



**Edmund Rice Centre**  
Awareness. Advocacy. Action

---

## **ERC JUSTICE UPDATES**

### **February 2022 No.62**

Dear Friends,

This 62nd Edition of ERC Justice Updates, our regular newsletter from the Edmund Rice Centre, on matters relating to human rights, first nations and environmental justice.

As we begin another year with much uncertainty and many unknown challenges that await us - let us always hold fast to the belief that we as an Edmund Rice Community always remain true to the three tenets of Edmund Rice: Compassion - Liberation - Presence.

People say, what is the sense of our small effort? They cannot see that we must lay one brick at a time, take one step at a time. A pebble cast into a pond causes ripples that spread in all directions. Each one of our thoughts, words and deeds is like that. No one has the right to sit down and feel hopeless. There is too much work to do. Dorothy Day

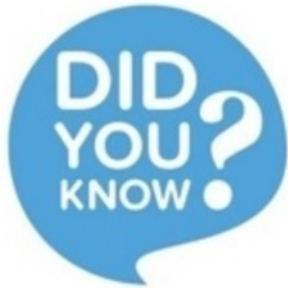
Please note that if you come up against a paywall in any of the articles below - please contact me at: [mmcinerney@edmundrice.org](mailto:mmcinerney@edmundrice.org) and I will send you the full article.

Previous editions are available at <https://www.erc.org.au/newsletters>

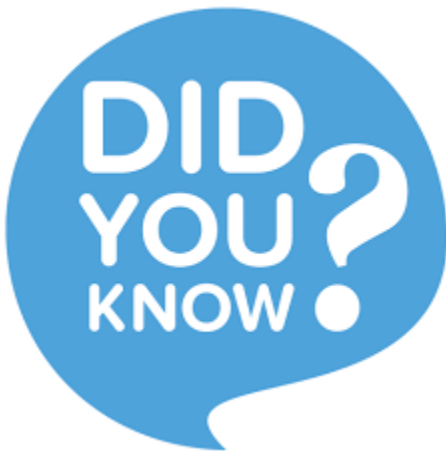
Peace & Blessings

**Marita**  
**Communications Project Officer,**  
**Marita McInerney**

***Aboriginal and Torres Strait Islander readers are advised that there may be articles in this publication with names and images of deceased people.***



**On Friday the 11<sup>th</sup> February 2022, The Australian Government will have detained men and women on Nauru for 3103 days and Manus Island/Port Moresby for 3061 days. As of 1<sup>st</sup> January 2022 the Australian Government has handed over the responsibility (abandoned) for the 105 detainees left in PNG to the PNG Government.**



***Paper Promises? Evaluating the early impact of Australia's Modern Slavery Act.*** This recently released investigative report by a coalition of human rights organisations under the auspices of the Human Rights Law Centre examines statements submitted to the Government's Modern Slavery Register by 102 companies. These companies source from four sectors with known risks of modern slavery:

- **Garments from China**
- **Rubber Gloves from Malaysia**
- **Seafood from Thailand**
- **Fresh produce from Australia**

**Findings include:**

- 77% of companies reviewed had failed to comply with the basic requirements mandated by the legislation;
- 52% had failed to identify obvious modern slavery risks in their operations or supply chains. Only one in four garment companies sourcing from China, for instance, made any mention of the risk of Uyghur forced labour in their supply chains;
- Just 27% of companies appeared to be taking some form of effective action to address modern slavery risks;
- 78% of companies fail to explain how the COVID - 19 pandemic has affected their modern slavery risk profile.
- Despite operating in some of the highest risk sectors, only eight statements (8%) contain particulars of allegations or instances of modern slavery and how the companies responded.
- Only one in four (25%) disclose countries of suppliers, with most failing to identify suppliers beyond Tier 1 of their supply chain.

