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JOINT STANDING COMMITTEE ON MIGRATION

Reference: Immigration detention in Australia

FRIDAY, 23 JANUARY 2009

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**JOINT STANDING
COMMITTEE ON MIGRATION**

Friday, 23 January 2009

Members: Mr Danby (*Chair*), Mrs Vale (*Deputy Chair*), Senators Bilyk, Eggleston, Hanson-Young and McEwen and Mrs D’Ath, Mr Georgiou, Dr Stone and Mr Zappia

Members in attendance: Senator Catryna Bilyk, Mrs Yvette D’Ath, Dr Sharman Stone and Mr Tony Zappia.

Terms of reference for the inquiry:

To inquire into and report on:

- the criteria that should be applied in determining how long a person should be held in immigration detention
- the criteria that should be applied in determining when a person should be released from immigration detention following health and security checks
- options to expand the transparency and visibility of immigration detention centres
- the preferred infrastructure options for contemporary immigration detention
- options for the provision of detention services and detention health services across the range of current detention facilities, including Immigration Detention Centres (IDCs), Immigration Residential Housing, Immigration Transit Accommodation (ITA) and community detention
- options for additional community-based alternatives to immigration detention by
 - a) inquiring into international experience;
 - b) considering the manner in which such alternatives may be utilised in Australia to broaden the options available within the current immigration detention framework;
 - c) comparing the cost effectiveness of these alternatives with current options

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Committee met at 9.27 am

ACTING CHAIR (Mrs D'Ath)—I declare open this public hearing for the inquiry into immigration detention in Australia. We are very pleased to be here in Brisbane today. I pass on the apologies of our chair, Michael Danby, who is unable to be here. The committee will table our second report on immigration detention in March. It will examine community based alternatives to immigration detention, what we currently have, what other countries are doing and any other options we could put in place in the Australian context. We look forward, therefore, to drawing on the experience of several local community organisations working with migrants and refugees. In the committee's first report, tabled in December 2008, we recommended that immigration detainees who pose no risk to the community be able to live in the community while they await the outcome of their visa application rather than spending lengthy periods of time in detention. The evidence we hear today will inform the committee's recommendations about what form living in the community might take and what sorts of support services would need to be in place.

[9.28 am]

HOPGOOD, Miss Bess, Joint Coordinator, Refugee Claimants Support Centre

WOODROW, Ms Kerrie, Private capacity

ACTING CHAIR—Welcome. Do you have any comments to make on the capacity in which you appear?

Ms Woodrow—I am a long-term volunteer at the Refugee Claimants Support Centre.

ACTING CHAIR—Thank you. Do you wish to make a statement in relation to your submission or would you like to make some introductory remarks?

Miss Hopgood—Yes. I want to start by thanking the committee for the opportunity to stand before it. I will give a brief introduction to our service to begin with. The Refugee Claimants Support Centre is a small, independent, not-for-profit community organisation that has been assisting onshore asylum seekers for about 12 years now. We originally opened our doors with the intention of providing information and referral services only to people who arrived in our country with nowhere to turn for basic help. Because the need was so great, our centre quickly grew into a place that offered case management, limited emergency relief, housing assistance, English tutoring, employment assistance, emotional and social support, community meals and food donations. Our centre is the only one of its kind in Queensland.

I am one of two coordinators at the Refugee Claimants Support Centre. We receive funding from the Sisters of Good Shepherds for one part-time position that we share between the two of us. Otherwise, the centre relies heavily on volunteers for all of its operations in terms of bookkeeping, administration, activities and much more. We rely on the support of the community for the rest of our running costs. Our limited funding means that our doors are open for just two days a week. Compared to Sydney and Melbourne, ours is a small centre. At the moment we have just over 60 registered asylum seekers and that includes 11 families and 22 children. We know that the numbers are far greater in Brisbane but our limited capacity means that only some asylum seekers are making it to our centre.

Our centre works with onshore asylum seekers who hold bridging visas. Mostly, these are people who are residing legally in the community but from time to time it also includes people who have spent time in detention. Mostly, asylum seekers who are coming to us have issues with homelessness, poverty and unemployment. We are seeing many asylum seekers living in very overcrowded conditions, sometimes with well over 10 people sharing one small house. We are seeing families who are sleeping on hard wooden lounge room floors, in houses that are already at capacity. We have been supporting one Indian family at the moment that spent the first few days in Australia approaching any other Indian people they saw in the street and asking if they could stay at their place for a week or two. After doing this for a few weeks they found our way to our centre and ended up sleeping in our office space for about a month. We finally found some accommodation for the mother and child in the homeless service that did not take men and the family was forced to live apart for three months. The mother speaks very little English, so living

without her husband meant she often did not fully understand the situation she was in. On top of this, the seven-year-old son has been having a very hard time adjusting to school in his new country without a stable home environment. Just this week I found them a granny flat where they could live as a family again. This flat is in the house of a long-term supporter of our centre. She has had other families stay with her and she will let this family stay as long they need. This is not an uncommon story. We rely heavily on the community for housing, especially in recent times.

Another great challenge for our clients is poverty. This is especially seen in the cases of asylum seekers without work rights, which is about two thirds of our clients. Those with no work rights, no income and no access to Centrelink support are often destitute. They are forced to rely on small pieces of welfare that they can muster from charity organisations and the small weekly emergency relief that we can provide. The scenery has changed somewhat with the induction of the community care pilot and the asylum seek assistance scheme delivered by the Red Cross. Although we welcome these initiatives and the alleviation of the extreme destitution for some asylum seekers, we are finding that these programs are reaching only some of our clients, that the eligibility is unclear and we are not sure why some are accepted and others are not. We recognise that these programs need to be far greater reaching and need to be available to all asylum seekers while their claims for protection are being processed.

Another big step towards the alleviation of poverty would be to grant all asylum seekers work rights so that they may have the opportunity to support themselves through their time of application. We see that not being able to work still affects people even once they have received their permanent residency. Even though they have been in Australia's some time, sometimes years, they have no experience or work references to show potential employers. On top of this, their reliance on charity to survive and their constant need to ask and beg for money has often been a big blow to their feelings of worth, adequacy and self-esteem. This strongly suggests that all asylum seekers should be provided with work rights from the point of lodgement of their protection visas through to a final decision being made. This should come with a Medicare card. At the same time, asylum seekers should be given access to welfare support such as the CCP if they need it.

While assessing their protection claims, government has full duty of care to see that these people are not living in conditions of destitution. This is especially true when we know that asylum seekers can wait sometimes four, five or six years. We have one past client who waited 10 years for a decision from the department. Although the situation for asylum seekers has seen some improvement in the last couple of years with the introduction of the CCP and ASAS programs and the welcome recent development around onshore determination, this group of people, those who flee their country and come to Australia for protection, still have a long way to go before they are welcomed to Australia with the opportunity to have a safe, dignified and fair application experience.

ACTING CHAIR—You said that you are currently dealing with 60 refugees. Are they all families?

Miss Hopgood—It is mixture. There are some families and some singles.

ACTING CHAIR—If they were able to have work rights, of those who do not have work rights, how many have skills and have the language level such that you believe that they could get employment reasonably quickly?

Miss Hopgood—I could not give you the exact numbers, but I would say the majority. Our centre does not have access to interpretation services so simply to be at our centre means that they have okay English so that we can register them and work with them. We have people who have been nurses, dentists and doctors in their home country—people who are very skilled who just do not have work rights here.

ACTING CHAIR—Whereabouts is your centre?

Miss Hopgood—It is in Windsor on the north side.

Mr ZAPPIA—Thank you for your presentation. If they did have work rights, do you believe that they would get work?

Ms Woodrow—Something that we have to acknowledge in this whole context is the barriers to employment that refugees generally face. It is never an open door to employment. But our experience over many years is that people are desperate to not only support themselves and not live on charity but contribute. We have many cases of people who are specialists in their own countries working in hospitals as cleaners and being willing to do that through this whole process. That is not ideal, but it is a situation in which they are able to support their families and feel like they are contributing in this country. You cannot underestimate the importance of either of those things. Work permission is not a completely open door to solving everyone's problems, as I think Bess pointed out. There would certainly still be the need for some supports there. But it would be a huge first step, and it is a basic human right.

Mr ZAPPIA—I accept that. I guess I am trying to ascertain whether that is really the key barrier to them getting work or whether there are other barriers. You said that you simply cannot deal with more people than you are currently dealing with. If you get other people coming to your centre, what do you do with them? What do you say to them?

Miss Hopgood—We accept everyone. I guess it just means that we are working at capacity and the service that we can offer to the current clients and the new ones is crisis related. People coming through the door with the biggest and most obvious problems are the ones who get the most help. That is not the way that we would like to work. But we are only open two days and, if we have a lounge room full of clients waiting for us, that is all we can offer.

Mr ZAPPIA—Do some of the people who come to your centre tell you that they have already been to other support centres around the place?

Miss Hopgood—Lots of people say that they have been to the Red Cross. Also, a lot of them have also been to RAILS, which is the Refugee and Immigration Legal Service in Brisbane. They would be the main ones that people have seen, along with some of the welfare agencies, such as Vinnies or the Salvos—that sort of thing.

Dr STONE—Thanks for your presentation, Bess, and your contribution, too, Kerrie. What countries do your clients tend to come from?

Miss Hopgood—All over the place. At the moment, we have Indians, Sri Lankans, Fijians, Pakistanis, Nepalese, Ethiopians, Eritreans, Tanzanians, Kenyans, Afghanis, Iranians—everywhere.

Dr STONE—When they come to your centre, have they begun to engage in their asylum seeking processes? In other words, are they already in touch with the department and are they aware of their legal rights about how to go about the application for asylum and the appeal mechanisms and all that sort of thing?

Miss Hopgood—Mostly. To register with us, you have to have proof that you are on the bridging visa, which means that you have already been in touch with the department and you have made your application. In saying that, I would not say that people have a good understanding of the process. Some people do have legal help with RAILS and some do not. Those with RAILS definitely have a better understanding, but even then they do not seem to have a clear understanding. We have fact sheets that we give people to try and explain the way a little bit.

Dr STONE—One of my concerns is that if the pathways are not well known by your clients it can take much longer for them to work their way through the system because they are not aware of what options and supports there are. You have produced some fact sheets, but are you concerned that there is a lack of information for asylum seekers about what is involved in proving their case? That range of countries that you referred to is very diverse and some countries are a lot less informed than others in terms of how to go about this, quite obviously. Is the communication of the process an issue, do you think?

Miss Hopgood—I think it is a complex process which exacerbates that situation. I think it is also why the 45-day rule has been so effective. People who come here very often are fleeing and in their words they are ‘running from something’. They have a very general sense in their head of what they need to do. As you would beware, people are very often running from authority in their country, so approaching authority in this country is a terrifying thing, which is why many people do not do it within that first 45 days, as well as the fact that they are not aware of it. Yes, I think access to really good legal information is critical, particularly in what is a very complex process anyway. We still hear hiccups through that whole process. Even if people are incredibly well informed about what they need to do, the interpreter at the hearing might not interpret properly what they said. So it involves all those things along that legal process as well as all of the other social, emotional and cultural experiences they are having outside of that. But, absolutely, access to good, clear legal information on that incredibly complex process is critical. RAILS is at capacity as well.

Dr STONE—I think you mentioned, Bess, that only some of your clients have legal aid or legal representation. Is that the case?

Ms Woodrow—Yes, only some.

Dr STONE—In that case, what do those people who do not have legal advice do?

Miss Hopgood—We cannot offer any legal advice. We see people trying to raise money, trying to borrow, beg or collect money from anywhere they can to try and get an independent migration agent to work for them. We also see community members—people with no training or qualifications—helping people through the process, not doing the claim but helping them through the complex process, even if that is just filling out forms and helping them write things.

Dr STONE—What proportion of your clients are in fact picked up under the pilot scheme and have case managers?

Miss Hopgood—I do not know exact numbers at the moment. It is probably about half, maybe a bit less.

Dr STONE—Are those in that pilot scheme clearly better off? Do you see them being advantaged?

Miss Hopgood—They do not have to worry financially so much. That is a big burden lifted. With the pilot scheme we also see a lot of people are case managed. They are helped to find some housing, but they are dumped out in the community somewhere and are totally isolated, so that is where we are working in with the pilot program—bringing people into this community place. We provide the social and emotional support they need as well because the case management seems very limited with the CTP.

