



Andrews Avoids Court Scrutiny of Haneef Case by Executive Detention and Deportation

“Kevin Andrews’ announcement today that Haneef will be deported regardless of the criminal process indicates that the Government is not willing to subject the evidence against Haneef to the independent scrutiny of the courts,” said Simeon Beckett, President of Australian Lawyers for Human Rights.

“It doesn’t matter whether a court finds him guilty or not guilty of the criminal charges laid against him, the Government has made a decision that he should be deported without giving him an opportunity to put his defence.”

“The Migration Act allows the Minister to cancel a visa on character grounds without giving the visa holder an opportunity to know the case against him. It may be legal to do so but it is far from fair.

“Judicial review is available only on narrow grounds and does not allow for Dr Haneef to challenge the factual basis for the revocation of his visa.”

“The Government seeks to hide behind national security as the reason for not supplying Dr Haneef or the public with the real reasons for the detention. Meanwhile the media report widely all manner of leaks and speculation. ”

“Dr Haneef is entitled as a matter of international human rights law to know the evidence against him and have an opportunity to defend himself.”

“It is an appalling breach of human rights where executive detention and deportation are used to avoid proper scrutiny of government action by the courts.”

“It is this utter disregard for the institution of the courts that has shocked us and so many Australians,” said Simeon Beckett.

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