



INAUGURAL VULNERABILITY REPORT

Inside the process of seeking asylum in Australia

JUNE 2013

the
power of
humanity



Foreword

This inaugural *Vulnerability Report* by Australian Red Cross draws from many human stories of people seeking asylum and refugees who have come to Australia, out of desperation, and in hope of a better future.

With its practical experience in providing humanitarian support to vulnerable people globally, and from its unique vantage point of assisting asylum seekers in this country, Australian Red Cross is well placed to assess their vulnerability, and the increasingly painful predicament in which they find themselves.

The five recommendations reached in the Report - with which UNHCR wholly concurs – provide a principled and sensible call for action that deserves our serious and urgent consideration.

Richard Towle

Regional Representative
UNHCR, Canberra
6 June 2013

Introduction

Australian Red Cross is proud to present the inaugural *Vulnerability Report: Inside the process of seeking asylum*.

This is the first of what will be an annual research contribution on key matters of social concern. The findings provide an important insight into the experiences of the clients we work with. They also provide a platform for further debate on ways to bring about humanitarian outcomes for vulnerable people in Australia through dialogue with the community and with government.

Australian Red Cross is a leading humanitarian agency and part of the wider International Red Cross and Red Crescent Movement (the Movement). Numerous international resolutions made by the Movement and accepted by governments make it clear that globally, National Societies such as Australian Red Cross have a mandate and a responsibility to uphold the dignity and protect the physical and mental health of people seeking asylum. This involves working to achieve respect for the diversity and social inclusion of all migrants, which includes people seeking asylum.

As a global Movement, Red Cross has a long record of impartial service to people displaced by war, persecution, internal factors and events which force people to migrate. In Australia, we have supported people seeking asylum for over 20 years. In that time, we have always sought to rise to the challenge associated with rapidly changing circumstances and policy settings, through the professionalism and humanity of our staff and volunteers.

This Vulnerability Report allows Red Cross and the wider community to hear about the nature and extent of vulnerability from the perspective of people seeking asylum. It helps us to understand the realities they face and to look for ways to ensure that, whether people return to their country of origin or are settled in Australia, they are supported during the time their application for asylum is processed.

Robert Tickner

CEO, Australian Red Cross

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Summary

Australia is a signatory to the 1951 Convention Relating to the Status of Refugees, from which a range of obligations flow.

As a leading humanitarian organisation, we believe it is our duty to urge those responsible for meeting Australia's obligations to uphold the dignity, health and wellbeing of people seeking asylum in Australia. For our part, Red Cross works hard in its own activities to ensure humanitarian values are upheld.

Australian Red Cross has long and consistently advocated for community based arrangements for people seeking asylum rather than the prolonged use of detention facilities.

Red Cross believes it is critical that we contribute to building consensus for sustainable support and timely processing and settlement options for people seeking asylum in Australia.

Recommendations

This *Vulnerability Report: Inside the process of seeking asylum* draws on research conducted with our clients and fellow humanitarian agencies, support services and community associations. The findings help us to understand the realities faced by people seeking asylum in our country.

These findings have informed five recommendations on ways to continue to develop a more humane system for seeking asylum in Australia. These deal with the vulnerabilities caused by protracted periods of uncertainty, legal vagaries, isolation and poverty, and enable people to sustain themselves and their families while they await the outcome of their claim for protection.

Australian Red Cross makes the following recommendations

1. That the Australian Government immediately takes all steps necessary to ensure that Immigration Detention facilities are used for people seeking asylum only for the shortest practicable time required for health and security clearances.
2. That the Australian Government takes urgent action, including committing the necessary resources, to undertake the processing of protection visa applications in a reasonable timeframe and to ensure that timely and durable solutions are implemented for people found to be refugees.
3. That the Australian Government immediately grants work rights to asylum seekers who are living in the community on a Bridging Visa (either across the board or on a case by case application process).
4. That the Australian Government ensures that basic living allowance payments and other supports provided to people seeking asylum are commensurate with their needs and are no less than that provided to other people with similar needs in the Australian community.
5. That the Australian Government and all State and Territory Governments work together and with the community sector to further improve community care arrangements for people seeking asylum with a particular focus on resourcing community based housing options.



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Ariza still finds it hard to pay for the electricity and water and for the children's schooling...

Ariza, a 31 year old married woman travelled to Australia with her husband and two children. A Customs boat met their boat and took them to Christmas Island; they arrived in mid 2010. Ariza's children were 18 months and eight years old at the time.

They spent nearly two months on Christmas Island before being transferred to an Immigration Detention Facility in South Australia where they were held in two sites for an additional year. They are currently living in community detention arrangements.

