

Disturbing new facts emerge on incarceration of Australian woman

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Over the past two weeks, important new evidence has emerged about the treatment of an Australian woman who was wrongfully imprisoned as a suspected illegal immigrant for 10 months. Cornelia Rau, 39, a former Qantas flight attendant, spent six months in a Queensland state jail, followed by four months in the federal government's remote Baxter detention facility. Her ordeal has provided a glimpse of what takes place daily inside the nation's refugee detention centres, jails and under-funded psychiatric services.

For nearly a year, Rau suffered deliberate and systematic abuse—including imprisonment without trial, denial of all legal rights, deprivation of medical treatment and medication for schizophrenia, physical manhandling and humiliation. Moreover, she was punished with lengthy periods of solitary confinement for objecting to her incarceration. Two months after her release, she is still in intensive psychiatric care, and may never fully recover.

Rau's maltreatment constitutes a damning indictment of Australia's mandatory detention regime, which gives the government virtually unrestricted power to imprison asylum seekers and suspected "unlawful non-citizens" and hold them without trial indefinitely, even for life.

Despite intensive efforts by the Howard government to bury the scandal in a private ministerial inquiry, headed by former Australian Federal Police commissioner Mick Palmer, Rau's family, her former fellow inmates, mental health professionals and welfare workers have begun to speak out publicly about her ordeal.

Disturbing new facts have been featured in three recent media reports—a television program on the Nine Network's "Sunday" show on March 13, a "Four Corners" program on Australian Broadcasting Corporation television on April 4 and a *Sydney Morning Herald* feature article by Rau's sister, journalist Christine Rau, on the same day. The latter reported that, with the help of the University of Newcastle Legal Centre, the Rau family is conducting its own investigation.

In March last year Cornelia Rau discharged herself from the psychiatric wing at Sydney's Manly Hospital, apparently fearing a compulsory medication order. It is now clear that throughout the next 10 months, every mental health professional and ordinary person who came into contact with her readily recognised that she was in need of care. But the only official response was punitive.

Rau travelled alone to the small township of Coen in far north Queensland, where the local publican and other residents gave her food and shelter. Fearing for her safety, they asked the police to give her advice on the dangers of flooding and crocodiles in the area. Rau claimed to be Anna Brockmeyer, a tourist from Germany. Overnight, the police did a check with immigration officials, who reported that no-one with that name had entered Australia. The officials instructed the police to detain her under the Migration Act as a suspected "unlawful non-citizen".

This response flowed directly from the legal requirements of the mandatory detention system, first introduced by the Keating Labor government in 1992. Section 189 of that Act specifies that police officers,

military personnel and immigration officials must detain anyone they "reasonably suspect" of being in Australia "unlawfully".

The Honorary German Consul in Cairns, who saw Rau two days later, was sufficiently worried by her behaviour to telephone the immigration department and say, "someone should look at her". Nevertheless, on April 5, Rau was taken to the Brisbane Women's Prison, where she was placed in a secure unit with convicted prisoners.

Once in jail, Rau remained the responsibility of the federal government, but her "care" was handed over to the state Labor government, which runs the prisons.

Instead of receiving treatment, Rau was severely punished as a "troublemaker" for objecting to her imprisonment and for her deteriorating behaviour. Altogether, during her six months in Brisbane, she spent five weeks in solitary confinement, locked in a "suicide cell" or the punitive "detention unit".

Two prisoners have stated that Rau revealed her true identity inside the jail. An inmate named Kylie told "Four Corners": "One day she ID'd in the muster line, 'I'm Cornelia Rau'. The prisoner officer on duty at the time said, 'Oh yeah?', and so who are you going to be tomorrow then?" This response was clearly based on the official assumption that Rau was faking mental illness in order to gain her freedom.

Both inmates, and a prison visitor, Debbie Kilroy from the Sisters Inside organisation, described Rau's increasingly distressed state and said she was obviously unwell. Rau frequently complained that she had been locked up for no reason. Sisters Inside phoned the immigration department five times to ask it to review her case. Yet, its officials visited Rau only three times in six months, in breach of even its own minimal regulations, which require monthly visits.

In July, a Queensland government investigation into alleged prison abuses taped interviews with 25 prisoners. Among them was Rau. She complained, in a well-spoken Australian accent, about being consigned to the detention unit (DU):

"Well, I got put into the DU for just wanting to get the newspaper. Like, basically I went out of my unit wanting to get a newspaper from the other unit and the officer just said 'No' for no reason. And I just said, 'Why?' and he said, 'No' ... He breached me for just getting a newspaper and that's not right. I had to stay five days in that terrible setting where you only have one room and there's nobody else. There's only a bible and that's all in the room."

Prisoners said guards manhandled Rau every day to get her back inside her cell, where she cried constantly. By August, prisoners were so alarmed by Rau's conduct that they submitted a group request to have her seen by a doctor. As a result of the subsequent examination, the prison psychiatrist wrote: "Behaviour very unusual... poor hygiene, inappropriate toward male officers, laughs to herself, stands for hours staring at the wall or pacing up and down... Behaviour has become increasingly bizarre and current presentation is consistent with psychotic disorder..."

He recommended assessment at Brisbane's Princess Alexandra

Hospital, where Rau was admitted for six days. She was then sent back to prison, however, after a discharge note said she displayed “some odd behaviour” but no “diagnostic criteria for a mental illness”. Both the Queensland Health Department and the hospital have refused to comment on the case.

In October, Rau was flown to the Baxter Detention Centre, where a similar pattern soon emerged. Detainees, welfare and religious visitors, and mental health professionals repeatedly raised concerns about her condition, only to be met by an official brick wall.

