

# **Politics of Social Exclusion: Refugees on Temporary Protection Visa in Victoria**

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## **A RESEARCH REPORT ON THE IMPACT OF THE TEMPORARY PROTECTION VISA (TPV) ON**

- **ASYLUM SEEKERS**
  - 
  -
- **SERVICE PROVIDERS, and**
- **COMMUNITY ORGANISATIONS**

***“My story is a sad story, listen to it  
until the end  
before you judge me”***

*(Iraqi Woman, a Temporary Protection Visa holder)*

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Chairperson, Victorian Arabic Social Services (VASS)

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## FOREWORD

The introduction of temporary protection visas late in 1999 marked a significant reversal of longstanding bipartisan policy towards immigration to Australia. Until then Australian Governments had been committed to permanent settlement of immigrants. They explicitly did not want significant numbers of short-term migrant workers and still do not. They sought permanent commitment from those who came across the seas seeking new lives in this country so that the newcomers would become part of the Australian community, throwing in their lots with the rest of us for mutual advancement. All that changed in October 1999.

Temporary protection visas were introduced to delay permanent settlement to those who come to Australia in greatest need. They have now been extended with the intention of denying permanent settlement. Protection is to be temporary, rejection permanent. They not only delay and deny permanent settlement but they impose significant hardship and disadvantage on those given even this temporary protection, denying them access to many settlement services and supports and, most importantly of all, denying them family reunion. This reversal of policy and attitude has far reaching implications of great concern, both principled and practical in nature.

The issue of principle is the most important. These temporary visas are imposed not on those migrating to Australia for mere economic advantage but on those who have been assessed and accepted as genuine refugees fleeing persecution. Unlike other immigrants to Australia refugees leave their countries not through choice but through necessity. Their departures are not planned and orderly but traumatic and dangerous. They are usually forced to leave behind what meager possessions they might have had or to use them all in securing their flight from persecution. Many have suffered torture. By definition all have experienced persecution. These are people to whom we should be offering special assistance, not singling out for additional hardship. Yet additional hardship is what they receive at the hands of the Australian Government. They are sentenced to years of uncertainty, continuing insecurity, separation from their families. Perhaps some might not want to stay here permanently and hope to return to their own countries. But the choice should be theirs. And, even if that is their hope, they should be guaranteed protection until such time as they can safely return.

The denial of family reunion is the most serious part of this system - most serious because it is a flagrant violation of the human rights of children, the most vulnerable of these most vulnerable people. Under the Convention on the Rights of the Child children are entitled to the care and protection of both parents and their families are entitled to state support to ensure this. The Australian Government, however, actually prevents it. It keeps children separated from their refugee parents here, usually resulting in these children

living in circumstances of deprivation and danger. It also results in children being exposed to greater danger by being brought to Australia by boat. Of course, the rights of parents too are violated. Each person has a right under the International Covenant on Civil and Political Rights to found a family. Denying refugees in Australia the opportunity of establishing their family here through family reunion effectively violates this right.

The third issue of principle is one of discrimination. Temporary protection visa holders are treated differently from other visa holders, including those who are accepted as refugees through off-shore settlement processes. This adverse treatment is at least discrimination based on status and perhaps discrimination based on race or ethnic origin. It is also a violation of the Refugee Convention which prohibits penalising refugees on account of the manner of their entry into the country of asylum. Refugee who come as boat people are penalised for that reason.

These are three important objections of principle to the current scheme, but only three. There are others too. There are also objections of a more practical kind. Is it in our own interest as Australians to have people here for periods of years who are insecure, traumatized, denied assistance to learn English, accorded a discriminatory status that inhibits their integration into the broader community, left unsupported by and worried about their spouses and children? Surely and self evidently it is not. But that is what our two major political parties have decided to do.

The research reported here has found that the policy “has created uncertainty, insecurity, isolation, confusion, powerlessness and health problems among the holders of these visas as well as an increased burden on community organisations, state governments and volunteers”.

This research report is the first to look comprehensively at the experiences of holders of temporary protection visas in Victoria. It follows a similar examination in Queensland. The picture revealed by the two reports is one of inhuman suffering as a result of deliberate government policy. This is no unforeseen consequence of the policy. When the policy was first proposed and introduced, community organisations and human rights advocates predicted precisely these results but the Government dismissed their experience and expertise.

There is an urgent need to return to a policy for permanent settlement of refugees – a policy that is both more humane and more compassionate towards those seeking protection and more in our own interests.

This research report demonstrates why that is necessary and how it can be done. I hope that our federal parliamentarians of both major parties read it.

**CHRIS SIDOTI**  
**28 March 2002**

## 1.0 BACKGROUND TO THE RESEARCH PROJECT

After the introduction of the Temporary Protection Visa (TPV) in 1999 it became evident to service providers, to local and state governments, and to the wider community that new social issues had arisen as a result. These related to the fact that asylum seekers, who were issued with a TPV, were released into the community from immigration detention centres with very little information and a limited access to Federal Government settlement services.

In February 2001 Victoria's Minister for Community Services, (then the Honourable Christine Campbell MP) announced a grant of \$100,000 to be distributed across Victoria to assist the on-arrival settlement of the TPV holders. The funding was allocated to two local governments and two rural regions based on the numbers of TPV holders being settled in each region:

City of Darebin	\$40,000
City of Greater Dandenong	\$30,000
Shepparton	\$20,000
Mildura	\$10,000

The Victorian Arabic Social Services (VASS) was granted a small research grant (\$6,000) to study the impact of the TPV policy on TPV holders, community organizations and service providers. This research report is a culmination of that initiative as it attempts to provide an overview of the core issues faced by the TPV holders themselves, their transition into the community, and their immediate social and cultural needs. The research report also documents individual accounts on what it means to be identified as a 'TPV' holder who prior to release carried the undesirable tags of 'illegal', 'queue jumper' and 'cashed up immigrants'.

In order to gain some insight into the little known situations of the people who are seeking Australia's protection (and are currently known as TPV holders), the project sought some background information from the participants themselves. Former refugees who recalled their own experience have written essay-type reports on the background information of their countries of origin (Iraq and Afghanistan), which are attached to this monograph. These individual accounts of national history reflect what international NGOs and UN agencies have long stated about the status of human rights and political dissent in the two countries.

The report includes a historical analysis of the background to the introduction of the TPV, an analysis of the major findings and a discussion of recent changes to the government policy vis-à-vis on-shore asylum seekers. A list of recommendations based on the research findings is included in the

first part of this report and ought to provide relevant decision-makers more empirical evidence on the social implications of certain government policies.

Partly through constraints of time and resources, the people interviewed lived mostly in the City of Darebin, in the northern region of Melbourne.

### **1.1 THE VICTORIAN ARABIC SOCIAL SERVICES (VASS)**

VASS is a non-profit community organisation established in 1985 by a network of community and welfare workers committed to improve the welfare and well being of the Arabic community. Since its inception VASS has played a vital advocacy and lobbying role to ensure that migrants from Arabic countries receive equitable, culturally appropriate and responsive services. VASS has a membership of over 120 people and is managed by an elected Committee of Management.

Since the introduction of the Temporary Protection Visa (TPV), VASS has been closely involved with the TPV holders, the service providers, volunteers and community organisations. VASS is grateful to the Cities of Moreland, Darebin and Hume for their community grants, which enable VASS to provide on-going support to refugees on TPVs settling in the northern region of Melbourne.

VASS also thanks the Honourable Minister Christine Campbell for the research grant it received which enabled the voices of the TPV holders to be heard for the first time in detail, without censorship and free from media sensationalism.

### **1.2 ABOUT THE RESEARCH METHODOLOGY**

Given the scope of this research project, not all the concerned parties involved in the TPV issue were included in this study. Rather a selected focus group of 15 TPV holders (20 TPV holders initially approached), 13 service providers (7 completed the written questionnaires), 2 volunteers and 4 community organisations (2 completed the written questionnaires) were included in this study. For the TPV holders, the focus group was randomly selected from those who have been in contact with social workers affiliated to VASS. As for service providers and community organisations, all efforts were made to include as many as possible ensuring that various types of services are covered. Despite the relatively small size of the sample (mainly as a result of time pressures) the Report, provides a representative and broad-ranging picture of the various government and on-government agencies involved in service provision to newly-released TPV holders.

In terms of methodology, this research follows the established principles of community research, which typically has a consultative focus, and is participatory, inclusive and collaborative. Given the nature of the topic under

study, this research project is based on a humanistic approach as opposed to a scientific one, and ideally encourages spontaneity, informality and emotional input. This research was aimed at not only identifying the impact of the TPV policy, but also increasing the visibility of these people who are part of the Australian community, and to validate and reaffirm their experiences. The most appropriate method for this type of research is a qualitative method, which enables participants to speak about sensitive, personal issues in an informal environment, in their familiar surroundings, with confidentiality.

Qualitative techniques also tend to make the research process transparent and grounded in real life. The result of this style of research can be greater diversity as well as commonality of experiences. Four separate questionnaires were designed: one for the community based agencies; one for the volunteers of the agencies; one for service providers and one for the TPV holders. Each was divided into a number of sections.

TPV holders:

1. Personal profile
2. Reason for leaving their country and their experience since they left
3. Post-release experience
4. Settlement experience into Australia.

Community Organisations:

1. Organisation profile
2. Issues and findings
3. Opinions and recommendations

Volunteers:

1. Personal background
2. Reason for voluntary work
3. Understanding and views of TPV holders
4. Issues and findings
5. Recommendations

Service Providers:

1. Agency profile
2. Issues and findings
3. Opinions and recommendations

Each questionnaire featured open-ended questions to avoid pre-empting responses.

### 1.3 TERMS AND ABBREVIATIONS

TPV	Temporary Protection Visa (subclass 785) is a new visa regime introduced by the Australian Commonwealth Government in October 1999. This visa subclass grants an initial temporary protection for three years to those people who came to Australia without personal documentation deemed acceptable by the Federal Government (ie unauthorised arrival).
PPV	Permanent Protection Visa is a visa issued to refugees who come to the country through channels approved by the Australian government namely offshore assessment by UNHCR or by Australian immigration officials.
OTV	Offshore Temporary Protection: introduced in September 2001 and extends the concept of temporary protection to asylum seekers in their country of first asylum. OTV will have the same entitlements and restrictions as TPV holders.
IDPs	Internally Displaced Person
VASS	Victorian Arabic Social Services
UN	United Nations
NGOs	Non-governmental Organisations
DIMA	Department of Immigration and Multicultural Affairs (now DIMIA 'Department of Immigration & Multicultural & Indigenous Affairs')
IHSS	Integrated Humanitarian Settlement Services
HREOC	Human Rights and Equal Opportunity Commission
RCA	Refugee Council of Australia
UNHCR	United Nations High Commissioner for Refugees
AI	Amnesty International
RRT	Refugee Review Tribunal
IOM	International Organisation for Migration
NMIT	Northern Melbourne Institute of TAFE
AMES	Adult Migrant Education Services
CHC	Community Health Centre

## 2.0 EXECUTIVE SUMMARY

The research found that the introduction of the TPV policy has created firstly, a situation of open discrimination against TPV holders who are specifically excluded from settlement services; and secondly, that excluding TPV holders from essential services has made their settlement experiences more difficult. This is consistent with the findings of earlier research carried out by Multicultural Affairs Queensland.<sup>1</sup> The TPV policy has created two classes of refugees, those who were assessed off-shore and granted full settlement services and permanent protection visas, and those who were assessed on-shore and granted temporary protection and limited access to settlement services. The TPV policy has created uncertainty, insecurity, isolation, confusion, powerlessness and health problems among the holders of these visas as well as an increased burden on community organisations, state governments and volunteers.

- **Findings relating to TPV holders:** The research found that the restrictions attached to the temporary protection arrangement are resulting in more chaotic and less successful settlement experiences highlighted by the inability of most TPV holders to survive without community associations and volunteers assistance. Equally important, is the finding that most TPV holders although have access to medical services, are nevertheless left in a limbo for up to 5 months while their applications for a Medicare card are processed. This is despite the Government's claim that 'all released TPV holders are given post-release information sheet in their own language...including information on how to obtain a Medicare card and how to find help and treatment for medical problems' Given the pressing needs for mental and physical health services, such a confusing situation is a flagrant breach of the human rights of refugees in general and those individual among them who endured persecution, oppression and sometimes torture.
- **Findings relating to service providers:** The two main problems highlighted by those service providers who took part in this study relate to: (a) confusion about the two-tier system of refugee settlement services with one group (TPV holders) receiving a substantially lower level of assistance than the other (PPV holders); and (b) the sudden increase in the demand on their services unmatched by increased funding and resource allocation to meet the specific needs of a crisis situation. Although the State and various local governments show a willingness and a commitment to carry the fiscal burden for such services, the reality

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<sup>1</sup> Multicultural Affairs Queensland, TPV Report 2001

is that their efforts are not sufficient to meet the needs of TPV holders especially in the critical areas of housing and education.

- **Findings relating to community associations and volunteers:** The community organisations involved in this study indicated that they had experienced the impacts of the TPV policy at different levels. In line with the concerns identified by mainstream service providers, the community organisations indicated that principally, the increased demand on their services had not been matched with any increase in resources. They are simply unable to raise any further funds since they rely on the one ethnic community for all donations. This ethnic community, like many others, is simply unable to increase or even sustain its support. Also, the people who normally collect donations and organise fund raising are now spending this time helping TPV holders as volunteers.

Immigration legislation and administrative procedures relating to protection visa applications have recently been subject to significant changes. The introduction of two further levels of temporary protection visas (secondary movement offshore entry [temporary] subclass XB447; and Secondary movement relocation [temporary] subclass XB451) via the border control legislation, will have far-reaching consequences for future asylum seekers as well as many of the people who were granted Temporary Protection before 27th September 2001. The volatile national climate of media misrepresentation (talk back radio in particular), a 'harsh' bipartisan approach towards asylum-seekers and a jittery international political climate – following the attacks on New York and Washington and the subsequent 'war against terrorism' – are having a particularly devastating effect on TPV holders and asylum seekers in general. In the midst of emotional and oversimplified debates about 'terrorism', national security and war in Afghanistan, a number of politicians and commentators took the unfortunate step of suggesting that the 'boat people' may include dangerous 'terrorists' capable of committing atrocities *a la* September 11 tragic events. It is no wonder, then, that public opinion is unsympathetic to the plight of asylum seekers.

## **2.1 RECOMMENDATIONS**

These recommendations are based on research findings and suggestions made by the participants. The recommendations are listed under four sections relating to (i) impact of the TPV policy on asylum seekers; (ii) Impact of the TPV on service providers, community organisations and volunteers; (iii) detention of children and the right of family reunion; and (iv) Government policy and its treatment of asylum seekers.

### **(i). Impact of the TPV policy on asylum seekers:**

- a) The restrictions in services provided to TPV holders should be lifted immediately. TPV holders should have all the rights of their Permanent Protection Visa (PPV) counterparts so that they begin to heal and move forward. Australia can also begin to benefit from the knowledge and resources that these people are keen to offer.
- b) A referral system needs to be set up which clearly explains available services to both service providers and TPV holders.
- c) The range of available services, and information on how to access them needs wider promotion to TPV holders through community radios and newspapers, SBS Radio and community organisations in the visa holders' own languages.
- d) Once released from detention centres, refugees should be encouraged and given the appropriate means to settle into the community as quickly as possible.

### **(ii) Level of support and settlement services;**

- e) One of the core problems faced by service providers and DIMIA-funded non-government organizations is that funding provisions prohibit them from assisting TPV holders. Such restrictions should be lifted immediately to alleviate the TPV holders' unnecessary suffering and feelings of social exclusion.
- f) There is a clear need for improved co-ordination among service providers. A suitable reference point or coordinating network would prevent the duplication of services, and create a platform for workers in the field to share information and resources for more effective service delivery. It would also provide a support base for service providers and an appropriate environment for debriefing. This network could also establish sub-committees to organise activities such as information sessions about services, in the TPV holders' own languages.

- g) Health services (both mental and physical health) must become a priority and should not be denied while the TPV holder's application for Medicare card is being processed,
- h) Up-to-date culturally appropriate training should be put in place for the service providers, so that they are better prepared to deliver culturally sensitive services.
- i) More community activities should be organised to welcome the TPV holders into their new communities. Mainstream service providers in partnership with community organisations and local government could initiate these.
- j) Advocacy and lobby groups, including community associations, legal representatives and volunteers, need to establish a coordinating body so that the TPV holders can be represented by a strong voice.

**(iii) Detention of children and the issue of family reunion:**

- k) Detention centres - their function, effectiveness, management and possible alternatives - also need to be re-examined. A working party needs to be established by the Federal Government and should include all stakeholders.
- l) Stays in detention centres should be as brief as possible to prevent further traumatisation of people who have, in many cases, already experienced significant emotional and physical trauma –
- m) The Australian Government needs to review its stance on the treatment of refugees in detention centres, reception centres, and on release.
- n) The detention of children should be minimised and when possible avoided altogether as this constitutes a clear breach of the Convention on the Rights of the Child to which Australia is signatory.

**(iv) Government policy and the treatment of asylum seekers**

- o) In light of its overall findings, this report calls for an independent Senate Inquiry to be set up to investigate the effects of the temporary protection visa policy. It is clear from the findings of this report that there are significant impacts (economic, social, political and psychological) across a range of stakeholders and these need to be examined at the highest political level.

- p) The TPV policy should be re-examined in detail. The Federal Government should, as a matter of urgency, establish a review committee, including government representatives, refugees, lawyers who specialise in immigration issues, community leaders and representatives of TPV service providers.
- q) The State Government should consider seriously adopting a formal position on the punitive temporary protection policy similar to the Queensland Government's position, which chose to disregard the discriminatory categorisation of refugees into TPV and PPV holders.
- r) More funding and resources should be made available to local communities, local government, and key welfare agencies in identified areas with high refugee populations, to assist in the settlement and integration of TPV holders within the larger community. More importantly, outreach and other services should be provided close to where TPV holders are living.
- s) There is a clear need for increased support, recognition and reward of the skills and services contributed by volunteers and community organisations. Networks need to be established to deliver appropriate and 'recognised' training to these service-providers.
- t) Further research on the long term impact of detention and the TPV policy (and its successor temporary visas) on the capacity of individuals asylum seekers to rebuild their lives successfully, and on members of the relevant ethnic communities affected by such crises in the way they relate to their countries of origin, as well as in the way they view their place in contemporary Australian society.

### 3.0 BACKGROUND TO THE TEMPORARY PROTECTION VISA

*The Temporary Protection Visa – TPV - was introduced in October 1999 with a frequently publicised aim of deterring more “unauthorised” people from entering Australia, particularly asylum-seekers who in recent years were largely from Iraq and Afghanistan. They were assessed as refugees but not provided with Permanent Protection Visas (PPV), which would lead to permanent residency. TPV holders were originally granted for three years after which TPV holders would apply for a PPV. The results of the first applications, due to be reviewed in March/April 2002, were not available at the time of writing this report. Yet again this protection regime was further undermined by recent Migration Amendments passed in September 2001 which reduced drastically the chances of TPV holders gaining permanent protection in Australia.*

Since the end of the Second World War, Australia has taken great pride in its commitment to Refugee and Special Humanitarian Programs that have provided a new life for more than 600,000 people from around the world (Australian Refugee Council, 2000). However, Australia’s attitude and policy towards asylum seekers hardened in recent years following a dramatic change in the geopolitical situation in many regions, most notably the Balkans, the Middle East, and South East Asia. In fact, the end of the old world order following the collapse of the USSR in 1989-1990 has had more far reaching ramifications for the world as a whole than anyone anticipated. A consequence of this new unstable situation has been an increasing number of asylum seekers from conflict-ridden developing states.

Prior to October 1999 when regulations concerning on-shore asylum seekers changed, all refugees in Australia, including “un-authorized” arrivals (that is, people without the necessary travel documents and/or proof of identity) were assessed as refugees and subsequently granted a Permanent Protection Visa (PPV). This visa provided permanent residency and access to the Federal Government’s settlement support services.<sup>2</sup> However, the government policy changed to one which minimally met Australia’s international obligations. The concept of ‘temporary protection’ was first adopted following the Kosovar refugee crisis of 1999 when the Australian Government and many other Western countries offered temporary safe haven to the Kosovars until the conflict in their country has been resolved and the conditions deemed safe enough for them to return.

This concept was to be extended to the Middle Eastern asylum seekers arriving in Australia mostly by boat from Indonesia. The Australian Government responded to the new crisis by creating a new category of refugee visa, the 785 Temporary Protection Visa (DIMA, 1999-2000 Annual

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<sup>2</sup> DIMA fact sheet no. 63

Report). The TPV policy was introduced as a deterrence measure intended to counter the increase in on-shore asylum applications by the so-called 'boat people'. However, the use of boats to smuggle people to our shores is not a recent phenomenon. It began in 1975 with Vietnamese and Cambodian asylum seekers and continued throughout the 1980s. In 1990 there was a large influx of 'boat people' who came from China, and in 2000 there was an increasing number of asylum seekers coming from Iraq and Afghanistan.

The principal change in the past three decades has been the countries people have come from, rather than the transport means by which they have arrived. This fact might point to a need for a global, systematic structure created by the international community and led by the United Nations High Commissioner for Refugees (UNHCR) instead of knee jerk reactions, by particular nation-states, in the face of sudden crisis situations. Esmaili & Wells suggest that:

*"A suitable reform would enable the UNHCR and its Executive Committee to provide better assistance and support to countries in meeting the challenges of providing refugee protection to those most in need, while combating people smuggling".<sup>3</sup>*

### **3.1 The importance of appropriately targeted humanitarian services:**

In November 1999 the Australian Government introduced the Migration Amendment Regulation 1999 (No.12) which it backdated one month. This introduced the visa subclass 785, ostensibly to deter asylum-seekers arriving by boat. By introducing the TPV policy, the government had created a two-tier system of visas for refugees, which is discriminatory for those holding the TPV, as they are not eligible to receive a number of settlement services provided to PPV holders. The importance of initial settlement services is highlighted by the fact that a refugee's attachment to the country where he/she is being settled, is determined by many factors including:<sup>4</sup>

- the extent to which the refugee is made to feel welcome after arrival;
- the degree to which their needs have been met;
- the level of understanding of the new country's history, culture and social and legal institutions;
- the extent to which the refugee feels that his/her own culture and traditions are respected;

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<sup>3</sup> Esmaili H & B. Wells, (2000) 'The temporary refugees: Australia's legal response to the arrival of Iraqi and Afghan boat-people', *The University of New South Wales Law Journal*, Vol. 23, No. 3, pp. 224-245.

<sup>4</sup> For more discussion see Refugee Council Report on Refugee Settlement in Australia, April 2001 which is the source of this discussion on the role of government in service provision. Thanks to Margaret Piper for granting permission to use this important section of the RCA report.

- the level of appreciation of his/her rights, privileges and responsibilities as a member of the new community;
- the extent to which his/her aspirations (with regard to self, spouse or children) are realised; and
- the degree to which the refugee is able to focus on the future rather than the past.