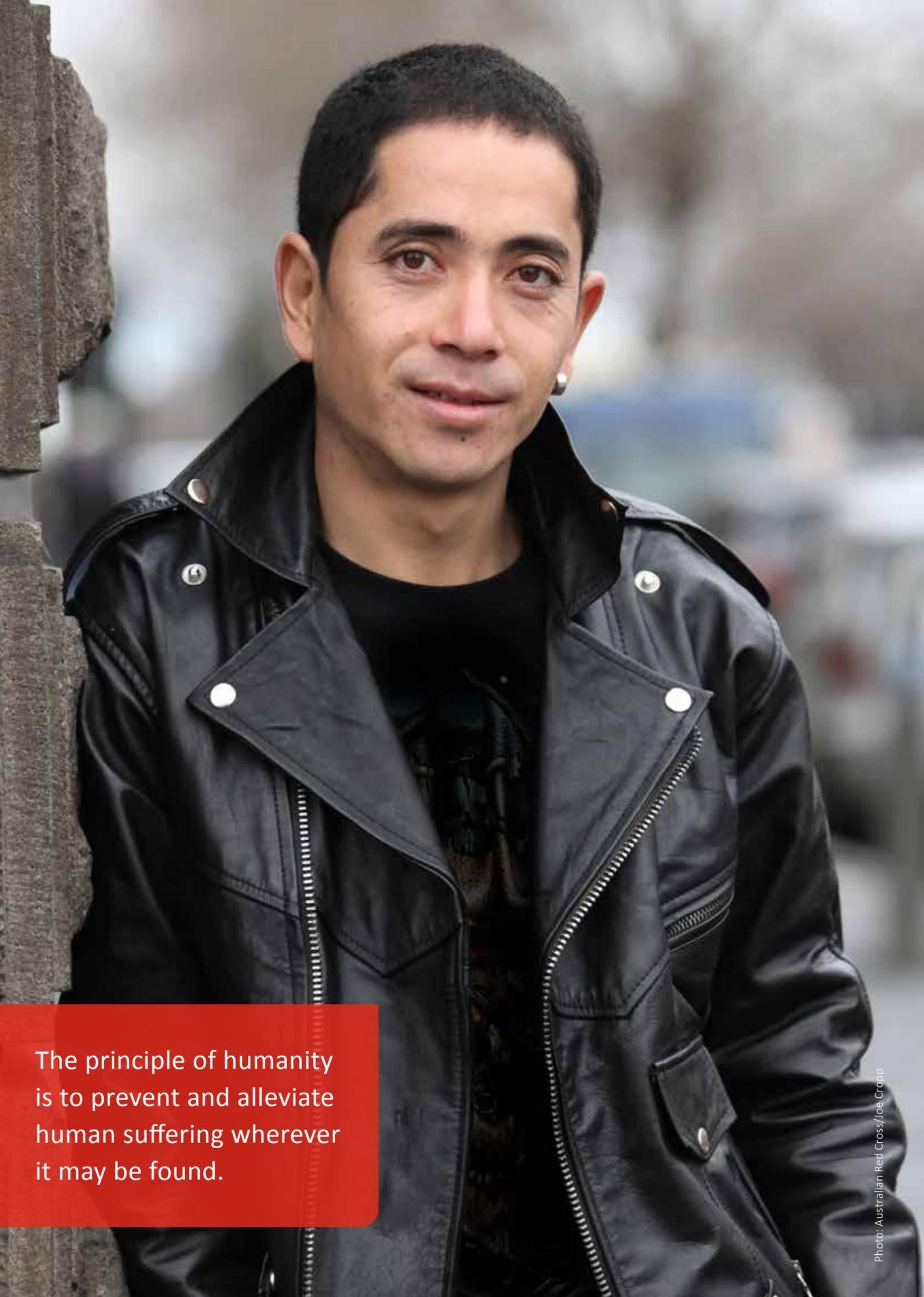
At the moment they receive fortnightly government-funded payments from Red Cross but Ariza still finds it hard to pay for the electricity and water and for the children's schooling and related expenses.

Ariza and her husband do not have a visa; they are unable to work, to study or find a course they might like to commence. Her husband sits at home eating or sleeping.

They were attending free English classes but could not continue because of their sadness. Her husband does the shopping now, as she does not feel well enough.

Prior to coming to Australia, Ariza's husband worked illegally repairing shoes and she was a housewife. As non-citizens in the country they were residing in, they had no rights and no identity.

"We haven't any identity in Iran. My father was born in Iraq...they came from Iraq to Iran...they feared they couldn't stay any longer in Iraq...we live in Iran for a long time without any identification because we are Arabs...there is nothing for us...we are not allowed to use their education and healthcare support."



The principle of humanity is to prevent and alleviate human suffering wherever it may be found.

About Australian Red Cross

Australian Red Cross is a humanitarian organisation guided by the Fundamental Principles of the International Red Cross and Red Crescent Movement (the Movement).

This means that Red Cross is committed to, and bound by, the principles of humanity, impartiality, neutrality, independence, voluntary service, unity and universality.

The principle of humanity is to prevent and alleviate human suffering wherever it may be found. In addressing humanitarian needs, the principle of neutrality precludes the Movement from taking sides or otherwise engaging in political controversies or partisan debate.

The Movement is one of the largest humanitarian networks in the world with over 80 million members and volunteers operating in over 187 countries.

The principle of voluntary service is at the heart of the Movement's ability to mobilise the power of humanity. In Australia, Red Cross has 19 266 members and a workforce of 2 962 staff and 34 046 volunteers, of which 3 106 are young humanitarian volunteers across the country. In the area of Migration Support programs alone, over 800 staff and 620 registered volunteers work with our clients seeking protection in Australia.

