

Immigration Conference Perth; Panel 23/3/01

A contribution by Dr Judyth Watson of the Social Responsibilities Commission to a panel discussion.

Introduction

I have fairly strong views on the questions we are asked to address by the organisers of the conference.

They are my own views and I have not canvassed members of the Coalition Assisting Refugees After Detention (CARAD) for theirs. But I stay in the camp that claims immigration is our lifeblood, that we have always prospered and built the most amazingly strong multicultural nation. We are the nation we are because of our immigration programs and the abolition of the White Australia Policy.

It isn't immigration that will wreck the environment but the lack of government will to address the issues we already contend with, and the prevention of more destruction. Our obligations to refugees, as both signatories to the Convention and as a country with many riches, are huge and we can and should respond to their plight with humane compassion. Some of the treatments meted to many of the refugees we meet has meant that the traumas they escaped have been compounded. We have told refugees that they are "free" and that they are "safe" in Australia, but they feel constrained from speaking out and stating their case as it could jeopardise their chance for permanent protection. It could well do so.

I am ashamed that an Australian Government can treat asylum seekers and refugees as they are. On one hand, because of government treatment, it seems that we cannot claim credentials as a civil society, yet on the other we have also seen the most generous manifestations of social contract by individuals. We opened our land and our hearts to Vietnamese refugees and welcomed them with the assistance they deserved. We are all the better for it. Those taking the perilous journey here, first with smugglers and then by boat should be treated similarly.

Human trafficking is ugly and exploitative and preys on the vulnerabilities of people in the most oppressed conditions. The smugglers are, I understand, as adept in trafficking in arms and drugs as they are in people. Working as I do in a drug related field, I think that trafficking in drugs poses an enormous threat to our national interest and to our futures.

The question the organisers ask about mix is interesting. It is of course an old one, with historic community views and prejudice about differences now being expressed as opposition to Muslim suitability. It is certainly exploitable with tv footage of scenes in Iraq, or Palestine or Indonesia of aggressive men and boys, reinforced for some by the footage of protests in the detention centres. It has been exploited by Hansonism and unfortunately by the responses of Government leaders and sections of the media. Prejudice gleaned from television and talk back radio "information" are exactly the intolerant views that the Minister is cynically trying to ferment and exploit. It is hard to understand the motives for seeking to perpetuate such prejudice against those who carry their vulnerabilities with them.

Precedent

There is some historical basis to this with Charlie Fox (1995) claiming that, at the turn of the last century, Afghans in Western Australia seem to have been the most pilloried, the most abused, the most intensely hated of the non British immigrant work force. Certainly at the time, the press, politicians, the fledgling Labor movement and others pushed for exclusion. The 1897 legislation to restrict non European immigration by means of a language test was

the first by a colonial government. Afghans were indispensable to state development during the gold rushes of the early 1890's and by 1896 when the need for cameleers was greatest, they comprised almost 5% of the population. They became redundant in less than 20 years, as camel transport was superseded by road, rail and water infra structure. By 1911, only 153 or 0.05% of the population were Afghans. Their position was always ambiguous. While they were essential to the development of the mining industry, social Darwinism, xenophobia and racism were strong. Non European labour was a source of constant resentment on the goldfields. It was cheaper by half to employ an Afghan. Unfortunately some of the refugees who have managed to find seasonal labouring farm work have been exploited in just this way with locals and itinerants resentful that they (unknowingly) accept lower wages. I have heard that they have been shouted at and ignored in country town supermarkets for this reason.

Fox cites the West Australian of December 4th, 1896 telling the story of a murder and assault committed by an Afghan. The perpetrator, was hanged, and apparently lucky to make it to trial because of calls for summary justice. Fox notes that he was in any case "already a subject of that Western Australian apartheid which condemned him as an outcast yet used his labour." There was a view at the time and perpetuated by the newspapers, that the murder was a manifestation of the "natural treachery" of Afghans.

It is my view that the crassest political motives underline a deeply ingrained racism, a racism which is judged likely to collect crucial votes. And CARAD members remain angered, ashamed and despairing at the Government's position and its consequences, which is harsh, punitive and short sighted.