The irony in the case of TPV holders is that they have not only standard settlement needs, but more importantly they exhibit an urgent need for psychological and emotional care. Of course, the practical needs are much more tangible and thus are easier for service providers to deliver, whilst the emotional needs are much harder to determine and quantify. 'However, there is agreement that the sensitivity, timeliness and thoroughness of the support offered to meet practical needs will, to a large extent, determine the extent to which the emotional needs are met. Refugee needs, as identified by service providers, are outlined in the following table':<sup>5</sup>

<b>Practical Needs</b>	<b>Emotional Needs</b>
Pre-embarkation Preparation	Safety
Initial Information and	Trust
Orientation, Accommodation	Control Over the
Language, Education	Environment
Income Support	Ability to Plan for the
Employment, Health Care	Future
Torture-Trauma Counselling	Restoration of Sense of
Legal Assistance	Dignity
Community Development	Regaining a Sense of Self
Religious Expression	Worth
Leisure, Becoming Part of the	Sense of Belonging
Community Support for Special	
Needs Groups	

As far as the individual TPV holders in this report are concerned (and given their experience not only with the trauma of fleeing persecution but also the mental side effects of mandatory detention) emotional needs were as important as practical needs, as they struggle to overcome their traumatic past and restore their self-belief, their sense of worth and above all their dignity.

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<sup>5</sup> Refugee Council Report on Refugee Settlement in Australia, April 2001

### 3.2 Commonwealth restricted services to TPV holders

***The financial and other assistance provided to Temporary Protection Visa (TPV) holders is substantially less than that given to refugees who have come through official offshore channels. This is despite the fact that more than 90% of on-shore applicants are found to be genuine Convention refugees by the Federal Government's own process. Ironically, these same 'genuine' refugees are accorded limited economic entitlements and social rights, excluding them from reunion with family members stranded in either their country of origin or the transit country of first asylum.***

Problem areas in the way the current crisis is being handled are two-fold: (1) the conditions in the detention centres where these asylum seekers are locked during the lengthy process of determining individual cases; and (2) the release of TPV holders into the wider community with little or no preparation and support. In most cases the TPV holders find themselves homeless, with few or no belongings, traumatised by their detention experience, separated from those they love and clearly apprehensive about their newly found freedom and protection (Brotherhood of St Laurence Comment, December 2000).

When nearly six hundred TPV holders were released from detention centres in Victoria in June 2000, local community organisations and non-government agencies faced a major challenge that tested their limited resources and overall capacity to provide targeted services, programs and responses to the needs of these 'undesired' refugees. This raises questions on the appropriateness and capacity of the 'community sector' as an alternative to the state in the area of direct social services delivery.

This sort of government action sees a return (or in fact promotes the return) to a traditional third sector reliance on volunteers, rather than paid social workers and professionals. Community sector organizations are then faced with daunting tasks of operating on a kind of 'moral economy', in which services are provided even when there is no proper funding in order to meet the pressing needs of refugees.

TPV holders are not entitled to on-arrival settlement services usually delivered through agencies working under the Integrated Humanitarian Settlement Strategy (IHSS). The increasing restrictions placed on asylum seekers' access to various Commonwealth entitlements have not been offset by other sources, leading to a marked erosion in the standard of living of 'genuine refugees', albeit carrying the label TPV. These problems emerge from the shortfall in the Commonwealth government assistance provided to TPV holders as compared with PPV holders, as evidenced in the table below:

	<b>Permanent Protection Visa (PPV)</b>	<b>Temporary Protection Visa (TPV)</b>
<b>Social Security</b>	Immediate access to the full range of social security benefits	Access only to Special Benefits for which a range of eligibility criteria apply
<b>Employment</b>	Access to all employment assistance programs	Not eligible, except for most basic services (eg touch screen job matching)
<b>Education</b>	Some access to education like any other permanent resident	Access to school education subject to state policy. Effective preclusion from tertiary education due to imposition of full fees.
<b>Settlement Support</b>	Access to a full range of DIMIA (including Migrant Resource Centre) settlement support services	Not Eligible
<b>Family Reunion</b>	Ability to bring members of immediate family (spouse and children) to Australia	No family reunion rights (including reunion with spouse and children.)
<b>Work Rights</b>	Permission to work	Permission to work but ability to find employment influenced by temporary nature of visa
<b>Language Rights</b>	Access to 510 hours of English language training	Not eligible
<b>Medical Benefits</b>	Automatic eligibility for Medicare	Eligibility for Medicare (temporary eligibility while PPV application is processed)
<b>Travel</b>	Ability to leave the country and return without jeopardizing their visa	No automatic right of return.

Two important questions arise from these punitive and counter-productive measures. First, the capacity of community sector in Victoria to carry the burden of service provision to a vulnerable group of people namely TPV holders; and second, whether a model of collaboration and coordination between community sector organisations and state service providers can be developed to better target services and meet the specific needs of highly traumatised asylum seekers. This research project provides initial evidence and information that will be useful in answering these two questions.

### 3.3 Settlement services provided to TPV holders in Victoria:

One of the legacies of the TPV policy which was introduced by the Federal Government, is that State Governments all around Australia were faced with the dilemma of confronting a Refugee dual system with a significant fiscal burden. Not-surprisingly, the policies and responses of various State Governments tended to exhibit a great level of variation and differing. This can be seen from the lack of formally articulated policies in most States with the exception of Queensland Government. As far as the Victorian State Government is concerned, its response to the shortfall in Commonwealth services to TPV holders was characterised by adopting the following policies:<sup>6</sup>

- Encourage all arms of the state services system to review TPV eligibility to state-funded settlement services;
- Enhance existing mainstream settlement services to refugees and other humanitarian settlers;
- Make available a one-off grant of \$140,000 to local governments and community organisations to assist in meeting the urgent needs of TPV holders released from detention centres;
- Collaborate at inter-state level to make representations to the Commonwealth to adjust its policies vis-à-vis on-shore asylum seekers.

Since the introduction of the TPV policy, the Victorian Government has demonstrated a willingness to outlay some state funds for TPV holders to support basic welfare services not covered by federal funding. In 2001 the Victorian Government estimated this federal shortfall would be around \$5 million for the 500 TPV refugees currently in the state.<sup>7</sup> State funds have been directed particularly to projects designed to meet the mental health and education, training and employment needs of new arrivals, through programs run by VicHealth and centres such as the Northern Melbourne Institute of TAFE (NMIT). For example, VicHealth has committed \$350,000 towards three projects designed to reduce isolation of new immigrants by settling them into their local communities.<sup>8</sup> Also, TPV holders will now have access to immigrant training and education programs<sup>9</sup> such as those at

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<sup>6</sup> This section is partially based on comments made by David Murray-Smith, Manager of Multicultural Strategy, Policy & Strategic Projects Division, Dept of Human Services, Victoria. However, the arguments presented and the conclusions drawn are based entirely on the findings of this research report.

<sup>7</sup> Office of the Treasurer, Brumby, J., 2002, Media Release, 'Victoria faces a massive \$3 billion shortfall in Commonwealth Funding next year', <http://www.dpc.vic.gov.au>, 4 April

<sup>8</sup> Minister for Health, Thwaites, J., 2000, Media Release, 'Mental health promotion plan targets new arrivals', <http://www.dpc.vic.gov.au>, 11 October.

<sup>9</sup> 'Temporary Protection Visa Holders, *Adult Community Education Memo No.2001/30*, 30 October.

NMIT where \$369,000 is being spent to provide training, support and employment options to newly arrived young people.<sup>10</sup>

The Victorian Government continues to oppose the discriminatory TPV policy, which places an unsustainable burden on local governments and community organisations.<sup>11</sup> In some states in Australia such as Queensland, the state government adopted a formal position whereby Queensland agencies provide the same level of services to TPV holders as PPV holders (Mann, 2000:11). Although the State Government in Victoria has taken many measures aimed at facilitating the access of TPV holders to basic support services as mentioned above, its position vis-à-vis the discriminatory distinction between TPV and PPV introduced by the Federal Government has not been articulated formally. Such a formal position would send a clear message to the Federal Government, the concerned ethnic communities, the service providers and to the wider Australian community that the Victorian Government not only opposes the TPV policy, but more importantly is committed to providing to TPV holders the same level of state-funded services as their counterpart, the PPV holders.

### **3.4 The 2001 refugee crisis by numbers**

At the start of 2001 UNHCR reported 21.8 million people “of concern”. This included 12 million refugees (55%), 6 million internally displaced people (27%), 0.9 million asylum seekers (4%), 0.8 million returned refugees (4%), 0.4 million returned Internally Displaced Persons (IDPs) (2%) and 1.7 million others of concern (8%).<sup>12</sup> Australia allocates only a maximum of 12,000 places for refugees per annum under its Humanitarian Program. The 1951 Convention relating to the Status of Refugees (and its 1967 Protocol), to which Australia is a signatory, defines a refugee as:

*“Any person who owing to a well founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his/her nationality and is unable, or owing to such fear, is unwilling to avail himself/herself of the protection of that country”.*

However, recently in Australia a new ‘subsidiary’ protection regime has been introduced through the concept of temporary safe haven as was the case with the Kosovars in 1999. The critical issue is whether extending this temporary arrangement to genuine refugees is a realistic expectation. Under the Convention, Australia undertakes to protect people from unsafe return

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<sup>10</sup> *Ibid.*

<sup>11</sup> Minister for Multicultural Affairs, Pandazopoulos, J., 2001, Media Release, ‘Howard Government must provide humanitarian aid and stop cost shifting’, <http://www.dpc.vic.gov.au>, 19 April

<sup>12</sup> Cited on the Website of the Refugee Council of Australia.

and who may be persecuted. Articles 33(2) and 33(1) provide that no state party to the convention:

*“...shall expel or return a refugee in any manner whatsoever to the frontiers of territories where his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion”*<sup>13</sup>

Yet, following the Kosovars and East Timorese temporary safe haven, Australia took a further step by extending this concept to asylum seekers from the Middle East with the introduction of the TPV regime in 1999. Since then, Australia has had more than 4,000 asylum seekers arrive by boat without valid travel documents, applying for protection as refugees.<sup>14</sup> Most are from Iraq and Afghanistan.

### **3.5 Asylum seekers from Iraq and Afghanistan**

***Historically there has always been a correlation between political and social events in certain regions and countries and the flow of refugees and asylum seekers. A simple glance at the number of people seeking asylum following the end of World War II for example or the Vietnam conflict, reveals an almost predictable scenario where numbers of refugees increase in a specific country following prolonged periods of either civil strife or inter-state conflict. It should come as no surprise that following the two major external and internal wars in Iraq and Afghanistan, the number of asylum seekers is on the rise.***

#### **3.5.1. Iraq’s contemporary history and the flow of refugees:**

Two sets of factors contributes and continues to contribute to the flow of refugees from Iraq: (a) externally, two highly damaging conflicts during the 1980’s (Iran-Iraq war) and early 1990’s (Kuwait invasion); and (b) internally the continuous oppression of religious and ethnic minorities by the dominant Ba’ath (Resurrection) party elite. The religious and linguistic diversity has strongly influenced the contemporary history of Iraq.

In terms of the ethnic composition of Iraq’s 23 million inhabitants, the Arabs constitute 75%, the Kurds 20% and various other minorities (e.g., Turkman, Assyrian) less than 5%<sup>15</sup>. This ethnic diversity is further complicated by the religious belonging, so that in fact 60% of Iraqis are Shiite Muslims who are almost exclusively Arabic speakers; with 35% being Sunni Muslims with nearly equal numbers of Kurdish speakers and Arabic speakers, while the remaining 5% include Christian and Jewish denominations (Fisher &

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<sup>13</sup> Cited in Migration Action Vol XXII, number 1 April May 2000.

<sup>14</sup> Esmaeili H and Wells B, *University of NSW Law Journal* Vol 23, 2000.

<sup>15</sup> U.S. Department of State, (2001), ‘Bureau of Near Eastern Affairs’, December, 2001 Background Note: Iraq.

Oschenwald, 1997). The Republic of Iraq was proclaimed in July 1958 when General *Abd al-Karim Qasim* overthrew King *Faisal II*. A period of considerable instability followed, with successive military coups throughout the 1960s and early 1970s. Saddam Hussein emerged on the scene in the late 1960's as an Arab Sunnite through the ranks of the nationalist secular *Ba'ath* Socialist Arab Party. He dominated the political landscape in Iraq during the seventies and eventually succeeded *al-Bakr* as President of Iraq in 1979. He then purged political rivals in order to consolidate his position and moved quickly to monopolise power and established a police state with a highly trained personal security apparatus and elite republican guard.

Iraq's history since Saddam ascended to power was dominated in the 1980s by the war with Iran and in the 1990s by the invasion of Kuwait, which led to the Second Gulf War and subsequent UN sanctions. The war with Iran lasted for eight years (from 1980 to 1988) and resulted in approximately one million deaths (military and civilian). Another million people were disabled and almost three million became refugees. Further, as soon as the war ended, the Iraqi regime organised military campaigns against their own minorities. Approximately 5,000 Kurds, mostly women and children, were killed by poison gas. Before Iraq had the chance to recover economically from the bloody war with Iran, the Second Gulf War erupted in 1990<sup>16</sup> following Saddam's attempt to annex Kuwait. The UN Security Council immediately condemned the Iraqi invasion and imposed an economic embargo on Iraq that prohibited nearly all trade with the outside world. In November 1990, the UN Security Council adopted resolution 678 permitting member states to use all necessary means, authorizing military action against Iraqi forces occupying Kuwait and demanded a complete withdrawal by 15<sup>th</sup> January 1991. When Saddam Hussein failed to comply with this demand, the Gulf War (Operation Desert Storm) ensued on the 17<sup>th</sup> of January 1991.

The war lasted only six weeks, but proved disastrous for Iraq, which suffered hundreds of thousands of casualties (including tens of thousands of civilians). As a result of economic sanctions imposed by the United Nations Security Council resolutions, more than one million Iraqis, mostly children, lost their lives. Internally, the failed uprisings of the Kurds in the North and the Shiite Moslems in the South presented Saddam with the opportunity to crush his opponents with great brutality. A massive exodus of refugees ensued with more than 1.5million Iraqis (mostly Kurds) fleeing to Iran, Turkey and other neighbouring countries. The situation has not improved since and Amnesty International (2001, Annual Report) states that:

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<sup>16</sup> White P – Migration Action Vol. XXII, No 1 April May 2000.

*“hundreds of people, among them political prisoners including possible prisoners of conscience, were executed. Hundreds of suspected political opponents, including army officers suspected of planning to overthrow the government, were arrested and their fate and whereabouts remained unknown. Torture and ill-treatment were widespread and new punishments, including beheading and the amputation of the tongue, were reportedly introduced. Non-Arabs, mostly Kurds, continued to be forcibly expelled from their homes in the Kirkuk area to Iraqi Kurdistan”.*

The large-scale application of death penalty continued in Iraq with reports of hundreds of people, many of whom are prisoners of conscience, being executed. Extra-judicial executions are also becoming more frequent with men and women being beheaded after being accused of prostitution and procurement. In most cases, these allegations are a cover up for the victims anti-government political associations and beliefs. Amnesty International reports that political prisoners and detainees are subject to brutal forms of torture and ill-treatment (Amnesty International, 2001 Annual Report)

Repression under Saddam’s regime continues, with arrests of political opponents and the forcible expulsion of non-Arabs (mainly Kurds, but also Turkmen and Assyrians) still a fact of life in Iraq. This harsh political oppression is compounded by the indiscriminate economic sanctions imposed by the United Nations. ‘The sanctions have, according to many international experts, journalists, non-governmental organizations and UN agencies, crippled Iraq’s economic infrastructure and have resulted in the breakdown of the socio-cultural fabric of the society, acute poverty, malnutrition, wide-spread corruption and crime, and the reported deaths of over half a million children under the age of five’<sup>17</sup>.

The systematic abuse of basic human rights in Iraq and the routine application of torture and ill-treatment will undoubtedly continue to make Iraq a major source of refugees for years to come.

### **3.5.2. Afghanistan’s political and ethnic complexities:**

Afghanistan, the poorest country in Asia<sup>18</sup>, has produced the single largest refugee group in the world<sup>19</sup> since the Russian occupation more than 20 years ago. From the time of the Soviet invasion in 1979, Afghanistan has suffered ongoing ethnic conflicts and related social and political unrest. The ethnic composition of Afghanistan is little understood by outsiders as there are no confirmed statistics on the various ethnic minorities that form

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<sup>17</sup> Amnesty International August 2001, Iraq: Systematic torture of political prisoners.

<sup>18</sup> Oxfam Media Release, 3 January 2002.

<sup>19</sup> According to the UNHCR, Afghans constitute “the largest single refugee population in the world” with an estimated 3.6million people or 30 per cent of the global refugee population. UNHCR website 2001, <http://www.unhcr.ch>, 12 December.

contemporary Afghanistan. In fact, the Pashtuns officially declared as the majority group in Afghanistan, are Sunni Muslims who have historically looked to Pakistan for backing and support. Some observers (c.f., Melikian, 2001) believe that the Pashtuns are in fact substantially outnumbered by Persian speakers Shiites who are backed by another regional power in Iran.

*'A measure of the complexity of the cultural and political mosaic that is Afghanistan is the fact that Osama Bin Laden, the suspected terrorist mastermind who is now the target of U.S. military planners, is an outsider to the country – protected by a Taliban government that appears to represent a minority Pashto-speaking Afghans from the region bordering Pakistan, who themselves may be a minority of that extraordinarily diverse land'* (Melikian 2001:01).

Persian speakers of the Shiite branch of Islam which occupies the Northern region of Afghanistan, have always been conspicuously absent from official government positions. 'Those who get the worst of the deal are the Shiite Hazaras ...who represent one of the great enigmas of Afghan history. Their features single them out at a glance, even within the highly diverse ethnic mix of Afghanistan. In Kabul, the Hazaras represent a vast underclass who take the jobs other groups refuse' (Melikian, 2001:4).

Many of the Afghan asylum seekers who seek protection in Western countries including Australia belong to the Hazara ethnic group who have long been victims of discrimination irrespective of the composition of the Kabul regime. The Afghans who arrived to Australia by boat in 1999 were predominantly members of the Hazara ethnic minority who were unable to obtain remain in neighboring countries like Iran where they were forcibly deported (RCA, 2000:74). This fact is often lost on policy makers when deciding the fate of asylum seekers as is the case with the current debate on repatriation of Afghan TPV holders now that the Taliban have been removed by the U.S led coalition.

Despite the fall of the Taliban and the establishment of an Afghan interim government made up of a cross-section of ethnic and regional groups, Afghanistan remains both unsafe<sup>20</sup> and in desperate humanitarian need.<sup>21</sup> Although the Federal Government Minister for Immigration Philip Ruddock has urged Afghani asylum seekers to return to Afghanistan to begin rebuilding their country,<sup>22</sup> Afghanistan is still rife with crimes such as thefts,

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<sup>20</sup> Commander of Australian forces in the region, Brigadier Ken Gillespie. Forbes, M. 2002, 'Afghanistan "unsafe"', *The Age*, 14 February.

<sup>21</sup> Oxfam Community Aid Abroad, 2001, <http://www.caa.org.au/world/sthasia/afghanistan/index.html>, 'Afghanistan', 3 January.

<sup>22</sup> AAP, 2002, "Afghanistan safe enough to go home, says Ruddock", [www.theage.com.au](http://www.theage.com.au), 1 February.

robberies and murders.<sup>23</sup> The country also remains riddled with landmines and cluster bombs and military action continues between the multinational peacekeeping force and the remaining Taliban and *al Qaeda* fighters.<sup>24</sup> After years of war and drought, much remains to be done to provide the population with adequate food, housing, education, sanitation and medicine.<sup>25</sup>

Given this recent history of wars, civil conflicts and systematic oppression, the number of asylum seekers arriving to Australia from these war-torn countries is relatively low. In fact, during the year 1999/2000 the total number of protection visas granted to Iraqi and Afghani asylum seekers were as follows:

- **700 protection visas for Afghani nationals: 576 TPV and 124 PPV**
- **615 protection visas for Iraqi nationals: 231 TPV and 384 PPV<sup>26</sup>.**

### **3.6 Important facts about refugees**

A commonly neglected fact in the debate over asylum seekers is that the world's 21.5 million refugees shelter primarily in their neighbouring countries. There are several reasons:

- 80% of refugees are women and children who cannot travel far;
- Most prefer to stay close to their country hoping a change in the political situation will make it possible to return;
- A lesser distance travelled is preferable to being crammed on small leaky fishing boats across the world;
- Communication with extended family members and friends is usually much easier.

According to *Migration Action* (Vol. 22, No. 1, April/May 2000), only 18 percent of the world's refugees reach Western countries such as Australia. However, more than 200 years after European settlement and with some 50 years of planned immigration, Australia is one of the world's most culturally and linguistically diverse nations, with close to six million people from 130 countries. Migration has made an enormous economic and social contribution in various forms. It has brought expertise, innovation and skills, which allowed Australia to compete internationally in business, industry and research. The contributions made by immigrants to the development and sophistication of Australian economy and society is significant and is clearly

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<sup>23</sup> Oxfam Community Aid Abroad, 2002, <http://www.oca.org.au/world/sthasia/afghanistan/farfromover.html>, "Afghanistan's crisis is far from over", 23 January.

<sup>24</sup> *Ibid.*

<sup>25</sup> *Ibid.*

<sup>26</sup> DIMIA (2001), Humanitarian Program: program outcomes.

a major part of the development of this country and its resources. Some of the richest people in this country were originally immigrants:

*'In Australia five of the top ten names on The Business Review Weekly 'Rich 200' list are people whose families originally came to this country as refugees.'*<sup>27</sup>

There is no question that under the right circumstances and given the appropriate opportunities, TPV holders could also make a rich contribution to Australian society, as many migrants before them have. However, this report highlights that such opportunities are being systematically denied TVP holders.

The following sections of this report provide an analysis of the impacts of the TPV policy on asylum seekers, community organisations and service providers.

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<sup>27</sup> Mares, Peter, *Borderline: Australia's treatment of refugees and asylum seekers*. University of New South Wales Press 2001 p.2.

#### 4.0 THE IMPACT OF TPV POLICY ON ASYLUM SEEKERS

*Although the stated aim of this research project was to establish the impact of government policies on community organisations, service providers and TPV holders, the personal stories of persecution, trauma and hardship told by individual asylum seekers overshadow all other findings. It seems that the ghost of oppression in their homelands has been replaced by the threat of 'uncertainty' and 'rejection' in the countries where they sought refuge and protection hoping to start afresh and rebuild their shattered lives. The following are excerpts from the many personal stories of those TPV holders who courageously offered to share their ordeals with the researcher.*

Originally it was planned to interview 20 TPV holders from both the larger and smaller groups in the recent refugee migration. However, the TPV policy had its impact here too. New conditions introduced (in October 2001) created a realistic fear among visa holders of speaking publicly or being too visible. The TPV holders became fearful that speaking out could jeopardise their applications for a PPV. Political and religious divisions within their own communities also deterred participation. Ultimately 15 of the 20 TPV holders approached agreed to take part in this study and the following section gives a profile of those TPV holders interviewed. From these interviews a number of themes and issues emerged and these have been outlined in the sections titled 'Separation', 'Women From Afghanistan', 'A Journey by Boat', 'Detention', 'Post-release experiences', and 'Settlement'.

