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CATHOLICS IN COALITION FOR JUSTICE AND PEACE

Catholics in Coalition for Justice and Peace
2017 Occasional Paper Series

Compassion over cruelty

Responding to people seeking safety

Edited Transcript of Address given by

**Ms Frances Rush
CEO, Asylum Seeker Centre, Sydney**

Sunday 15 October 2017

COMPASSION FOR ASYLUM SEEKERS GUEST SPEAKER – MS FRANCES RUSH

Ms Frances Rush is the CEO of the Asylum Seekers Centre in Sydney. She has been involved with the Centre since its inception in 1993 when nobody could have envisaged the journey ahead.

The Asylum Seekers Centre is a place of hospitality and welcome. It is an oasis for many people, a safe place for those who have fled situations of great danger.

Recognising our shared humanity with those seeking safety in Australia, we are a stronger and more vibrant country and community as a result of extending our welcome, respect and support.

*The Vision Statement of Asylum Seeker Centre is that
Australia opens its heart to people seeking asylum.
Recognising our shared humanity with those seeking safety in Australia, we extend our welcome, respect and support.
We are a stronger and more vibrant country as a result.*

The Centre is overwhelmed with some of the 7,500 asylum seekers who were told in March this year that they had until October 1 to lodge visa applications or face deportation. This has resulted in quite a significant increase in anxiety through to self-harm.

In response to Minister Dutton's announcement on 28 August 2017, Frances Rush said that "The decision to force people seeking asylum into destitution by taking away financial and housing support is devoid of humanity."



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Ms Frances Rush, CEO:

I will spend a little bit of time on the bigger picture, of asylum seekers and Australia but I want to start by looking at what is happening today. Particularly the last 6 months and some of the announcements by Minister Dutton and the impact on people that we are working with and being part of the NSW alliance response.

I would love to have questions and to be interrupted all the time, that would be my preference.

In preparing for today I have done the wrong thing in a PowerPoint presentation which is to have too much detail but we will go through it and please move me along as you need to.

Our Centre in Newtown, is very Newtown and it's painted by an artist John Lowe. I think you can see it from the moon at the moment. We moved there 4½ years ago but we set up in 1993 from a discussion that there was nothing in Australia, nothing in Sydney, for people who are waiting in the community to see the outcome of their application for protection. That was when the Good Shepherd sisters gave a 3 bedroom house in Surry Hills in Knox Street. I was one of the early workers in there. The Centre operated out of Surry Hills for 20 years and in that time the numbers grew to about 400 people a year. So still relatively small but 4 ½ years on in Newtown we are supporting 2700 people a year so that's gives you an idea of the need.

I thought I would touch briefly on what is happening in the world but look at some of the context of what is happening regionally and then concentrate on NSW.

When you look at some of the movement of people across the world it gives you that perspective of really the part Australia is playing is very small.

I always remember that comment by Julian Burnside who said that people who had come here by boat wouldn't fill half of the Melbourne Cricket Ground. When you look at where Australia is in that kind of a context, and we know that a gross figure of about 30 of the poorest countries take the most and the richest proportionately take the least.

It is also extremely complex to actually seek asylum in Australia. We have a 'good refugee, bad refugee' sort of approach! People who come in on a Humanitarian Visa are literally met at the airport and welcomed by name. This is fantastic in many ways and when you look at the people who arrive by plane they have greater access to services, they have greater access to legal appeal than people who come by boat. People who come by boat have the least rights and I will get to that later about what's actually happening at the moment.

(Q) *What's the SHEV?*

People who come by boat are entitled are not to be settled here permanently. You can apply for a TPV (temporary protection visa) or a SHEV (Safe Haven Enterprise Visa). Of all people we have to thank is Clive Palmer who actually helped introduce that Safe Haven Enterprise Visa that gives you a 5 year option. It gives you the proviso that you spend 3 ½ of those 5 years in a regional area involved in education or employment. At the end of that 5 years, if you have the skill set, you have not been brought to the attention of the Authorities, you can be entitled to seek a claim for protection. That just doesn't happen. A lot of people who we try and encourage to take the SHEV are very fearful because the majority of services are in the cities and particularly in Sydney, so it's not an easy visa to take. We know there are lots of rural and regional communities who really want to work with people. So, across all communities people are looking at how this can be put together.

