

Refugee Council of Australia report



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STATE OF THE NATION:

REFUGEES AND PEOPLE SEEKING ASYLUM IN AUSTRALIA

The world is in the midst of an unprecedented humanitarian crisis. Yet Australia's approach in recent years has been to punish people seeking asylum, while increasing the numbers of refugees it resettles. This contrasting approach threatens the long and proud history Australia has of successful integration of refugee communities.

This report reflects what we have heard from refugees and people seeking asylum, and the people supporting them.



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NOTE: Individuals quoted in this document have had their names changed to protect their identity.

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This report is based on the Refugee Council of Australia's 30th annual submission to the Australian Government on its Refugee and Humanitarian Program. It is based on consultations conducted between August 2015 and November 2016.

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Introduction

The past two years have been a dramatic and traumatic period for refugees, both at home and abroad. More people are seeking safety – from persecution, conflict, violence and violations of human rights – than at any time since World War II. In the past two years, we have seen lifeless children washing up on the shores of the Mediterranean Sea. We have seen ordinary Europeans lining up to help refugees at train stations. We have seen Australians demanding successfully that their leaders let in an extra 12,000 people fleeing the crises in Syria and Iraq. We have seen Canada open its arms to tens of thousands of people fleeing Syria and Iraq through its #WelcomeCanada program. In New York, we saw the world recommit to the principles of refugee protection and offer more places for protection, in two landmark international summits.

We also saw Hungary building a barbed wire fence along its border and holding a referendum to make sure refugees were not sent there. We saw country after country in Europe shutting their doors on refugees, and Europe sign up to a deal with Turkey to stop the displaced coming. We saw, and are still seeing, far-right parties rising on the back of hostile sentiment against both migrants and refugees. We have watched as Pauline Hanson was elected to the Senate promising an end to Muslim migration and as Donald Trump was elected promising not to let in any Syrians.

Back home, we have heard about – but have been largely prevented from seeing – the suffering of those we have sent to Nauru and Papua New Guinea. Thousands are still there, more than three years after we started ‘processing’ them and several months after the Papua New Guinea Supreme Court ruled the detention centre on Manus Island was unconstitutional. While we welcomed the news in November 2016 that the US would resettle some of those stuck in limbo, their fate remains unclear.

We have also been left in the dark about the fate of the boats that the Australian Government has pushed back to sea. While the Australian Government claims it is saving lives, the truth is we are returning people to danger, or forcing people through even more dangerous passages.

On our shores, about 30,000 people seeking safety within Australia found themselves up against new barriers. One new barrier was the introduction of a fundamentally unfair and discriminatory way of determining their refugee claims, for most without any access to legal advice. Once again, those seeking safety in Australia were told that they would now always live in limbo, limiting the hope of ever reuniting with their families, and denied the chance to truly call Australia home. These vulnerable people face a future living in the margins, unable to access further education and vulnerable to exploitation. Others who had found safety in Australia were unable to become citizens, as the Australian Government dragged their feet in deciding their citizenship applications, as the Federal Court found in a case brought with the support of the Refugee Council in December 2016

Some things that were already bad got worse. For many refugees in Australia it became even harder to reunite with loved ones overseas and for some people who came more recently, it has now become impossible. While we welcomed the release of most children and families from detention and the closure of several detention centres, those kept locked up continued to be incarcerated for increasing periods of time in increasingly difficult conditions. Their access to the

outside world — to visitors, friends and families, and even to mobile phones — became more restricted. With a change in the law, more people are now locked up more easily through the cancellation of visas, creating a new class of people in indefinite detention. For those in the community whose claims are increasingly being rejected in the new unfair system, they are being left to destitution and exploitation.

By contrast, Australia agreed to take in an extra 12,000 people displaced by conflict in Syria and Iraq. The resettlement of people from Syria and Iraq was welcome, although the unnecessarily drawn out process prolonged the opportunity to build new lives. Similarly, while the release of most children from detention in Australia was welcome, far too many children are still suffering on Nauru. Several State Governments have shown leadership, offering new travel concessions and increased access to school and further education. Universities have also shown the way by providing scholarships for refugees and people seeking asylum.

We have wasted billions in detaining people on Nauru and Manus Island, caused great damage to many thousands of people, and been condemned for our brutal policies by the international community. Of perhaps greatest concern is the way our approach undermines a sustainable global approach to managing the current crisis of displacement. Our Government’s insular fixation on closing Australia’s borders fails to recognise the global nature of the crisis and the global cooperation required to begin to resolve it. Human displacement is a challenge the entire world must face together. There is not one single solution.

This report tells us what is happening to real people, here in our community, to their loved ones and their families. It collects the voices and views, the ideas and expertise, of people who are living through the experience of seeking safety and settling in Australia and the many committed Australians who are working hard to help them. It reflects our conversations with people across Australia and within our networks in 2015 and 2016. Finally, it sets out the challenges we face in 2017 and provides clear actions our governments and communities can take to ensure Australia treats refugees humanely.

Leaving danger

The world in crisis

In the past two years, a record number of people have been forced to seek safety from persecution, conflict, violence and violations of human rights than at any time since World War II.¹ By the end of 2015, more than 65 million people had been forced to flee their homes – or one in every 113 people in the world.

Of those 65.3 million seeking safety, 21.3 million were recognised as refugees and 3.2 million were seeking asylum. More than half of the refugees under the mandate of the United Nations High Commissioner for Refugees (UNHCR) came from just three countries: Syria, Afghanistan and Somalia. While the Middle East has taken most of the world’s attention, a growing number of people in Africa continued to flee conflicts across the continent.

1. United Nations High Commissioner for Refugees (UNHCR) (2015), Global Trends 2015, <http://www.unhcr.org/576408cd7>. UNHCR began recording these figures at the end of World War II. Unless otherwise stated, the statistics in this report are from this publication.

We are now at a point where humanitarian agencies are struggling to do the bare minimum of what they need to do to protect people.² UNHCR is estimated to have received just half of its expected budget for 2016 for its life-saving assistance and essential services.³

Despite the media narrative, the displacement crisis is one that is being managed mostly by poorer countries. Of the world's refugees, 86%, or 13.9 million people, were living in developing countries. For many living in those developing countries, their lives are lived in the margins. Many do not have legal status. They often have limited access to work, health care and education and struggle to survive. Others live in countries which are becoming increasingly dangerous and where their legal status, ability to work, seek education and healthcare are greatly limited, such as in Iraq and Pakistan. These conditions force some people to move on, often dangerously – as we saw in 2015, when over a million people fled to Europe by sea.

In the past two years, we saw the best and worst of humanity responding to this crisis. Many volunteers have come to help, from rescues at sea to invitations into their homes. On the other hand, countries have been closing their doors and borders, Europe signed a deal with Turkey to stop people from coming and far-right parties across the western world have stoked fear and racism.

For the people displaced it remains increasingly difficult to find safety. Decreasing numbers of people have been able to return home in recent years, with only 201,400 refugees returning to 39 countries in 2015, the third-lowest number over the past 20 years. In 2015, of the more than 1.19 million refugees that UNHCR have identified as being in need of resettlement just 107,100 people were permanently resettled — that is, less than 1% of the total.⁴ More than 6.7 million people are living in a 'protracted refugee situation' — one where 25,000 or more people of the same nationality have been living in exile for five or more years in one country.

Within Australia's own region, there are particular challenges. In the first half of 2015, around 31,000 Rohingya refugees and Bangladeshi migrants got on dangerous boats, with over 1,100 of them dying at sea. In May 2015, after a crackdown on human trafficking networks in Thailand, thousands of people were abandoned by smugglers and remained stranded at sea for weeks as countries in the region refused to allow them to land in a situation labelled "maritime ping-pong".⁵ It is impossible to verify how many people died on these stranded boats as a result of violence, starvation, dehydration and disease.⁶ Australia's then Prime Minister when asked if he would resettle some of the stranded Rohingya infamously stated "Nope. Nope. Nope". Eventually, Indonesia, Malaysia and Thailand agreed to provide "temporary shelter" to this group of people.⁷ More recently in the last months of 2016, 65,000 Rohingya have reportedly fled to Bangladesh escaping what has been labelled a genocide underway in Myanmar.

2. Guterres, A. (2015), Opening Remarks to the 66th Session of UNHCR's Executive Committee.

3. UNHCR (2016), Global Appeal 2017 Update, http://reporting.unhcr.org/sites/default/files/ga2017/pdf/GA_2017%20Update%20Eng_Book_Low-res.pdf, 22.

4. UNHCR (2015), Projected Global Resettlement Needs 2016 <http://www.unhcr.org/558019729.html>.

5. Belford, A. & Munawir, R. (2015). "Migrants in 'maritime ping-pong' as Asian nations turn them back." Reuters, 16 May. <http://www.reuters.com/article/us-asia-migrants-idUSKBN00105H20150516>

6. UNHCR (2015), South East Asia Mixed Maritime Movements April-June 2015. <http://www.unhcr.org/554c6a746.html>

7. Ibid.

Seeking safety

Slamming the door shut

“But now that the boats have stopped, why should offshore processing continue? The whole idea was to deter people from coming, from getting in a boat. But that was done. Now, by keeping these guys out there, it's a punitive act. Is it just to punish those guys who came at that time? Or is it to tell the world that we are the most cruel?”

—**Krithika**, Respondent from the Tamil community

Australia is a world leader in resettling refugees from overseas with a proud history of successfully resettling more than 870,000 refugees since World War II. Yet Australia is also one of the world's poorest in providing durable solutions to people who come here to claim protection – people seeking asylum – especially if they come by boat.

