

JUST ACT

ACT WITH JUSTICE IN MIND

News & resources from the Justice and International Mission Cluster

AUGUST 2019



HELPING OUR NEIGHBOURS: SWAN HILL'S COMMUNITY ISSUES GROUP

BY DENISSE SANDOVAL

Imagine leaving your country of birth in the middle of the night, without preparing, taking only what you can carry in a back pack.

Picture moving through darkness and dealing with people smugglers to get you across a border, not knowing what may come of this. Imagine having to take this journey as a last resort, because staying put would mean further torture and detention for just being who you are and practicing your faith.

I attended a meeting where I met a man this happened to. Saadat* (not his real name) spoke about his journey and mental health at the 13 June Community Forum on Refugees and People Seeking Asylum at Swan Hill Uniting Church.

Saadat recounted the brutal beating he endured at the hands of the Taliban, for merely having spoken up about the plight

of his people. After the beating, he was informed that he would be picked up again by the Taliban and that he should hide. Soon after this tip-off, Saadat decided to leave Afghanistan.

He ended up in Australia and arrived by boat in late August of 2012. Saadat is currently on a Safe Haven Enterprise Visa (SHEV), a temporary protection visa that requires renewal every five years. On this visa, Saadat can work and be covered by Medicare so long as he remains in a regional area. He has chosen Swan Hill to live and work in, and despite his history of trauma and torture, he comes across and friendly and enthusiastic.

The SHEV visa means the Australian Government has accepted you as a refugee. However, you will have to re-apply over and over again as punishment for having come by boat. Additionally, because he came by boat, Saadat is banned from being reunited with his family as he is not allowed to sponsor them for migration to Australia. He would

have to apply for special permission to visit his family overseas, a permission which is not achieved very often and can only be granted under compelling and exceptional circumstances. He explained to the 30 people at the forum, representatives from community health organisations, local police and volunteer groups, how he has considered suicide on several occasions due to the deep sadness he feels as a result of being apart from his wife and his elderly mother. The thought of never seeing them again is at the forefront of his mind every day.

At the Community Forum, we heard stories like that of Saadat's, but also stories from the local Uniting Church volunteers and service providers struggling to assist people. Asylum seekers used to be able to receive 500 hours of free English classes. However, this is no longer the case and instead,

Continued on page 2

SWAN HILL'S COMMUNITY ISSUES GROUP

Continued from page 1

volunteers at the Swan Hill Uniting Church are filling this important gap. Volunteers in the Community Issues Group at this church are also offering driving lessons, swimming lessons, and excursion trips. They are also undertaking the role of what a government agency should be doing, in the form of family support including provision of basic material needs, assistance with school enrolment, and legal assistance with form filling. The church members at Swan Hill are rolling their sleeves up and helping their neighbours, despite government cuts to assistance for people seeking asylum.

While in Swan Hill I also heard stories from mothers anxious about their 20 year old children wasting away in low paid agriculture jobs, not being able to pursue their dreams of becoming doctors, lawyers, business administrators or social workers. People seeking asylum on temporary visas are not able to attend university because their temporary status does not allow them to accrue a HECS debt, having to pay international student fees to attend. This is a barrier which essentially means that university

education is out of reach for most asylum seekers, with one study showing that out of 30,000 asylum seekers living in Australia, only 200 of them have attended university classes. This adds a further layer of otherness and marginalisation that an already vulnerable part of the community has to endure.

The Community Issues Group has been going since the year 2000. That's when the social justice group decided that they would focus on helping the local Afghani men working on farms and facing difficult situations with little support. In the future, they hope to help the people with family reunion applications, currently prohibited for people who have arrived by boat.

When I asked Jill Patten, leader of the group at Swan Hill UCA, why she does this work, she replied "Because we are the church and our work follows the mission statement, sharing God's love and gifts. All our work in the community with people seeking asylum is based on our Christian Faith. This brings us into discussion with the Islamic faith and sharing our beliefs." Jill's last sentence there reminds me that there is no mosque in Swan Hill, and so the Uniting Church there has

opened up its doors, allowing the local Hazara community to practice their Islamic faith there in the church hall, converting it into a Prayer House for both Sunnis and Shia to worships and celebrate life.

The Swan Hill Uniting Church has done heaps for their local neighbours seeking asylum, including shifting the perceptions of community members who weren't so warm to the idea of having refugees in town. They accomplished this by organising storytelling sessions where people told their stories of their journeys to Australia and why they left their country of birth. Sometimes just hearing someone's story can shift hearts and minds, as we see ourselves reflected in the life and struggles of another.

