

STRENGTH AND KINDNESS

Brigidine Asylum Seekers Project (BASP)



54 Beaconsfield Pde, Albert Park 3206
Ph: 96962107; barthur@basp.org.au
Website: www.BASP.org.au

*I was a stranger and you made
me welcome ...*

Newsletter 112 October 2023

The Project aims to:

- * provide hospitality and practical support for people seeking asylum
- * actively network with like-minded individuals and groups who are working for justice for asylum seekers
- * promote advocacy for the rights of asylum seekers
- * raise awareness of asylum seeker issues and concerns through a range of activities

While the Albanese government has made moves in the right direction, **there is simply not enough being done at an acceptable pace.** It is time to see the promises that were made, fulfilled.

BASP is now at the stage when the level of support we have been giving, and that is needed, is unsustainable. We are currently supporting about 270 people with rent and the payment of utility bills. We give some emergency relief money on a regular basis to 60 people and food to many more. To continue to give this assistance we need to get about \$120,000 a month from donations. This is despite having some housing donated to us and other made available at low rates. We have been able to pay the rent on housing for about 116 people who have rented themselves and 163 who are in BASP owned or leased housing. The sad thing about this is that there is no where else to send anyone we can't help.

Most of these are people who came by boat ten or so years ago. Most spent some time in detention and since then have been rejected at each stage of the process. Among them are 38 men we housed after they were released from hotel detention eg the Park hotel in Melbourne a couple of years ago. Some of these have moved on but we are still supporting a number who are unable to work or live without help.

We also help new arrivals who come on a tourist or other visa and then seek help here when they lodge an application for protection. These are plane arrivals who tend to get on their feet more quickly than those who came a long time ago by boat.

BASP has 100 active volunteers who befriend many asylum seekers in the community and provide invaluable assistance that cannot be quantified nor give a monetary value to.

What we need:

- work rights to everyone while they are still in Australia – no matter what part of the process they are at.
- Even more importantly an income stream to everyone who for various reasons cannot work. Just because people have been rejected does not mean they don't need to eat and have a roof over their heads. There are thousands who cannot be returned to their homes – from Iran and Afghanistan and so on.
- a commitment to revisit asylum seeker cases that have been rejected in what has been an unfair and shambolic process

As we reminded the Ministers responsible recently 'Your Government did not cause all of the misery for those rejected and in destitution but you are the only ones who can alleviate this suffering right now'.

Donations to the Brigidine Asylum Seekers Project are tax deductible



We are dismayed by how often people in very important and influential positions flaunt the very rules they punish ordinary people for breaking.

For more than a decade we have deplored the lack of consistency and the muddle that is the modus operandi of the Departments responsible for asylum seekers. This includes the interminable time taken for every move, the contradictory decisions, and underlying it all the harshness of the treatment meted out.

Recently, the secretary of Home Affairs, Mike Pezzullo, has been asked to 'stand

aside' pending an investigation by the Australian Public Service (APS) Commissioner into whether Pezzullo breached the APS Values and Code of Conduct.

This follows extensive reports by journalists Nick Mackenzie, Michael Bachelard and Amelia Ballinger that Pezzullo sought out and was then in close contact with Liberal party powerbroker Scott Briggs from 2016 onwards.

Pezzullo is alleged to have exchanged over a thousand text messages with Briggs over a five-year period in an effort to 'influence political machinations with the highest offices in the land, including during Liberal leadership spills'. This is surely corrupt behaviour (we are assuming the allegations to be true because they have not been denied).

Labor has appointed Dennis Richardson, a former secretary of the Department of Foreign Affairs and Trade and the Department of Defence, to investigate. We suggest Mr Richardson's inquiry should be extended to include current contracts in PNG as well as shining a light on the previous government's murky deal to "resettle" refugees.

The parliamentary inquiry will have no shortage of material to consider. One item would be the governance of offshore refugee arrangements, following the revelations that Home Affairs, while under Mike Pezzullo's leadership as secretary, allegedly approved contracts with companies linked to bribery investigations. For a long time, refugee advocates have been nervous about the seemingly politicised Department—initially of the Immigration Department and then of the mega Department of Home Affairs. It is an understood axiom of our democratic system of government that elected members of Parliament are responsible for making laws and policies and the various Departments are staffed by others who must remain independent in their advice to these members and their enacting of these laws and policies.

