

# Chapter 1

## Introduction and background

### Referral of the Inquiry

1.1 On 12 September 2016, the Senate referred the following matter to the Senate Legal and Constitutional Affairs References Committee (the committee) for inquiry and report by the final sitting day of March 2017: serious allegations of abuse, self-harm and neglect of asylum seekers in relation to the Nauru Regional Processing Centre, and any like allegations in relation to the Manus Regional Processing Centre.

1.2 The terms of reference in this matter are:

- (a) the factors that have contributed to the abuse and self-harm alleged to have occurred;
  - (b) how notifications of abuse and self-harm are investigated;
  - (c) the obligations of the Commonwealth Government and contractors relating to the treatment of asylum seekers, including the provision of support, capability and capacity building to local Nauruan authorities;
  - (d) the provision of support services for asylum seekers who have been alleged or been found to have been subject to abuse, neglect or self-harm in the Centres or within the community while residing in Nauru;
  - (e) the role an independent children's advocate could play in ensuring the rights and interests of unaccompanied minors are protected;
  - (f) the effect of Part 6 of the Australian Border Force Act 2015;
  - (g) attempts by the Commonwealth Government to negotiate third country resettlement of asylum seekers and refugees;
  - (h) additional measures that could be implemented to expedite third country resettlement of asylum seekers and refugees within the Centres;
  - (i) any other related matters; and
- (2) the committee be granted access to all inquiry submissions and documents of the preceding committee relating to its inquiry into the conditions and treatment of asylum seekers and refugees at the regional processing centres in the Republic of Nauru and Papua New Guinea.<sup>1</sup>

1.3 On 20 March 2017, the Senate granted an extension of time to report until 21 April 2017.<sup>2</sup>

### Conduct of the inquiry

1.4 In accordance with usual practice, the committee advertised the inquiry on its website, and also wrote to various organisations and individuals inviting written

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1 *Journals of the Senate*, No. 4, 12 September 2016, p. 129.

2 *Journals of the Senate*, No. 31, 20 March 2017, p. 1054.

submissions. The committee requested that submissions be provided by 7 November 2016 but accepted a number of submissions after this date.

1.5 The committee received 61 submissions, some of which were accepted as wholly or partially confidential. A list of submissions received is at Appendix 1.

1.6 The committee held six public hearings and heard from a number of witnesses:

- 11 November 2016 in Canberra;
- 15 November 2016 in Melbourne;
- 8 February 2017 in Canberra;
- 14 March 2017 in Brisbane;
- 15 March 2017 in Canberra; and
- 20 March 2017 in Canberra.

1.7 References to Hansard transcripts are to the proof transcript. Page numbers may vary between the proof and the official transcript.

1.8 In the course of this inquiry the committee had access to all evidence taken by the committee during previous inquiries into these matters. The committee also had access to all evidence published by other committees inquiring into related matters. These inquiries are discussed in further detail in this Chapter.

1.9 The committee encountered some difficulties taking evidence during this inquiry. These difficulties arose because the committee was charged with inquiring into matters taking place outside Australian territory. A committee cannot travel outside Australia's jurisdiction to take evidence, as it cannot formally meet as a committee outside Australia. The committee was unable to visit the RPCs, make an assessment as to the facilities, or meet with individuals who are directly affected by these matters. Many individuals who may have provided primary evidence would not have been able to do so with the protection of parliamentary privilege. Parliamentary privilege does not extend to people located outside Australia. Some RPC workers may have risked prosecution under Australian law by providing evidence. The application of Australian laws to RPC workers will be discussed in Chapter 4.

1.10 The committee thanks the individuals and organisations who gave evidence during this inquiry, especially those who bravely gave evidence in camera. Many had already given evidence to a previous inquiry into related matters. The committee recognises that the inquiry deals with sensitive issues, and thanks witnesses and submitters for continuing to engage with the inquiry process.

### **A note on terminology**

1.11 A range of terms have been employed to describe the people living in the Republic of Nauru (Nauru) and Papua New Guinea (PNG) after having sought asylum

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in Australia. These include 'illegal maritime arrival', 'unauthorised maritime arrival', and 'transferee'.<sup>3</sup>

1.12 The term 'refugee' is defined in article 1 of the *Refugee Convention 1951* to include a person who:

...owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable to, or owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it.<sup>4</sup>

1.13 An 'asylum seeker' is a person who seeks protection as a refugee, and whose claim for such protection is still being assessed. As the Department of Immigration and Border Protection (the department) explained to the committee, 'Not all asylum seekers are necessarily refugees, but all refugees have at some point been asylum seekers'.<sup>5</sup>

1.14 Australia's RPCs were established for the purposes of holding individuals in immigration detention while their claims for protection were processed, pursuant to Australia's obligations under international law. As such, this report will refer to individuals held in Nauru and PNG, or held there at any time in the past, as either 'refugees' or 'asylum seekers'.