Are you looking for ways to do more for people seeking asylum? Would you like to plan a community forum similar to the one in Swan Hill? Join us for a volunteer planning conference phone call on Monday 26 August at 6pm or Thursday 29 August at 10am. If you are keen to join the call, or would like to organise a forum, email Denisse at denisse.sandoval@victas.uca.org.au. ●

CORONER TO CONSIDER THE ROLE OF RACISM IN THE DEATH OF TANYA DAY

In the April 2019 mailing we invited you to write letters to the Victorian Government about the death of Tanya Day, a First Person woman who died as a result of being placed in police cells in Castlemaine as a result of being intoxicated on a Vline train. The coroner investigating her death agreed in late June

to consider what role systemic racism played in her death. Tanya's daughter, Apryl Watson, said the family was pleased with the coroner's decision.

"One of our major concerns was that racism wasn't going to be addressed or the system that failed mum all along the way," Ms Watson

told *The Age*. "Obviously that's important for mum but it's important for our people, too."

Thanks to everyone who wrote letters in response to the action we issued in the April JustAct. If you did not get a chance to write on the case, it is not too late to do so. ●

FROM THE JUSTICE & INTERNATIONAL MISSION CLUSTER

Mark Zimsak – Senior Social Justice Advocate
Denisse Sandoval – Social Justice Advocate
Tim Molineux – Social Justice Officer

Uniting Church in Australia
Synod of Victoria and Tasmania
Centre for Theology and Ministry
29 College Crescent
Parkville, Victoria 3052

Phone - (03) 9340 8807

jim@victas.uca.org.au
<http://www.justact.org.au>

All of the resources in this mailing can be found on the JIM website.

If you would like to subscribe (or unsubscribe) to either this hardcopy mailing (bi-monthly) or email update (weekly), contact the JIM Cluster.

SOLDIERS IN MYANMAR ESCAPE JUSTICE OVER MASSACRE OF ROHINGYA

Many of you have joined in on letter-writing for the Australian Government to support Rohingya refugees who were forced to flee Myanmar to Bangladesh and to bring those responsible for the mass murder of Rohingya in Myanmar to justice.

In bad news, the Government of Myanmar released from prison seven soldiers who had been imprisoned for the massacre of 10 Rohingya men and boys. Their release sends a signal that the government had indeed approved of



the murders. They served less than 10 months in prison for the murders, less time than the two Reuters journalists imprisoned for reporting

on the massacre.

The JIM cluster will continue to seek justice for the over 10,000 Rohingya massacred by the Myanmar military. •

AUSTRALIAN POLICE ACT ON STOLEN FUNDS SHIFTED INTO AUSTRALIA

We have invited you to be part of a campaign to get the Australian government to take action to curb people from being able to shift money stolen from developing country governments into Australia.

In early June 2019 an Australian court allowed the Australian Federal Police to seize two Melbourne houses in Glen Waverley and Southbank and part of a suburban shopping complex worth \$4.2 million from Hui Ji. The accusation is Mr Ji laundered stolen funds into Australia from China. The Chinese Government has accused Mr Ji of having gained the money from high-level bribes in the construction industry. Mr Ji has managed to flee Australia, and his whereabouts remain unknown, but police believe he escaped to the Caribbean. He had several fake passports.

Thanks to everyone who has supported urging the Australian Government to deal with stolen funds shifted into Australia, so Australia is not a haven for such funds. •

INTERNATIONAL TAX REFORM CONTINUES

You have been part of our campaigning to address tax evasion and tax avoidance, which denies governments vital revenue for things like health care clinics, hospitals, schools, public transport and universities.

There has been further good news in the collaborative efforts between governments to address the problem, with the tax authorities of 90 governments automatically sharing information about people from overseas holding bank accounts in their jurisdiction. It means these tax authorities have shared information about 47 million bank accounts. The initiative has resulted in an extra \$154 billion in revenue being collected by governments between 2009 and 2019 as the governments were able to crack down on tax avoidance and tax evasion. Further, there has been a decrease of around \$800 billion in funds held by corporations and individuals in 40 tax secrecy jurisdictions.