##### 4.1 Personal profiles of TPV holders

The 15 participants were: 11 Iraqis, 3 Afghanis and 1 Syrian.

Efforts were made to ensure a balance of ages and gender. Nine participants are women and six are men. While ages range from 18 to 60, there are six participants in their thirties, three in their twenties, two in their fifties and two in their forties. Contrary to popular belief most refugees from Iraq and Afghanistan are not young single men. In fact, eleven of the fifteen participants are married, three are unmarried and one is a widow.

- Only one of the women participants is in Australia with her husband. Four of the women left their husbands in their country of origin, and one is widowed. Four of the men have their wives with them. Two men have left their wives in their homeland.
- Eleven of the 15 participants are parents: six have three children each, four have two children and one has four children. Six of these participants brought their children to Australia. The other five were forced to leave their children behind.

- Only two of the 15 participants described their financial position in their homeland as comfortable. Five of the parents did not have enough time, money or the chance to bring their wife/husband and children with them. This clearly demonstrates it is a myth that it is only people with money that are paying smugglers to come to Australia. In some cases, financial constraints forced people to make painful choices about which family member should flee. The decision was almost always based on which family member was at the highest risk of being detained, tortured or executed.

The professions and skills of the participants was extremely diverse and the following professions were identified:

- Teachers
- Students
- Meteorologist
- Engineers
- Accountant
- Computer scientist
- Surgery assistant
- Social worker
- Tailor
- Handicraft artist
- Shepherd

The TPV holders spoke a number of languages - Arabic, Farsi, Persian, Dutch, Russian, Dari and English (as a second language). Eight out of fifteen participants spoke more than one language fluently and four spoke three languages fluently while also having a basic grasp of at least another. Three participants spoke only their native language.

#### **4.2 Separation**

The reasons and experiences of the participants fleeing their country of origin were profoundly vivid for the TPV holders. All 15 participants claimed to have been harassed by authorities in their country of origin. Five of the 15 became refugees because they were sure they were about to be killed: they had heard they were to be executed so decided to escape from prison. Five fled because they were wanted by the authorities for alleged political activities against the ruling regimes. Another five were harassed and threatened by the authorities, due to their alleged association with someone who had been executed, or were sought by the current regimes in their country.

All the participants in this project either believed they would have been executed had they stayed, or imprisoned indefinitely. One Iraqi man claimed:

*“When they put people in prison they don’t have to go to court for a decision to execute them, they make their own decision. Sometimes you hear someone has been taken to prison and sometime later they go missing, never to be found.”*

The responses to the question regarding why the participants left their country were overwhelming. Each experience could itself be a book. However, for the purpose of this research, there will be a brief summary of some of the stories, which will provide some insight to the reader:

*“I was a public servant in Iraq. There was a request made by Saddam. This request was three days too late for Saddam, which was not my fault. One morning the soldiers came to my workplace and arrested me, my manager and another colleague. We didn’t know what was happening or why we were arrested. I found out in prison that I was not diligent at my work. I tried to explain but nobody listened. I was in prison for six months. Five days after my release I was arrested again. This time I was in jail for 14 months. I became very ill in prison so I was released. After my release I wrote a letter to Saddam just to explain to him that I am a diligent, hard working man and that it was not my fault. Three days after I sent the letter they came and arrested me again and blindfolded me. I was tortured in a dark place with no lights and no windows. They tortured the hand I wrote the letter with. I had to escape and get out the country because they were going to kill me. I bribed a prison officer to escape.” (Iraqi TPV holder).*

An Iraqi woman told her story, trembling and in tears. She said it is very difficult for women in Iraq, and worse if you are a *Shia* Moslem with a brother killed for speaking against the oppression of the government:

*“My parents died shortly after my brother was killed. I was a young single woman living with my other brother and his wife who are my only living blood relatives. This brother was wanted by the security because he was suspected of supporting the opposition. He could not come home for weeks as our home was ransacked and my sister in law and I were interrogated regularly as to the whereabouts of my brother. We had to run away from our country late at night and find smugglers to help us. If we try to leave the legal way my only brother would have been killed and eventually my sister in law and I would have been killed too. You see, we had no other choice.” (Iraqi TPV holder)*

Another man from Iraq was also a political victim:

*“I was involved in activities that were not supported by the ruling class. I had my own business, it was a very small business and I had two other partners. One morning shortly after we arrived at work, the army came and broke the door down, destroyed all the equipment at our business and arrested all three of us. I was in prison without any trial and without my family’s knowledge. Shortly after our arrest both my friends, who were my partners, were killed when they were torturing them. I was terrified so I found a way to escape.”* (Iraqi TPV holder)

One woman became a refugee after her husband, a political activist and defender of human rights, had fled Iraq to save his life. When her husband left 13 years ago, her two sons and her daughter were young:

*“We didn’t know where my husband was or whether he was alive. Thirteen years living in Iraq with three children is very difficult. Because of my husband’s former political activities we were constantly harassed because they thought we knew where my husband is. My children were expelled from school and we were under constant surveillance by the authorities. Every time they come to our home to ask where my husband is they would interrogate my sons and threaten them. I was terrified that I was going to lose my sons like I lost their father, maybe worse. The authorities will torture them to death. As a mother I did not want to take that chance so I raised some money through extended family and friends and left Iraq.”* (Iraqi TPV holder)

Another woman asked, “Where else in the world do you get arrested and put in jail for making a politically incorrect joke?” She explained,

*“My ancestors were born in Iran. Iraq didn’t want us, neither did Iran. We were stateless, nobody wanted us. One day my husband was arrested and was imprisoned for making a bad political joke. After his release we became an identified target they could harass, interrogate and intimidate in our own home. My children were terrified every time there was a knock on the door or when they could not see their father. It is terrible to live in fear every minute of your life so we decided to leave and find a safe place to live with our family.”* (Iraqi TPV holder)

One Iraqi man had escaped near-certain execution by the military. He said:

*“My story is very simple but it explains the political situation in my country and it also explains there is no value for human life. Military service in Iraq is compulsory. Shortly after I joined the army the war in Kuwait began. I was going to be posted to Kuwait, if you are in the army you have no say. I did not want to go to war so I fled from the army. In Iraqi law anyone who deserts the army will be killed without a trial. I can never go (back) to Iraq because I will be killed without a trial.”* (Iraqi TPV holder)

One Iraqi woman fled with her children, leaving her husband in prison. She explained that southern Iraq was protected by America. However:

*“If Saddam could not hurt you directly he found a way of hurting people indirectly. My husband is in prison indefinitely for political reasons. I was detained twice, accused of political activity against the government. I was worried about my husband and my children’s safety. I had no time for political activity. They were watching my every move, they were watching my children’s every move. They were looking for an excuse to put me in jail. I could not take this risk, I sold everything we owned and ran away one night.”* (Iraqi TPV holder)

A male participant from Afghanistan explained that people are executed for being affiliated with the “wrong” political or religious groups, or for not having a strong enough affiliation with the “right” groups. He believed Afghani people, suffering for two decades, are the world’s most oppressed people because their country is forgotten by the rest of the world, divided by ethnicity and ruled by the fanatical fundamentalists:

*“They brainwash their followers with slogans like, ‘If you write with the victims’ blood on their shrine they will get closer to heaven.’ How does the world believe that with this mentality of the Taliban, any other minority groups will survive? Hazara people are easily identified because they have very specific features. In Afghanistan you don’t have to be smart or be politically active. If you look different, that is sufficient reason to be imprisoned executed or tortured “I left my village as a young man when civil war was on between the warring factions which was also in my village. During that time I fled in fear for my life and went to one of the neighbouring countries and stayed there illegally. I attempted to make an application in this country where I was staying illegally as an asylum seeker. I found where the UNHCR office was. When I went there it was surrounded by police and security all around the building. I was afraid that I would be arrested and deported back to Afghanistan. As I feared, I was arrested and sent back to Afghanistan. This coincided with the Taliban defeat in the North. All victims were civilians and I was one of them. I was arrested and jailed for three months. I was tortured and traumatised. So many people in jail were executed and some were tortured to death. I was very lucky to be alive because about 90 per cent of the people who were arrested with me were killed or had their limbs cut off. Some of the prisoners were kept in one piece because they were going to use them to exchange for Taliban prisoners. I survived by chance. One year after I returned to my village the Taliban seized and destroyed most of my village. My father sold his house and other personal belongings to get me out of Afghanistan.”* (Afghani TPV holder)

Stories about how and why parents left their children behind are very sad and moving. Some made the decision under very difficult circumstances. Others did not have time to make such decisions as they were trying to save their own lives. One man explained:

*“My exit from Iraq was very dangerous. I was apprehended by the police twice in other countries when I was outside Iraq. I was brought back to Iraq and was imprisoned indefinitely. I escaped from prison and went to North of Iraq where I stayed for approximately five months. My choice was to go to Canada but the smugglers told me that it was easier to come to Australia. I was taken to Jordan then to Wahren, Malaysia and then to Indonesia. I could not keep in touch with my family because it was too dangerous for my family and for me. My wife cannot leave the country with my children because women in Iraq need to have their travel documents authorised either by their father or by their husband. My wife’s father is deceased and I am not in the country. I have not seen my wife and children for three years.”*(Iraqi TPV holder)

Further the data highlighted that the types of persecution that force people to become asylum seekers often leave families divided. An Iraqi woman tells the story of her departure:

*“My husband was sent to jail because he provided food to people who were starving because of the sanctions placed on Iraq. When my husband was caught, his two friends were executed on the spot and my husband was put in prison, we don’t know for how long. I was dismissed from my employment and the authorities ambushed my house and I was detained for a couple of days. This was happening regularly. I was scared for me and my teenage children, so I sold my house, my life savings for less than half its value and used the money to come to Australia.”* (Iraqi TPV holder)

An Iraqi man explained how and why his family was divided. His wife and one son are still in Iraq, while his daughter and another son had escaped with him to Australia:

*“My brother was executed by the ruling class in Iraq because he did not support the current regime. After my brother’s death I was sacked from my job of many years. I had a nervous breakdown. Then my son, only in his late teens, was arrested and detained, we don’t know why. Our family and friends raised some money and I came to Australia with two of my children. My wife could not come because we didn’t have enough money and she didn’t want to leave our (other) son. Now I feel numb, a very important part of me is still in Iraq. Every day I worry about them, every day I pray that they are alive.”* (Iraqi TPV holder)

And another Iraqi man explains why he had come to Australia alone:

*“It was too expensive and my wife was too scared to travel and bring our children on the journey. She decided to stay with our two daughters.”*  
(Iraqi TPV holder)

However, it was not only men that had arrived in Australia without their family and many women were feeling the pain of separation from their children. One woman from Afghanistan explained her suffering at being divided from her family, with half of her family with her in Australia and half in Afghanistan:

*“My son was arrested by the Taliban. We don’t know why he was arrested. My husband can only find enough money for me and my second eldest son to flee the country. My husband, my son and daughter are still in Afghanistan. I worry about them every minute. I don’t know what will happen to them.”* (Afghani TPV holder)

The women interviewed from Afghanistan told stories of the fear they faced under the Taliban regime and there were accounts where women had to leave their children behind as they fled in fear of their lives. One of the participants explained how she was forced to flee Afghanistan urgently because the Taliban had arrested her twice for not adhering to their dress code:

*“I am a widow because of Taliban. I had four children. The Taliban first arrested and killed my eldest son at the age of twenty-two. He did nothing wrong - when the Taliban want to kill you or torture you, they don’t need a reason. Two months later my husband went missing for two weeks. One day the Taliban just threw my husband in front of our house. He was beaten so badly I could not recognise him. He died two days later. Six months later I was arrested because my ankles were showing. I was detained for two days and beaten. Not long after I was arrested and beaten again because my flesh on my arms between the gloves and the sleeves were showing. My family and children were convinced that I was going to be killed next so they raised money to get me out of Afghanistan. Now I am all alone and scared for my children. I feel very guilty and sad that I left my children behind.”* (Afghani TPV holder)

Stories of separation were not limited to asylum seekers from Afghanistan and Iraq and a Syrian man, escaping with his life, told how he too was not able to bring his wife and children with him:

*“I was a successful business man. I minded my own business, I never was involved in any activity that would upset the authorities. I did not risk the life and safety of my two children and wife. My wife had a job as a*

*Secretary to some government department and we were very comfortable financially until one day when the authorities came and ransacked my business and arrested me. I escaped from prison before my trial because I feared for my life. I had to leave the country immediately. I had no time to contact my family. Now I hear my wife lost her job and my children expelled from school. They have nowhere to live.”* (Syrian TPV holder)

It was clear from the data that the participants were suffering a great deal of stress and pain due to the fact that they were firstly separated from their country of birth and their families and secondly that some of their family members were still in danger and fear for their safety. Each of these stories clearly legitimates the claims the asylum seekers were making to secure refugee status and there seems little doubt from the vividness of their stories that they meet the UN criteria for refugee status.

#### **4.3 Afghani Women as TPV holders**

Survival for women in Afghanistan is especially difficult. Two of the participants were made widows by the Taliban, and then were under constant surveillance. Further, they were not allowed to do paid work. The women expressed the view that being a woman in Kabul was bad enough, but if you were also from a minority group and the Taliban had killed your husband, your chance of survival was very slim. They claimed that the Taliban would eventually find you and get rid of you. Both women said a woman's life in Kabul was/is worthless with one of the women saying “they killed them like chickens”. She further explained:

*“They were always looking for an excuse to detain me and beat me up. I was beaten severely twice for not abiding by the dress code. They killed my husband and son. What was to stop them from killing me?”* (Afghani TPV holder)

While the women TPV holders from Afghanistan, did not know each other, they shared many common experiences and concerns. Both had been beaten severely by the Taliban for not abiding by the dress code, both had lost their jobs and both were widows. One of the woman had lost her husband due to terminal illness, while the second women's husband had been killed by the Taliban. They both said that they could not leave their home without the Taliban's permission, and stated that their children had been denied access to education:

*“Education existed in name only. In fact they are teaching children religious subjects only, fundamentalism, which I believe poisons young minds. I got out of the house without the Taliban's permission and disobeyed the dress code. Worse still, I attempted to find a job to feed*

*my children. I was detained and beaten up a number of times. I was now an easy target for the Taliban, they said next time they will kill me.”*  
(Afghani TPV holder)

#### **4.4. A Journey by Boat<sup>28</sup>**

The travel experiences of the 15 TPV holders were almost identical (excepting two). For example, they were told by smugglers in their country of origin that the journey to Australia would only take a couple of weeks, however, for most, the time travelled was between two and six months. Some had only enough money to accommodate and feed themselves for three weeks after they had paid most of their money to the smugglers. Consequently, they were forced to beg and borrow from other refugees. Some suffered from malnutrition and lost weight – up to 30 kilos - which made them weak and vulnerable to diseases like malaria.

When the participants saw the boat they were to travel on there was shock and dismay. The smugglers had showed them photographs of boats (one participant saying “it looked like the love boat”) and told them they were big and safe. Every participant described experiencing fear on seeing the boats and the number of passengers that were to travel with them. After months of travelling and hiding, one woman who saw the boat in the early hours of the morning said she felt fear, and powerlessness:

*“When the smugglers showed us the boat we were going to travel in, we were terrified because the boat looked like it was built overnight by amateurs. But we had no choice because we came to a point of no return. If we go back to our country, we would be definitely killed. If we go with this boat maybe, maybe we survive”.*

Every participant described a similar story, reaction and feeling – feelings of ‘no return’ were salient during the interviews. All participants sailed under very dangerous and inhumane conditions, on boats which were extremely unsafe and very cramped. The largest boat was estimated to be 25 by 10 metres and carried 300 men, women and children. The smallest boat was seven metres and carried 45 passengers.

The smugglers told them the journey to Australia from Indonesia would be no more than three days. Many participants were in boats lost on the sea for nine to 21 days, with one boat being lost for 28 days. The boats had no beds, no showers and no toilets. Some people had no seats and were forced to stand, unsheltered. The smugglers took enough food and water for about three days - either boiled rice or instant noodles. When there was food the

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<sup>28</sup> See appendix list for a detailed display of boat arrivals to Australia since 1998.

passengers were never given more than one meal a day and one women described the journey as follows:

*“All the women were in the engine room. Everyone was feeling sick from smoke inhalation and from rough sea. People were all coughing, vomiting and praying because we thought we were going to die. There was no toilet, people had to sit at the end of the boat to go to the toilet, holding on to the edge of the boat. This was very dangerous, and it was very embarrassing and hard for women. People who experience this journey could never be the same again”.* (Iraqi TPV holder)

Another woman said she still has nightmares about her trip to Australia:

*“We were taken to an island by the smugglers. We were told we would stay there for three nights and not to go out and be seen. Three nights became 27 nights without adequate food or water. My children and me were feeling very weak and losing weight. We could not buy food because we had limited money. We finally boarded the boat to come to Australia. The journey was to be three to four days, we were at sea for ten days. The journey was terrifying; we had only boiled rice and pasta for the first part of the trip. The people who were running the boat were young men maybe 18 or 19 years old. I don't think they knew what they were doing and where they were going We survived by chance. This journey was the most horrific experience of my life.”* (Afghani TPV holder)

One of the participants was pregnant while travelling and had three young children. She said her experience could only be seen in the movies, and even then people would criticise it for being exaggerated:

*“We got on to a small fishing boat that is only big enough to accommodate 20 people, it had 120 people on board. What was to be a five-day journey became twenty-four days. We had constant problems with the boat. First, the water pump broke down, secondly the engine stopped then the sea kept taking the boat in different directions, and thirdly we had to stop because of bad weather. The wind was so strong it knocked down big barrels containing water. There were times when we felt the boat was five to six meters up in the air. I thought this was the end of our life, everyone on the boat was terrified. Everyone was crying including the sailors and praying. No one believed they were going to survive. There were no cooking, bathroom or toilet facilities. People have not washed for 24 days. At least eight people became very ill with typhoid and malaria. I thought if the sea doesn't kill me and my children, the sickness will.”* (Iraqi TPV holder)

One man had travelled several years already, trying to find a safe place so that he could save his wife and children. In fear of being caught and

deported back to his home country, he had lived in hiding with false identities in neighbouring countries. However, his experiences of the journey to Australia provided an even greater nightmare:

*“In all the years I’ve been on the run, this journey to Australia will live with me forever. The trip was terrible and very scary. The trip was to take three days - it took one month. The boat was a homemade fishing boat, approximately 10 by four meters and had 117 passengers. Everything that could go wrong went wrong. We got lost on the sea, the boat broke down, the weather was very wild, and there was gale force wind. It was about to blow away a plastic cover. About ten of us were holding it down so the rain doesn’t get in the boat and we don’t freeze. The storm lasted for six hours, our fingers and hands were blue from the cold and from lack of circulation. The only food we had was instant noodles but we had no fresh hot water to add. People were adding seawater out of desperation and starvation. They all got sick, particularly women and children. I lost approximately 30 kilos. After 20 days I became very weak and ill, I gave up all hope of surviving. My family heard the boat I was travelling on had sunk and I died. They had a funeral service for me.” (Iraqi TPV holder)*

In terms of the participants expectations on arriving in Australia, fourteen of the fifteen believed Australia was a democratic country that respected human rights, encouraged freedom of speech and was compassionate on humanitarian issues. They suggested this was the image Australia portrays to other countries and had received such information through advertising, literature or word of mouth. They had very high expectations and were disappointed and shocked by their treatment on arrival.

One participant had no knowledge about Australia, and no expectations. However, he said, “(A)fter travelling for so long under very dangerous circumstance, arriving to a country where my status was not going to change, was heart breaking. I was treated like nobody there, and I am treated like nobody here.” One participant said all she expected was:

*“Safety and freedom, where my children and I can live a normal life, where we can sleep in our beds without fear, where my children can go to school safely and where we can all feel safe”.*

Another women explained that the lack of basic freedoms and security in her own country, and her expectations for her life in Australia, lay behind her decision to seek asylum in Australia:

*“Australia is a humanitarian country that respects individual rights, respects women and children’s rights. We came here for peace not for money. We lost everything we worked for, we lost our families, our*

*friends, our history, our identity so we can live peacefully in our home and sleep without fear in our bed". (Iraqi TPV holder)*

An Iraqi man said that if he had been told he was going to be forced to run away from the country where he was born and had built his life, he would have not believed it:

*"I had a very comfortable life. I never thought of leaving my country. How fast and suddenly things change and nothing is in your control! You don't get the chance to defend yourself or family. I came to Australia because I heard that it is a safe and humane country. When I got here, I was shocked at the inhuman treatment, especially in camps and detention centres. After travelling for a long time, hungry, scared, some people were very sick and we had a six-hour conference on immigration law in Australia. Can't they tell us this after some rest, we are not going anywhere anyway? Nobody understood anything, because everybody was too tired, too hungry, and too sick. Nobody leaves their home and risks their life unless their lives were at greater risk". (Iraqi TPV holder)*

Again, three participants who are not related and were interviewed separately, expressed similar expectations with almost identical words:

*"I heard only positive things about Australia, image that was built by Australia's own advertising. Australia is a free country. Freedom of speech, human rights are protected and respected. It is a civilised country, which provides equal opportunity for everyone regardless of your background, ethnicity, religion, gender or creed. There is no persecution for what you are thinking. Australia is a compassionate country and that there is no racism". (One Afghani woman, one Syrian man and one Iraqi man).*

One woman from Iraq, who thought she would not survive the long and perilous journey to Australia, recalls her feelings upon arrival:

*"When I saw the Australian flag dancing on the Australian boat, I felt a sense of relief and calm (because this was) a symbol of freedom, symbol of safety, symbol of peace".*

Ten of the participants expected to experience some form of detention while the government processed the papers, perhaps a couple of weeks, however all expressed shock at the length of time they were detained, the ill treatment they received, and the negative media coverage of their plight. One respondent said:

*“I was very angry about the stories that were generated about us by the media because they were introducing us to Australian society as criminals, murderers and terrorists. This is not true. We are just people who are trying to save our lives.”* (Iraqi TPV holder)

Two other participants received letters describing experiences of TPV holders out in the community, telling them that Australia was a beautiful country and that the people were much more compassionate, warm and friendly than the detention centre officers and management. The experiences of detention are now highlighted in the following section.

#### **4.5 The experience of Detention Centres**

A 1998 inquiry by the Human Rights and Equal Opportunity Commission (HREOC) concluded that:

“The policy of mandatory detention of most unauthorised arrivals breaches international human rights standards which permit detention only where necessary and which require that the individual be able to challenge the lawfulness of his or her detention in the courts. Children and other vulnerable people should be detained only in exceptional circumstances. (Recommendations 3.1-4, 16.2 of the Report). These standards are incorporated into Australian law”.

