



## **Australian Government**

Australian Government response to the  
Legal and Constitutional Affairs References Committee  
Report:

*Incident at the Manus Island Detention Centre from  
16 February to 18 February 2014*

MARCH 2015

The Australian Government welcomes the opportunity to respond to the report of the Legal and Constitutional Affairs References Committee titled *Incident at the Manus Island Detention Centre from 16 February to 18 February 2014*. The report was published in December 2014.

The events of 16 to 18 February 2014, which resulted in the death of Mr Reza Barati and serious injuries being sustained by others, were tragic. The Australian Government has previously, and continues to, extend condolences to the family and friends of Mr Barati. The Australian Government also acknowledges the efforts of all those involved in resolving disturbances around the incident, in trying circumstances, including service providers and officials of PNG and Australia.

Regional processing of illegal maritime arrivals has been an important component of the Australian Government's framework for restoring integrity to Australia's borders and facilitating managed migration. *Operation Sovereign Borders* has been effective in preventing vulnerable people from joining dangerous, illegal people smuggling ventures – circumstances that claimed the lives of 1,200 people between 2008 and 2013. The Australian Government continues to work with regional partners to dismantle the entire people smuggling trade, while also ensuring that people who are owed protection receive it. The Government of Papua New Guinea has been at the forefront of these regional efforts, in its management of the Manus Regional Processing Centre and commitment to offer settlement to refugees. The Australian Government continues to support Papua New Guinea in its endeavours.

The Government acknowledges the work of the Senate Committee and notes its recommendations. The Government also notes that an investigation by PNG authorities into the Manus incident of 16-18 February 2014 is still to be concluded. Two persons await trial for Mr Barati's death as a result of this investigation. Recommendations made by the Senate Committee also relate to facts and issues currently before the PNG and Australian courts. The Government considers that it would therefore be inappropriate to respond to the Committee's recommendations at this time.

The Government notes as well that an independent investigation into the Manus incident was undertaken by Mr Robert Cornall AO. In his report, which was publically released on 26 May 2014, Mr Cornall recommended a number of remedial measures. The recommendations directly relevant to Australia have been progressively implemented by the Department of Immigration and Border Protection.