Thank you to everyone who has supported this campaign for global tax justice. •



REFUGEE AND PEOPLE ASYLUM SEEKER FACT PAGE

The Australia we know today would look very different without the 880,000 refugees we've taken in since the end of World War II. Global stability and economic insecurity are not new concepts. However, over the last decade, there have been drastic policy and moral changes to the way Australia has responded to refugees and people seeking asylum. The following facts will help to cut through the complexity by covering the basics.

2019 REFUGEE AND HUMANITARIAN PROGRAM

Australia distinguishes between onshore (applied for within Australia) and offshore visas (applied for while outside of Australia). These are the available visas:

Temporary Protection Visa (TPV – Subclass 785, onshore), **Safe Haven Enterprise Visa** (SHEV – Subclass 790, onshore), **Permanent Protection Visa** (Subclass 866, onshore). **Refugee Category Visa** (offshore) – this type of visa has several offshore subclasses, including; **Subclass 200** (Refugee), **Subclass 201** (In-country Special Humanitarian), **Subclass 203** (Emergency Rescue), **Subclass 204** (Woman at Risk).

There are also about 15,000 people seeking asylum on **bridging visas**, meaning they entered Australia on one visa (tourist, student, business, etc) and then applied for asylum while on shore. This group of people has been recently affected by the cuts to the **Status Resolution Support Services** (SRSS), a payment that is meant to help people to live whilst their claim is being processed. Cutting this small payment means that more people are now living in destitution while their claims are being considered.

For 2018-19, the allocation of places available under **Australia's Refugee and Humanitarian Program** is 18,750.

The final refugee category visa is the **Global Special Humanitarian Visa** (Subclass 202). Through this

visa, a refugee can access the **Community Support Program** (CSP). This is where an individual, business or community organisation can sponsor a refugee for a Global Special Humanitarian Visa to be settled in Australia. Refugees are helped by the proposer to become financially self-sufficient within the first year of being in Australia.

HUMANITARIAN VISA ALLOCATIONS

Between 1984 and 2011 the average yearly intake of people under Australia's Humanitarian program was 12,986. Over 2017-2018, 74,080 people lodged applications for the 16,250 humanitarian visas granted during that period. Of this number, 7,909 were Offshore Refugee visas, 6,916 were Special Humanitarian Program Visas and 1,425 were permanent Protection Visas.

THE DIFFERENCE BETWEEN A PERSON SEEKING ASYLUM AND A REFUGEE?

A person seeking **asylum** is someone looking for protection because they fear persecution, or they have experienced violence or human rights violations. A **refugee** is a person who asked for protection and was given refugee status under the United Nations 1951 *Convention Relating to the Status of Refugees*. They may have been resettled in another country or be waiting for resettlement. **Not every asylum seeker becomes a refugee, but every refugee starts out as an asylum**

seeker. A refugee is defined by Australia's *Migration Act 1958* as someone who "is outside their country of his or her nationality and, owing to a well-founded fear of persecution, is unable or unwilling to avail himself or herself of the protection of that country".

OFFSHORE DETENTION (PACIFIC SOLUTION)

Australia first introduced offshore processing in 2001 to process people seeking asylum in the Republic of Nauru (Nauru) and Papua New Guinea's (PNG) Manus Island (Manus). It was first normalised as contemporary policy in 2012. Offshore detention applies to people arriving in Australia by boat without a valid visa. PNG and Nauru are responsible for processing the refugee claims of people seeking asylum.

2019 DETENTION AND COMMUNITY STATISTICS

As of March 2019, there are 1,312 people held in onshore detention within Australia. There is a total of 915 refugees and people seeking asylum held in offshore detention, 359 of whom are on Nauru, and 547 in PNG. A further 953 are in Australia with regard to receiving medical treatment who would otherwise be on Manus of Nauru.

MEDEVAC ACT 2019

The *Home Affairs Legislation Amendment (Miscellaneous Measures) Act 2018* is commonly referred to as the Medevac Act, Medivac Act or the Urgent Medical Treatment (UMT) Act. Here's how it works; once two doctors recommend a person currently on Manus Island or Nauru in need of serious medical treatment be brought to Australia, the Minister of Home Affairs (Peter Dutton) will have three days to approve or deny the request. If the request is approved, they will be brought to Australia for treatment. If the Minister denies the request on health grounds, a panel of medical experts will have three days to review the case. If they recommend the person be brought to Australia, then their decision is final. As of July 2019, the Minister presented a bill to Parliament to repeal the Medevac Act. It has since been referred to a Senate inquiry, with the relevant report due to be heard on 18 October. This means that it won't be debated by the Senate until November 2019.

