

Submission to the Senate Inquiry into Offshore Processing 2026

12 February 2026

Submitted by convenor, Marie Hapke, on behalf of the Network.

To: Secretary and Members of the Senate Legal and Constitutional Affairs Committee

The Refugee Advocacy Network is a Melbourne based network of groups and individuals who are concerned about the treatment of refugees and especially people seeking asylum in Australia, and the punitive policies which have been adopted by successive governments.

It is encouraging that that the Senate Inquiry has been established. We sincerely hope that the Committee closely examines the evidence and submissions received and makes recommendations to address concerns. We also hope that the government has the will; and the courage to make substantial change.

We understand that the Inquiry will have particular reference to contracts and arrangements relevant to offshore processing since 2022. However, these arrangements essentially follow the policy and procedural approaches adopted since offshore processing was first established by the Howard Government in 2001 and reestablished by the Labor Government in 2012.

Offshore processing is now a long shameful chapter in our history

Australia's 'offshoring' of the responsibility to fairly assess and determine refugee status for people who arrive (or seek to arrive) to exercise their right to seek asylum has been a major concern since the regime was first introduced by the Howard Government in 2001. It is clear that the conduct of the offshore regime continues to be primarily directed by decisions deemed to be politically expedient.

New arrangements establish Nauru as Australia's 21st century penal colony

The 'Removals' legislation adopted in 2024 which allows the Australian Government to exile migrants, including refugees it deems undesirable in Nauru, at huge financial and human cost is a new low in in our Australian story. Sadly, this regime has also been established to 'answer' political pressure which demonises non-citizens who have not passed the character test and who cannot be deported to their country of origin. As a point of comparison, we draw the Committee's attention to the New Zealand approach to an Australian citizen who committed an horrific crime in New Zealand – he remains serving a life prison term in New Zealand – not deported back to Australia and not exiled to Nauru or elsewhere.

A. Offshore Processing Harms People – Australia continues to invest heavily in knowingly harming people and denying their human rights

i. Documented Harms

The suffering of people subjected to offshore processing is well documented. Human rights organisations have consistently condemned not only the appalling living conditions those held offshore have been, and continue to be subjected to, but also the offshore policy itself, as it

denies the legitimate right to seek asylum, and abrogates Australia responsibilities under the UN 1951 Refugee Convention and associated treaties. These reports include the Australian Human Rights Commission [Forgotten Children Report](#) (2014) documenting the harms to children detained in Nauru, [The Nauru Files](#) (2016) which documented 2000 reported cases of abuse in the detention centre on Nauru, and the later ASRC Cruelty By Design report: [Health Crisis in Offshore Detention](#) (2024)

ii. A Unique and Abhorrent Form of Punishment

Many individuals associated with groups belonging to the Refugee Advocacy Network have for many years personally supported people – while they were held offshore (in Nauru and PNG), and when they were brought here under Medevac and otherwise. We know of the trauma they experienced, from their first-hand accounts and as fellow travellers with them here in Australia as they have sought to establish lives here with some meaning and fulfilment. Some of these people have suffered irreparable damage. The offshore process which consigns people to years of uncertainty and separation from loved ones is a unique and abhorrent form of punishment – for seeking to exercise the right to seek asylum.

iii. 'Offshore Processing' has become a life-sentence for some

It must also be remembered that just under 30 men (some of whom have young families with them) are still effectively 'held' in PNG after 13 years in so-called 'offshore processing'. They have no immediate resettlement options – some of these men are still waiting for resettlement on New Zealand, but some have no viable resettlement option. Some are very ill and unable to care for themselves. We understand that there is only a very tenuous commitment by the Australian Government to continue providing safe housing and support for these men.

Please refer to the submission made by Sr Jane Keogh, who has been advocating for the abandoned refugees and asylum seekers in Port Moresby for many years, including raising around n\$180,000 from concerned Australians to cover housing, food and medical costs for the men and their families when the Australian Government funding 'dried up' (for reasons still not fully understood) in 2024. Sr Keogh recently visited Port Moresby and can give an eye witness account of the shocking situation there.

There is no doubt that the offshore processing regime harms people and destroys their reasonable hope for a safe and secure future, hopes carried by all those who seek asylum.