This diverse and committed group of people assists Australian Red Cross to deliver programs and services in seven carefully defined priority areas.

Strengthening national emergency preparedness, response and recovery

Increasing international aid and development

Strengthening youth, families and communities in areas of locational disadvantage

Championing international humanitarian law

Addressing the impact of migration

Partnering with Aboriginal and Torres Strait Islander peoples

Overcoming social exclusion by providing bridges back into the community

Background

Policy shifts for people seeking asylum in Australia.

The United Nations High Commissioner for Refugees describes a person seeking asylum as an individual who is seeking international protection.

In countries with discrete refugee assessment procedures, a person seeking asylum is someone whose claim for protection has not been decided by the country in which she or he has submitted their claim. Not every person seeking asylum will ultimately be recognised as a refugee, but every refugee is initially a person seeking asylum.

Red Cross has been providing support for people seeking asylum in the community in Australia for over 20 years, including orientation, accommodation assistance, the provision of living allowance payments, facilitating access to a range of services and general support while clients are waiting for an outcome on their application for protection.

In 2005, Red Cross worked closely with the Government and other stakeholders to develop Australia's Community Detention program. This initiative was developed to provide a more humane detention model for identified families with children, vulnerable adults on their own and unaccompanied minors, by placing them in community based arrangements rather than in closed detention facilities.

The Community Detention program was significantly expanded in November 2011. After this time, Red Cross took on a Lead Agency role and currently has partnership arrangements with 20 other community based organisations to provide an expanded range of services to this client group.

The Community Detention program remains a sound model of community care and provides support services to clients who are technically in detention and therefore do not hold a visa, but are deemed by the Minister to be able to live in the general community.

With increasing numbers of people seeking asylum arriving by boat to Australia over recent years, the Government has also expanded other community care arrangements. A number of significant policy decisions enable people seeking asylum to be released into the community on Bridging Visas, with access to important but limited supports.

These arrangements are complicated by issues such as a lack of work rights for people on Bridging Visas and limited income support. Nevertheless, the placement and support of people in the community rather than in Immigration Detention, while their visa status is being resolved, is a preferable policy alternative.

Why is this an issue for Australian Red Cross?

Australian Red Cross is committed to supporting people seeking asylum based on their need, without discrimination and irrespective of their legal status, the way they arrived in Australia or their stage in the visa determination process.

Over the last eight years, Australian Red Cross, like many National Societies around the world, has allocated an increasing amount of resources in response to a growing humanitarian need among people seeking asylum.

Recent Australian Government forecasts acknowledge a sizeable escalation in the number of people seeking asylum in Australia. In the financial year 2011 to 2012, a total of 7 983 people arrived by boat and sought asylum. Estimates of 5 400 for the 2012 to 2013 financial year were revised to 12 000 by February 2013, and may reach an estimated 25 000 by 30 June 2013.

The challenge of providing appropriately for the needs of an escalating number of people seeking asylum is a significant one. While we advocate and fully support community care arrangements, Red Cross believes we have a responsibility to highlight the circumstances in which people seeking asylum currently exist within the Australian community. This underscores the importance of a humanitarian approach to the treatment of this vulnerable group of people.

Who did we speak to?

The key findings in this Report are drawn from lengthy, in-depth interviews with 33 people seeking asylum in Western Australia, South Australia and Victoria.¹

Their personal testimony is supplemented by interviews with 26 key informants from ethnic associations, humanitarian, advocacy and health services who work to support asylum seekers in Australia.

Where requested, interviews were conducted in first language and transcripts translated into English by first language speakers.

In light of the intrusive nature of this research topic, sufficient interviews were conducted with people seeking asylum to identify consistent themes and to confirm that no new major findings were likely to emerge irrespective of how many more people might have been interviewed.

¹ All asylum seekers arrived before July 2012 and had been living in the community for nine months or less, after an average stay of 6 months in Immigration Detention facilities. The vast majority (80%) arrived by sea from Afghanistan, Iran and Sri Lanka, and were mainly men travelling alone, half of whom were married, with wives and families in their country of origin, neighbouring countries or in refugee camps. Those arriving by air (20%) came from Zimbabwe, Iraq, Europe, the Pacific and one person was stateless. Claims for protection had been rejected at least once for a third of the asylum seekers we spoke to, and the Department had commenced deportation discussions with four of them. The sample is fairly typical of the population of people seeking asylum with whom Red Cross and its partner agencies work, save for unaccompanied children who were not included in this study.



...a rare insight into the day to day realities of arguably one of the most vulnerable groups in Australia.

The Findings

The evidence that long periods in Immigration Detention have profound and debilitating effects is well established in Australia and internationally.

Prolonged detention is a negative experience, preventing people from developing the skills, habits and knowledge of cultural norms to participate within Australian society. Detention exacerbates the effects of other traumas.

This increases the level of suicide and self harm in detention centres and prolongs psychological vulnerability after release, sometimes for life, and most especially for children and young people.

