaigning in which Shorten's intended messages about education and manufacturing jobs have been repeatedly overshadowed by the Coalition's attacks on asylum. It found 62% of Coalition voters opposed bringing asylum seekers to Australia from PNG.

On Tuesday, Shorten addressed Turnbull's attack before the prime minister had even delivered it, and without being prompted by a media question – insisting it was a "lie".

"Before I take questions, I just want to make some comments about Mr Turnbull and some of the dishonest things he's been saying about Labor," Shorten said.

"He has clearly decided that he's going to say as often as he can that Labor won't tackle the people smugglers and he's also clearly decided to say as often as he can that in the event of a hung parliament Labor would form a coalition with the Greens. There is no truth to any aspect or any detail of what he's saying. Mr Turnbull's clearly been told lies or he's telling lies. Whatever the case, he ought to stop and he ought to stop now."

But in Darwin, touring a border force vessel, Turnbull intensified his attack, saying Labor was "riddled with dissent" and could not be trusted on the issue.

"My government is utterly committed, totally committed, to ensuring that the people smugglers' trade is stopped as it has been," he said. "Mr Shorten says that he agrees with the government's policy, that's what he says. We have now more than two dozen – 25 at latest count – of his candidates and backbenchers who are unhappy, disassociate themselves with, qualify their support for, our policy and the reality is that they are just the tip of the iceberg.

"They are the symptom of a fundamental problem that Mr Shorten has, which is that the Labor party does not agree with the government's strong policy on border protection. They do not agree with turning the boats back and, regardless of what they say before the election, we know from the experience of Kevin Rudd's government that they will ... fail, that they lack the conviction to be strong, to be strong in Australia's interests."

Turnbull pointed to comments from the deputy Labor leader, Tanya Plibersek, on Monday in which she said: "All of these candidates have said that they support Labor party policy. What they don't like is Liberal party policy. They don't like indefinite detention on Manus Island and Nauru. Labor is committed to stopping the boats, to making sure that people smugglers don't start up again their wicked trade. They don't care whether people make it to Australia or not. What Labor candidates don't want to see is the indefinite detention on Manus Island."

Turnbull said: “She’s said that she and those other candidates support Labor’s border protection policy, which is different from the government’s policy. Well, how is it different?”

“All Australians will say – and I regret to say all the public will say is, ‘Here we go again.’ It’s the same old Labor. You cannot trust them on border protection.”

The immigration minister, Peter Dutton, accused Labor candidates of “messaging” on social media to people in detention centres to indicate a change of policy if there was a change in government.

Labor’s policy – reached after a bitter fight at last year’s national conference – mirrors the Coalition’s support for offshore detention for all asylum seekers coming to Australia and the turnback of boats intercepted on the way.

Labor says its policy differs in that it wants independent oversight of the camps, a children’s advocate for unaccompanied minors and faster processing times and, it has promised to increase the humanitarian intake from 13,750 to 27,000 by 2025.

Neither major party has said where it would resettle the refugees from Nauru or Manus Island.

Turnbull is including Plibersek in the 25 MPs and candidates who are dissenting from Labor’s policy. He is also including several MPs who backed the “Let Them Stay” campaign, which was specifically trying to prevent 267 people, including babies, from being returned to Nauru. The government let several of the families stay in Australia. Other Labor MPs on the list have expressed more serious reservations about Labor’s policy.

<http://www.theguardian.com/australia-news/2016/may/17/poll-shows-almost-half-of-labor-voters-oppose-bringing-manus-island-detainees-to-australia>

21. Seven in 10 Australians think the government should do more to help refugees

Global survey by Amnesty International ranks Australia as fifth most welcoming population, with two-thirds happy for refugees to settle in their cities

The Guardian
Ben Doherty in Sydney
Thursday 19 May 2016 10.01 AEST

Australian people are among the most welcoming of refugees in the world, with seven in 10 saying the country should do more to assist people fleeing war and persecution, a global Amnesty International survey has found.

The attitude is in stark contrast to government statements this week. The immigration minister Peter Dutton argued that many refugees are uneducated and illiterate, and that accepting more into Australia would see them take jobs from Australians or burden the country’s welfare system.

But more than half of Australian respondents to the Amnesty survey said they would welcome refugees into their neighbourhoods, and more than one in 10 would welcome a refugee to live in their home.

Globally, China, Germany and the UK were found to be the countries with populations most welcoming of refugees, followed by Canada and Australia in fifth place; while Russia, Indonesia and Thailand ranked lowest of the 27 countries surveyed.

Some 27,000 people responded to the survey, conducted by Globescan in person, by phone, and online, for Amnesty International.

The survey of Australians found:

- 84% agreed that “people should be able to take refuge in other countries to escape war or persecution”.
- 71% believed the government should do more to help refugees fleeing war or persecution.
- 68% would welcome refugees living in their city, town, or village.
- 57% would welcome refugees living in their neighbourhood.
- 13% would welcome refugees living in their own home.

The results of the Amnesty survey contrast sharply with domestic polling, which shows support for hardline asylum policies in Australia. Essential Report polling found 48% of people (43% of Labor voters, 62% of Coalition voters) oppose the idea of bringing asylum seekers from Manus Island to Australia, even though Papua New Guinea’s supreme court has found the centre illegal.

Of 27,000 respondents globally, two-thirds said their governments should do more to help refugees. One in 10 would accept a refugee to live in their own home.

FULL STORY AT <http://www.theguardian.com/australia-news/2016/may/19/australians-government-more-help-refugees-amnesty>

22. One in five Australians would offer a refugee their spare room

Sydney Morning Herald
May 23, 2016 - 8:14AM
Matt Wade

One in five Australians would offer a temporary home for a refugee if they had a spare room, an international poll shows.

That's a higher proportion than in Britain, France, Italy, Japan and South Korea, but lower than in the US, Germany and Turkey.