We are nervous because if the Department is staffed by the same people and seemingly making many decisions and maintaining the same culture that has been there for years, what is going to change? It will take bold Ministers and Government to bring about a new approach that is humane and well organized and open to scrutiny.

We welcomed the Albanese Government's plan to spend \$160 million to address lengthy delays in the processing of onshore protection visa applications. However this is by no means enough. We need structural changes. The current Government had said they will abolish the IAA (a review process that was not independent and set up a new AAT). However what about all the people who have already gone through the IAA and been subject to a shonky review. They should automatically be given a chance for another application.

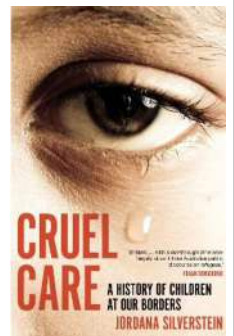
Discussion Session
2pm – 3.30pm
Wednesday, November 8th
At 54 Beaconsfield Pde Albert Park

- **Why have asylum seekers been subjected to such draconian policies over the past decades?**
- **What political forces have enabled such cruel policies to be implemented?**

An opportunity to hear from Dr Jordana Silverstein

Senior Research Fellow

Peter McMullin Centre on Statelessness | Melbourne Law School



Jordana asks why Australia has pursued such unforgiving immigration policies, and how successive Australian governments can say that the cruel acts they perpetrate are a form of care.

Jordana will address the way various decision makers conspired to have such cruel policies and practices enacted.

Money paid to keep off-shore detention maintained (or not)

Australian company Canstruct was paid more than \$300 million by the Federal Government to care of refugees and asylum seekers on Nauru last financial year, even as the number of people on the island dwindled to a few dozen and a diminishing number of services were being delivered to them. The \$1.82 billion paid to Canstruct over five years for the Nauru contract added significantly to the wealth of Queensland's Murphy family, who were also Liberal National Party donors. Their family-owned company, Canstruct International, posted profits of \$127 million after tax in 2021-22 bringing total profits to more than \$442 million up to the contract's conclusion in late 2022.

Australia reportedly intercepted and transferred 11 people arriving by sea to the Nauru detention centre in September, months after the 'last' detainees were removed.

The Australian government is refusing to say how much it is paying to Papua New Guinea in a secret agreement to hold about 70 refugees and asylum seekers in Port Moresby. The PNG authorities claim that Australia is not paying them money. We understand refugees and people seeking asylum held in PNG recently received eviction notices and their power has been cut off.

We need a Human Rights Act in Australia to safeguard the rights of groups of people such as asylum seekers

We cannot take the rights of people who live in Australia for granted. We were probably all shocked but not surprised when it merged recently that Michael Pezullo, Secretary of Home Affairs (which he helped establish) was responsible for a huge array of dubious decisions eroding the rights of many people seeking asylum. It is galling to know that many of those asking for protection are denied this because they are judged not to be ‘credible witnesses’. How ironic!

Australia is now the only western democracy that has no law to protect the human rights of citizens and others in our country. It often comes as a shock for Australians to realise that the civil and political rights we have long taken for granted—such as: the right to liberty, to a fair trial, the right not to be detained without charge, the right to vote, the right to free speech and freedom of movement, freedom to pursue the religion and culture of choice; are not in fact protected by law. Of course most, not all but most of us, have been able in the past to exercise such rights. The common law and decisions of parliament have supported those rights.

The human rights of asylum seekers have, in so many ways, been overlooked. Government practices and policies, and new laws (in theory aimed at combating terrorism and to protect national security) have undermined our traditional fair practices. At critical junctures, asylum seekers have been left with little protection.

