

Resolution Endorsed by Aran Conference - Sunday 8 July 2018

That this **Conference of the Australian Refugee Action Network (ARAN)*** calls on Prime Minister Malcolm Turnbull, and Home Affairs Minister Peter Dutton, to comply with the rule of law in relation to refugees and people seeking safety in Australia.

In particular, because all ‘detention centres’ (however precisely named) are workplaces, conference calls on the government to comply with the Commonwealth’s workplace law, the *Work Health and Safety Act 2011*.

This law imposes on Home Affairs a “primary duty of care” to ensure the health and safety of everyone at those centres.

“Health” includes psychological health.

Non-compliance with that duty is a criminal offence.

Conference is concerned that Home Affairs – which includes the Department of Immigration and Border Protection and its enforcement arm, Australian Border Force – is apparently not complying with that duty.

For example, Border Force has repeatedly prevented medical airlifts to Australia of very ill Nauru centre residents – even young children.

Onshore, residents are routinely taken to and from medical and dental appointments in handcuffs; and visits to centres are actively discouraged by oppressive red tape.

This ARAN conference calls on the law’s regulator, Comcare, to do its job – which is “to monitor and enforce compliance with this Act”.

Finally, the ARAN conference calls on all members of the Commonwealth Parliament to ensure that the government of Australia, whoever that government may be, always complies with its own laws.

Resolution proposed - Max Costello
Resolution seconded – Margaret Sinclair
Passed unanimously

* ARAN is an umbrella group consisting of many refugee rights organisations across Australia.

The conference, attended by over 150 people from 70 member organisations, was held in Melbourne on 7 & 8 July.