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

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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.

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

**Dr John-Paul Sanggaran**

MBBS M.H.Med B.H.Sc  
Former IHMS Medical Officer

**Dr Richard Kidd**

BHB, MBChB, Dip.Obs., FAMA  
Deputy Chair AMACGP  
Former IHMS Medical Officer

**Dr Grant Ferguson**

MBBS B.Sc (Hons)  
Former IHMS Medical Officer

**Dr Ben Hew**

MBBS B.Sc  
Former IHMS Medical Officer

**Dr Alison Bleaney**

MBChB FRACRRM OBE  
Former IHMS Medical Officer

**Dr Merrilyn Williams**

MBBS, M. (GP Psych) FACRRM  
Former IHMS Medical Officer

**Dr Ai-Lene Chan**

MBBS FRACGP ObsSC MPH&TM  
Former IHMS Medical Officer

**Dr John Vallentine**

MBBS MRCP  
Former IHMS Medical Officer

**Dr Jill Maxwell**

MBBS OAM  
Former IHMS Medical Officer

**Dr Sally Manuell**

MBBS FRACGP  
Former IHMS Medical Officer

**Prof Bernard Pearn-Rowe**

BSc (Hons), MBBS, FAMA  
Former IHMS Medical Officer

**Tracey Donehue**

Secondary School Teacher

**Judith Reen**

Secondary School Coordinator

**Jane Willey**

Former Secondary School teacher

**Evan Davis**

Former Senior Secondary  
School Teacher

**Dr Peter Young**

MBBS FRANZCP  
Former IHMS Medical Director  
Mental Health Services

**Steve Brooker**

BSc MA  
Former IHMS Director of Mental  
Health Services

**Dr Rodney Juratowitch**

MBBS FRANZCP  
Former IHMS Psychiatrist

**Dr Amanda Trenaman**

MBBS, FRANZCP  
Former IHMS Psychiatrist

**Prof Robert Adler**

PhD MBBS  
Former IHMS Psychiatrist

**Ryan Essex**

BHSc, Grad Dip Psych, BSocSc (Psych)  
(Hons), MHL, MPH  
Former IHMS Counsellor

**James Harris**

Former Case Manager and  
Residential Youth Worker

**Toby Gunn**

Former Child and Youth  
Recreation Officer

**Samantha Betts**

BA  
Former Child and Youth  
Recreation Worker

**Martin Reusch**

Former Humanitarian Worker

**Timm Knapp**

Former Humanitarian Worker

**Amanda Lloyd-Tait**

Former Humanitarian Worker

**Jennifer Dennis**

Former Humanitarian Worker

**Amy Marden**

Former Humanitarian Worker

**Prof David Isaacs**

MBBChir MD FRACP FRCPCH  
Former IHMS Paediatrician

**Dr Hasantha Gunasekera**

MBBS FRACP  
Former IHMS Paediatrician

**Alanna Maycock**

BN RN  
Former IHMS Paediatric Nurse

**Prof Louise Newman**

MBBS PhD FANZCP AM  
Former DEHAG Consultant,  
IHMS Psychiatrist

**Dr Micheal Dudley**

AM MBBS BD FRANZCP  
Former DEHAG Consultant

**Prof Caroline de Costa**

PhD MPH MBBS BA FRANZCOG FRCOG  
Former DEHAG Consultant

**Viktoria Vibhakar**

MSW, LCSW, AASW  
Former Senior Child Protection  
and Support Worker

**Ashleigh Millard**

Former Adult Case Manager  
and Social Worker

**Jaime O'donovan**

Former Social Worker, Child  
Protection Team

**Hamish Tacey**

BBehavSc  
Former Unaccompanied Minor  
Team Leader and Refugee  
Assistance Program Case Manager

**Serena Hansen**

Former Case Manager and  
Residential Team Leader

**Marc Isaacs**

BA (Com), BA (Int.S)  
Former Recreations Manager