Australian governments have signed and ratified the most significant UN Rights conventions: the convention on Civil and Political rights, the convention on Economic, Social and Cultural Rights, the Refugee convention, the convention on the Rights of the Child and other important instruments designed to protect the vulnerable. Despite international commitments, the rights enshrined in these conventions have never been made part of Australian law. And actions of the Australian government, when dealing with asylum seekers, contravene these conventions, again and again.

Some examples of these contraventions of various conventions are:

- the asylum seekers, who came appealing for our aid; rejected, arbitrarily transported to a camp on Nauru, denied compassion, legal assistance, rendered homeless, all in breach of the Refugee convention.
- the women asylum seekers over the last few years, mothers held in detention centres, without health care, their children denied education or appropriate activity, driven to physical and mental illness, sometimes to suicide. A couple of years ago the children of asylum seekers were released from detention, but there is no law in place to prevent all this happening again.



There have been a lot of seminal moments when it seemed change was inevitable but it didn't. One was the case of the desperate asylum seeker Al Kateb. He arrived in Australia in 2000 seeking refuge but without the right documents. Government policy prevented his release into the community, even when he became very ill. After some years of detention, his case went to the High Court. His supporters believed his detention to be illegal. It certainly contravened UN conventions which Australia had long since ratified. The High Court found that, despite these conventions, Australian law gave Al Kateb no protection. The High Court concluded that legally the government could keep him in detention forever. Finally it seems a more compassionate Scandinavian country took him off our hands.

Since then other cases challenging the Al Kateb case have all lost. We admire very much the work of lawyers who keep working on cases that might overturn the Al Kateb decision. There are still people in detention—some here in Melbourne where people are being detained for an extraordinary length of time.

We like to think this would never happen but we remember the discriminatory, inhumane behaviour by bureaucrats who deported a desperately ill Vivienne Alvarez Solon from Australia, and who put the mentally ill Cornelia Rau, a permanent resident, first into jail then into a detention centre.

It is accepted by many that there will be a Royal Commission in the future and a Human Rights Act or its equivalent will be established. We certainly believe both are needed.

Spotlight on Border Force

In 2015 Home Affairs was established in a very large Parliamentary Department incorporating immigration and customs. As part of this restructuring, Border Force was established. It is an independent body within the Home Affairs portfolio.

At the time BASP was involved in a program to take people in Melbourne Immigration Transit Accommodation (MITA) out for an activity, a meal or excursion. This was allowed rather tentatively by the Immigration Department and even less enthusiastically by Border Force. We visited Border Force in their new headquarters (the old Customs building) to try to convince the authority that these times out of the detention centre were very beneficial to all concerned. The conversation was then continued later at our BASP office. The most memorable part of all this was the new Border Force military style uniform —black with their rank displayed on their shoulder epaulettes. It all felt like being visited by the army!



The Government over the past decades has made an art form of keeping issues relating to asylum seekers secret. Border Force and Immigration spokespersons repeatedly would not comment on ‘on-water’ or operational matters. However, recently the Department of Home Affairs and the differing immigration policies of the Coalition and Labor parties are under the spotlight. That is good. Coming at the same time as the secretary of Home Affairs, Mike Pezzullo, has been asked to ‘stand aside’ pending an investigation (which we have written about on page 4) gives room for questioning. Of course any wrongdoing in visa processing should be investigated and stopped. Justice demands this as does the welfare of the Australian community. The problem with all reviews and investigations is that victims can get further victimized and those responsible go scot free.

The enquiry into Australia's visa system led by Christine Nixon entitled Rapid Review into the Exploitation of Australia's Visa System has been made public. It found "grotesque abuses" of temporary migrants including sexual exploitation and human trafficking. The report showed Australia's protection visa system has been exploited by labour hire employers who would appeal adverse asylum claims knowing that the process would take nine to eleven years to resolve, allowing them more time in the country. The asylum seekers are initially assisted to enter Australia on visitor visas and then to apply for asylum. The majority are from countries such as Malaysia, China, India, Thailand, Vietnam and Fiji.

After years of cutting funding, the Government has allocated an additional \$50 million over four years for immigration compliance. If this money is used to significantly reduce the time taken to address visa processing, it will be good. We are not experts in budget matters but it doesn't sound like enough money.