In Australia, under-35s are the most likely age group to strongly agree that they would shelter a refugee at home along with the highly educated.

Those living in metropolitan areas are more likely to open their homes to a refugee than those in regional areas and women more likely than men. A bigger share of low-income earners strongly agreed that they would provide short-term accommodation to a refugee than middle and high-income earners.

The exclusive poll of 16,554 people across 23 countries for Fairfax by Ipsos Global Advisor asked respondents if they would be willing to offer a spare room to a refugee as a temporary home.

Across all nations, 24 per cent said they strongly agreed or tended to agree while 47 per cent said they tended to disagree or strongly disagreed.

In Australia, 19 per cent agreed they would offer a refugee a temporary home if they had a spare room while 56 per cent disagreed.

Ipsos director Jessica Elgood said the responses by Australians to the question about opening their homes to a refugee was "not too distant from the global average".

The poll also found 26 per cent of Australians agreed "a larger number of refugees" should be allowed to settle here versus 46 per cent who disagreed and 28 per cent who neither agreed nor disagreed or didn't know.

Those aged under-35 and the highly educated were most likely to think Australia should lift its refugee intake. Overall, the proportions of Australian voters supporting a larger refugee intake, and the proportion disagreeing with an increase, were both close to the international average.

The new poll comes days after the refugee issue burst onto the election campaign agenda when Immigration Minister Peter Dutton hit out at calls to lift Australia's refugee intake.

He said many refugees who settle in Australia are illiterate and would take local jobs while those who couldn't find work would "languish in unemployment queues".

The Ipsos survey showed a relatively high proportion of Americans (27 per cent) are willing to offer a spare room to temporarily house a refugee despite the recent controversy over the policies proposed by the Republican Party's presumptive presidential candidate Donald Trump, including a plan to build a wall on the Mexican border and banning Muslims from entering the United States.

Ms Elgood said there were a relatively small proportion of respondents willing to offer their homes as a temporary shelter to a refugee in some countries on the front line of the refugee crisis in Europe caused by the influx of Syrians displaced by war.

However, Germany's results were close to the global average even though it has absorbed more than a million refugees during the past year.

"Despite having taken in so many refugees, Germany is still relatively positive [about hosting refugees] compared with many other western European countries," she said.

"It is far more positive than France, Belgium and the UK." Last Thursday, Amnesty International released a Welcoming Refugees Index which ranked Australia the fifth most welcoming of refugees out of 27 countries surveyed.

<http://www.smh.com.au/federal-politics/federal-election-2016/election-2016-one-in-five-australians-would-offer-a-refugee-their-spare-room-20160522-gp0v3a.html>

23. The logo you're not supposed to see with Malcolm Turnbull

Michael Koziol
Sydney Morning Herald
May 17, 2016 - 1:10PM

DARWIN. As far as campaign stunts go, it doesn't get more blatantly political than a visit to an Australian Border Force patrol boat.

But reporters arriving to the carefully staged event on Tuesday were warned not to photograph Malcolm Turnbull alongside the Border Force's logo, which proudly adorned the Cape Jervis docked in Darwin.

The Border Force was keen to avoid being politicised, the PM's staffers explained, even as cameras were being assembled right behind them for a press conference.

But the seepage of politics proved unstoppable. Following a tour of the Cape Jervis, Mr Turnbull used the occasion to launch his strongest attack to date on Labor's asylum seeker credentials.

"The protection of Australia's borders is a political issue. We should not be naive about this," he said. "No matter how professional, no matter how capable, courageous and committed the Border Force is, everything depends on strong leadership. Labor cannot deliver that. [Bill] Shorten cannot deliver that."

In recent weeks, the Labor leader has had to contend with numerous candidates and retiring MPs distancing themselves from Labor's support for offshore processing and boat turn-backs.

Mr Turnbull said those individuals represented "just the tip of the iceberg" of dissent within Labor's ranks, and accused them of "crab-walking away" from strong border protection "in the direction of the Greens".

It was the second day in a row the Prime Minister has used a press conference to accuse Labor of cosying up to the Greens in case it needed their support to form a minority government.

"Regardless of what they say before the election, we know from the experience of Kevin Rudd's government that they will not perform, that they will fail, that they lack the conviction to be strong," Mr Turnbull said.

But he was coy when asked about the photo-that-must-not-be-taken, insisting there had been "ample opportunity" to photograph him as he walked about the Border Force vessel.

The Australian Border Force, essentially a rebranding of customs and immigration forces under former prime minister Tony Abbott, has attracted its share of controversy. In August last year, it announced an operation to randomly check people's visas in Melbourne's CBD. It spawned spontaneous protests and was cancelled just hours later, but not before being branded a "border farce".

And precious little is known about the Border Force's activities at sea, because the government does not comment on what it dubs "operational matters" such as boat turn-backs.

Aboard the Cape Jervis on Tuesday, a crew member revealed operatives had previously been involved in about four or five jobs during each 28-day mission, including intercepting asylum seeker boats or illegal Indonesian fishing vessels. But work had been quieter recently, he said.

<http://www.smh.com.au/federal-politics/federal-election-2016/election-2016-the-logo-youre-not-supposed-to-see-with-malcolm-turnbull-20160517-gowvje.html>

24. Labor candidate for WA seat of Moore withdraws after 'gulag' comment about detention centres

ABC News Online
By Laura Gartry
First posted Thu 19 May 2016, 2:07pm
Updated Thu 19 May 2016, 2:49pm

Federal Labor's campaign for the northern Perth seat of Moore is in disarray, after the party's candidate called immigration detention centres "gulags" on social media and withdrew his nomination.

Moore contains most of the City of Joondalup and is currently held by Liberal MP Ian Goodenough by a 12.4 per cent margin.

WA Labor secretary Patrick Gorman confirmed David Leith was no longer the candidate due to "personal reasons".