Coalition Assisting Refugees After Detention 1

The Coalition Assisting Refugees After Detention or CARAD, was formed in January 2000 from people who went to help the first groups of refugees with Temporary Protection Visas. Men and women continue to volunteer. Our backgrounds and ages are varied, as are the tasks we can offer. Our goal has been to welcome refugees by providing some of the assistance and support needed by all refugees. We remain stunned that the Government could assess these men as refugees yet deny them basic and essential settlement services, rightly provided to those refugees who made off shore applications.

As CARAD has evolved, (and similar groups in each state) we are increasingly aware that the needs of Temporary Visa holders must take into account the nature of the persecution from which the refugees have fled, the procedures by which their claim is assessed and the conditions imposed by this visa. We have always contended that there are alternatives to mandatory detention for asylum seekers, and that it is untenable to detain children. In any case mandatory detention breaches at least three conventions to which we are signatories.

There is no doubt that those with Temporary Protection Visas 785 are refugees and most meet more than one of the criteria to be accorded refugee status. They should be treated with the compassion and empathy that all refugees deserve and that Australians and successive Governments have given over many decades.

Why seek asylum?

The more we meet refugees with Temporary Protection Visas, the more we learn about the conditions from which they have fled and the more we see those traumas compounded by their treatment here. Although there are a few refugees from other oppressive regimes, most

of those we deal with hail from either Iraq and Afghanistan, countries disrupted by civil wars for well over twenty years. The Gulf War in 1990 (in which we participated) precipitated disastrous consequences for Iraqis. The Taliban took control of Afghanistan in 1996. These events compounded each country's brutal recent legacy.

The histories of the two countries are quite different but the rulers in each have established despotic regimes which practice every kind of violation of human rights, giving grounds for refugee status on racial, religious, political or social grouping criteria. Agencies such as Amnesty, Human Rights Watch and UNHCR confirm these observations. There is no constitution in Afghanistan and the rule of law and judicial independence are absent in both countries. There is no right of protest and no freedom of speech. Strict and oppressive order is imposed. In both countries an extreme interpretation of Islamic punishments for crime prevails, such as public executions and amputations. Beatings are a common form of summary justice and sadistic torture for resistance is common.

It is vital to understand that there is no Australian Embassy in Afghanistan or Iraq and no way that so many people could be processed for refugee status in any of the countries to which they may have fled. There is of course, no queue of refugees either, rather an overwhelming mass of desperate humans who are selected off shore more from a lottery than a waiting list.

The statements that asylum seekers have given as support for their claim for refugee status reflect the horrors of their lives, with unimaginable deprivation, harassment, beatings, torture, abduction, torture and witnessing of killings. Many bear the physical evidence of inflicted injuries from beatings and increasingly the psychological pain of torture, humiliation, grief and loss are becoming obvious. Because of the manner in which most left, they remain very anxious about the fate of their families and loved ones, a source of huge, ongoing distress. But there is no telecommunications infra structure in Afghanistan to make phone calls or to send letters and the Iraqis who can call home know the conversation is being monitored, thus jeopardising their families. It all begs the question as to the logic and the honesty of many of the Minister's claims that he wants the refugees here to send a message to others not to come; for of anyone in Australia, he knows the circumstances in these countries.

I have met refugees from both countries who have been beaten on their feet, whose brother, male cousin, father, son has been abducted and disappeared or shot, sometimes in front of them and one man whose three little children were murdered in front of him. I have met young men whose father and brothers have disappeared, presumed murdered and whose mothers have found the money to ensure the safety of their last son. I have met men who escaped to live in caves without food or water and men who have been imprisoned in caves with bodies and/or skeletons in an effort to break them. I have met men who have had electrodes attached to their ears or scrotum and whose arms have been cut with glass. I have met village men who have resisted conscription or orders to kill their own, and educated men whose crime has been to protest or to speak against injustice, all of whom have had to escape for their lives.

Detention

There are worrying implications for human rights in the mandatory detention policy and in its implementation. There are consistent stories told by refugees about experiences while detained. It is clear from listening to the stories told by refugees that detention has been a very grim period.. (2 plates here -cartoons) Many refer to it as imprisonment Alarminglly it

was practice at Curtin until a few months ago to pay detainees in cigarettes for cleaning. And men have told us they started smoking in order to gain the benefit of leaving locked detention four times a day. Recently we learned of men needing to work to earn points to buy nappies. Parents have had to plead with managers or other detainees for a change of clothing for children, or with the manager to see medical staff. Apparently there is a recent change of manager and some new staff at Pt Hedland which we have been told means fruit is now available and detainees have easier access to medical staff. These allegations are just that, but we need to say there is a strong and continuing pattern of shameful anecdotes about all detention centres. It raises grave questions as to how the allocated money to detention centres for clothing etc is disbursed.