In an initial report, the psychologist employed by Global Solutions Ltd (GSL), the company contracted to run Baxter, said she exhibited “a severe form of personality disorder” and attributed her behaviour to attention-seeking. The psychologist warned that it would be harmful to confine Rau in the punitive “management unit” or among men in the Red 1 compound designed for “long-term behaviour management”. Yet, she was kept for nearly three months in those two compounds.

Father Arno Vermeeren, a priest who saw the management unit, described it as “solitary confinement cells with no privacy”. Eric Upton, a former British detainee, who was locked in the unit at the same time as Rau, told the ABC’s “Four Corners” program that prisoners were often kept in their cells for longer than the prescribed 20 hours a day. “You’re just locked in a hole, basically,” he said.

Upton and Sister Claudette Cusack, another religious visitor, said that up to 10 officers at a time were used to manhandle Rau and force her back into her cell. Prisoners can be held in Red 1 indefinitely if they breach a “behaviour plan”. For the slightest infringement, such as swearing at a guard, they are consigned to the harshest stage, with 20 hours a day of isolation.

This abuse continued even after Dr Andrew Frukacz, a psychiatrist employed by GSL to visit Baxter every six to eight weeks, assessed Rau as a likely schizophrenia sufferer. In early November, he wrote: “Diagnosis unclear but possibilities include: 1. Schizophrenia, 2. Personality disorder. Her posturings, bizarre behaviours, withdrawal and guardedness lead me to consider schizophrenia.” He recommended hospital psychiatric assessment, but she was placed on a South Australian Mental Health Service waiting list as a non-urgent case.

Several efforts were made to bring her plight to the government’s attention at the highest level. In mid-December, Vermeeren and another church minister raised concerns about Rau and “harassment” and “bastardisation” in Red 1 with the Immigration Detention Advisory Group, a government advisory body, just before it visited Baxter. Later, they learnt that the group did not meet Rau, and did not visit Red 1.

In late December, two visiting independent NSW psychiatrists, Dr Louise Newman and Dr Michael Dudley, asked to see Rau after other detainees told them of her distressed and agitated state. The doctors were refused access.

In January, state mental health officials and Pam Curr, from the non-government Asylum Seeker Resource Centre, contacted senior officials in Canberra after the GP employed at Baxter remained reluctant to forcibly hospitalise Rau under the South Australian Mental Health Act. Curr said she contacted the five people listed on the immigration department’s web site as having scrutiny of detention centres, all to no avail.

On January 28, Michael Hillier, an Anglican priest, wrote to Vanstone urging her to place Rau in psychiatric care. Three detainees also issued a statement to a television reporter documenting incidents such as guards spying on Rau naked, hitting her and denying her access to a doctor.

It was not until February 3, that Rau was finally admitted to Glenside Hospital. She was suddenly bundled out of Baxter after police sent the authorities there a photo of Rau, whose parents had registered her as a missing person six months earlier. As soon as it became obvious that Rau was not an asylum seeker, her treatment changed dramatically.

On “Four Corners”, barrister Claire O’Connor, who now acts for Rau,

ascribed her maltreatment to a “mindset” in the detention centres and mental health services that detainees fake psychiatric problems for “some ulterior motive”. This “mindset,” however, does not originate in these facilities. It is the inevitable product of the detention regime itself.

In order to enforce the system and poison public opinion, both the previous Labor government and the current Liberal-National Coalition government of Prime Minister John Howard have systematically demonised asylum seekers. They have labelled them “queue jumpers”—as if those fleeing persecution should wait in an orderly line. Howard and his ministers have falsely accused refugees of throwing their children into the ocean to try to coerce the government into allowing them entry. When desperate detainees have staged protest hunger strikes, Howard’s ministers have contemptuously dismissed them as publicity-seekers and refused to discuss their complaints.

If Rau had been a genuine asylum seeker, rather than an Australian resident, she would almost certainly have remained in detention, denied elementary care. Countless detainees are still suffering as Rau did. Dr Howard Gorton, a former Baxter psychiatrist, told “Four Corners”: “The people I saw and treated at Baxter were the most damaged people I’ve seen in my whole psychiatric career. Up until that time, I’d never met an adult-onset bedwetter. I’d never met someone with psychological blindness. And there were also a few physically crippled people who believed they were unable to walk, and this was probably psychological too.”

Amir Javan, a refugee who met Rau in Baxter, said: “Cornelia Rau has been discovered at least. She’s got a family in Australia to look after her. But we should think about the rest of the girls that are still there and they haven’t got anyone. They haven’t got anyone, and no-one comes to find out what’s going on about them.”

Immigration minister Vanstone has issued a series of chilling responses to the Rau revelations. While claiming that she cannot comment because of Palmer’s inquiry, she has flatly defended Rau’s confinement in Baxter Red 1 compound, telling “Four Corners” that “I think that’s where she would frankly be safer”.

Likewise, Vanstone has denied that her department ignored the Baxter psychologist’s warnings about Rau’s treatment, declaring that “the views of the psychologist and other health professionals were all taken into careful consideration” but were deemed “not to be in the best interests of Ms Rau and other detainees”. This simply demonstrates that Vanstone and her advisers took calculated, politically-driven decisions to disregard serious medical concerns.

Vanstone’s remarks also confirm that the only purpose of Palmer’s closed-door inquiry is to whitewash the role of the government and its immigration authorities, and to defend the underlying regime of executive detention. While Palmer has until April 30 to report to Vanstone, the minister has made it plain that, as far as the government is concerned, it has nothing to answer for.

This intransigence points to the wider implications of the Rau affair. The denial of her basic rights, along with the government’s continuing defence of its actions, expresses a serious break with fundamental democratic precepts.



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