## **Report structure**

1.15 The remainder of Chapter 1 will summarise developments relating to matters associated with the RPCs.

1.16 Chapter 2 will set out the allegations of abuse, neglect and self-harm among refugees and asylum seekers in Nauru and PNG.

1.17 Chapter 3 will analyse the factors which have contributed to the allegations of abuse and self-harm being made, including concerns about the support services available to individuals who allege that they have been subject to abuse, neglect or self-harm. It will also address concerns about the manner in which notifications of abuse and self-harm are investigated.

1.18 Chapter 4 will outline attempts by the Commonwealth Government to negotiate third country resettlement of refugees and asylum seekers, and additional measures which could be implemented to expedite this process.

1.19 Chapter 5 will analyse the public spending associated with the administration of offshore processing of asylum seekers.

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3 Department of Immigration and Border Protection (DIBP), *Submission 23*, p. 7.

4 Refugee Convention 1951, article 1(2).

5 DIBP, *Submission 23*, p. 7.

1.20 Chapter 6 will discuss Australia's obligations in relation to refugees and asylum seekers in Nauru and PNG, including obligations under international law.

1.21 Chapter 7 will set out the committee's conclusions and recommendations.

## **Background**

### *Global refugee crisis*

1.22 The world is in the grip of a global refugee crisis. It is estimated that approximately 65 million people are displaced around the world,<sup>6</sup> 21.3 million of whom are refugees.<sup>7</sup> The United Nations High Commissioner for Refugees (UNHCR) estimates that nearly 34,000 people are forcibly displaced every day as a result of conflict or persecution.<sup>8</sup>

1.23 Australia processes claims for asylum via its humanitarian programme.<sup>9</sup> The majority of offshore applicants are identified by the UNHCR as potential applicants, and referred to Australia for consideration of their claim. From 2015-2016, 17,555 visas were granted under the humanitarian programme.<sup>10</sup> Of these, 2,003 were granted to onshore applicants who were recognised as refugees, 7,268 were 'Special Humanitarian Programme' visas, and 8,284 refugee category visas. Of those visas granted to offshore applicants, 3,790 were granted to individuals displaced by the conflicts in Syria and Iraq, as part of the Government's commitment to an additional 12,000 Humanitarian Programme places for such applicants.<sup>11</sup>

### *Australia's policy of offshore processing*

1.24 The history of Australian offshore processing has been outlined in previous inquiries about these and related matters and therefore will not be restated here.<sup>12</sup> The

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6 International Crisis Group (ICG), *What's Driving the Global Refugee Crisis*, 15 September 2016, <https://www.crisisgroup.org/global/what-s-driving-global-refugee-crisis> (accessed 13 January 2017).

7 United Nations High Commissioner for Refugees (UNHCR), [www.unhcr.org/en-au/figures-at-a-glance.html](http://www.unhcr.org/en-au/figures-at-a-glance.html) (accessed 13 January 2017).

8 UNHCR, [www.unhcr.org/en-au/figures-at-a-glance.html](http://www.unhcr.org/en-au/figures-at-a-glance.html) (accessed 13 January 2017).

9 DIBP, Fact sheet – Australia's refugee and humanitarian programme, <https://www.border.gov.au/about/corporate/information/fact-sheets/60refugee> (accessed 13 January 2017).

10 DIBP, 2015-16 Humanitarian Programme Outcomes, <https://www.border.gov.au/ReportsandPublications/Documents/statistics/humanitarian-programme-outcomes-offshore-2015-16.pdf> (accessed 13/01/2017).

11 Australian Government, Joint Media Release, *The Syrian and Iraqi humanitarian crisis*, 9 September 2015, [www.formerministers.dss.gov.au/15738/the-syrian-and-iraqi-humanitarian-crisis/](http://www.formerministers.dss.gov.au/15738/the-syrian-and-iraqi-humanitarian-crisis/) (accessed 5 April 2017).

