



Two law firms sue the government for negligence

Richard Ackland
The Guardian
5 May 2015



Christmas Island: While damages for negligence are one thing, they do not overturn the policy of internment and deprivation of liberty.

There are currently numerous individual common lawsuits alleging mistreatment and negligence of asylum seekers on the part of the government and its agents.

However, public interest lawyer at **Maurice Blackburn**, Lizzie O'Shea, says there's no "silver bullet" in the armoury of remedies available to asylum seekers and refugees.

O'Shea is concentrating on a class action on behalf of people held on Christmas Island over the previous three years, alleging the Commonwealth government breached its duty of care in relation to a range of issues. The class action is unlikely to come to trial in the supreme court of Victoria before the end of the year. However Justice Stephen Kaye has ordered the Commonwealth to delay the planned demolition of Aqua and Lilac compounds on the Island.

WEB

<http://www.theguardian.com/commentisfree/2015/may/05/want-to-know-about-immigration-detention-then-sue-for-negligence>

Maurice Blackburn has also brought proceedings against the Commonwealth and service provider G4S on behalf of a detainee who lost an eye in last year's Manus Island riots.

Slater & Gordon is running a class action too: against the Commonwealth, Transfield, and former contractor G4S, in relation to the alleged negligent treatment of asylum seekers on Manus island. The lead plaintiff is Majid Karami Kamasae, an Iranian national, who at age 15 was badly burned in a heater fire. He entered Australia in August 2013, and was taken into custody. He alleges that he was intentionally denied medical treatment and as a result his injuries worsened.

Transfield has already unsuccessfully sought to have the case struck out, but Slater & Gordon will have to plead again for aspects of the claim against the service provider.

ABOUT BUDDIES

The **Buddies Refugee Support Group** is a Sunshine Coast group which advocates for just and compassionate treatment of refugees, consistent with the human rights standards which Australia has developed and endorsed.

We support policies towards refugees and asylum seekers that reflect respect, decency and traditional

Australian generosity to those in need, while advancing Australia's international standing and national interests.

We are an independent community group and meet on the 4th Sunday of each month at 11am, 24 King Street Buderim.

Confidentiality

Your email address is completely confidential. The Bulletin is sent Bcc [Blind carbon copy] and no-one else sees your email address.

To contribute to Buddies

Buddies' fundraising contributes to refugee and asylum seeker support. You can direct debit to: **SUNCORP BANK**, BSB 484-799
ACCOUNT NO: 605927994
ACCOUNT NAME: BUDDIES REFUGEE SUPPORT GROUP

Or you can contribute to 'The Box' at our meetings and events. Your donations are much appreciated by those we help.





For your DIARY...

■ **Tuesday 19 May, 4pm**
Buddies Immigration Support Group meeting, 9 Gumtree Drive, Buderim

■ **Sunday 24 May, 11am**
Buddies meeting, 24 King St, Buderim. Chair person: Patrick

Buick patrickbuick@squirrel.com.au 5471 6455
Guest speaker: Garry Bradford – Recent visit to Thai-Burma border area

■ **Monday 25 – Friday 29 May**
Diversity Week, USC, Sippy Downs

■ **Saturday 30 May, 1pm**
Buddies Variety Concert (see page 3)

■ **Saturday 30 May, 6:45pm**
Women OutFront concert (see page 3)

■ **Thursday 11 June, 3pm**
Lobby Group meeting, 32 Lorikeet Lane, Maleny
aor@plumes.info 5494 2240

■ **Sunday 14 June, 9am-5pm**
MDA Welcome Fest, free event
Annerley Soccer Club fields, Brisbane

■ **Saturday 20 June**
World Refugee Day Rally, Brisbane

■ **Sunday 28 June, 11am**
Buddies meeting, 24 King St, Buderim

■ **Sunday 19 – Friday 24 July**
Learn English Holiday program
kaylaszumer@gmail.com



■ BSO CONCERT

Sunday 24 May, 3pm
Lake Kawana Community Centre,
Sportsman's Parade, Bokarina.

Featuring works by Bruckner and Richard Strauss. We fundraise for Buddies by providing afternoon tea. I need 3 people to make a loaf of sandwiches or a savoury slice and 3 more to make a sweet slice. Once again, it is on the same day as our next Buddies meeting and it worked well for us to collect food donations at the beginning of the meeting.

