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Submission to inquiry into A Claim of Public Interest Immunity Raised over Documents

I have been involved with refugees and asylum seekers since 2001 in different capacities. My doctoral thesis examined the journeys of Iraqi asylum seekers, and includes a chapter on boat journeys and people smugglers, drawing from firsthand accounts by refugees.¹

I welcome the opportunity to make a submission to this inquiry as I, like many Australians, am concerned by the lack of transparency on the part of the government regarding a number of issues relating to asylum seekers.

The opportunity to make a submission is limited to a period from about 14 December 2013 to 14 January 2014, which largely coincides with the holiday period. Mine will be brief as I heard about the inquiry just yesterday.

Terms of reference

A claim of public interest immunity raised over documents tabled by the Assistant Minister for Immigration and Border Protection (Senator Cash), on 4 December 2013, in response to an order for production of documents and other documents tabled by the same Minister in relation to other orders for production of documents concerning immigration policy, with particular reference to:

- the specific matters of public interest immunity being claimed by the Minister for Immigration and Border Protection; and
- the authority of the Senate to determine the application of claims of public interest immunity.

Public interest and community concern

The secrecy adopted by the government with regard to asylum seeker policy is creating significant community concern. It has been written about in recent media articles. I note just three which I have appended to this submission. They encapsulate my concerns and are:

Sorry Mr Abbott, there is no war The Age editorial, 11 January 2014²

We're too complacent about how we are being treated over asylum seekers by Tory Shepherd, The Advertiser, 12 January 2014³

¹ Hoffman, S. (2010) *Fear, Insecurity and Risk: Refugee journeys from Iraq to Australia*, doctoral thesis accessible from <http://researchrepository.murdoch.edu.au/4459/>

² <http://www.theage.com.au/comment/the-age-editorial/sorry-mr-abbott-there-is-no-war-20140110-30min.html>

Asylum seekers and the language of war by Mungo McCallum, ABC's The Drum, 13 January 2014 ⁴

Mr Abbott suggested that responding to questions would be pandering to 'idle curiosity'.⁵ That is an unfortunate response. I, like many others, have more than idle curiosity. We are deeply concerned at how people seeking asylum – asking for help - are being treated in onshore and offshore facilities run by Australia, and on the high seas.

I am concerned by the refusal to provide details concerning self-harm incidents. I am concerned by the refusal to provide information concerning the number of miscarriages for women in detention, and how that compares with the broader population. I am concerned by reports that the Australian navy has forced asylum seeker boats (by towing or pushback) into the middle of the high seas at night, and left men, women and children to fend for themselves. I am concerned that there may have been boats treated this way that have disappeared – is this why there have been reports of the government planning to buy lifeboats? I am concerned about the effect of such treatment upon people who may well already be suffering from post-traumatic stress disorder, following exposure to war and/or persecution.

The refusal of the government to provide proper information has given rise to the ludicrous situation where Australians discover what is going on from Indonesian media. It also gives rise to all manner of speculation and rumour.

The Australian public has the right to know what is being done by its elected representatives in its name.

Further, it disrespects the parliament if the government refuses to answer legitimate questions for spurious reasons.

I hope my submission assists the inquiry
Kind regards

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³ <http://www.adelaidenow.com.au/news/opinion/tory-shepherd-were-too-complacent-about-how-we-are-being-treated-over-asylum-seekers/story-fni6unxq-1226800119592>

⁴ <http://www.abc.net.au/news/2014-01-13/mccallum-operation-sovereign-borders/5196708>

⁵ *Tony Abbott compares secrecy over asylum seekers to wartime policy* by Helen Davidson, The Guardian, 10 January 2014 – appended to this submission