12 Select Committee, Recent allegations relating to conditions and circumstances at the Regional Processing Centre in Nauru ('Select Committee'), *Taking responsibility: conditions and circumstances at Australia's Regional Processing Centre in Nauru ('Nauru RPC')*, August 2015, pp. 3–6.

Refugee Council of Australia (RCA) has also published a detailed timeline of major events in the history of Australia's refugee and humanitarian programme.<sup>13</sup>

### *The findings of previous inquiries*

1.25 The findings of three recent Senate inquiries into related matters are summarised below.

#### *Incident at the Manus Island Detention Centre from 16 February to 18 February 2014*

1.26 In 2014 the Legal and Constitutional Affairs References Committee conducted an inquiry into the incident at the Manus RPC in February that year which resulted in the death of Mr Reza Berati.<sup>14</sup> The committee examined and reported on a range of issues related to the governance and management, legal obligations, physical conditions, refugee status determination and resettlement arrangements at the Manus RPC.

1.27 The report noted evidence of:

- inhumane and cramped accommodation with a lack of privacy;<sup>15</sup>
- unhygienic toilet and shower facilities in very poor condition, many with moss and fungi on the walls;<sup>16</sup>
- very long queues for meals, low quality food and regular cases of diarrhoea and food poisoning;<sup>17</sup>
- a very high demand for medical services generally, regular cases of skin infections, widespread mental health problems including suicidal ideation, and poor facilities for transferees who were mentally ill;<sup>18</sup> and
- animosity between PNG locals and asylum seekers.<sup>19</sup>

1.28 The committee found that:

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13 Refugee Council of Australia, *Timeline*, <http://www.refugeecouncil.org.au/getfacts/timeline/> (accessed 13 January 2017).

14 Legal and Constitutional Affairs References Committee, *Incident at the Manus Island Detention Centre from 16 February to 18 February 2014 ('Incident at Manus')*, December 2014, p. 40.

15 Legal and Constitutional Affairs References Committee, *Incident at Manus*, December 2014, p. 40.

16 Legal and Constitutional Affairs References Committee, *Incident at Manus*, December 2014, pp. 42-43.

17 Legal and Constitutional Affairs References Committee, *Incident at Manus*, December 2014, pp. 43-44.

18 Legal and Constitutional Affairs References Committee, *Incident at Manus*, December 2014, pp. 45-46.

19 Legal and Constitutional Affairs References Committee, *Incident at Manus*, December 2014, pp. 51-54.

- a significant number of local service provider staff, and some expatriate staff, were involved in violence against asylum seekers;<sup>20</sup>
- detainees had not been given a clear pathway for the assessment of their asylum claims, and this may have contributed to the violent riots which took place in the Manus RPC in February 2014;<sup>21</sup>
- conditions in the RPC were 'harsh and inhumane', and this was a significant factor increasing the volatility in the centre;<sup>22</sup>
- the Australian Government had failed in its duty to protect asylum seekers (including Mr Barati) from harm;<sup>23</sup>
- the Australian Government exercised 'effective control' over the Manus RPC and the men held there, and even if it did not, Australia would still be liable for breaches of international human rights law there under the doctrine of joint liability;<sup>24</sup> and
- as the 'architect of the arrangements with PNG', the Australian Government has a 'clear and compelling moral obligation' to ensure asylum seekers are treated in accordance with international human rights law.<sup>25</sup>

*Taking responsibility: conditions and circumstances at Australia's Regional Processing Centre in Nauru*

1.29 In 2015, the Senate established the Select Committee into recent allegations relating to conditions and circumstances at the Regional Processing Centre in Nauru (select committee). The select committee's report was broad in scope, covering a range of issues including questions of legal jurisdiction and Australia's responsibilities, management and governance of the RPC, living conditions, services and facilities, and the protection of detainees at the RPC from abuse and harm.

1.30 The committee noted evidence of:

- the Nauruan police forces' limited resources and capacity to investigate serious allegations, and questionable independence and willingness to

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20 Legal and Constitutional Affairs References Committee, *Incident at Manus*, December 2014, p. 147.