The inhumane prolonged detention of asylum seekers (especially single women, the elderly and minors) results in violations of their basic human rights as regards to: (a) the conditions of detention, (b) the detainees’ restricted access to legal services, (c) the psychological and physical effects of prolonged detention, and (d) restricted access to judicial review of detention (HREOC, 2001:13-14).

Each participant was asked to describe their journey from the detention centre to Melbourne. Most participants (12 out of 15) travelled by bus, two travelled by plane and one by car. For the 10 participants detained at Woomera (South Australia) and the two at Port Hedland (Western Australia), the journey to Melbourne took one day, while for the three at Curtin (WA) the journey was three to four days. Only four of the 15 participants knew of anyone living in Australia that they could contact. Eight of the bus travellers had a journey of about 17 hours - a comfortable trip with very sympathetic bus drivers and regular stops. Four were on the road for three nights, an exhausting and harsh trip with few breaks. They had no warm clothing and suffered greatly as the climate changed from Curtin, WA to Melbourne’s winter. None of the buses had medical or first aid help and some passengers were unwell. Those who travelled for three nights felt vulnerable and scared.

As a measure of the effectiveness of the information systems of the reception centres, only five participants remembered what suburb they came to when they arrived in Melbourne. The others could describe it only as a reception centre and said they were afraid because they knew nothing about Melbourne:

*“All we know is the name of the city. The detention centre officers told me Melbourne was a dangerous city. I was crying on the bus, I wanted to go back to Perth.”*

All participants recalled being confused, tired and hungry arriving in Melbourne. One woman said:

*“We were starving when we arrived. People there announced they had difficulty organising halal food. They said if we waited a little longer they would organise some food. A couple of hours later they gave us bread and cheese. We were so hungry we didn’t care whether it was halal food or not.”*

The process at reception centres took from four to six hours depending on the number of arrivals. Thirteen participants remembered talking to DIMA, Centrelink and bank representatives. The other two recalled other service providers being there - housing, material aid and some community members. However, all participants found it difficult to distinguish the different agencies. One participant recalled:

*“(There were) representatives from government departments at the reception centre when we arrived. They organised all the paper work. There were so many papers. They gave us temporary health card, temporary bankcard and a temporary visa. Everything in our life is temporary.”*

There was a range of responses to the question on availability of, and access to, information and referral networks. All the participants at the time of arrival in Melbourne were extremely tired and claimed there was too much information and it depended on who was interpreting on the day. Three participants said they did not retain any information, they remember it as a “blur”. Only two participants remembered there were other service providers available.

Six participants indicated that the information they received was insufficient and six said it was confusing. Three found it sufficient or satisfactory. All of the Iraqi participants expressed gratitude to community based organisations, health centres, foundation house, and some workers at the Migrant Resource Centre, the Darebin City Council, volunteers and some members of their own community.

However, Afghani people reported unpleasant experiences from their own community. “Those who are managing Afghani organisations are discriminating against those Afghani like myself who are from a minority ethnic group.” They much preferred the mainstream services and expressed gratitude to the workers at the health centres and the foundation house.

Upon arrival in Melbourne, the expectations of the participants were identical on two issues: all expected to be free and to live without fear; and that they would be helped to make the transition period to settlement. Those who came as a family hoped to find jobs, that their children would go to school and that they would lead a “normal life”. They expected some kind of orientation to teach them basic needs like how, and where, to buy food. However, there were many sentiments expressed that suggested they did not know what to expect. Their experiences in the detention centres had blurred their image of Australia, but they wanted to believe it was a “bad dream” and still hoped for a warm welcome and – very strongly – hoped that their lives were going to change for the better.

All participants enjoyed the new freedom of moving around their new neighbourhoods, but said they felt imprisoned psychologically because they lacked control over their lives and their futures. All had positive experiences with Australians they met who were friendly and welcoming. They also appreciated the help they received from community health centres, local councils, the foundation house, the TPV workers and other community organisations and volunteers.

As regards to their visas, all participants understood the visa they hold is temporary and that they could not use particular services such as education (in particular English language tuition) and job training. They knew they could not travel outside Australia and were not eligible for family reunion. They believed that the TPV was very limiting and discriminatory. All the participants believed this visa was designed to punish them and add more uncertainty to their lives:

*“It means it’s temporary, it means our future is uncertain and unclear. We don’t know what is going to happen to us, whether we are going to be deported or remain here. Once again I am at the mercy of another power. I don’t have the right to sponsor and protect my children, which is a natural instinct for a mother. Can the decision makers separate (themselves) from their children for three years”?* (Afghani woman)

This sense of uncertainty was reflected in the responses of other participants, including one Iraqi woman, who explained:

*“If you are a TPV nobody wants to give you housing, nobody wants to give you a job. We’re discriminated by everyone because we are TPV.*

*TPV means my plight and circumstances is not recognised, it means I have no control over my life and my future, it means I cannot plan and I don't know what is going to happen to me."*

The most common feelings raised in relation to the TPV regime were:

- Anger;
- Uncertainty about the future;
- Feeling powerless;
- Feeling punished;
- Feeling they had failed family members left behind; and
- Feeling unable to heal and move on in life.

One Iraqi man believed the visa was invented to punish them because of the way they arrived:

*"The Australian Government should not judge us before determining our situation. We feel that we have suffered enough. I don't want to run any more and I don't want to be punished any more".*

An Iraqi woman expressed a similar view:

*"The Australian Government is trying to stop people coming to Australia by boat. They don't understand nobody wants to leave a happy safe home, we don't come because of choice. We leave our country and our homes because we can die if we stay. The government is making this situation worse because people are now coming with their families not on their own and the families who are left behind are also coming because they know that there cannot be family reunion under TPV. I feel discriminated, judged and totally powerless".*

A woman who left her husband and children behind in Afghanistan had a similar reaction:

*"I feel it is restricting me from my basic human rights. I can't support my husband and children, I cannot study, I have no control over my future or my family's future. All these restrictions placed upon me are leaving me feeling powerless, I feel I am tied up and I can't move. This feeling is affecting my mental and physical health. I am constantly thinking about my husband and children in the hands of the Taliban."*

There is an overwhelming feeling of powerlessness and worthlessness reported by all participants. They use terms like "feeling stuck and unable to move". One woman described it as "suffocating and emotionally imprisoning", while an Iraqi man simply said, "I still feel stateless and I still

don't belong". All the participants in this study believed that the TPV policy could not possibly benefit Australia.

In terms of their financial situations, only two TPV holders still had some money and would have liked to start their own business in Australia but could not, while the other 13 had no money, but possessed diverse skills, which they wanted to use in Australian society. Some need minimal professional training and/or English language courses before they are able to contribute but felt frustrated that they cannot access these services.

All the participants said they appreciated the special benefits payments, but felt insulted by this government "hand out". They would have preferred the chance to work because many have to support spouses and children they left behind.

Having survived a hazardous journey to Australia and the depressive experiences of detention, the first few days in the healing process (post-release) are critical to the well-being of the TPV holders. Tiredness, mental confusion and fear are three of the salient emotions asylum-seekers experience when they first arrive in Melbourne. There is a clear need for greater sensitivity in the supply of information and duty of care provided by the relevant authorities. Given that services to TPV holders are already limited, it is essential that whatever is available must be communicated properly to TPV holders and unnecessary delays minimised if not avoided altogether. The next section outlines in detail the settlement experiences of TPV holders.

#### **4.6 Post-release settlement experiences**

Each of the 15 participants were asked to prioritise their current needs in the areas of health, housing, employment, education, income security, social support and any other needs they perceived were important. Every respondent identified more than one area as an immediate need and responses are summarised below.

##### **4.6.1 Social support**

Every participant had experienced difficulties accessing services. The services they listed were: education, language classes, employment and employment training, family reunion and restrictions on travel. More than half the participants reported that they had difficulty accessing housing. One participant stated, "*(W)hen we tell people we are looking for house or job, they look at us like we have some diseases*". All participants believed they were unable to access these services because of the restrictions placed upon them by the TPV they held.

All 15 participants believed their experiences could have been different and they would have preferred it to be different. The responses were very vocal and emotional. Eleven participants spontaneously referred firstly, to their detention centre experience. Secondly, they wished they had had better settlement into the Australian community, and finally, the TPV restrictions were raised. The other four felt very strongly primarily about visa restrictions (especially family reunion, travel restrictions and restrictions on using settlement services) and secondly, their detention centre experiences.

All the participants understood the need for, and even expected, Australia to impose some form of detention - to establish if refugees have any contagious diseases, or are politically or criminally dangerous. However, they believe that once these concerns are addressed, refugees should be free to live in the community and become part of it. As highlighted in Section 4.5, the participants felt that the conditions in the detention centre could be more humane with people treated with dignity as human beings rather than criminals. Conditions were deplorable – such as no hot water, no fans or air conditioning, and very limited medical services. The situation in detention centres could be improved by informing the refugees what the processes are and how long they might take and certainly there needs to be more information regarding the progress of their cases:

*“If you push people to the maximum they will break and they can do anything.”*

The participants' description of the detention centres were so fresh in their minds that some relived their experiences as they responded to the questions. One participant said:

*“It is a place I cannot describe but I can tell you it is a place where you can lose your mind and soul.”*

Generally, the respondents felt the sooner they were released into the community, the easier it would be for them to begin to establish living independently. There is a strong belief that extending and compounding the experience of trauma (by means of a hostile mandatory detention and a punitive visa regime) is counterproductive to a quick and easy process of rebuilding shattered lives. This issue clearly warrants further longitudinal research where comparative analyses of both visa regimes (PPV and TPV) are undertaken systematically.

“Visa restrictions are not benefiting anyone including the government”, stated one of the TPV holders, who believed that if people had access to education and training, their increased rate of employment and/or business establishment would reduce the money the government is paying in benefits.

Indeed, he added, “the working person will be paying the government with taxes”. Another woman participant added that this kind of approach would reduce isolation, improve self-esteem and self-image, which in return will reduce demand on mental health and physical health services.

Family reunion and travel restrictions further imprison and marginalise TPV holders who believe that they should be treated like any other refugees because that is what they are. When the TPV holders were asked (through interpreters) about their plans for the remainder of the time they held TPV status, many responded with a blank look, which quickly turned sad. All participants answered with a variation of:

*“How can we make plans when we don’t know what is going to happen to us? We don’t have control over our future, the Australian Government has. We cannot plan until the Government decides.”*

The level of anxiety about the uncertainties of their future was evident and strong. One woman commented:

*“...if I had control over my life and future I would like to find a job, my husband would like to find job, pay our tax, pay our mortgage and have a normal life”.*

The participants feel their lives have been frozen for three years. It has created anxiety and insecurity. Those who are approaching the three-year visa period, on one level do not want it to end: they fear being sent back. On another level, they want the “nightmare” to end. The visa is the primary focus in their lives at this stage of settlement. They clearly desire to move forward as some have been feeling ‘stuck’ for years. There is a strong yearning for a fresh and energetic start to a new life in a new country as soon as they are given permission. They point to the many professional skills they possess and their responses reveal them to be highly motivated people with strong desires to pursue employment and businesses, to improve or learn English, and find out for themselves how in Australian society they can pursue a “normal life”.

Iraqi women who attended an Iraqi women’s group run by the Darebin Community Health Centre, said it had reduced their social isolation to some extent. Others were more cautious, particularly Afghani participants, about socialising with their own community because of ethnic and political divisions in their own community. Other needs identified by the participants include a reconsideration of family reunion policy, followed by a removing of restrictions placed on individual asylum seekers as a result of the TPV policy.

In terms of assistance in settling into their new communities, twelve of the participants were able to identify that Centrelink assisted them with income security, while three believed all assistance, including income security, was provided by DIMA. Two participants recalled being helped with material aid by the Salvation Army while 13 did not know who helped them. Two participants found their own accommodation, four could not remember who helped them, four received assistance from the TPV workers, two described it as emergency housing and three thought it was DIMA who assisted them with housing. Five of the 15 participants either did not remember, or did not know, who helped them. Four received no assistance, three thought it was DIMA who assisted them, two were assisted by the Salvation Army, and one said he used his own resources. It is clear from this that there is much confusion within the minds of the refugees at the point of settlement. All steps must be taken to minimise the uncertainty and confusion felt by people who have already suffered a great deal of trauma.

#### **4.6.2 Health**

To understand the health needs of TPV holders, it is paramount to define the context and experiences that characterise the long journey from 'fleeing persecution' in the homeland to detention in the country where protection is sought officially. Although accurate statistics are difficult to establish given the nature of the topic and the lack of clear guidelines and definitions as to what constitutes traumatic experience and harassment in different countries. Anecdotal evidence, supported by the findings of this report, suggest that nearly 80% of all genuine refugees have suffered from some form of torture and trauma. Although the level and severity of the experience varies significantly from one individual to another, nevertheless the underlying theme is characterised by consistent narratives of forced displacement, detention, physical torture, rapes and abduction of relatives and close friends. The following points summarise the long journey travelled by most of the TPV holders in this study:

- persecution in the country of origin,
- torture (for political dissidents) and rape for many women,
- stay/detention in country of first asylum (sub-standard conditions),
- boat journey (trauma and high risk)
- prolonged stay in detention centers (on average 9 months but could stretch for much longer),
- isolation and lack of appropriate services while in detention centers (in particular the effect of such harsh conditions on children and single women);
- post-detention: two possible outcomes/scenarios
- scenario1: asylum seeker is determined to be genuine refugee and issued with a TPV, or

- scenario 2: asylum seeker is not granted such status and ultimately deported after failed legal appeals.
- As far as mental and physical is concerned, TPV holders, like most traumatised refugees, exhibit a pressing need for:
  - a prompt health and psychological assessment given the undeniable high levels of traumatic experiences,
  - culturally and linguistically appropriate health services (in particular with regard to mental health and women health);
  - provision of complementary settlement services in particular language and job training programs which are usually the best way to commence the healing process, and
  - avoiding of exclusionary and punitive measures which can only deepen the psychological scars and symptoms associated with persecution, torture and detention.

Many of the health problems associated with detention would be minimised if the length of stay was kept to an acceptable level. All the participants in this study spent at least four months in a detention centre after their arrival. While the longest stay was 13 months, the average was nine months. Sultan & O'Sullivan (2001:3) suggest that "there may be some common themes in the psychological reaction patterns of detainees over time. Each successive stage is associated with increasing levels of distress and psychological disability". Sultan and O'Sullivan (2001:4) summarise these stages as:

- **Non-symptomatic stage** (detainee shocked at being detained but still hopeful of early release during the early period of detention);
- **Primary depressive stage** (following initial rejection of application by DIMA and the realisation of the possible deportation);
- **Secondary depressive stage** (following rejection by RRT and an overwhelming feeling of impending doom); and
- **Tertiary depressive stage** (mental state becomes dominated by hopelessness, passive acceptance of predicament, fragmentation of ties to other detainees and chronic impairment in concentration).

The Sultan & O'Sullivan (2001:5) study reports a wide range of psychological disturbances among detainees at the Villawood detention centre. The "most commonly observed effects of detention include separation anxiety, disruptive conduct, nocturnal enuresis, sleep disturbances, nightmares/night terror, sleepwalking, and impaired cognitive development". These findings are in line with previous inquiries (HREOC,

1998)<sup>29</sup> into the impact of mandatory detention on the psychological and physical conditions of asylum seekers.

These traumatic experiences, resulting from being detained for an extended period of time in inhumane conditions, are not immediately addressed upon release because of the limited access to services and the other punitive measures associated with the TPV policy. In fact, on release most TPV holders live in short-term housing then move to housing classed as either 'temporary' or 'emergency'. However, nine of the fifteen participants were still living in short-term accommodation between six and 12 months after their release. Two had been living in temporary accommodation for between three and six months. Two have been living in emergency housing for two months. Only one lived in medium-term housing and had been for the last two years.

It is an undeniable fact that the manner in which asylum seekers are treated in Australian detention centres impacts upon their already fragile health conditions in a negative way. The harsh treatment the asylum seekers receive while in detention centres, their sense of isolation and exclusion, and their overwhelming feeling of uncertainty and powerlessness can only compound their fragile physical and mental health. Yet, it is significant that when asked about their priorities, most did not list health as a first priority as they were more concerned about housing, employment and family reunion. When health was discussed, a frustration with accessibility of health services, the lack of culturally and linguistically appropriate services and the long periods of waiting time between request for the Medicare Card and its actual issuing by the relevant authorities.

In terms of specific health needs, the issues highlighted by the participants were very broad, and quite holistic. Dental and optical care were immediate needs, followed by psychological care and counselling due to the experiences of torture, trauma, grief and separation anxiety. General health was seen as less significant than these other health issues. Four participants reported that they were helped by the local community health centre, and two by the foundation house. Three could not remember who assisted them, six said they received no help with health issues - three of these had helped themselves through community information and word of mouth. Five participants got their Medicare cards themselves, after being directed to the local Medicare office by their own communities. However, even this did not prove to be a positive experience as they had to visit the office several times before any action was taken. Three could not remember who assisted them, three recalled being helped by Medicare representatives at the reception centre, three thought it was DIMA and one was helped by the community

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<sup>29</sup> HREOC Report (1998), "Those who've come across the seas: Detention of unauthorised arrivals".

health centre. All participants' Medicare cards were slow in coming - some up to two months - which prevented them from seeking medical attention as evidenced by the following statement:

*"I just wanted to recover from my mental and physical health problems which, crippled my life after being tortured. I hoped that I would be treated. Once again I was terribly disappointed, as I could not access any of the services I required for five months. The general practitioners would not see me because I did not receive my Medicare card for two and a half months. It took the same amount of time to get a referral to see the appropriate specialist."*

TPV holders represent a vulnerable group of people traumatised by their experiences as oppressed, displaced and detainees in extremely harsh conditions. The findings of this study as regards the health needs of TPV holders are in line with all the available evidence (e.g., HREOC 1998; O'sullivan & Sultan 2001), which clearly indicates that the prolonged mandatory detention of asylum seekers has devastating effects on their physical wellbeing and psychological health. Appropriately targeted health services should be a priority, and various types of health care services, including mental health care should be made readily accessible to all TPV holders upon release from detention centres.

#### **4.6.3 Housing**

Housing needs created further stress and anxiety. As already noted, nine of the participants (that is 70% of the participants in this group) lived in short-term housing, two in temporary and two in emergency housing. The nature of the visa, and not being able to find work had made it very difficult to establish reliable housing. It is clear that after the fear and persecution the refugees had experienced in their country of origin, the hazardous trip to Australia, and then being detained for several months, establishing a 'home' is of critical importance. All of the participants had been living in temporary conditions since fleeing their home country and the fact that they continued to live in temporary housing meant feelings of insecurity, anxiety and helplessness were sustained.

The healing process and the rebuilding of shattered lives cannot be achieved without a basic housing arrangement. The TPV holders already face considerable challenges in starting a new life in a society that is linguistically and culturally alien to them. An adequate 'house' will be essential in recreating a sense of 'home' where a sense of security and stability can be harboured. In fact, along with health care and language programs, housing is of critical importance to the long term process of adjusting and settling in the new society.

#### **4.6.4 Education and language**

All participants identified education as one of their greatest needs. Language is the most difficult barrier to finding work and establishing a new life for themselves. Lack of English language tuition only increased feelings of social isolation, and is a key factor that keeps TPV holders dependent on others for basic needs. None of the 15 participants received language classes.

A number of reports have highlighted the importance of English language skills and particularly the relationship between securing such skills and entrance into the labour market (Jones & McAllister 1991; Stromback & Preston 1991; Plimer & Chandlin 1996). It has been known for many years that refugees are the most disadvantaged of immigrant groups and that much of this disadvantage is the result of poor English language skills and the relative recentness of their arrival (Wooden, 1990: 236). It is clear that the restriction placed on TPV holders in accessing English language tuition is, and will be, a significant contributing factor to their continued struggle to establish themselves in Australia.

#### **4.6.5 Employment and income security**

Employment was identified as essential for providing TPV holders with income to meet their immediate needs, to support spouses and children they had left behind and to increase their self respect, self confidence and self worth, which they reported had been diminished. Eleven participants received no assistance with finding a job. Three participants attended a one-week course called Introduction to the Employment Market, which was offered by Adult Migrant Education Services (AMES), and one participant found work through his own initiative. It is clear that if TPV holders continue to be locked out of the labour market the cost to them individually is very high as there long-term implications both financial and emotional. And even from a pure economic perspective, it is likely that impoverished and ill-treated refugees will struggle to succeed in a highly competitive labour market and as a result rely on charities and Governments for their basic needs.

#### **4.6.7. Family reunion and the rights of the child**

Despite the obvious hardship and difficulties caused by the lack of appropriate settlement services such as housing, education and income support, perhaps one of the most inhuman aspects of the TPV policy is the denial of the basic human right of family reunion. 'This is a flagrant violation of the human rights of children, the most vulnerable of these most vulnerable people. Under the Convention on the Rights of the Child children are entitled to the care and protection of both parents and their families are entitled to state support to ensure this. The Australian Government, however, actually prevents it. It keeps children separated from their refugee parents here,

usually resulting in these children living in circumstances of deprivation and danger. It also results in children being exposed to greater danger by being brought to Australia by boat. Of course, the rights of parents too are violated. Each person has a right under the International Covenant on Civil and Political Rights to found a family. Denying refugees in Australia the opportunity of establishing their family here through family reunion effectively violates this right'.<sup>30</sup>

All participants in this study expressed their grave concerns for those left behind. The general feeling among TPV holders is one of extremely high levels of anxiety and depression as a combination of feeling guilty about not being able to help family members and insecure about being in a foreign land on their own. In the Arab-Islamic cultures of the various countries of the Middle East, the family unit is the most revered social institution. Individuals in particular single women and children are most at risk as they feel destitute and vulnerable in new and challenging environments.

As far as children are concerned, the practice of detention and the restriction placed on family reunion post-release are placing Australia in breach of its obligations under the Convention on the Rights of the Child, particularly (but not restricted to) Article 19(1) "State parties shall take all appropriate legislative, administrative, social and educational measures to protect the children from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, whilst in the care of legal guardian(s) or any other person who has the care of the child"<sup>31</sup>. It is, therefore, imperative that children's rights are upheld in accordance with International Conventions and the Australian Domestic Law that guarantees the basic right of the child to grow and develop in an environment free of despair and maltreatment.

A recent HREOC report (2002, Media Release dated 6 February) following inspection mission to the Woomera Detention Centre, found that 5 children took part in lip sewing, 3 children tried to inflict self harm through slashing, 2 children attempted ingestion of shampoo, one child attempted suicide by hanging and 13 other children threatened self hurt. The report states that *'this is a significant proportion of the total child population of 236 at the Centre. It would indicate that, not surprisingly, children are responding to the atmosphere of despair in which they live. It is self evident that manifestations such as these are likely to permanently mark the psychological outlook of these children'*.

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<sup>30</sup> Chris Sidoti, Foreword section to this Report.

<sup>31</sup> Australian Human Rights and Equal Opportunity Commission, Media Release 6 February 2002.