Senator BILYK—Thank you for your submission. You said you have got some families coming to you, so that obviously means you are responsible for some young children. I am particularly interested in whether they can actually access education and be enrolled in school and what you see, specifically, with regard to mental health issues related to the whole of the family situation. As you say, there are issues of nearly having to beg for money, of having to use charity and of the lack of self-esteem that obviously impinge on the parents. How do you see that relating to the children?

Ms Woodrow—I think that is an incredibly important question. It is another one of those supposedly intangibles in terms of the impact that legislation has on people's lives. We have seen children having to interpret for their parents. They are sort of 'snuck into' a health system because they do not have access to Medicare. They are snuck into the system, so they really do not have access to interpreters. There are children who have to interpret for their parents as they explain the psychotic episode that they had, how that was connected to the torture they experienced in their own country and how that is connected to the torture that they experience here in not being allowed to work and support their family.

Quite apart from that, children are incredibly aware of what is going on and these children are not unaware of their family circumstance, as well as the fact of homelessness. Let us be clear about what homelessness is: homelessness is not having safe, affordable and appropriate housing. Many of these families are homeless and these children are living in women's shelters, separated from their parents. They are living in particular housing that has come from the generosity of someone in the community that may end when that person no longer has the capacity. So the impact on these children is quite phenomenal.

In terms of schooling, it is very much like every other thing with community-based asylum seekers: people get slipped in where they can. In the past, schooling has often come where a principal has been willing to waive—I do not know how quiet that has to be—certain regulations to allow that child into the school without a family that is really destitute having to pay thousands of dollars.

Of course, there is the impact in return on a family in seeing what they are doing to their children by pursuing this claim. There is no doubt, I think, that these claims are very valid and real. Families are going through this sort of thing because there is no option. I also think that looking at community-based asylum seekers is critical when looking at what alternatives to detention are because this is not a particularly pretty alternative to detention. Learning from what has happened with community-based asylum seekers is really critical. It impacts on them while their application is being heard, obviously, but then there is often quite an impact on the whole family in their ability to be robust after they have received their visa and go on to make a new life.

Senator BILYK—Just to clarify: what you are saying is that, having gone through everything they have gone through, when people do actually get a visa they still need support behind them to help them learn to adapt.

Ms Woodrow—Yes, considering that they have never had a resettlement experience. The UNHCR is very clear that the resettlement experience for refugees is what sets them up for their new life. It is what makes that new life possible. I think to get the visa is perhaps the lifesaving thing but then to start that new life with no true resettlement experience—

Senator BILYK—They still need support.

Ms Woodrow—Absolutely.

ACTING CHAIR—I have a number of questions. You said you had 60 refugees. What is the average length of time that those refugees have been on bridging visas?

Miss Hopgood—Some of them have been with us for three or four years. We have about four or five people who have been with us for that long, some of them families. The majority probably have registered with us within the last year. So anywhere from a few months to nine or 10 months would be the majority.

ACTING CHAIR—What is the best-case scenario? What is the shortest period you have seen someone's application be finally determined in?

Miss Hopgood—About three months.

ACTING CHAIR—What organisations does the Refugee Claimants Support Centre work with or refer clients to? Seeing that you only operate for two days a week, what other organisations do you work with to help refugees?

Miss Hopgood—We work closely with RAILS, the legal service, in terms of referrals. We also work with Communify and the Red Cross for the programs.

Ms Woodrow—The centre has always had a very strong sense of interagency, being aware that it was incapable of meeting all of those needs because it was impossible. So there is a long history of connecting with schools, churches, community organisations, community centres, housing organisations, women's organisations, health practitioners and health networks. There is a very strong sense of interagency about the centre, acknowledging that there is no way that this one centre can meet all of those needs. But it has taken primary responsibility for being a connecting point for people to those places.

ACTING CHAIR—You have mentioned that some women have had to stay in shelters and so be separated from their children. Whose care do the children go into?

Miss Hopgood—Separated from their husbands was what I said. There are some shelters for women and children but there are very few full family crisis accommodation places.

Ms Woodrow—There have been situations in the past where those operations have been necessary. It all happens on a very informal basis, when it happens, because there is a need and the child is homeless and you fill that need.

ACTING CHAIR—What is the availability of emergency and short-term accommodation in Brisbane?

Miss Hopgood—It is tough. Often you can spend a few hours making phone calls to every place that is around, and you get a long list of 'no' and 'call back' and 'not now'. Lately we have been looking to the community, probably more so than those more mainstream places, because it seems like a bit of a waste of our time these days.

ACTING CHAIR—Do you know how many shelters there are in South-East Queensland?

Miss Hopgood—No.

ACTING CHAIR—What about in the Brisbane area?

Miss Hopgood—I know, for example, that there are only two women's shelters. There is a lot more accommodation for homeless men. I think there are only two places for women and children.

ACTING CHAIR—How many of the 11 families that are currently receiving your support have one or both parents who have work rights?

Miss Hopgood—I do not know that figure off the top of my head.

ACTING CHAIR—Are you able to say whether the majority do have work rights or not or do have at least one parent who has a work right?

Ms Woodrow—I think the reality is that very often neither of them would. It is probably that if one of them did not have work rights the other would not. It has been really difficult over the years to determine how that work permission is granted. Obviously, there is the 45-day rule. If it is not granted, every now and then somebody will just get work permission, and it has been

really difficult to determine how that has happened. But very often if they have not applied within that 45 days neither of them will have work permission.

ACTING CHAIR—One of the arguments for restrictive conditions on bridging visas is that if clients are working in the community and they receive a negative decision they will find it difficult to leave the country or will not present for removal. Drawing on your experience, are you able to say whether you believe that would be an accurate reflection of what would happen?

Ms Woodrow—Again, I do not think you can underestimate the impact it has on someone and on their mental health to be living with charity, to not be allowed to support themselves or their family and to not be able to contribute—and I cannot underline that enough: to not be able to contribute. The impact that we have seen on people's mental health has made them incredibly unable to deal with negative decisions and incredibly unable to deal with the process of having to return to their country of origin, often as a further depleted person.

People are always aware that they might not get a positive decision. Acknowledging people's human rights while that decision is being made is of the utmost importance as part of our duty of care. Giving people the ability to continue to function as a whole human being is the best way to enable them to cope with a negative decision that sends them back to their country of origin and to whatever it is that they have to face there that we are still not clear about. So for me, from my 13 or 14 years of experience, that theory holds no water.

ACTING CHAIR—Of the people who come to your organisation and that you deal with, how many arrive lawfully and then apply or become unlawful by overstaying compared to the number who would arrive unlawfully?

Miss Hopgood—Mostly our clients come on either a visitor or student visa and apply for the protection visa while that is still current, so usually they go from one to the other.

ACTING CHAIR—If an increasing number of detainees are released into the community while their applications are pending, what will be the impact on resources of organisations such as yours?

Ms Woodrow—I think it depends in some ways on the conditions under which they are released. Certainly the Romero Centre will be able to speak more clearly on the sorts of issues that people face when they come from detention into the community. I guess what the Refugee Claimants Support Centre would say is that to release people to freedom with no support and no work permission is not freedom and is not release. I am not saying do not release them; please do. But I think it is incredibly contingent on the conditions under which they are released and the support that is given.

ACTING CHAIR—You have mentioned the community care pilot. Do you have views on whether the pilot is suitable to be extended? Is it the sort of program that you believe could fill the gap? Or do you have an alternative view?

Miss Hopgood—That program or something like it. We are seeing that it is having some positive effects for the people who are able to access it. The issue with the CCP at the moment is that not all of our clients can access it, and sometimes we are not sure why or what the eligibility

is for that, and we cannot get any clear answers from the department or from the Red Cross, who administer it. If the CCP were to be extended from the pilot, and for its funding and numbers to be increased, perhaps something like it.

Ms Woodrow—I think an integrated response is needed that acknowledges that community based asylum seekers have physical needs: housing, shelter, food and permission to work, as well as those social cultural needs. Very often for asylum seekers it is not appropriate for them to receive that within their own communities, because of the nature of their need for protection. So I think an integrated response is absolutely critical and it is the best that they can hope for. It is certainly what we expect for offshore and humanitarian refugees. We expect that there would be an integrated response across the sector, so something like that, which takes into account the whole life of the asylum seeker, is needed.

Dr STONE—Internationally—certainly in Italy it has been the case for a long time, and Sweden as well—they have a hostel situation, which is open. Refugee or asylum seeker families or individuals live in this hostel where, I understand, accommodation and good meals are provided, but they have work permits. So it is kind of like an open house. Do you have any comment about that sort of strategy? It takes care of the accommodation needs, it is in a hostel setting in those countries. Have you looked at that? Have you got any international best practice that you could suggest to us that you have observed or have been told about that would provide us with that halfway house, if you like, that we are talking about?

Ms Woodrow—Again that might be a question for the folk from Romero Centre, because they have obviously looked at that alternative to detention. That is in the realm of reception centres and that sort of thing, and there is certainly that practice out there. Our experience has been more with people living in the community, so I do not think that taking it back to an institution has been the way that we have been thinking. We have really been thinking for the past 10 years about how people get work permission again. I would put that question to the Romero Centre folk, because I think that they have been thinking hard and looking very closely at international alternatives to the detention centre.

Dr STONE—Finally, in relation to DIAC, the department: do you have good access to them? For example, do they come and visit your clients at your place? Are you happy with the way you can communicate with DIAC, on behalf of your clients or to sort out new policy, or just to let them know about new clients who have come through who might need special support?

Miss Hopgood—To be honest, we have little contact with DIAC. We do referrals for CCP and ASAS with them, and we do have interagency meetings from time to time to catch up on what is going on at either end. But in terms of a client, per case, basis, there is not much that goes on.

Dr STONE—Would that be desirable to have more of that?

Miss Hopgood—Yes.

Ms Woodrow—That has been difficult over a period of time. It has been a very difficult environment to be working in, and I do not think that trust or communication has had a chance to be built up. But it has always been very desirable to have that relationship with DIAC.

Senator BILYK—Just following on from the comments of Mrs D’Ath about work rights and people on bridging visas having restricted access to that, presumably then your view would be that restricting conditions does not actually encourage people just to go back to where they came from; is that right? There has been an argument put or a philosophy in previous years that if you restrict conditions then people get sick of the whole thing and just go home. I am presuming that you are saying that that is not true or that that is not your experience.

Ms Woodrow—You will excuse me if I think that is actually a very lazy way to do it rather than really looking into people’s cases. If they have applied for protection, we have the responsibility to look into that application. You cannot just go, ‘Well, if we starve them, they’ll just leave.’ That may send some people home. But what it does to the other people to whom you have a duty of care—to their mental health; their physical health; and the possibility, if they do get a visa, of ever starting a new life year—and what it does to them in terms of, if they are sent home, their ability to actually function is I think unforgivable. From what I have seen over the last 10 years it is unforgivable. It may have seemed like a great way to do it or an easy way to do it but—

Senator BILYK—So you do not think it actually stopped people from trying to come here if they hear about that sort of process. If people have serious enough issues that they want to come here then they will come here.

Miss Hopgood—Mostly they have not heard it in their home country. They are just looking at somewhere as far away from their home country as they can get.

Ms Woodrow—And a place where they think there is justice. You cannot imagine how shocked they are when they get here and find that this is the case.

ACTING CHAIR—Thank you very much for coming along on behalf of the Refugee Claimants Support Centre and giving your evidence today. It has certainly been appreciated by the committee.

[10.09 am]

GHAZNAWI, Mr Abdul, Client, Romero Centre

GHULAM, Mr Hassan, Community Wellbeing Worker, Romero Centre

McCULLOCH, Ms Kathi, Coordinator, Romero Centre

STEEN, Ms Frederika Elsje, Information Officer, Romero Centre

ACTING CHAIR—Welcome. Do you have any comments on the capacity in which you appear today?

Mr Ghulam—I have been working with the Romero Centre for quite some time and for many years before that I was a volunteer. I am also a barefoot refugee human rights activist.

ACTING CHAIR—Do you wish to make a statement in relation to your submission or would you like to make some introductory comments?

Ms Steen—Yes, my colleagues have asked me to speak as one of the longest-serving volunteers at the centre. Firstly, may I say to the committee that we appreciate the opportunity to give this evidence. In doing that, we would like to pay tribute to the parliamentarians, human rights advocates and social justice champions who gave us inspiration and hope during a very difficult period—particularly Petro Georgiou and his coalition minority and the former Democrat Senator Andrew Bartlett and Green Senators Brown and Nettle.