This has resulted in a public spat between Clare O'Neil and Peter Dutton. Responding to the report, the Minister for Home Affairs, Clare O'Neil, has accused her Liberal predecessor, now Opposition Leader Peter Dutton, of "starving" the immigration system of resources and allowing criminal gangs to exploit weaknesses. Labor is now promising to restore some compliance resources with 290 staff.

BASP is watching with interest how the recommendations of the report will actually help asylum seekers and stop precious resources being spent on illegal schemes.

The report includes the hope that the suggested changes will ensure a safe destination for those who wish to visit, study, work or live here.” A worthy hope.

Volunteers

We sent out an update to all listed volunteers to ascertain those continuing and those no longer available. We had a very positive response, resulting in about 100 still actively involved. (It's not too late to reply if there are folks who haven't yet done so!)

We had some lovely updates- one from JJ "Please keep us in your BASP. Newsletter etc. I'm now 86 but Barb's much younger...Thanks for putting us onto this family. They are well worthwhile and we think will be great Aussie citizens."

Another, who took a young man into her family home while he established himself with work, replied: "We are honorary grandparents to his son... They are all well and he is still working at the workplace he started when at (their)place."

Brigid and Libby had a wonderful afternoon tea with Tim and family- pictured here. Tim was paired with another BASP volunteer to teach English to a newly released couple in 2014. He and wife Marg later welcomed the couple and their baby into their large home. 2 more children have arrived since then and the family has just received its permanent visa- hence the celebration of afternoon tea. Tim and Marg said, "Helping Hossein and Zahra on their way to citizenship and assimilation in this country had been a privilege".



Awareness Raising

It is a challenge to continue to keep the plight of asylum seekers front of mind in the community when so many other issues abound and take prominence. We marvel at the creative ways some people do this.

One was through a performance at Gasworks in Port Melbourne. "**How To Save A Tree**" involved 4 x 15-minute plays about various issues – one in honor of Brigid and her work in championing and exposing the treatment of people seeking asylum. The photo opposite show her with the actor playing Brigid (no doubt daunting for her to have the real Brigid 2 metres away in the front row.) The other is a budding actor who played the part of an asylum seeker- very well!



Another awareness and fundraising activity are the **Trivia Nights** held twice a year by the Hampton Parish/Foxworthy family. These are held online and are great fun, testing our knowledge or lack thereof and feeling part of this online community. It gives the opportunity for BASP to update the participants about the recent developments about asylum seeker policy and needs.

St Mary's Of the Cross Aspendale and Mordialloc are again holding a Friendship Family Day for asylum seekers on October 29. This has been done for many years now to support people seeking asylum and give the parishioners the opportunity to meet and talk with them, thereby enhancing their understanding of the impact of Australia's policies.

Brigid continues to travel far and wide to schools and community groups wanting to hear from her about the ongoing issues and ideas to action to highlight the desperate needs of those still struggling.

Wilfred is a young man from the Southern Cameroons. He got his RoS visa a few weeks ago. He was greatly helped in his application by Judy Dixon who does such amazing work for BASP people. Her attention to detail in the application or appeal is second to none. If there were more migration agents who took the same care to research country information and each applicant's history more justice would have been done.



Highs and Lows: In recent months, we have shared success and joy with some of the people we know, as well as heartbreak and ongoing uncertainty for others.



In 2014, we assisted a mother, 6 children and 2 other young women, who had come from Somalia via Yemen and then by boat from Indonesia. They had been separated in detention centres in Melbourne and Adelaide. Once released, we were able to house them all in a large house while they got on their feet, attending school, getting some work qualifications and becoming independent. A month or 2 ago, we took an excited call to say they had finally received their **permanent visas**.

We have had similar calls from others who already had a 3 or 5 year visa and have had these converted to **permanent visas** as per the pre-election Labor promise.

Some of those who came by plane have also had their visa finalised. We received a call from a once frightened young woman who arrived by plane 4 years ago to say she had just received her PR. "You have been with me every step of the way. Without you, I'd have been on the street and would never have got my PR." She is now a **confident young woman, working in a pharmacy, sharing a house with an Australian couple**, joining in Church and other community activities.

