

Dear,

I am an Australian citizen based in [REDACTED]. I moved to Ireland at the end of 2018 for work, and before the pandemic, I would typically travel once a year to Australia to visit family and friends. When the pandemic struck, I wanted to visit my family, but I realized it was no longer possible due to the introduction of what I perceive to be harsh, inhumane and draconian restrictions set up by the Morrison government.

There were also laws created by the Morrison government that appeared inconsistent, particularly in its mismanagement of quarantine

- According to the Australian constitution, in Part V – Powers of the Parliament 51, (ix), the Federal government is responsible for managing quarantine ([Parliament of Australia](#)).
- However, the Morrison government has delegated this responsibility to the states and territories, which have collectively agreed to establish hotel quarantine due to the absence of dedicated quarantine facilities for returning Australian citizens and permanent residents prior to the pandemic ([ABC News Australia, 2021](#)).

I must also mention that the requirement for Australian citizens to pay for their own quarantine during the pandemic is questionable and contradicts Section 108 of the Biosecurity Act from 2015. This section states that the federal government is obligated to cover reasonable costs incurred by an individual while adhering to a biosecurity measure specified in a human biosecurity control order ([Australian Government](#)).

- Japan, for example, implemented a hotel quarantine program that subsidized hotel accommodations, inclusive of meals and transport. Individuals who test negative for the virus on their third day are permitted to leave the hotel, yet they must continue self-isolation at an alternative location for an additional 11 days to fulfill the quarantine period ([Associated Press, 2021](#)).

Personally, I was fortunate during the pandemic as I had a job and a safe place to stay. However, I was disappointed that, as an Australian citizen, it was challenging to return to Australia—a place I consider home, especially as my mother and sister live there.

- The Morrison government's policy, which restricts the entry of Australian citizens into the country based on caps determined by the states, is claimed to be a violation of Article 13 of the United Nations' Universal Declaration of Human Rights. Article 13 states, "Everyone has the right to leave any country, including his own, and to return to his country" ([United Nations](#)).
- Human rights lawyer Geoffrey Robertson led a few complaints to the United Nations in 2021, alleging a breach of Article 13 ([ABC News Australia, 2021](#); [The Guardian, 2021](#); [SBS News, 2021](#) ; [NOS, 2021](#)).

Due to the cap, there is no assurance that an individual, despite having purchased a ticket, will be able to safely return home to Australia during COVID. This situation has heightened stress for Australians, especially when flights or their reserved seats are canceled due to passenger cap limitations. For example in July 2021, the National Cabinet had to halve the number of people allowed into Australia each week, making it more difficult for Australians abroad to return home ([ABC News Australia, 2021](#)).

There were also inconsistencies and double standards observed during the pandemic by the Morrison government, as illustrated by the following examples:

- The Morrison government has given priority to non-Australian citizen celebrities to enter Australia during COVID, while Australian citizens were left stranded ([ABC News Australia, 2021](#), [ABC News Australia, 2021](#), [BBC News, 2021](#); [ABC News Australia, 2021](#)). This contradicts Mr. Morrison's statement where he

said "You are Australian and you are my first priority in terms of people coming back into the country" ([SBS News, 2020](#)).