Offshoring our responsibilities

“People don't stop dying because they are not dying in our waters. Deterrence kills, we need to completely reframe our way of thinking and think globally. The fact is, it's the same people, whether they are dying on the shores of the Mediterranean or in our waters, dying in Afghanistan or Syria or Burma. When they are dying in our waters they are our responsibility, and when we create this attitude of pushing boats back and refusing to rescue people, and coerce the captains of these ships to turn back to Indonesia we fail to respond adequately.”

—**David**, Service provider, Western Australia

Australia is the only country in the world that sends people who come by boat to tiny poor islands, where they are detained and, for some at least, seem set to reside there for the rest of their lives. The offshore detention policy is supported by both major political parties. The policy has caused enormous suffering to over 2,000 people stuck on Nauru and Papua New Guinea. Things have deteriorated significantly in the last two years, as the prolonged detention and deprivation of hope has started to break greater numbers of people.

“People here don't have a real life. We are just surviving. We are dead souls in living bodies. We are just husks.”

—**Person on Nauru**, quoted in joint Amnesty International and Human Rights Watch report⁸



Although access to the camps is heavily restricted, we have heard more and more about deaths, attempted suicides, high levels of self-harm, and a consistent pattern of allegations of abuse and fear. In 2016, The Guardian published details of 2,123 incidents reported on Nauru, known as the 'Nauru files', covering the period from 12 May 2013 to 29 October 2015.⁹ These included 159 reports of threatened self-harm by children, 59 reports of assaults on children, and 170 reports involving 'concern for a minor'.¹⁰

This pattern of abuse, self-harm and assaults continues, with more than 2,000 reports in the period between 1 April 2016 and 30 September 2016 alone:

Category	Manus Island	Nauru	Total
Category 1 (Minor)	1,325	1,064	2,389
Category 2 (Major)	219	316	535
Category 3 (Critical)	3	1	4
Total	1,547	1,381	2,928

Source: Answer to Question on Notice, SE16-125, [Senate Estimates](#), 2 December 2016

Even with the flawed and absurdly slow processes of refugee status determination in both countries, the reality has disproven the claim that these people are not 'genuine' refugees, with the vast majority having had their refugee claims accepted.

Refugee status determination outcomes in Nauru and Manus Island, November 2016		
	Nauru	Manus Island
Recognised refugee — initial assessment		510
Recognised refugee – finalised determination	967	669
Total recognised refugees	967	1,179
Not recognised — initial assessment		507
Not recognised — final determination	230	179
Total not recognised	230	686

Source: *Operation Sovereign Borders Monthly Update*, November 2016

The policy of offshore detention is absurdly expensive, with over \$1 billion spent in each of the last three financial years, with Australia paying visa fees alone of \$2,000 monthly for each recognised refugee on the island.¹¹ A recent report from the Australian National Audit Office found that the Department of Immigration and Border Protection approved \$1.1 billion of contracts without the required authorisation to do so and that a further \$1.1 billion of contracts had no records of who had authorised the payments. This complete failure of account-

8. Amnesty International and Human Rights Watch, 'Australia: Appalling abuse, neglect of refugees on Nauru' (August 2016) <https://www.amnesty.org/en/latest/news/2016/08/australia-abuse-neglect-of-refugees-on-nauru/>.

9. 'The Nauru files', The Guardian, <https://www.theguardian.com/news/series/nauru-files>.

10. Nick Evershed and Paul Farrell, 'Datablog: analysis of Nauru files highlights heavy toll on children' (10 August 2016), <https://www.theguardian.com/australia-news/datablog/2016/aug/10/datablog-analysis-of-nauru-files-highlights-heavy-toll-on-children>.

11. Legal and Constitutional Affairs Committee Hansard, 17 October 2016, 117.

ability and transparency with taxpayers' money reflects the culture of secrecy and abuse within which these centres operate.

Costs (\$m)	2012-2013	2013-2014	2014-2015	2015-2016
PNG				
Regional Processing Centre - operating	69.09	437.71	478.18	434.85
Settlement		0.54	26.65	62.01
Manus Capital	6.77	184.31	266.9	27.15
Port Moresby Capital			0.38	0.32
Total PNG	75.86	622.56	772.11	524.33
Nauru				
Regional Processing Centre - operating	150.26	473.82	430.58	383.92
Settlement		3.5	43.72	118.59
Capital	132.65	207.06	66.79	112.06
Total Nauru	282.91	684.38	541.09	614.57
Total	358.77	2,613.88	2,626.4	2,277.8

Source: Answer to Question on Notice, SE16-065, [Senate Estimates](#), 2 December 2016

These misspent billions do not include the \$55 million the Australian Government allocated for its deal to resettle refugees to Cambodia,¹² which has proved a woeful failure, with only six refugees opting to take up the offer; and with four of the six having already left Cambodia.¹³ The detention centre on Nauru was turned into an 'open centre', but in October 2016 there were still 393 people there, including 145 recognised refugees.¹⁴ Conditions remain extremely difficult, with refugees living in fear of violence and abuse at the hands of the local community.

“ It is in fact worse when you go out into the community [in Nauru] because you are exposed to locals raping you, inflicting harm on you, and two people set themselves alight, and one killed himself/herself by taking tablets. So opening the gates is of no significance. It doesn't help. In fact, it is more insecure outside than it is inside the camp.

—Person seeking asylum

In 2016, the High Court of Australia had ruled that offshore processing on Nauru did not breach Australia's Constitution,¹⁵ but only after the Parliament of Australia rushed through retrospective legislation

12. For a fuller explanation of the costs of the agreement, see Andrew & Renata Kaldor Centre for International Law, 'The Cambodia agreement', <http://www.kaldorcentre.unsw.edu.au/publication/cambodia-agreement>.

13. Lindsay Murdoch, 'Sixth refugee flown from Nauru to Cambodia under \$55 million deal', Sydney Morning Herald, 8 November 2016, <http://www.smh.com.au/world/sixth-refugee-flown-from-nauru-to-cambodia-under-55-million-deal-20161108-gskxqe.html>.

14. Answer to Question taken on notice, SE16/125, Senate Estimates, http://www.aph.gov.au/Parliamentary_Business/Senate_Estimates/legconctte/estimates/sup1617/DIBP/index.

15. Plaintiff M6/2015 v Minister for Immigration and Border Protection [2016] HCA 1, <http://www.austlii.edu.au/au/cases/cth/HCA/2016/1.html>.

authorising expenditure of offshore processing;¹⁶ and after a surprise announcement on the eve of its hearing that Nauru would remove all curfew restrictions on movement in its detention centre.¹⁷ A strong community campaign to #letthemstay, however, meant that 220 people involved in the case have so far stayed in Australia with an undertaking that they will be given notice before they are returned to Nauru.¹⁸

Just months later, the Supreme Court of Papua New Guinea ruled that the arrangement on Manus Island was unconstitutional. Even though our Memorandum of Understanding with Papua New Guinea includes a provision to respect the Constitutions of each country;¹⁹ and despite the agreement by both governments that in August 2016 the centre would close,²⁰ the Australian Government has insisted that those sent to Manus Island would not come to Australia. Instead, these refugees and people seeking asylum are being shuttled by bus in and out of the centre, so that the governments can argue this is no longer 'detention'.²¹

“ And look what happened [after the PNG Supreme Court ruling]? The Australian politicians have been preaching to us migrants and refugees for as long as I can remember about the rule of law. When it comes to themselves, well that's another story altogether....

—Gaye, Service provider, Western Australia

In November 2016, there was a glimmer of sunlight for those stuck in these centres with the announcement that a deal had been signed with the United States to resettle people from Nauru and Manus Island.²² Yet much remains uncertain about the agreement: how many people will be resettled; when they will be resettled; and how separated families can be reunited. Looming it over all is the question of what will happen under Donald Trump's presidency.

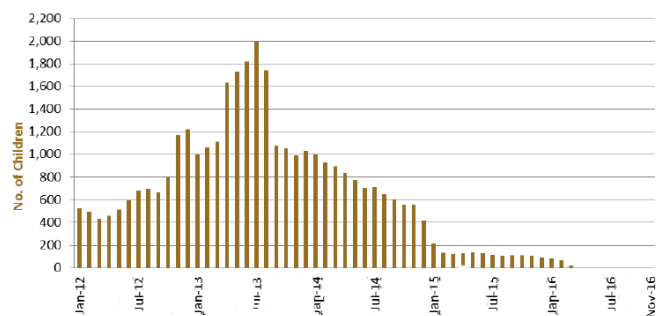
16. Migration Amendment (Regional Processing Arrangements) Act 2015 (Cth).
 17. Tom Allard, 'Nauru's move to open its detention centre makes it "more dangerous" for asylum seekers', Sydney Morning Herald (9 October 2015), <http://www.smh.com.au/federal-politics/political-news/naurus-move-to-open-its-detention-centre-makes-it-more-dangerous-for-asylum-seekers-20151008-gk4kbt.html>.
 18. Answer to question taken on notice, SE16/125, Senate Estimates, http://www.aph.gov.au/Parliamentary_Business/Senate_Estimates/legconctte/estimates/sup1617/DIBP/index. As at 17 October 2016, there were 338 people transferred to Australia from Nauru on medical grounds, and 47 from Manus Island: Answers to questions taken on notice, SE16/068 and SE16/125, Senate Estimates, http://www.aph.gov.au/Parliamentary_Business/Senate_Estimates/legconctte/estimates/sup1617/DIBP/index.
 19. 'Memorandum of Understanding between the Government of the Independent State of Papua New Guinea and the Government of Australia, Relating to the Transfer To, and Assessment and Settlement In, Papua New Guinea of Certain Persons, and Related Issues' (2013), <https://www.dfat.gov.au/geo/png/joint-mou-20130806.html>.
 20. AAP and Ian Horswill, 'Australia Agrees to Manus Closure', news.com.au (17 August 2016), <http://www.news.com.au/national/politics/manus-island-detention-centre-to-close-says-png-prime-minister-peter-oneill/news-story/a0f7704637f032ce62aff1b9b7668f28>.
 21. Andrea Nierhoff, 'PNG Relaxation of Detention on Manus Superficial: Lawyer', SBS News (13 May 2016), <http://www.sbs.com.au/news/article/2016/05/13/png-relaxation-detention-manus-superficial-lawyer>.
 22. Paul Farrell, 'Refugees on Nauru and Manus Island to Be Resettled in US – as It Happened', The Guardian (13 November 2016), <https://www.theguardian.com/australia-news/live/2016/nov/13/australia-nauru-manus-island-refugee-detainee-announcement-live>.