Mr Leith officially ceased to be the candidate on March 29, but it is understood Labor made no public announcement at the time.

The ALP has deleted Mr Leith's official Labor Facebook account and removed all his links to the federal election campaign. However, the comments are still visible on his personal Facebook page.

The party is now scrambling to fill the position and said it would announce a new candidate in the coming weeks.

Mr Leith's departure is the second blow for Labor in as many weeks, after Fremantle candidate Chris Brown was dumped for not declaring spent convictions from the 1980s.

In the June 2015 post, Mr Leith likens immigration detention centres to gulags.

"There is no rationale on security or other grounds for the concentrated internment of refugees," he said in the post.

"Refugees are held in detention for what are essentially political reasons - for demonstration or exemplary purposes - which means Australia is possibly the only state to hold civilians, including children, as political hostages.

"It also means that Australian immigration facilities are essentially a gulag for the arbitrary incarceration of non-citizens who have committed no crime, whose only error has been to fall into the hands of the Australian authorities.

"It's now very clear that once taken by Australian military or paramilitary forces, State policy requires that refugees will either be trafficked into captivity in Indonesia or they will be held as political captives by Australia or one of its clients."

Mr Leith also shared an online petition he had signed supporting Human Rights Council head Gillian Triggs, urging the then-Abbott government to cease "playing the man" on the issue.

Mr Leith has been contacted for comment.

<http://www.abc.net.au/news/2016-05-19/labor-candidate-for-moore-withdraws/7429242>

25. Tim Costello says indefinite detention of asylum seekers is 'torture'

Opposition leader Bill Shorten says World Vision CEO 'has a point' and accuses government of delays in resettlement

Then Guardian
Paul Karp
Sunday 22 May 2016 12.43 AEST

Indefinite detention of asylum seekers on Manus Island and Nauru is psychological torture, World Vision Australia's chief executive, Tim Costello, has said.

Speaking on Sky on Sunday, Costello said: "There's no question that the psychological torture of not being able to actually resettle, and you can't go back home, is torture."

Costello said the case of a Somali woman who set herself on fire on Nauru showed how desperate the federal government's refugee policy was making people.

The act of self-immolation by 21-year-old Hadon came just weeks after a 23-year-old Iranian man, Omid, died after setting himself alight in protest on Nauru.

Costello said 98% of women in Somalia suffered genital mutilation.

"Somalia is a terrifying place – you would flee that, I would flee that," he said. "The thought of that young woman, of desperation, [of] indefinite stay on Nauru, [she] can't go back to Somalia, set herself on fire – that's the sort of psychological torture I think is going on."

Responding to the comments, Bill Shorten said: "In terms of what Tim Costello is talking about in the cost and the pain and the suffering of indefinite detention, I think he has a point.

"As prime minister, I would prioritise regional resettlement. The answer to defeating the people smugglers cannot be indefinite detention. That is what the government is pushing.

"The truth of the matter, this government has let delays blow out. They have not been transparent in terms of the treatment of people in our care. I sympathise with what Tim Costello is saying.

"The best answer is to defeat the people smugglers and make sure that the people in our care, directly or indirectly, get proper resettlement."

Shorten reiterated Labor's commitment to prevent drowning at sea, including by use of controversial boat towbacks, which he has been at pains to stress after the government spent two weeks on the campaign trail suggesting Labor's policies would lead to more boats of asylum seekers coming to Australia.

At a doorstep in Sydney on Sunday, Malcolm Turnbull said: "Well, I don't accept what Tim Costello says there.

"It is absolutely critical that we maintain a secure border protection policy and that is why it is absolutely critical that people who seek to come to Australia through the services of people smugglers are not able to settle in Australia."

The UN has ruled that Australia's indefinite detention of refugees on secret security grounds is arbitrary and illegal. The government should offer compensation to those it incarcerated without charge for up to six years, the UN's human rights committee has said.

On Saturday Labor's foreign affairs spokeswoman, Tanya Plibersek, announced if elected Labor would reverse a \$224m cut to foreign aid in the 2016 budget. The \$224m cut was part of a \$11.3bn reduction over five years by the Coalition government compared with levels Labor projected in May 2013.

She also promised to provide \$450m over three years to the United Nations High Commissioner for Refugees, placing Australia in the top-five global contributors.

The torture comments come after immigration minister, Peter Dutton, made inflammatory remarks on Tuesday that many refugees were not numerate or literate and would take Australian jobs.

On Wednesday Turnbull backed Dutton, calling him an "outstanding immigration minister".

Turnbull repeated Dutton's observation "many [refugees], large percentages of them, have no English skills at all ... [many] are illiterate in their own language".

He added: "Many haven't completed high school. That is no fault of theirs."

Asked about Dutton's statement refugees took Australian jobs, Turnbull said: "Everybody that comes to Australia we want to be able to seek employment. We want to be sure that they have got the skills to do so.

"We want them to become part of our workforce."

<http://www.theguardian.com/australia-news/2016/may/22/tim-costello-says-indefinite-detention-of-asylum-seekers-is-torture>

26. Family of refugee who died after self-immolating on Nauru say 'hope is dead'

Omid Masoumali, whose funeral was held in Iran on Friday, died in a Brisbane hospital after setting himself alight during a visit by UN officials

The Guardian
Michael Safi
Saturday 21 May 2016 16.38 AEST

The family of a refugee who died after setting himself on fire in protest on Nauru say their "hope is dead" after the 24-year-old's funeral in Iran on Friday.

Omid Masoumali died in a Brisbane hospital on 29 April after setting himself alight during a visit to Nauru by United Nations officials two days before.

The Iranian national was a recognised refugee living in Nibok settlement on Nauru with his wife.

After his funeral his family released a statement saying: "Our hope is gone".

"Omid is gone forever," it said. "'Omid' means 'hope' in Persian. His father named him Omid because his birth gave hope, excitement and life to his small family.