Graham Thom from Amnesty told me this story. Of a man who came from a minority group and in some ways it doesn't matter which group it was, but this man was very much fearing and fleeing for his life. He made 3 attempts to leave his country which I am not going to name and in some



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ways that is not really important. He tried to leave his country with his family unsuccessfully. He was a jeweller so they tracked him down and as punishment for attempting to leave they cut off his fingers. Then he again attempted to leave and they actually cut his tendons. So they are living in a one room place with his family and he is now out. With the people we support and we meet there is a real sense of not knowing someone's whole story and the impact that it has. Whilst people are grateful for getting support here, they live with great tension and anxiety of waiting.

We have people who we support in our centre who may get a temporary visa but the fact that they cannot reunite with family often means that they go back because it's just too hard. Many people in the community are supportive and welcoming but it still doesn't cut it. One of the biggest programs that we do is we recycle people's old technology like computers and telephones and we loan them so people can Skype family and call family which is something.

Have you heard people referred to as a legacy case load? This was referred to by the current government as the Labor Legacy. What it is really about is those people that came by boat from about 2012 onwards and put into detention. Then over the last 4½ years they have been slowly released from detention centres like Villawood, into community detention and where they were not allowed to work but they had accommodation and access to food and a small income and now they have nearly all been released and to be living in the community. We are supporting a lot more of those people. The group wanted to make their claim for protection but were stopped from doing it. These are the ones who were only allowed to do that from May but people started to get letters in December 2016 allowing them to actually make an application for protection. In February 2017 Minister Dutton said you have until November 31st 2017 to lodge or you will be deported. Then in May 2017 he put the deadline to October 1st 2017. So it has been categorised as 'lodge or leave' but that has put enormous pressure, particularly on lawyers.



The application form is in English. So what had happened prior to that that people were getting their applications ready, and with organisations such as Refugee Advice Casework Service (RACS) utilizing lots of lawyers - some paid, the majority pro-bono. To actually make their application and to do even a half decent one it takes hours, and it's all in English. We would use our translating services and if it's not your language it is very hard to understand and get details. It is hard to show the documents of your life when you have fled and if you came off the boat you were interviewed and they have got their original transcript and then you have to remember, 4, 5, 6 years later what you said.

We know that the way these determinations are happening in immigration, they are looking for inconsistencies even if it's minor, and it can be a technicality so that is an example of cruelty in the system.

We had a small surplus and thinking this is the most important issue for now we transferred approximately \$100,000 over to RACS so that they could employ more lawyers and I think that was really great as it was not about trying to divide the fundraising dollar.

Lots of agencies provided their venues at night because the Government was also allowing very minimal access to translations so that is a huge cost for people. Now in the paper this week again it said of the 30,000, so approximately 10,000 NSW only 71 people did not get their application in which is a great credit to the whole sector and really our society as volunteers came in to fill out forms, government quietly did some behind the scenes work when they could but mainly it was legal lawyers and agencies sharing resources that actually made that happen.

The policy of boat 'Turn Back' I think is below cruelty. How you can justify that as a nation that people are fleeing and their boat is turned back. boat.



Before President Obama left office last year he had that global summit in New York and looking at what is coming out of that may lead to agreement. Internationally, all countries have go to work together to look at how you can create pathways for people to lead as safely as possible even though it is not safe what could be the alternatives?

There are amazing initiatives coming out of Italy, have you heard about the Humanitarian corridors? I think there are small initiatives where people came together, from Anglican, Uniting and Catholic communities and said we will go into those host countries, with the support of the government, look at those who are most vulnerable and bring them out and support them locally. From the camps it would be the younger ones coming through or people who have got employment prospects and certainly the Australian government looks at that, rather than people who might be say women who are widowed or who have children with a disability. What happens to those people? This small group in Italy are working with them and is just one example which comes from the compassion of people.