Locking them up

Australia is a country which has allowed people to languish in detention facilities for years without access to legal advice or judicial review. Australia's detention policies have been found on many occasions to breach obligations under human rights treaties.²³

There have been some positive changes in the past two years, with more people being released into the community; and the number of children in detention in Australia reducing to almost zero by the end of 2016.

Figure 3 – Children in Immigration Residential Housing, Immigration Transit Accommodation and Alternative Places of Detention



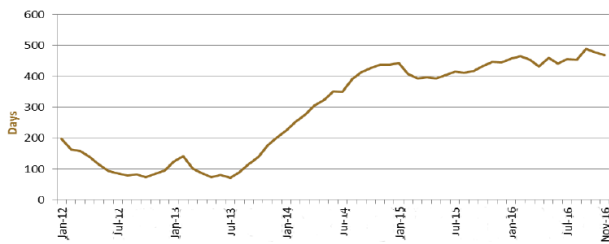
The release of children in detention has followed some high-profile campaigning and the release of a damning report by the Australian Human Rights Commission into children in detention²⁴ — a report which led to some extraordinarily vicious personal attacks from Australian Government representatives on the President of the Australian Human Rights Commission.²⁵

A particularly welcome aspect has been the gradual release of people who had been indefinitely detained as a result of people being cleared by the Australian Security Intelligence Organisation. Although people have been released into the community, many have complex mental health issues and completely inadequate support.

However welcome these changes, much else has deteriorated inside the centres. People are staying in locked detention for longer and longer, with the average length of detention in Australia now at 487 days.²⁶ Despite the reduction of populations in the centres, since the current government was elected, the average length of detention has more than doubled.

23. Principally Article 9 of the International Covenant on Civil and Political Rights: see, e.g. A v Australia [1997] UN HR CCCPR/C/92/D/1429/2005 (30 April 1997); MMM et al v Australia [2013] UN HRC 2136/202 (26 July 2013).
 24. Australian Human Rights Commission, The Forgotten Children: National Inquiry into Children in Immigration Detention 2014 (11 February 2015) <https://www.humanrights.gov.au/our-work/asylum-seekers-and-refugees/national-inquiry-children-immigration-detention-2014>.
 25. Sarah Whyte, 'Attorney-General George Brandis censured over Gillian Triggs affair', Sydney Morning Herald (2 March 2015), <http://www.smh.com.au/federal-politics/political-news/attorney-general-george-brandis-censured-over-gillian-triggs-affair-20150302-13sm22.html>.
 26. At 31 October 2016 (the latest available statistics), the average length of detention was 478 days: Department of Immigration and Border Protection (DIBP) (31 October 2016), Immigration Detention and Community Statistics Summary, <http://www.border.gov.au/ReportsandPublications/Documents/statistics/immigration-detention-statistics-31-oct-2016.pdf>.

Figure 5 – Average number of days in Held Immigration Detention Facilities only



New laws introduced in 2014 make detention automatic for many people who have been convicted of offences and also make it much easier for the government to detain people even if they are only charged with offences. These laws punish people twice for the same conduct and unjustly discriminate against non-citizens who may have committed offences, even if they are merely driving offences.

People affected include those who came here as refugees and people seeking asylum. Since Australia cannot return them to another country, we have effectively created a new class of people who could be detained indefinitely. Even if we include those who can be removed to another country, the average length of the detention for people in this category was 274 days at 17 October 2016.²⁷ People included in this group have no right or any access to free legal representation and the law means that for many, the only possibility is a personal appeal to the Minister for Immigration. Waiting for the Minister even to consider their appeal, however, takes most of the year: of the cases finalised in 2016, the average time taken was 259 days.²⁸

The introduction of the Australian Border Force, together with a change in the composition of those being detained, has resulted in immigration detention facilities becoming more and more like jails. Detention visitors are reporting that it is becoming increasingly difficult to visit people in detention, and even nuns are being screened for explosives and stopped from entering. It is important to remember that the people being visited have committed no crime and are in what is technically known as administrative detention. Yet it is those who have come by boat seeking our protection who have been stripped of their mobile phones, stopped from going on supervised excursions and put in handcuffs while being escorted to torture and trauma counselling and medical appointments. Detention facilities have been reconfigured to separate people in detention from each other, creating further isolation.

Far too often RCOA hears of people being intimidated by staff wearing riot gear, of people being woken up to be transferred between detention centres immediately, of people turning up to visit someone only to find they have been whisked away to another centre, with no one who can tell them where they have gone. Increasingly, we are also hearing reports of inhumane conditions on Christmas Island, where people are isolated from visitors and support, as well as from effective legal representation.

Many who have been in detention and are now in the community live in fear of being detained again. Under the Code of Behaviour that people seeking asylum have had to sign, even the most minor breach of a law could lead to a person being detained again. This makes life precarious, makes people reluctant to get help, leading to isolation. It also places those who support people seeking asylum in difficult situations, particularly where domestic violence is involved, because any report may lead to prolonged detention.

The effect of prolonged detention on people's health — physical and mental — has been demonstrated again and again. Yet, despite this, people are still reporting that they receive inadequate medical attention in detention centres, and are instead supplied with Panadol, regardless of their problem. People are released from detention with significant mental health concerns and inadequate support. The Australian National Audit Office in 2016 reported that:

“From February to November 2015, 239 detainees were assessed as being at ‘high imminent’ risk of suicide or self-harm. 47% of these instances persisted for more than 72 hours, even though the Department’s program states that people at this risk level have needs which “cannot or should not be managed” in immigration detention.²⁹

What does this inhumane system of detention do to people? As one person seeking asylum told us:

“Detention had a lot of impact on my life and negative impact. ... I have been diagnosed with trauma, anxiety and depression. They asked me to take tablets which I didn’t. I try to treat it better but I wish your Government could understand that we paid a very big price for our freedom and ... they call us illegal immigrants and what they are teaching me now which is really bad thing to have in your society is someone think like this, at the moment the mindset I have is if you are not a wolf you have to be eaten by wolves and I learnt it from your government because the wolves have eaten me. The ... wolves have eaten me in detention in Australia. So I learnt that if I am not a wolf I will be eaten by wolves so that’s the impact and that’s really bad.

—Ali, Person seeking asylum, Victoria

27. Answer to Question on Notice, SE16/133, Senate Estimates, http://www.aph.gov.au/Parliamentary_Business/Senate_Estimates/legconctte/estimates/sup1617/DIBP/index.

28. Answer to Question on Notice, SE16/133, Senate Estimates, http://www.aph.gov.au/Parliamentary_Business/Senate_Estimates/legconctte/estimates/sup1617/DIBP/index.

Slow tracking

“ I don't know what they mean by this “fast-track” process. For me, this is the slowest track!

—**Emanuel**, Person seeking asylum

A story that has received less attention, however, is one that affects about 30,000 people in our community.²⁹ This group of people arrived by boat and have been waiting for many years for their claim for protection either to be resolved, or to even have a chance to make a claim. Some of this group have already been found to be refugees but are being asked to start the process all over again. Those who arrived after 13 August 2012 are forced to claim protection under a new system, misleadingly called ‘fast tracking’, which changes the ways refugee claims are determined in fundamentally unfair ways. These people have found themselves having to navigate a complex legal system with forms totalling over 100 pages, in English without a chance for a fully independent review.

At the same time, the Australian Government has taken away almost all funding so that less than one quarter of these vulnerable people can access legal advice. As at 27 October 2016, only 7,168 people who had lodged an application were represented by a migration agent or eligible for the limited government-funded ‘Primary Application Information Service’ (PAIS).³⁰

Specialist legal centres have spent most of the last two years trying to raise funds and are dealing with increasingly unmanageable waiting lists. Only the Victorian Government has provided some additional funding to help meet this urgent legal need.³¹

“ We have 3,000 people who are unrepresented in our clinic. It's run by one lawyer and one admin person. We have to recruit volunteer interpreters because there is no funding. One bill we had was over \$28,000 for interpreters. ... The thing about seeing a lawyer is for the first time you are divulging what happened to you. It's a very emotional confronting experience. ... If there is not a lawyer helping transform that telling into something coherent, you're getting decision makers having to do that. They normally have 2-3 hours for an interview. Then they have to deal with a messy story and have to make life and death decisions based on those stories.

—**Satri**, Service provider, NSW

29. As at 29 September 2016 (the latest statistics available), there were 30,666 people in this group: Department of Immigration and Border Protection, IMA Legacy Caseload: Report on Status and Processing Outcomes (September 2016), <http://www.border.gov.au/ReportsandPublications/Documents/statistics/ima-legacy-caseload-sept-16.pdf>. Numbers vary as people are ‘born’ into the caseload and applications may be withdrawn or people may depart.