"Our Omid had it all: warm, friendly, always smiling, witty, and athletic ability.

"There is no word that can express how bitter is his loss for us. Our Omid is gone, our hope is dead; so unbelievable, so sudden! We were counting on him, like always, like what he was saying every time; counting for better future, counting for sweet coming moments," it said.

"Omid was doing well, enduring hardships for better future. What happened to Omid's hope? Who has taken his hope? Who has taken our hope, our Omid? Who has made the life so bitter for him?"

According to one witness to Omid's suicide, before he self-immolated he told bystanders, "This is how tired we are, this action will prove how exhausted we are. I cannot take it any more."

The incident was captured on mobile phone video.

A second video was recorded showing Masoumali in a Nauru hospital, pacing up and down screaming while distressed family members pleaded for him to be given assistance and painkillers.

Five people are believed to have self-harmed on the island on the same day.

Masoumali's widow told Guardian Australia her husband was not given a sheet or a place to lie down, and that the hospital "didn't even have a clean syringe".

"Staff in Nauru hospital couldn't help Omid in any way because they were unequipped," she said. "A lack of proper equipment and facilities was the reason that staff couldn't help and treat Omid in the Nauru hospital."

The Nauru government has said Masoumali received "the highest level of care".

<http://www.theguardian.com/australia-news/2016/may/21/family-of-refugee-who-died-after-self-immolating-on-nauru-say-hope-is-dead>

27. Jack Smit: End of an Era on 62 Wray Avenue

After twelve years of post-Tampa dissent, will an ALP 'apparatchik' replace independent and critical thought in Fremantle?

Project SafeCom website
Jack H Smit
15 May 2016

In 1994 Dr Carmen Lawrence became Labor's Fremantle representative, her electorate office now located on Wray Ave.

Amongst her constituents were the migrants who sailed into Fremantle from Europe following World War II.

Their numbers are fewer now, but Carmen would have known many of them personally. They would have told her about Mussolini, sharing their lament about the march of the Nazis. Some might have told horrific accounts of the atrocities inflicted by Hitler and his henchmen in their beloved mother country. Many of them would have been unacknowledged refugees.

Those first-generation migrants would have watched John Howard's SAS troops storm Arne Rinnan's MV Tampa in 2001 with horror. They deeply understood the definition of 'persecution' and 'seeking asylum' from first-hand experience, and they would have applauded Carmen Lawrence when she ended her political career prospects by quitting the front bench in late 2002. Carmen told reporters that she 'hated' her party's acquiescence with Howard's Tampa laws, and she expressed dismay about the encroaching vacuousness where daily media management and poll-driven policy development trump issues of principle, political ideals and values. She accused Labor of playing along with Howard's moral panic over boat people and she openly deplored Labor's submission to Howard's populist and racist politics, condemning Labor's failure to fiercely oppose his extremist conservative agenda.

My own activism dates from those Tampa days. As I learnt more about the rarefied atmosphere of Canberra's political cocoon, I began to compare Labor's acquiescence to Howard's panic to a dysfunctional, violent marriage, where the man keeps bashing up his wife, who is terrified and petrified, becoming so enmeshed and immobilized that she is incapable of finding an organised escape to a safe shelter.

Since Tampa, that devil's dance between conservatives and Labor has continued unabated. Of course it has. With Labor's principled positioning eroded, Australia's conservative bullies can inflict electoral extortion on their opponents at will, and its death spiral has intensified to ever-more extreme levels. While Lawrence lamented the out-of-sight, out-of-mind Christmas Island detention, we now dump refugees on Nauru and Manus Island. Countless laws, passed with Labor's acquiescence and, as time went on, its full support, have ensured total operative secrecy while placing those who dare come here by boat outside the reach of lawyers, personal safety guarantees and UN rights protection.

We practice a hideous, merciless regime of virtual torture by permanently jailing boat people. For up to 30,000 who came asking for help since 2007, we have destroyed the laughter and mental health of families. We stole the freedom and happiness of their children. Since the 2013 election, 15 people have tried to escape detention by killing themselves - or died directly as the result of our policy. Many others, including very young children, have desperately 'tried suicide'.

Before her 2007 retirement from politics, Dr Lawrence facilitated the entry of her successor Melissa Parke who is now retiring. A former UN lawyer, in office Melissa did not bury international law principles and UN Conventions under the festering political dung littering our Parliament. Just two weeks ago, in her valedictory speech in Parliament, Parke said:

"The war on people smugglers, accompanied by a faux concern for drownings at sea, has facilitated the profound deterioration in Australia's treatment of asylum seekers and refugees, our compliance with international human rights obligations and our own image of ourselves as a nation of tolerance, egalitarianism and the fair go. The present offshore detention system is a festering wound that is killing people and eroding our national character and reputation. It needs to be healed."

Labor has endorsed Josh Wilson for Fremantle, who learnt his political craft as a staffer for Carmen Lawrence and Melissa Parke. A few months ago he was part of nationwide #LetThemStay protests: thousands condemning our offshore camps, insisting the gulags are no places for children. But now, he immediately expressed unflinching support for dumping refugees offshore and secretly pushing back the boats. During the press conference, he obediently mouthed Labor's infamous 'saving lives at sea' words.

Wilson wants to become a career politician. If he makes it, 62 Wray Ave will be sterilized for the party machine man. Soon the memory of Wilson's former bosses will be erased, and he will not be unhappy about it. But Carmen's warnings about the march of the apparatchiks will resonate in the suburbs and with Melissa Parke the birds will whisper 'faux concern', 'faux concern', 'faux concern'.

<http://www.safecom.org.au/wray-avenue.htm>

28. Rocking the boat not for new Freo candidate

Sophie Morris
The West Australian
May 21, 2016

The retiring Labor member for the seat of Fremantle Melissa Parke made her name by going against party policy — particularly on the sensitive issue of asylum seekers.

