

**From the Director**

## **Changes to the Asylum Seeker Policy**

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The Government's new policy of releasing asylum seekers who arrive by boat after the August 13<sup>th</sup> change to offshore processing raises new concerns in regard to the treatment of vulnerable people.



Of significant concern is that people will not be granted work rights or allowed any family reunion options. This will leave people sitting for an indeterminate period with little means of supporting themselves or participating fully in their community. The payment of a living allowance, approximately \$435 per fortnight, will place significant pressure on them just to live. Considering that most people who arrive by boat have either family overseas to support or a debt for their journey, there is a strong chance of even greater hardship arising. As can be observed in the south East Asian countries where asylum seekers have transited through, the lack of work rights often leads to people engaging in unlawful employment making them subject to exploitation, insufficient or withheld wages and dangerous work practices. Not to mention risking having their visa revoked and being placed back in detention or forcibly removed.

Further concern is that people are now subject to two forms of treatment under the 'No Advantage' principle; that of being sent off shore to Manus Island or Nauru, or being placed in the community on the Australian Mainland. Issues of mental health concerns, self-harm and attempted suicide are already emanating from Nauru with the UNHCR, Amnesty International and the Australian Red Cross all voicing concerns. Now it will become a lottery of who is allowed onto the mainland and who is sent offshore, further distressing people who most likely will have been the random victim of harsh treatment in their home country.

It is not clear under the new policy if or how asylum seekers will be able to make an application for protection. What is clear is that even if found to be a refugee under international law they will not be given permanent residency and will remain on a bridging visa for an unknown period of time until they are deemed to have received 'no advantage'. No advantage is just a perpetuation of the refugee queue or queue jumper myth. There is no equally applicable timeframe to measure applications made through the UNHCR off-shore process against. Each application is processed and a person relocated to a third country based on many factors often arbitrarily applied, the randomness and uniqueness of each person's outcome cannot be quantified and applied universally or even on a like for like basis. By stipulating a waiting period that is arbitrary and cannot be justified by due process is against the refugee convention and international law.

In essence, the above policies will create a sea of uncertainty for already distressed people. It will condemn them to a substantial period of displacement and poverty from which they will have great difficulty recovering. The conditions that have been adopted by the government and the opposition are likely to strip away from both adults and children a sense of self-worth and wellbeing. This approach is negative in spirit and will invariably have negative consequences. We cannot aspire to be a society that seeks justice and harmony while, in this instance, we act as if we believe in neither. The right thing to do is to process people on the mainland quickly and speedily so that they can either be returned home or allowed to join our communities.

The inverse auction that is now taking place between the major political parties in regards to the conditions imposed on refugees that come by boat is sad to observe. It seems that we have forgotten the humanity that surrounds this issue. Our leaders are acting as if they are only concerned in “protecting our borders” irrespective of how we do it or the consequences of our actions. People need to be treated with dignity and respect, irrespective of who they are. We have seen too many times through history how the “classification” of people has often led to tragic and disastrous consequences. The classification “boat people” does not remove from us the obligation of treating fellow human beings in manner that safeguards their dignity and that honours their humanity. To do otherwise is to demean ourselves and create a page in our history that we will invariably regret.

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