

BACKGROUND:

Some of you know me as the Secretary of Labor for Refugees, a position I have held for over 16 years. At every State and National ALP Conference, Labor for Refugees has pushed for the reform of our great Party's refugee policies. We are getting there slowly but there are still key areas about which L4R and our Party's leadership disagree. The motion I am moving today, is one that I am hopeful will get the support of all Delegates present but I want you to know that L4R and all its members and supporters, of which there are many, will not back off until our L4R refugee policies are adopted. This includes the closure of Manus Island and Nauru Processing Centres and in fact, all detention centres.

Only today, we discovered that there have been three vicious attacks in the last twelve hours on refugees on Manus Island. This shows how unsafe the Manus community is for refugees and exactly why refugees are refusing to move from the detention centre to East Lorengau.

In a third incident, an Afghan refugee was attacked and robbed this morning (Sunday, 30 July) near the hospital.

The brutality of the attacks have increased the refugees' fears for their safety and their lives.

The moves to meet the arbitrary October deadline for closure is literally putting refugees lives at risk. Not only are refugees vulnerable to attack, there is no adequate medical treatment and insufficient food for those forced into East Lorengau.

Labor believes that the Turnbull Government has failed in its responsibility to adequately protect people who are seeking asylum and that the Government's policies continue to leave desperate people, who are under Australia's protection, vulnerable to abuse. That's why Labor established a Senate Inquiry to investigate the serious allegations of abuse, self-harm and neglect of people seeking asylum, in relation to both those Processing Centres.

The motion I move today, is based on the Senate Committee's recommendations of 21 April this year, an Inquiry which was led by our own Senator Louise Pratt.

This motion was supported unanimously by Delegates at the recent Victorian Labor Conference.

The Committee recommended that the Dept of Immigration and Border Protection, as a matter of urgency, commission an external review of its medical transfer procedures in offshore processing centres.

It recommends that the Government must seek to improve the medical treatment options available to people seeking asylum and refugees in Nauru and Manus Island, particularly mental health services.

The Committee recommends that the Government recognises the impacts of long-term immigration detention, including by commissioning an independent assessment of its impacts on physical and mental health.

The Committee recommended an external audit and investigation be conducted into all incident reports over the life of the Transfield Pty Ltd and Broadspectrum Australia Pty Ltd contracts, to analyse those incidents which were downgraded in severity; any inconsistencies in relation to incidents being downgraded in severity and evidence of follow-up activities in relation to reported incidents.

The Committee recommended that the Australian Government undertake to work with the Government of Nauru to establish an independent children's advocate who would have the jurisdiction and authority to advocate for the rights of children being held in Nauru.

The Committee recommended that the Dept of Immigration & Border Protection confirm publicly that any person seeking asylum or refugee who has been transferred to Australia for medical or other reasons or who remains in Australia pursuant to domestic legal action, can apply to participate in the US refugee resettlement arrangement and that they will not need to return to Nauru or PNG to do so.

The Committee recommended that the Australian Government give serious consideration to all resettlement offers included New Zealand's offer and that if they refuse, the Government should clearly outline the reasons.

The Committee recommended that the Australian Government give consideration to supporting refugee and asylum seekers family members to pursue options to resettle together.

That the Government commit to increase Australian funding to the UN High Commissioner for Refugees

That the Government commit to increasing Australia's annual refugee intake.

That the Government should undertake to work with Australia's Asia-Pacific neighbours to establish a regional framework for the processing of claims for asylum. Labor for Refugees believes that this recommendation would, if implemented, provide a fast-track for those in Indonesia for example, who are found to be genuine refugees, with a definite pathway, so that say, within two years, they would be settled. That certainty would prevent them from deciding to get on a boat because no longer would they have to live in refugee camps for a decade or more, with no prospect of an education for their children or medical support of any kind.

Finally, the Committee recommended that the Australian Government review the WORK HEALTH AND SAFETY ACT 2011 to ensure that Comcare can exercise its regulatory powers in relation to Australian workplaces outside Australia's geographical jurisdiction, in a timely manner.

MOTION:

A regional framework for processing claims for asylum and investigating serious incidents at regional processing centres

“NSW Labor endorses the report of the Senate Committee chaired by Senator Louise Pratt on *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* of 21 April 2017.

NSW Labor Conference urges the Federal Shadow Cabinet to commit to accepting all the recommendations of the committee in particular:

- **That the Australian Government undertake to work with Australia's Asia-Pacific neighbours to establish a regional framework for the processing of claims for asylum. As the report states: ‘An effective framework could also consequently reduce the business of people smuggling by ensuring that asylum seekers do not need to attempt to reach Australia in order to have their claim for asylum processed in a safe location.’**
- **That the Australian Government review the Work Health and Safety Act 2011 to ensure that Comcare can exercise its regulatory powers in relation to Australian workplaces outside Australia's geographical jurisdiction (Nauru and Manus Regional Processing Centres), in a timely and straightforward manner.**

NSW Labor notes that Comcare has the capacity to investigate very serious incidents, including suicides and serious assaults.

However, Comcare requires clarity in the application of the WHS Act 2011 for incidents within the Nauru and Manus RPCs. The lack of clarity has led to significant time delays in the investigation of such incidents and has led to tragic consequences.”

I commend this motion to you.