But Labor's new candidate for the seat, Josh Wilson, has made plain he will not rock the boat, at least during this campaign.

Mr Wilson, 43, has for 12 years worked for Federal Labor MPs in Fremantle — Ms Parke and before her Carmen Lawrence, both of who criticised their party's approach to refugees.

As deputy mayor of Fremantle, Mr Wilson has in recent months supported motions calling for an end to offshore detention and boat turn-backs.

But since being picked as Labor's candidate last week, when the party's national executive disendorsed union organiser Chris Brown over teenage convictions, Mr Wilson has observed party discipline.

"I support Labor's policy, which isn't to move away from offshore processing, but I'm entirely supportive of the very strong criticism of the terrible shortcomings of the operation of those centres," he said.

Mr Wilson sees a role for boat turn-backs but only in "extraordinary or special circumstances".

"The one that would be clearest to me would be if you encounter a vessel that clearly isn't seaworthy, so by allowing it to continue there's a serious likelihood of those people's lives being put at risk," he said.

The Liberals dropped the bombshell yesterday that Sherry Sufi — a long-time Liberal staffer — would no longer stand in the seat after it was revealed he had been recorded mocking State Parliament's Speaker.

With the Liberals in disarray, Mr Wilson's main rival for the seat may be Greens candidate Kate Davis, who will draw a distinction between their approaches to refugee policy and argue the Greens are promising more action on climate change.

Ms Davis, a solicitor for Tenancy WA, praised Ms Parke for speaking out on human rights, but said Labor had not heeded her.

"My concerns are not with Josh but with the disappointing position the Labor Party has taken and Josh has made it clear from day one of his candidacy that he will be bound by Labor policies," the 34-year-old said.

"So many people in Fremantle don't want to see refugees detained in those hellholes of Manus and Nauru."

In February, Dr Lawrence supported Mr Wilson's candidacy, arguing the seat could fall to the Greens if Labor chose a union organiser. The Greens enjoy strong support around the coastal cafe strip of Fremantle, less so in the electorate's more working-class suburbs, reaching to Henderson in the south and Jandakot in the east.

The recent redistribution, hiving off some Liberal-leaning suburbs to the neighbouring seat of Tangney, has notionally increased Labor's margin from 4.8 per cent to 5.4 per cent.

In 2013, the Greens secured less than 12 per cent of the primary vote, so Ms Davis knows her campaign is a long shot but it is the party's best hope for a Lower House seat in WA.

Mr Wilson cites transport infrastructure as one of the seat's top issues, with Labor backing the State party's Metronet rail plan and pledging \$80 million for a bridge over the Kwinana Freeway to ease congestion at Cockburn Central.

His other campaign themes include Labor's commitment to increased schools funding and its opposition to the Perth Freight Link, in favour of investment in an outer harbour.

The Greens also oppose the freight link and want the Beeliar Wetlands protected.

Fremantle has been held by Labor since the 1930s, but Mr Wilson said he was not a shoo-in.

He knows politics can be unpredictable.

Having lost the preselection battle to Mr Brown, he was about to accept a job at Curtin University when he got a call from Labor headquarters asking if he still wanted to be the candidate.

Candidates will take part in a debate at Notre Dame University on June 21.

<https://au.news.yahoo.com/thewest/wa/a/31662851/rocking-the-boat-not-for-new-freo-candidate/>

29. Sudanese refugee withdraws his support for Liberals over Peter Dutton

Sudanese refugee lauded by Mike Baird withdraws his support for Liberals over Peter Dutton's asylum seeker comments

Brisbane Times
May 20 2016 - 1:22PM
Heath Aston

A Sudanese refugee chosen by NSW Premier Mike Baird to deliver this year's Australia Day address says he has always voted Liberal since arriving in Australia but has withdrawn his support for the party in response to Peter Dutton's comments on job-stealing asylum seekers.

Child soldier turned western Sydney defence lawyer, Deng Thiak Adut, said he would not vote for the Liberal Party because it has tried to "deter the public from empathising with refugees".

"I have voted Liberal ever since I could vote, but this election they won't be getting my support," Mr Adut told Fairfax Media from South Sudan where he is visiting his former homeland.

"It's not about the numbers or statistics, or how many visas they are willing to grant. The Liberals have lost my vote because they are actively trying to deter the public from empathising with refugees."

Mr Adut, who was drafted into the army at the age of six and arrived in Sydney via a UN refugee camp in Kenya when he was 15, rejected the Immigration Minister's view that "illiterate" refugees take Australian jobs or else "languish on the dole", saying they contribute to Australia.

"Most newcomers Australians will pay back their debts to Australia quickly if they are given opportunity. It may be a few years, like in my case – I am now a practicing lawyer, giving back to the community," he said.

Mr Baird invited Mr Adut to deliver the 20th Australia Day address in NSW after seeing a viral video clip of the young lawyer's life story produced by the University of Western Sydney.

He played the video during his Premier's Australia Day speech and said he was "proud but fearful" of what would happen to Australia if it shut its door on people like Mr Adut.

On Wednesday, Goulburn Valley fruit farmer and former illiterate refugee, Nabi Baqiri, also defended the work ethic of refugees.

Prime Minister Malcolm Turnbull was again asked about the refugee issue on Friday as he toured the Tasmanian winery of Josef Chromy who fled his war-torn Czech village in 1950 as a penniless 19-year-old to emigrate to Australia.

"Josef's story, like so many other migrant stories, have made us what we are. We're inspired by Josef and we're inspired by thousands of other Australians with the same migrant tale, the same tale of fleeing persecution and creating us, our nation," he said.