You have had the introductions. Kathi, as the coordinator, is providing new leadership to a centre which was established in 2000 to support the people who came by boat and who, by legislative intent, were denied access to settlement support services. Hassan has made possible a good connection with the asylum seeker refugees who came. Bear in mind that our particular experience relates to those who were here in the community, in Brisbane, on temporary protection visas—and we are talking about more than 2,000 who were landed here by the Immigration buses. Most of them moved on to other capital cities, but there is a residual community, mainly of Iraqis, Afghans and a few Iranians.

We asked Abdul to come along as a person who has experienced detention. We have very strong views on asylum seekers and their detention: the deprivation of their liberty when they have done nothing wrong, nothing illegal. I hope that you will ask Abdul some questions about what it was like, because I do not think you have heard enough, as the parliament of Australia, about the suffering that was experienced during this period.

The Romero Centre is community based and funded in the main by community charity sources. Our foundation is social justice, and in the name of that we have provided practical support, advocacy and community education—and advocacy that included a response from the Queensland state government which was quite exceptional at the time, in that housing and access to housing lists was provided on arrival.

I think you have in your background papers the brochure outlining our history and what we think our achievements are. One is this—and, for those of you who were in parliament in 2003, it was a petition to the parliamentarians in the House of Representatives and another for the senators. We asked very simply, and 30,000 and more people wrote in and signed this petition. We asked that the parliament grant permanent residence to all refugees currently on temporary protection visas who have been law abiding. That has now passed through. Those people who came on temporary protection visas are now, like Abdul, citizens of Australia, my fellow Australians. The other thing that we asked was to authorise the immediate release into the community of all asylum seekers who are not health, identity or security concerns. That has taken a lot longer, and this meeting I think is part of that process.

Our submission, which I hope you have read, was a very long one based on our experience of what it was to be a person found to be a refugee who had been, as an asylum seeker, detained for some length of time, who was released into the community without the full rights and without settlement services. There is a legacy there that we would like to tell you more about. We ask that this committee differentiate between criminals and noncriminals when it talks about detention or whatever arrangements there are in the community. Our experience is of TPV workers who did have work rights but who had difficulty finding work without the advocacy and support of Centrelink. We have had experience also of people detained in hospitals when detention had driven them over the edge, and they were in need of acute care, crisis care, in a private hospital facility here in Brisbane. We had experience of some 20 of those.

The painful experience of that TPV cohort of people—about 10,000 of them—is shameful to us and it is an experience of abuse, cruelty, discrimination and breaches of human rights. They were marginalised and, as such, it is a blight on our democracy. This week, when the world has a new, major democratic leader and we talk so much of universal human rights, we ask that you consider also doing more to promote human rights in Australia so that all people know what they are and they are observed.

We have minimal experience of asylum seekers in the community and we are willing to talk about that later. The TPV experience is relevant to the proposed community detention that you are looking at. Please ask us more about the consequences of denied settlement support services and what this has resulted in, which we describe as a backlog of needs for the TPV cohort. We want asylum seekers to have their human dignity and their human rights respected and to be as self-reliant as possible, including in the areas of accommodation, the right to work, access to employment services, education and health services.

For some of our members 'community detention', the term that you are using, is a non sequitur. It just does not follow. A community is a collection of free people and detention of any sort, whether it is detention of the body or of the mind, removes individual liberty. The TPV for us was a detention of the mind and we wrote that in our submission. It was life on hold, and I would not recommend that for anyone. Could we comment that in Queensland there is an infrastructure which is deficient in terms of supporting people in need like the ones we are talking about. Should there be an increase in asylum seekers in the community being processed, that infrastructure will be severely taxed.

At the moment the infrastructure mainly exists because of the goodwill and the generosity of the community—just to make that real for you. Our support has been dependent on charity, our

work mainly on volunteers—and both are a shrinking sector. The Romero Centre, in its eight years of operation—nearly nine—has been funded by the Centre for Multicultural Pastoral Care as part of the Catholic archdiocese, by the order of Franciscan Friars, by the Quakers, by the Uniting Church in Australia's services and very much by the Sisters of Mercy. That is where the safety net is and it is inadequate for the clients that we have and would be very much stressed by the increase in numbers. It cannot be left to volunteers and the charity sector to provide the human rights support for these particular vulnerable people.

ACTING CHAIR—Firstly, can I advise that this is a public hearing and everything that is said is on the public record, so if there are personal accounts that Abdul would like to give or there is evidence that you would wish the committee to consider in confidence and in camera, we would need to be notified of that first so we can make a decision on that and, if need be, have the public removed from the hearing. I wanted to make that statement and give you some time to think about that before you make any comments today.

Can I ask Frederika or any of your other representatives here today: how many members are you currently supporting and what is their current status? Are they on bridging visas? Do they have work rights?

Ms McCulloch—Our case load at the moment is about 45, of which 20 are open cases and 25 are active. Most of them have permanent residency now, although we still have some on temporary protection visas awaiting resolution of status and I do not have the exact numbers at hand. My colleague may have some idea.

Ms Steen—There are four or five still on TPV.

Ms McCulloch—Still on TPV.

ACTING CHAIR—When you say 20 are open and 25 are active, can you explain the difference between open and active?

Ms McCulloch—Active is when they are coming in a lot and we are giving them a lot of intensive support. Open is when they might pop in once in a while and we give them support but it is not on a regular basis.

ACTING CHAIR—How many days a week is your centre open?

Ms McCulloch—Five days a week.

Ms Steen—And some of our workers are available by phone for emergencies outside working hours. That is one of the unique features of our service.

ACTING CHAIR—Can you comment on the Community Care Pilot or on the asylum seeker programs that are currently available, and what are your views of these programs?

Ms McCulloch—We have not had any direct involvement with the Community Care Pilot and our involvement with asylum seekers is minimal. We do provide assistance on occasion. We do not turn people away. At the moment we have probably got about three or four asylum seekers

that we are assisting. That is only for English lessons, filling out Centrelink forms and that sort of thing; so it is not casework as far as we are concerned.

Ms Steen—In my community role I have had some involvement with asylum seekers through the Red Cross scheme and also through the Brisbane immigration transit authority. I have been on a community consultative body for detention services. So I have a paper knowledge of what is intended, and I certainly think that the pilot programs that were initiated in Melbourne and Sydney are very much a step in the right direction. There is a lot of improvement needed in how the department of immigration manages that resource and makes the correct referrals and also in how it has put in place the community services that are needed by vulnerable people.

ACTING CHAIR—Both of your submissions—your personal submission and the centre's submission—refer to international students and how they are treated if they become non-lawful citizens. What assistance do you believe should be given, either by the universities or by the government? Also, in your experience, what assistance or information do these people receive prior to arriving in Australia as international students?

Ms Steen—Overseas students in Australia have a major economic impact. I believe there are 250,000 students studying here at the moment. I personally do not know what information they get up front, but when visas expire or courses of study collapse or the health of a person collapses and they withdraw from a particular course of study and breach the conditions of their student visa, there is a need for them to know to go to the immigration department, where they will be received not in a way that is fearful but in a way that is helpful. Client services must build a far better client relationship with overseas students, who are so valuable to us in our economy and also in our international relations. The fact that some students work more than 20 hours can result in those who work 22 hours finishing up in Villawood Detention Centre, and that is something that should never happen. I think there is far more room to negotiate another outcome before you take away the liberty of a visitor to our country who has a family and an extended family and alumni back home that would not be enhanced with stories of detention.

My particular experience is minimal and it was a Villawood case and it had extraordinary alarm bells ringing for me that we would do this to overseas students. There was a death in Villawood of a young woman who was a student and who was overcome by her situation. We should never lock up people if they are students and something has gone wrong. Find another way. Detention is not the answer.

Senator BILYK—Have you got some numbers on how many students—

Ms Steen—Could I say that the immigration department has not always been forthcoming in giving those statistics. When they tell you how many people are in detention at the moment, until recently they did not break them down by the reason they were there, and the asylum seeker proportion is very small. Most are people who have overstayed their visas in some way, including the students, and then there are those who have had criminal sentences served and who are awaiting deportation, because they are criminal deportation cases. We need far better information broken down in that way. You need to know about whom it is that we are considering detaining and taking away their liberty.

Senator BILYK—With the 45 places you are currently looking after—sorry if you have said this already—what are the major reasons that they are on your books?

Mr Ghulam—From my experience with the refugees who are released on temporary protection visas, the majority, 85 per cent, are not literate. They are not literate in their own language and they are not literate in English. Even if they have graduated from a level 1 English class at TAFE, they cannot read and understand their letters. A major portion of our work which has not been included in these open and closed cases is talking to people about issues including issues of housing, issues of education, issues of enrolling in English language courses and also letter problems with Telstra, BigPond, overcharged mobile phones of young teenagers, contracts that are not explained to young refugees. All of these are social, economic issues which are disturbing family life.

For all these reasons, we are available and people are coming and visiting us and we are talking to them. Besides that, there are other issues. For every refugee who arrives on a temporary protection visa or any other form of visa, there is an enormous volume of expectations. These expectations start with ‘What happens to my sister who is left behind?’ That is No. 1. ‘What about my children who are left behind?’ All these concerns are not addressed by the immigration department or any other authorities, so all of that is left to organisations like ours. There are a few of them available in Australia who have open eyes and open ears for listening to the people. Listening to the people on its own is a form of release for a refugee—otherwise the concentration of it drives them to the wall. You can read the QPASTT report et cetera.

There is a lot of work. The total number of Hazara refugees and asylum seekers—there are a few asylum seekers but they are mainly refugees who were released from detention centre with a TPV and later their family joined them—Queensland-wide is around 1,200. If you include seasonal workers in the Northern Territory, it is around 1,500. The majority, over 70 per cent, are children under the age of 16. The average family size is five—husband and wife and five children. It is not like Australia, where it is 2.4. So the problem for every family, as the number of children is increasing, is not reducing; it is the opposite. All of that is compounding on family life and also many other issues.

I would like to suggest, if you are talking about a centre for refugee asylum seekers, that we have to have in mind a period of time that they will be able to communicate freely without assistance, which includes writing letters, reading letters and understanding; knowing the authority—without support—for liaison. There is a phase before that and there has to be a phase after that. Services provided before that are a lot more and all those issues have to be addressed, otherwise integration in this society in a healthy way will be questionable.

People remain in Australia without knowing about occupational health and safety. There are at least 10 per cent work injuries for all those refugees who work in abattoirs. Why? What is the reason? One of the reasons is that they are under the pressure of the TPV—they have to work and pay tax and support their family outside Australia and save some money for a possible future. So they work six days a week and 48 to 54 hours a week in very tough conditions and they get work injuries of all kinds.

I would like to suggest something to the committee. I am a person who is a little bit idealistic. Detention centres are no good. Everybody knows that. But I would like to say that I personally recognise a good value—between five to 15 per cent—for detention centres. Beyond that they are not a solution. If you want to have a centre in society it has to have certain characteristics. There must be intensive language classes, not classes which run three days a week for 3½ hours a day, because when you go home all the English you learned is forgotten. I know of people of my age—or older or younger—who have been in TAFE for three years, and they still cannot recognise the alphabet. It is a waste of time. What is the reason for that? We have to find out. The money has been spent but there is no outcome.

There are issues around mental health, cultural integration, treatment of children, violence and many other issues. All of this has to be taught in the centre over a period of, say, three to six months while the doors of the centre are open. People should be able to go in and out, but it has to be a centre for learning the rule of law and Australian culture rather than just asking, ‘Do you agree with Australian values?’ and getting the reply, ‘Yes, I agree,’ and getting them to sign. That signature has no value. It is better to teach them. Then they will understand and it will remain with them for the rest of their lives. Families, and especially women at risk, who come from outside Australia are also a major portion of our work both inside and outside the Romero Centre. Their needs are not addressed at all. It is just left to certain organisations which have certain abilities as well as a program to support them, but in many areas their needs are not addressed.

Ms Steen—I think it would help to explain that our centre is not just a place from which people get services or help. It is also a place to come and ‘be’, a meeting place for people who have no extended family support here. We do provide that. It is the place where needs emerge and the issues are referred to and dealt with. We deal with the issues that arise across the whole range of any refugee’s or migrant’s experience of settlement, and we are very lucky to now have a bilingual person who speaks the languages of Afghanistan and Iran, and also an Iraqi refugee.