### Key Recommendations to the Australian Government

- Make mandatory reporting mandatory
- Require companies to take action to address modern slavery
- Ensure exploited workers can access justice
- Ban goods made with modern slavery from being imported into Australia
- Address key factors that contribute to labour exploitation in Australia



Eliminating the structural inequity that Indigenous Australians face will require 'deep listening'. (Image: Unsplash)

## **Replace celebration of January 26 with a lifetime of deep listening**

***Stephanie Dowrick, Pearls & Irritations, January 26th 2022***

**The day is an abomination masquerading as inclusivity. Whatever we call it, there should be no link to the violence of the colonisers.**

We in Australia are privileged to live among the oldest continuous cultures on the planet: knowledgeable, effective custodians of this land for anything from 65,000 to 80,000 years. This should be the foundation of pride in what it means to be 'Australian'. But is it?

In the Q&A that follows, I am asking questions as a non-Indigenous person of a leading First Nations thinker, Jack Gibson, who lives in western Sydney. With his partner, Jennifer Beale, Gibson co-directs the Butucarbin Aboriginal Corporation. Its stated purpose is to facilitate the economic, social, emotional and cultural development of local Aboriginal individuals, families and communities. All continue to suffer disproportionately from Covid-19 policies in New South Wales. However, my focus here is on better understanding core questions of identity, critical to any notion of 'moving forward' as a nation and the topic of Jack's current PhD research.

**Q: Jack, can you please introduce yourself. And can you let readers know how you feel about this relatively new custom (to non-Indigenous people) of identifying with a particular Nation?**

**A:** My name is Jack Gibson, I am an Aboriginal man of the Wiradjuri nation. I have observed this form of identification in acknowledgments of Country (in certain circumstances) by non-Aboriginal people, and by the ABC showing both the Anglo name and the name of the Aboriginal Country the presenter was broadcasting on. At face value this practice can be read as a practice of inclusivity. Inclusion into what, I would ask? On the other hand, this 'inclusive' practice can be read as a form of appropriation of Aboriginal knowledge of Country/identity by non-Aboriginal people, thus privileging white-Australian-ness.

The critical view of this new appropriated identity custom is that it is merely tokenism. We have to ask this question: will this new identity practice change the dire circumstances Aboriginal people experience, such as the appalling rates of Aboriginal incarceration including children, deaths in custody, children in out-of-home care and poverty?

**Q: Has a local identity been strong for you? Or is 'Aboriginal' or 'First Nations' or 'Indigenous' a more comfortable and inclusive identity?**

**A:** I identify as a Wiradjuri person who currently lives on Darug Country. I would argue the terms 'Aboriginal' and 'Indigenous' are inclusive and, at once, all

encompassing, which can neglect the complexities and the pluralities of Aboriginal identities. 'First Nations' — a term that I prefer — points to the diversity among Aboriginal people.

**Read full story:**

<https://johnmenadue.com/replace-celebration-of-january-26-with-a-lifetime-of-deep-listening/>



Demonstrators protesting for freedom gather outside Parliament House in Canberra. AAP Image/Mick Tsikas

## **Whose sovereignty is really being fought for? What happens when First Nations People are dragged into extremist protests**

***Kelly Menzel, The Conversation, February 7th 2022***

***Over the past few weeks we have seen First Nations people protesting alongside alt-right “freedom” protesters at Old Parliament House in Canberra.***

With this we saw a classic example of the alt-right trying to recruit disaffected marginalised people for their own ends.

This is not only dangerous given what we know about the history of First Nations peoples' interactions with police, it also perpetuates a stereotype of First Nations people that we are dysfunctional, disunited and do not know what we want.

### ***White supremacy and the Aboriginal Tent Embassy***

The Aboriginal Tent Embassy in Canberra was established in 1972. The Embassy is a permanent, heritage-listed protest site representing the political rights of the Indigenous Peoples of Australia. It is the longest living Indigenous protest site in the world.