While a community based model can avoid the worst effects of Immigration Detention, as others have observed, care in the community is not without its difficulties (whether in Community Detention or through other community care programs).

The pervasive insecurity of tenure and fear of forced removal significantly decreases wellbeing. Differential access to government-funded programs and a rapidly changing immigration policy landscape cause confusion among service providers and people seeking asylum alike. The gap between levels of government resources and need, especially in the face of increasing numbers of people seeking asylum, creates pressures.

This Report sheds light on the lived experiences of people seeking asylum in Australia and in doing so provides a rare insight into the day to day realities of arguably one of the most vulnerable groups in Australia.

Key findings

1. People seeking asylum exist in a painful, protracted state of uncertainty

Long delays in processing and limited opportunities for meaningful participation in the Australian community create and exacerbate mental distress.

2. People seeking asylum encounter vagaries in the legal system

Legal support can be difficult to obtain and the process is experienced as confusing, inconsistent and demeaning.

3. People seeking asylum live in a distressing state of isolation

Shame, stigma, suspicion and fear keep people seeking asylum in a state of isolation from their cultural communities in Australia.

4. People seeking asylum live a precarious existence

People seeking asylum live in the Australian community in a state of poverty.

5. Destitution can be an outcome for some people seeking asylum

The withdrawal of support payments and services before the legal entitlement to appeal is exhausted produces acute and distinctive vulnerability.

6. The human spirit is resilient

Many people seeking asylum are sustained by their own courage and personal strength, and are buoyed by resilience, hope and the kindness of strangers.

1. People seeking asylum exist in a painful, protracted state of uncertainty

Long delays in processing and limited opportunities for meaningful participation in the Australian community create and exacerbate mental distress.

“With no decision, I am in a world of uncertainty....I find myself lost here...I am suspended. I feel mentally down.”

People seek asylum in Australia in the hope of being granted protection and a safe, secure place to build a new life. There is an inherent level of uncertainty and worry in the process which can be protracted, in part owing to Australia’s staged process of review for visa determination decisions.²

Without work to fill the day or opportunities to study or volunteer, with few friends, relatives or community engagement and limited money, people seeking asylum have little to fill their waking hours. On average, this state of being ‘held in limbo’ continues for as long as a year.³

“We are just sitting on the balcony....waiting.”

Lack of purpose or focussed activity during the day does nothing to help the sleep of people seeking asylum. Nights are plagued by worry about the family, the future and experiences since arrival.

“I am thinking, what is happening to our family....we are here, our future...what happened for us in Sri Lanka before...it’s coming like a dream...like TV and we are not sleeping.”

Service providers report that managing the sleep difficulties of people seeking asylum is one of their biggest challenges. Sleeping pills are prescribed to people seeking asylum both in detention facilities and to those living in the community.

“In the camps they tried to give me sleeping pills but I didn’t like to take them because of the side effects and getting addicted. I had friends who had to take them every day or they would get stomach cramps.”

Worry over visa applications, stress and sadness worsen as the wait extends for a visa determination. Poor mental health rapidly spirals downwards where claims are rejected, and in some instances, acute distress can result in suicidal thinking.

“I never thought I would get into a situation where I would think of doing that [committing suicide], but I was in a state where I was thinking of harming myself and going to see a Counsellor helped me you know because life got bitter for me.... so I was thinking of harming myself.”

“I don’t like to have any relationships with people. I don’t want to go and see them or someone to come to our place.... I am sadder here [than I was in Iran] because nothing has changed with me.”

² A primary decision made by the Department of Immigration and Citizenship; the right of appeal to the Refugee Review Tribunal; judicial review at the Federal Magistrate’s Court to establish any errors in the application of law and potential referral back to the Refugee Review Tribunal; appeal to the Minister for Immigration.

³ In 2011 to 2012, the average processing time to finalise protection cases was 27 weeks. The average time to refuse or withdraw a case was 21 weeks, but the average time to grant a visa was twice that, at 52 weeks, owing to the need for health and character checks.

2. People seeking asylum encounter vagaries in the legal system

Legal support can be difficult to obtain and the process is experienced as confusing, inconsistent and demeaning.

“They [Department of Immigration] don’t deal with you. They deal with you as a number in a file....They broke me, they destroyed me, they just turned me to dust.... everything is broken... when something is broken, you can’t fix it.”

The process of ‘telling one’s story’ is central to a claim for protection. To be able to make oneself understood across language, across culture and within an unfamiliar legal framework is at the heart of procedural fairness for people seeking asylum.

Despite explanation of the legal process during Immigration Detention and in spite of the appointment of government-funded legal representatives, many of the people seeking asylum we interviewed experienced the legal process as confusing, inconsistent and demeaning.

Several obstacles get in the way of being able to tell one’s story accurately and with personal agency. People seeking asylum reported difficulty contacting the lawyer assigned to their case, despite already being released into the community. Limited understanding of the assessment criteria and legal processes for seeking protection and concern about the quality of interpreters are all common experiences.

“I’m waiting to meet the judge and my lawyer....and still I’m waiting for an interview...I didn’t met any lawyer in Curtin...there was no lawyer in Curtin....I haven’t meet with anyone yet.”