If you can help, please contact Kendall and Yokki snogs@tpg.com.au 5472 7209. Alternate arrangements can be made for collection.



THIS WEEK'S ATTACHMENT
– Human Rights Forum at USC



■ THE MULIVAICAL REMEMBRANCE DAY 6th Anniversary Commemoration

Monday 18 May 201, 7.30–9.00pm
Cementco Bowls Club,
4 - 6 Station Avenue, Darra, QLD, 4076

Mullivaikkal Day is observed by Sri Lankan Tamil people to remember those who died in the final stages of the Sri Lankan Civil War. It is held each year on 18 May, the date on which the civil war ended in 2009, and is named after Mullivaikkal, a village on the north-east coast of Sri Lanka which was the scene of the final battle of the civil war.

Program includes guest speakers, multi-religious prayers and ritual of remembrance.

Contact: 3224 7682 / 0437 523 788

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■ HUMAN RIGHTS FORUM

Sustaining diversity through human rights: Connecting global and local

Wednesday 27 May, 4–6pm
Lecture Theatre 2, K Building,
University of the Sunshine Coast

Three well-known academics in the fields of refugee advocacy, community development and human rights (Dr. Caroline Fleay, Debra Dank and Emeritus Professor Jim Iffe) will discuss how diversity and human rights come together in uneasy but necessary alliance to promote the rights of diverse groups.

For more information see the attached flyer.

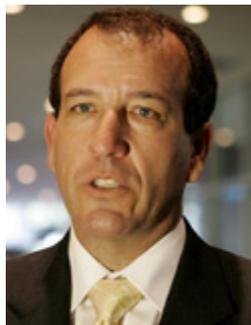


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■ MAL BROUGH'S LISTENING POSTS

Mal Brough is holding Listening Posts around his electorate where voters can 'come and ask questions, provide feedback or just have a chat'. Two upcoming Listening Posts are scheduled for:

- Wednesday 20 May – Lomond Crescent, Bellvista, Caloundra West – 2.30 to 3.30pm
- Saturday 23 May – Goonawarra Drive, Mooloolaba – 10.00 to 11.00am



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<https://www.facebook.com/MalBroughMP>

Contributed by Terry Boyce

VARIETY CONCERT

Saturday 30 May, 1pm

Kawana Community Hall
Nanyima Street, Buddina

OUR CONCERT IN KAWANA PROMISES TO BE A FANTASTIC TOE-TAPPING MUSICAL EXPERIENCE!

Flyers were sent out in a Bulletin Extra on Monday (11 May). Please print out, pin up and email throughout your networks! Tickets are selling steadily, but we will need a big effort in the next two weeks. Tickets can be purchased online and should be available at the door on the day. Please note too that all asylum seekers and refugees are to be given free admission.

Thank you to the group of Buddies who are assisting with the planning of this event and to the Buddies who have already volunteered to help on the day. More offers of help are still needed! Please let us know ASAP if you can assist with the following:

- o Bringing a plate of sweet and/or savoury food for afternoon tea
- o Donating large bottle/cartons fruit juice
- o Serving food and drink to patrons
- o Setting up (commencing from 11am) and packing down hall
- o Meeting and greeting
- o Taking door fees and raffle ticket money
- o Donating raffle prizes (vouchers, wine, chocolates etc – raffle items can be placed in the container by the door at the Buddies meeting on Sunday 24 May)
- o Videoing the show

Please let us know the food/drinks you intend to bring and/or the raffle prizes you can donate, so we know whether or not we are on track with our quantities. Let's all pull together and ensure this concert is a huge success!

Much thanks, Carmel Dobson
cmaryd@hotmail.com 0457 140 696



Women OutFront are hosting a vibrant concert to promote a fair and inclusive, culturally diverse world where 'everyone belongs'

PEACE TOGETHER

Saturday
30th May

Maleny
Community
Centre

doors open 6pm
food & bar available from 6pm
show starts 6.45pm

Featuring

Sylph Circus presents
"Limbo" A Refugee Story

Scattered People

Bianca Mackail

African Savannah
Jazz Dancers

Linsey Pollak &
Lizzie O'Keefe

Vix & the Slick Chix

Food by
Spaghetti
Junction

Bookings
Maleny Bookshop
41 Maple St

Entry \$20 / \$15
under 14 free

for more info phone
Sue: 0439 943 261 or
Ann: 0409 010 450

Tickets are on sale now at Maleny Bookshop.