However, in recent months a clash of extremist white protesters alongside some Indigenous people, attempted a hostile invasion of the site in a bid to co-opt the Embassy's cause. The group that descended the area included key white supremacist figures, including members of the Proud Boys.

These alt-right, extremist invaders are aligned with the global Sovereign Citizens (SovCits) movement, whose roots are racist and antisemitic. Sovereign Citizens are anti-government and believe they are sovereign from the laws of the country where they live.

These extremists misappropriated the long-term struggle of First Nations people, and created chaos and division.

It seems these groups find ways to recruit others by tapping into the distrust of authority. They potentially exploited this to recruit Indigenous people to an alt-right cause.

The presence of Indigenous people in these protests further perpetuates the narrative we are dysfunctional peoples who cannot agree - a stereotype white people as a collective do not have to worry about.

Indigenous people being perceived as dysfunctional springs from white deficit narratives about Indigenous communities. This deficit discourse represents our people in terms of incivility, discord and failure.

#### **Read More:**

[https://theconversation.com/whose-sovereignty-is-really-being-fought-for-what-happens-when-first-nations-people-are-dragged-into-extremist-protests-168368?utm\\_medium=email&utm\\_campaign=Latest%20from%20The%20Conversation%20for%20February%208%202022%20-%20194821762&utm\\_content=Latest%20from%20The%20Conversation%20for%20February%208%202022%20-%20194821762+CID\\_36dc8d6abb50e8dbff8b5f3095209fca&utm\\_source=campaign\\_monitor&utm\\_term=Whose%20sovereignty%20is%20really%20being%20fought%20for%20What%20happens%20when%20First%20Nations%20People%20are%20dragged%20into%20extremist%20protests](https://theconversation.com/whose-sovereignty-is-really-being-fought-for-what-happens-when-first-nations-people-are-dragged-into-extremist-protests-168368?utm_medium=email&utm_campaign=Latest%20from%20The%20Conversation%20for%20February%208%202022%20-%20194821762&utm_content=Latest%20from%20The%20Conversation%20for%20February%208%202022%20-%20194821762+CID_36dc8d6abb50e8dbff8b5f3095209fca&utm_source=campaign_monitor&utm_term=Whose%20sovereignty%20is%20really%20being%20fought%20for%20What%20happens%20when%20First%20Nations%20People%20are%20dragged%20into%20extremist%20protests)



*" Change is possible when we allow ourselves to be transformed by the care that God has for each of us."*



**" It is the care of mercy, it is the care of love that changes us in our depths and makes us capable of welcoming others as brothers and sisters.."**

*Pope Francis*

Catholic News



Refugees at the Park Hotel including Mehdi (left) watch the protests on the street during Djokovic's detention. Credit:Luis Enrique

## **‘Limbo’: What’s happening to refugees still in immigration detention?**

*Sherryn Groch, Sydney Morning Herald, January 30th, 2022*

***Djokovic has left but refugees are still held in detention around Australia. Why? How does the system work today? And how does our hard border stack up internationally?***

In the end, one of the most divisive immigration battles in Australia’s history was over in less than a fortnight – in a whirlwind of court hearings, protests, diplomacy and two brief stays in a Melbourne immigration detention hotel. The case of Novak Djokovic versus the Australian government drew the world’s eye to Australia’s hard borders. And for a moment, people even looked past the media circus camped outside that hotel to the faces of the refugees also held there.

Through those windows, you might have seen cousins Mehdi and Adnan, who fled persecution in Iran as teenagers and have now grown up together in detention centres. Or Joy, who has survived shark bites, sickness and beatings since he fled Bangladesh but still dreams of opening a restaurant in Australia. Jamal, having left his homeland when his work with Western forces in Afghanistan drew Taliban attention, was driven to such despair after five years in detention offshore that he set himself on fire, but he now looks for the signs of pro-refugee supporters outside the hotel every day, “the people who give me strength”.