B. Corrupt deals and wasted resources

It is generally understood that the offshore regime cost about \$1billion per year. That is a lot of money spent to harm and demoralise a relatively small number of people. The majority of Australians are oblivious to this situation, but if it were more widely known, most fair-minded people would object to this use of their taxes, as we do.

In the earlier years, reputable providers were contracted to provide services to those held in offshore detention – organisations including Save the Children and the Salvation Army.



However, as the effects of the regime became evident, these groups withdrew as they realised that their services could not counter the harms of the offshore regime, and they did not want to facilitate the regime, and damage their reputation by being associated with the harms of offshore processing. In some cases, contracts with reputable providers were not renewed because they and their staff became whistleblowers, alerting the Australian public in graphic detail to the harms of the regime. Link this to the present situation.

Instead of seeing the withdrawal of reputable providers as a signal to cease offshore processing, successive governments became more reliant on suppliers who would do the government's bidding without complaint and would implement the harmful policy more aggressively. This has no doubt compromised the integrity of the contracting process - pragmatic options have been adopted even where there is a track record of poor or corrupt conduct by the operators.

It has been known for many years that the Australian Government was setting up high value contracts with very dubious operators. The Paladin Affair in 2017 was just one example – there are many more. See details here <https://www.refugeecouncil.org.au/paladin-affair/>

After years of inaction and an obvious lack of concern about corruption allegations, lack of transparency and oversight, the '[Richardson Review](#)' was undertaken to investigate the integrity and governance arrangements for the management of Australia's offshore detention centres. The findings of this report are damning:

“Proper due diligence was lacking when it came to contracts with relatively small companies with limited or no public profile, and where operations were to be in high-risk environments. In this context, over the years, Home Affairs (and therefore the Commonwealth) has had contractual relationships with:

- a. a company whose owners were suspected, through the ownership of another company, of seeking to circumvent US sanctions against Iran, and with extensive suspicious money movements suggesting money laundering, bribery and other criminal activity;
- b. companies under investigation by the AFP;
- c. a company whose CEO was being investigated for possible drugs and arms smuggling into Australia, although, at the time it would have been unrealistic to have expected those responsible for contract and procurement to be aware of this; and
- d. an enterprise suspected of corruption. (p5)

The report highlighted a lack of 'coordination, cooperation and information sharing flows from **policy, practice, mindset and culture**, not from structure per se'. (p6) When the report was made public, ASRC and others called for an end to Offshore Processing: [Richardson Review provides further evidence for Albanese Government to finally end offshore cruelty and corruption](#)

However, although the government received the Richardson Report in February 2024, it would seem nothing changed.



In November 2025 revelations aired on [60 Minutes](#) last night, detailed claims of corruption, misuse of public funds, and criminal infiltration within government contracts related to offshore processing. “According to the report, millions of dollars were allegedly paid towards contract renewals that were not fit for purpose, with further evidence of overpayments for services no longer required or delivered. The program also revealed that members of the Finks Bikie gang had infiltrated the government’s billion-dollar deal with Nauru through a security company involved in managing the contracts.” [RCOA Media Release 10 Nov 2025](#).

Almost certainly it was the revelation about infiltration by the Finks Bikie Gang , outlawed in some Australian states since 2009, and known to be involved in criminal activity, that resulted in the establishment of the Senate Inquiry.

Conclusion – Australia needs to recommit upholding human rights and end the harmful and shameful Offshore Processing regime.

The Inquiry must point to change. We urge the Senate Committee to recommend that the government adopt a humane and rights-based alternative to offshore processing. Until the offshore regime is ended, Australia cannot claim moral legitimacy and authority. Offshore processing was established hurriedly in 2001 for political expediency. Since then, the policy has caused untold suffering and harm, cost a huge and indefensible amount, resulted in Australian contracts with bad faith operators, and brought Australia into disrepute with the international human rights bodies. Offshore processing as we know it can never be a legitimate or respectable policy.

We need to be better than this.



In November 2025 an investigation by A Current Affair revealed that a feared head of the notorious motorcycle club known as The Finks, is under contract to the Australian Government to run the security operations for people seeking asylum, and ‘rejected’ non-citizens now held on Nauru.