Table: As at 22/02/01: 2500 in detention

865 Curtin	426 Port Hedland
577 Woomera	87 Maribyrong
27 Perth	397 Villawood

when Darwin opens Curtin will close (2002/3)

There must be increased resources to process claims, and this has recently improved, but above all a procedure for keeping asylum seekers informed about the progress of their claim should be implemented.

There simply are not enough telephones for detainees and we are concerned that some who are very depressed do not have priority access to phones as state prisoners do. The conditions exacerbate a sense of punishment and isolation. It should be noted that, despite justifiable concerns about the state's prison system, prisoners are better catered for than are asylum seekers. These men, women and children are not criminals.

Temporary Protection Visa 785: CARAD work

The more we see refugees denied the support and services rightly provided for those whose applications were accepted from off shore the more we question any thought has ever been given to the predictable outcomes of this discrimination. Unmet material and psychological needs will only create huge demands on health and welfare services. All desperately want to work but they are denied vital English Language classes. Every dollar they may earn over the Special Benefit perhaps with some casual work, has to be declared. The forms and processes test all of us who are providing the assistance, and must be incomprehensible to those who we don't reach. Government policies are creating an underclass.

The Coalition continues to be a surrogate for the Government. For example, during February 79 people, including 6 families, arrived in Perth after the long bus trip, 51 of them over a 24 hour period. Generally the sole men are taken to a backpackers hostel and then to crisis accommodation perhaps at a church hall. And generally families come from detention straight to crisis housing which our volunteers find, clean, buy food for and wait to welcome, no matter how early or late.

Many have only the clothes they stand in with a plastic shopping bag of meagre belongings. They will have thongs or sandals but it is hard to credit that a 4yr old was released with no shoes, or that a woman was sent by bus with her 20 month old baby and no nappies. To add to her humiliation she started her period on the bus and had no pads. This same woman was sent to Perth because of deteriorating health, with one hours notice and not able to see her

husband in the same centre beforehand.

It would be fruitful to record the conditions for which people seek medical attention soon after release and to trace the origins for acute back pain, rashes, dental abscesses, continuing problems from injuries they brought with them and gastric pain are all common in my experience. Actual or potential mental health problems are also evident. What kind of care is provided in the centres and is any attempt made at prevention or amelioration?

For “unauthorised arrivals” found to be refugees, the Temporary Visa 785 provides (plate)

- access to Centrelink Special Benefits and Family Allowances and a Health Care Card, but not to C’wealth job assistance or to English lessons
- access to information from DIMA but not to any settlement services (indeed the minister has expressly forbidden DIMA funded agencies to provide services)
- access to rent assistance but not to bonds and letting fee, or to “housing orientation”,
- entitlement to do paid work, but no access to English language lessons.

The visas preclude family reunion and they cannot return if they leave Australia. If the conditions in their country do not change then they may be granted a Permanent Visa after 30 months. The onus will clearly be on the refugees to prove it is not safe to return. And who knows how long it will take to re unite with their families?

In a wry acknowledgement of their experience and need, the Government provides access for torture and trauma counselling and associated services and clearly needs to provide increased funding to these vital services.

The consequences of current Government policy will ensure that these refugees remain in a state of crisis with predictable ramifications for the whole community. It would be cheaper for the Government to fund essential services in order to prevent the predictable triggers for services when poverty, mental and physical illnesses, homelessness and perhaps contact with the justice system are manifest. Such outcomes are almost entirely preventable, or at least could be considerably ameliorated with appropriate interventions such as the services offered to successful off shore refugee applicants (Table)

Numbers of TPV holders released from detention up to 31.01.01

	1999-2000	2000-2001	TOTAL
Grants	871	3087	3949
Males	803	2592	3395
Females	68	486	554
Minors	90	521	611
Adults	781	2557	3338

Release of TPV holders

	Curtin	Pt Hedland	Woomera	Other	Total
TPV holders released	1407	1011	1263	268	3949