About 32 are still detained in the Park Hotel in inner-city Melbourne, most of them recognised as refugees to whom Australia owes protection but with no clear idea why they are being held when others have been released. They are not the only ones. Despite a US resettlement deal struck by the Turnbull government in 2016 to take up to 1250 refugees, and the closure of offshore detention centres such as Manus Island, many refugees and asylum seekers are still in facilities in Australia or monitored in community detention. More than 200 are left on Nauru and in Papua New Guinea. And thousands are also in Australia on bridging and temporary protection visas, including Afghan refugee Zaki Haidari, who calls it a different kind of limbo, sometimes with years unable to work or study.

So, if we “stopped the boats”, why are so many refugees still languishing in the system? What might happen to them? And how does Australia’s hard border policy stack up internationally?

***Who are refugees and asylum seekers?***



No one chooses to be a refugee. Zaki certainly didn't. When his mother arranged for him, at 17, to be smuggled out of Afghanistan, these were her options: Zaki's father, who was their village's first-ever doctor, had just been taken by the Taliban and Zaki's older brother beheaded for going to university. The family – part of the persecuted Hazara ethnic minority – were waiting for the Taliban to come for Zaki next. "My mother knew I'd die if I stayed but she was told I'd only have 90 per cent chance of surviving if I went."

Zaki did survive, after a harrowing three months in the hands of people smugglers but the journey wasn't over. It was late 2013 and he had arrived just after a crucial policy change in Australia – asylum seekers who arrived by boat could no longer apply for protection.

.....

.....

Officially, Australia calls refugees like Zaki "illegal maritime arrivals" although seeking asylum – even by boat – is not a crime. Since 1976, about 80 per cent of those seeking asylum in Australia by boat have been found to be genuine refugees, according to analysis by the Refugee Council of Australia. That means Australia cannot deport them under its international obligations. "The cardinal rule", immigration lawyer Sanmati Verma explains, is not to return a refugee to harm.

An "asylum seeker" becomes a "refugee" officially when they are recognised as having a "well-founded fear" of persecution back home which that country cannot or will not protect them from. This is not a magical declaration, Verma notes. Another country may recognise someone as a refugee even after one state has rejected their claim. And asylum seekers still have rights: "They're like refugees in waiting." That's why, under a binding 1951 refugee convention to which Australia is a signatory, a country must also assess each person's claim of asylum individually.

**Read Full article:**

<https://www.smh.com.au/national/limbo-what-s-happening-to-refugees-still-in-immigration-detention-20220126-p59rgg.html>



(Image AAP / Joel Carrett)

## **Australia's structural cruelty goes beyond refugee policy**

***Stuart Rees, Pearls & Irritations, February 4th 2022***

*Australia's reprehensible treatment of refugees now goes beyond cruelty, and instead could be described as evil.*

Cruelty fostered by government policies is evident in harm to the bodies and minds of powerless individuals, but in regard to Australia's treatment of refugees, the charge of cruelty now reads like an understatement.

Morally reprehensible, years-long dehumanising treatment of refugees in Melbourne's Park Hotel illustrates evil equivalent to a permanent virus which we are told we must learn to live with.

To reframe a description of an Australian government's policies from cruel to evil, I acknowledge the insights and outrage of Crikey commentator Guy Rundle. Writing on January 12, he refers to the treatment of Park Hotel refugees as "an evil that manifests itself in plain sight", his charge confirmed by the experiences of 24-year-old detainee Mehdi Ali, who was only 15 when first imprisoned, after he tried to escape oppression in Iran by travelling to Australia by boat.

Powerful, proud Canberra politicians have been so preoccupied with appearing strong towards powerless refugees that they appear to enjoy inflicting psychological harm, a practice described by Rundle as "just straight existential horror, weaponized to create permanent damage".

Under the "Set Them Free" banner, Australia's religious leaders have identified the hypocrisy of a prime minister who professes a Christian faith which should oblige him "to stand up for truth, for justice, for the poor, the hungry and homeless". Instead, although not referring to evil, the narrator of a campaign video, Reverend Tim Costello, argues that "Australia treats dogs better than it treats refugees".

