

Submission to the Senate Legal and Constitutional Affairs Legislation Committee
Objection to the proposed Migration Legislation Amendment (Regional Processing
Cohort) Bill 2016 [Provisions]
Niko Leka for Hunter Asylum Seeker Advocacy, 13 November 2016.

The proposed bill is wretched. It seeks to deliberately torture innocent people fleeing danger in order to send other innocent people also fleeing danger, not to flee here.

But that is only the apparent rationale.

The real rationale is political point-scoring. Mr Dutton's second reading speech seemed to be more about how his party "stopped the boats". Many of the other speeches also seem to be about ALP-LP bickering.

Whatever the variety of rationales- from sending messages, to they could be terrorists, to pandering to One Nation voters, to sham marriages, to stopping people smugglers who despite the government's crowing the Hon Dutton declares "they have not gone away" - it is abhorrent to be punishing a group of people through legislation which is not concerned with them, but serves other ends.

Given the extraordinary endurance of people who've been locked up so long on Manus and Nauru, it means this grubby sleight of hand will also deny our country some of the finest people.

The Inquiry should consider not just the fact that the legislation is not concerned with the welfare of these innocent people, but also just how bizarre the proposal is.

At the same time that a lifetime ban is proposed, the government has negotiated an agreement for these people to go to the USA.

So, the people smugglers (who have not gone away) will now be really determined to get past our navy and get a new batch of people sent to Manus and Nauru so they can go to the USA from there, is that right?

Seriously, if the idea is to make people-smugglers go away, then what will the government do next? As I understand it, we have locked people up indefinitely under inhumane conditions, we've told them they will never be settled in Australia, and that hasn't worked. So a scrappy piece of legislation will somehow do the trick and make people-smugglers pack up and go home? And if that doesn't work, then what next? Hire the CIA to assassinate them?

With all due respect, Mr Dutton's statement that 14,000 refugees in Indonesia are "waiting to get on boats to come to Australia to provide a new life for them" is wrong on two counts. They are not waiting to get on boats. They are hoping to come the right way through the UN. Secondly, they do not expect Australia to "provide" for them. The facts are quite the reverse: refugees are strongly motivated to get on with life and provide for themselves.

It would be a lot simpler to not only bring those on Manus and Nauru here, but to bring those stuck in Indonesia and Malaysia here. They would make this country great.

Hunter Asylum Seeker Advocacy recommends the Bill be rejected. It is unjust and does not serve our country.