A couple and their teenage son have also received their Permanent Residence after years of waiting.

Several of the men who were offshore in Manus Island or Nauru, then in hotel detention and then applied for a transfer to Canada, USA and /NZ have been successful and flown to their new countries. This means another adjustment, but it offers permanency and the end of eleven years of uncertainty. Others of this group are still waiting to hear of a transfer while some have refused to engage, saying they will not move again after so much disruption to date.

However, there has been great distress also. A woman who came by plane, fleeing her homeland in fear of her life, was rejected at the AAT. She was inconsolable that her situation had not been accepted and that she now had to wait (likely to be years) to appeal at the Federal Circuit Court. We also have felt the disappointment of those still **waiting for years to be heard in the Federal Circuit Court** and still get no resolution.



Of the 19,000 people eligible to receive humanitarian protection by February 2024, about 35% so far have received a Resolution of Status (RoS) visa which is a pathway to permanent residency.

However when they get the RoS they have hurdles to cross to get their families here from wherever they have been waiting for years and years. They have to make application through a partner visa that covers their partner and any children under eighteen years of age. This is very expensive. They have to pay for the visas (which are costing more every year), air fares and the payment of a migration agent.



One man who has two children told us it was \$18000 for him without the fares. Another had \$60,000 quoted!

Children born in Australia and living here for the first ten years of their lives automatically become Citizens. There are quite a number of children who have spent their whole lives in Australia and this number will keep growing.

Most human rights documents talk about the best interests of the child. It would certainly not be in the interests of a child for their parents and siblings to be deported. Could Australia save more years of misery by giving permanent residency to any family where one child is a citizen?

Housing

We continue to house about 165 people in houses managed by BASP and a further 100 or so more by paying their rent. We have more requests for assistance than we can manage due to resources.

New arrivals

In August we were approached by 7 new arrivals, fleeing repressive anti-gay laws in Uganda and Nigeria. The Ugandan bill indicated for those found guilty of 'attempted homosexuality' they could face 10 years jail or death.

BASP assisted these men and women with initial housing. Baptcare advertised a 2 bedroom unit and 2 of the men were successful in being selected for that and they are now settling in and seeking work. One of BASP's Board members plays a significant role in the Ugandan community and has welcomed these folk into their activities and linked with others near their housing.

Helping Hand

A longtime resident in Melbourne found himself homeless for a short while and we were able to offer 3 weeks' housing. While he was in the 2 bedroom unit, we sent a homeless man to the address to also have a short term stay. When he had not arrived as expected, the first resident paced up and down the street looking for him until he found him, directed him to the right location and gave him dinner. This from a complete stranger, but both in desperate need of a roof over their heads.

We were also approached by Dandenong Hospital about a man due for discharge but nowhere to go. He had been bashed in his previous housing which lacked water and electricity. Having no money or ability to work, there were no other options. BASP offered him a spare room in a share house. While he has found this lonely when the others go to work, he has been relieved to have a room and necessities provided.



Men at work

Maintaining the properties This is a constant job undertaken by Hana Hussein and Marg Fyfe with her assistant Sara. Shared housing produces the usual issues of "I am the only one who cleans" from each resident. Garden maintenance is an unknown activity for some who have not had to deal with gardens. Marg organised a working bee at one of the houses which became a very enjoyable activity. 2 of the residents joined in happily- only hiccup was when they pulled out the lavender bushes as part of the weeding! She rectified this with new plants and all continues to look good.

Brigid spoke recently at a CRAG meeting in Geelong. Darshini and her friend Yvonne came from Port Fairy to be present. Many years ago, Yvonne came to Darshini's assistance after she and her young son were released from Immigration detention. Initially BASP assisted them and then they made the wonderful move to Port Fairy where they found happiness, security and success. They were given a permanent visa a few weeks ago.



Bill is amazing—he constructs tables and 'cons' friends into buying them (we said that not Bill).