<http://www.brisbanetimes.com.au/federal-politics/federal-election-2016/sudanese-refugee-lauded-by-mike-baird-withdraws-his-support-for-liberals-over-peter-duttons-asylum-seeker-comments-20160520-gozpli.html>

30. Deported Sri Lankan wants to sue

The Australian
May 17, 2016 12:00AM
Greg Bearup

The federal government may face a legal challenge over its -deportation this month of a boatload of Sri Lankan asylum-seekers, who were flown back from the Cocos Islands, an Australian territory.

Sri Lankan human rights lawyer Lakshan Dias described the deportations as a “grave violation of international law” and said he had been in contact with lawyers in Australia interested in pursuing a challenge. He said the recent decision by the Papua New Guinean High Court, which declared Australia’s detention centre on Manus Island illegal, would have had no bearing on the Sri Lankans’ decision to go to Australia. He doubted they would have heard of it. Mr Dias represents one of the asylum-seekers deported. He said his client was poor, desperate and illiterate and “didn’t even own a mobile phone”. There was a “high possibility” his client was being persecuted in Sri Lanka and had a legitimate case for asylum, he said.

The boat carrying 12 Sri Lankans was spotted off the coast of the remote Cocos Islands a fortnight ago. After deportation, they were taken into custody when they arrived in Colombo and questioned by the country’s Criminal Investigation Department about how they had left Sri Lanka. Ten of them have been released on bail. However, two people, including Mr Dias’s client, remain in the Negombo Prison, charged with “leaving the country from an unlawful harbour”.

<http://www.theaustralian.com.au/federal-election-2016/federal-election-2016-deported-sri-lankan-wants-to-sue/news-story/1aa3bbbca88a54750e908162d9ec6487>

31. Asylum seeker forcibly returned by Australia says his refugee claim was ignored

Sri Lankan asylum seeker says he was only asked his name, where he was from and why he came when he arrived at the Cocos Islands by boat

The Guardian
Ben Doherty
Wednesday 18 May 2016 06.16 AEST

One of the asylum seekers forcibly returned to Sri Lanka by Australia has said his claim for refugee status was ignored by officials.

Colombo human rights lawyer Lakshan Dias, who is acting on behalf of the man, Kumara, his wife and two children, said the asylum seeker group was put through an abbreviated and unfair refugee assessment process.

“They were only asked their name, where they came from, and why they came,” Dias told Guardian Australia from Colombo. “No other questions. This man has a case for asylum that he wanted to present, but he was not given any opportunity.”

According to Dias, Kumara, who is illiterate, felt he was not listened to.

“They were not given lawyers’ assistance even after they seek those assistance, their case was not heard and not given any opportunity to tell their story as well.

“They did everything in a secret manner, no transparency.”

Kumara was one of 12 Sri Lankan asylum seekers – some Tamil, some Sinhalese – on board a boat that sailed into the lagoon at Cocos Islands on 2 May. The group was held on board Australian Border Force vessels, before being brought ashore on Cocos, put on a bus with blacked-out windows, and driven to the island’s airstrip, from where they were flown directly to Colombo.

All 12 were arrested upon arrival in Colombo, but, according to Dias, only two, including Kumara, have been charged with leaving the country unlawfully, under section 45C of Sri Lanka’s immigration and emigration act.

The pair is being held at Negombo prison, near Colombo airport. It is understood it will be alleged in court that the two charged were involved in organising the boat journey.

In 2014, after Australia returned 41 Sri Lankan asylum seekers intercepted at sea, the UNHCR said the abbreviated assessment process was unlawful under international law.

“UNHCR has previously made known its concerns to Australia about its enhanced screening procedures and their non-compliance with international law,” it said.

“UNHCR’s experience over the years with shipboard processing has generally not been positive. Such an environment would rarely afford an appropriate venue for a fair procedure.”

Under the 1951 Refugees Convention, to which Australia is a party, and under customary international law, countries cannot “refouler” a person, that is, send them back to a place where they will face harm.

Rights groups worldwide have raised serious concerns about Sri Lankan asylum seekers – particularly members of the ethnic Tamil minority – being returned.

In the UK, deportations to Sri Lanka have been halted by the high court, and government documents show at least 15 Tamil asylum seekers sent back to Sri Lanka subsequently escaped again and were granted refugee status because they had been tortured upon return.

Several reports have alleged that asylum seekers returned from Australia to Sri Lanka have faced arbitrary arrest, persecution, police brutality, and torture.

On the same Saturday that the group was returned the United Nations’ special rapporteur on torture, Juan E Méndez, said while progress had been made in post-war Sri Lanka, torture remained a common practice by the government.

“The testimonies I heard from victims, including detainees, who took the risk of speaking to me despite safety concerns, persuade me that torture is a common practice inflicted in the course of both regular criminal and national security-related investigations.

“Severe forms of torture continue to be used, although probably less frequently, while both old and new cases of torture continue to be surrounded by total impunity.”

“More reforms are needed before Sri Lanka can be considered to be on a path to sustainable democratisation.”

<http://www.theguardian.com/australia-news/2016/may/18/asylum-seeker-forcibly-returned-by-australia-says-his-refugee-claim-was-ignored>

32. Manus Island asylum seekers protest continuing detention

Detainees express anger over what they say is Australia’s refusal to accept Papua New Guinea supreme court decision to close the detention centre

The Guardian
Helen Davidson
Monday 16 May 2016 10.46 AEST

Asylum seekers and refugees on Manus Island, detained under Australia’s offshore processing regime, held protests over the weekend calling for an end to their detention after last month’s supreme court ruling that the Papua New Guinea centre was illegal.

Similar protests have been held on Nauru every day for almost two months.

Detainees marched in the rain and strung banners across compounds inside the Manus facility. One read: “Trafficked illegally here. Close Manus prison now.”

Kurdish Iranian journalist Behrouz Bouchani, who is detained on the island, said people were angry because they felt Australia was not accepting the court decision.