ACTING CHAIR—I am very mindful that we have time constraints today. To ensure that all the committee members are able to ask questions, we ask that you try to be a bit more succinct in your responses. Thank you.

Ms McCulloch—I will answer your question, Senator Bilyk. The majority of our clients come to us and are assisted with housing, health and legal issues. The legal issues tend to be things like: ‘I have not seen my family for eight years. Help me to get my family over here.’

Dr STONE—Mr Ghulam, I was interested when you were talking about the possibility of an ‘open hostel’ type situation. I presume that is because I mentioned it before.

Mr Ghulam—Yes.

Dr STONE—I think it is very important that we look at international best practice, and that is part of the brief of this committee. Would you see, though, that that would cause further tensions when families have to live in a communal situation? When I look at what they are doing offshore, it is often a guesthouse or hostel situation where people come and go and they can work from there. They also get the sorts of supports you are talking about. Some people are in

those places for a couple of years. Are suggesting that as an option? Have you observed it somewhere? Is it best practice from your point of view?

Mr Ghulam—In Hamburg in Germany in 2006, I saw a ship that had been converted into a refugee asylum seeker hostel. It had very small rooms and was like a jail. In fact it was worse than a jail; it was horrible. There are centres where the doors are open but they are not really addressing many issues. In Germany and in many other places there are regulations under which, if a person wants to go beyond a 50 kilometre radius, he has to have a permit and give reasons for going. These are some of the security related issues.

I have an idealistic approach for Australia. We have space and we have all sorts of things, so we have to think appropriately to the Australian environment and the Australian way of life. We need to have a healthy integration of education, of work and of the future. Some time down the track these people should have their own home. Somehow we have to prepare them, step by step, phase by phase, to achieve that. If that is going to happen, I will be very happy and the government will be happy because of less money spent on detention.

Mrs Steen—A reception service with accommodation is absolutely essential for newly arrived asylum seekers. My experience is that if they have work rights and means of supporting themselves they will be integrating into our community and settling in their own housing where that is available to them. My concern is very much that, on arrival, there has to be that support and that advocacy that leads to being stable while the process is undergone.

Mr ZAPPIA—Thank you all for your presentations. I am interested in hearing Abdul's story.

Mr Ghaznawi—For more than three years I was at the Nauru detention centre, where it was very hot with the temperature always over 45 degrees. Many people here have asked whether we had their food. Yes, we did, but if you put someone in jail or in detention and give him food, what is good about that food? I lost for three years my life and everything. We mourned for our future—and not just me.

But there are some important things I want to stay here. That was about the time that Philip Ruddock came to visit the detainees there. I am so sorry to have to say this. When he came to visit us we tried to do something to say welcome to him. We prepared many things to welcome him. He came inside with the detainees and he walked around and stood in front of the door and told us, 'You are all robbers and terrorists and we cannot let you inside Australia.' That was a big shame for a minister of immigration to use those words for refugees. We had our children there. There was not just me there; there were around 1,200 people. There were children from three months old to 16 years old. That was not the important thing we wanted to hear from him.

Mr ZAPPIA—Where did you learn your English?

Mr Ghaznawi—I learnt English here. When I came to Australia in July 2005, I worked for five months. In that time I had problems and the workplace manager told me that I should go to study English. I went to the TAFE and studied English a little. Over that period I worked with the community. I worked with the young Afghan guys. I had a soccer team for one-and-a-half years. I helped them and I worked voluntarily with them. I wrote to the council three times and to the police asking them to give us land to play soccer—for one day for training. They did not

give us any opportunity with that. From that time, July 2005, I started teaching children our language—up until now I spend three hours every Sunday with them to teach them. I am happy with that. They learn something. That is why I am working here.

Mr ZAPPIA—What language are you teaching them?

Mr Ghaznawi—Dari language.

Ms Steen—Abdul's access to English classes was exceptional in Australia in that the Queensland government made state funded TAFE courses accessible to TPV holders. In other states people in his situation were not eligible for English language courses. It was not the Adult Migrant English Program which Abdul was able to access. I think there are 60 children in his school.

Mr Ghaznawi—At the moment, yes.

Mr ZAPPIA—What is your immigration status now?

Mr Ghaznawi—I am an Australian citizen right now. I became a citizen in July.

Dr STONE—What is your regular employment now?

Mr Ghaznawi—I am doing casual work in a factory right now. When we go to apply for work and make an application the first question they ask us is, 'Where do you come from and what is your background?' When we explain to them where we come from they say, 'Sorry, we do not have work for you.' I am from Afghanistan.

Dr STONE—Do you think there is discrimination against the Afghans?

Mr Ghaznawi—Not just Afghani; all refugees who are like me.

Dr STONE—We are desperate for workers; move on down to northern Victoria. I have one of the biggest rural refugee communities in Australia and we want them to work very much.

ACTING CHAIR—Of the 45 cases you currently have in your centre, you say the majority have permanent visas now. Are you able to say, of those who have permanent visas, how many have been able to find some form of employment?

Ms McCulloch—I would say most of them, off the top of my head; that is not a statistical figure. They are very keen to support themselves. Most of them are supporting not only their family here but also a family or two in Pakistan, Afghanistan or other countries. One gentleman I know works seven days a week just to support both families. They are very keen to do that, to support themselves and to get work to contribute to Australia.

Mr Ghulam—In support of what my colleague said, there are about 12 subcontractors who are ex-TPVs. They are in the tiling and painting business, and they are taking in close relatives as well as others for different jobs. I have been involved with Sarina Russo. We have 17 people who have nearly completed a small business management training course. To give you a little bit

of a shock: probably about 30 per cent of the scrap metal collected in Brisbane is now in the hands of our people—they are collecting and exporting. There is a great degree of success—we are cleaning Queensland! Hopefully, government will give us some money.

Mr ZAPPIA—In the submission you mention that there is anecdotal information that many lives were lost at sea in trying to get here. But you also go on to say that you believe that the government has records of the names of those people. On what basis do you make that statement?

Ms Steen—The evidence that some of the survivors have presented. Hassan Ghulam visited Indonesia a few years ago and amongst his wider network—and it is a diaspora of Afghans and Hazaras—there are people not accounted for. There are questions that come from families in Afghanistan, Pakistan and Iran. Where is my brother? Where is my son? That is anecdotally. If you add those up you are talking about 2,000 people—at sea.

Mr ZAPPIA—I understand that that is the anecdotal evidence you rely on but you make the statement that the government has the names. Are you aware of any process that the government has been involved in, in trying to ascertain just who those people are and whether people did in fact lose their lives?

Ms Steen—Being in Brisbane I am a bit removed from the action but I believe Tony Kevin and the researchers with whom he works have very good ideas about what was withheld, what is on the files. There is Coastwatch and all of those other sources of information—I do not think it has ever been collated. UNHCR would also have statistics of people who disappeared. Who dealt with the survivors of the SIEVX? What records were there? There were passenger lists, and they have never been published. So they are there.

ACTING CHAIR—Can I thank each of you for your contributions today on behalf of the Romero Centre. We have appreciated the evidence and the time you have given us today.

Proceedings suspended from 10.45 am to 11.05 am

AL QADY, Mr Towfiq, Tenant/Caretaker, Bric Housing

GLEESON, Ms Margaret Ann, Housing Worker, Bric Housing

BARTLETT, Mr Andrew, Policy and Advocacy Adviser, Ethnic Communities Council of Queensland

CATON, Mrs Sonia, Director and Principal Solicitor, Refugee and Immigration Legal Service

DOHERTY, Mrs Carolyn, Chief Executive Officer, Metropolitan Association Towards Community Housing

LEE, Ms Karen, Executive Manager, Government and Community Advocacy Team, Multicultural Development Association

ACTING CHAIR—On behalf of the committee I would like to welcome you here today. Thank you for taking time out of your work to give us the benefit of your experience. I would like to give a special welcome to former Senator Andrew Bartlett, here as part of the roundtable today. As you know, this committee is conducting an inquiry into immigration detention in Australia and our next report, to be released in March, will focus on community based alternatives to detention. As you may have heard me say when we got started this morning, this means looking at what we currently have, at what other countries are doing and at other options that we could put in place in Australian.

One of these options is to enable more people to be released from immigration detention facilities on a bridging visa to live in the community while they await the outcome of their immigration case. We are aware that not all of you work with clients directly affected by the terms of reference of this inquiry—that is, your clients may have had nothing to do with immigration detention—but I believe some of you may have clients who have been granted bridging visas when they would otherwise have been unlawful noncitizens and taken into immigration detention. We would like to hear from you about immigration clients' experiences with public and private housing markets. This will be relevant to the committee's future recommendations for community based alternatives and infrastructure.

Mr Bartlett—We will start with the larger agencies and go down towards the ones that are more at the pointy end, the coalface, in terms of day-to-day support in housing areas. I will make some broad opening statements initially. On behalf of all of us here, I thank the committee for the opportunity to share some information and views today in this roundtable format and also for the work you have done to date and the first report you produced last year.

All of the agencies here today, including the ones you have heard from already, are part of ASHRAM, with the exception of RAILS. ASHRAM stands for Agencies Supporting the Housing of Refugees, Asylum Seekers and Migrants. It was formed in 2002 but it is not a distinct, separate organisation; it is a network of agencies that share information and views. It is a branch of Queensland Shelter, which is the peak housing body for the state, and through that

access to Shelter has information flowing backwards and forwards on broader housing policy, social housing policy at state level here and federal housing policy—which you are probably aware of—in homelessness white papers, the National Affordable Housing Agreement and the like. It is an information-sharing network. We are all here today in the capacity of our individual agencies.

As I said, I am here today in my capacity with ECCQ. I am also on the board of MDA and RAILS. I am not here in that capacity today but I thought I should put that on the record. I think committee members are aware in general terms of what the Ethnic Communities Council do as a peak body. We operate more at the macro advocacy and policy level. We are not involved directly in the provision of housing but we are involved in not just this network but a whole lot of other networks in regard to housing issues and other issues that affect people, whether they are migrants, refugees, asylum seekers or others from diverse cultural backgrounds.

We are on the record as an organisation supporting moves to reduce the length of time that people spend in immigration detention and certainly support the committee's report last year in that regard. Also, as a general principle, we say that in the pragmatic interests of the community every person in the community should be able to access basic levels of support if they are in need. There are few people more vulnerable than those on temporary visas of uncertain duration, not just refugees or asylum seekers but we heard mention this morning of students and other people who for all sorts of reasons end up on bridging visas. They are often very vulnerable and very isolated. It is in the interests of the community as a whole that those people are given some basic support and are plugged into other means of support, whether it is agencies or other people from their same cultural background, otherwise they can be left at very serious risk. They are the broad principles, but we can explore the detail throughout the rest of the day.

Ms Lee—MDA is over 10 years old and is now one of the largest service delivery agencies for refugee and migrant settlement support in Queensland. We currently employ over 48 full-time and part-time staff from a huge range of cultural and linguistic backgrounds. MDA provides a huge range of different support services for new and recent arrivals, such as bicultural support services, client information services, continuing settlement support services, employment services, refugee and volunteer support services, and we also provide a wider advocacy role on issues affecting both migrants and refugees. It is also part of this role that MDA currently co-convenes, along with the Tenants Union, ASHRAM.

MDA is not a housing provider, although MATCH is our consortium partner. A lot of our staff deal with individual clients and therefore come across many of the housing issues—affordability, availability and appropriateness. We are not funded to provide direct services for temporary residents of any type, including those on bridging visas. By way of example, MDA was specifically prohibited by the previous government from providing direct support services for refugees on TPVs. As we are not a direct housing provider, as stated, I will leave it to my colleague, Carolyn Doherty, to expand on those issues. But I would like to make the general point that, even though we are not funded to provide direct support to people on TPVs, it is nonetheless important to note that it impacts on organisations like ours and also on our clients. Many of these people on bridging visas or temporary visas approach us because, naturally, they know of our reputation and the support services we provide. They turn up on our doorstep seeking assistance and it is difficult for us to turn these people away. It often takes a lot of time and resources to ensure that we find an agency or group who can support these people.