The Government must fulfill its legal obligations and ensure that treatment of minors in detention centres is in accordance with UNHCR guidelines on refugee children. Whilst this report is unequivocal in calling on the Government to minimise as much as possible the time minors spend in Detention Centres, it reiterates the fundamental point that the Government in the meantime must take all appropriate measures to provide social, health, education and cultural programs necessary for the developmental needs of children and babies in detention. Irrespective of whether one is in favour of detention policy or against it, children rights should never be compromised as this constitutes not only flagrant breaches of the Convention on the Rights of the Child but also a clear lapse in our morals, values and humanism. The Government needs to listen to professional advice and increasing empirical evidence that overwhelmingly call for the need to reassess the treatment of refugee children and ensure their right to adequate standards of emotional care and social services.

### **Summary**

As far as the adequacy of services is concerned, this report found that TPV holders are facing significant difficulties and unnecessary hardships to access most basic services such as housing, English language programs and appropriate mental and physical health services. By definition all TPV holders suffered variant levels of persecution and most endured inhumane experiences of humiliation and torture and in many cases life-threatening practices. Having endured the prolonged stay in Detention Centres where conditions remain socially less humane and morally unacceptable, TPV holders represent a vulnerable group of people whose needs for specific services and other settlement services are even greater than those off-shore refugees granted a PPV.

Yet, the findings of this report paint a picture where the lack of timely and appropriately targeted services is resulting in despair, disillusionment and unusually high levels of anxiety and health disorders. It is easy to forget that TPV holders are, in accordance with the Government's own strict guidelines, genuine refugees whose right for protection has been compromised and undermined because of their mode of entry into Australia. The implications of harsh treatment the TPV holders receive is that Australia's commitment to refugees and human rights is dependent on such factors as a person's mode of entry rather his genuine need for protection and in some cases resettlement.

The feelings of the participants regarding the level of support they received since arriving in Melbourne was a salient theme to emerge from the interviews with eleven participants rating the level of support as poor. They experienced little or no co-ordination among service providers. Some found it difficult to find out what services existed and how to access them. Basic

information such as how and where to buy food, how to use public transport and how to pay bills was not provided. Two participants became lost when shopping for food. The TPV holders who are settling in the Darebin municipality are using the city's services and are reasonably satisfied with the overall level of support.

However, many participants claimed that special benefits from Centrelink barely covered food bills, while practically, most participants expressed urgent need for clothing for themselves and their children, for basic furniture, extra blankets, refrigerators, washing machines and cooking utensils. For others the priority was in providing financial support to their families: "I cannot eat when I know my family is starving over there", said one Iraqi man.

Of further importance was the fact that nine participants did not know that people from their community lived in Melbourne. By networking within their own communities it is clear that TPV holders have some hope of establishing both employment and income security. Six knew that people from their community lived in Melbourne. Three of those who knew of their own community in Melbourne had no expectations of them. The other three did expect that their community members would have been more involved in the settlement process than they were. They expected to be shown "how to get around", where the local schools and shops were, and how to find work. They also expected some social interaction to help reduce their isolation and loneliness.

In terms of settlement, the issue of the programs and services that are available to migrants generally, and refugees specifically, has been a contentious one since the *Galbally Report* of 1978, which highlighted the inadequacy of such provisions. Jupp (1986) claimed that settlement for migrants is only complete when they have full and equal participation in Australian society. It is clear that the restriction placed on the participants of this study, as a result of their TPV status is not only discriminatory but increases the pain and isolation these people already feel and is a significant obstacle to their settlement.

## 5.0 COMMUNITY ORGANISATIONS AND THE TPV

*In democratic countries such as Australia, the fulfilment of basic human needs and rights is usually achieved through a “negotiated balance of state, community and private interest and action”.<sup>32</sup> The devolution of responsibility from the state to individual and to community groups along the lines of the Federal Government’s “mutual obligation” (broadening of responsibility) principle<sup>33</sup>, has created many headaches for the community sector’s delivery of social and welfare services.<sup>34</sup> Although these groups have the potential to “unify groups of people from disparate backgrounds... borders and allegiances” as they do not have ‘national interest’ as a guiding principle as the state does, they must continually balance conflicting interests if they are to meet their service goals.<sup>35</sup>*

For most non-government and community organisations the provision of services requires juggling the principles of their respective organisations and maintaining independence from the state while also needing to work within and with the functions of the state. Although the various levels of government in Australia are expected to play a role in policy orientation and service provision for newly arrived humanitarian entrants, it is non-government and community organisations, with whom refugees, especially TPV holders, have the most direct contact. This is particularly so with regard to direct service delivery at a state government level. Among the different organisations that come under the broad term of “community sector” are the following:<sup>36</sup>

- Non-government organisations (NGOs) providing advice and casework assistance;
- Church/religious based organisations providing similar services;
- Ethno-specific community welfare agencies;
- Volunteers (both mainstream and from the refugee communities); and
- Proposers (sponsors) and other members of the community.

Some NGOs and community organisations do not receive any government assistance (in large part as the result of a conscious decision to retain independence). Many others balance government funding with funding from their constituency and/or from fundraising. As will be discussed later, volunteers also play a vital role in assisting in the provision of settlement

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<sup>32</sup> Tazreiter, C. (2000) ‘Balancing Acts: non-government organisations between independent and incorporation’, *Third Sector Review*, Vol. 6, No. 1 / 2, p 89.

<sup>33</sup> *Ibid.*, p.96.

<sup>34</sup> *Ibid.*, p.91.

<sup>35</sup> *Ibid.*, p.101.

<sup>36</sup> Refugee Council Report on Refugee Settlement in Australia, April 2001.

services. Many volunteers work with specific community associations, for example the two surveyed in this study work closely with the Victorian Arabic Social Services (VASS). Others work with mosques or church-based organisations and other service providers. Between them, the community groups, volunteers and service providers are responsible for most of the key services to humanitarian entrants and all migrants. These include, *inter alia*:

- Meeting entrants at the airport and helping them settle into their initial accommodation;
- Giving initial orientation to the local area and making sure the refugees have completed the necessary formalities (opened a bank account, registered for social security, enrolled their children in schools etc);
- Assisting the refugees to gain access to services that will meet their various needs eg language instruction, housing, education, employment, health care etc;
- Assisting by providing household goods; and
- Providing an essential link between the entrant and their new country.

As far as this project is concerned, four community organisations in Melbourne's Northern Region were invited to take part in this research project. Two responded - one a mosque, the other a welfare agency. The mosque receives no funding or assistance from any level of government and is a totally voluntary organisation, which survives on donations and fund-raising activities. The welfare agency receives a range of funding at different times from all levels of government and employs three staff to deliver services to its community.

To the Arabic speaking community, the mosque provides social activities and spiritual, social and religious support. The welfare agency on the other hand provides direct settlement services, information, referrals, cross-cultural training, youth, recreational and cultural services, and advocacy and lobbying.

Both respondents provide services to people who hold a TPV. The mosque provides direct social support and assistance with accommodation, relying on the time, knowledge and resources of its volunteers. The welfare agency provides more extensive help with outreach support services, case work, information sessions, assistance with long term accommodation, practical assistance and advice, childcare and directs TPV holders to health and other appropriate services.

The mosque assists 30 to 50 TPV holders each quarter, and the welfare agency, 40 to 55 TPV holders each quarter.

### **5.1 Issues and Findings**

When asked to nominate some of the concerns faced by the TPV holders, several issues were raised by both organisations. These were social isolation, unemployment, uncertainty and anxiety. Owing to the nature of its work the welfare agency added other concerns, namely post-traumatic stress, confusion over their entitlements, denial of access to language classes, inability to contact their families overseas, and instability and inability to establish a new life due the constraints placed upon them because of their visas.

Both agencies indicated that while TPV refugees are entitled to access health services provided by community health centres and the Foundation House for Survivors of Torture, their lack of access to systematic settlement services is impinging upon their health needs and hindering subsequent access to the appropriate health service.

Some of the immediate needs of TPV holders identified by both organisations related to finding stable, long-term accommodation, learning English, finding employment, family reunion (or even news of where their families are), relief from isolation and uncertainty about their safety. They feel a need to be accepted, and to belong in Australia.

Both organisations believed some of these issues were being addressed by some of the local service providers. For example, housing is to some extent addressed by transitional housing, Centrelink for income security but that all other issues are largely unmet.

In response to the question of 'whether TPV holders could access services freely' both organisations gave an unequivocal 'no'. Both organisations believed TPV holders could not access key settlement services, which are essential to making a home in Australia and these corresponded to their immediate needs outlined above. These were are English classes, active employment training, and access to education, right to family reunion and to travel for those who can afford it.

### **5.2 Opinions**

According to the participating organisations, the TPV as a visa category should be abolished. Other recommendations put forward were: TPV holders should be considered as other refugees and humanitarian entrants; and media reporting should be more informed in order to prevent further myths about TPV holders. The representatives of the participating organisations also claimed the Federal government should allow TPV holders access to all settlement services and that the Victorian Government should lobby and pressure the Federal Government to review its policy and share responsibilities.

The community organisations looked to the service providers to make services easier to access, for example, by seeking more funding and resources, by setting up lobby groups, and by disseminating information in the languages of the new arrivals. Barriers to services should be removed: in fact, TPV holders should have priority. In general, services needed to be more flexible and outreach services should be offered.

Both the participating organisations believed the Australian community as a whole had a responsibility to express sympathy and understanding of the TPV holders' situation, and be supportive rather than judgemental. It would also be extremely helpful if they donated goods to assist TPV holders in their settlement.

### **5.3 The impact of TPV policy on community organisations**

Both organisations had experienced impacts at different levels. Principally, the increased demand on their services had not been matched with any increase in resources. In the case of the mosque, it cannot raise any further funds when it relies on the one community for all donations: this community is simply unable to increase or even sustain its support. Also, the people who normally collect donations and organise fund raising are now spending this time helping TPV holders.

The welfare agency has also experienced an increase in demand – for a wider range of services, for advocacy and referrals as well as material aid. It has had to try to find funds to buy essential household goods like refrigerators. Meanwhile, staff are helping TPV holders with filling out forms, a task made more difficult by language barriers. They are also obliged to liaise with government service providers and agencies that are seeking cultural information about TPV holders. As one of the community organisations spokespersons summed it up: “There is no additional funding or support to respond to the increased demand. Hence this has placed enormous pressure on our services, our workers and of course our volunteers.”

The findings from these two organisations, being a limited sample, supports and highlights the findings of Mann (2001) whereby the TPV policy is greatly increasing the stress placed on community organisations. The policy is creating tension and division in the affected communities and the stress flows on to affect service providers, including local government councils, state governments, and small under-resourced, community based organisations. There is clearly a great deal of work to be done at the interface between the Federal Government, state and local governments, and community agencies – all of which have implicit and explicit responsibilities to TPV holders.

## 6.0 VOLUNTEERS AND THE TPV

The following section attempts to present the issues raised by the participants who worked as volunteers. It is by no means a total and complete expose on “settlement”. Rather it is an overview of the things that are seen as being important by those who are working first-hand with refugees.

### 6.1. Personal Background

Two volunteers were interviewed, both males from Iraq, in their early to mid thirties, married with children. Both spoke English and Arabic and now live in the City of Darebin. Sami (pseudonym) came to Australia under the Humanitarian Program four years ago and Hamed (pseudonym) came to Australia as a refugee six years ago.

Both volunteers had very similar responses to the question “Why do you do voluntary work with TPV holders”? They both feel empathy for these new arrivals. Hamed said:

*‘I understand their position, their background and what they have been through. I came from the same place, where they have no value for human life’*

Both said they were “luckier than the TPV holders” because they had access to settlement services. These gave them certainty, permanency, and a sense of protection. They said they did not feel exposed, alienated or judged, and were able to begin to put the past behind them and plan for a new beginning.

Sami had been working with the TPV holders on a voluntary basis since the introduction of the visa almost two years. He was linked to a community based organisation and two service providers. Hamed had been volunteering for the past nine months and worked independently. However, the kind of work each did was almost identical. “Everything” was how Sami summed it up. They taught the TPV holders practical, day-to-day living skills, and helped with immediate settlement needs, networked and advocated on their behalf, and introduced them to housing, material aid, food and health services. They also linked them into their own local ethnic community and sometimes helped them find their relatives or people from their town now living here. They provided counselling and organised and conducted information sessions in their own language. “We have to be everything and we have to do everything because nobody knows whose responsibility they are,” Sami said.

Volunteers worked each week from 30 to 45 hours, depending on how many TPV holders were released in their region from immigration detention centres. The volunteer who is linked to other organisations is receiving some level of support from his peers and other professionals in the area. The independent volunteer, however, does not receive the same level of support, which can be very stressful at times. They both incur expenses while working with TPV holders ie telephone, petrol, travel etc, and both use their own vehicles on their voluntary 'rounds'. While some of these expenses are reimbursed by the City of Darebin and other organisations, their labour is unpaid.

The volunteers were also asked about their understanding of the TPV policy. Sami claimed it to be "a new concept, a cloudy and grey policy based on political gain rather than a humanitarian perspective". Hamed's response was that it was "new legislation to discourage people from coming to Australia'. He further suggested it is "cruel, unfair and these people have no other options". Their shared view on the TPV policy was summed up by Sami who suggested it was "divisive, unhealthy and is not working. People are still coming". Hamed elaborated that:

*"The government is mainly focusing on the financial aspects and is ignoring the humanitarian aspect. This policy is discriminatory, divisive and condemns people who come by boat and label them as queue jumpers, as illegal immigrants. This creates stereotypes and divisions among refugees, humanitarian applicants and the wider Australian society"*.

The question about their opinion on the media coverage on TPV holders led to silence and a long sigh. 'A' felt the Australian media was repeating basically what the Minister for Immigration was saying and that it was "a puppet of government because it only presents the government's view". Volunteer 'B' saw it as a power issue and claimed it "clearly demonstrates unequal power distribution in Australian society. Those who can have their voices heard are able to influence opinion, and those who are unable to, are judged by the class in power, by their opinions". Both volunteers believe that the media fabricated stories to create and reinforce stereotyped images about people who are TPV holders.

## **6.2 Issues and findings**

In the opinion of these volunteers, some of the main issues faced by the visa holders were identified in the following order:

- Denial of family reunion;
- Instability, uncertainty;
- Lack of access to settlement services; and
- Having no power or say in planning their future.

These issues of course varied from individual to individual, depending on the person's background, knowledge, personal resources, level of education etc. Both volunteers indicated that none of the above issues were being addressed at the moment because "Australia is too busy judging these refugees, deterring them from coming to Australia and nobody wants to know what the issues are, nobody claims responsibility".

Both volunteers' assessment is that TPV holders need to be welcomed, need to belong, and need to have their stories and their voices heard before being judged. They also need housing, material aid, access to education and training. Some also need help for physical and psychological problems resulting from witnessing massacres and torture, or from being tortured themselves.

Some of the above issues identified are addressed by local agencies. For example Darebin Community Health Centre (Darebin CHC) and Darebin City Council have organised a welcome barbecue for TPV holders, which was a positive experience for them. Their own Iraqi community made similar attempts to make them feel welcome. Other needs such as housing, material aid and health are addressed to some scale by local government, state funded agencies and other community agencies. As one of the two volunteers put it: "in order to address all the above issues we need to abolish the Temporary Protection Visa and change the community culture and attitudes."

The response to the question of whether 'TPV holders were accessing the services they need' there was an emphatic "no" from both volunteers. Both respondents believed it is due to the limitations placed on settlement services by the very nature of the TPV conditions.

### **6.3 The impact on volunteers**

The impact on volunteers has been enormous. This has occurred at an emotional level – including stress to their own families – and to their finances and health. Sami said the impact had been tremendous:

*"I have put my life on hold, I deferred my studies, I have deferred full-time employment. I spend very little time with my family. I cannot socialise any more. I don't have time for recreational activities. I don't receive any debriefing. As a result my health and my family life have suffered."*

Similar issues confronted Hamed. His opinion is that:

*"It's a double-edged sword. On the one hand, it improved my skills and self-confidence. On the other hand, I have become an absent father and husband which creates family conflict. I find it very difficult to switch off*

*when I go home. I leave my mobile on in case there is an emergency, which affects my rest time and my social life.”*

Many of the sentiments expressed by the TPV holders were also expressed by the volunteers themselves and it is clearly frustrating that people with such a commitment to address the plight of refugees are left unsupported, isolated and incurring enormous financial and emotional costs.

## 7.0 SERVICE PROVIDERS AND THE TPV

Thirteen service providers were invited to participate in the research. Advice was sought from each on the design of the questionnaire. These are agencies whose services, separately or together, are highly relevant to the needs of TPV holders, often on a day-to-day basis. Seven of the 13 responded. The organizations that participated in this project provide services in:

- Immigration applications / advice;
- Job search;
- Employment training;
- Housing;
- Short term accommodation;
- Language;
- Income security / welfare;
- Health;
- Torture / trauma;
- Material aid;
- Psychological and social counselling.

Five out of the seven respondents are based in the Northern Region. One is in the inner Northern suburbs and another in the CBD (central business district).

All the respondents responded unanimously 'yes' when asked, "Has there been an increase in demand to your services during the past 18 months, since the implementation of the TPV policy?" Some service providers offering services from several locations found it difficult to estimate the proportion of their clients that were TPV holders. Some did not keep separate statistics on TPV holders.

For all the agencies, which kept relevant data (most often because it was a funding condition to do so) – a strong increase in demand linked to TPV holders was highlighted.

- One housing service in the City of Darebin estimated the TPV holders had created a 100 per cent increase in demand for their services. A second housing service estimated an increase of approximately 10 per cent. The third housing service works autonomously and was unable to provide an estimate.
- One state government funded agency provided employment-training exclusively. The only services TPV holders are able to access are

basic courses explaining the job market. Access to these services was subject to an almost 20 per cent increase in demand.

- Another agency provided language programs, housing, immigration advice services as well as employment services. This agency was unable to meet the increased demand for many of these services and reported an increase of between 20 and 50 per cent.
- Six out of seven respondents received no additional funding or resources to meet the increased demand in funding by the State Government.
- The one agency that did receive additional funding did not specify the level of funding, or whether it was ongoing or a one-off. This same agency indicated that it developed its own strategy to service delivery when targeting TPV holders.
- Workers in some agencies are now working longer hours. Most agencies are trying to attract more volunteers. Some are constantly trying to expand their referral networks. A common response was that they were trying to cope with the increased demand by “spreading already limited resources even more thinly”.

### **7.1. Issues and findings**

The main issues for TPV holders according to the service providers are: accommodation, social support, lack of employment opportunities, language, discrimination, lack of availability and access to long term housing, material aid, financial assistance, lack of settlement services, lack of co-ordinated support services for TPV holders, physical, psychological and dental health and concerns about the safety of their remaining family members. Again there is remarkable consistency with the findings from the interviews with the TPV holders, community organisations and volunteers.

The response to the question “How are these issues addressed?” was consistent: “None of the issues were being addressed as yet”. Four of the seven service providers state that the response to their particular situation was very minimal and basic. Three out of seven agencies were distressed that “general stigma, ignorance and racism have not been addressed at all”. However, all the service providers were responding in the best way they could within their area of service and the limited resources they had.

TPV holders come to service providers with immediate needs - housing, finance, bedding, furniture, clothing, health, language, employment, torture and trauma counselling, and a need for community support and acceptance. The difficulties encountered by service providers in meeting these needs

include: limited resources, funding restrictions against helping TPV holders, lack of understanding and knowledge about the TPV, language barriers, lack of outreach services, insufficient housing, psychological problems suffered by TPV holders, restricted mobility, isolation, absence of appropriate network and over-reliance on volunteers.

The words used by the service providers to describe the TPV policy include - complex, impossible, inconsistent, discriminatory and divisive. A common view is that, “it was created as a barrier against genuine refugees”. Moreover, it is viewed as a convenience for the Federal Government because it means they can avoid their responsibilities and obligations under the United Nations Refugee Convention. The word “temporary” leads to numerous barriers and problems. It is deeply discriminatory, leaving TPV holders with inadequate services at a stage where they are most vulnerable and in need of additional resources and support.

All the participants responded ‘no’ to the question “can the TPV holders access all services freely?” One service provider did not know why TPV holders could not access all services. However, all the others clearly believed that it was the TPV policy limiting their access. Six respondents were able to list the services that TPV holders are unable to access, that is, services from predominantly DIMA funded agencies and/or services that are available to refugees with PPVs. Such settlement services include English classes, employment training, welfare services such as Newstart Allowance, Sickness Benefit, family reunion and right to travel, further their housing options are restricted. In short, the TPV policy leaves TPV holders vulnerable and discriminated against by federally funded organisations.

## **7.2. Opinions of service providers**

All seven service providers believed the key to helping TPV holders was to remove the restrictions on their visa, and allow them access to all settlement services available to refugees and humanitarian entrants. Funding and resources should be directed to all services dealing with TPV holders so they can respond to their needs.

The service providers’ views on the responsibilities of all government levels were unanimous: namely that the Federal Government should accept its responsibilities and respond more humanely to the TPV holders. It should change legislation to allow TPV holders access to settlement services. The state and local governments should lobby the Federal Government to act on its responsibilities and to treat all refugees equally.

## **7.3 Impact on the service providers**

The service providers described the ‘double’ impact of the TPV policy. The first is the impact on the services and their workers. The second is the impact they believe it is having on the TPV holders. Even when they received federal, state and local government funding, some agencies had

difficulties and this created a lot of confusion among their workers. Overwork is causing much stress as they try to respond to the increased demand with no additional funding. Committed social and community workers are experiencing great stress and anxiety because they are required to discriminate between two groups of refugees.

The already limited resources of the agencies are stretched. They react sometimes by changing their priorities and sometimes they admit at being slow in responding to competing priorities. "Often it feels like a crisis service," said one service provider. Two of the agencies can provide "only a limited service because of our funding criteria and limited resources. We are forced to be very selective about which services we provide to TPV holders simply because of the restrictions attached to the visa".

The assessment of the service providers is that the TPV has created divisions within the community and the wider Australian society. It has loaded more anxiety and insecurity onto people who have already experienced significant trauma. After release from a detention centre, the TPV holders find themselves vulnerable to discrimination, poverty and homelessness; conditions, which will have human, social and political cost in the future. Deterioration of their physical and psychological condition is also a real concern.

In summary, the TPV policy is having a profound effect at many levels and has undoubtedly imposed more stress on the TVP holders themselves, the agencies acting on their behalf, volunteers and many levels of government. No evidence could be found from any of the interviews, with any of the stakeholders involved in this policy, that the policy has been beneficial at any level.

## 8.0 DISCUSSION

### 8.1 Major findings:

The way in which TPV holders are referred to and treated as soon as they leave their detention centres is inherently paradoxical. This is because we are talking about a group of individuals who fled their countries of origin for fear of persecution and oppression. They made their way to Australia seeking its protection after spending a period of time in a country of first asylum, in most cases in South East Asia. Having been subjected to prolonged mandatory detention in extremely harsh conditions, and having been found to meet the Convention definition of 'refugees' by the Australian Government's own determination procedures, they are then issued with a secondary 'temporary' protection visa. The problem with this temporary visa is that: (1) it contravenes basic international human rights law and the 1951 Refugee Convention both of which have been incorporated into Australian domestic law; and (2) it undermines the humanitarian and settlement services so crucial in assisting refugees to survive their traumatic experiences and rebuild their lives.