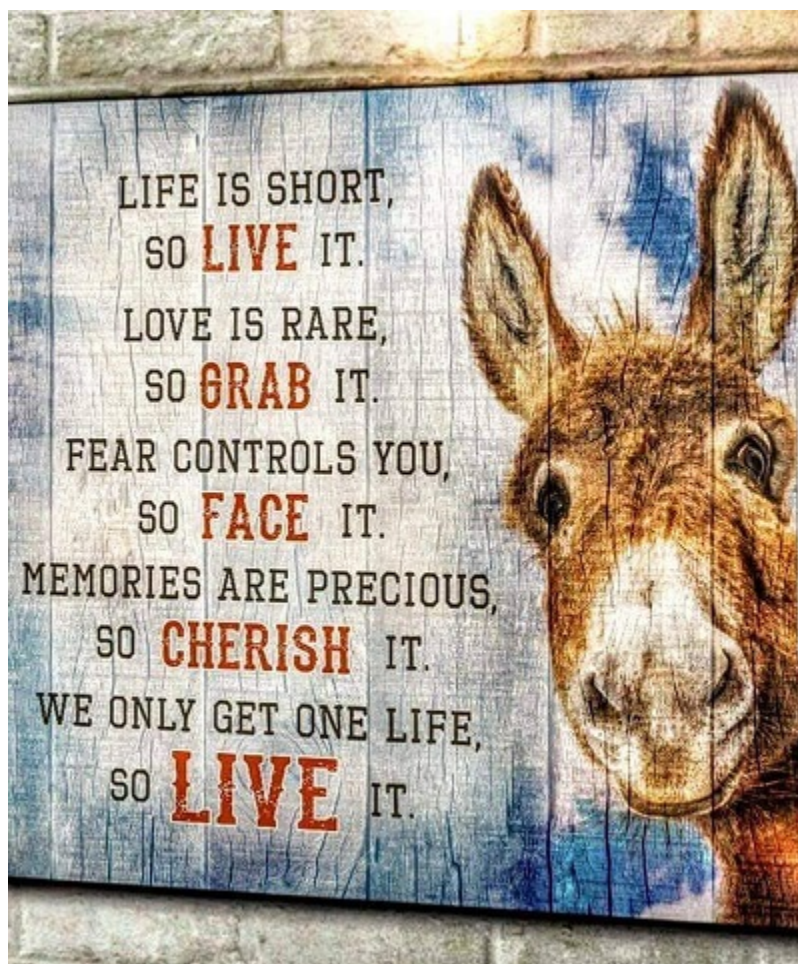
Speaking of evil needs careful caveats. Degrees of evil could be plotted on a continuum, from one miscarriage of justice to headless bodies piled high in the streets of a Syrian town taken by ISIS.

The latter macabre picture could be easily recognised as evil, but extremes of cruelty do not imply that apparently lesser acts might be tolerated. One evil act allowed becomes contagious, one refugee unjustly punished metastasises into a policy's natural order.

A second caveat concerns a world wide spread of evil. The morally repugnant treatment of refugees by an Australian government compares to the policies of other states, where potential for evil is massaged by authoritarianism, by disdain for democracy and for human rights.

**Read More:**

<https://johnmenadue.com/australias-structural-cruelty-goes-beyond-refugee-policy/>





Alex Muese (left) and Talipope Kalolo (right) are Samoan workers who have come to Australia under the Seasonal Worker Programme. Source: Supplied/Alex Muese

## **Pacific Islander farm workers demand justice after claims of 'modern slavery'**

***Rayane Tamer, SBS News, 6th February 2022***

***Some Pacific Islander workers say they feel like they are being "treated like slaves" as fruit pickers in Australia under the Seasonal Worker Programme.***

For Samoan man Alex Muese, arriving in Australia to work was a dream come true. Mr Muese, 34, carries great responsibility as he cares for eight children, his wife and her parents.