In addition, many people on bridging visas without support often turn to people of their own ethnic or cultural background, many of whom are recent arrivals themselves and still struggling to establish their lives and what they are going to do. MDA often supports these people and sees the extra difficulties that can be created. For example, if a person is allowed to stay on someone's couch, it can create other problems with landlords or even a range of extra complications within households, who are still dealing with their own challenges of settling in Australia. This can then have flow on implications for the resources and staff workloads of agencies like MDA.

Mrs Doherty—As a not-for-profit community housing provider that has been operating in the wider Brisbane area for about 18 years now, alongside our state funded community housing contracts we also run a number of refugee specific programs. We are partners in the consortia with MDA and QPASST in the IHSS contract, providing services to all of the newly arrived refugees through the humanitarian entrance program.

We also just last year took on a housing role in the settlement grants program. We have a small partnership arrangement with Communitify, who provide support to asylum seekers in the community. We manage properties that we have been able to source at no cost through Brisbane City Council to house families or individuals who may be seeking a resolution to their visa status.

MATCH and our partners have between us about 800-plus properties that we manage. They are many and varied. Some of them are state funded capital programs specific to people who are eligible for housing through their social housing policy. They must be eligible for public and community housing, and residency is a key component of that. We are increasingly finding through the review of the social housing policy that more and more people are being restricted from accessing that. We are about to see, through the next stage of that, the transitional housing review, a number of small loopholes that have existed for people seeking permanent residency close. They will no longer have access to housing, which will put pressure back on the crisis accommodation programs. That will become one of the sole places through which people will be able to receive housing assistance until their visa situation is resolved.

The work that we have done in relation to refugee housing has been driven by the fact that we see housing as the foundation of people's lives. Without good quality and affordable housing, people cannot deal with health issues, employment issues, education issues and so on. About six years ago, we made the decision with MDA to start work on and become involved in this particular resettlement contract. We did that because we were seeing in our community housing programs that more than a third of people who were asking for, requiring and needing public housing and social housing support were refugees who had been in the country for less than five years. They had had poor resettlement experiences in relation to their housing. They had had multiple tenancy failure and were in a position such that they had not choice but to access and put pressure on the social and public housing system.

We made a deliberate decision to be involved at the front end of that to deliver a response to newly arrived refugees that would give them a solid foundation so that they can go on and manage housing in the private rental market, which is where more than 75 per cent of our tenants go, and not have to re-enter through multiple tenancy failure the social and public housing system. We believe that we have developed a model that is very successful in delivering that. It

is the cornerstone for any new arrival and their success, not just in housing but obviously in the other areas of their lives. Without that, they are not likely to achieve any success in education, employment and health.

Mr Al Qady—Thank you very much for your invitation. Before I start, I would like to talk about my experience. I am a refugee from Iraq. I was in a detention centre for nine months. I have been here in Australia for about eight years. I am working with many organisations, but I am working as a caretaker for Bric Housing. I manage housing and I work with the refugees and immigrants in this housing. We have 19 rooms and 19 tenants. Most of the people are refugees from Iraq, Afghanistan, Iran and Africa—especially from Sudan.

Talking about this experience, all these people lived in very hard situations in our countries—especially in Iraq, Afghanistan and Darfur, which still have these problems. All these people have had war in their countries. These wars had an effect on these people. It is difficult to talk about it. We need a long time, because these wars had many effects on these refugees and there are many things to talk about, such as the effect of the wars on their children, education and health. All these problems are still with us. They still live in our mind. The refugees who live with me have these problems. We still have four people with big mental health problems. Margaret knows them.

I have lived with them for about eight years now—I think all these refugees came in about 2000. There are a lot of problems, but the special problem for everyone is that they lived in a detention centre. Most of them lived there for two or three years. We have someone who has been four years in the detention centre. They have talked with me many times about their problems and sometimes I can fix the problems. I contacted the Romero Centre with MDA with a request to fix these problems. But for most people, when we talk about the problems with the housing, they settle down. I think we offer good service—it is a good facility for them—but still they need a lot of help and support. They cannot find jobs and it is not easy to find education or study. It is difficult to find cheap housing or free housing, especially for the people who have a real problem with mental health and psychological problems or, for example, a disability. If they cannot do anything, they cannot find jobs. We try to help them in any way but we need more help.

Ms Gleeson—I manage the property in Cornwall Street that Towfiq is the caretaker of. Bric Housing came into being last year as an amalgamation of four pre-existing housing organisations, and I will leave some information for the committee, if they are interested. The Better Housing Project, one of the amalgamating organisations, had managed the property at Cornwall Street for eight years. During the period that Frederika referred to in her presentation, the Queensland government did provide a fair bit in relation to infrastructure, so that property was solely for refugees and they were mostly asylum seekers. A lot of the members will remember the Hazara boys, who were famous for their soccer team. A lot of them lived in that property. The model that we operate is that part of our service houses single people, initially in boarding houses. They can go on the waiting list for independent units once they are in the boarding house. Quite a number of the asylum-seeking refugees who have been in Cornwall Street are now living in their own apartments. One of the issues down the track, of course, is family reunion and the adequacy of that sort of accommodation.

I think that is a model that has worked very well, but, as referred to by Carolyn, with the changes in the department of housing's eligibility criteria being applied to social housing generally that is at risk. Because that policy has not specifically applied to us in relation to the transitional housing in the boarding house situation, which is shared facilities, we currently house people who are referred by the Red Cross and who get their income under the community program—I cannot remember the acronym—in three of our boarding houses. But under the mooted changes they would not be deemed to have an independent income or to have permanent residency. Under the department of housing rules, if they do not have permanent residency and they are waiting for a determination, they can go on the waiting list but not be housed. That is not very helpful. We already house them in that time and we house them when they have no independent income other than support from a charity or through this funding program via the Red Cross.

I think that we have demonstrated a community based management model that can work as an alternative to detention. I suggest that is something that the committee consider. There has also been some discussion about reception centres in hostels. I worked as a psychologist in the immigration department between 1968 and 1970. I had experience of the old World War II Nissen hut hostels. The one where I used to see clients at Cabramatta was replaced by a beautiful new state-of-the-art best practice facility—the Villawood Detention Centre, which is now a gaol.

I think the infrastructure has been degraded with the privatisation of those hostels but it does exist and can be reverted to. The thing about those centres is that on site there was the social security, the CES—the employment service which does not exist anymore—medical clinics, education centres and childcare centres. The primary school just near Villawood centre became a centre of excellence in terms of intensive language for children, which now the children at the detention centre cannot go to.

We do not need to reinvent the wheel. We need to look at the best practice that this country operated 30 years ago and do that. Any alternative to detention that finds its way into a government program is not an additional expense when you realise, as the previous witnesses have said, the amount of money that is spent on detention already. Half of that could be put into supporting community management of facilities and housing, and linkages.

Our organisation bases its service on housing people who are capable of independent living, but linked in to support services. So we have support agreements in place with support agencies. The support and the housing are not together and it is far better, I think, that way. The tenant develops a capacity to manage independently with the support of the agency, and with the tenancy manager being the go-between between the two. I will not go on any longer. There are some alternatives definitely to look at but they need to be funded. I suggest they need to be managed through the not-for-profit sector.

Ms Caton—The Refugee and Immigration Legal Service has been in operation for just under 30 years. We have a staff of 15. We are the only organisation in Queensland that provides free legal advice and assistance and community education to new migrants on immigration and refugee law. At any one time we have a caseload of between 250 and 300 cases. We could not manage this demand without the extensive use of law students. The caseload is divided roughly between refugee family reunion and asylum seekers, women on temporary visas seeking protection on the basis of a domestic violence exception and the most compelling of

humanitarian cases. Demand on our services is such that we cannot take on any but the most compelling matters.

In addition to that we also have a suite of educational programs within the community for people who have come in on the humanitarian program about their legal rights. So we conduct seminars about tenancy rights et cetera and rights before the police. We get a lot of feedback through those seminars. We are also active in Queensland high schools advising kids about their rights.

We also have a contract with the department to train people and to prepare them to sit their citizenship tests. So in a way we are in a unique position of seeing people, sometimes from the moment they land in Australia—we are rung up by the department and they are in BITA—to when they are transiting through to citizenship, legal rights, settlement et cetera. On a daily basis we have contacts with numerous community organisations and the department all over Australia and overseas.

I do not want to take up too much of the committee's time but I would like to highlight some issues we have expertise in and leave it to you to question me if that is what you would like to do. Clearly, we have had contact with the department in relation to BITA—and I do not think any of the other organisations have—in terms of providing advice there, transiting to accommodation et cetera. We have first-hand knowledge of the effects of the 45-day rule. We are the only organisation in Queensland that has an IAAAS—the Immigration Advice and Application Assistance Scheme—contract. We are also one of the very few IAAAS providers who have been brought into the CCP trial. We have experience—very recent experience—in dealing with unaccompanied minors and the very big issues of the duties of care and who, between state and Commonwealth, is the guardian of a minor. That is an issue which has been going around in circles since 2001. We had the Flood report and then we had the national inquiry into the detention of children in 2004. The same issues were unresolved.

We have experience with people who have been held—in the Toowong Private Hospital, a psychiatric institution, and the Princess Alexandra Hospital—on bridging visas for extended periods of time having to transit into the community, and the difficulties they have. We have direct experience with international students—and I am picking this up from your comments, Mr Zappia—and how they come to be claiming protection, let us say, half way through a degree. We have experience with the health care of asylum seekers, and if that were an issue I could expand on the Refugee Claimants Support Centre.

There are quite a number of differences in how the department processes cases of claims for protection in Queensland as opposed to Victoria and New South Wales. We deal extensively with telephone interpreters and video links. That makes a big difference to how cases are progressed, I think. In getting across evidence you have all those filters when a person's language is not English. We also have direct experience with the International Office for Migration, and removal and transiting from supported housing through the CCP program and some of those issues.

I just want to also mention that we have experience now with the very multilayered decision-making picture—I do not know how you would describe it—in terms of detention in Queensland, where responsibility for detention is now placed in the Northern Territory. Brisbane has an operational manager but the really big issues are determined in Canberra. The state

director for the department is not in the loop so when we get a complex case we are dealing with people all over the country. I think it is very fractured and inefficient.

There are many things I could talk about. We have very little time and I would prefer to hand it over to you.

ACTING CHAIR—Thank you all very much for those contributions. With the experience around the table we could probably talk about a whole range of issues that fall within the terms of reference of this committee's inquiry. However, we have only about one hour so we will focus on our topic today, which is the housing issue. If there are additional questions from the committee and if we have time we will expand into those areas.

I am very interested in hearing more about what models you say are successful and what they are reliant on to be successful. I would like to hear more about how they are successful and what the models do. I would like to know how many of your clients are on bridging visas, and if it is the majority or not. I am also interested in hearing why there are multiple tenancy failures going on. So maybe we will start with the question of the bridging visas.

Mrs Doherty—Only through the partnership with Communify do we have clients that have bridging visas. So at any given time we are talking about only two. Everybody else has to have some form of residency status in order to be housed.

Ms Gleeson—I personally manage two; I did have three but one of them in recent months got his residence and is now on Centrelink. Another property—one of the women's boarding houses—has two. But, once again, this has been closed off or potentially closed off.

ACTING CHAIR—And what is your experience of why multiple tenancy failures are occurring with people who have permanent residency?

Mrs Doherty—In the past, with the previous resettlement contracts, there was a housing model that basically had a short-term housing option. There were a couple of six-packs—six units of accommodation—that were permanently leased by the housing provider. People would come in and stay, sometimes for a couple of days, sometimes several weeks, depending upon what new referrals were coming through. They would then be—we would say—'dumped out' onto the private rental market, so the housing provider would go and find a house for them and they would go into that house.

In that time they have had no time to deal with their immediate health issues or any other trauma from the process of coming into a new country and trying to orientate themselves. But they also have had no opportunity to learn how to manage a tenancy in Australia. They have a lease—a contract that they do not understand and that they may not have had an interpreter for. They have absolutely no idea of how to care for a house in the Australian context. In our experience, many people have not used sewerage systems or toilets. They have not had electric ovens, and they certainly do not know how to clean them or what cleaning products to use for them. They throw buckets of water into ovens to clean them. They put rocks and big pots on stove tops and end up damaging them. They put pots on laminate. These are things that they need time to understand. They need support in learning about things. They need the opportunity to understand

and be educated in their legal responsibilities as well as in their rights in managing housing in the Australian context. A lot of the models that have existed have not allowed that to occur.