Profits will be used to assist refugees and asylum seekers via Buddies. Assistance will include access to English programs, training opportunities and supporting host families who offer vital emotional and practical support.

Further info: Ann Donoghoe, 0409 010 045.

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<http://www.malenybookshop.com.au>



WANTED

ASYLUM SEEKERS COMMUNICATION LINK

Refugee Rights Action Network (RRAN)
30 April to 4 June

RRAN communicates daily with dozens of asylum seekers trapped in Australia's detention centres. These men and women reach out to us to tell their side of the story, often in secret and at great risk to themselves.

Given that the government in Nauru has moved to block Facebook access on the island, this is now possibly the only way for asylum seekers to communicate with advocates. It is proving very expensive to facilitate this communication and we desperately need to raise funds to continue talking to them and having their voices heard.

We don't want them to be silenced as this is one of the major ways that we learn the truth about offshore processing and mandatory detention. We need your help in keeping their voices alive through funding this vital communication link.

WEB

<https://chuffed.org/project/asylum-seekers-communication-link#>



■ KNITTERS FOR USC DIVERSITY WEEK

Thanks to the Buddies members who've already volunteered to sit and knit a teddy (or scarf) under the marquee of the USC's social action group CRASI and at the same time promote the work of Buddies.

We still need a few more volunteers between 11am and 2pm on Monday 25 May, Wednesday 27 May and Thursday 28 May. If you can spare an hour or two, please contact Natalie Alexander at natchick31@hotmail.com 5475 4536, 0422 374 400.

■ FRUIT TO PICK AND SELL

Buddies member Scott Grimmett has a Buderim orchard that is under-utilised. Over the next few months avocados and custard apples will be there for harvesting. Scott is offering interested refugee friends the right to harvest and sell this fruit either for themselves or for Buddies.

This project would also benefit from the assistance of someone with experience in farmers markets.

For further information, please contact Scott at buddies@scottgrimmett.id.au 0427 364 802.



PETITIONING THE IMMIGRATION MINISTER: REVIEW THE PROTECTION APPLICATION OF AKBAR SHARIATI



Change.org, 7 May 2015

Akbar was recently disappointed when he had to decline an employment offer due to absent work rights. Were he granted a protection visa, he would be keen to contribute to the community. He has a long employment history in building and construction and has also owned his own print shop.

Akbar's mental health has declined notably since recent news from the immigration department urging him to return to Iran.

Please sign this petition asking the minister to reconsider Akbar's application for a protection visa.

WEB

<https://www.change.org/p/minister-please-review-my-protection-visa>



Buddies members Carolyn Bates, Bronwyn Bell and Jean Carroll at the picnic. Photo by Ranjan

USC/BUDDIES PICNIC – THURSDAY 7 MAY

Last week's picnic at the Maroochy Botanical Gardens in Tanawha was a convivial and enjoyable occasion. Around 50 people gathered together and chatted, feasted and generally soaked up the beautiful sunny weather and relaxing atmosphere of the gardens.

The group comprised Buddies members, USC lecturers and students, asylum seeker and refugee friends and members of the Festuri multicultural festival group. SCD reporter Kristy Muir paid us a visit and two good articles have resulted (see p5).

Thanks to all who attended, sent out invites, offered lifts, provided food and helped set up and pack down.



Scores of refugees arrested in March for protesting, held at a police station on Nauru.

Government asked for mental health data to be omitted

Paul Farrell
The Guardian, 8 May 2015

Damning mental health data on asylum seekers was withdrawn from reporting at the request of the immigration department, newly released documents reveal.

In July 2014 Dr Peter Young, then the medical director for mental health at International Health and Medical Services (IHMS), told the Australian Human Rights Commission (AHRC) the immigration department “reacted with alarm” to a set of data that showed significant deterioration in the mental health of children in detention.

WEB
<http://www.theguardian.com/australia-news/2015/may/08/government-asked-for-asylum-mental-health-data-to-be-cut-documents-show>

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Allow independent groups into Nauru centre, says UN

Sarah Whyte
Sydney Morning Herald, 7 May 2015

A UN inspection team have called for greater transparency of the asylum seeker processing centre in Nauru, saying it is clear Australia has a “very strong input” into the running of the facility.

The UN Subcommittee on the Prevention of Torture finished their three-day visit to Nauru this week. The team went to the three compounds within the centre and were able to speak with the single men, women and families being held there. Their report is expected to be handed to the Nauruan government in the next four months.

