

The Refugee Advocacy Network is a Victorian based group which fosters collaboration and exchange between a number of community groups advocating for the just and humane treatment of people who seek asylum in Australia.

Overall, our member groups consider the government response to mitigating the impact of the pandemic on Australians has been robust and effective. It has been particularly encouraging to see constructive bipartisan co-operation to rapidly respond to these unprecedented challenges. The National Cabinet has been a great success, and the tenor of the political discourse has moved from being unnecessarily combative to considered and respectful interactions between the Government and the Opposition to minimise harm and work together for the common good.

We would encourage all politicians to adopt a similar approach to reset the policies which have resulted in years of suffering for people who have fled dangerous and oppressive conditions in their own countries to seek safety in Australia. We now know that it is possible for our politicians to put in place policies which protect the rights and freedoms of all people, including those who come here to seek refuge – all that is missing is the political will to do so.

In relation to the COVID-19 response, there are three issues we want to raise. Three of these COVID decisions are putting people who are seeking asylum and refugees at risk.

1. Income support

We believe there may be around 37,000 people who are seeking asylum who are on Bridging Visas – because their claims for refugee status have not been resolved. Many of these people have been living in the community on Bridging Visas for years, waiting for a determination of their refugee status. The majority of these people now have work rights, and those who have been fit for work and able to find work, have been managing to support themselves, usually with casual work in the hospitality industry, taxi/uber driving, meat works etc, because it is very difficult to get permanent work while on a Bridging Visa.

People on Bridging Visas have not been included in the income support packages, leaving many without any income at all. While it is good to see community groups rallying with support through food distribution, most of these groups will not have the capacity to pay for rent to ensure that these people can maintain a roof over their heads. Many welfare agencies have been struggling for over 12 months to support an increasing number of families and individuals to on Bridging Visas who have been unable to work due to illness or caring for their children, as an increasing number of people seeking asylum have been denied access to Status Resolution Support Service (SRSS) as the federal government has progressively tightened

eligibility for this very basic support. Under the SRSS income support was set at 89% of the old Newstart allowance.

It is a matter of urgency that people on Bridging Visas be provided income support through Job Seeker if they are unable to work and support themselves.

In addition to humanitarian considerations, there are public health consequences when people are deprived of nutritious food and medicines and are forced into overcrowded shared housing. This exposes them to a greater risk of contracting Covid19.

The \$60 billion undersubscription of the Jobkeeper program illustrates that the Government has the capacity to extend the financial safety net to all those in need, including those who are seeking asylum who, through no fault of their own, are unable to support themselves financially.

2. Covid19 and those in immigration detention

Thousands of experts have called for the release of people in places of closed detention, as these places are known to be potential hotspots for infection.

- Recently, Professor David Isaacs and more than 1200 health professionals [called for the immediate release of people from detention](#) :
'...Transmission of COVID-19 in institutions is a significant risk. Detainees are held in relatively crowded conditions, made worse by communal meal and activity arrangements in the hotels and detention centres..... Detention conditions in Australia would likely lead to rapid spread, posing a risk to guards and thence to the rest of the Australian community. Failure to take action to release people seeking asylum and refugees from detention will not only put them at greater risk of infection (and possibly death), it also risks placing a greater burden on wider Australian society and the health care system'
- [Experts in the control of infection diseases](#) called for the release of detainees to reduce this very high risk of infection for detainees and workers.
- Over 1,000 academics signed [Open letter to the Australian Government Controlling COVID-19 in Immigration Detention](#) urging the Australian Government to move people urgently out of closed immigration detention, including 'alternative places of detention'.
- [Human Rights Watch](#) released a statement calling for release of detainees most at risk.

It appears that these multiple calls have not been heeded so far. We know that in many other countries people have been released from places of detention to reduce the risk of infection to these people, and to the wider community, given the large number of guards and other staff who work in detention centres.

Reports from detainees and lawyers who have visited indicate that despite assurances otherwise, systematic and rigorous infection control measures have not been in place inside detention centres and the two hotels where refugees and people seeking asylum are also being detained.

Authorities must ensure that social distancing and protective health measures are strictly observed in all immigration detention centres and Alternative Places of Detention (APODs), together with routine testing of staff and detainees.

We have particular concerns for the wellbeing of nearly 200 men who were brought to Australia to receive treatment for serious medical conditions. These men have been incarcerated in hotels for over 6 months in crowded and unsanitary conditions, and deprived of sunlight, fresh air and the opportunity for regular exercise. Many of these men have still not received the medical treatment they need, and their health is compromised, so that their chances of surviving the infection are greatly reduced.

This situation has caused a high level of anxiety amongst the people held, exacerbating mental health problems, with two suicide attempts in recent weeks in the hotels.

We consider that the community has been exposed to unnecessary risk, and that people held in detention have suffered unnecessary stress because the response by authorities has been inadequate.

We urge that the Government should immediately explore alternatives to detention to provide those who are in immigration detention with appropriate accommodation in the community. Many people in detention have family members or others in the community who could provide housing and support, and a number of agencies have made it clear that they are available to assist with finding suitable housing where required.

3. Australia is responsible for the health of refugees and asylum seekers held in PNG and Nauru

The Australian Government transported hundreds of refugees and people seeking asylum to Papua New Guinea and Nauru nearly seven years ago, and of these 220 remain in Port Moresby, and 210 on Nauru. The health systems in PNG and Nauru could not adequately

respond to an outbreak of infection, and these refugees and asylum seekers fear that they will contract the disease and will not have access to medical help. The Catholic Bishop's Conference in PNG has called on the Australian Government to bring these people to safety in Australia. See <https://www.rnz.co.nz/international/pacific-news/413230/covid-19-calls-for-evacuation-of-refugees-from-nauru-png>

On 16 March 2020, the President and Minister for National Emergency Services, the Hon Rouwen Aingimea, declared a state of emergency for Nauru. He argued that Nauru is 'particularly vulnerable' to an outbreak of corona virus, and that the results would be 'devastating'. <https://www.sbs.com.au/news/nauru-declares-state-of-emergency-to-manage-coronavirus-pandemic>. The health services that they have access to are rudimentary. Many of the asylum seekers have poor general health as a result of seven years of dispiriting exile, and often suffer with inadequately treated, serious medical conditions. Many are malnourished and they are particularly vulnerable to Covid19.

We urge the Senators to recommend that asylum seekers and refugees held on Nauru and PNG are brought to safety in Australia.

4. Concerns about sacrificing the democratic right to protest

While we fully support the public health measures which have proven effective in containing the spread of infection, we are very concerned that some refugee protest actions which were organised to conform with public health requirements were suppressed.

In Melbourne on Friday 10 April the Refugee Action Collective (RAC -Vic) staged a vehicle cavalcade protest bearing signs outside the Mantra Hotel in Melbourne, drawing attention to the desperate situation of about 60 refugees who have been imprisoned there for over six months. Even though the protesters remained in their vehicles they were fined \$1600. Of particular concern was the arrest of one of the organisers in his home 2 hours before the protest commenced. He was held in custody for 9 hours and charged with the indictable offence of Incitement; his mobile phone, computer, and his 9-year-old son's laptop were confiscated, and were not returned for weeks.

Participating in a walking protest who were exercising social distance at the Kangaroo Point Hotel in Brisbane were fined. It is of grave concern that human rights protests which met public health requirements were sanctioned in this way.

It is of the utmost importance that a balance is kept between enforcing public health measures and maintaining the democratic right to protest.