21 Legal and Constitutional Affairs References Committee, *Incident at Manus*, December 2014, p. 145.

22 Legal and Constitutional Affairs References Committee, *Incident at Manus*, December 2014, p. 146.

23 Legal and Constitutional Affairs References Committee, *Incident at Manus*, December 2014, p. 146.

24 Legal and Constitutional Affairs References Committee, *Incident at Manus*, December 2014, p. 151.

25 Legal and Constitutional Affairs References Committee, *Incident at Manus*, December 2014, p. 151.

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investigate allegations against Nauruans charged with assaults on non-Nauruans;<sup>26</sup>

- concerns about the capacity of Nauru's judiciary to cope with the workload generated by incidents at the RPC, and the independence of the judiciary;<sup>27</sup>
- staff being verbally abusive, engaging in sexual harassment, supplying contraband items in exchange for sexual favours, and engaging in otherwise aggressive conduct;<sup>28</sup>
- a culture of fear among staff about disclosing anything that happened at the RPC;<sup>29</sup>
- a lack of communication between the department and asylum seekers being resettled in the Nauruan community, and the granting of shorter term Nauruan visas than those originally discussed;<sup>30</sup>
- concerns with regards to mould, access to water, a lack of privacy, the provision of clothing and footwear, toilet facilities, food, education services, recreation activities, and access to medical care;<sup>31</sup> and
- sexual harassment, threats of sexual violence against young girls and women, and sexual exploitation.<sup>32</sup>

1.31 The committee found that:

- the conditions in the Nauru RPC at that time were 'not adequate, appropriate or safe' for asylum seekers. The Commonwealth must accept ultimate responsibility for this;<sup>33</sup>
- there is a strong argument that Australia bears the primary obligation to protect the human rights of asylum seekers under international law;<sup>34</sup>
- the committee had not been afforded full and transparent access to information, and regarded that the Australian Government in particular had sought to avoid full accountability to the Senate;<sup>35</sup>
- the steps for refugee status determination in Nauru at that time were unknown, and the processing time was lengthy;<sup>36</sup> and

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26 Select Committee, *Nauru RPC*, August 2015, p. 19.

27 Select Committee, *Nauru RPC*, August 2015, pp. 20–23.

28 Select Committee, *Nauru RPC*, August 2015, p. 25.

29 Select Committee, *Nauru RPC*, August 2015, p. 31.

30 Select Committee, *Nauru RPC*, August 2015, p. 49.

31 Select Committee, *Nauru RPC*, August 2015, pp. 64–85.

32 Select Committee, *Nauru RPC*, August 2015, pp. 99–116.

33 Select Committee, *Nauru RPC*, August 2015, p. 120.

34 Select Committee, *Nauru RPC*, August 2015, p. 121.

35 Select Committee, *Nauru RPC*, August 2015, p. 120.

- a pervasive culture of secrecy cloaked most of the department's activities in relation to the RPC, and far greater transparency, scrutiny and accountability was required.<sup>37</sup>

*Conditions and treatment of asylum seekers and refugees at the regional processing centres in the Republic of Nauru and Papua New Guinea*

1.32 In the 44th Parliament, this committee inquired into the conditions and treatment of asylum seekers and refugees at the RPCs in Nauru and PNG. This inquiry lapsed and an interim report was published in May 2016.

1.33 The report noted evidence:

- of a generally poor standard of living at the RPCs including substandard health facilities, and facilities which were hot, humid, dirty and 'prison-like', and lacked privacy;<sup>38</sup>
- of incidents between June 2014 and July 2015, including 134 incidents of actual self-harm including some by children, 75 instances of the use of force against asylum seekers, 26 major disturbances of various kinds, 34 instances of serious assault requiring medical treatment, and other incidents including electrocution and disease outbreak;<sup>39</sup>
- from submitters who believed that harsh and indefinite conditions in RPCs represented a deliberate policy on the part of the Australian Government to deter others from attempting to come to Australia by boat;<sup>40</sup>
- from medical experts indicating the prevalence of mental health concerns in children at RPCs (including Post Traumatic Stress Disorder, depression, anxiety, learning difficulties, bed wetting, nightmares, behavioural regression, memory loss, separation issues, and some suicidal ideation);<sup>41</sup>
- of concern regarding the standard of education provided to children on Nauru, including a lack of play and recreational activities;<sup>42</sup>

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36 Select Committee, *Nauru RPC*, August 2015, p. 123.

37 Select Committee, *Nauru RPC*, August 2015, p. 124.

38 Legal and Constitutional Affairs References Committee, *Conditions and treatment of asylum seekers and refugees at the regional processing centres in the Republic of Nauru and Papua New Guinea ('Nauru and PNG RPCs')*, Interim Report, May 2016, pp. 5–6.