We were seeing people being evicted quite frequently. They had many tenancy breaches and were often put on tenancy black lists, which have long-term implications on somebody's capacity to be housed. So, without even facing all the other aspects of trying to enter the private rental market around discrimination, language and communication and other things, upon arrival they were basically being put in a position where they were going to fail in housing. Other services such as MDA would intervene, because they would be notified of somebody or referred to somebody who could not be housed. They would eventually get them on the public housing waiting list, which would then make them eligible for social housing. Social housing providers such as ourselves, Bric and their counterparts would see our waiting lists go up and up and up. More than a third of our waiting list, which constitutes over 600 applications at any give time, were refugees who had been in the country for fewer than five years.

Housing is critical at the beginning to somebody's ongoing success, and getting it wrong can have significant long-term impacts on somebody's capacity to survive in the private market. The reality nationally but particularly in the current environment in Queensland is that the private market is where the majority of people will end up. They are not going to get public housing. The majority of refugees are not going to be eligible for public housing, regardless of their visa status; and, therefore, we have an obligation to ensure that they are resettled with the appropriate skills to be able to manage and access housing in the private rental market.

Mrs Caton—Queensland is the only state that was not contributing to the provision of interpreter services. There has been a recent announcement that this is going to be redressed, which is a very positive thing. There has been a huge issue with people going to private real estate agents and not being able to access an interpreter service, and there has also been discriminatory practice by real estate agents. Refugees cannot understand what a condition report is, and so they will be given a very big bill at the end because they have not known how to do this.

We have seen women with five children being given a map and told to be at a location at 3.10. They are told: 'You can view the house between 3.10 and 3.20'—and there are 20 other people there as well. Women with five children have to catch two buses to another part of town. The map is in English and she may be Arab-speaking and have basic skills. I know these things are resource intensive but those are barriers to her being successful in accessing the private market—and this happens quite frequently.

Mrs Doherty—The core function of our AST program is to assist people in accessing the private market or to advocate on their behalf in the private market. Our recent stats are showing that we are spending a minimum of 32 hours per client to get them a housing option. It may not be the best housing option for them because often the eligibility and availability of housing for that particular household can be very narrow, but we spend a minimum of 32 hours.

At the other end of it we have extensive networks within the private market. We have well in excess of a hundred real estate agents across Brisbane who we deal with every single day. We have agents who are, as we say, refugee-friendly and they even say to us it is hard work. We do not know how to talk to these people. We do not have access to the interpreter service. We are

not resourced to pay for an interpreter and when it comes down to it, it is just easier for us to deal with somebody who can speak English than to deal with somebody who cannot.

ACTING CHAIR—I would make the point with regard to our terms of reference that, although the majority of people you are dealing with have been granted permanent residency, we are looking at what we can do as far as residing within the community while an application is being considered and so the majority of people would be on bridging visas, but I believe the models that you can explain to us and the examples you can give to us will assist us in considering what may be suitable arrangements.

Mrs Doherty—What is evident to us is that it is important for us, particularly if you are looking at a community detention model, that we actually have a staged housing model that goes with people as their circumstances change. So we need a fixed site that is not a hostel, because I have looked at a range of different international models, not for refugees in particular, that are often seen to be best practice. They are frightening and they do not apply in the Australian context. So I think we have to be very, very careful sometimes about picking up something that happens in another country and thinking it works here. More often than not it does not. What we need to do is have a look at what is good practice here already and build our own best practice in this particular area.

I think we need to have a transitional complex where there is independent living, no shared cooking facilities and no shared bathing facilities. These are the things that cause the most distress for people who are in a communal living environment, and it is particularly apparent when you look at refugee households that have different cultural issues in relation to food preparation, privacy and bathing and the like. So that for me is the first port of call.

The second pathway, as far as I can see, is something very similar to what we have under our HSS contract, which is a model that is very much for the private rental market, but we exist as a buffer to the market for the tenant. So in the six months that we first house an individual or a family we identify a property in the private rental market that suits their physical and financial requirements. We take a head lease over that property with the agent, so effectively we are the tenant as far as the law is concerned. We then have the right to sublet that tenancy to our client and we become their landlord. Ultimately, if something goes wrong or the property is damaged we are responsible. The bill comes back to us and we have to bear the wrath of the real estate agent. But the tenant's reputation or their tenancy record is untarnished.

At the end of it we have had the chance to put them through tenancy training. We have been able to model for them how to care for a property and teach them how to use a stove and how to clean a kitchen and bathroom and all those other things. We are then in a position to provide them with a rental reference, which is one of the core requirements from the private rental market to actually rent a property. New arrivals do not ever have that. We can give them that with some authority, and in a number of cases we are able to advocate for that client to stay in that property, not to have to relocate but to take a direct lease with the agent. Effectively they have had a trial run of that tenant without having to bear any risks because the tenant knows how to care for the property and how they pay the rent. We pay the rent to the agent but we get a copy of their rent ledger. They know all those things that they need to know about how a tenant is going to manage that property so they have some security about taking that person on.

Dr STONE—Carolyn and Margaret, you both referred a few times to the fact that you are accessing the private rental market. I think you were saying you prefer it, but is that because, especially with this new legislation, these transitional housing policy changes coming through you will not have access to public housing?

Mrs Doherty—There is some significant social housing policy. Sorry, Margaret.

Ms Gleeson—The private rental that Carolyn is talking about is similar to the community rental scheme. The refugee families that we house would be under that, and it is a sub-letting process. To be eligible for social housing, applicants need to be on the waiting list with the Department of Housing, which means that if they are on bridging visas they cannot go on that list.

Mrs Doherty—The Department of Housing for some time has been reviewing their eligibility and use of public housing funds to provide housing, because there has been increasing demand and there is no additional supply. One of the things that our government has done is streamlined it into one particular bucket. So your eligibility requirements for public housing are to be the same for what they are for all other forms of government funded housing, such as transitional housing and boarding houses—anything that they put money into you have to follow that. So referral will only come from the public housing register. If you do not meet those requirements you will not get access to housing no matter who owns it. It has very much narrowed the entry points and the accessibility of housing to a whole range of different individuals.

Dr STONE—Including people on bridging visas?

Mrs Doherty—Absolutely.

Dr STONE—So people on bridging visas will not be able to access that housing in the future?

Ms Gleeson—They will not be able to access the private rental market either because no real estate agent would have them on if they have no income and are not working. The situation in Brisbane, like in a lot of cities, is that the vacancy rates are so tight. These are people who are not even on Centrelink payments, and people on Centrelink payments do not have a hope. Any alternatives to detention will need a funding program. But then, detention costs money anyway. I would advocate that it would need to be a Commonwealth-state collaboration. If there were a Commonwealth funded program, organisations such as MATCH and Bric could participate, because we are not tied to the Department of Housing. We get a lot of our funding from them but we are not, at this stage, an arm of the department.

Mrs Doherty—In terms of simple solutions, the IHSS already delivers the same services that we are talking about for bridging visa holders—they do it in different ways in different regions, but effectively the need is much the same. The only variation on that that I can see is about a transitional housing response at the first part. If that can be delivered and the IHSS program is somehow enhanced to deliver the additional services that are required for this particular client group, then there is no need for an additional Commonwealth-state agreement—there is not a need for a new program per se; we are talking about just an enhancement of what is already there.

Dr STONE—But lets talk about the status quo where you can put people on bridging visas into your housing through—

Mrs Doherty—No, you cannot.

Dr STONE—You cannot?

Mrs Doherty—Queensland public and social housing requirements are that you have to be a permanent resident. We are even faced a situation this week where refugees who have come into New Zealand have taken advantage of the exchange issues between our countries and then come over here. They are eligible for housing. The Queensland government has just closed the doors on that and made that retrospective, so we are now in a contractual position of having to potentially evict those people because they have no income and no capacity to pay. So we are creating an incredibly vulnerable group of people and there is no work that has been done to tell people, ‘Don’t do this because once you get here you are stuck and there is no assistance available to you.’ We are talking largely about Muslim women who have no capacity to work and often have no English.

Ms Caton—We frequently deal with people on bridging visas who require emergency accommodation, and we have people sleeping on floors. Generally something is worked out in the end. We had a recent case of an African woman who just accosted an African man and asked, ‘Where could I find help?’ He directed her to Sanctuary in Lismore, which is a refugee volunteers group, who then found her a home and found us. The Department of Immigration and Citizenship used to have three properties, which were sold in the 1990s, at Greenslopes, Moorooka and Hawthorne where temporary accommodation could be provided for people who required emergency accommodation.

I want to put an idea which is pretty left-field on the table, but which perhaps might stimulate some thinking or discussion outside today. There is a very large network of people who have been working with people from all over the world through the Australian Homestay Network and international education. These are people who are there by choice. They have some experience in that they are open to dealing with people with varied backgrounds and cross-cultural experiences—lots of international students come over with their own issues. They are vetted by institutions. They are frequently people who are empty-nesters, people from the faith-based community or women who are single and who want that extra companionship and sense of security. These are generally a wonderful group of people and there are thousands of them across Australia.

There are already examples where the Department of Immigration and Citizenship and the Department of Education, Employment and Workplace Relations have cooperated to fund programs which have an IT platform to deliver policy outcomes, for example in the voluntary professionalisation of immigration agents overseas, who are outside Australian jurisdiction. I do not know why some conversations cannot start between the Department of Immigration and Citizenship and the Australian Homestay Network, for example. This would not be simple, obviously—there are contractual issues and issues about who ‘owns’ the names of those people. Some institutions may not be willing to give up a potential pool—let us say that Monash College would want those homes—but I have thought quite a lot about this and I think there is room for some pretty innovative movement which is Australia-wide in this respect.

We are in the metropolitan centres, but these needs also exist in the regions. There is Cairns—

Dr STONE—But you are all metro-based?

Ms Caton—Absolutely.

Dr STONE—A lot of refugees are far better served—I confess I am a regional person—in small regional communities.

Ms Caton—I agree.

Dr STONE—They have come from small regional communities offshore and they can relate much better to a small population that actually wants them very much, even for their capacity to join the local soccer team which is going to stop if it cannot get another six kids. All my schools have dropped 30 per cent in population—we want population, we want people to work and we are very welcoming to the newcomers. That is not so much so in Western Sydney, so we have got to look at this regional opportunity. What opportunities are you aware of for people on bridging visas to be supported into regional Queensland or regional Australia, rather than them going into the already overcrowded and often hostile—dare I say—stereotyping communities that have already got very little housing opportunities and perhaps have contracting job opportunities as well?

Ms Caton—When people are on bridging visas, that necessarily means they are still part of a legal process and the only people in all Queensland who are able to provide free legal advice are in Brisbane. We have outreaches in Logan and Toowoomba and we manage to swing around the regions once a year. We get to Cairns, Mount Isa, Bundaberg and a couple of other centres once a year, and we provide phone advice twice a week. We are called upon to represent people whom we have never met: we interview them over the phone and take them through the appeal process. We are given no loading for regional phone conversations, which take hours with an interpreter, under our IAAAS contract. There is no loading to fly a lawyer up there to speak with them face to face. The department frequently does not meet them face to face and then we are on the minister's desk.

We have one case right now in Cairns. She is still in the situation that she was in and she has 'form' in terms of criminal history because she was homeless and she could not access legal advice. I have raised this with the department, saying, 'Queensland is so big and our population is expanding so fast—could there not be movement to get in place an IAAAS legal provider in Cairns so at least we could have something between Brisbane and the Top End where we can meet halfway and represent people?' That is a real barrier for people on bridging visas. Sometimes the cases are too complex and we have had to say, 'Try and use the women's refuge network or whatever to get yourself to Brisbane, because it is not going to be possible to prepare your case if you are out in Mount Isa.'

So that is a barrier, but otherwise I agree with you and I think people's interests have been far better served being in smaller communities. They are less isolated. And people there just care; they have the emotional space or whatever it is to care more—maybe it is because the demands are not quite as high as in the city. But that is a generalisation and there are always exceptions to those rules.