(Q) *Going back a little bit to an earlier figure, when it says 'returns' does that mean to Indonesia or somewhere like that.* Yes.

(Q) *Heading towards Australia.* They are turned back.

(Q) *Then they just get plonked there indefinitely again.* Yes, well we don't really know what has happened or who really does track that.

I think that is an important point. You have what is happening internationally and people are saying we have to put more resources into the countries like Syria where people are being displaced within the country's borders. If you look at what is happening now with the Rohingya community and you look at what is happening in terms of movement to Bangladesh and Malaysia. Malaysia has got half a million refugees who have come by boat. What the Australian government are trying to do in the region is talk about a safe process. One option is to creatively come up with alternative visas, different pathways. Australia may put resources in and make it safe in camps or give people different options as well as



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increase our humanitarian intake. Internationally I think we are in that position where the Department of Foreign Affairs and Trade might be trying to do something but the Parliament has got a cruelty stance and there are policies that don't make align. So we are kind of giving out a very mixed message in the region and I think it is hard currently to get credibility in that way.

There are 4 agencies that make up the NSW Alliance for People Seeking Asylum that we would call unfunded agencies, wholly supported by the community – Jesuit Refugee Service which runs Arrupe Place; St Francis Social Services which runs the House of Welcome; Refugee Advice and Casework Service and the Asylum Seeker Centre. We have a lot happening and we have to work together so we formed an alliance 18 months ago and we called ourselves NAPSA. We will work on that name I think! We want to work alongside St Vincent de Paul Society services and the philanthropic Red Cross because we know for impact we have to be a collective and work together.

Minister Dutton announced in August that 400 people, brought by the government to Australia from Manus and Nauru, were going to be released from Community Detention - to have their incomes stopped and then three weeks later evicted from accommodation - which is incredible. You would not think you were in Australia in 2017 with that level of cruelty but again, compassion reigned as a lot of people said we are not going to let that happen and we will stop people falling into destitution.

So again, we coordinated resources and of that 400, 26 were released – 25 men and 1 woman – and when it comes to families we will try and trickle them through. Everyone is shifting resources and we are looking more creatively at a combination of work opportunities but there is good will to say treating people like that is just not on. With the legacy case load that is the 10,000 in NSW, it is anticipated that 2000 to 4000 applications for asylum will be rejected and they will lose their work rights and Medicare rights. For the last 18 months we have been working across



the organisations that are funded and unfunded to look at how we can do support differently. A couple of agencies that were funded and the Red Cross are putting money together for a 6 month position with which we can actually step back a bit and look more systemically at what can change. That's the impact that those decisions are having and we have still got people arriving by plane all the time and that doesn't stop.

(Q) Frances, is it just the boat people that get rejected or is it also people by plane?

They get rejected as well. The difference there is everyone has one interview with Immigration and at that interview the majority don't have any legal representation. They are extremely vulnerable because there is not a legal group who can be with them for 8 hours. We are looking at training people to accompany someone in that interview and that is whether you come by boat or plane. What happens then if you get rejected, it is the first negative. If you come by plane you are actually assessed at the Refugee Review Tribunal. You can go in person, you can be represented and you can introduce new information.

If you came by boat you are not invited to an interview, your application is looked at by a public servant. They are looking to see if there is anything wrong with the first decision legally. It is a paper exercise. So that's literally the difference and the rejection rate is far higher if you come by boat. Yet what we do know is that the majority who come by boat, we know that historically, over 97% have a legitimate claim for protection.

(Q) The one's that come by plane would have to have a Visa or some documentation to even get on the plane in the first place wouldn't they?

Yes, they do.

People talk about people smugglers as the challenge. What we know, and it's well documented, is that someone has helped people create documents to be able to move between countries. People come here predominantly through other visas, they come on a student visa or they



come on a tourist visa. Now they are saying if you come on a 3 year student visa, that's the term you have entered into and you have to wait until that has finished and then you can apply for protection. So most people are able to be successful at getting a student visa but come with nothing and we support them financially with minimal support and food and now these people will have to be supported for longer.