When he received his Seasonal Worker Programme (SWP) visa, he thought he would earn an hourly wage to support his family in Samoa.

"I was excited, thinking that it's going to help me get some money to help me with raising my family, my village and my church," Mr Muese told SBS News, through a Samoan interpreter.

But four months into his role as a fruit picker at a farm in eastern Victoria, he said he and his 21 fellow workers are "treated like slaves", squeezed into small, squalid living quarters.

Initially believing they would be paid \$25 an hour on a five-day working basis, these conditions changed when Mr Muese and his peers arrived at work. They are now being paid a piece rate with unpredictable hours.

Mr Muese said they were made to sign contracts in English, despite not understanding the language, and were not provided with an interpreter to understand the terms.

Mr Muese would end up earning \$300 as his net pay after working 73 hours in one week.

His colleague, Koneferenisi Maiava, picked strawberries for 73 hours another



week - and he earned only \$100.

"The way we are made to work through the heat of the sun or rain, without rest, we feel like we are being treated like slaves," Mr Muese said.

Instead of providing funds for his family like he planned, he is now doing his best to survive in Australia on his own.

### ***Do these conditions amount to 'modern slavery'?***

Fed up with the lack of accountability from their employers, the Pacific Islander workers in eastern Victoria said they had enough.

Mr Muese and fellow Samoan colleague Talipope Kalolo, 29, fronted this week's Senate hearing on job security, outlining the exploitative conditions they had been subjected to.

### **Read More:**

<https://www.sbs.com.au/news/pacific-islander-farm-workers-demand-justice-after-claims-of-modern-slavery/f5865eed-c113-47b9-bcca-88d6abd3f3e1>



Engineer, inventor, entrepreneur, writer and advocate of renewable electricity Saul Griffith.

Credit: Supplied

## **The Joe Biden adviser living in Wollongong**

***Mike Secombe, The Saturday Paper, February 5th- 11th 2022, No.385***

He argued science, she argued familiarity. Saul Griffith, engineer, inventor, entrepreneur, writer and influential advocate of renewable electricity, was encountering strong resistance from his wife, Arwen, to his plan to put an electric induction cooktop in their kitchen.

The disagreement began some years ago, as they were planning their home in San Francisco. He wanted to live his principles by making everything – the heating, all the appliances, the car – electric and powered by renewable



energy.

He managed to talk her out of gas heating, he says, “but she was more adamant on wanting a natural gas cooktop because she had listened to 25 years of propaganda from the natural gas industry that wanted you to believe that it was a clean blue flame and the only thing that can do stir fry, and all the bullshit that you’ve heard”.

His counterargument relied heavily on data. When you boil a pot of water with a natural-gas burner, about 90 per cent of the energy in the gas gets converted to heat, but some 70 per cent of that energy is wasted because it heats the kitchen not the water.

“I think if Australia does a good job at that really quickly, we will accelerate the whole world’s transition by as much as a decade. That would actually be something to be proud of in Australia on climate, finally.”

An old-fashioned electric resistance hotplate is better. Because the heat is more directly transferred to the pot, it is about 70 per cent efficient, twice as good as gas. Induction cooktops are better still: up to 90 per cent efficient, as well as being faster to heat, easier to control, easier to clean and cooler for the kitchen. And, of course, an appliance using renewable electricity does not produce planet-heating carbon dioxide, as natural gas does.

Still, Arwen wanted the stove with which she was familiar. There was a long standoff, right through the design and then construction of their house. “It was a multiyear lobbying campaign of mine,” Griffith says.

In the end what changed his wife’s mind, he says, was not his technical data on relative efficiency of the appliances, nor the global consequences of their choice. It was the evidence of the health benefits for their kids. Burning gas produces not only carbon dioxide but other substances dangerous to human health, including carbon monoxide, nitrogen dioxide and ultra-small particulates that can affect the lungs, particularly of asthmatics.

