

Doctors protest over Australia's 'repressive legislation' on asylum seekers

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In *The BMJ* this week, two doctors criticize Australia for passing legislation that may be used to silence doctors working with asylum seekers.

The Border Force Act 2015 says that from July 2015 contracted workers including [doctors](#), nurses, and other healthcare professionals face a prison sentence of up to two years for blowing the whistle on substandard medical care given to [asylum seekers](#) in detention centres.

Dr. David Berger at Broome Hospital in Western Australia, argues that the only reason to suppress doctors in this way, 'is to avoid embarrassing revelations about how Australia is flouting its international humanitarian obligations towards refugees and is subjecting them to treatment that violates the United Nations Convention Against Torture.'

To submit to a gagging order such as the Border Force Act 2015, 'places doctors in direct opposition to our professional duty to promote the best interests of our patients at all times,' he writes. 'It is a moral travesty of the Australian government to put healthcare workers in this invidious position simply to safeguard its own blushes and to further its inhumane policy initiatives.'

Holding governments to account through the conscience of the people is democracy in action, he says. 'Without information this cannot happen, and democracy must fail. This is why, except when the reasons not to are absolutely overwhelming, information must be open.'

Berger calls on all right minded people, people of conscience, and lovers of democracy and accountability 'to petition the Australian government to repeal this repressive legislation and to promote openness, accountability, and protection for whistleblowers everywhere.'

Berger is an employee of Western Australia Country Health Service (WACHS) and has been asked to state clearly that these opinions are his own and do not in any way represent the views of WACHS.

In a second article, Professor David Isaacs, a children's doctor in New South Wales—who has seen the suffering among detainees in Nauru, one of Australia's off-shore immigration centres—believes this is the first time in Australian history that doctors have faced imprisonment for telling the truth about serious harms being inflicted on their patients.

He says he was 'utterly appalled' by the spartan living conditions on Nauru and by the treatment meted out to detainees. And he points to strong evidence showing that the harsh conditions under which children and adults are held and uncertainty about their fate, 'are highly detrimental to mental health.'

He calls on Australian and foreign doctors to boycott working in detention centres—and asks healthcare staff to continue to consider publicizing abuses of patients that they witness.

And he urges colleagues worldwide 'to protest against repressive legislation which tries to silence doctors from telling the truth about conditions harming their patients, and which is a serious blow to the democratic process.'

More information: Personal View: Australia's law to gag doctors with concerns about asylum seekers is a failure of democracy, *BMJ*
www.bmj.com/cgi/doi/10.1136/bmj.h3256

Personal View: Doctors must continue to speak out about Australia's mistreatment of detainees in immigration centres, *BMJ*
www.bmj.com/cgi/doi/10.1136/bmj.3269

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