(Q) Do you get any funds from the government, NSW or Federal?

No, and thank you that isn't a stupid question. We get 0.8 of one nurse funded by NSW Refugee Health.

(Q) What do you do with them?

What we do is run a health clinic, and have done for 24 years. We actually have 3 nurses and at the end of last year St Vincent's Private Hospital funded the 2 part time nurses, a male and a female nurse. We have people like Dr Mark Harris who comes to us 1 day a week from the University of NSW and he has given his time for 17 years, pro-bono. We have Sydney University sending us doctors as well so we actually create different arrangements. We get subsidised pharmaceuticals because it's one thing to see a doctor but to pay for pharmaceuticals, even though we get it at cost, we spend thousands on that. We also work with physiotherapists because people who we see have been tortured and that is really important in terms of what impacts your actual body. We have been working with Sydney Dental Hospital because also people's mouths are affected. There are lots of services including optometry. We can only live by partnerships and we live by exchange. We have 350 active volunteers who help us do a hot meal every day and then we have numbers up to 70 who work in all the areas of the Centre.

Given the level of English that they have and what they particularly want to do, we try and create a pathway to work with the person. We see how to make them job ready - what skills they have and what their previous work was and how we can look at whether they need further training and part time work to get the experience in Australia. We can get them full-

time work and we have placed 200 people this year alone, into paid work and no-one wants to be the recipient of charity.

What we are also trying to do is employ former clients who sought asylum on the staff of the Centre. One example is Bernice and her family. Bernice was actually managing some great work in Red Cross in Burundi before she had to leave so we have now employed her again through a competitive process and she was a standout. As a family they got protection last year which is great. Desiree was a surgeon and he has been picked up by St Vincent's Private and is working as an orderly which is not like being a surgeon but, he is in a medical environment and I cannot speak highly enough of St Vincent's Private because of all that they do and how they support us on pretty well every level. Their staff do food drives for us because we go through an enormous amount of food, like dry goods, oil, rice, and also people want spices so that is important as well.

I won't talk for much longer but I was trying to look at showing that we do work together and share resources. We need to be organised as we are looking at 2000-4000 more people who are going to lose what resources they have got from the government. We do need to synchronize resources and that's what we are all working to do across the sector because the last thing we want is that some people might get a lot of support and others will miss out. So we don't want people to have that lack of dignity of trawling through services.

We are also working with client services in Victoria to form a sort of like a virtual platform 'one-stop shop' where we are mapping what people can offer. So if people are offering accommodation and we have been fortunate with offers from different religious organisations as well, with empty places being made available, we are looking at that.

People need to be warm, fed, calm and then you start to look at what can you do to support them. All our accommodation is full at the moment. So

sometimes we use an Air B&B which would be local where they might have a vacancy for say a week that's just to get you through while you work with someone and then you get a bit more strategic about their needs.

I want to end on this positive story. We do a lot of different things to get the resources we need. We have got about 400 families but we have a lot of babies and babies and nappies are really expensive so the young people on our social media team decided to do on Facebook to request for nappies and I was a little bit scared but it has been the biggest LIKE that we have ever had with 30,000 people. We get happy if we get 4,000 LIKES. There is a group called Grandmothers for Refugees and they have worked out 4 collection spots in Sydney and in our place we are bursting at the seams so I am not quite sure where all the nappies are going to go. Sometimes it's best to keep it simple and with this one request it has just gone viral which is amazing.

You did ask me if there is anything else that we can do. I think the thing that we have to do is to keep our voices loud. Keep connected and keep up the pressure politically because I think there are some issues where people do get that fatigue. So often when you are the likely voice you get dismissed. It has got to come from people in a way, to raise that pressure, to get attention but that is so vital to show that the push back on the politicians to show that the Australian public does care.