Some asylum seekers felt their lawyers did not want to hear their full stories, and that the process was de-personalised.

“We met the lawyer face-to-face [in named accommodation]...he just took our case...whatever he wanted to....information only....he gave us his contact... whatever he wanted from us he just take it and he didn’t ask...we were just about to tell him our story but he didn’t want to hear the story...just what happened, why you come here like that, whatever [information] he wanted he just took it like that.”

The sense of powerlessness to tell one’s story in a consistent and clear way was also attributed to terrifying experiences on the journey to Australia. This resulted in the failure to recall or recount critical information to the right people and at the right times.

The greatest confusion for people seeking asylum was reserved for the inconsistent acceptance rates between decisions made at the primary level and by the Refugee Review Tribunal, which they saw as evidence of an ‘idiosyncratic’ visa determination process.

In 2010 to 2011, the primary grant rate for air arrivals was 25.3% and 71.1% for those arriving by sea. Of those found not to be refugees at the primary decision, the vast majority seek review by way of appeal to the Refugee Review Tribunal, where the original decision is overturned for 44% of those who arrived by air, and 91% of those who arrived by sea.

“Our fate depends on the person who interviews. There is no commonality in the judgement....If I get someone who understands the situation in Sri Lanka...he would be sympathetic and generally we get our status...we get a visa.”

3. People seeking asylum live in a distressing state of isolation

Shame, stigma, suspicion and fear keep people seeking asylum in a state of isolation from their cultural communities in Australia.

“Every body is holding his own hat so that the wind doesn’t blow their hat off – it means everybody is busy with their own life.”

Many people seeking asylum live in a state of isolation from their cultural communities. Furthermore, despite the efforts of Red Cross and other agencies providing support, most have few links with the resident Australian community more generally beyond their case worker and volunteers.

For some, the explanation is simply that people are busy with their own lives and problems. More often, shame and stigma at arriving as an asylum seeker are amplified by suspicion and fear.

For many people seeking asylum, pervasive fears of violence, personal identification, harassment or discrimination reinforce their isolation from cultural communities.

Frequently, these fears are at the heart of the claim for asylum. They involve transgressions of sexual and ethnic cultural norms, domestic violence, state persecution and alienation, all factors which continue to have enormous power in the lives of those seeking asylum in Australia, especially when confronted with small, local cultural communities.

“I don’t deal with them [my cultural community] because I’m already rejected from them so I don’t have any dealing with them at all. I don’t mix with them. I’m an Arab and I’m Muslim and then I’m gay...so I’m shameless...you know, I brought them disgrace.”

“[I have no interest in connecting with the Iranian community] I am an Iranian Arab...I speak Arabic at home and I live with an Iraqi Arab.”

People seeking asylum are more likely to find solace and solidarity among the fellow countrymen and women with whom they shared their sea journey and period of detention on arrival. Although a source of emotional support, these networks cannot provide the orientation, advice, practical and financial support which might otherwise be obtained through meaningful engagement with members of the resident cultural community.



istockphoto/Barotisz Hadyniak Stock image used to protect the identity of the individual.

Many asylum seekers live in a state of isolation from their cultural communities.

4. People seeking asylum live a precarious existence

People seeking asylum live in the Australian community in a state of poverty.

Many people seeking asylum live lawfully in the community while their immigration status is being resolved.⁴

They face a daunting array of difficulties across the basic aspects of daily life – finding secure and affordable housing, food and (where eligible) employment.

4.1 Housing

“Four of us are living in the same room in the hotel.... We have been here for 7 weeks, now we are paying.... it’s really expensive and we don’t have much money left after we pay for food or clothes or transport....we can’t afford food and you know, we are borrowing money from friends.....”

In the face of a nationwide shortage of affordable homes and living on a meagre income, the quality of housing for people seeking asylum in the Australian community is typically unstable and poor.

Of 1007 people seeking asylum surveyed for an internal Red Cross Homelessness Census (2012), almost half of those in receipt of government support failed to have access to quality, long term housing. Of these, 13% of all single individuals and 9% of single parents in the survey lived in short term, emergency accommodation or were sleeping rough.

Finding a place to live frequently involves sequential moves (the worst we found was 7 moves in 11 months), and considerable uncertainty (including people seeking asylum who did not know where they would be sleeping that night).

People seeking asylum are exposed to a range of transitional, supported and sometimes emergency accommodation. They live in shared houses, hotel rooms, backpacker hostels, garages, homeless accommodation and some ‘sleep rough’. They live as paying and non-paying lodgers and as guests where they have family networks or friends.

4 People seeking asylum receive a minimal level of support while their visa status is being resolved. Eligible people seeking asylum receive a living allowance payment and minimal one-off emergency payments allocated in accordance with Program guidelines set by the government. Current support payments and services are outlined at www.immi.gov.au

For many, the wait for a decision on their immigration status involves considerable material hardship.



Not all people seeking asylum are eligible for material assistance such as bed linen, blankets, pillow cases, crockery, cutlery and clothes. For many, the wait for a decision on their immigration status involves considerable material hardship.