30. Answer to Question on Notice, Question taken on notice, SE16/059, http://www.aph.gov.au/Parliamentary_Business/Senate_Estimates/legconctte/estimates/sup1617/DIBP/index.

31. Premier of Victoria, More Legal Support For Asylum Seekers (Media Release, 17 April 2016), <http://www.premier.vic.gov.au/more-legal-support-for-asylum-seekers/>.

This group of people who were not allowed to work for years, have not been able to learn English formally, and who are barely surviving:

“ We get \$420 a fortnight. \$300 goes towards rent for the share house. That leaves \$120 for all other expenses. How can we afford legal representation? While they are waiting for their claims to be processed, they are so depressed and traumatised that they turn to negative coping strategies (e.g. alcohol, smoking). [through interpreter]

— **Pratheesh**, Tamil community member, NSW

Getting legal help is particularly difficult in Queensland, Western Australia and the Northern Territory. On Christmas Island, there is no real access to legal assistance other than over the phone. Even in Victoria, there are significant backlogs. Many people have volunteered to help, but the pressure on small organisations to manage extensive volunteer programs poses its own challenges. The need for legal assistance remains enormous. One counsellor raised the issue of the impact of this on torture survivors:

“ I find that heartbreaking because they can't tell their story without assistance. There are many torture survivors in this ...group, and the whole experience of being a torture survivor is about having your agency taken away from you. That reverberates down your life in all kinds of ways, but it makes it very difficult to tell your story to [an]... official.... The thing about torture is it's humiliating. You don't ever want to tell anyone about it because it nearly destroyed you as a human being. ... The whole system has been set up against a torture survivor being able to succeed in telling their story, and I find that very sad.

—**Gulan**, Counsellor supporting people seeking asylum

While the Australian Government introduced a very limited scheme to provide lawyers to the most highly vulnerable, its introduction was far from smooth. Service providers did not know who would qualify and how people could tell the Department for Immigration who was most vulnerable. It was clear that many people were falling through the cracks. Such concerns were evidenced by the fact that the Department's government-funded legal scheme, Primary Application Information Service (PAIS), has only been available to 1,997 people, which is short of the 20% of people that it was originally anticipated to support.³²

The ‘fast tracking’ process has been very far from fast. Although established by December 2014, it did not start operating until mid-2015 and only started to process a significant number of cases by mid-2016. At the end of September 2016, there were still nearly 16,000 people who had not managed to lodge an application, while only approximately 5,000 applications had been finalised.³³

32. Answer to Question on notice, SE16/061, Senate Estimates, http://www.aph.gov.au/Parliamentary_Business/Senate_Estimates/legconctte/estimates/sup1617/DIBP/index

33. Department of Immigration and Border Protection, IMA Legacy Caseload: Report on Status and Processing Outcomes (September 2016), <http://www.border.gov.au/ReportsandPublications/Documents/statistics/ima-legacy-caseload-sept-16.pdf>.



As at 29 September 2016, the longest period a Fast Track application has been under primary assessment by the Department was 489 days.³⁴ Although the Department refused to name an average processing time under fast-tracking,³⁵ progress so far appears to fall well short of meeting the previous legislative benchmark of 90 days for making primary decisions.³⁶

We have, however, already heard concerns about the ways in which these claims were being assessed, including an inappropriate focus on identity and proof. For example, Sri Lankan Tamils could be asked to provide proof that their birth certificates and other identity documents had been confiscated. Sometimes the decision maker had incorrect information, such as this example about Afghans in Pakistan:

“ [The Department said:] “Well if you’ve been in Quetta from 2000 up until now it’s implausible that you would not have ... a residence card”. And we’re saying “why would that be implausible?” [Immigration] “Because they can’t live without them” [We say] “Yes they can, are you aware that the ... cards were only issued after 2006?” And they [Immigration] say “well we’ve got information” and we say “well our information is from UNHCR who actually produce the cards so where’s yours from?”

—Rebecca, Service provider, South Australia

A growing concern is with the adequacy of decisions by the Immigration Assessment Authority (IAA). This newly established body was designed to only review information that was already before the Department without hearing from the applicants directly and unable to consider any new or ‘late’ evidence. This compounds earlier decisions to remove the independence of the unit compiling country information relevant to people’s claims and the removal of experienced Refugee Review Tribunal members. So far, the statistics corroborate these concerns, as far fewer decisions are being overturned by the IAA in the ‘fast-track’ process.

Category	Primary grant	Post review grant	Finalised refusal	Total	Overturn rate
Non-fast-track	547	1,530	1,841	3,918	45.4
Fast-track	771	37	293	1,101	11.2

Source: Department of Immigration and Border Protection, IMA Legacy Caseload: Report on Status and Processing Outcomes, September 2016

www.border.gov.au/ReportsandPublications/Documents/statistics/ima-legacy-caseload-sept-16.pdf.

34. Answer to Question on notice, SE16/120, Senate Estimates, http://www.aph.gov.au/Parliamentary_Business/Senate_Estimates/legconctte/estimates/sup1617/DIBP/index.

35. Answer to Question taken on notice, SE16/060, Senate Estimates, http://www.aph.gov.au/Parliamentary_Business/Senate_Estimates/legconctte/estimates/sup1617/DIBP/index

36. This benchmark was removed by the Migration and Maritime Powers Amendment (Resolving the Asylum Legacy Caseload) Act 2014 (Cth). In 2012-2013, the last financial year before the current government came to power, the Department met that benchmark 51% of the time, and in the year before that 65% of the time: Department of Immigration and Citizenship, Annual Report 2012-2013, <https://www.border.gov.au/ReportsandPublications/Documents/annual-reports/2012-13-diac-annual-report.pdf>.

As people are being rejected, they are being forced to apply for judicial review, adding to the Department’s considerable caseload. To date, 1,486 people have sought judicial review of their refusal decision.³⁷ People have reported that, in some states, the first dates for the judicial review of these cases are being set as far away as 2018. Some people seeking asylum and awaiting judicial review have been seeking protection in Australia for years already and face going through more years of uncertainty, waiting in limbo and in the shadows.

Living on the margins

“ People who are living without accommodation, without any ID, especially refugees and asylum seekers ... they are like a pigeon without wings. They can’t fly. They can’t work. They can’t get access to Medicare. They can’t get proper access to healthcare. They can’t get anything. They are hopeless.

—Ali, Afghan community member

Although living in the community is better than detention, living in the community can still be very difficult. People seeking asylum face many challenges: some have no income; most have very little. It is this group of individuals and families who are skipping meals and living in very crowded houses to try and have some money for food. It is difficult to access services. Until recently, most could not work or study. This is the group who have been living on the margins, vulnerable to exploitation and to misery.

“ We came here because we have lots of problem in our country and we cannot live a good life there. But when we came here they showed us that we couldn’t study or work and do the certain things that people do in a normal life. They are killing us by these things, because the waiting is a waste of time and waste of life. No studying and no working, so no improvement in any kind of life. Just waiting. We have a lot of issues with our thinking ‘what’s gonna happen tomorrow, what will we do tomorrow and we can’t go back to our country. Then here in Australia they don’t even look at us. They are killing us step by step. It affects my everyday life. It’s like killing people, like poisoning our food. Every day a little bit by bit, till the end when we die.

—Nasim, Iraqi community member

Poverty makes everything hard. Some lawyers reported that clients have been too hungry to give them instructions. People couldn’t afford to travel to access services, to apply for and keep jobs, or travel to meet friends.

37. Answer to Question on Notice, SE16/120, Senate Estimates, http://www.aph.gov.au/Parliamentary_Business/Senate_Estimates/legconctte/estimates/sup1617/DIBP/index.

“ With the clients, there is that stress on transport. So if it's \$12 to spend on a train ticket to see your Case Coordinator or its \$12 to buy food for your family, I know which opportunity they're going to be taking.

—**Callum**, Service provider from NSW

There have been some recent welcome changes in 2015-2016: New South Wales introduced transport concessions for people seeking asylum, following the lead of Victoria and Tasmania. In late 2014, the Australian Government began granting people living in the community the right to work, a policy that was widely welcomed:

“ [It] made an enormous difference to the lives of individuals when they got work rights. An enormously positive story at the end of something quite punitive.

—**Li**, Service provider from the ACT

Getting the right to work, however, does not mean people got work. For many people, health issues or having a young child meant they could not work. Others were not ready for work as they had been living in limbo for so long and had been unable to learn English or study. A common problem was that people were only given very short-term visas which made them unattractive to employers. The many different visa types, conditions and stipulations made it difficult for employers to understand what work rights people actually had. This has become even more difficult, as three-month bridging visas became common in the second half of 2016, making it impossible for many to get work.

Despite all these obstacles, many employers remain keen to support people seeking protection in Australia. Sadly, some people who did manage to find work were knowingly exploited:

“ We have been here for four years and we don't have existence. We have no legal identity. 80-90% of the people who work, they work cash in hand and get exploited at work. They don't pay them what they should. I know people who got injured at work but they didn't report it because they were working cash in hand.

—**Zahra**, Iranian community member

These multiple challenges will continue to intensify as the 'slow track' process of refugee status determination grinds on. Once rejected, the Department's policy appears to be that no one is entitled to a bridging visa and work rights are at the individual discretion of those processing the visa applications. This behaviour not only keeps an extremely vulnerable group destitute and unprotected, it puts people at real risk of re-detention.

Harming not healing the mind

“ We assist survivors of torture and trauma. By the time they arrive, it's too little too late. After a thousand days in Nauru, one thousand days in Christmas Island, by the time they come through to be treated, it is too little too late.