COST FOR DETENTION

It costs \$573,000 a year to hold an asylum seeker in offshore detention; more than \$346,000 to hold them in detention in Australia; \$103,343 for an asylum seeker to live in community detention in Australia; and \$10,221 for an asylum seeker to live in the community on a bridging visa while their claim is processed.

CHILDREN IN DETENTION

In early 2019 the Australian Government declared no children were detained in Nauru, with the final four children sent to the United States. There have been over 200 held at Nauru. As of March 2019, less than five children remain in onshore community detention.

UNITED STATES RESETTLEMENT AGREEMENT

As of March 2019, 508 refugees have been resettled in the United States from Nauru and Manus Island as part of a 2016 agreement between the Australian and United States Government. Formal details of the agreement are not publically available, but it is reported that the US is considering taking up to 1,250 refugees.

CAMBODIA RESETTLEMENT AGREEMENT

This agreement was made in 2014 to enable refugees processed on Nauru to relocate to Cambodia. This agreement cost the Australian Government \$15.5 million for direct resettlement costs, and \$40 million over four years as part of its official development assistance program. Seven refugees moved to Cambodia, and a total of three remain as of June 2019.

LEGACY CASELOAD

This specifically refers to a group of 30,000 asylum seekers who travelled to Australia by sea between 2012 and 2014. Due to the politics at the time, this group of people has punitive measures placed on them restricting or removing their access to services, rights and legal assistance. For example, people seeking asylum on TPVs and SHEVs visas are banned from applying to sponsor their family to be reunited with them in Australia, and they are not able to attend university under the HECS program, making university education very expensive for this group of people. As of May 2019 there were still 8,985 people waiting for the Department of Home Affairs to determine their visa eligibility, 4,682 of whom are waiting in Victoria.

OPERATION SOVEREIGN BORDERS

This is a military-led border security operation established in 2013 to forcefully stop migrants and people seeking asylum from arriving in Australia by boat. The three key policies of this operation are

1. To turn back boats;
2. Prevent anyone travelling to Australia without a visa from remaining in Australia; and
3. Deter and stop the activities of people smugglers.

For more information about people seeking asylum and what you can do please contact us and sign up for our electronic newsletter. You can sign up by emailing jim@victas.uca.org.au •



By Ciaran McCormack, Marketing and Communications Officer, with U Ethical Investors who participated in Al Gore's Climate Reality Leadership Corps program.

Many of us who are concerned about the climate crisis have been feeling a sense of despair since the federal election.

It's clear that the party that has done most to stifle progress on the issue intends to maintain its intransigence over the coming three years. But there are plenty of reasons for hope. That was the key message from Al Gore when he was in Australia recently to train a group of volunteer presenters on climate change.

Gore highlighted the fact that the costs of new large-scale solar and wind projects, even without subsidies, are making new coal power plants unviable. He pointed out that while a lot of blame for the election result is being directed at Queensland where empty promises of mining jobs may have been a factor. However, with solar panels on one third of homes, Queensland also has the highest take-up of residential solar anywhere in the world.

In addition, although President Trump announced his intent to withdraw the United States from the Paris Agreement, the earliest date any country can leave the Agreement is 4 November 2020.

Coincidentally, that will be the day after the 2020 US presidential election so a new president could easily overturn Trump's decision.

That the crisis will only be turned around with the involvement of all sectors of society was clear from the diversity of guest speakers introduced by Mr. Gore. These included:

- Pacific Islander and member of the Uniting Church NSW/ACT Synod, Liuanga Halaifonua Palu, spoke of her work as Campaign Coordinator with Voices for Power which promotes clean, affordable power for multicultural and religious communities. She made a case for 'going fast by going slow' and building relationships through active listening.
- Conversely, within an Indigenous context, Yorta Yorta woman Karrina Nolan of Original Power said if engagement for developing policy is done properly then climate equity and a rapid transition to renewables is possible. She called on all Australians to passionately support the Statement from the Heart made at Uluru.
- Mike Cannon-Brookes, CEO of software company Atlassian,

recounted his role in the surreal high-stakes exchange over social media with Elon Musk of Tesla which led to the installation within 100 days of the world's biggest battery in South Australia.