WEB
<http://www.smh.com.au/federal-politics/political-news/allow-independent-groups-into-nauru-asylum-seeker-processing-centre-un-20150507-ggwldk.html>

Contributed by Diana Woolley



Sudanese family escapes hell on earth thanks to UN

Kristy Muir
Sunshine Coast Daily, 10 May 2015

Forced to flee war-ravaged Sudan, Reem Kodi (pictured) and her family were at the mercy of the UN. They didn't know where they would end up, only that it couldn't be worse than the place they called home.

The Kodi family was living in Khartoum where Reem's father and many others were persecuted for being Christian and refusing to fight a Jihad war against other Christians. After initially being rejected for refugee status by the UN, they were sponsored by a Brisbane family to come to Australia for a “better life”. Fast-forward 11 years and the Kodi family of eight count their blessings.

WEB
<http://www.sunshinecoastdaily.com.au/news/Sudanese-family-escapes-hell-on-earth-thanks-to-UN/2633568>



Buddies support group offer helping hand for local refugees

Kristy Muir
Sunshine Coast Daily, 10 May 2015

“Refugees are beautiful people with tragic stories - they are not a menace to us,” says the Coast's Fergus FitzGerald.

The refugee advocate became involved with Buddies Refugee Support Group three years ago, because he was passionate about helping expatriates. An enthusiasm his partner, Libby Morrison, also shared.

Buddies is currently supporting six refugees living on the Sunshine Coast, as well as a much larger group living in the Brisbane area. Thirty host families are waiting for the opportunity to open up their homes and hearts to those in need.

WEB
<http://www.sunshinecoastdaily.com.au/news/Buddies-support-group-offer-helping-hand-for-local/2633569>



Australia's rigid immigration barrier no model for Europe



Dr Gabrielle Appleby
The New York Times, 7 May 2015

In April, after the deaths of nearly 900 migrants attempting to reach Europe by boat, Australia's conservative PM Tony Abbott urged European governments to adopt his country's hard-line stance. The sentiment echoed a comment he'd made weeks earlier: that only his administration could resist "the cries of the human rights lawyers."

The Abbott government's strategy is to treat asylum-seekers who arrive by boat so terribly that they simply give up. Unconstrained by a bill of rights, Canberra has implemented a suite of harsh policies to this end and is now considering two bills that could further toughen the country's stance.

WEB

http://www.nytimes.com/2015/05/08/opinion/australias-rigid-immigration-barrier.html?_r=0

Contributed by Freddie Steen



Migration of misery is everyone's problem

Paul McPhun
Sydney Morning Herald, 5 May 2015

While PM Tony Abbott claims Australia's boat policy saves lives, in reality it just pushes suffering offshore. For Europe to follow Australia's boat return policy as a solution in the Mediterranean would be both inhumane and misguided.

At Medecins Sans Frontieres we respond directly to the consequences of war and violence. Mr Abbott has referred to Australia's push back policy as "humanitarian". As an organisation founded on humanitarian action, we take offence.

WEB

<http://www.smh.com.au/comment/migration-of-misery-is-everyones-problem-20150505-1na6f3.html>

Contributed by Freddie Steen

POEM: ON ANZAC DAY

Written by an asylum seeker at BITA who has never been to school and whom Buddies members Rada and Margaret are visiting in detention.

There are those looking for humanity
There are those who were born in war
There are those who grow up in the war and are looking for peace and freedom
Today many people are celebrating peace and freedom
And there are those who are still looking for peace and freedom in a country that has peace and freedom
What is the meaning of peace?
And what is the meaning of freedom?

Contributed by Rada van der Werff



Strip-searched protesters make complaint to CCC

David Weber
ABC News Online, 8 May 2015

A group of religious protesters who were strip-searched by Perth police have made a complaint to the WA Corruption and Crime Commission (CCC). The eight protesters had staged a sit-in demonstration at Julie Bishop's office in December.

Pastor Jarrod McKenna said police took them to the watch house, where they were strip-searched. "It was explained to us they were concerned about our own safety," he said. "We were stripped naked and told it was to make sure we weren't concealing weapons."

The protesters were participating in the Love Makes A Way campaign, drawing attention to asylum seekers in detention.

WEB

<http://www.abc.net.au/news/2015-05-08/strip-searched-refugee-protesters-make-ccc-complaint/6453894>