The paradox in this situation is that a genuine refugee is being punished through prolonged mandatory detention and limited access to humanitarian services because of his or her mode of entry to the country where protection is sought. The TPV is tantamount to 'granting asylum with de facto status rather than recognising refugee status in full application of the Convention' (Vedsted-Hansen, 2002:022).

In light of the lack of local legal safeguard mechanisms and given the unhelpful political climate, this research has found that the TPV policy has undermined refugee human rights on a number of accounts. Most notably these are: (1) it suspends indefinitely the permanent nature of protection - a key element guaranteed by the UN Refugee Convention; (2) it restricts refugee access to crucial settlement services such as housing, education and family reunion; and (3) it creates and places an unsustainable burden on non-government organizations, who are left with no option but to undertake service provision, without sufficient resources or organisational capacity to do so efficiently.

It is clear that the processes of globalisation are not only about the movement of capital but also the movement of people, and Western democracies are going to have to share the 'burden' of globalisation as well as securing the benefits. It is likely, despite the punitive measures that the Federal Government is introducing, that Australia will have increasing numbers of persons arriving at its borders who cannot return to their country for fear of persecution because of the race, nationality, religion, opinion or membership of a social or political group. Most of these people are likely to

be women and children. Accordingly, the Federal Government will need to take a much more measured and long-term approach to its policies, if for no other reason than its current 'policy on the run' approach will prove to be increasingly costly – both economically and politically.

The findings of this report have been remarkably consistent across a range of stakeholders and should be of concern to Federal and State Governments alike. With the expected numbers of asylum-seekers only likely to increase, there will be increased scrutiny of the way Australia fulfils its international obligations and international criticism of the TPV policy will certainly be more forthcoming. Further, there is a clear indication with the recent rallies and protests (in opposition to both mandatory detention and the TPV policy) in states across Australia, that public opinion and the mood of the people is changing domestically from the strong support that appeared to exist for the Howard Governments' policies prior to the November 2001 election.

The Senate Inquiry into the 'children overboard affair', whereby the former Defence Minister The Honorable Peter Reith mistakenly claimed (in the context of a General Election) that asylum seekers were throwing their children into the sea, is heightening the public's awareness that much of the current political rhetoric and policy is politically motivated. For an electorate that already has minimal trust in its politicians, this inquiry, which at the time of writing is daily highlighting the 'mischief' made by Government representatives over this issue, will be critical in putting pressure on the Government to justify its policies relating to asylum seekers in more legitimate ways. This will not be easy to do as the findings of this report, and other subsequent reports are made public.

## **8.2 Recent developments:**

During an election year, the Federal Government responded to the unauthorised arrival of asylum seekers by hastily adopting a number of measures aimed at sending a 'warning to potential asylum seekers'. Such warning was that Australia is 'no longer a soft touch'. These measures included the so-called 'Pacific solution', an expensive exercise that can be described at best as unsustainable and irresponsible, in that it shifts the burden to the small neighbouring nations of the Pacific.

The 'Pacific solution' (in which asylum seekers are processed offshore) costs on average \$250,000 per applicant. This compares with a cost of \$50,000, had the applicant been processed in Australia. In fact, Australia spent in 2000-2001 "some \$211 million on detention, legal assistance, protection determination, and litigation costs for those who arrive unlawfully. and (some) \$90 million for the interception agreement with UNHCR, IOM and the Indonesian government...(and) \$148 million the Government has announced for the Pacific Solution" (RCA, November

2001:11). The total figure for the above measures comes to nearly \$450 million of taxpayer money spent in most part on deterring asylum seekers, the majority of whom (90%) are found to be genuine refugees by the government's own assessment procedures.

The recent Refugee Bills passed in the Australian Parliament, prior to the November Federal election, resulted in a new more complex visa regime intended to discourage potential refugees from seeking protection in Australia. The new regime provides for two new Humanitarian and Refugee visa subclasses:

- Secondary movement offshore entry (temporary) subclass XB447; and
- Secondary movement relocation (temporary) subclass XB451.

The Federal Minister for Immigration argues that this new regime aims to “protect settlement places for those who need resettlement as distinct from those who want resettlement and are able to travel to Australia” (DIMA, 2001). The Federal Government is still pursuing legislative and punitive measures, instead of focusing on meeting its legal and humanitarian obligations in the same manner other Western democracies (with much larger numbers of refugees) like Canada, Germany and the USA continue to do. Indeed, even economically less ‘developed’ countries like Iran and Pakistan, who between them house more than 4 million refugees on a yearly basis, appear to be taking their obligations much more seriously than the present Australian Government.

## 9.0 CONCLUSION

The findings of this research project highlight a number of problems with the current policy direction of the Commonwealth Government. The testimonies of the participants in this study clearly indicate that the recent legislative disincentives are based upon a premise which is fundamentally flawed, and, in the long term, counterproductive. In other words, the introduction of TPV (and more recently OTV), the excision of Australian territories for asylum purposes, and restrictions in settlement services will not stop genuine refugees from seeking whatever means available to them to escape oppressive regimes.

The 'pull factor argument' reiterated by the Minister for Immigration who argues that asylum seekers make the journey to Australia because of a life style choice, is a total misrepresentation of the harsh reality behind the arrival of asylum seekers to Australia. In fact, the responses of the asylum seekers to questions about the reason for leaving their countries and their expectations of Australia do not include a mention of 'life style or financial incentives' but instead refer to 'safety, democracy and human rights'. Moreover, the findings suggest that in most cases asylum seekers from Iraq and Afghanistan ended up heading to Australia rather than Europe, Canada or the USA because of the lower cost of the boat journey to Australia and NOT because of the 'pull factors'.

The findings suggest that the TPV policy and the subsequent cost shifting place an enormous strain on community organisations and state agencies. Moreover, the policy's stated aim of deterring potential asylum seekers from 'choosing' Australia is both misguided and unrealistic. In fact, since the introduction of the TPV in late 1999, and despite the so-called 'deterrence measures', the number of asylum seekers arriving by boat has not decreased noticeably. DIMA's own figures (DIMA Fact Sheets 64, 2001) reveal that the number of TPV holders granted jumped from 871 in the 1999-2000 year to 4456 in the 2000-2001 year. This is hardly a positive reflection on the effectiveness and success of the Federal Government's hardline approach.

Besides failing to achieve the Federal Government's own objective of deterrence, the TPV policy has a negative impact on refugees' mental and physical wellbeing which compounds their prior experiences of trauma in their countries of origin and in the detention centres. In addition, the TPV policy has placed a heavy burden of settlement services provision on ill-prepared community organisations struggling to meet the special needs of an increasing number of refugees left outside the mainstream humanitarian settlement services. State governments across Australia are left with no option but to assume the fiscal responsibility associated with services provision especially housing, English language programs, and psychological

and physical health services. The post-release and also post-arrival settlement services, when the individual asylum seeker is most vulnerable, should not be compromised, as they are vital for the long-term welfare of the refugees in question, and the wider community in general.

The introduction of two further levels of temporary visas (XB447; XB451) via the border control legislation will have far-reaching consequences for many of the people who were granted Temporary Protection before 26 September 2001, as well as those afterwards. The major problems and deficiencies of these temporary protection arrangements lie with the fact that they fall significantly short of the legal obligations Australia has towards Convention refugees, irrespective of the mode of their arrival. This legal obligation receives little or no mention in the national debate about asylum seekers, that has been dominated in recent weeks by a superficial, and at times, sensational coverage of the 'children overboard affair' and detainees hunger strikes and lip sewing. Such a volatile national climate dominated by media and political campaigns against asylum-seekers (inaccurately dubbed 'illegal migrants' and 'queue-jumpers') as well as a jittery international political climate – the attacks on New York and Washington, the 'war against terrorism' – is having a particularly devastating effect on asylum seekers, irrespective of how they arrived to their final destination.

This report concludes that the effects of the TPV regime on asylum seekers themselves can only be described as devastating – especially as it targets a group of people who have already suffered significant trauma and, in some cases, torture. The TPV policy further stretches the limited resources of service providers and places considerable stress on community associations and volunteers, without whom the provision of even small amounts of support would disappear. State and local governments are left to pick up the pieces and respond as much as possible to the pressing needs of TVP holders.

To conclude, it is apparent that the tough measures taken by the Australian Federal Government as its main response to the 'unlawful' arrival of asylum seekers are: (a) causing unnecessary hardship to genuine refugees; (b) placing Australia in breach of its international obligations as a signatory to the 1951 Refugee Convention; and (c) creating an atmosphere of social disharmony between various sectors of the wider Australia community who - for lack of information and understanding- perceive the 'boat people' as illegal immigrants not worthy of being accepted in Australia. In the light of these developments, it is worth remembering the 1951 Refugee Convention, which clearly provides that contracting States

*'shall not impose penalties, on account of their illegal entry, on refugees coming directly from a territory where their life or freedom was threatened...(Article 31).*

Yet, imposing penalties is exactly what the Federal Government has done through the introduction of the temporary protection regimes.

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Xborder (Australian site about refugee issues) - <http://www.refugeecouncil.org.au/index.html>

## **12.0 APPENDICES**

### **Appendix A:**

#### **TEMPORARY PROTECTION VISA HOLDERS: INFORMATION FOR VICTORIAN SERVICE PROVIDERS**

##### **WHO ARE TEMPORARY PROTECTION VISA HOLDERS?**

- Temporary Protection (subclass 785) Visa holders are persons who arrived in Australia unlawfully by air or by sea, applied for a protection visa after 20 October 1999 and have been recognised by Australia as refugees in accordance with the United Nations 1951 Convention and 1967 Protocol relating to the Status of Refugees.
- The Temporary Protection Visa subclass has been introduced by the Government to deter the increasing number of unauthorised arrivals to Australia which threatens the orderly processing of applicants for the Refugee and Special Humanitarian Programs. It is intended that the visa will assist with equity and fairness in processing by encouraging persons to apply offshore for entry to Australia under these Programs, rather than entering Australia unlawfully and applying onshore.
- Temporary Protection Visas are valid for three years. Holders of Temporary Protection Visas may apply for a (permanent) Protection Visa (subclass 866). However a positive determination on the (permanent) Protection Visa application can only be made if a Temporary Protection Visa has been held by the applicant for at least 30 months (or a shorter period if specified in writing by the Minister).
- Currently the majority of Temporary Protection Visa applicants are persons of Middle Eastern origin (particularly from Afghanistan and Iraq) who have entered Australia illegally by boat and been detained at Port Hedland (WA), Curtin (QLD) or Woomera (SA) while their applications are processed. However, there are also TPV applicants from other countries who may have arrived by plane or by boat and may be detained at one of the detention centres listed above or in Melbourne, Sydney or Perth, depending on where their unlawful entry was detected.
- Persons granted Temporary Protection Visas and released from detention in Port Hedland, Curtin and Woomera will be given Government assistance to travel to Perth, Brisbane and Adelaide respectively. The Government will not provide assistance for TPV holders to travel to either Sydney or Melbourne from interstate detention centres. Therefore it is difficult to estimate how many Temporary Protection Visa holders from interstate will

make their own way to Victoria. Similarly, it is difficult to predict how many persons granted Temporary Protection Visas and released from the Melbourne Immigration Detention Centre will remain in Melbourne or travel elsewhere in Victoria or interstate.

### **WHAT ENTITLEMENTS DO TPV HOLDERS HAVE?**

- Given the temporary nature of their visa, TPV holders are expected to assume responsibility for supporting themselves and are provided with the following limited entitlements to Government services:
- **Income Support:** TPV holders can apply to Centrelink for Special Benefit, Family Allowance, Maternity Allowance, Family Tax payment and Rent Assistance. *As a guide, at 7 February 2000 the fortnightly payment rate of Special Benefit was \$326.70 for a single person, 21 or over with no children. Where a Temporary Protection Visa holder has more than \$5000 in available assets Special Benefit will not be paid. Further information about rates, including rates for couples and persons with children, can be obtained from the Centrelink web site at [www.centrelink.gov.au](http://www.centrelink.gov.au).*
- **Employment:** TPV holders have permission to work. The Minister for Employment, Workplace Relations and Small Business is yet to determine whether TPV holders are eligible for Job Network.
- **Multiple Travel and Family Reunion:** TPV holders have no right of return if they depart Australia. TPV holders are not eligible to sponsor family from overseas.
- **Medicare:** TPV holders are able to access Medicare provided they have lodged an application for a (permanent) Protection Visa (subclass 866). The lodgement of a (permanent) Protection Visa application is necessary to comply with the Medicare eligibility requirements under Commonwealth Health insurance legislation. However, as noted above, the (permanent) Protection Visa application cannot be processed for protection determination until the TPV has been held for 30 months (or a shorter period specified in writing by the Minister).
- **Department of Immigration and Multicultural Affairs Assistance:** Upon release from detention, a small amount of financial assistance may be provided to TPV holders who have insufficient resources to satisfy basic living requirements whilst they await payment of Special Benefit. DIMA ~ also provide all TPV holders with an information sheet detailing their entitlements. TPV holders also have access to the early Health Assessment and Intervention Program. This is available in Victoria through

the Victorian Foundation for Survivors of Torture. TPV holders are not entitled to access other DIMA funded-settlement services including the Adult Migrant English Program, On Arrival Accommodation or the Community Refugee Settlement Scheme.

- For further information see *Information for Holders of Temporary Protection Visas (subclass 785)*.

## Appendix B: TREMPORARY PROTECTION VISA HOLDERS' PROJECT SERVICE PROVIDERS NETWORK

Name	Organisation	Contact
Sally Timmins	Northern Birthing Support Services	9450 2061 <a href="mailto:sallytimmins@hotmail.com">sallytimmins@hotmail.com</a>
N/A	Ecumenical Migrants Centre	94160044
Irene Stevens	Salvation Army Refugees & Migrant Services	9386 4977 <a href="mailto:Irene_Stevens@aus.salvationarmy.org.au">Irene_Stevens@aus.salvationarmy.org.au</a>
Jan Oliaro	St Vincent de Paul	9629 7152 <a href="mailto:jano@svdp-vic.org.au">jano@svdp-vic.org.au</a>
Stuart Trist	St Vincent de Paul Transitional Housing	9411 4715 Fax 9411 4777
Tony Barnett	North East Housing Services	9470 4800 <a href="mailto:tbarnett@infoxchange.net.au">tbarnett@infoxchange.net.au</a>
Julie Penny	Metrowest Housing Service	96892777 <a href="mailto:jpenny@infoxchange.net.au">jpenny@infoxchange.net.au</a>
Jean Mithcell	NMIT - Language Studies Dept.	9269 8302 <a href="mailto:jeanm_ls@nmit.vic.edu.au">jeanm_ls@nmit.vic.edu.au</a>
Hulya Akguner	North Yarra Community Health Centre	9411 4333 <a href="mailto:hulyaaa@nych.org.au">hulyaaa@nych.org.au</a>
Maria Tsopanis	AMES Preston	9478 4774 <a href="mailto:tsopanism@ames.vic.edu.au">tsopanism@ames.vic.edu.au</a>
Mardi Stow	Victorian Foundation for Survivors of Torture	9388 0022 <a href="mailto:stowm@survivorsvic.org.au">stowm@survivorsvic.org.au</a>
Michael Bromhead	VFST	9388 0022 <a href="mailto:bromheadm@survivorsvic.org.au">bromheadm@survivorsvic.org.au</a>
Julia Reid	VFST	9388 0022 <a href="mailto:reidj@survivorsvic.org.au">reidj@survivorsvic.org.au</a>
Justin Chubb	SPAN Community House	9484 9748 <a href="mailto:spanhouse@pacific.net.au">spanhouse@pacific.net.au</a>
Kathleen Walsh	Red Cross	96859883
Helen Kasreskas	Migrant Resource Centre Preston	9484 7944 Fax 9484 7942
Gabrielle Fakhri	VICSEG Family & Children's Services	9383 2533 Fax 9383 2711
HeatherLeatham	Darebin Community Health Centre	9489 1388 ext.451
Dorota Jones-Olszanka	Centrelink Darebin	9920 0512 <a href="mailto:dorota.jones-olszanka@centrelink.gov.au">dorota.jones-olszanka@centrelink.gov.au</a>
Joseph Zaia	DIMA Preston	9487 3419 <a href="mailto:joe.zaia@immi.gov.au">joe.zaia@immi.gov.au</a>
Maria Spizzica	DIMA Preston	9487 3494 <a href="mailto:maria.spizzica@immi.gov.au">maria.spizzica@immi.gov.au</a>
Caroline Kitching	City of Yarra	9205 5087 <a href="mailto:Kitching@yarracity.vic.gov.au">Kitching@yarracity.vic.gov.au</a>

**Appendix C: Relevant organizations for refugees settling in Victoria  
(RCA, Refugee Settlement in Australia, 2001):**

<b>Organisation</b>	<b>Contact details</b>
Australian Red Cross – National Office	PO Box 196 Carlton South, VIC, 3053 Tel: 61-3-9345 1800 <a href="http://www.redcross.org.au">www.redcross.org.au</a>
Australian Red Cross – Victorian Division	PO Box 536 South Melbourne, VIC, 3205 Tel: 61-3-9685 9902 <a href="http://home.vicnet.net.au/~redcross/">http://home.vicnet.net.au/~redcross/</a>
Centre for Multicultural Youth Issues	Level 1, 308 Drummond St Carlton VIC 3053 Tel: 61-3-9349 3466 <a href="mailto:info@cmyi.net.au">info@cmyi.net.au</a>
Ecumenical Migration Centre	PO Box 1389 Collingwood, VIC, 3066 Tel: 61-3-9416 0044 <a href="mailto:emcv@vicnet.net.au">emcv@vicnet.net.au</a> <a href="http://home.vicnet.net.au/~emcv/about.htm">http://home.vicnet.net.au/~emcv/about.htm</a>
Ethnic Communities' Council of Victoria	150 Palmerston Street Carlton, VIC, 3053 Tel: 61-3-9349 4122
Geelong Ethnic Communities' Council	153 Pakington Street West Geelong, VIC, 3218 Tel: 61-3-5521 6044 <a href="mailto:gmmc@geelongmrc.org">gmmc@geelongmrc.org</a> <a href="http://www.geelongmrc.org">www.geelongmrc.org</a>
Gippsland Migrant Resource Centre	100-102 Buckley Street Morwell, VIC, 3840 Tel: 61-3-5133 7072 <a href="http://www.bbosc.vic.gov.au/i322.htm">www.bbosc.vic.gov.au/i322.htm</a>
Inner Western Migrant Resource Centre	Level 2, 289 Barkly Street Footscray, VIC, Tel: 61-3-9689 2888 <a href="mailto:iwrmrc@iwrmrc.org.au">iwrmrc@iwrmrc.org.au</a>
Inner Western Region Migrant Resource Centre (Footscray)	Central Park Community Centre 2 Lonsdale Circuit Hoppers Crossing, VIC, 3029 Tel: 61-3-9748 3066 <a href="http://avoca.vicnet.net.au/~skcc/mrcfweb/mrcfhome.htm">http://avoca.vicnet.net.au/~skcc/mrcfweb/mrcfhome.htm</a>
Jesuit Social Services	PO Box 271 Richmond, VIC, 3121 Tel: 61-3-9427 7388

Melbourne Catholic Migrant & Refugee Office	PO Box 146 East Melbourne, VIC, 3002 Tel: 61-3-9926 5720
Migrant Information Centre	PO Box 317 Mitcham, VIC, 3132 Tel: 61-3-9873 8377 mic@miceastmelb.com.au www.miceastmelb.com.au
Northern Metropolitan Migrant Resource Centre	175 Glenroy Road Glenroy, VIC, 3046 Tel: 61-3-9306 5611 nmmrc@nmmrc.org.au
North Eastern Region Migrant Resource Centre	251 High Street Preston, VIC, 3072 Tel: 61-3-9484 7944
North West Region Migrant Resource Centre	27 Alfrieda Street St Albans, VIC, 3021
Refugee & Immigration Legal Centre	67 Brunswick Street Footscray, VIC, 3065 Tel: 61-3-9483 1144
South Central Region Migrant Resource Centre	22a Atherton Road Oakleigh, VIC, 3166 Tel: 61-3-9563 4130
South Central Region Migrant Resource Centre (Pahran)	24 Victoria Street Windsor, VIC, 3181 Tel: 61-3-9510 5877
South Eastern Region Migrant Resource Centre	1 <sup>st</sup> Floor, 314 Thomas Street Dandenong, VIC, 3175 Tel: 61-3-9706 8933 www.sermrc.dandenong.net
Springvale Community Aid & Advice Bureau (SCAAB)	5 Osborne Avenue Springvale, VIC, 3171 Tel: 61-3-9546 5255 scaabspr@vicnet.net.au
Westgate Region Migrant Resource Centre	78-82 Second Avenue Altona, VIC, 3025 Tel: 61-3-9391 3355

**Appendix D: Questionnaires to service providers:**

TPV Research Project  
**SERVICE PROVIDERS**

(Information contained in this questionnaire is strictly confidential and will only be used for the purpose of this project.)

**Section One****Agency Profile**

1. What type of service does your agency provide? (You can tick more than one box)

- Income security    Housing    Health    Material aid  
 Language    Education    Employment    Other\_\_\_\_\_

2. Postcode of the location of your agency

\_\_\_\_\_

3. Has there been an increase in demand for your services within the last eighteen months (since the implementation of the TPV policy)?

- Yes    No

4. If yes, how many and/or what percentage of the increase in demand accounts for TPV holders?

\_\_\_\_\_

5. If no, why not and where do you believe TPV holders seek assistance?

\_\_\_\_\_

\_\_\_\_\_

6. Has there been an increase in resources, and/or funding from the government at any level to your agency, in response to the increase in demand for your services?

- Yes    No

7. If yes, please describe the type of assistance your agency receives, how long is the assistance for and is it sufficient to meet the increase in demand on your service?

\_\_\_\_\_

\_\_\_\_\_

8. If no, how does your agency/services respond to the increased demand in services?

\_\_\_\_\_

\_\_\_\_\_

**Section Two****Issues and findings**

1. What are some of the issues presented to your service by the TPV holders?

---



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2. How are these issues addressed?

---



---

3. What are some of the immediate needs of TPV holders?

---

3. In your opinion are TPV holders freely accessing all services?

Yes

No

5. If no, what services are they having trouble accessing and why?

---



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<b>Section Three</b>	<b>Opinions and recommendations</b>
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1. How do you think the TPV holders could be best assisted?