Mr Bartlett—Just on that point, the Ethnic Communities Council of Queensland has a state-wide reach and links into a lot of different sorts of agencies that work with people from all sorts of different cultural backgrounds, all sorts of different situations and all sorts of different settlement support agencies. Apart from Cairns and Townsville, in between there is not necessarily a lot of strong infrastructure in place in terms of settlement services. I think, to reinforce your point, it is not ECCQ's role to have an opinion about specific models but when we are talking about bridging visas, and that core aspect of this situation, what I think is important is to have someone who will actually look at the specifics of their case—because, while a lot of the focus is on refugees and asylum seekers, as you know, many of the people currently in detention are not in that sort of cohort and there is a big difference between someone who has just got off a plane in Brisbane and someone who has been here for two years on a subclass 457 visa, for example, from a country that suddenly they are scared to go back to for whatever reason or a student who has suddenly had their visa cancelled. Some of them could cope fine in regional areas and it would be ideal for them, or wherever they already are. But we even have people who arrive floating in the Torres Strait in an esky, as we have just seen. There are totally different situations and that, I guess, is why it is important that whatever models you provide there are enough resources focused on looking at the individual variations there so that they can be plugged into what is appropriate for them rather than just saying, 'Okay, you're all out of detention; now you'll all go down this single path.'

Senator BILYK—You have spoken to us about how you actually help people find housing and the different processes you go through. What happens after that—after you find the bricks and mortar so to speak? Do you help them with furniture and things like that?

Mrs Doherty—Yes.

Senator BILYK—You also mentioned that you teach them how to care for these properties. Who does that? Do you have a group of people who specifically do that?

Mrs Doherty—First of all I need to clarify something because I think, Dr Stone, there is a bit of confusion with our Community Rent Scheme, which is a state funded community housing program which has some similar features to the housing model that we deliver through the IHSS contract. We need to differentiate between the two so I am just going to talk about the IHSS contract itself, because the state program is the one that requires public housing eligibility. Clients coming through the IHSS program are referred directly to our consortia from DIAC. Our consortia QPASTT covers off on, obviously, torture and trauma counselling. MDA are responsible for the case management and settlement support component of resettlement. So, for example, they will go out and take people to get Medicare cards and bank accounts, enrol them in education and get the children settled into school, and orientate them in the local community. MATCH's responsibility is actually pre-arrival to make a determination of what the household will need in terms of housing, and that is based on DIAC's referral. So we would be looking at household composition and we would also be looking at cultural groups.

Senator BILYK—Just to clarify in my mind, so that is information you would get saying, 'Mr X, Mrs X and three children aged whatever.'

Mrs Doherty—Absolutely, and it will have an alert if there are specific health issues, disability needs or other specific needs that may be required, including family linkages as well.

So if we know of other clients or other people in the community that they have a connection with then we will endeavour to source a housing solution that puts them in the right location as well as in the right type of house, because matching them to a house is critical to success. All of our accommodation is targeted towards public transport access, schools and medical facilities. We negotiate new locations for new and emerging communities across the consortia and with DIAC where we need to target and build a set of skills within a new location—for example, working with GPs and working with a new school in preparation for large group arrivals of new and emerging communities.

Senator BILYK—So what would a large group number be?

Mrs Doherty—It can vary. Sometimes we have had in excess of 50 people turn up in one day and at other times we may get—I think we have just recently been notified of something like 150 reunions migrants that are due in by the end of the financial year; they will come in in dribs and drabs, about a dozen at a time. So we will source that accommodation off the private market and head-lease that. When they come from the airport, they will come straight to that property, wherever that is possible. Sometimes, when it is at short notice, it is not possible for us to source that accommodation. Between the MDA and us, we will orientate the family in that particular community, get them settled and get the kids enrolled in school. They will be involved in a formal tenancy training process so they are educated around how to manage a tenancy, their obligations under the law, as well as their rights as tenants.

Senator BILYK—Is that done by volunteers?

Mrs Doherty—No, that is done by the consortium.

Senator BILYK—By the consortium.

Mrs Doherty—Absolutely. There is a volunteer program within MDA that will also provide some one-on-one support for individuals, particularly for some single women and single mums who are struggling to get settled and learn how to care for their kids in isolation—in a house, as opposed to being in a camp with a community. But all that work is done by paid employees because it is really important for us to ensure the integrity of that information, because that is critical to their long-term success in the market. Sometimes that support needs to be provided only once; sometimes that needs to be provided many, many times. While the responsibility of the contract is to provide assistance only for a six-month period, more frequently we are having to provide assistance under this program—at least in relation to housing—for 12 months or more.

Mr Bartlett—Can I make the point—and correct me if I am wrong—that, in regards to almost all you have said, if people are on bridging visas they would not be able to get any of that support.

Mrs Doherty—They do not qualify. It is only through the humanitarian entrance program.

Ms Gleeson—It is a separate category.

Senator BILYK—That is right.

Mr Bartlett—They would go to DIAC or the MDA in terms of their formal programs. They would have to tell them to go—

Mrs Doherty—They do not qualify.

Dr STONE—Very often, they are very large families. My Congolese families have an average of 10 children. So how are you going in the private market with these big families? And, typically, Middle Eastern families are large too, not just African families.

Mrs Doherty—I would be lying if I said it was easy, but it is doable. Over MATCH's life of 18 years, we have worked extensively with the private market to deliver housing for all different types of households, and I think our longevity in doing that as well our reputation in the head-leasing arrangement, where we do take full responsibility for returning the property in the condition in which it was taken on, have allowed us considerable success in that area. In fact, we have a number of investors and real estate agents who will bring us directly when they have a particular house and say: 'Have you got anybody that you want for it? It's a large house. We're not going to see another one come up for a little while; do you want it? If you do, it's yours.' So we do not have to go through an application process. But I would have to say that is an unusual situation, and it is only because we do what we do and have done it for such a long time.

CHAIR—Questions, Mr Zappia?

Mr ZAPPIA—Thank you all for your presentations. I am from Adelaide, and in Adelaide we have the Migrant Resource Centre. Is there a similar organisation here in Brisbane?

Mrs Doherty—I would say MDA would be that.

Mr ZAPPIA—So MDA is the equivalent of the Migrant Resource Centre.

Mrs Caton—Many years ago there was a migrant resource centre in Brisbane, and it in fact auspiced the Refugee and Immigration Legal Service. It no longer exists. It has not existed for 20 years, I think, or about 15 years. RAILS auspiced the Refugee Claimants Support Centre, about eight years ago, I think it is now—something like that. We also auspiced the Queensland Program of Assistance to Survivors of Torture and Trauma. So there is not the equivalent now, but there used to be.

Mr Bartlett—I think it is also an issue of terminology to some extent because there are different labels that are used for different sorts of things. There is certainly the major service provider, MDA, in the Brisbane area. There is also Logan, which you may not know, being from Adelaide. Between here and the Gold Coast, there is a fairly high socioeconomic need—it is a low socioeconomic area—and there is a very high density of recent arrivals. There are major agencies down there as well. ACCES Services is the name of one.

Mr ZAPPIA—I have just one other question. If you can briefly respond to this, Carolyn—you said that most refugees will not be placed in public housing, regardless of residency status. Why is that? Could you give us a quick answer to that.

Mrs Doherty—The new social housing policy is designed as comprising five tiers. They are based on the numbers that you achieve, basically, around accessibility—

Mr Bartlett—Accessibility, affordability, discrimination—

Mrs Doherty—Yes, so it is very much a targeted eligibility system now. In order to achieve public or social housing, you need to fall into segments 1 and 2—you have to have a number of access requirements in order to achieve that. Frequently, refugees do not have the capacity to advocate for themselves, do not know how to get through that system to declare their need or do not meet those eligibility requirements, because they have deliberately excluded target groups in this particular system. It is an entirely needs based system, and refugees, who may have been a target group in the past along with Aboriginal and Torres Strait Islanders and people with disability and whatnot, are not necessarily a target group per se any longer.

Mr ZAPPIA—Thank you.

ACTING CHAIR—Carolyn, you mentioned international examples before. I will ask you and anyone else who is familiar with examples abroad: which ones that you are aware of do you believe would not be suitable for the Australian context?

Mrs Doherty—High-density congregate living is very difficult to sell in Australia, but unfortunately many of the social housing models that are being marketed to Australia as best practice models are exactly that. They require people to live in very small types of accommodation, often with communal facilities. In Australia, we are not socialised to live like that; we do not enjoy living like that; and it creates a whole range of other social problems that the wider community sector is not resourced to support. This model often works in places like New York, because New York is New York and they have a very wide social and community infrastructure that goes to support that. They also have certain features such as doormen and security that are very familiar things in places like New York City and London and whatnot but are not common features in the Australian environment unless you live in a \$5 million unit in Sydney somewhere. So it is important that, whatever housing solution is delivered, we look at amenity and we look at independent living where people can realise their right to privacy, safety, security and affordability without having to have those kinds of shared facilities.

ACTING CHAIR—Would anyone else like to comment on that?

Mrs Caton—Many European nations have an enormous amount of experience with this, given the high levels of asylum seekers moving into Europe. I know that in Germany there was a real issue with this almost ghettoisation, with certain places like Giessen, for example, being termed ‘auf Flüchtlinge’ and that having derogatory connotations—you know, ‘that is where the refugees are’. People who live there deal with the value of their homes coming down, so the acceptance of the host community deteriorated. I think it is very important that the host community values are supportive and that any congregation is not too big so that it does not form a threat.

I guess there is a longstanding example of the Vietnamese community in Hong Kong. Eventually, they closed that camp, if you like, which had been operational for many years. There were real issues where you had to be in by a certain time because the gate would be closed and

things like that. I am sure that you know more about it than I do but there has to be a balance between the density, the facilities, the host community and also some sort of level of security just in case people with more extreme ideas make themselves known. It has happened in other parts of the world.

Ms Gleeson—That security issue is important, but in any sort of transitional arrangement location is important that either services are provided on an outreach basis in the area or the facility or housing is located close to public transport and health services in particular. I am not sure about the high density stuff per se. I housed a lot of refugees from Central and Latin America in my experience of community housing in Sydney and often they preferred the high-rise flats to houses because they felt safer, or it was what they were more used to. I do not think that we can just say what would work.

Mrs Doherty—But we have to balance—

Ms Gleeson—I think that it really depends on people's needs. The key things are independence and access to support services. Just taking on board what you were saying about the host community, we have a lot of properties—independent units and boarding houses—in an area that has been gentrified. People cannot tell the difference and I think that we can sometimes sell host communities short in terms of their acceptance of difference if the whole situation is managed well. Having some sort of security and on-site moderation can assist this.

ACTING CHAIR—Towfiq, I am going to come back to you in a moment because I would like to hear a little bit more about your personal experience of housing—you are at Cornwall Street, did you say?

Mr Al Qady—Yes.

ACTING CHAIR—I want to know whether you think what is being done at Cornwall Street is a good model. Karen, would you like to make any comment about your knowledge of any international experiences and whether you think that there are lessons to be learnt about what not to do in Australia?

Ms Lee—Whatever models are used for people on some form of bridging visa, or whose migration status is pending, there needs to be sufficient consideration given to individual personal circumstances and not just to have a whole model imposed without taking those things into consideration. There are also cultural issues from different groups in different regions.

ACTING CHAIR—Is there something that has not been mentioned already that you believe should be considered as far as how we have people residing in the community while their applications are being considered?

Ms Lee—I take up a lot of what Carolyn, as our lead consortium partner in this, has mentioned.

Mr Bartlett—Again, it is not ECCQ's role to have a policy on a specific model, but it is our role to ensure that people's diverse cultural issues are recognised. I guess that is reinforced in the point that Karen just made that whatever model or models are used—because we are talking

about the key thing with people on bridging visas or whatever type of visa they are released on in the context of your inquiry—every possible situation imaginable can come up and it really needs people with the expertise in cultural issues and a major background in plugging in to community services to have enough personal attention.

This committee and other committees in the parliament have been considering alternatives to detention for a long time. I know the committee heard from Hotham Mission in Melbourne before Christmas who are the pioneers in some of this sort of thing. A term that was used a lot five or six years ago, and maybe you have not heard it lately, is the so-called Swedish model, which is this open-access group accommodation, but it is really focused on asylum seekers. I did visit one of those in Sweden some years back. My personal view is that there is something to be said for them but they are not for every person being released from detention. When I was talking about the difference between people who arrive in an esky, people who are on a business visa and students, one group in detention I did not mention is the 501 cancellations. It is not necessarily appropriate to have all those people dealt with in the same way, whatever model you have.