—**Megan**, torture and trauma counsellor

People seeking our protection are highly vulnerable. Many have already been through terrible trauma before arriving to Australia. Many have lost family and friends, on the journey and back home. Many have never experienced safety. All are faced with the challenge of living in a new place, with a foreign culture and language, sometimes without family or friends. All live in fear of detention. All live in fear of being sent back.

“ If they send me back to Afghanistan someone else will do it to us there anyway, better to do it here. People will harm themselves rather than go back. I would rather kill myself because I can't bear to see my children tortured in Afghanistan. [through interpreter]

—**Halima**, Afghan community member

People who seek protection have already experienced terrible things. Yet, rather than helping people find safety and a place to start to heal, Australia's asylum policies are breaking people. Many have been locked up in detention centres. Some have been on Nauru or Manus Island. Many are now spending very long periods of time in immigration detention with resulting very serious effects on their mental health, though with very limited access to psychiatric care.

Even if they are in the community, the people who arrived here by boat have been left for years in limbo, surviving on the margins, unable to legally work, to get an education, unable to settle in. It is Australia's current policies, not their past trauma, that is breaking them.

“ We don't feel safe because we don't know anything about the future. They are playing with your mind, with your life, with your everything. And after I left everything, my life, my country, everything... now I'm thinking all my life depends on one paper. So where is the humanity? We can see they don't care. And after that people think about suicide.

—**Noor**, Person seeking asylum, NSW

The deterioration in their mental health has the tragic effect of making it more difficult for people to be able to prove their claims.



“ I think mental health and this prolonged legal limbo often means people can't remember when they came here and find it difficult to remember the details of their cases. It's really impacting on their claims for protection. They are torture and trauma survivors, having waited for so long and have circumstantial mental health issues means they had difficulty articulating why they fled.

—**Graham**, Service provider, NSW

If individuals can make it through the myriad of pathways, interviews, undignified probing and paperwork, the best they can get is temporary safety. The fear of being returned always remains. Worst for many is, that loved ones have been left behind, from where they themselves have escaped, or somewhere on the journey to Australia, somewhere that is not safe. The fear for their safety and the real possibility that they know they may never see each other again adds to the anguish.

“ [A]ll of them have significant mental health stressors: increased sense of helplessness, increased feelings of 'people are against me', feelings of - 'I'm being discriminated against; why is the government and country targeting me?'. And these feelings don't go away - if you cannot get a job or not be reunited with your family and now you are even not allowed to visit them. We are saying yes, you are allowed to work and pay taxes but don't even think about flying to New Zealand or anywhere else because you are not allowed. That's really hard. And as a counselor you try to help people make sense of things but this is something that for no good reason can be made sense of and that's the really difficult thing - it's not that our clients don't want to try and work through their challenges that they face in life like we all do, but this issue in particular [i.e. family reunion] is really hard for people to manage or to move through and sit with. It's very damaging in a psychological way.

—**Natalie**, Service provider, NT

More recently, support workers have told us that one of the most dangerous points in a person's mental health is when the person might eventually receive a temporary visa. At this point, the compounding traumas the person has experienced comes to the surface, just as they are being exited from the only support system they have known. As such, people seeking asylum require greater support though most are not receiving it.

Sadly, many state health services are not designed to handle the specialist needs of people with such complex trauma histories. Often, there are not enough services, it takes a long time to get an appointment; and the sessions are often too short. Many find it difficult to ask for the help they need.

“ [I]f it is not considered a clinical mental health issue or psychiatric disorder then people have a tendency to fall through the cracks. Things like complex PTSD and those sorts of things - which do often involve a high suicidality rate - can unfortunately be overlooked and those people are just exited out of the system and left to try again.

—**Amber**, Service provider, NT

“ I think for some clients, there's the stigma of accessing counselling... I find that the clients will tend to talk to people they know about how they're feeling. And then when we suggest a referral onto [a torture and trauma counselling service organisation] or even our own counselling services, there's a reluctance. Depends on where people are from, there is a reluctance to seek that help...

—**Mina**, Service provider, WA

In most regional and remote parts of Australia, the necessary support systems simply aren't available. While many support services do outreach and fly in, this often isn't enough. As people move in search of work, they generally lose contact with services that had been supporting them. Communities also face cultural barriers and stigma in accessing mainstream health services. Yet, even if they can get counselling, the underlying problem remains:

“ [T]he basic essential [of the counselling framework] is about establishing safety but asylum seekers don't have that. Being told that they will never have permanent protection in Australia, where can you start in terms of recovering when that is everything in their world to begin with. This means I will never see my family again unless I return to the place where I was tortured and where I fled from. ... We might provide a connection, like any service can, a connection with people and establish some trust with them and advocate in some areas but there's basically nobody that really can help.

—**Nicholas**, Service provider, Victoria

For some, their own communities are taking on this support role. For all communities, with no funding or recognised support, it is a struggle. Throughout 2016, there have been too many reports of deaths: deaths in detention; and suicides in the community. Groups representing refugee communities have repeatedly raised their concerns that their community is on the brink, and that an epidemic of suicides is around the corner. As one person seeking asylum in Western Australia asked us:

“ How long should I wait for this political issue - until I lost everyone? Lost family, lost everything – mind, brain. [through interpreter]

—Rahul, Person seeking asylum, WA

Settling in Australia

Living in limbo

The unfolding effects of temporary protection

People going through the ‘fast track’ process, even if formally recognised as refugees, will never truly be able to call Australia home. This is because, for anyone whose claims for protection had not been finalised by 2014, new laws meant that they could no longer get a permanent visa. The only option was for people to get a temporary visa – either a visa for three years (a temporary protection visa or TPV), or a visa for five years (a Safe Haven Enterprise Visa or SHEV).

This means that once the first three or five years are over, people must start the process all over again and prove again that they still need protection. It means that people can never settle properly and will live with the constant fear of being returned. This current system makes it hard for people to get work, to make friends and to plan for a future. People cannot access the support and services available to resettled refugees.

Service providers have been given an extremely short time to transition people on to the new scheme. Once a person is issued one of these visas, they must exit the service that has been supporting them through the entire process within seven days. At the same time, there is (yet another) pile of paperwork so people can access benefits and a great deal of new information, before the person is then left to cope on their own.

“ You know the biggest issue around the temporary visa is that there is no case work support and when we get the message saying that they’re to be exited because they have a TPV or SHEV, it is seven working days. So they have been waiting in limbo for three years, in a long drawn out process, so in that long drawn out process, at the end then to be told, ‘ok you got your visa now, you got seven days to exit them’. It is revolting. ...

We are trying what we can do to prepare people...it is a very difficult process, but if we had 2 to 3 months to do the effective connecting with people post their TPV or SHEV, to make sure the people were effectively connected to which ever part of the system that was going to be relevant to that person, that would make a lot more sense.

—Erin, Service provider, NSW

People given a TPV or SHEV will never enjoy the benefits of permanent residency – such as subsidised further or higher education – even if they live in Australia forever. Young people leaving school are facing a future

where they cannot afford to learn the skills they need to apply for a job they would like. For people who are moved on to a SHEV, this means they cannot take the option of studying in a regional area, as they will not be able to pay the international fees that will be required of them. Even if the university waives its fees or gives them a scholarship, people will lose the little income support they can get if they start full-time study.

“ Our problems are similar: we can’t study, we can’t plan for the future, we can’t plan for the future of our children. My daughter finishes high school next year and I don’t know if she can study at university. The problems of us asylum seekers are similar, we are away from our families and we have a constant worry and stress. We are alone, our children are alone.

—Mahdi, Iranian community member

This is because our welfare system has traditionally operated on the distinction between permanent residents and people who are only expected to stay for a short time (such as overseas students or professional foreign workers). Most of the standard payments — unemployment allowances, study allowances, and other protections — do not apply to people on temporary protection visas.

There has been some welcome news in 2016, with state and territory governments and some universities recognising the urgent need for access to education for asylum seekers. Many supporting people seeking asylum, including RCOA, have welcomed initiatives by the NSW, Victorian and ACT governments to provide access to further education. We warmly welcomed scholarships announced by an increasing number of universities.³⁸

The challenges and opportunities of regional settlement

The one current opportunity for people to live in Australia permanently is if they apply for a SHEV and then meet the conditions of working or studying in a regional area, including living without income support for most of these five years. Even then, people will only be entitled to a permanent visa if they qualify under part of Australia’s migration program (for example, as a skilled migrant) and not because they need protection. In practice, this will mean it is very difficult for most to ever get to call Australia home.

For people who do choose to move to a regional area, there are both opportunities and real risks: Will there be jobs? Will people be welcomed or isolated? Will people be able to get the help they need, such as mental health services? How will people cope if they have to move away from their friends and communities?

When SHEVs were first announced, many regional communities welcomed the opportunity of having new people join their communities and began planning. Enthusiasm was compounded by the suggestions in late 2015 that many people from the additional Syrian/Iraqi cohort might be resettled in regional areas. However, both the slow progress of ‘fast tracking’ and the slow pace of resettlement of people fleeing

38. For an updated list of participating state and territory governments and universities, see <http://www.refugeecouncil.org.au/ourwork/settlement-ourwork/education/>



Syria and Iraq, as well as the ever-changing complexity of policy, has eventually withered most planning processes.

Most states as well as the Australian Capital Territory, only joined the SHEV scheme on 27 October 2016, largely as it became clear that the Australian Government would not allocate any extra funding for regions to support the SHEV scheme. For the many people seeking asylum, that forced them to make difficult choices without any essential information. In early months of the ‘fast tracking’ scheme, most people did not apply for a SHEV, because the conditions to be met had not been clarified by the Department and because only NSW and Tasmania had joined up by mid-2016. People were rightly nervous of the possible restrictions that would be placed on whatever option they choose.