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Even if refugees want to join friends in other states they are not given any choice about where they are first sent so people come to Perth when they would prefer Melbourne or are sent to Adelaide when they want to come to Perth. The day after arrival they are seen by Centrelink personnel who assess their eligibility for Special benefit. Almost everyone is eligible and is granted \$161 to last them 3 weeks until regular fortnightly payments start. Who among us could possibly find accommodation, pay a bond, letting fee and 2 weeks rent in advance, then feed and transport themselves for three weeks on \$160? This is compromised if dental or medical attention is needed as it is too often. CARAD volunteers meet the new refugees at Centrelink and assist them with the many and extensive applications to be made for Permanent Protection, for Medicare, for Tax file numbers and for bank accounts. This is demanding work which can take its toll, not only because of inherent and varied frustrations which are encountered each day this task is done (like the banks refusing to open new accounts between 11.30am and 2.30pm!), but because the stories of each person become clear to us..

The need for accommodation is the highest objective priority and CARAD has worked with church groups, parishes and the private sector to find and provide crisis housing. We are hoping that the state government will provide access to bond assistance as it is only a matter of time before refugees are homeless. Finding crisis accommodation for 4 to 6 weeks gives individuals an opportunity to save some money and to decide who they want to share rental housing with. It also provides contacts with the community, opportunity for learning to shop frugally and for using the bus/train system.

Many start CARAD provided English language classes at our Welcome House, at the Lutheran Church in Aberdeen St. Welcome House is open on 3 half days a week and besides language classes, an interpreted information session is given each week. There is also the opportunity to meet up with friends. Housing and English learning are the two most urgent and practical needs which both refugees and CARAD identify. Access to Intensive Language centres for children is vital and funding this should be a priority of the education system. The refugees themselves set a priority of finding paid work.

Their frank distress about their family, the lack of hope for early reunion, and the experiences they have endured leads to sleeping too much or too little, illnesses which seem stress related, an inability to concentrate to learn English, and the making of inappropriate decisions. CARAD volunteers have also been responsible for collecting and distributing clothing, shoes, basic furniture and household goods, for advocacy with health and other professionals, for finding rental housing, shopping and a million other things. The time spent with the refugees has given many of us privileged insights into their lives, dreams, fears and cultures. We have only been able to do much of this because of the generosity of friends and strangers touched by the plight of the latest refugees coming into our community. They have given goods and time and money.

Should members of the audience want to volunteer for CARAD work please talk to me afterwards.

Why Are These Refugees Treated So Poorly?

More people than refugees see Australia as offering advantages for them and their families and their numbers should be seen in context. For instance, while these asylum seekers are condemned for buying their passage, the Government's Business Skills Migration Program is based on the potential migrant being able to invest between \$200,000 and \$2m.in Australia. One of the benefits that business migrants bring to Australia is "cultural practices and languages other than English" In 1998/99, 6100 business migration visas were granted to business people and their families (DIMA f/s 24).

Another contrast can be made with over stayers who breach visa conditions or stay longer than eligible by visa and are unlawfully in Australia.(DIMA f/s 80). 35% of them over stay by more than 8 years; 20% of them being from Britain and the USA. We are talking of something like 53,000 to December 1999, with less than 7,000 located, leaving 46,000 who have faded into the landscape.

In the year 1999/2000 4174 people arrived on 75 boats, most being Iraqis or Afghans. (DIMA f/s 83), almost all of them being assessed as in need of protection.

Again, this is my view; the Minister is perpetuating an ignoble tradition of inciting hatred against non Europeans. His unfounded and unsubstantiated statements that the so called "illegals" bring disease, are crime bosses, take jobs, rort the system, drown women, jump (non existent) queues, have got undeclared fortunes, make unreasonable demands etc augment the beliefs of some who carry the cultural memory of the punitive racism traced back to this state's development. This week there were renewed calls to turn boats back as they and their passengers may be carrying foot and mouth disease. Yet, without minimising the problem, the thousands of visitors arriving daily from the sceptred isle satisfy us by walking over a sticky mat.

I want the Minister to know that every time he makes another cruel statement or an unsubstantiated allegation, every time there is a protest at a detention centre, every time there is media exposure of a refugee's story we get more volunteers, more donations of household goods and clothing and more money. The message is that Australians are compassionate and value the values on which our rich diversity has been built. After all, except if we are indigenous Australians, all of us have a migrant to thank for being able to share in the many gifts and riches that we have as Australians, gifts and riches that we can in turn share.