- The Morrison government also allowed former finance minister Mathias Cormann to board a taxpayer-funded RAAF plane, costing taxpayers \$4,000 per hour, for a job interview as Secretary-General for the OECD. It is frustrating that the Morrison government permitted a former diplomat to travel abroad and return, without using the same resources to assist the stranded 38,000 Australians due to COVID ([ABC News Australia, 2020](#); [ABC News Australia, 2021](#)).
- The draconian law that the Morrison government enacted during the Delta outbreak in India in April 2021. Australian citizens with travel history from India within the last 14 days of the temporary law's implementation, attempting to leave India during the Delta outbreak, faced the threat of imprisonment, a \$66,000 AUD fine, or both ([ABC News Australia, 2021](#); [SBS News, 2021](#)).
- The stringent law implemented by the Morrison government even resulted in a court case filed by a 73-year-old citizen stranded in the Indian city of Bengaluru ([ABC News Australia, 2021](#); [Associated Press, 2021](#)).
- The draconian law contradicts the Morrison government's assertion that, even if the law were enacted, no one would be thrown in jail. Deputy Prime Minister Michael McCormack made this statement during an interview with Michael Rowland on ABC News Breakfast, which was posted on ABC News Breakfast X profile, formerly known as Twitter ([X, 2021](#)).
- A repatriation effort to bring back stranded Australian citizens and permanent residents stuck in India, was not organized by the Morrison government until a month later in May 2021 ([ABC News Australia, 2021](#); [ABC News Australia, 2021](#)).

During the Delta outbreak in India, Taiwan allowed its citizens to return from India without any penalties, in contrast to the strict rules set by the Morrison government ([Reuters, 2021](#)).

Lastly, I contacted Mr. Morrison for advice on returning to Australia from overseas, as at that time, my mental health declined, and I was homesick, wanting to return to see my family. I received a general email template signed by Mr. Morrison, and some of the concerns I initially wrote in my email included questions about whether Australians based abroad with careers should stay where they are. In the letter, he vaguely addresses that question.

"In the meantime, the advice of DFAT is clear: be patient; find a safe place to stay; follow the advice of local authorities and minimise your risk of exposure to COVID-19. Australian embassies and consulates publish up-to-date advice on local conditions and, where relevant, on available flights to Australia." I also found out that the same template was shared with other individuals, a fact that was also reported by the Daily Mail ([Daily Mail, 2020](#)).

Finally, in February 2022, the Morrison government reopened its borders, allowing inoculated citizens to enter Australia without mandatory hotel quarantine. As mentioned before, this responsibility, which is a federal one, had been passed on to the states and territories. Two years to reopen its borders felt too long to me, especially considering that other countries had already allowed their citizens to return without restrictions ([ABC News Australia, 2022](#)).

Scott Morrison is fully responsible for mismanaging Australia's response to COVID-19 and the inability to ensure a smooth repatriation process for Australian citizens and permanent residents returning to Australia during the pandemic. Months after Australia returned to pre-COVID conditions, it was revealed that Scott Morrison secretly swore himself in during the pandemic as the minister for five portfolios, including the health portfolio, making him the Minister of Health. ([ABC News Australia, 2022](#); [Associated Press, 2022](#); [Reuters, 2022](#); [Reuters, 2022](#)). As a health minister, this position granted him full control and oversight of the *Biosecurity Act 2015* ([Australian Government, Department of Agriculture, Fisheries and Forestry](#)). This is also stipulated in Division 2, Sections 474, 477, and 478, which confer upon the Health Minister of Australia the authority to execute the *Biosecurity Act 2015* ([Biosecurity Act 2015](#)).

In 2020, I personally filed a complaint about the Morrison government with the Australian Human Rights Commission (AHRC) regarding the plight of stranded Australians unable to return home. My complaint was rejected by the AHRC on 9 November 2021, citing "there is no reasonable prospect of the matter resolving by conciliation." I have a letter from the AHRC outlining their decision along with the case ID, which I am prepared to provide upon request.

The Morrison government has faced criticism for its management of ensuring the safe return of citizens and permanent residents from overseas. This encompasses the delegation of quarantine responsibilities to the states and territories, contrary to the federal responsibility delineated in the Australian constitution. Allegedly harsh measures during the India travel ban and various perceived negligent actions by the Morrison government have prompted accusations of human rights violations. The former Morrison government is obligated to compensate stranded Australians for the emotional distress caused by their inability to return home during the entire COVID period. This is especially pertinent considering our legal right as Australian citizens to return home, a right denied to us due to the draconian rules imposed by the Morrison government. As an Australian citizen, I urge this inquiry to reflect on the evidence presented before you. Thank you for your time.