

Sickness and Paranoia: The Morrison Government's Refugee Problem

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The passage of [amendments](#) to the Migration Act 1958 (Cth) by the Australian House of Representatives and the Senate this week was less a case of celebration than necessitous deliverance. The mental wellbeing of asylum-seekers on Manus Island and Nauru, or lack thereof, has been documented extensively from Australian legal representatives to members of Médecins Sans Frontières.

The Medevac Bill is scripted in clunky fashion typical of Australian drafting, but it does what other items of legislation have not: privilege, to some extent at least, medical opinion on the desperate situation of those kept in indefinite detention. Australia's own crude experiment of what might be termed "[biopolitical](#)" control has had predictably disastrous consequences on health and wellbeing.

The legislation supplies the lawful basis for refugees and asylum seekers to be transferred to Australia for "medical or psychiatric assessment or treatment". "Aside from being a circuit breaker to current arrangements," [claim](#) Nicholas Proctor and Mary Anne Kenny, "the bill is a new opportunity to establish agreed governance arrangements and a clinical pathway for recognising and responding to medical need without political interference."

Previously, Australian governments have fought any transfer arrangements of refugees and asylum seekers from Canberra's tropical gulag with rabid ferocity. Be it men, women or children, any show of compassion has been given the cold sneer.

The assessment of each patient is to be conducted by two doctors, either in person or remotely, keeping in mind psychiatric and treatment needs. Crucial here is the consideration about whether those supposedly five star facilities in Nauru or Manus Island supply any adequate basis for treating psychiatric and medical disorders.

It would be foolish to presume that the new provisions somehow alleviate the prospects of political interference. The 72-hour window limit for the Minister for Home Affairs merely imposes a note of urgency; he otherwise retains power of approval or refusal over the recommendations regarding transferrals. A firestop of sorts restraining the minister has been put in place, one involving an Independent Health Advice Panel, but this is hardly the end of the matter. Traditional grounds for refusal are also available: a person having a "substantial criminal record" or facing an adverse security assessment might be refused leave to be treated in Australia.

The Coalition was hoping to catch out the opposition on grounds of constitutionality. (All about inappropriate expenditure, you see.) That was swiftly remedied by another

amendment by the Labor party deeming all members sitting on the medical panel pro bono officials.

Stung and out manoeuvred in parliament, the Morrison government turned savage; facing electoral defeat (the latest poll figures show that a farm slaughter awaits), the signal to abandon reason was there. Prime Minister Scott Morrison, Minister for Finance Mathias Cormann, Attorney-General Christian Porter and a host of worthies from the government side have been drumming the same note of feral abandon: opposition politicians are weak on protecting Australia's sacred borders; refugees should be tarred and feathered as criminals of various sorts.

Labor, [tweeted](#) Morrison, "have learned nothing from their past failures and cannot be trusted to keep our borders and Australia strong." The Coalition's border protection policy, he [reiterated](#) with confidence trickster's gumption, "stopped the boats, stopped the deaths at sea, closed the detention centres, removed all children from detention and from Nauru."

Former Prime Minister and backbencher Tony Abbott has been doing his bit as spear thrower, [arguing](#) that,

"If you lose control of the border, you lose control of the country." (Is this code for bowel and body?)

Porter's [reasoning](#) is imaginatively skewed: the bill as passed permits individuals to be transferred to Australia who are either charged and not convicted; or convicted yet not sentenced. "At the very last moment, Labor put an amendment in that would give some discretion to the minister to stop people who are criminals, in effect, from coming to Australia." Such a measure would fail, given that sentencing was "a very long tunnel", and that ministerial discretion could not be exercised to keep the rotters out.

Fancifully, Porter's nasty bout of demonization ignores the effects the detention regime have had on the individuals in question. Prisons are schools for crime; detention centres are sites for mental ruination. In some cases, these have resulted in sexual predation and desperation, hardly a cause of justification, but perfectly understandable in Canberra's desire to degrade a certain class of refugee. If you treat people like animals, expect certain results.

A broader principle is also ignored: those either charged or convicted are not entitled to decent medical care. They are, whatever their legal status, to suffer. Yet again, Australia's inherent penal mentality manifests.

Rounding the list of terrors involved, government representatives have been focusing on that permanently rich gift that keeps giving: the morally depraved and corrupt people smuggler, a phantom menace who has done wonders to keep members of parliament elected and secure. Such a being, it would seem, is always there, awaiting to do the terrible thing and exploit an asylum seeker's right to, well, seek asylum.

People smugglers, [claims](#) Abbott, "will be saying to their potential customers 'look what Labor has been able to do in opposition, think how better they'll be for you when they're in government.'"

In an effort to shore up its failings on the vote, the Morrison government has sought to use Christmas Island as a replacement option. In Morrison's [resigned](#) words,

"We have approved putting in place the re-opening of the Christmas Island detention facilities, both to deal with the prospect of arrivals as well as dealing with the prospect of transfers."

Local officials on Christmas Island were none too amused; if the facilities were not adequate on Manus or Nauru, they are hardly going to reach par on Christmas Island. But refugee politics in Australia, at least since the late 1990s, has not been about the sensible and the generous, but about the punitive and the preventative.

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