“All prisons are shouting to Australia that this place is illegal,” he said. “We are saying Australia exiled us to this hell by force, has kept us in this prison by force, by threatening us and with much humiliation.”

Photographs and video showed dozens of men marching around the compound.

A letter signed by dozens of Manus detainees last month pleaded to be resettled anywhere but PNG, where some of the few who attempted to make a life in the country have found themselves homeless.

News Corp reported on Sunday that a 24-year-old refugee who had settled in Papua New Guinea was assaulted by the father of a local woman he had been seeing.

Almost 900 men are held on Manus Island after being sent there by Australian authorities under the government policy which dictates that anyone seeking asylum by boat is processed offshore.

But last month the PNG supreme court ruled the detention of asylum seekers and refugees to be illegal, and ordered the PNG and Australian governments to “forthwith” take all steps necessary steps to stop the practice.

The following day the PNG government announced the centre would close. That led to an impasse between the two countries, as each claimed the other was responsible for the men.

The Australian immigration minister, Peter Dutton, has said he does not believe much will change until after the July federal election.

Last week a PNG immigration official claimed the men were no longer in detention because they were free to take a bus from the centre to nearby Lorengau during daylight hours.

News of the PNG ruling reached detainees on Nauru, who became distressed that they saw no end to their situation. A number of people have self-harmed or attempted suicide in the past weeks.

A 23-year-old Iranian refugee died after setting himself alight in front of visiting UNHCR delegates. A few days later a 21-year-old Somali woman also set herself alight. She remains in Brisbane hospital receiving treatment for her injuries.

<http://www.theguardian.com/world/2016/may/16/manus-island-asylum-seekers-protest-continuing-detention>

33. Former immigration minister Scott Morrison refuses to apologise over asylum-seeker charity allegations

The Age
May 9, 2016 - 8:23PM
Jenna Price

One of the world's most heartless immigration ministers – now the federal treasurer – refuses to apologise when he's wrong.

That was the news on Sunday when Scott Morrison, former immigration minister, now treasurer, was asked by Insiders host Barrie Cassidy to account for the decision to expel from Nauru 10 staff members of respected charity Save the Children in 2014. The allegations were brutal – these charity workers were inciting asylum seekers to self-harm.

Can you imagine anything more hurtful to those people? No one volunteers to work in non-government organisations for the money and the status. It's always about protecting and defending the vulnerable.

Now, the accused staff members have been cleared of any wrongdoing and the government is being forced to compensate them.

Madeline Gleeson, author of *Offshore*, a new book that gives us all insights into what has gone on in the detention centres of Manus and Nauru, says organisations such as Save the Children are always in a difficult position and attacks such as these are not helpful in an already tortuous situation.

Are charities there to protect and defend the vulnerable and the frightened? Or are they there simply to implement the policies of their employers? As Gleeson asks, who is the client?

"You are providing services to asylum seekers and you are torn in both directions," she says.

As a lawyer and research assistant at the Andrew and Renata Kaldor Centre for International Refugee Law at the University of NSW, Gleeson has spent three years interrogating the Australian response to the refugee crisis.

She says that those who work for non-government organisations all face the same conundrum. This question: "Is our presence there going to legitimise the policy?"

Gleeson says the impact on children of these policies has been severe. The children are isolated from their families. Or, they are with their families and the Australian government's policy make it impossible for the family unit to work. Children see their parents' authority undermined by guards. Or parents have been driven to the edge and children see their parents falling apart.

"Family dynamics are so skewed in such abnormal situations," she says.

She urges the government to act right now for asylum-seekers and refugees who are in harm's way.

"If there is someone who needs an intervention, act now, not years down the track."

And it is the work of charities trying to make those interventions which is currently under attack.

Charities rely on their reputations and the reputation of Save the Children was certainly besmirched by the minister's allegations. It's the style of allegation that emerged again last week when Peter Dutton accused refugee advocates of pushing false hope to asylum seekers.

Dutton said: "Advocates should reflect on their messages of false hope and misleading portrayal of the situation in Nauru. While some may be encouraged by messages of false hope and some may resort to extreme action, this government will not be dissuaded from its stated border protection policies," he said in Canberra last week. "We are not going to allow people to drown at sea again."

Perhaps Dutton had not yet heard the news that the government would pay compensation for the last time it insulted charity workers. And perhaps he doesn't realise that it's his government's policies which are causing harm and not the salt-of-the-earth workers in these organisations.

Why is this government continuing to attack those who work for good?

Let's backtrack a little. In September 2014, Morrison ordered 10 staff members of Save the Children removed from Nauru amid allegations that they were part of a propaganda campaign designed to undermine the government's border protection policies by coaching asylum-seekers on Nauru to self-harm. He said: "The public don't want to be played for mugs with allegations being used as some sort of political tactic in all of this."

Dutton echoed those claims when he was responding, if you can call it that, to the horrific instances we have seen of Omid, an Iranian refugee who died after setting himself on fire on Nauru; and then Hodan, a Somali refugee, still in a critical condition. His response was not to recognise despair but to blame those instances on troublemakers.

But it is the federal government which is making this trouble.

When Morrison ordered an inquiry into Save the Children staff in October 2014, led by former integrity commissioner Philip Moss, perhaps he hoped to find some evidence for his claims. But in Moss's recommendations, issued at the end of December 2014, Moss is clear: the department needed to review its decision to remove the 10 staff of Save The Children. It needed to provide evidence for its decision to the organisation and it needed to allow Save the Children to respond to those allegations.

Simple procedural fairness.

The Doogan review (to examine recommendation nine in the Moss report) was commissioned by the Department in May 2015 and conducted by Adjunct Professor Christopher M. Doogan, from the Centre for Customs and Excise Studies.

Doogan is blunt. He wrote in his conclusion: "The information available at the time the removal clause was activated did not warrant issuing the removal letter." His review also said that the primary impetus for issuing the removal letter was "a perceived need to take action of some kind to prevent an escalation of the protest action then occurring on Nauru".