---



---

2. What do you think is the government responsibility (State and Federal)?

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---

3. What do you think the service providers can do to improve service accessibility to TPV holders?

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---

4. What difficulties are you encountering in responding to TPV holders needs?

---



---

5. How would you describe the impact of the TPV policy on your service.

---



---

6. What is your view on the TPV policy?

---



---

7. Other comments, and/or recommendations.

---



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**Appendix E: Questionnaire to TPV holders:**

TPV Research Project  
**TEMPORARY PROTECTION VISA (TPV) HOLDERS**

(Information contained in this questionnaire is strictly confidential and will only be used for the purpose of this project.)

<b>Section One</b>	<b>Personal Profile</b>
1. Gender:	<input type="checkbox"/> Male <input style="margin-left: 100px;" type="checkbox"/> Female
2. Age: _____	
3. What is your level of education?	<input type="checkbox"/> Primary <input style="margin-left: 100px;" type="checkbox"/> Secondary <input type="checkbox"/> Tertiary <input style="margin-left: 100px;" type="checkbox"/> Other
4. Do you possess any other trade or formal skills?	_____
5. What was your occupation in your country of origin?	_____
6. Country of birth:	_____
7. What language/s do you speak?	_____
8. Family status:	<input type="checkbox"/> Married <input style="margin-left: 20px;" type="checkbox"/> Single <input style="margin-left: 40px;" type="checkbox"/> Separated <input style="margin-left: 20px;" type="checkbox"/> Divorced <input type="checkbox"/> De-facto <input style="margin-left: 20px;" type="checkbox"/> Never Married <input style="margin-left: 40px;" type="checkbox"/> Widow <input style="margin-left: 20px;" type="checkbox"/> Other
9. If married, is your spouse with you in Australia?	<input type="checkbox"/> Yes <input style="margin-left: 100px;" type="checkbox"/> No
10. If no, which country is your spouse residing in?	_____
11. Do you have children?	<input type="checkbox"/> Yes <input style="margin-left: 100px;" type="checkbox"/> No
12. If yes how many?	_____
13. Are the children with you in Australia?	<input type="checkbox"/> Yes <input style="margin-left: 100px;" type="checkbox"/> No
14. If no, in which country do the children live?	_____
15. Why couldn't you bring the children and your spouse with you?	_____
16. What date did you arrive to Australia?	_____

17. What date were you released from the detention centre?

---

18. What date did you arrive in Melbourne?

---

19. Which detention centre did you come from?

---

20. Do you have any relatives in Australia?  Yes  No

21. What type of housing do you live in?

Long term 1 – 3 years

Medium term 1 – 2 years

Short term 6 months – 1 year

Temporary 3 – 6 months

Emergency up to 2 months

Postcode of area you live in \_\_\_\_\_

<p><b>Section Two: Reason for leaving their country &amp; their experiences since they left.</b></p>
--

1. Why did you leave your country?

---

2. Describe your journey to Australia.

---

3. What was your expectation on arrival?

---

4. Describe your experience in the detention center.

---

5. Describe the process that took place to be assessed for release.

---

6. While in detention have you seen or heard any reports or stories about refugees in detention centres and/or the ones who were released on TPV?

Yes

No

7. If yes, how did you feel about these stories?

---

<p><b>Section Three Post-release experience</b></p>
---

1. Describe your journey from the detention centre to your destination?

---

2. What happened on the first day of your arrival in Melbourne?

---

3. What was your expectation on arrival to Melbourne?

---

4. What is your understanding of the visa you have?  
(You are currently holder of a TPV. What is your understanding of this visa? Do you know what you are entitled to do or services you can access?)

---

5. Describe how you feel about this.

---

6. What information were you given on arrival Melbourne?

---

7. In your opinion was the information you were given on arrival:

- Insufficient     Good                       Satisfactory             Clear  
 Excellent     Sufficient                       Confusing                 Other

<b>Section Four</b>	<b>Settlement experiences into the community</b>
---------------------	--

1. What were you assisted with?

- a) Income (Centrelink)    by whom \_\_\_\_\_  
 b) Housing                      by whom \_\_\_\_\_  
 c) Health                        by whom \_\_\_\_\_  
 d) Material aid                by whom \_\_\_\_\_  
 e) English language        by whom \_\_\_\_\_  
 f) Medicare                    by whom \_\_\_\_\_  
 g) Employment                by whom \_\_\_\_\_

2. What do you feel about the level of support that you have received since you arrived in Melbourne?

---

3. How would you rate the level of support?

- Poor     Satisfactory     Good     Excellent     Other

4. Did you know people from your community lived in Melbourne?

- Yes                                       No

5. If so, did you have any expectation from people from your community?

- Yes                                       No

6. If yes, what were your expectations?

---

7. How would you describe your current needs in the following areas?

Health

---

Housing

---

Employment

---

Education

---

Income security

---

Social support

---

Other

---

8. Have you had any difficulties accessing services since your arrival to Melbourne?

Yes       No

9. If yes, what were the services you had difficulty accessing and why?

---

10. Do you believe that your experience could have been made different?

Yes       No

11. If yes, how?

---

12. What are your plans for the remainder of your visa and beyond?

---

13.0 Are there any other comments you wish to make?

---

## Appendix F:

### **Iraq's political history: A refugee's perspective**

In ancient times the land area now known as modern Iraq was almost equivalent to Mesopotamia, the land between the two rivers Tigris and Euphrates. This region is known as the Cradle of Civilization; was the birthplace of the varied civilizations that moved us from prehistory to history. An advanced civilization flourished in this region long before that of Egypt, Greece and Rome for it was there in about 4000BC that the Sumerian culture flourished. The ancient Sumerians, using the fertile land and the abundant water supply of the area, developed sophisticated irrigation systems and created what was probably the first cereal agriculture as the earliest writing, *cuneiform* – a way of arranging impression stamped on clay by the wedge-like section of chopped-off reed stylus into wet clay. Through writing, the Sumerians were able to pass on complex agricultural techniques to successive generations; this led to marked improvements in agricultural production. Eventually, the Sumerian would have to battle another peoples, the Akkadians, who migrated up from the Arabian Peninsula. The Akkadian empire lasted for only a blink of an eye in the long time spans of Mesopotamia history. In 2125 BC, the Sumerian city of Ur in southern Mesopotamia rose up in revolt, and the Akkadian empire fell before a renewal of Sumerian city states.

In its ancient history, Iraq witnessed a series of occupations by the Persian Achaemenians in 612 BC, Alexander the Great in 331 BC, the Seleucids in 312 BC, the Phartians in 153 BC, and the Sasanids in 224 AC. Despite that, the Arabian kingdoms continued to appear in Central and Southern Euphrates, starting from the Seleucid reign and ending with Al Hira, stretching from Babylon at the Euphrates River to the Arabian Gulf. Fourteen years after the appearance of Islam, the Persian occupation received a deadly blow as Saad Bin Abi Wakkas came with four thousand fighters representing the striking force joined by big forces of Arabs living on the road to Iraq and the Arab Peninsula. His army was completed with whoever joined him from the Iraqi Arabs. In four days in 656 AD, the Arabs routed the Persian forces.

The Umayyad caliphate began in 660 AD. A year after the killing of Imam Ali, the Umayyad caliphs could not take control of Iraq despite their concerted efforts. After several hard-fought attempts, 37 Abbasid caliphs governed Iraq in succession between 750 and 1258 AD when the Islamic Empire reached its peak. The last caliph Al Mostaasim failed to stop the Mongolian advance led by Holako, who killed him, occupied Baghdad and destroyed the educational institutions and the library until the Tigris water became the colour of ink from the scripts.

After the fall of Baghdad, Iraq became a state within the Ilkhanian Empire until 1335 AD. A long, widespread civil war was stopped only when the Mongol Jlaeri family seized power in 1337 AD. In 1534 AD, the Ottomans occupied Baghdad, but the sultan did not let his army enter the city, fearing he could not restrain it. He stressed his intention not to harm the civilians and the Iraqi people welcomed him. He also tried to gain the citizens' loyalty by visiting the holy cities, spending money and ordering many building projects. The most important were a sand dam to protect Karbalaa from floods and the Hosaynia canal, enlarged to bring pure water from the Euphrates to the surrounding lands and to the wheat fields.

When the First World War started, Iraq was put under the British mandate. Soon after the war started, a British force advanced and occupied Basra on in November 1914 to begin its military operation against the Ottomans. Britain lost more than 100,000 men.

The Iraqi people fiercely resisted the British who posed as a liberation force. The British were held back from occupying southern and central Iraq and could not enter Baghdad until 11 March 1917. They imposed heavy taxes on the Iraqi people, and penalties, to cover the largest part of the British army expenses. An Iraqi army uprising began in Najaf at the end of 1917, followed by a revolution in 1920 in most Iraqi cities. By June, an Iraqi group blocked a British railway north of Baghdad and to the south of Hilleh and, in one of the biggest operations, the Iraqi resistance attacked the British Governor of Al Rmeitha and liberated one of their prominent leaders, Shaalan Abou El Jon. A turning point in the revolution, this incident was followed by a siege of the British protection forces throughout the central Euphrates, which inflicted heavy losses. The revolution spread in Baghdad, Karbalaa, Najaf, Mothanna, Zee Qar, Qadissyia, Al Anbar and Diali. Kurds, Arabs and Turkmen contributed in the revolution in Qazlarbat, Khanqin, Kafri, Mandali and Arbil.

The British forces suffered heavy material and personal losses in the five months of revolution and the British policy changed. Prince Faisal Bin Al Hussein took a British invitation to visit England and in December 1920, the British nominated him as Iraq's next king. The weak regime was now clearly established according to the plan of the British, who ruled in collaboration with a few Iraqi elements. British domination was founded on a large bourgeoisie enjoying the benefits protected by the monarchy - a form of feudalism.

Another revolution began in July 1958, changing the kingdom to a presidency. The first government included representatives of all the national movements with all political parties. It began to rebuild a new society,

cancelling the tribal regimes and their annexes, passing agricultural reforming legislation to liberate the peasants from feudal exploitation and replacing the British pound with a national currency. The revolution also made a significant step towards issuing liberating oil wealth from foreign monopoly. It established industrial, agricultural and housing projects and provided health, community and educational services for most people. Its legislation of personal status helped modernise community and family relations.

Internal conflict - between some military officers, and conflict between the political parties and the nationalist forces – stopped the revolution achieving some of its basic aims. After five brave years, the 14 July revolution was shaken with a bloody coup on 8 February 1963, and toppled by another on 18 November. The Baath party came back to power in 17 July 1968. This new regime made some important achievements such as nationalising Iraqi oil, making education compulsory and big development projects. But it tended - with the increase of the oil revenues - to over spend on militarisation. The party became the sole ruler of the country, launching military attacks against the nationalist forces. It also waged two wars that led to disastrous results for the people.

When the regime decided to wage a war against Iran in September 1979, the Iraqi government reserve was estimated at 30 billion dollars. The war led to the destruction of most of Iraq's oil installations. Oil production dropped from 3.4million barrels a day in 1980 to 900 thousand barrels a day in 1981 and revenue fell 60 per cent in the same period, from .26 billion dollars to 10 billion dollars in 1981.

After eight years of war, Iraq was carrying huge external debts and entitlements for war compensations. After its invasion of Kuwait on 2 August 1990, the UN Security Council led by the United States imposed heavy and extended economic sanctions that eleven years later, still isolate Iraq from the international economy, banning all trade excepting medical and food imports. These sanctions did not harm the regime chiefs in the way but the Iraqi people in contravention of international law and the human rights charter. For example, the value of the Iraqi dinar has shrunk from being three times the value of the US dollar to one 2000<sup>th</sup> of a US dollar. The Iraqi inflation has meant Iraqi people cannot buy necessities for themselves and their families.

The war called "Desert Storm" deviated from its original stated aim to liberate Kuwait, to another aim, to destroy Iraq. Air strikes - 174 hitting 723 targets by 13 September 1990 - did not concentrate on military targets, but covered civil infrastructure, electricity plants, and transport and communication networks, factories and processing plants, bridges, schools,

hospitals, stores, and homes. The UN committee sent to evaluate Iraq after the war, reported:

“We must say immediately that nothing of what we saw and read about, made us ready to see this picture of destruction to the country. The last war inflicted a legendary destruction to a society that was civilised up to January 1991. Most of modern life methods were destroyed or damaged. Iraq returned to the pre industry stage. It will stay there for some time.”

The operations also provided a cover to eliminate a popular uprising that started in March 1991. The US forces used enriched uranium, the effects of which stay in the environment for more than four billion years and which is forbidden internationally. Iraqi citizens before the first and the second Gulf wars were extremely attached to their homeland. Unemployment did not exist and Iraq was an attractive centre for Arabic and foreign employment. But Iraqis as a result of these disastrous situations started to search for opportunities to migrate or to take refuge.

## **Appendix G:**

### **Afghanistan's political history: A refugee's account**

Since the beginning of time living things, including human beings, have had to migrate. Regarding the migration of people during the past 20 years, I believe that the leaders of Afghanistan, of the region and of the world have shamelessly abused the religious and political beliefs, ethnicity and language of the people of Afghanistan in order to gain or maintain power and in order to further their political ends.

On 27<sup>th</sup> April 1978 the popular Democratic party of Afghanistan close to the Soviet Union ceased power in that country. NATO countries, which considered this development against their interest quickly reacted. The Islamic fundamentalist groups ranging from Algeria to Philippines to Jakarta deeming Islam in danger, mobilised their support against the government of Afghanistan. Pakistan was chosen as the centre for training the terrorists. The fundamentalist Islamic groups from these countries sent their members to Pakistan for training. The entrepreneurs like Bin Laden were encouraged to actively take part in the Jihad against the government of Afghanistan. These terrorists under the name of Mujaheddin coordinated the activities with the real Mujaheddin inside Afghanistan by planting mines, bombs, etc. These terrorists pillaged and plundered many farms in the borders under the excuse that they cultivated opium.

The government retaliated against the terrorists and the US media and allies started a massive propaganda campaign against the government. Many of the religious, political personalities as well as ordinary people were forced to migrate to Iran or Pakistan. They were warmly received in Pakistan and from there, if they wished, they were easily accepted into other western countries as anti-Soviet, Islamic, political refugees. After the collapse of the Soviet Union there were no more political use for refugees, neither was there any point to train terrorists against the enemy.

Hence the treatment of refugees by leaders of the region and the world changed drastically. On 28 April 1992, power in Afghanistan was given to Islamic fundamentalists. Ever since then the humans and humanity have been burning in the fire of ignorance and backwardness. All the public and personal belongings have been plundered. Public and private buildings have been demolished and set on fire, the remnants of thousand years of human civilisation have been annihilated in this land. People have been persecuted for their political and religious beliefs; for their education, ethnicity and language and have been thrown into jail and executed by this or that Islamic party. This is what the human rights groups refer to as the internal problem of Afghanistan.

The Afghan refugees today qualify as having all the criteria of the UN refugee Convention, yet the countries that advocate human rights and democracy close their doors to them. A refugee who despite numerous hardships arrives in such countries is thrown into jail and treated inhumanely.

I don't know why the refugees who do not satisfy the conditions are not deported. Why the ones who do, are not granted visa. Why both groups of refugees are thrown together into one jail. Why do they want to turn Australia into the prison for innocent, persecuted refugees?

Note:

There is not much difference between the Taliban regime and the fundamentalist Islamic parties that held power in Afghanistan from 1992 - 1995. Taliban are from Pashtun ethnicity who also live in parts of Pakistan and speak in Pashtun language. Their opposition fundamentalist groups are from Tajik, Uzbek and Hazara ethnic groups, and speak in Dari. The Taliban have done less pillaging and plundering than the opposition because by the time the Taliban came to power there was not much left to pillage and plunder.

**Appendix H:**

**HUMANITARIAN PROGRAM GRANTS BY CATEGORY: 1997-98 TO 2000-01 (DIMIA, fact sheet 60).**

<b>Category</b>	<b>1997-98</b>	<b>1998-99</b>	<b>1999-2000</b>	<b>2000-2001</b>
Refugee	4 010	3 988	3 802	3 997
Special Humanitarian	4 636	4 348	3 051	3 116
Special Assistance	1 821	1 190	649	879
Onshore Protection	1 588	1 834	2 458	5 577
Temporary Humanitarian Concern				164
<b>Total</b>	<b>12 055</b>	<b>11 360</b>	<b>9 960</b>	<b>13 733</b>

**OFFSHORE RESETTLEMENT PROGRAM GRANTS BY REGION: 1997-98 TO 2000-01**

<b>Region</b>	<b>1997-98</b>	<b>1998-99</b>	<b>1999-00</b>	<b>2000-01</b>
Europe	5 307	4 736	3 424	3 462
Middle East & SW Asia	2 952	2 919	2 208	2 155
Africa	1 473	1 552	1 736	2 032
Asia	685	295	113	316
America	50	24	21	27
<b>Total</b>	<b>10 467</b>	<b>9 526</b>	<b>7 502</b>	<b>7 992</b>

**HUMANITARIAN PROGRAM GRANTS BY REGION: 2000-01**

<b>Applicant's Region of Birth</b>	<b>Offshore Visas Grants</b>	<b>%Of Offshore Grants</b>	<b>Onshore Visas</b>	<b>% Of Onshore Grants</b>	<b>Total Grants</b>	<b>% of Total Grants</b>
Europe	3 462	43.4%	404	7.0%	3 866	28.3%
Middle East	1 642	20.5%	2 885	50.0%	4 527	33.0%
SW Asia	513	6.4%	1 743	30.5%	2 256	16.4%
Africa	2 032	25.4%	116	2.2%	2 148	15.7%
Rest of Asia	316	4.0%	436	7.6%	752	5.5%
Americas	27	0.3%	67	1.2%	94	0.6%
Stateless/Unknown			90	1.5%	90	0.5%
<b>Total</b>	<b>7 992</b>	<b>100%</b>	<b>5 741</b>	<b>100%</b>	<b>13 733</b>	<b>100%</b>

The above onshore figures include 164 Temporary Humanitarian Concern Visas granted

**Appendix I: Chronology and details of Boat arrivals since 1998 (DIMIA Fact Sheet 74, 2001):**

**Symbols used:**

**Baby\*** = born *after* boat's arrival;

**children** = under 18, at boat's arrival;

**ref** = entry through refugee status (protection visa);

**humanit** = entry on humanitarian grounds;

**entry** = entry on other grounds;

**bridging visas** = visas giving temporary lawful status;

**TPV** = temporary protection visa;

**release** = release into community pending appeal;

**departs** = departures from Australia;

**det.** = in detention/custody (ie under investigation/awaiting repatriation to safe third country/having been refused refugee status/with application, appeal or litigation pending.

**Unknown** = yet to be determined; and

**1998:**

1. **4 January 1998**, Torres Strait (*Zostera*) 30 – 20 adults, 10 children (30 Irian Jayan – Indonesian Province). **30 departs.**
2. **23 January 1998**, Darwin (*Archer*) 22 – 20 adults, 2 children (Afghans). **22 refs.**
3. **7 February 1998**, Ashmore Reef (*Barcoo*) 4 adults (1 Algerian, 1 Moroccan, 2 Senegalese). **3 departs, 1 ref.**
4. **19 February 1998**, off NW Kimberley Coast (*Clyde*) 11 – 10 adults, 1 child (11 Chinese). **11 departs.**
5. **21 February 1998**, off NW Kimberley Coast (*Diamantina*) 7 adults (Chinese). **7 departs.**
6. **9 April 1998**, Ashmore Reef (*Eyre*) 6 adults (Bangladeshi). **6 departs.**
7. **9 May 1998**, Gove (*Fitzroy*) 9 adults (Bangladeshi). **9 departs.**
8. **27 May 1998**, Ashmore Reef (*Glenelg*) 7 adults (Bangladeshi). **7 departs.**
9. **5 June 1998**, Ashmore Reef (*Hawkesbury*) 10 adults (Bangladeshi). **10 departs.**
10. **3 July 1998**, Ashmore Reef (*Indulkana*) 5 adults (4 Bangladeshi, 1 Indonesian). **5 departs.**
11. **6 July 1998**, off NW Kimberley Coast (*Jardine*) 3 adults ( Bangladeshi, 1 Indonesian) **3 departs.**
12. **4 September 1998**, off NW Kimberley Coast (*Kiewa*) 6 adults (Bangladeshi). **6 departs.**
13. **9 September 1998**, Torres Strait (*Lachlan*), 4 adults (1 Bangladeshi, 3 Indians). **2 det, 1 ref, 1 depart.**
14. **11 September 1998**, Ashmore Reef (*Murrumbidgee*) 2 adults (Bangladeshi). **2 departs.**
15. **24 November 1998**, Ashmore Reef (*Namoi*) 7 adults (Sri Lankan). **7 departs.**

16. **30 November 1998**, Ashmore Reef (*Ord*) 15 adults (4 Iraqi, 11Turks). **14 refs, 1 depart.**
17. **24 December 1998**, Coburg Peninsula NT, (*Paroo*) 52 - 51 adults, 1child (Chinese). **52 departs.**

**1999:**

18. **4 January 1999**, off NW Kimberley Coast (*Queen*) 9 – 5 adults, 4 children (Iraqi). **9 refs.**
19. **4 January 1999**, Coburg Peninsula, NT (*Roper*) 3 adults (Iraqi). **3 refs.**
20. **4 January 1999**, Townsville, QLD (*Snowy*) 2 adults (1 Kazakhstani, 1 Papua New Guinean). **2 departs.**
21. **12 January 1999**, Port Hedland (*Tumut*) 4 adults (Chinese). **4 departs.**
22. **3 February 1999**, Hammond Island (*Uriarra*) 5 adults (Afghan). **5 refs.**
23. **15 February 1999**, Ashmore Reef (*Vanrook*) 10 – 10 adults, (5 Afghans, 3 Algerians, 1 Iraqi, 1 Pakistani). **7 refs, 2 det, 1 depart.**
24. **21 February 1999**, Ashmore Reef (*Warrego*) 32 adults (Turkish). **19 refs, 13 departs.**
25. **21 February 1999**, Christmas Island (*Xavier*) 13 adults (9 Iraqis, 4 Algerians). **13 refs.**
26. **24 February 1999**, NW Kimberley Coast (*Yarra*) 3 adults (Bangladeshi). **3 departs.**
100. **10 March 1999**, off NW Kimberley Coast (*Zetland*) 12 – 5 adults, 7 children (Afghan). **12 refs.**
101. **11 March 1999**, Gove (*Ainslie*) 57 – 51 adults, 6 children (Chinese). **57 departs.**
102. **12 March 1999**, Holloway's Beach, Cairns (*Bogong*) 26 adults (Chinese). **26 departs.**
103. **26 March 1999**, Ashmore Reef, (*Constantine*) 8 adults (2 Iraqis, 2 Kuwaitis, 3 Afghans, 1 Bangladeshi). **7 refs, 1 det.**
104. **10 April 1999**, Scott's Head, Macksville, NSW, (*Dandenong*) 60 adults (Chinese). **60 departs.**
105. **13 April 1999**, off NW Kimberley Coast, (*Essendon*) 10 – 9 adults, 1 child (Afghan). **10 refs.**
106. **16 April 1999**, Cape Leveque, (*Franklin*) 3 adults (Bangladeshi). **3 departs.**
107. **21 April 1999**, Ashmore Reef, (*Gambier*) 3 adults (Turkish). **3 refs.**
108. **24 April 1999**, Ashmore Reef, (*Hotham*) 15 adults (1 Bangladeshi, 2 Pakistani, 12 Iraqi). **12 refs, 3 departs.**
109. **7 May 1999**, Ashmore Reef, (*Isa*) 54 – 53 adults, 1 child (43 Turkish, 6 Iraqi, 4 Afghan, 1 Kuwait). **39 refs, 2 det, 13 departs.**
110. **12 May 1999**, Christmas Island, (*Jagungal*) 19 adults (12 Sri Lankan, 4 Pakistani, 2 Indian, 1 Iranian). **12 refs, 7 departs.**
111. **17 May 1999**, NSW Coast adjacent to Port Kembla, (*Kosciuszko*) 82 – 81 adults, 1 child – plus 1 baby\* (Chinese). **83 departs.**
112. **19 May 1999**, Christmas Island (*Lofty*) 20 adults (Iraqi). **20 refs.**
113. **20 May 1999**, Ashmore Reef (*Majura*) 7 adults (Bangladeshi). **4 det, 1 ref, 2 depart.**
114. **24 May 1999**, Ashmore Reef (*Nelson*) 10 adults (6 Iraqi, 4 Afghan). **10 refs.**

