

PRESS RELEASE

Liberty Victoria recognises that there is a range of views in the Australian community about the rights of asylum seekers, and in particular about the Federal Government's action in intercepting the ship *Tampa*.

As the judgments of Justice North and now of the Full Federal Court demonstrate, the issues in this proceeding are of profound importance to all Australians.

Fundamentally, this proceeding has been a victory for the rule of law. Our democracy depends on individuals having access to the Courts to ensure that government is held accountable. No government can be allowed to operate outside the law, and we rely on having a fearlessly independent judiciary to enforce that principle.

Particular questions have arisen about the lawfulness of the Federal Government's detention of the asylum seekers on the *Tampa*, about the use of the Australian military to prevent them from taking the lawful steps open to them, and about Australia's obligations under the Refugee Convention to protect people with a well-founded fear of persecution.

It is entirely proper – and in the national interest – that these issues have been ventilated before the Federal Court.

Moves to diminish rights under Australian law are troubling at any time. The recent moves by the Federal Government are especially troubling, as they seek to diminish further the limited rights afforded to vulnerable people, and signal a retreat from long-standing Australian traditions of providing assistance and succour to those escaping tyranny and oppression.

Liberty Victoria deplores attempts by the Federal Government to engender hostility towards the asylum seekers by linking the issues in this case with the tragic events in the United States. At best, such attempts are misleading. At worst, the Government is deliberately inciting hatred for political purposes.

Liberty acknowledges the extraordinary voluntary work undertaken by its legal team and the other volunteers who have rallied to support the legal action. It is the voluntary actions of people such as these which make our democracy great, and which preserve the democratic traditions of this country for future generations.

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