Mrs Caton—There has been some mention of the Community Care Pilot by the Refugee Claimants Support Centre. Certainly interstate you have received evidence about that. We have a lot of contact with the department. We refer clients to the scheme. It has worked very well for us. I agree that there is not real transparency in who will gain support under the scheme. It has made a big difference to us for people who are exceptionally vulnerable on bridging visas and we would like to put on the record that we think it is a scheme that should be continued.

ACTING CHAIR—Towfiq, would you like to tell us a bit more about your experience with housing, having come out of detention? Could you tell us about your current housing and whether you think it is a good model?

Mr Al Qady—It is good. It is good for the new arrivals, whether they come from the detention centre or from overseas. Most of them have each other because they mix within their own culture. Some people need experience to settle and to find a job. They help each other. It is good because they live in single rooms. They can apply for housing to get another property. I think it is good because they start to learn step-by-step. Another thing is that it is a good location. It is very easy to go to the bank, the hospital or to try some sport—everything. Cornwall Street in Annerley is a very good location. All the people like the area.

ACTING CHAIR—Cornwall Street has shared kitchen and bathroom facilities?

Ms Gleeson—No, they have their own bathroom.

Mr Al Qady—There is a kitchen upstairs and one downstairs.

Ms Gleeson—Yes, two kitchens so there is a balance with half a dozen people sharing a kitchen.

ACTING CHAIR—And there are people who reside at Cornwall Street who provide services and support?

Ms Gleeson—No, it is independent accommodation. Towfiq lives there and he acts as caretaker, just to keep an eye on things. We have support agreements in place with support agencies—for example, the Red Cross. We have someone—I do not know whether he is one of your clients or not—for whom we have a support agreement in place with the Red Cross. We get referrals from the Romero Centre and there would be a support agreement in place for them. If there is any matter in terms of their tenancy, which may be at risk because of acting out behaviour or whatever, we would be in touch with the support agency to assist to maintain that tenancy.

Dr STONE—Are there people from different cultural backgrounds?

Mr Al Qady—Yes.

Dr STONE—Are there individuals as well as families?

Ms Gleeson—No, only individuals.

Dr STONE—Presumably, it is mostly men?

Mr Al Qady—Yes.

Ms Gleeson—All men.

Senator BILYK—Are there eight or nine people?

Mr Al Qady—Nineteen.

Senator BILYK—Is that a purpose-built facility?

Ms Gleeson—It was motel type accommodation for Greenslopes hospital. I think it was a repat hospital and provided accommodation for visiting families.

Senator BILYK—You managed to get the bathrooms.

Mr Al Qady—Yes. It must have been about eight or nine years ago that the department got the facility.

ACTING CHAIR—Is anyone aware of equivalent accommodation for women or families in Brisbane?

Ms Gleeson—Families are difficult. We have women-only boarding houses and we do have two people, I think, on TPVs in one of the women's boarding houses. We have housed refugee families—people on bridging visas—in the community rent scheme operation and also in some of our long-term housing and some of the housing that we manage on behalf of the Brisbane council. Generally, in terms of homelessness there is a real shortage of family accommodation.

Mrs Caton—We turn ourselves inside out to get women's refuges to accept women who do not fit their criterion that there has to be an immediate threat of violence to keep them and children on. Quite often they do that past their funding cap of, let us say, three months. We will write letters, et cetera, and advocate.

Ms Gleeson—It is very hard.

Mrs Caton—Yes.

Mrs Doherty—Once again it has to be mentioned that the state eligibility requirements around housing will create a situation where anybody who does not have permanent residency in any of those programs that Margaret has just mentioned will be asked to leave.

Senator BILYK—Towfiq, how much are you charged to live in this?

Mr Al Qady—For tenants? I am not charged anything.

Ms Gleeson—It is 28 per cent of income plus rent assistance. A lot of the tenants at Cornwall Street are actually working—they may not even be eligible under the department of housing when this comes through. A lot of them are on market rent but it is a low market rent in that area so it is affordable.

Mr ZAPPIA—I have one final question of Carolyn. You have said on a number of occasions that state eligibility requirements will allow this or will not allow that. As the CEO, have you made recommendations to the government that those eligibility requirements ought to be changed?

Mrs Doherty—Constantly. I have been actively involved over the last five years working with government around the redesign of their housing policies in relation to social and public housing. I am constantly making representations to the department in relation to refugees but also with other client groups in this forum. I know that specifically our consortium met with DIAC and the state housing department in relation to this when they were establishing their final eligibility requirements in relation to this. They have said quite clearly that refugees are not their responsibility; they are a responsibility of the federal government. If refugee households meet the other eligibility criteria, which in some cases they will, then obviously they are entitled to housing but they were not prepared to make a specific eligibility criteria or weighting relating to refugee households.

Mr ZAPPIA—Thank you.

ACTING CHAIR—Before we complete the hearing today, do any of you have any additional short statements you would like to make about what we have discussed today or add any additional information about the proposed models for housing? I will start with you, Andrew.

Mr Bartlett—I do not have anything extra to say except that I might review this afterwards and perhaps provide some more information on notice with some more specifics about availability—the numbers of houses—relating to the question you asked before about the numbers that are available. It is about finding what you can where you can rather than a funded

program. The Brisbane City Council has been quite good in providing houses for refugee claimants over the years—houses that were vacant. It is the same with various church bodies. That is great where you can get it but also makes it very piecemeal and very chancy. We need recommendations to try to make it more focused and cohesive and to re-emphasise the point that those people should not be left to chance—that they plug into somebody and have that personal support. That is where you can really get problems, like Sonia mentioned with that woman in Cairns. Once they are homeless the spiral can go on.

Ms Lee—MDA is also referred complex cases by DIAC. It is normally for people who are experiencing torture and trauma issues. Often enough, they do not have a lot of support and they come to us. I think if consideration were given to giving these people the necessary housing and other types of support, you would stop that at that end rather than let it escalate that way.

Mrs Doherty—In my final comments, I will reiterate that it is critical to get the foundations of housing right in getting someone appropriately settled. We know through our work that more than a third of the clients that we are dealing with in housing issues alone have complex housing needs that require intensive support to exit them to a stable long-term housing option. So whatever model is agreed upon has to be one that recognises that and puts the services in place to support that. Housing must be separated from support; it is the only way to sustain it. If somebody decides not to participate in the support, the housing should not be placed at risk.

Mr Al Qady—I just want to say thank you very much. I think all refugees still need more help; there are a lot of things they need. It is good to think about them all the time. Thank you very much for that.

Mrs Gleeson—I think any model or models that are developed need to be flexible. I do not think we want another program which is going to make it really hard to cater for individual needs. I think that there needs to be housing provided in a flexible way which is not tied into support but where there is a working collaboration between the housing provider and the support agencies so that support is provided. There also needs to be security of tenure and continuity—as Carolyn mentioned before—in some sort of transitioning method so that people are not dumped after their six months is up.

Mrs Caton—One thing that has not been mentioned here today is the process by which people who are held in detention are considered for placement in community detention, which is very different from a lot of what we have been talking about today. RAILS has had experience where people, just like the Burmese in the esky, were taken to Thursday Island, had complex medical issues and were flown to Brisbane for treatment in hospital. They were then kept in a hotel room with young children for a protracted time while we dealt with them not being flown to Christmas Island. We thought it was more appropriate that they be linked in with community supports, legal advice et cetera. That was successful in the end, but in that time they were in a hotel room with two guards outside. That is not an infrequent experience.

We have two men on Thursday Island now. RAILS has not been contacted. We do not know what legal advice they are getting that is independent from the department. We think it is appropriate that they be brought to Brisbane and found a community detention solution, which is not a motel room with guards. Our experience is that people in those situations, when they are linked with organisations, do not abscond and that it is vastly better than being taken to

Christmas Island, which is just so far away from any support and legal advice, from the processes of decision-making and so forth. I just thought I would raise that because community detention and those options have not really been discussed today. They have been discussed in your previous hearings by other people, and I certainly support what has been said previously in relation to that.

ACTING CHAIR—To lead on from that, because the committee will shortly be inspecting the Immigration Transit Centre at Pinkenba, I will ask what experience you have with that centre and what your views are of it in the context of our inquiry.

Mrs Caton—When it was opened, there was a resolution that RAILS would draft an information pamphlet, which would be made available to all those coming through BITA, providing our contact name. We did that, and it has not progressed. To this day, no-one coming through BITA has easily accessible information, to our knowledge, or independent legal advice. We also do not have a contract with the department of information to provide that advice. So, recently, when an Afghan minor came in, it was a very complex case and took up two weeks of my time. We were not remunerated for any of that and yet we were invited to be involved by the department. It was absolutely essential that he was independently represented. There were complex issues involved, and we continue to represent him now.

At the moment there is no provider within Queensland, as in other states, to provide legal advice and be remunerated to those held in the detention centre because it has not the same precise classification as Villawood and Maribyrnong; it is a transit centre. We also heard when it was first opened that people would be kept there for seven days and no longer. By the end of the year we had been told that the policy was that they could be kept for 21 days. We do not know the basis for this policy change and we have never seen documentation in relation to it.

We have never been directly contacted by a client. We have been contacted on three occasions by the department on behalf of people they have identified as being exceptionally vulnerable, to assist in those matters. We know anecdotally that women who may be classified as being in a 'trafficked' situation do go through BITA. We are never contacted and we have been told, off the record, that it is because they have been brought to Australia through organised crime, a protection application or an application of some sort is lodged and a migration agent is put there so that if they are apprehended that agent is contacted. The department then has an obligation to ring that agent who comes in and says, 'You really should leave.' So they have been considered to have had legal advice and they are transmitted out. I obviously think this is a part of organised crime and should be investigated by the AFP but we never get a call for advice from vulnerable women who have been found in the sex industry.

It is a difficult situation because BITA is not considered a detention centre and yet we feel that perhaps people would benefit if they had access to advice about their situation before they go on. Quite often they will have family or whatever in Queensland but they are taken interstate.

I do not think the process of affording people their right to independent legal advice is clear or transparent. I have to say, we have assisted the department. They had one woman who was found in the sex industry and she was on a 457 visa and her husband had end-stage renal failure. He went home but she decided to stay to earn money to help him. In the end, the private insurance was paying for daily dialysis in China. We managed to establish all of that. Through her being

brought to our offices by the GSL guards to get independent advice with a level three interpreter, she finally agreed to go home. She had no prospect even of a ministerial intervention of ever staying here. Legally her prospects to stay were nil. We assisted the department very much because she had another person ringing her from Western Australia saying, 'Just lodge a protection visa and you will get ministerial intervention,' which was incorrect. There was nothing in her circumstances which met the public interest criteria.

That is an example of where good professional legal advice helps everyone if it is made available and people understand the decisions that have been made about them. Our experience is that people who are taken into detention are bewildered, they do not know what their rights are and do not know what they can do or that they can even ask for an interpreter. We say, 'There are signs there,' but when you are in detention your anxiety levels are generally very high and I would not say that people are operating at their best.

Our experiences are limited but we think it could be improved. Now with complex matters, as I say, the decisions are being taken in the Northern Territory as of the last six weeks rather than in Queensland for Queensland detention matters.

Dr STONE—Why is it happening?

Mrs Caton—I do not know although I have asked. The line management for detention matters stems from Canberra. It is not something that is delegated to state directors. Previously, it was Canberra-Queensland. Of course if it is going to involve a protection matter then it will involve onshore protection people in Sydney because that is where Queensland onshore protection matters are decided.

Now, if you have someone brought into BITA who wants to make a claim for protection, you will talk to local Queensland officers, onshore protection in Sydney and if it is complex you will need to go over the head of the Queensland people, and that happens. The person with the decision making authority for Queensland is now in the Northern Territory, and if there are really sticky issues, which they are—we get the pointy end of the cases—then we have to talk to people in Canberra. That is four locations and all these different people; I do not see how that can lead to informed, efficient decisions about detention matters in Queensland.

Mr Bartlett—I do not know this definitely or officially, but I think one possible reason for the administrative arrangements is because the Darwin facility for detained fisher folk has greater numbers. So administratively, Brisbane is a small facility that they just tack on the end. I think that is part of why that Darwin thing has come about. That is my personal view and not the ECCQ's, per se.

ACTING CHAIR—Thank you all very much for your contributions. It has really has been beneficial to have the opportunity to talk to all of you. Thank you for participating in this round table today.

Resolved (on motion by **Dr Stone**):

That this committee authorises publication of the transcript of the evidence given before it at public hearing this day.

Committee adjourned at 12.36 pm