“My aunt’s grandson helped me to find a place...I pay \$210 a fortnight and I sleep on the floor. I have no bedding and only one small blanket which is not big enough to cover myself....I get cold but I have no choice.”

Where people seeking asylum have to compete in the private rental market, they can encounter systemic discrimination through the combined effects of inadequate income support, language barriers, poor transport, underlying discrimination and the pressured process of rental inspection.

Using public transport to attend brief rental inspection openings, without English or access to telephone interpreting services, unable to complete the necessary forms and facing a competitive rental market, on their own, people seeking asylum have few choices and a low chance of success. Inevitably, people seeking asylum are pushed further from the city centres where housing is more affordable, but services are scarce and isolation greater.

4.2 Food

“After paying the rent we have \$35 left for two weeks.... we are eating noodles and eggs...normally one sometimes two meals a day. We realise this is not good for us....the body is not getting what it needs.”

In 2013, an internal Red Cross census found that almost 40% of people seeking asylum had experienced food insecurity in the preceding 12 months, principally because of the cost of household bills and low income.

People seeking asylum overcome lack of food by getting food or money from friends, by eating less, getting food or money or vouchers from an emergency source or eating poorer quality and variety of food.

4.3 Employment

For people seeking asylum with work rights, having a job makes an important contribution to personal wellbeing. It supplements meagre income support and keeps the mind busy, providing a distraction from the relentless worry and uncertainty.

“It’s really helping. When I work I have like my full attention on work, I try to focus on it and try my best to do like, to give my best so I don’t think about my visa, what’s going to happen there or about my family and take too much tension about them.”

For men with cultural obligations to provide for their families, the ability to work and to send money home provides a sense of dignity and empowerment. This helps to alleviate the pressure associated with the long wait for a visa outcome, and the guilt and failure which accompanies any rejection during the process.

“My family don’t have financial support...I am away from my family and I think about them a lot and stress.”

There was a widespread willingness to do any kind of work, or to volunteer, but of those we spoke to who had work rights only 15% were employed. The work is menial, casual and poorly paid as kitchen hands, labourers and factory workers. Professional skills and experience made no difference to employability; English skills are the key driver of the ability to find a job among people seeking asylum.

Some of the frustration and disappointment at not being able to find a job is caused by Australian employers’ misunderstanding of visa entitlements. Other practical impediments (apart from poor English) include the lack of a resume or police clearance, no child care support and poor physical and mental health.

“I can’t work or study or exercise...I have headaches... they started in Afghanistan and have followed me here...I have had three X-rays but I have too much tension being away from the family and I think about them a lot....with these headaches, it’s difficult for me to work and to even look for work.”

5. Destitution can be an outcome for some people seeking asylum

The withdrawal of support payments and services before the legal entitlement to appeal is exhausted produces acute and distinctive vulnerability.

“After the rejection...after that no-one helped me...I feel like a blind person. I feel everyone has left [me]... abandoned me.... no-one is supporting me [legally] and no-one will speak for me [represent me at Court.]”

Under current community care provisions, government funded support ceases within five days after two rejections in the visa application process. Typically this involves a negative outcome at the Refugee Review Tribunal stage.

From this time, people seeking asylum who are unable or unwilling to return home exist in a distinctive, acute state of vulnerability in the Australian community. They continue to live without funded support in order to exhaust the rights of appeal which are their legal entitlement.

This particularly unsettling and painful situation often takes months and can stretch into years. One person seeking asylum was still waiting after a year for the outcome of a Ministerial intervention request, three years since arriving in Australia.

The loss of access to income support, food and accommodation brings people seeking asylum to the doors of Emergency Relief centres, where, as non-citizens, they find they are ineligible or a lower priority for help. For those with work rights and a job, the distress created by rejection and potential deportation affects all aspects of life.

“I think about this problem [my visa situation] all the time. I don't concentrate well, even at work. I can't concentrate at work, they ask me to do one thing and then I do another. They shouted at me at work because I am not concentrating...It's hard work and tiring.”

Access to legal assistance is also withdrawn, save for that which can be organised through personal networks, charitable agencies or advocates for people seeking asylum. The importance of English skills and proper advice about how to prepare an appeal (where relevant) are never more important, and never more difficult to obtain.

“The submission has to be in writing... and I mean I don't write English and when I went to the...every lawyer I went to or when I went to someone from the service, they would say we can't help you and you have to do it yourself. So I couldn't find anyone.”

Typically, people seeking asylum are informed by phone that their application has been rejected. They manage their own distress as well as that of their families, and strongly internalise the responsibility for rejection.

“Yeah so life is bitter ... when I was constantly getting rejected I wish that my boat had drowned ... that I wasn't living anymore ... that I wasn't going through all this pain and struggle and you know, I have my youngest child is born so whenever I call home, I call late into the night so that she's asleep. If she's awake she keeps asking me you know 'Daddy why are you not coming? Why are you not coming back to Afghanistan, why are you not bringing us to you? When are you going to come back?' So they cry on their end of the phone and I cry on my end of the phone. It is so bitter.”