115. **27 May 1999**, Doughboy River (*Ossa*) 78 – 77 adults, 1 child (Chinese). **78 departs.**
116. **1 June 1999**, Cape Leveque (*Pinnacle*) 9 adults (Bangladeshi). **9 departs.**
117. **4 June 1999**, off NSW Coast (*Quin*) 108 – 103 adults, 5 children (108 Chinese). **108 departs.**
118. **7 June 1999**, Ashmore Reef (*Roe*) 10 adults (Afghan). **10 refs.**
119. **11 June 1999**, Christmas Island (*Selwyn*) 8 – 7 adults, 1 child (Afghan). **8 refs.**
120. **12 June 1999**, Ashmore Reef (*Tabletop*) 76 – 74 adults, 2 children (57 Turkish, 10 Afghan, 9 Iraqi). **6 det, 35 refs, 35 departs.**
121. **13 June 1999**, Yam Island (*Urah*) 3 adults (3 Chinese). **3 departs.**
122. **22 June 1999**, Saibai Island (*Vigors*) 2 adults (Sri Lankan). **1 depart, 1 det.**
123. **25 June 1999**, Ashmore Reef (*Weddin*) 12 adults (Afghan). **12 refs.**
124. **29 June 1999**, Ashmore Reef (*X-Keten*) 53 – 46 adults, 7 children (40 Iraqi, 12 Afghan, 1 Algerian). **51 refs, 1 det, 1 TPV.**
125. **12 July 1999**, Ashmore Reef (*York*) 6 adults (Indian). **5 departs, 1 det.**
126. **12 July 1999**, Ashmore Reef (*Zeil*) 16 – 11 adults, 5 children (Afghan). **16 refs.**
127. **20 July 1999**, Christmas Island (*Augustus*) 5 – 4 adults, 1 child (Sri Lankan). **5 refs.**
128. **21 July 1999**, Ashmore Reef (*Buller*) 7 adults (5 Afghan, 2 Iranian). **6 refs, 1 depart.**
129. **28 July 1999**, Ashmore Reef (*Calder*) 14 adults (Turkish). **14 departs.**
130. **31 July 1999**, Ashmore Reef (*Druitt*) 44 adults (30 Iraqi, 6 Afghan, 5 Kuwaiti, 2 Iranian, 1 Sri Lankan). **1 det, 42 refs, 1 depart.**
131. **11 August 1999**, Ashmore Reef (*Eliza*) 16 adults (11 Afghan, 4 Sri Lankan, 1 Pakistani). **1 det, 10 refs, 3 departs, 2 TPV.**
132. **14 August 1999**, Christmas Island (*Fox*) 140 – 126 adults, 14 children (137 Iraqi, 2 Kuwaiti, 1 Kurdish). **130 refs, 6 det, 3 TPV, 1 depart.**
133. **23 August 1999**, Ashmore Reef (*Grenfell*) 8 adults (Iraqi). **8 ref.**
134. **26 August 1999**, Ashmore Reef (*Hawthorn*) 12 adults – plus 1 baby\* (Afghan). **13 TPV.**
135. **30 August 1999**, Ashmore Reef (*Ida*)
136. **31 August 1999**, Ashmore Reef (*Jagged*)
137. **3 September 1999**, Ashmore Reef (*Kembla*)  
*All 3 boats arrived on mainland Australia and were processed together*  
 145 – 127 adults, 18 children. **136 TPV, 5 det, 4 departs.**
138. **14 September 1999**, Bonaparte Archipelago (*Leura*) 14 adults (Afghan). **14 TPV.**
139. **17 September 1999**, Ashmore Reef (*Macedon*) 6 adults (4 Iraqi, 1 Bangladeshi, 1 Myanmar). **1 det, 4 TPV, 1 depart.**
140. **19 September 1999**, Ashmore Reef (*Nebo*) 8 adults (8 Turkish). **1 det, 5 depart, 2 TPV.**
141. **21 September 1999**, Ashmore Reef (*Owen*) 6 adults (Pakistani). **5 departs, 1 TPV.**

142. **24 September 1999**, Ashmore Reef (*Panorama*) 49 – 46 adults, 3 minors, (30 Iraqi, 10 Bangladeshi, 7 Afghans, 1 Syrian, 1 Indonesian). **10 det, 33 TPV, 3 refs, 1 bridging visa, 2 depart.**
143. **26 September 1999**, Ashmore Reef (*Quakers*) 8 – 7 adults, 1 minor (6 Indian, 2 Indonesian). **8 departs.**
144. **2 October 1999**, off NW Kimberley Coast (*Richmond*) 21 adults (Afghan). **21 TPV.**
145. **5 October 1999**, off NW Kimberley Coast (*Stromlo*) 23 adults, 1 child (Afghan). **24 TPV.**
146. **7 October 1999**, Scott's Reef (*Tamborine*) 62 – 57 adults, 5 minors (51 Afghan, 6 Iraqi, 3 Sri Lankan, 2 Syrian). **49 TPV, 9 refs, 1 bridging visa, 3 departs.**
147. **11 October 1999**, Ashmore Reef (*Unbunmaroo*) 110 – 82 adults, 21 minors – plus 1 baby\*(101 Iraqi, 9 Afghan). **3 det, 100 TPV, 8 refs.**
148. **13 October 1999**, Kuri Bay, off NW Kimberley coast (*Victoria*) 12 – 10 adults, 2 minors – plus 1 baby\* (Afghan). **13 TPV.**
149. **18 October 1999**, Broome (*William*) 24 – 22 adults, 2 minors (Afghan). **20 TPV, 4 refs.**
150. **22 October 1999**, Ashmore Reef (*Xarag*) 3 adults (2 Sri Lankan, 1 Pakistani). **3 depart.**
151. **22 October 1999**, Ashmore Reef (*Yule*) **140** – 136 adults, 4 minors (126 Afghan, 14 Iraqi). **3 det, 137 TPV.**
152. **25 October 1999**, off NW Kimberley Coast (*Zephyr*) **26** – 26 adults (Afghan). **26 TPV.**
153. **1 November 1999**, Ashmore Reef (*Adelong*) **353** - 324 adults, 29 minor – plus 2 babies\* (299 Iraqi, 46 Afghan, 4 Iranian, 2 Algerian, 1 Palestinian, 1 stateless). **20 det, 324 TPV, 11 refs.**
154. **5 November 1999**, Ashmore Reef (*Bogabilla*) **75** – 68 adults, 7 children (63 Afghan, 12 Iraqi). **5 det, 70 TPV.**
155. **7 November 1999**, Ashmore Reef (*Cootamundra*) **82**- 82 adults (80 Iraqi, 1 Palestinian, 1 Kuwaiti). **4 det, 78 TPV.**
156. **8 November 1999**, Ashmore Reef (*Dapto*) **25** – 23 adults, 2 children, (Afghan). **25 TPV.**
157. **8 November 1999**, Christmas Island (*Eumungerie*) **156** – 134 adults, 22 children – plus 3 babies\* (133 Iraqi, 16 Iranian, 3 Palestinian, 3 Kuwaiti, 1 Jordan). **10 det, 142 TPV, 7 depart.**
158. **11 November 1999**, Ashmore Reef (*Finley*) **23** – 23 adults (Afghan). **23 TPV.**
159. **17 November 1999**, Ashmore Reef (Goodoonga) **31** – 24 adults, 7 children (27 Afghan, 4 Iraqi). **31 TPV.**
160. **18 November 1999**, Ashmore Reef (*Henty*) **33** – 30 adults, 3 children (17 Afghan, 15 Iraqi, 1 Iranian). **2 det, 31 TPV.**
161. **18 November 1999**, Christmas Island (*Ivanhoe*) **62** – 41 adults, 21 children (Chinese). **62 departs.**

162. **19 November 1999**, Ashmore Reef (*Jerilderie*) **23** – 21 adults, 2 children (Afghan). **23 TPV**.
163. **19 November 1999**, Ashmore Reef, (*Kyogle*) **24** – 19 adults, 5 children (Afghan), **23 TPV, 1 det**.
164. **26 November 1999**, Ashmore Islands - formerly Ashmore Reef (*Lockhart*) **151** – 127 adults, 24 children (132 Afghan, 18 Iraqi, 1 Iranian). **8 det, 1 depart, 142 TPV**.
165. **26 November 1999**, Adele Island – NW Kimberley Coast (*Mudgee*) **28** – 25 adults, 3 children (Afghan). **1 det, 27 TPV**.
166. **28 November 1999**, Christmas Island (*Nimmitabel*) **180** – 153 adults, 27 children – plus 2 babies\* (170 Iraqi, 9 Iranian, 1 Kuwait). **9 det, 171 TPV, 2 depart**.
167. **1 December 1999**, Ashmore Islands (*Orange*) **6** – 6 adults (Indian). **6 depart**.
168. **6 December 1999**, Ashmore Islands (*Pokataroo*) **135** – 114 adults, 21 children (Iraqi). **9 det, 125 TPV, 1 depart**.
169. **8 December 1999**, Ashmore Islands (*Quirindi*) **7** – 7 adults (Afghan). **7 TPV**.
170. **16 December 1999**, Ashmore Islands (*Rappville*) **127** – 118 adults, 9 children (104 Afghan, 22 Iraqi, 1 Pakistani). **13 det, 113 TPV, 1 entry**.
171. **16 December 1999**, Vanistaat Bay, NW Kimberley Coast (*Scone*) **58** – 32 adults, 26 children (Afghan). **57 TPV, 1 ref**.
172. **18 December 1999**, Ashmore Islands (*Tumbarumba*) **52** – 33 adults, 19 children – plus 1 baby\* (51 Iraqi, 2 Algerian). **2 det, 51 TPV**.
173. **20 December 1999**, Christmas Island (*Ulladulla*) **228** – 163 adults, 65 children – plus 5 babies\* (195 Iraqi, 26 Iranian, 4 Afghan, 2 Kuwaiti, 1 Syrian). **24 det, 206 TPV, 3 depart**.
174. **21 December 1999**, Christmas Island (*Valentine*) **73** – 67 adults, 6 children (Chinese). **73 departs**.
175. **21 December 1999**, Ashmore Islands (*Warrawee*) **35** – 20 adults, 15 children (Iraqi). **4 det, 31 TPV**.
176. **21 December 1999**, Powerful Island (*Xmas*) **4** – 4 adults (Iraqi). **2 det, 2 TPV**.

**2000:**

- 177.5 January 2000, Ashmore Islands (*Yanco*) 118 – 103 adults, 15 children. 12 det, 105 TPV, 1 depart.
- 178.7 January 2000, NW of Darwin (*Zahlie*) 44 – 42 adults, 2 children. 44 TPV.
- 179.17 January 2000, Hibernian Reef (*Albany*) 25 – 23 adults, 2 child. 25 TPV.
- 180.22 January 2000, Cape Fourcroy (*Busselton*) 54 – 47 adults, 7 children. 39 departs, 15 humanit.
- 181.26 January 2000, Cape Bougainville (*Caiguna*) 38 – 32 adults, 6 children. 4 det, 34 TPV.
- 182.1 February 2000, Christmas Island (*Donnybrook*) 281 – 231 adults, 50 children – plus 3 baby\*. 44 det, 232 TPV, 8 depart.
- 183.11 February 2000, Ashmore Islands (*Eneabba*) 47 – 41 adults, 6 children – plus 1 baby\*. 3 det, 45 TPV.
- 184.16 February 2000, Christmas Island (*Fimiston*) 22 – 21 adults, 1 child. 5 det, 17 TPV.
- 185.16 February 2000, Ashmore Islands (*Gnowangerup*) 14 adults. 1 depart, 13 TPV.
- 186.1 March 2000, Ashmore Islands (*Hovea*) 71 – 51 adults, 20 children – plus 2 baby\*. 3 det, 69 TPV, 1 escape.
- 187.6 March 2000, Ashmore Islands (*Iluka*) 21 – 21 adults. 1 det, 11 TPV, 9 departs.
- 188.19 March 2000, Ashmore Islands (*Joondalup*) 47 – 31 adults, 16 children 3 det, 44 TPV.
- 189.22 March 2000, Cape Leveque, WA (*Kalgoorlie*) 34 – 24 adults, 10 children. 5 det, 29 TPV.
- 190.26 March 2000, Ashmore Islands (*Leederville*) 70 – 62 adults, 8 children – plus 2 babies\*. 26 det, 45 TPV, 1 depart.
- 191.28 March 2000, Ashmore Islands (*Manjimup*) 19 – 19 adults. 19 TPV.
- 192.03 April 2000, Ashmore Islands (*Nannup*) 62 – 46 adults, 16 children – plus 2 baby\* 14 det, 2 bridging visas, 47 TPV, 1 depart.
- 193.24 April 2000, Ashmore Islands (*Ongerup*) 4 – 4 adults. 2 det, 1 depart, 1 escape.
- 194.26 April 2000, Ashmore Islands (*Pingelly*) 75 – 72 adults, 3 children. 9 det, 63 TPV, 3 depart.
- 195.09 May 2000, Ashmore Islands (*Quinninup*) 66 – 52 adults, 14 children – plus 1 baby\*. 6 det, 1 ref, 60 TPV.
- 196.16 May 2000, Ashmore Islands (*Rockingham*) 17 – 15 adults, 2 children. 17 TPV.
- 197.01 June 2000, Ashmore Islands (*Stonyville*) 36 – 32 adults, 4 children – plus 1 baby\*. 9 det, 27 TPV, 1 depart.
- 198.19 June 2000, Ashmore Islands (*Tambellup*) 112 – 84 adults, 28 children. 32 det, 78 TPV, 2 depart.
- 199.27 June 2000, Christmas Island (*Utakarra*) 3 – 3 adults – plus 1 baby\*. 4 det.
- 200.10 July 2000, Ashmore Reef (*Varley*) 30 – 30 adults. 16 det, 13 TPV, 1 ref.
- 201.11 July 2000, Ashmore Reef (*Wagerup*) 36 – 33 adults, 3 children. 16 det, 14 TPV, 6 depart.
- 202.11 July 2000, Cairns (*Xwa*) 23 – 22 adults, 1 child. 23 departs.

203. **17 August 2000**, Ashmore Reef (*Yakamia*) **74** – 54 Adults, 20 Children. **68 det, 6 TPV.**
204. **04 September 2000**, Ashmore Reef (*Zanthus*) **77** – 69 adults, 8 children. **31 det, 46 TPV.**
205. **14 September 2000**, Water North West Western Australia (*Augathella*) **101** – 71 adults, 30 children – 1 baby\*. **15 det, 87 TPV.**
206. **24 September 2000**, Ashmore Islands (*Bedourie*) **2** - 2 adults. **2 TPV.**
207. **27 September 2000**, Ashmore Reef (*Charleville*) **47** – 37 adults, 10 children. **38 det, 9 TPV.**
208. **02 October 2000**, Ashmore Reef (*Dirranbandi*) **14** – 10 adults, 4 children. **1 det, 13 TPV.**
209. **07 October 2000**, Ashmore Reef (*Emerald*) **94** – 84 adults, 10 children. – 1 baby\* **64 det, 25 TPV, 6 depart.**
210. **15 October 2000**, Ashmore Islands (*Fruitgrove*) **33** – 28 adults, 5 children, **20 det, 12 TPV, 1 depart.**
211. **25 October 2000**, Ashmore Islands (*Gargett*) **32** – 25 adults, 7 children, **4 det, 26 TPV, 2 depart.**
212. **28 October 2000**, Ashmore Islands (*Helidon*) **116** – 98 adults, 18 children, **70 det, 46 TPV.**
213. **02 November 2000**, Ashmore Islands, (*Innisfail*) **69** – 62 adults, 7 children. **64 det, 5 TPV.**
214. **10 November 2000**, Ashmore Islands, (*Jondaryan*) **24** - **9 det, 15 TPV.**
215. **16 November 2000**, Ashmore Islands, (*Kilkivan*) **48** – **22 det, 26 TPV.**
216. **28 November 2000**, Ashmore Islands, (*Leichardt*) **96** - **51 det, 45 TPV.**
217. **15 December 2000**, Boigu Islands, (*Nambour*) **3** - **3 det.**
218. **16 December 2000**, Ashmore Islands, (*Maroochydore*) **117** - 84 adults, 33 children. **117 det.**
219. **17 December 2000**, Ashmore Islands (*Ormeau*) **92** - 72 adults, 20 children. **74 det, 18 TPV.**
220. **18 December 2000**, Ashmore Islands, (*Proserpine*) **35** - 35 adults. **35 det.**
221. **18 December 2000**, Ashmore Islands, (*Quinalow*) **97** - 78 adults, 19 children. **97 det**
222. **21 December 2000**, Ashmore Islands, (*Rosalie*) **32** - 30 adults, 2 children. **32 det.**
223. **21 December 2000**, Ashmore Islands, (*Sapphire*) **30** - 26 adults, 4 children. **30 det.**
224. **21 December 2000**, Ashmore Island, (*Toowoomba*) **43** - 36 adults, 7 children. **43 det.**
225. **27 December 2000**, Ashmore Islands, (*Urangan*) **49** - 38 adults, 11 children. **49 det.**
226. **30 December 2000**, Ashmore Islands, (*Virginia*) **177** – 108 adults, 69 children. **173 det, 4 TPV.**
227. **31 December 2000**, Ashmore Islands, (*Wallangarra*) **68** - 49 adults, 19 children . **40 det, 28 TPV**

**2001:**

228. **03 January 2001**, Ashmore Islands, (XQLD) **51** - 34 adults, 17 children. **14 det. 36 TPV 1 depart**
229. **06 January 2001**, Christmas Island, (Yarrabah) **84** – 63 adults, 21 children. **36 det, 48 TPV, 1 depart**
230. **15 January 2001**, Ashmore Islands, (Zillmere) **148** – 109 adults, 39 children. **66 det, 82 TPV**
231. **30 January 2001**, Ashmore Islands, (Aberfeldie) **49** – 39 adults, 10 children. **7 det, 42 TPV**
232. **6 March 2001**, Ashmore Islands, (Birchip) **111** – 79 adults, 32 children, **68 det, 43 TPV**
233. **7 March 2001**, Ashmore Islands, (Culgoa) **179** – 151 adults, 28 children. **151 det, 27 TPV**
234. **8 March 2001**, Ashmore Islands, (Darlimurla) **62** – 46 adults, 16 children. **48 det, 14 TPV**
235. **24 March 2001**, Ashmore Islands, (Echuca) **169** – 121 adults, 48 adults. **133 det, 36 TPV**
236. **25 March 2001**, Christmas Islands, (Flinders) **196** – 135 adults, 61 children. **167 det, 29 TPV**
237. **27 March 2001**, Christmas Islands, (Gelantipy) **22** – 18 adults, 4 children. **21 det, 1 TPV**
238. **27 March 2001**, Torres Strait, (Hesket) **14** – 4 adults, 10 adults. **14 det**
239. **9 April 2001**, Ashmore Islands, (Illowa) **82** – 56 adults, 26 children. **79 det, 3 TPV**
240. **13 April 2001**, Ashmore Islands, (Jumbunna) **43** – 35 adults, 8 children. **38 det, 5 TPV**
241. **18 April 2001**, Exmouth, (Kinnabulla) **24** – 24 adults, **24 det**
242. **18 April 2001**, Ashmore Islands, (Lillimur) **94** – 82 adults, 12 children, **94 det**
243. **20 April 2001**, Ashmore Islands, (Mallacoota) **120** – 85 adults, 35 children, **20 det**
244. **23 April 2001**, Christmas Islands, (Nullaware) **198** – 166 adults, 32 children, **198 det**
245. **4 May 2001**, Ashmore Islands, (Outtrim) **65** – 38 adults, 27 children, **65 det**
246. **4 May 2001**, Torres Straight, (Patchewolloc) **2** – 2 adults, **1 det 1 depart**
247. **9 May 2001**, Christmas Island, (Quambatook) **131** – 110 adults, 21 children **131 det**
248. **20 May 2001**, Ashmore Island, (Rokeby) **1** – 1 adult, **1 det**
249. **4 June 2001**, Ashmore Island, (Serpentine) **54**- 29 adults, 25 children **54 det**
250. **5 June 2001**, Bathurst Island, (Tamluegh) **5**- 5 adults **5 det**
251. **6 June 2001**, Ashmore Island, (Ullina) **235**- 152 adults, 83 children **235 det**
252. **14 June 2001**, Christmas Island, (Vinifera) **231**- 181 adults, 50 children, **231 det**
253. **30 June 2001**, Ashmore Island, (Wahgunyah) **108**- 99 adults, 9 children **108 det**

- 254. 2 August 2001, Ashmore Islands (Xvic) 76 det**  
**255. 4 August 2001, Christmas Island (Yambuk) 147 det**  
**256.13 August 2001, Ashmore Island, (Zvic) 60 det**  
**257.16 August 2001, Christmas Island, (Alonnah) 345 det**  
**258. 20 August 2001, Ashmore Island (Bacala) 359 det**  
**259. 22 August 2001, Christmas Island (Conara) 225 det**

Summary of boat arrivals

Arrivals ..... 13 489  
 Australian births ..... 109  
**Total boat people..... 13 598**

YEAR	NO. OF BOATS	TOTAL ARRIVAL S	MIN/MAX on board
1989-90	3	224	26/119
1990-91	5	158	3/77
1991-92	3	78	10/56
1992-93	4	194	2/113
1993-94	6	194	4/58
1994-95	21	1071	5/118
1995-96	14	589	4/86
1996-97	13	365	4/139
1997-98	13	157	3/30
1998-99	42	921	2/112
1999-00	75	4175	3/353
2000-01	54	4137	2/231
01-to	6	1212	60/359
<b>TOTALS</b>	<b>261</b>	<b>13489</b>	<b>2/359</b>