These challenges have greatly undermined the potential for success of the SHEV program. Past regional settlement programs have demonstrated the real opportunities in regional communities but have also emphasised that certain conditions need to be in place. The most often-cited success is that of Nhill and the Luv-a-Duck factory.³⁹ Between 2010 and 2014, 160 Karen people settled in Nhill. Of these, 54 were employed by the Luv-a Duck production and wholesale distribution company. In 2013, Luv-a Duck was the single largest commercial employer in the town of Nhill. Resettlement in Nhill also benefited other businesses in the region, adding to the health of local economy and created new bonds within and between communities.

Several factors were critical to the success of the Nhill settlement initiative. These included: the availability of employment; strong leadership in the host community, including support for the new settlers from local champions with influence in the community; and the level of planning and preparedness of the local community prior to the arrival of the Karen community, including support for families and temporary accommodation on arrival.

Throughout RCOA's consultations in 2016, we heard of the successes and advantages, as well as the strains and challenges, faced by people and organisations supporting refugees in regional and rural areas. Many of these areas report that, with a smaller and cooperative community, good working relationships between key champions in the community make many settlement issues much easier. Some communities have invested a lot of effort in being more welcoming, with real effects being felt by all:

“That would be a big yes [to whether they would recommend someone moving to Ballarat]. I am in the process because Ballarat is pretty cold, but the people around me warm me up. I would encourage anyone who wants to settle, call a place a home where they will not experience any racism or stigma, Ballarat is a place to be. Given that Ballarat was the first city to start democracy, that is why we have the museum, MADE. They still embrace that and they still embrace that multiculturalism.

—**Maryam**, Young community member, Ballarat

many years, living in a regional area with strong support systems and welcoming neighbours, can be a better option:

“The upshot is people want to come and live regionally because often they are from regional areas. Katanning and Mt Barker and Albany are very welcoming towns and there is probably a lot more community support in regional towns than what you would see in metropolitan areas. Katanning Shire council is particularly supportive... Particularly if you're lobbying to get resources and to get an understanding, then Council support is important. Katanning people are generally very welcoming because they have seen many people from different cultures come through over many years.

—**Michael**, Service provider, WA

For most people, the greatest challenge in moving to a regional area is the difficulty in finding employment, particularly where unemployment is already high. When employment is available and accessible, the benefits are two-fold: for the individuals and for the broader community.

“I would say that one of the primary issues that we face as migrants in general is employment. If we get employment in regional areas then no doubt you will have thousands of refugees flowing to regional areas. If there is accommodation and housing as well, that will be another factor that will encourage people to move and to have that sense of community, that sense of welcoming so people feel at home, people feel acknowledged.

—**Isha**, Young community member, Ballarat

In communities across Australia, local leaders and champions have worked hard to create opportunities for people in need of protection. During our consultations, we have heard of, and visited, many excellent local initiatives, including friendship groups, one-stop shops, fire service volunteering programs, mentoring programs partnering with Rotary members, as well as initiatives by local employers across many different industries.

To be able to better support welcoming communities and opportunities, the model of support needs to be reevaluated. Local communities and councils who are actively welcoming people to resettle to their areas could be better supported by the Australian Government. Such support would have many benefits, particularly for the local economy and for social cohesion.

For people who have faced much displacement and isolation for

39. See AMES Australia and Deloitte Access Economics (2015). Economic and social impact of the Karen resettlement in Nhill. <https://www.ames.net.au/files/file/Research/19933%20AMES%20Nhill%20Report%20LR.pdf>

“ So the direct settlement that occurs tends to be reasonably well-planned, there’s some resources that get attached to it and the community is at least understanding of what is going on. But the 98% of our settlement is secondary migration. It’s poorly planned, there’s the matter of resources, the community isn’t aware of it largely, the settlement communities themselves manage the process. Agencies like us tend to pick up the pieces ... no amount of government planning is going to be able to pre-empt that. What we’d like to see is the government planning be more responsive to where it does occur and that there’s a system in place where the funding can actually follow the client.

—**Kathryn**, Service provider, regional Victoria

Forcing families apart

A major theme of the Coalition’s policies has been to undermine the principle of family unity. The Australian Government is deliberately not reuniting anyone in Indonesia who has a spouse in Australia who came by boat,⁴⁰ and continues to refuse to reunite families split between Nauru, Manus Island and Australia.

Under Coalition policies, people with temporary protection will never be able to sponsor their family to join them in Australia. People cannot even travel to see their family again, unless the Minister provides express permission. If they do travel without such permission, people will lose Australia’s protection. In November 2016, the Australian Government introduced a bill that would have even prevented people on Nauru and Manus Island from coming to Australia to visit family here, for the rest of their lives. Thankfully, this Bill has not yet been passed.

One of the most significant causes of trauma, for both people seeking asylum and those who have been recognised as refugees, is that family back home or in transit countries are not safe, mostly vulnerable and always too far.

“ I have gone seven years without seeing my own mum...I can talk to her on the phone but I can’t see her. And if I apply for her to come here, you know what the Government will say? “No.” She’s my mum! And every one of them – all the politicians, everyone in this country – on the weekend they go and see their mum and their grandmothers. What do you think about someone else? It’s the same love that we have.

—**Grace**, Former refugee from South Sudan, Sydney

Service providers, particularly people in counselling support, continuously see the results of such heartless policies. Such pressure on support services also takes a toll.

“ [Family reunion] is hugely significant. People didn’t start to make any kind of feeling of belonging, settling... [their] mental health suffers, physical health suffers, families suffer and the equivalent of survival guilt kicks in which adds to mental health issues. Many become so distressed that even offering counselling becomes too much...and it’s a hideous, hideous, heartbreaking thing to watch. And to work with these people year in and year out, it’s really quite distressing.

—**Samantha**, Service provider, regional Victoria

People in Australia also often feel responsible for helping family back home or in transit countries financially.⁴¹ The many negative impacts for the person, their families and the Australian community are well documented.

“ Family reunion is a key. The reason why it is number one on my list is that socially, psychologically, emotionally, financially, [family separation] is not viable. I’m the only person in Australia now. My father has four wives. Now you do the maths, how many sisters and brothers I have. They’re all depending on me. Then that means I cannot settle. And I will never buy a house, because whatever little I have, I have to send it overseas. So that makes it really tough.

—**Patrick**, Former refugee from South Sudan, Sydney

One of the main barriers to people being reunited is that it takes a very long time for applications to be processed. People put in applications for family reunion and hear nothing for months or years, meanwhile worrying every hour about the safety of their loved ones. There have been numerous instances where people waited seven and eight years for their wives or husbands to join them in Australia. There is very little legal help or even basic information for people in this position.

Another problem is that it can be very expensive to reunite with a loved one. For example, visa fees, airfares, support and legal fees can run to tens of thousands of dollars. Many people put themselves into significant debt hoping to be reunited with their families. In one heartbreaking example, a service provider in Adelaide spoke of a pensioner with physical and mental disabilities who had to find \$22,000 to bring his wife and children to Australia.

The Australian system also ranks some family members above others, meaning that people are in practice unable to reunite with parents, siblings, or adult children. Another issue is that the Australian system requires documents which are often impossible to obtain in some countries, including their vital documents from UNHCR registering them as refugees.

40. Answer to Question on Notice, SE16/062, Senate Estimates, http://www.aph.gov.au/Parliamentary_Business/Senate_Estimates/legconctte/estimates/sup1617/DIBP/index

41. RCOA has written about this issue and the consequences over the past years. The latest RCOA Report Addressing the pain of separation for refugee families in November 2016 <http://www.refugeecouncil.org.au/wp-content/uploads/2016/11/RCOA-Report-Family-Reunion-11-16-WEB.pdf>



A more recent barrier is the effective denial of family reunion to those who arrived by boat. People who arrived by boat are given the lowest priority for family reunion applications,⁴² the practical reality of which means they will never likely be able to reunite with their families. People who can only get temporary visas will never be able to sponsor their families.

A more recent way in which people can sponsor family to come is through the Community Proposal Pilot. This is not limited to people sponsoring family, as it allows for individuals and community groups to ask for a person to be resettled through an approved organisation. The main obstacle with this program is that it is very expensive. For a family of five, the visa fees alone are about \$30,000. This makes it unaffordable for most people and means that it is money, not need, that determines who gets in.

Even if all these issues could be overcome, there are simply not enough places. There are only 500 places in this program and, in the pilot program, there were only five approved organisations to deliver under the program; yet in the last round, there were 10,000 expressions of interest. In New York in September 2016, the Australian Government committed to doubling this program,⁴³ but it remains unclear whether this is in addition to the existing allocation of places in the refugee and humanitarian program, or will simply take away from existing and much-needed resettlement places.

People with a disability and other health issues

A recent change to Australia's resettlement program is the welcome and long fought for recognition to include people with disabilities and other health concerns in resettlement places. Disappointingly, the change has yet to be adequately resourced and supported. Many people with disabilities have to wait too long to receive the equipment and health services needed. As one service provider from Victoria noted:

“The process at the moment is that once they come in, you send them to the refugee health GP or you can refer to the local council occupational therapist. It's usually three months or so for them to ... make an assessment. And then ... they put in an application for a wheelchair (or whatever it might be), that takes approximately a year, sometimes a year and a half... there's no accelerated pathway for those ... who are without equipment.

—**Gemma**, Service provider, Victoria

Settlement service providers are often not told beforehand that people will need help, or that they need to find appropriate housing:

“we've had cases where people turn up and the family is carrying someone because no one was told that they need a wheelchair

—**Raj**, Service provider, Victoria

“We had a client recently, for the first 14 months in Australia, they weren't able to have a shower. That kind of situation's not really acceptable.

