Open letter regarding the **Australian Border Force Act 2015**

To: The Prime Minister, Tony Abbott,
    The Minister for Immigration and Border Protection, Peter Dutton,
    and Leader of the Opposition, Bill Shorten

Today the Australian Border Force Act comes into effect. It includes provision for a two year jail sentence for “entrusted persons” such as ourselves if we continue to speak out about the deplorable state of human rights in immigration detention without the express permission of the Minister for Immigration and Border Protection. This adds to the wall of secrecy which prevents proper public scrutiny.

**We have advocated, and will continue to advocate, for the health of those for whom we have a duty of care, despite the threats of imprisonment, because standing by and watching sub-standard and harmful care, child abuse and gross violations of human rights is not ethically justifiable.**

If we witness child abuse in Australia we are legally obliged to report it to child protection authorities. If we witness child abuse in detention centres, we can go to prison for attempting to advocate for them effectively. Internal reporting mechanisms such as they are have failed to remove children from detention; a situation that is itself recognised as a form of systematic child abuse.

Evidence of the devastating effects of institutional self-protection and blindness to child abuse has been presented before the current Royal Commission. We are determined not to collude with a system that repeats these same mistakes.

There are currently many issues which constitute a serious threat to the health of those in detention for whom we have a duty of care. The Department of Immigration and Border Protection is aware of these problems and has for years failed to address them adequately.

We are aware that in publishing this letter we may be prosecuted under the Australian Border Force Act and we challenge the Department to prosecute so that these issues may be discussed in open court and in the full view of the Australian public.
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