39 Legal and Constitutional Affairs References Committee, *Nauru and PNG RPCs*, Interim Report, May 2016, pp. 6–7.

40 Legal and Constitutional Affairs References Committee, *Nauru and PNG RPCs*, Interim Report, May 2016, p. 8.

41 Legal and Constitutional Affairs References Committee, *Nauru and PNG RPCs*, Interim Report, May 2016, p. 11.

42 Legal and Constitutional Affairs References Committee, *Nauru and PNG RPCs*, Interim Report, May 2016, p. 12.

- of concerns about lesbian, gay, bisexual and transgender (LGBT) people held in RPCs, particularly noting that male homosexual conduct remained a criminal offence in both Nauru and PNG, and severe discrimination in the RPCs and host countries against LGBT people;<sup>43</sup> and
- of concerns about a lack of transparency and accountability with regards to management and contracting at the RPCs,<sup>44</sup> a climate of oppressive secrecy surrounding the operation of RPCs,<sup>45</sup> and calls for independent oversight.<sup>46</sup>

### ***Recent developments relating to this policy***

1.34 On 26 April 2016 the Supreme Court of PNG held that detention of asylum seekers at the Manus RPC was unconstitutional and illegal, and ordered that their detention cease.<sup>47</sup> The following day the Manus RPC was declared to be an 'open centre'.<sup>48</sup> Three months later, on 17 August 2016, the Minister for Immigration and Border Protection the Hon Peter Dutton MP was reported to have advised that the Manus RPC would be closed, and that both countries would work towards the closure 'as quickly as possible'.<sup>49</sup> On 13 March 2017 it was reported that the Chief Justice of the PNG Supreme Court, Sir Salamo Injia, found that the Manus RPC had in fact been 'closed', and that the refugees and asylum seekers living within the RPC were 'now accommodated at the naval base the centre was built on'.<sup>50</sup> However, as at 31 January 2017 the department still listed the RPC as an operational RPC facility housing 861 men.<sup>51</sup> In addition, on 9 April 2017 the Government announced that the Manus RPC will be closed by 31 October 2017.<sup>52</sup>

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43 Legal and Constitutional Affairs References Committee, *Nauru and PNG RPCs*, Interim Report, May 2016, pp. 12–13.

44 Legal and Constitutional Affairs References Committee, *Nauru and PNG RPCs*, Interim Report, May 2016, pp. 13–14.

45 Legal and Constitutional Affairs References Committee, *Nauru and PNG RPCs*, Interim Report, May 2016, pp. 14–16.

46 Legal and Constitutional Affairs References Committee, *Nauru and PNG RPCs*, Interim Report, May 2016, pp. 16–17.

47 *Belden Norman Namah MP v Hon Rimbink Pato, National Executive Council and the Independent State of Papua New Guinea*, SCA No. 84 of 2013, Supreme Court of Justice (Papua New Guinea), 26 April 2016.

48 Department of Immigration and Border Protection (DIBP), *Submission 23*, p. 68.

49 ABC News, *Manus Island detention centre to close, Peter Dutton and PNG Prime Minister confirm*, 18 August 2016.

50 ABC News, *PNG Chief Justice finds Manus Island detention centre is actually closed*, 13 March 2017.

51 DIBP, *Immigration Detention and Community Statistics Summary*, 31 January 2017, <https://www.border.gov.au/ReportsandPublications/Documents/statistics/immigration-detention-statistics-31-jan-2017.pdf> (accessed 20 March 2017).

52 The Hon Peter Dutton MP, *Interview with Peter Van Onselen and Paul Kelly, Sky Sunday Agenda*, 9 April 2017, [www.minister.border.gov.au/peterdutton/2017/Pages/sky-sunday-agenda-09042017.aspx](http://www.minister.border.gov.au/peterdutton/2017/Pages/sky-sunday-agenda-09042017.aspx) (accessed 18 April 2017).

1.35 On 13 November 2016, the Australian Government announced that refugees located on Manus Island and Nauru would be offered resettlement in the United States of America (US) under a 'one off' arrangement.<sup>53</sup> At the date of this report, no refugees in either Nauru or PNG have been resettled in the USA. This announcement will be discussed further in Chapter 4 of this report.

1.36 On 13 September 2016 the Australian National Audit Office (ANAO) released an audit report on the procurement of garrison support and welfare services at Australia's offshore processing centres.<sup>54</sup> On 17 January 2017 the ANAO released an audit report of the contract management of those garrison support and welfare services.<sup>55</sup> These two audit reports were extremely critical of both the procurement of services at the RPCs, and the management of the contracts for those services. These reports will be discussed further in Chapter 5 of this report.