—**Charlotte**, Service provider, Victoria

There are also times where doctors and disability services turn clients away as they do not have the knowledge or support to work with people with limited English language or from refugee backgrounds. People who have just arrived are not able to navigate through the often complex Australian medical system, especially with often limited language. This problem will be made harder with the introduction of the National Disability Insurance Scheme (NDIS), which is designed to be driven by the consumer, which assumes the consumer has the capacity to navigate the system. Service providers are not funded to help in filling out the complex referral forms for the NDIS (which can take up to 50 hours). Reports state that it can even take two weeks just to receive the form. The process so far has discouraged many from even trying.

People on temporary visas do not qualify for the NDIS. This is especially problematic as, given the effects of torture and trauma and the negative impacts on mental health of Australia's asylum policies, it is exactly this cohort of people who are more likely to have disability issues.

Learning English

Learning English is important to most people so they can make a new home in Australia. For those who are resettled in Australia from overseas, the Adult Migrant English Program (AMEP) helps refugees learn English and settle in Australia.

Since the introduction of the Government's jobactive program, there have been continuing complaints that jobactive providers are interfering with the ability of people to learn English. Teachers of English reported that several employment service providers were trying to force people into employment too early, compelling them go to job-related appointments instead of English language classes.

The AMEP program was reviewed in 2015 with changes announced in 2016. Many of these changes are welcome, particularly the introduction of a capped program of up to 490 hours of additional tuition for people whose English was still not functional after an initial 510 hours, as well as increased flexibility in delivery of the program.⁴⁴ These changes reflected many of the conversations we have had with people from

42. Under Ministerial Direction No 62, which was replaced by Ministerial Direction No 72 following an unsuccessful court challenge.

43. Prime Minister of Australia, Minister for Foreign Affairs and Minister for Immigration and Border Protection, Leaders' Summit on Refugees (Media Release, 21 September 2016), <https://www.pm.gov.au/media/2016-09-21/leaders-summit-refugees-0>.

44. 'Revised business model for the Adult Migrant English Program', Department of Education and Training, <https://www.education.gov.au/revised-business-model-adult-migrant-english-program>.

refugee communities, who pointed out that the program should be more flexible, especially for the elderly and those who have not had formal education.

“ People do have [510] hours of English and still come out not able to understand or able to read. I think one of the biggest challenges is literacy in their first language. I think they are at double or quadruple the disadvantage. I am not sure if there are programs that help that particular niche of people.

—Liam, Service provider, Victoria

A longstanding refrain is that childcare is needed to help women with children attend classes to learn English:

“ We are working with the women in settlement 5 years on. Some of them have never actually managed to get to AMEP and there [is no childcare]. So it is wasted. We are duplicating a service at the moment doing a program called building blocks, which is from a grant from the council of \$2,500. Because the women can bring their kids and it is in an informal setting... We are really at basics. 5 years in Australia? What's happened? There is a serious hole there.

—Sara, Service provider, Victoria

People who had recently arrived noted a variety of issues in being able to start learning English. There were numerous instances where people had to wait six months before they could start classes; and classes in some regional areas were not as effective as there were smaller, combined classes and students had very different skill levels. As well, people talked about the cost of language tests for those wanting to do education after secondary school; and the need to support higher levels of English for people to attempt to go to university.

People seeking asylum, however, did not even have access to AMEP, although a welcome change has been the guarantee of AMEP for those on temporary protection visas. For these people, the inability to learn English has severely affected their ability to get work and to settle:

“ My English is not good, it's just a little bit and only reasonable as it is not my first language. Actually I have no opportunities to improve my English here, just friends and neighbours help me to learn a little bit more. ... No plan and no future. Just waste time and just listen to radio. I have to learn English this way. I can't go to TAFE or any classes. Just sometimes spend 2 hours a day twice a week in [a church] learning English. It's only 200 minutes a week. It is not enough time for me.

—Farhad, Iranian community member

Getting a job

In addition to affording people seeking asylum the right to work, the other significant change in the past few years was the change to the system of helping people find employment. The change removed all providers who specialised in helping people from migrant and refugee backgrounds.

A recurrent strong criticism from both service providers and communities was that while job service providers would interfere with English lessons and cut off Centrelink benefits, they did very little to help people in need of protection get a job. Indeed, it creates a significant extra burden on already overstretched providers.

“ So this is a typical story, every second day at our place... they'll roll up to the centre very distraught. What's happened: got no money in the bank, don't know why. We think we know why, 'did you do your reporting [to jobactive and Centrelink]?' What reporting? They don't understand the reporting. [Our service] phones up jobactive, and they say, 'oh we sent them a letter.' What good is that? They can't even read English. So then the landlord phones and says if your client misses paying their rent once more... we're going to kick them out. So it's a miracle that we actually haven't had somebody literally on the streets kicked out. That is [what] jobactive is, a pure tick and flick. ... Our clients would never fare well where they don't even understand their reporting requirements. Most of them don't even get an interpreter when they roll up to the jobactive. So the system was really set for our clients to fail.

Quite frankly it's a debacle for our clients. We've done that much damage control. We've now got a systemic payment suspension problem because as soon as a client misses their even one of their reporting requirements, their payment is stopped. We're up to eighty, ninety clients who have their payments suspended for reasons that they don't understand for which the jobactive [agencies] will not help them.... it's distressing for the clients, it's annoying for us.

—Pavin, Service provider, Western Australia

Many jobactive providers do not generally appear to be culturally competent; often fail to use interpreters; do not appear to be supported in assisting with the additional requirements for this client group; and do not recognise existing skills or qualifications.

“ So on top of what he was saying about jobactive, they’re not providing interpreters. They’re downgrading people’s qualifications and experience. So by downgrading I maybe mean degrading, like ‘oh yeah you’ve done that but that’s kind of not feasible anymore, yeah you should forget about being a coroner in Australia, you should probably become a cleaner.’ That’s some of the response, some of the trends that we’re seeing. ... Bullying the job seeker as opposed to educating them, like “Oh don’t go and do a six month course, because then that’s going to take you away from that cleaning job that we got you lined up for”, which means the agency still get the payout as I understand. And the one thing that comes out almost in every response is, that they haven’t even helped them to do a resume. The most primary function of finding a job is having a resume.

—**Caroline**, Service provider, NSW

People raised other problems with the new jobactive system. People would be put into different streams with different levels of support, many people were placed into the wrong stream and not being given enough assistance or reduced income support; and people were asked to go to interviews for which they were not qualified. Most jobactive providers were not set up to help people who were highly educated or with a depth of experience. As well, people were concerned that the system often required people to do things online, when most people did not have such technology available; could not afford to use places such as internet cafes; or did not have the skills to use such technology.

Under jobactive, people seeking asylum were only eligible for a very low level of support. This essentially amounted to access to a computer with no other assistance or direction, which was woefully inadequate for their needs:

“ [jobactive’s] been useless. They told me you just search by yourself using computer and internet, make 15 to 20 entries. They encourage us to get training with no support provided. In their office they let us use computers and internet.

—**Aamir**, Person seeking asylum

Where people are finding work, it is often through the efforts of their own communities. However, some of these jobs could lead to exploitation through unsafe work practices and underpayment:

“ It’s not just the asylum seekers who don’t have good English, there are those that have very good English but they still don’t want to make waves. They are getting paid, the employer might not have an ABN, or the employer doesn’t declare it so then you aren’t paying tax, I won’t pay you that amount, I will deduct that from your salary. This is happening to well-educated English speakers, not just the uneducated ones. The [reticence] of years of not working, they might be skilled but they do not have the confidence to pursue it or to know the avenues, or the ability to network as they are so downtrodden.

—**Paula**, Service provider, WA

Many people found work through initiatives and effort by supportive individuals and innovative organisations who are keen to contribute and ensure that people are provided ‘a fair go’:

“ When the fellows put in their application form to drop them off with an agency, invariably they don’t go very far at all. I have a case with a lady from Afghanistan recently, she applied for a job and wasn’t successful. I wondered why. I drove her out to the place of employment where she lodged an application and spoke with the staff and she started within two days. I’m saying that sometimes it is difficult when they see the name that appears on an application form and there’s another twenty or thirty or so names there, if they see a name that might indicate difficulty with English they’re not actually seeing the person. We are trying to arrange more face to face [meetings] and an understanding that these people can relate and they can work and that the employment agencies might not be the best way to go in many cases.

—**Annabel**, Service provider, regional NSW

“ One of the things we’re currently doing is working with a tavern out at Invermay. And they’ve made their kitchen available to our client groups so they can make their food and sell it to the locals. It’s been working so well they’ve extended it. It’s been Filipinos, Sudanese, Bhutanese, Afghans have all done that.

—**Elina**, Service provider, Tasmania

People spoke of other barriers to getting a job in Australia such as difficulties in having skills and qualifications from overseas recognised; the need for work experience; and the challenge of getting international police checks for certain industries such as childcare and aged care.

More positively, people spoke of excellent programs that provide paid work experience and training, which had led to jobs. Such programs

invariably succeeded because of networks and collaborations with willing employers, as well as service providers who understood the special needs of people from refugee communities. The NSW Government are to be commended on their initiative to create pathways for employment, including the innovative step of opening up NSW Government jobs to refugees.

Becoming part of Australia

Throughout these most recent consultations, people reflected on how Australia's refugee policies were making it difficult for people to settle successfully in Australia. Preventing people from working lawfully forced people to "do crime to survive", and put them at risk of exploitation — including sexual abuse. Living in poverty made it very difficult for people to do anything more than survive. It made it difficult for people to engage with the legal system because they were too hungry or couldn't afford to get to appointments. Locking people in detention would end up destroying people's mental health. Government rhetoric about 'illegal' people invited racism and violence towards individuals. Many wondered how people could be expected to believe in Australian values and to contribute meaningfully to Australia when their first experiences of Australia were of detention, exclusion, hostility, and marginalisation?