(Q) I am really struggling with why we can send people back. There is a worldwide recognition of people seeking refuge and has that word been changed to asylum because the government and everybody appears to be completely neglecting the fact that people can seek refuge here so why can they turn around and send them somewhere else.

That is an excellent question. It hasn't changed. We are signatory to the UN Refugee Convention. I think we often pedantically say people are seeking asylum rather than asylum seekers because it's another way of becoming faceless. The other thing that Immigration has made clear to



people – do not show your face – if you are seen as trying to bring attention to yourself that would go against you. So there is a sense of let's keep the story quiet. Asylum seekers is a term which describes someone who is fleeing, that they are making a claim for protection and then they have to show that their life is in jeopardy. If they make that claim and it is accepted by the Department then they are recognised as a refugee. The people who enter our Centre say to us I am a refugee so why am I called an asylum seeker? It is just a word in a sense the same way people talk about an illegal immigrant or they call it irregular arrivals, or people who illegally seek asylum by boat in Australia.

Under the UN Convention it is not illegal to seek asylum as you can seek asylum anywhere but there is nothing that says it is wrong to come by boat. So it is legal. It's the peculiar stance of Australia.

(Q) Frances, what will happen to the men on Manus Island when the detention centre closes on October 31.

We have seen the phenomena of people trying to get back into camps where they felt safe when they were living in the community. The Doctors for Refugees are saying that in PNG in total there are three psychiatrists. Everyone on Manus who has been a refugee is taking some form of psychotic medication to sleep, live with what is happening and a lot are unwell. With the doctors moving out, there is temporary accommodation being built. Everything is temporary and there isn't a plan. The Australian Government is pretty well still saying to PNG – they are yours.

(Q) So I just want to be clear in my mind about the answer – the camp will close on the 31st October – YES – and that the future is highly uncertain – YES, that's right – and in terms of Nauru is that just continuing – Well they can't actually close Nauru because there was nowhere else in Nauru to go. They are doing some things like at night leaving doors open and everything but it's not safe. It's that sense of people who even walking around don't feel safe there.

(Q) *This is a little bit left field but I had an Aboriginal friend who was on Manus and she told me that the people there presumed two things [1] if they were being locked up they must be all criminals, so that was the first thing they thought Australia couldn't possibly be locking people out like that if they hadn't all been criminals. The second thing was that they are doing the same work as the Australians in the centre we are getting PNG wages they are getting big wages, they could sleep on this big boat with electricity and water and we have nothing. So I think there is that social cost. How can I write to the Minister about this given the October 31 deadline?*

I think there is some really good examples on the Amnesty and Refugee Council of Australia website. They have a 'what you can do' section and this has got some very good punchy points that get to the heart of the issue. In the end Amnesty International visited Manus and Nauru recently by sending staff to America and coming in that way. Amnesty's person who was involved in that report and meeting the people have been in war torn countries everywhere and Amnesty in Australia were saying that they were shocked when meeting with her that she was so upset at the level of hopelessness in Manus and Nauru.

(Q). *Frances, you mentioned I think it was 400 people who the government was suggesting they were going to be cut off financial support and evicted, can you just clarify that for me?*

The actual fact is 440 people and of those people at the moment 90 are in NSW so that's so we can absorb the rest of it. What Minister Dutton has said is that why are Australian people paying for, it's almost like it's giving people advantage to house them while they were recovering, and so they are saying they are giving them a visa which is basically calling it a bridging visa. Some are getting it for 3 or 6 months and the Government are calling it a final or a departure visa. They are saying you have got some choices to return to your country or you can go back to Manus and Nauru and most people were so terrified of doing that and would rather kill themselves here than do it. Or, let's say you can stay here and what

they have done which is meant to be kind by giving them work rights. But these people have not been able to work in Australia since being here have got no experience. Lots have said that we would help people, and this is a really good compassion story, people like Messina Gelato that have said to us that we will employ every single person who is able to work from that group. They are not the only ones who are doing it. So that's the thing, people go NO, this is a line too far even Shorten said it's low even for Turnbull, it's a new low. So what happened he announced that on the Saturday and on the Monday people income cut off and need to rent a house having been given three weeks notice to be evicted. So between us they have been housed. This is again unofficial, but we were told that there are families are going to be released with nothing. But what they are saying is, and go figure this one, if you have children under 10 we will leave you until last and they are still going to do it, but if you have children over 10 your kids can still go to school but we won't house or accommodate you or provide income. It's a shocking thing and I know it's not a great uplifting subject on a Sunday morning but in that real sense of the Australian public don't know. People like 'Get Up' and other media/papers say we want a story if you can show us the family! These families are so vulnerable. That's just exploitative but that's the media in a way.

