



The Right to Life Australia Inc

MEDIA RELEASE

30<sup>th</sup> November 2015

## “Immigration Dept was incompetent rejecting Troy Newman's visa”

"The man behind the exposure of Planned Parenthood selling parts of babies they have aborted, Troy Newman, has decided not to proceed against the Commonwealth of Australia, as he does not have access to the same vast resources as the Commonwealth.

Despite this, both Mr Newman and Right to Life Australia feel that there are several elements of this case which are inherently unfair and which mean that, ultimately, this is not a just or fair result.

This case was characterised by incompetence on the part of the Department. The Department attempted to notify Mr Newman of the cancellation of his visa by email. However, the Department of Immigration emailed the wrong address and Mr Newman never received a copy of the cancellation decision before attempting to depart for Australia.

The Department of Immigration subsequently sent him a letter notifying him of the decision to cancel his visa, dated 29 September 2015, the day he left Kansas for Australia. Mr Newman did not receive the letter before attempting to depart for Australia. Accordingly, the Department failed to give Mr Newman proper notice of the decision to cancel his visa prior to his decision to leave the United States.

In respect of the decision to cancel the visa itself, the Department appears to have acted purely in response to allegations from Terri Butler MP, without checking any of the allegations, and without offering Mr Newman an opportunity to correct the (false, misleading and deceptive) allegations.

While Mr Newman was detained upon arrival at the Airport, the Department of Immigration refused to allow him to see his lawyer, who spent several hours at the airport asking to see him. She was repeatedly denied access to him despite the Departmental delegate making, during that period, a decision not to revoke the cancellation of Mr Newman's visa.

In other words, the Department engaged in a process with Mr Newman in which he was invited to respond to the cancellation decision and to explain why that decision should be revoked – a process that his lawyer was insisting she be allowed to take part in and was actively and deliberately prevented from so doing. Mr Newman was only allowed access to his lawyer after that process had been finalised and a decision not to revoke the visa cancellation decision had been made.

The Department's actions in this case did not only reflect incompetence but also considerable unfairness.

Mr Newman holds views which some Australians disagree with. However, the court challenge raised in the High Court argued that the delegate who cancelled Mr Newman's visa did so in breach of the implied freedom of political communication in our Constitution. The fear that some people may protest about a speaker's message should not be enough to cancel his or her visa or to prevent them from coming to Australia.

In Australia, everyone should have the right to express his or her political opinion. As stated, due to the expense involved in continuing to litigate a High Court action, Mr Newman is not pursuing the proceedings issued in the High Court on 1 October 2015."

National Office:                    [www.righttolife.com.au](http://www.righttolife.com.au)                    ABN: 12 774 010 375

161A Donald Street            Telephone: 03 9385 0100            Search for Right to Life Australia

Brunswick East VIC            Fax: 03 9384 6811                    on Facebook 3057

PO Box 2029 Brunswick East VIC 3057                    Email: [rtl@rtlaust.com](mailto:rtl@rtlaust.com)