- Mayor Fred Gela of the Torres Strait Island Regional Council pleaded for urgency to prevent his community from becoming the first climate refugees in Australia. He relayed the traumatising effects of islanders having to rebury remains of ancestors on higher grounds because rising tides have eroded burial sites.
- Emma Herd of the Investor Group for Climate Change challenged Australians to be 'climate-conscious investors' through their superannuation and investments.

With so much to reflect upon, the highs and lows of the three-day emotional rollercoaster took time to settle. But Al Gore's wrapped up proceedings on a hopeful note: "the will to change is itself a renewable source of energy." Indeed, our earth depends on it.

If you would like to know more, please contact Ciaran on (03) 9251 5936 or Ciaran.McCormack@uethical.com •

RENEWABLES GENERATE MORE POWER THAN BROWN COAL

For several years we have invited you to participate in campaigns to increase the uptake of renewable sources of power generation.

In the financial year that just finished on 30 June 2019 power supplied from renewable energy sources was higher than power generated from burning brown coal for the first time in Australia. Brown coal generation in Australia fell 13% between 1 April and 30 June 2019,



the lowest it has generated since 1993. In the same period power from wind generation grew by 28%. Power generated by burning natural gas continues to decline.

Australia was the world's fifth-biggest investor in renewable energy projects in 2018, spending almost \$10 billion, and had the second-highest use of solar-generated electricity per person. China was the world's largest investor in wind and solar power generation in 2018, having spent \$132 billion.

However, in negative news, NSW, Victoria, Queensland and South Australia are expected to fall short of their 2030 renewable investment targets. The only way this will be avoided is the governments in those states do more to promote investment into renewable power generation.

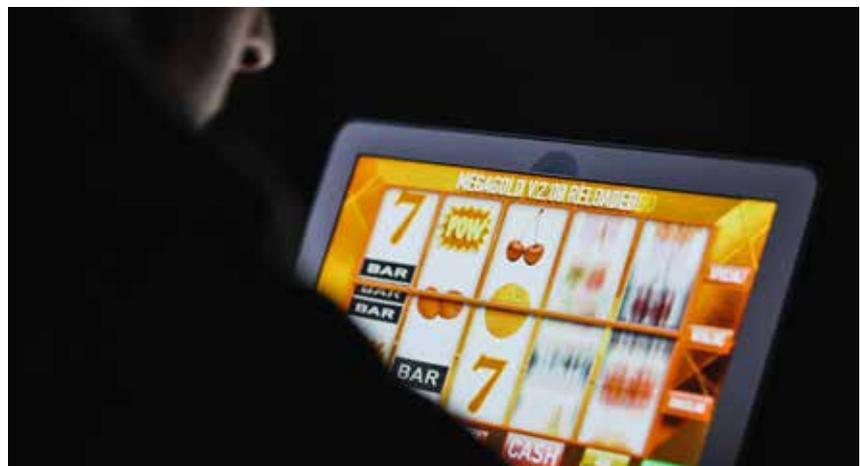
Thanks to everyone who has participated in our campaigns in support of increasing renewable energy use in Australia. •

VICTORIAN GOVERNMENT ACTS ON ONLINE GAMBLING

We have repeatedly requested that you write letters on the issue of curbing the harm caused by online gambling corporations.

In good news, on 23 May 2019 the Victorian Government has implemented several reforms to curb this harm. The reforms will:

- stop online gambling corporations offering inducements to get people to open online betting accounts;
- ban corporations from directly



marketing to people unless they have explicitly indicated they wish to receive such advertising material;

- require that a person must be invited to set a limit on how much they can place in an online gambling account when they open a gambling account;
- require gambling corporations to provide periodic statements of a person's gambling activity, so they can keep track of how much they have lost;

- gambling corporations must display required warning messages about the harm gambling can cause; and
- staff of the online gambling corporations have to be trained to avoid engaging in activities that will increase harm to people gambling.

Thanks to everyone who has written letters in actions seeking to curb the harm caused by the online gambling corporations. •

STEVE RICHARDS 'THE RISE OF THE OUTSIDERS'

This book by BBC political commentator Steve Richards is an essential read for anyone wanting to understand why the level of mistrust in mainstream political parties and politicians continues to grow.

The mistrust is creating space for the rise to power of outsiders like President Donald Trump and the UK Independence Party (UKIP). This impacts on the ability of governments around the world to deliver good government, providing important high-quality services and properly enforcing laws to benefit communities.