Having made the decision to switch to electric induction cooking for health reasons, using the new stove made her a convert to its other benefits. Indeed, she became an apostle for induction, inviting friends and chefs around to cook and experience for themselves how much better it was.

“So we ended up winning more hearts and minds,” Griffith says. “But it did take a long time to get my wife persuaded. And a lot of money.”

For Griffith, this problem was not just personal. He has spent decades working on renewables. He has been a climate adviser to Joe Biden and is a hero to New South Wales Energy Minister Matt Kean, who calls him “a genius”.

Bluntly put, the question that nagged at Griffith through the cooktop saga was this: **“If you can’t persuade your wife, then how the ... are we going to**

**save the planet?”**

**The answer, he believes, lies in focusing less on the huge, global, negative consequences of inaction in the face of the climate crisis, and more on the personal benefits of action.**

What eventually persuaded Arwen was not her understanding that her gas stove would make the global climate worse, but the realisation that the electric alternative would make their domestic lives better.

**“I don’t think we solve climate change until we build public consensus that solving it is good for them,” he says.**

**Link to full article for subscribers:**

<https://www.thesaturdaypaper.com.au/news/economy/2022/02/05/the-joe-biden-adviser-living-wollongong/164397960013274>

**NB: If you would like to read the full article and don't have a subscription please contact me [mmcinerney@edmundrice.org](mailto:mmcinerney@edmundrice.org)**



On 27 March 1953, the Canadian Government presented seven nickel-silver doors for the General Assembly building. On the exterior of each one of them are four panels in bas-relief symbolizing fraternity (inset), peace, justice, and truth. Photo:©United Nations/DN

## **United Nations International Day of Human Fraternity 4th February 2022**

***"As we commemorate the International Day of Human Fraternity, let us commit to do more to promote cultural and religious tolerance, understanding and dialogue."***

*UN Secretary-General António Guterres*

### **Secretary-General's message for 2022**

On the International Day of Human Fraternity, we reflect on the importance of cultural and religious understanding, and mutual respect. I am grateful to religious leaders across the world who are joining hands to promote dialogue

and interfaith harmony.

The declaration “Human Fraternity for World Peace and Living Together” – co-authored by His Holiness Pope Francis and His Eminence the Grand Imam of Al-Azhar Sheikh Ahmed El Tayeb – is a model for compassion and human solidarity.

***We need this spirit more than ever.***

From deepening poverty and widening inequalities to conflict, division, and mistrust – our human family faces a cascade of challenges.

To confront them, we need to challenge those who exploit differences, traffic in hate, and instill fear of ‘The Other’ in anxious hearts.

Around the world, we see a rise in hate speech, intolerance, discrimination and even physical attacks against people, simply because of their religion or belief, ethnicity, gender, or sexual orientation.

These heinous acts are violations of human rights and affronts to the values of the United Nations.

***Today, let us commit to stand firm against bigotry wherever and whenever we see it.***

- Let us recognize our diversity as a richness that strengthens us all.
- Let us build bridges between the faiths, inspired by our common humanity.
- And let us come together in solidarity to create a more inclusive, peaceful and just world for all.