“ I joke with my [Australian] girlfriend sometimes and say if we get married and have kids before I get my visa and my kids ask me why are we citizens and you are not, what should I say? I just wonder... because I'm from Afghanistan? Because I'm a refugee and refugees are not good enough? That's what they are telling us. After many years when they finally give us a visa, most people don't feel belonged and they are teaching their children those feelings and it will be very hard to be one nation.

—Sami, Person seeking asylum, NSW

Such continuous and prolonged stresses and strains naturally had their effect on families and communities. Sometimes these factors would result in domestic and family violence, which mainstream providers are generally not equipped to deal with. For a number of service providers, it put them in a difficult position, torn between the duty of reporting family violence and the understanding that this could break up an already vulnerable family with ultimately worse consequences. Often, people in the community were afraid to report issues because of fears of detention and deportation.

Such burdens often fall to refugee communities themselves to intervene and manage. Community leaders do increasingly important work in helping their vulnerable community members, though their work is usually not funded and not recognised.⁴⁵ Many community leaders are volunteering their time in between full-time jobs, advocating for people who are not able to advocate for themselves, and helping people who have exhausted all other options.

Even when people make it through the process of settling, they find themselves against more obstacles. In 2015, we heard many people tell us of long delays in their applications for citizenship.⁴⁶ People were waiting for a long time even to take a citizenship test, while others were waiting to attend their ceremonies. These delays meant, for many people, not just that they could not vote but also that they could not start the process of bringing their families to Australia. In 2016, we assisted a legal challenge to these delays and learned that these applications had effectively been put in a drawer for months while the Department was working out a way to resolve identity issues. On 16 December 2016, the Federal Court of Australia ruled that these delays were unreasonable.⁴⁷

What should be done? The challenges ahead

Australia's policies towards resettling refugees from overseas lead the world. Yet its policies towards people seeking asylum, especially those who come by boat, are among the world's worst. Australia, alone in the world, sends people seeking asylum by boat to tiny islands with threats they will never be able to seek safety in Australia. Australia is one of the few countries in the world that locks people up indefinitely. Australia forces people into destitution. Australia leaves people in limbo. Australia forces people seeking asylum to go through a fundamentally unfair process to claim protection, with minimal legal help. Even if people get protection, they only get it for a few years before they have to start over again, meaning they can never really start to plan their lives, their future and can never really become Australian.

Australia's current policies are causing enormous harm, both physical and mental, to tens of thousands of people. Australia's current policies are also causing harm to the Australian public: they undermine our liberal principles; they encourage racism and hostility; they undermine social cohesion and trust; they create an underclass of vulnerable people, and possibly a generation of people who are locked out of Australian society. This is a generation that could bring so much to Australia but we are at real risk of losing them. In so doing, we risk losing our own understanding of what it is to be an Australian, to be part of a country that celebrates multiculturalism and is strengthened by its diversity.

So, what should be done? RCOA has made many recommendations already on these issues⁴⁸. The following are what we see as the key priorities for 2017.

End the punishment of people seeking asylum

End offshore processing

Most urgently, we need to end offshore processing and the practice of 'turning back of boats'. The pointless and tragic punishment of over 2,000 people — most of whom have been recognised as refugees — has gone on for far too long and has done far too much damage. We need to end a policy that, if it ever had a purpose, has surely lost it by now.

45. Refugee Council of Australia, *The Strength Within: The role of refugee community organisations in settlement* (May 2014), available at http://www.refugeecouncil.org.au/r/rpt/1405_StrengthWithin.pdf

46. Refugee Council of Australia, *Barriers to Education for Asylum Seekers and Refugees* (2015).

47. *BMF16 v Minister for Immigration and Border Protection* [2016] FCA 1530.

48. <http://www.refugeecouncil.org.au/our-work/>



Stop people seeking asylum from starving

In 2017, thousands of people are likely to fall back into destitution because of the unfair process of refugee status determination and the Government's policy of not automatically allowing people the right to live and work legally in the community. If people are denied a bridging visa, they will live with the fear of being re-detained, be unable to access health care, have no income support and be unable to work.

Giving people seeking asylum the right to work is a very significant and welcome change. There are some simple things that can be done to make this work far more effectively. People need to be granted longer visas and their right to work should be clearly explained, so that employers feel more confident in investing in them. People seeking asylum can be given transport concessions by state governments, as demonstrated by NSW and Victoria. The system of income support could provide greater benefit by ensuring that the system is better designed so that people get the support they really need.

End indefinite detention

Australia must stop detaining people in such large numbers and for such long periods of time. We need to end a situation in which people can be detained for years at a time without any independent review of the reasons for that detention. We need to set – in law – a clear and short time limit for immigration detention. We need to make sure that detention is a last, rather than a first, resort. If people are to be detained, they must be detained in conditions of dignity and be able to get appropriate mental health services and access to legal support.

End temporary protection

We need to give people permanent rather than temporary protection. People seeking safety need security. They need to be given time to heal, time to settle and time to look forward to the future.

Even if temporary protection is kept, it can be made better. For a start, we should allow all people seeking safety the same access to settlement services, the National Disability Insurance Scheme and help to access further education. People should be able to go overseas and visit their loved ones with no repercussions or threats. People should be able to bring their loved ones here. As we did the first time with temporary protection, people should be able to get permanent protection once they have proved their need for safety.

End 'slow tracking'

We should end the system of 'fast track' processing that is neither fast nor fair. Critically, we must make sure that people who seek asylum can get the legal help they need to navigate a very complex system that can mean the difference between life and death.

Stop damaging their mental health

Finally, we urgently need to look at how we can better support these very vulnerable people as their communities suffer from what has happened to them in the past, and what we are doing to them here. We need to put in place a comprehensive mental health strategy to deal with the complex needs and the consequences of the Australian Government's persecution.

Help people settle

Bring families together

One of the cruellest and most heartbreaking elements of Australia's current policies is the pain felt by people from refugee backgrounds, and people seeking asylum, when they are separated from their families. Sometimes, this pain cannot be fixed. People lose families in the mess of war, or in the face of persecution. Children are sent ahead to safety and parents left behind may not survive.

A very significant amount of suffering is caused by our government's policies and administration. Some things are simple to fix. The Government doesn't tell people how long they must wait or tell them how their application is progressing. Better communication would be a simple start. Putting in a small amount of money would mean that people can ask for advice on the complex process of applying for family reunion. This would mean that people have a better understanding of the process, applications would be better prepared and the process would be far more efficient. Enabling people to apply for no-interest loans to pay for the cost of the applications would also help people deal with the very high costs involved, and mean that people do not arrive heavily in debt.

Other simple things could be done quickly, if the Government wished. The Minister for Immigration could change tomorrow his rule that means that people who arrive by boat effectively will never get to be reunited with their families. The Government could update the definition of 'family' so that more family members could come. Putting more resources into processing family applications could speed things up.

Building on the existing Community Proposal Pilot would benefit many by making the program much bigger, reducing the fees significantly and by making sure that need remains the top priority. This could be achieved by moving the program out of the Refugee and Humanitarian Program, which is capped annually, so that it would create greater incentives for communities to work together to create new opportunities for resettlement.

Treating applications for family reunion for people from refugee backgrounds as migration and not as part of the Refugee and Humanitarian Program would be a significant improvement. This would free up places under the existing programs for other relatives who are in urgent need of protection.

Help people with a disability

RCOA welcomes the inclusion of people with a disability under the Refugee and Humanitarian Program. This is a commendable first step and we must now support the next steps that need to be taken to make sure that people receive the support they need.

An easy, but important, step is that the people who are helping them settle should get detailed information earlier of the kinds of needs they will have and be funded properly to make sure the right assistance is available including access to appropriate equipment, services and housing.

Learning and working better

RCOA welcomes most of the Australian Government's recently announced changes to the way the main English language tuition program, the Adult Migrant English Program, will work. While not all the details are clear yet, some of these changes will make it easier for some people to learn in a way that better suits their needs. More flexible learning opportunities, more opportunities for people to learn from people with a shared language and culture and more funding for community organisations to support learning are all things that will help people learn English.

We must support equal access to further education to enable them to reach their potential and contribute meaningfully to their new community. Giving people seeking asylum, and people on temporary protection visas, access to support to go to TAFE or university would give people hope and opportunities, and give Australia a better workforce.

The next step is to make sure people can get jobs: we need to make sure that the organisations that help those looking for work can communicate effectively; that people receive the help they need; and that organisations who understand these needs are supported.

The Australian Government must stop delaying people from obtaining their citizenship. For many people, it is both a symbolic step toward becoming part of Australia and a path to bring their loved ones here. People who have gone through the difficult process of settling and are ready to become part of Australia should be celebrated, not frustrated.

Why we should do better

These practical and principled proposals have been made based on the views and voices of hundreds of people across Australia — people who have survived the flight to safety as well as people who support this group. These people know best what needs to be fixed and how to make their lives better.

So why should we as civil society do these things? First, because helping people find safety and settle in Australia will help Australia. If we stopped spending so much money on locking people up and sending them to distant islands, and instead learned to recognise that these are people who can build lives here, work hard, create jobs and enrich our lives, we would all be better off — economically, culturally, and morally.

Second, and most importantly, because it will help people who need our help. These are people who have come here because they can't stay where they are. Nobody stays in limbo unless they really believe they can't go back. These are people seeking safety, security, and dignity. In short, doing the right thing by them is simply the right thing to do.



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