Mr Richards points out that the voters have developed unreasonable expectations of governments and political representatives. He points out that mainstream politicians that are honest with voters often find themselves punished at a ballot box for doing so. By contrast, outsiders can often be dishonest or outright lie and get away with it. The outsiders inability to deliver on unrealistic promises is only exposed if they are elected. He points that that Daniel Dale, a journalist at the Toronto Star newspaper, monitored Donald Trump's statements from 15 September 2016 to 8 November 2016. Mr Dale recorded 560 cases where the information provided by Mr Trump was false, an average of 20 a day.

He makes a convincing case that those in government often have the illusion of power to voters on the outside, but in reality are constrained by international forces beyond their

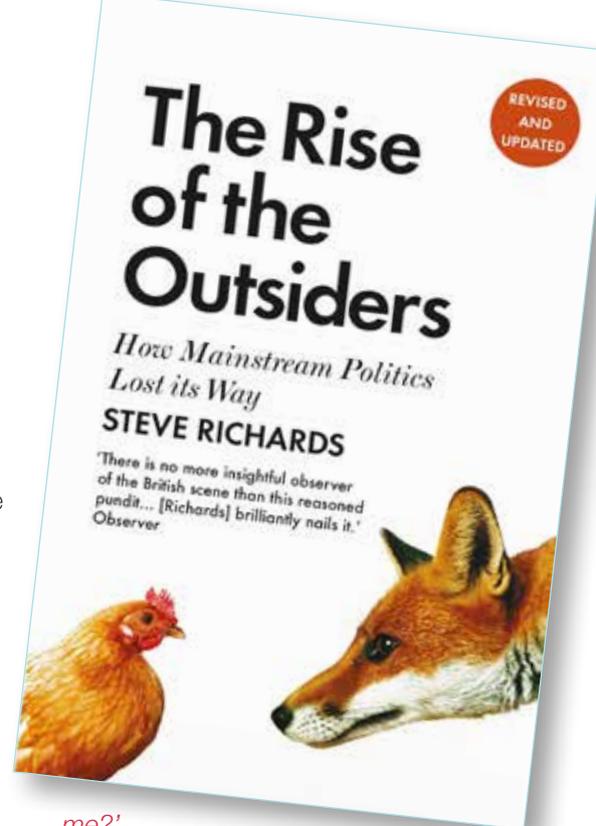
control and often having to negotiate with minor parties in parliaments. The constant feedback on social media also adds to the weight politicians feel, knowing that any mistake or misstep they make will be lambasted within seconds on social media.

He points out that voters often have an irrational level of criticism for politicians, well beyond what their actions or inaction would justify. The mistrust is often fed by a media that wishes to paint all those on the political 'inside' as liars, corrupt and criminal. The media do the public a disservice when they pursue this ideological position. It means voters are not provided with an accurate picture of why a political leader might be behaving in a certain way and hold them to account for their actual behaviour rather than a more negative artificial media construction.

Mr Richards provides a good summary of his key arguments that:

As well as choosing to be powerless, and rendered powerless, by constitutional constraints, elected leaders rule in an era of extreme mistrust. If they do not do x, y or z, the instinct of some voters is to assume that those they elected are liars and, in some cases, criminals. At the very least, some voters feel ignored and overlooked.

Such feelings are a gift to outsiders, who promise vaguely to take back control and to act on behalf of those who feel 'left behind'. The instinct to mistrust elected leaders is fuelled by some media outlets, which regard their main duty in relation to elected leaders as being to ask, as one interviewer put it, 'Why is this lying bastard lying to



me?'

It goes without saying that sometimes politicians fuel the mistrust because they do not deserve to be trusted. They can be indiscriminately greedy, self-serving and, in a few cases, corrupt. But on the whole there is a more interesting and reassuring set of explanations as to why leaders behave in the way they do. As they seek to resolve the conundrums and dilemmas, they cannot always be candid and sometimes have to go back on previous pledges or declarations. Such scheming is part of politics and is preferable to the alternative way of resolving disputes, which is the use of force.

The book is a helpful read to people concerned about social justice and truth. Having a realistic understanding of politics and what must be overcome is vital if we are to achieve a more just world. The book's one failing is that it paints a clear picture of the problem, but fails to provide much in terms of how to address the problems. Mr Richards does point out that to be successful, mainstream political leaders need to be both leaders and teachers to overcome the cynicism of a majority of voters. They also need to get better at their use of social media to reach voters directly. •

Images credit: Atlantic Books, 3rd May 2018, \$44.99