Now the department must pay compensation.

There is no evidence to say that Dutton is any more right than Morrison was two years ago.

<http://www.theage.com.au/comment/scott-no-heart-scott-no-apology-20160508-gopkuo.html>

34. Ferrovial CFO says no 'access' to Broadspectrum's Manus, Nauru profits

Sydney Morning Herald
May 5, 2016
Jenny Wiggins

Spanish infrastructure group Ferrovial is still trying to figure out exactly how much money Broadspectrum makes from its detention centre contracts on Nauru and Manus Island as it moves closer to securing full control of the Australian contractor.

Almost 77 per cent of Broadspectrum's shares have been tendered in favour of the takeover bid, which has been recommended by Broadspectrum's board and remains open until May 13, Ferrovial said on Thursday.

Ferrovial has already signalled it does not intend to re-tender for Broadspectrum's contracts running detention centres on Nauru and Manus Island – the most profitable part of the Australian group's operations – after completing the acquisition.

Ferrovial told Spanish analysts after reporting its first-quarter results in Madrid on Wednesday that it did not know how much money Broadspectrum made from the centres.

"Regarding the EBITDA [earnings before interest taxation depreciation and amortisation] of the immigration contracts, it hasn't been disclosed by [Broadspectrum]," Ferrovial's group chief financial officer Ernesto López Mozo said during a conference call.

"We haven't had access to that figure and I'm sorry, but I cannot provide you with the figure now."

Broadspectrum has been reluctant to tell investors how much money it makes from the centres, revealing only that its defence, social and property division – which includes the detention centre contracts – generates 70 per cent-80 per cent of its EBITDA.

Broadspectrum's underlying group EBITDA totalled \$265 million in fiscal 2015.

Ferrovial reiterated on Wednesday that it would continue Broadspectrum's existing contracts on the detention centres, which end in February 2017.

"We will work with the government to ensure that it is working well, then we will make a decision," said Fernando González, chief financial officer of Ferrovial's services division.

The Department of Immigration and Border Protection has said it expects Broadspectrum to meet its existing "contractual obligations".

The Spanish group, which is under pressure from human-rights activists to withdraw from the Manus Island and Nauru contracts, has not yet specified its reasons for abandoning the detention centre business over the long term.

But Broadspectrum is in danger of losing its Manus Island contract after PNG Prime Minister Peter O'Neill ordered the centre closed.

Ferrovial, which already operates in Australia and has worked on road construction projects, intends to focus on Broadspectrum's utilities maintenance and facilities management businesses, including Broadspectrum's operations in the US, after completing the takeover.

The Spanish group currently only owns tollroads and construction businesses in the US but has been expanding. In April it acquired Texan construction group Pepper Lawson, which specialises in water infrastructure.

Ferrovial's shares dropped 1.6 per cent to €18.18 in Madrid on Wednesday after its group EBITDA fell 7.6 per cent to \$194 million for the three months ended March 31 due to declining profits in the group's construction and services businesses, particularly in the UK.

The company's UK services business had been hurt by declines in spending on road maintenance by local governments, Mr López Mozo said.

The Spanish group planned to draw on its existing construction and infrastructure businesses to develop Broadspectrum, he said, adding the "big feet" of Ferrovial's other businesses would help boost the contractor's growth.

Ferrovial is expected to delist Broadspectrum from the Australian Securities Exchange when the acquisition is complete.

Separately, Broadspectrum rival UGL appears to be benefiting from the Ferrovial takeover, with some investors who have sold their Broadspectrum shares to Ferrovial recently increasing their UGL holdings.

Invesco, which was Broadspectrum's second biggest shareholder, has lifted its stake in UGL to 7.2 per cent from 6.2 per cent.

<http://www.smh.com.au/business/ferrovial-cfo-says-no-access-to-broadspectrums-manus-nauru-profits-20160505-goms6l.html>

35. Department of Immigration's \$3500-a-week border bus for public servants

Sydney Morning Herald
May 16, 2016 - 4:39PM
Noel Towell

Taxpayers are paying more than \$3500-a-week on a shuttle bus to drive Immigration and Border Force public servants around Canberra.

The \$370,000, two year arrangement looks like it is here to stay after the politically-driven decision to keep the expanded department's workforce in two separate locations in the capital.

Immigration has hired local transport outfit CBD Chauffeured Transport to ferry the bureaucrats between the old Customs headquarters in Civic and Immigration's long-term office accommodation 9 kilometres north in Belconnen.

A spokesman confirmed the bus was needed to take officials between the two sites as they go about their daily business.

"The department currently uses a shuttle bus service to enable staff to transit between the city and Belconnen to assist in the delivery of daily work requirements," the spokesman said.

"This service is currently the most effective and cost-efficient method available when compared to other modes of transport."

When Immigration and Customs first merged to form Australian Border Force, the expanded department put out the call for a giant new 80,000 square meter building, no further than 10 kilometres from Parliament House.

The tender was seen as a boon to the struggling Canberra commercial real estate market with several developers around town vying for Immigration's signature as it moved towards its stated goal of bringing its 5500 Canberra-based public servants together in a single location.

But a fierce bi-partisan political backlash, combined with pressure from commercial interests in Belconnen, including retail giant Westfield, ensured that any move of the 4000 Immigration public servants based there became impossible.

Commonwealth property guidelines were also changed as a result of the saga so that "local impacts" must now be considered in any significant move.

A compromise position was announced last week with the 1500 Civic-based public servants to move to a state-of-the art new building at Canberra Airport .

Trouble is, the airport is 16 kilometres from Belconnen so departmental officials face their daily bus trips for the foreseeable future.

<http://www.smh.com.au/national/public-service/department-of-immigrations-7000aweek-border-bus-for-public-servants-20160513-gou8td.html>