6. The human spirit is resilient

Many people seeking asylum are sustained by their own courage and personal strength, and are buoyed by resilience, hope and the kindness of strangers.

Australia's system for resolving the immigration status of people seeking asylum is difficult to navigate. Yet despite the hardship and suffering, often exacerbated by pre-arrival experiences, many people seeking asylum in Australia are sustained by personal resilience and a well-spring of hope.

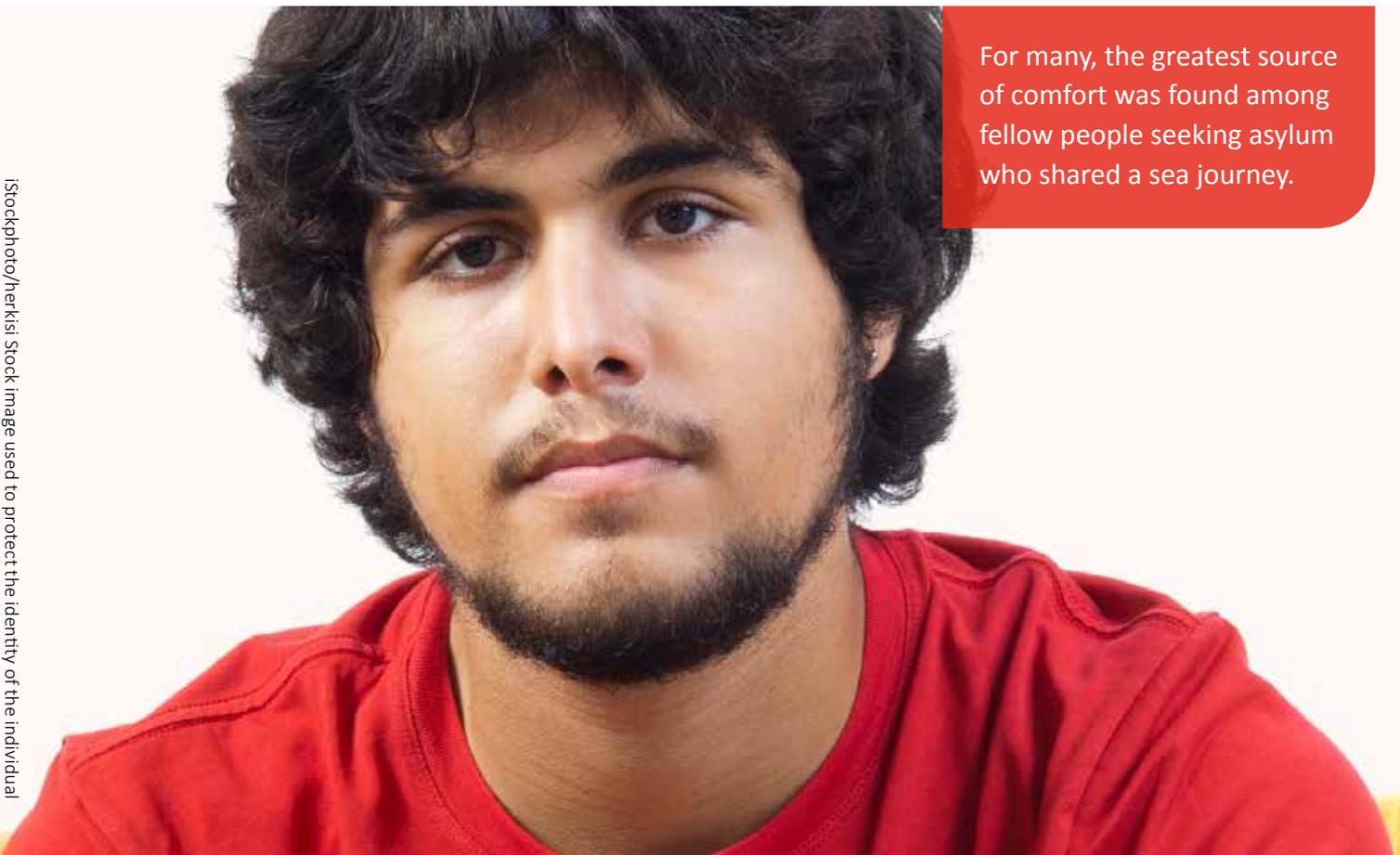
For many, the greatest source of comfort is found among fellow people seeking asylum who shared a sea journey or time in a detention facility. These networks provide mutual help, information, contacts, shared living and a sense of community, particularly for those alienated from their wider cultural community. The absence of this mutual support for people seeking asylum arriving by air was notable. It increased their sense of isolation, lack of knowledge about relevant support programs and overall vulnerability.

We also heard stories of great humanitarian kindness. People seeking asylum, in desperation, approached strangers with whom they shared a language or cultural background for help. They received information about how and where to apply for asylum; a place to live in; direct financial and psycho-social support; advice about how to find a house, or a job; assistance with interpreting; help with letter writing and advice on cities to live in.

This empathy and identification with the suffering of 'the other' was not confined to people sharing a language or cultural background with people seeking asylum. Many service providers from the general Australian population went out of their way to assist – case workers, real estate agents, health and dental services, lawyers, advocacy services, churches and community and ethnic associations.