(Q) Frances, just 2 points; one of them is about how much the income has been? I know a couple of years ago when we were helping the refugees and asylum seekers here, it was about \$200 so there were a lot of people living together most men living together in the one accommodation paying \$400-\$500 rent in some slummy apartment somewhere near here.

The second question is about sending people back. Now people like Phil Glendenning have made that wonderful documentary about sending and what happens to people. Is there any more information about sending people back to where they came from and what has happened to the people consequently?

Okay, just briefly on income - if you have arrived by plane and even if you are released into the Community, if you were determined that you had a valid claim protection whilst being considered, you are entitled to 89% of Newstart the lowest allowance. Not 100%. When we give money out, if someone is in accommodation we give out \$110 a week but we give groceries and people are always welcome for a hot meal and we would help with other basic necessities. Some people can try to get around to it very little money but if people don't have accommodation we give slightly more and we have always looked at people living together. People are living below the poverty line, undoubtedly.

We have also got those people who are also 'stateless'. The Iranian government will not accept anyone who is forcibly returned. People feel they can't go back and so the government says that's fine, you can't be deported as your own government won't accept you but we will give you nothing while you wait. So that group we are also supporting because they are not entitled to anything and that's why doctors are so important in our basic work. There is a group called the International Organisation of Migration, that is the I.O.M. and you have to go to them, you will have to go voluntarily, tell them which country are you going back to and the government funds them and funds the amount of money you will get on return - they will give up to \$5,000.

(Q) I heard on radio during the week that they were trying to convince people to shift from Manus to Nauru, not with much success apparently, but that was one way of trying to solve that problem.

The conditions in Nauru, and people from Amnesty have also said, were worse than Manus. There is not a degree of welcome there because of what people's circumstances are and people are being betrayed so that's the difficult part.

(Q) At CCJP we got a phone call 2 weeks ago from Ben Aitken who said that he is a writer for the Australian and he was trying to get some information out and was looking for organisations that he could get

information out. What he said, he consequently sent stuff to CCJP and I brought it and he said that you know how we were going to do a people swap, there were 3 weeks to go, there was a group flown from Guantanamo Bay to Dominique just before the cyclone went through there then they were flown to Paris then flown to Dubai then they were flown to Brisbane and they have been secretly put in places into East Brisbane and these were Cuban refugees who were put into jail on Guantanamo Bay. He cannot get, this is the reporter, any newspaper to actually pick this up or any organisation to pick this up. Have you heard about this? These are the people that we were going to swap?

Every time we have dabbled with the 'The Australian' in terms of information it is never honoured, sorry, not to say that they are just not good writers there are some great writers in the Australian but it is a difficulty.

That wouldn't surprise me about this group going under the radar about what is happening for this group. But they will come in as a humanitarian refugee so they would be given the rights of someone who has got protection. The Australian Government funds Settlement Services International to one of the highest levels in the world. So we do that very well.

I think Guardian On-Line is particularly good on covering Australia's refugee and asylum seeker issues. I think the Saturday paper cover stories and they show a depth of opinion.

VOTE OF THANKS

Well Frances, you have given us so much to think about and be ashamed about. I feel very small this morning as an Australian citizen what we are doing and the heartlessness of it, the secrecy of it and you have certainly opened it up and I hope that we will all keep fighting and I suppose that is the best 'thank you' we can give you is that we will all commit ourselves to do what we can to promote the cause of these poor people. Thank you very much for coming.



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