*His message to us:
Our good friend and
supporter Barbara
Maund donates \$400 to
BASP for my latest
Blackwood project.
Soon to be forwarded.
Best wishes , Bill Wig*



Thanks Bill and Barbara.

BASP Discussion Afternoon



On 30th August Asher Hirsh from the Refugee Council of Australia (RCOA) spoke to the BASP group about the history of visa applications and processing in Australia. The complexity and the many changes that have been introduced made for salutary listening and discussion.

A very brave Atefeh, who have gone through the whole visa application process, spoke about how hard it is living with such uncertainty. It is impossible to listen to people like Atefeh and not be so touched by the experience she and her family have endured.

Rom Brady died a few weeks ago. Many years ago, Rom visited our office with the offer of a room in his house for an asylum seeker. Serendipitously at the same time, a young Afghan lad was looking for somewhere to live. For several years Rom and Zia lived together with Zia going to school at Salesian College in Chadstone. Rom and the school ensured Zia's welfare including educational opportunities. Then Zia got a scholarship to a University in regional NSW. He has just graduated with a Social work degree. The only sad part of this is that Zia has been diagnosed with cancer and has just begun treatment on the day that Rom was buried.

Our thoughts are with Rom's family and with Zia.



Musa is a gentle man who has been supported by BASP for many years. He is stateless. He does his level best to survive without help. We helped him in a very modest way to get a dress for his daughter who graduated from primary school in Saudi Arabia.

This is what makes the world a better place

[A note from a donor of an electric bike].

Hi Libby, bike delivered to Hatim. A very happy young man. Made sure he had a helmet, bike kit and lock etc so it's ready to go. What a beautiful young man. Had a coffee with him at his insistence. What a blessing he has been to my day. Just wish our non compassionate government/s would recognise the gift these people are to Australia.

Clonard College in Geelong brought a bumper lot of goods in to BASP. The students were delightful and helped Barb

and John (who manage the pantry) to put the items away. A new asylum seeker from Uganda, Leticia, housed by BASP, spoke to them of her situation. We then had a great opportunity to sit with the girls and their teacher and share a cup of tea and stories.



We are grateful for any of the following food (or vouchers to buy food and household necessities).



We currently have enough tinned food except for cans of fruit. Tinned soup does not seem to be taken.

The following are still very much appreciated:

1 kg Sugar, oil (olive and vegetable) , salt, pepper, tea, coffee

Herbs and spices

Blocks or individual wrapped cheese.

Eggs are really appreciated (and some egg cartons to put eggs that come in larger quantities.) .

1 litre Long life milk, **honey is a most appreciated food**, noodles, tuna, 1 kg basmati rice, dates, jam (especially any red jam)



Gladwrap, tinfoil,

Sweet and Savoury Biscuits, Snacks for school lunches (even when home!),

Spices: coriander, cinnamon, ginger,

Shampoo, Shaving Cream and shavers, Toothpaste and toothbrushes. Soap, deodorants

Garbage bags and bin liners (small and large)

We seemingly never have enough washing powder, dish washing detergents and household cleaning products.

For anyone wishing to make a donation, the Project Bank details are: Brigidine Asylum Seekers Trust Account: bsb: 083-004; a/c: 56-924-6603; NAB.



Please put your name on the entry and please email us at contact@basp.org.au after making a donation so we can send you a tax deductible receipt. We will send a newsletter but feel free to tell us that you don't want one.

Recently the Immigration minister, Andrew Giles, responded to Sri Lankan Tamil refugee Neil Para's arrival in Canberra after he walked 1,000km to raise awareness for some 10,000 people caught by the fast-track process living in limbo. Giles said that those in 'the cruel limbo of temporary protection' would be granted permanent visas if found to be owed protection, and if not, 'if it's safe to do so, [they] should depart'.



We would like to think the cruel limbo will be over soon for the many we support but it's certainly not yet. However while this is happening many asylum seekers desperately need help.

For keeping a roof over many people's heads, we thank you. We wish we could tell you the need is over but it certainly isn't. We have some of the saddest people to keep assuring they are not alone. And to do that we need to keep relying on your support.

Brigid Arthur

Libby Saunders

(BASP Coordinators)