1.37 A number of contractors engaged to provide services in Nauru and PNG have announced that when their current contracts end they will not retender:

- Broadspectrum has provided garrison and/or welfare services in Nauru since September 2012, and in PNG since March 2014.<sup>56</sup> On 20 April 2016, Broadspectrum was acquired by a Spanish company called Ferrovial, which attained a majority shareholding in Broadspectrum. Ferrovial announced that RPC services would not form part of its service offerings in the future.<sup>57</sup> It stated that the services which Broadspectrum had been providing on Nauru and Manus (garrison and support services) were not 'a core part of the valuation and the acquisition rationale of the offer' and 'not a strategic activity in Ferrovial's portfolio'.
- Wilson Security is subcontracted by Broadspectrum to provide security services in Nauru and PNG. On 1 September 2016, Wilson Security announced that its contract with Broadspectrum would conclude at the same time as Broadspectrum's head contract.<sup>58</sup> Wilson Security also stated that it will 'not tender for any further offshore detention services' and noted that the

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53 See, [www.minister.border.gov.au/peterdutton/Pages/Refugee-resettlement-from-Regional-Process-Centres.aspx](http://www.minister.border.gov.au/peterdutton/Pages/Refugee-resettlement-from-Regional-Process-Centres.aspx).

54 Australian National Audit Office (ANAO), *Offshore Processing Centres in Nauru and Papua New Guinea: procurement of garrison support and welfare services*, Audit Report No. 16 2016–17.

55 ANAO, *Offshore processing centres in Nauru and Papua New Guinea – contact management of garrison support and welfare services*, ANAO Report No. 32 2016–17.

56 DIBP, *Submission 23*, p. 34.

57 Ferrovial, *Ferrovial reaches 59% of Broadspectrum*, media release, 29 April 2016, [www.ferrovial.com/en/press-room/press\\_releases/59-per-cent-offer-broadspectrum/](http://www.ferrovial.com/en/press-room/press_releases/59-per-cent-offer-broadspectrum/) (accessed 19 January 2017).

58 Wilson Security, *Wilson Security to conclude RPC services in 2017*, media release, 1 September 2016, <https://uploads.guim.co.uk/2016/09/01/245T1041.PDF.pdf> (accessed 19 January 2017).

provision of security services at RPCs is 'not in line with Wilson Security's long term strategic priorities'.

- On 19 September 2016 it was reported that Connect Settlement Services (CSS) would not reapply for its contract to provide settlement services on Nauru once its existing contract expired on 7 December 2016.<sup>59</sup>

1.38 On 1 April 2017 it was reported that the company responsible for the provision of medical services at both the Nauru and Manus RPCs, International Health and Medical Services (IHMS), had been required to cease providing services at the Manus RPC from midnight on 31 March 2017.<sup>60</sup> It was reported that this was due to the staff members having been practicing medicine without a licence from the PNG Medical Board. The Guardian Australia later reported that IHMS had been replaced by a PNG company called Paradise, which was providing only basic and emergency medical care, and that asylum seekers and refugees with chronic conditions requiring medication had been unable to access such medication during the changeover.<sup>61</sup>

1.39 It was further reported that IHMS had characterised this event as a 'temporary' stop in operations, and expressed a hope to resume services soon. It was also reported that IHMS were concerned about having been targeted by the local PNG healthcare sector for commercial reasons:

Overlaying the licensing issue, as a result of competing commercial interests within the healthcare sector in PNG, IHMS has been the target of multiple unfounded accusations including that IHMS has not complied with PNG labour, immigration and taxation laws. IHMS provided the PNG government all the information required to refute these allegations.<sup>62</sup>

1.40 On 7 April 2017, Mr Behrouz Boochani, a refugee on Manus Island, tweeted that IHMS would be returning to Manus Island.<sup>63</sup>

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59 Sydney Morning Herald, *Refugee welfare service provider Connect abandons Nauru*, 19 September 2016.

60 RNZ, *Embattled healthcare provider leaves Manus*, 1 April 2017.

61 The Guardian Australia, *Manus healthcare provider forced to leave for practicing unlicensed*, 3 April 2017.

62 The Guardian Australia, *Manus healthcare provider forced to leave for practicing unlicensed*, 3 April 2017.

63 Mr Behrouz Boochani, Twitter, <https://twitter.com/BehrouzBoochani> (accessed 7 April 2017).