"Everything helps but nobody cares for us. We want to tell our story to someone. Today we are very happy. We are lucky to meet you. Thank you very much. Thank you."

For many, the greatest source of comfort was found among fellow people seeking asylum who shared a sea journey.



Recommendations

The findings have informed five recommendations on ways to continue to develop a more humane system for seeking asylum in Australia. These deal with the vulnerabilities caused by protracted periods of uncertainty, legal vagaries, isolation and poverty, and enable people to sustain themselves and their families while they await the outcome of their claim for protection.

Australian Red Cross makes the following recommendations

1. That the Australian Government immediately takes all steps necessary to ensure that Immigration Detention facilities are used for people seeking asylum only for the shortest practicable time required for health and security clearances.
2. That the Australian Government takes urgent action, including committing the necessary resources, to undertake the processing of protection visa applications in a reasonable timeframe and to ensure that timely and durable solutions are implemented for people found to be refugees.
3. That the Australian Government immediately grants work rights to asylum seekers who are living in the community on a Bridging Visa (either across the board or on a case by case application process).
4. That the Australian Government ensures that basic living allowance payments and other supports provided to people seeking asylum are commensurate with their needs and are no less than that provided to other people with similar needs in the Australian community.
5. That the Australian Government and all State and Territory Governments work together and with the community sector to further improve community care arrangements for people seeking asylum with a particular focus on resourcing community based housing options.

Acknowledgements

The Vulnerability Report presents key research findings from a study commissioned by Red Cross in 2012 and conducted by Dr Alexandra Gartrell.

Copies of the full research findings are available from research@redcross.org.au.

The organisation recognises and thanks all those whose contributions have made this research possible, in particular the men and women seeking asylum who volunteered to speak with the researcher.



istockphoto/Juannonino - Stock image used to protect the identity of the individual

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redcross.org.au

Australian Red Cross programs

Our commitment

Red Cross seeks to assist migrants, irrespective of their legal status, whose dignity, physical or mental health is under threat. We effect change in order to prevent and reduce the vulnerability of migrants, protect them against abuses, exploitation and denial of rights.

Through our work we strengthen the capacity of people impacted by migration to seek opportunities and sustainable solutions for themselves and their families.

We focus on

- restoring family links for migrants who have been separated by war, conflict or disaster
- the well-being of migrants in transition
- the dignity, health and well-being of people being held in Immigration Detention is upheld
- building capacities, skills, support and service access of migrant communities
- humanitarian diplomacy and advocacy
- improving Red Cross capacity and accessibility.

Some of our programs

Community Assistance Support

Funded by the Department of Immigration and Citizenship (DIAC), Community Assistance Support provides support to people with high needs in the community awaiting an outcome on their visa application from the Department of Immigration and Citizenship (DIAC). The program also provides support to eligible people who have recently been released from an Immigration Detention facility. The program provides complex case work support, a basic living and rent allowance, access and financial assistance for healthcare, and referrals to services such as social support, education, accommodation and material assistance.

Asylum Seeker Assistance Scheme

Funded by the Department of Immigration and Citizenship (DIAC), the Asylum Seeker Assistance Scheme provides vital support to eligible asylum seekers in the community experiencing financial hardship while awaiting an outcome on their protection visa application from DIAC. Financial assistance can be provided for basic living expenses, general healthcare and visa related health and character checks. We also provide referral to services such as healthcare, counselling, accommodation, material aid, education, legal services and social support.

Community Detention

Funded by the Department of Immigration and Citizenship (DIAC), Community Detention supports eligible families with children, unaccompanied minors and individual adults to live independently in the community while they are awaiting an outcome on their visa application from DIAC. With support from partner agencies, the program provides accommodation and support, while also providing referral to services such as healthcare, education for school-age children, welfare support and community engagement activities.

Trafficked Persons

Funded by the Department of Families, Housing, Community Services and Indigenous Affairs (FaHCSIA), this program supports people who have been made vulnerable by people trafficking and are assisting the Australian Federal Police with their investigations. The program provides intensive case work support, accommodation and financial assistance, while also offering referrals to legal advice, counselling and mental health supports, vocational and education courses, medical assistance and drug and alcohol services.

Emergency Relief

Supports refugees, asylum seekers and other people in the community awaiting an outcome on their visa application from DIAC who are experiencing a financial crisis, have no source of income and are unable to receive any other form of financial assistance. The program provides financial support to assist them in their current crisis situation.

Immigration Detention Monitoring

Provides independent humanitarian monitoring of the conditions of detention and treatment of people held at Immigration Detention facilities across Australia. The program conducts confidential advocacy with DIAC with a focus on ensuring that the dignity, health and wellbeing of people held in Immigration Detention are upheld and protected. It also provides referrals to other agencies for assistance, including our International Tracing service.

International Tracing

Helps families separated by war, conflict or disaster re-establish contact by finding lost loved ones and exchanging family news, re-uniting people and clarifying the fate of the missing. The International Tracing service is the only one of its kind in the world and works through the Red Cross and Red Crescent global network in 187 countries.

the
power of
humanity



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