**Read More:**

<https://www.un.org/en/observances/human-fraternity/messages>

## REFLECTIONS.

### Queio Apache Prayer

*Looking behind, I am filled with gratitude.*

*Looking forward, I am filled with vision.*

*Looking upwards, I am filled with strength.*

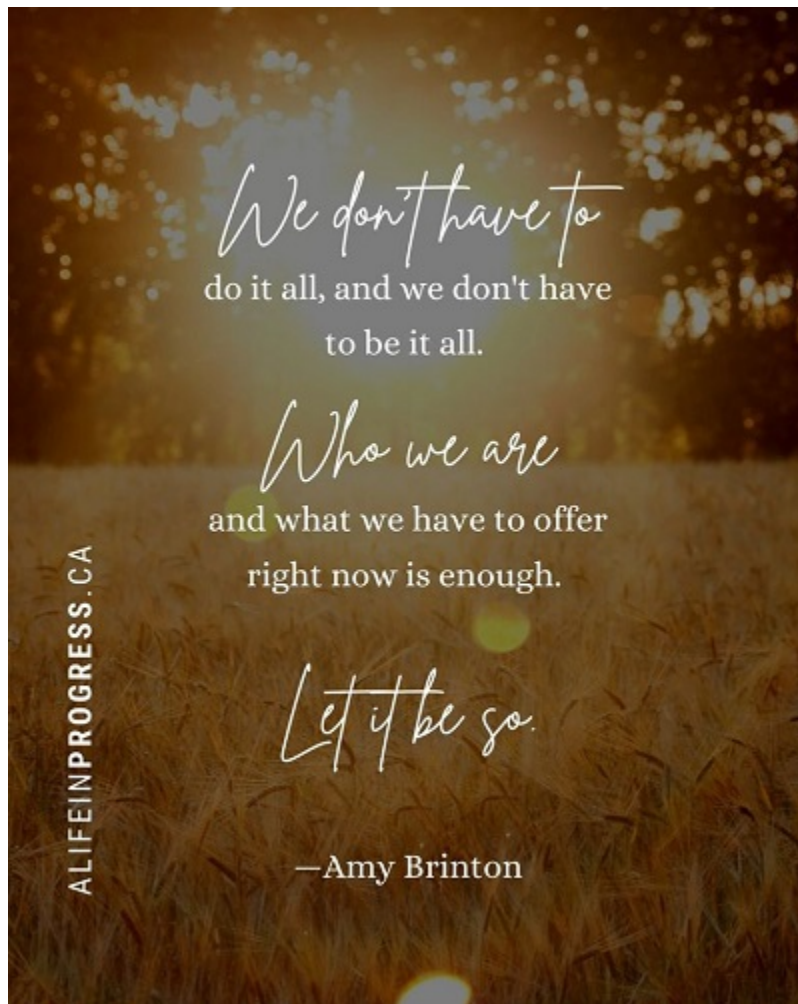
*Looking within, I discover peace.*

*May the stars carry your sadness away.*

*May the flowers fill your heart with beauty.*

*May hope forever wipe away your tears.*

*And, above all, may silence make you strong.*



## **Pace - e - Bene Nonviolence Inspirations**

***"Born of our deep interdependence, compassion is essential to human relationships and to a fulfilled humanity. It is the path to enlightenment, and indispensable to the creation of a just economy and a peaceful global community."*** Karen Armstrong

***"Man is not free from conditions. But he is free to take a stand in regard to them."*** Viktor Frankl

***"Without courage we cannot practice any other virtue with consistency. We can't be kind, true, merciful, generous or honest."*** Maya Angelou

***"I have often been inspired by Dr. King's quote: 'One with God is a majority.' He said once in a church basement, 'We have the power in this room, if we mobilize it, to change the future course of America.' Only thirty-five people***

***were in that room, and perhaps at the time they thought he was delusional. But he acted on that belief and together they woke up the whole nation and helped create fundamental change in our society."*** David Hartsough, Waging Peace

We acknowledge the Aboriginal and Torres Strait Islander Peoples of Australia as the traditional owners and custodians of the land. We commit ourselves to actively work alongside them for reconciliation and justice. We pay our respects to the Elders; past, present and future. As we take our next step we remember the first footsteps taken on this sacred land.

The Edmund Rice Centre wholeheartedly supports and endorses the  
ULURU STATEMENT FROM THE HEART  
and urges all Australians to get behind this wonderful statement.

**Our mailing address is:**

\*|HTML:LIST\_ADDRESS\_HTML|\* \*|END:IF|\*