

SEMINAR ON REFUGEE HUMAN RIGHTS

**Thursday 9 December 2004
NSW Parliament House, Theatre**

A seminar to highlight the research projects that were partially funded by the Don Chipp Foundation through the Research Grants Program.

1.00pm	Introduction Welcome	Arthur Chesterfield-Evans MLC Nina Burridge
1.15pm	Deported to Danger	Phil Glendenning
2.00pm	Fearing Going Home	Dr David Corlett
2.40pm	Tea Break & Media	
3.00pm	Federal Court Refugee and Migration Decisions Database	Nitra Kidson
3.45pm	Care and Protection of Refugee Children	Denise Lynch and Fiona Keast

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To build an Australia which values the ideals of honesty, tolerance
and compassion embodied in a civil society.

About The Research Projects:

Phil Glendenning

Deported to Danger: A study of Australia's Treatment of 40 Rejected Asylum Seekers

What happens to Australia's rejected asylum seekers? The need for such important research was highlighted by the Report of the Senate Enquiry to 2000, *A Sanctuary Under Review*. The Committee accepted a submission by the HREOC Human Rights Commissioner that "a system of information monitoring" of the results of deportation should be set up. To date the Government has not acted on that recommendation. This research is a first attempt to take up the challenge.

We interviewed 40 rejected asylum seekers. Some had been returned to the high-risk countries from which they originally fled. Others were originally from such countries, but now living elsewhere. Our title, *Deported to Danger*, reflects the concerns raised by the research.

We concluded that Australia has not adequately respected and safeguarded some fundamental human rights of the people we interviewed. It appears that the Government's present policy regarding refugees and asylum seekers is dictated not by the principles of the Universal Declaration of Human Rights and the Refugee Convention but by other political agenda. There is no doubt that our current refugee protection system is in urgent need of reform. The Senate Committee made this adequately clear four years ago. Urgent action and truth are now required.

Dr David Corlett

Fearing Going Home: Australia's return of rejected asylum seekers, temporary refugees and others from refugee-like situations

'Fearing going home' is a research project examining the impact of the threat of return on temporary refugees and asylum seekers in Australia and the situation of those who have been returned.

It is a joint project between La Trobe University academics, Professor Robert Manne and Dr David Corlett, Amnesty International Australia, the Asylum Seeker Project of the Hotham Mission, the Catholic Commission for Justice Development and Peace, the Christian World Service of the National Council of Churches in Australia, the Edmund Rice Centre for Justice and Community Education, the Refugee Council of Australia and the Victorian Foundation for Survivors of Torture.

The first publication resulting from this research was the March 2004 *Quarterly Essay*, 'Sending Them Home: Refugees and the new politics of indifference' which was referred to by the *Bulletin* as a circuit breaker and which has been nominated for a human rights award. The researchers are currently analysing data collected from a recent overseas fieldwork trip.

Nitra Kidson

RefLaw Australia: Federal Court Refugee and Migration Decisions Database

RefLaw Australia is a web-based, legal database comprising Australian Federal Court and High Court jurisprudence. The database contains all decisions since 4 February 2003 (when the High Court's landmark decision of *Plaintiff S157 v MIMIA* was handed down) as well as significant decisions made prior to that date.

The purpose of *RefLaw Australia* is to act as a quick, efficient and accurate research tool for refugee lawyers and advocates.

Denise Lynch and Fiona Keast

The Care, Protection and Adjustment of Refugee Children

Children who have arrived in Australia as refugees, or who have a refugee-like background, often have issues of trauma, health, (including mental health), language and education. They are cared for within their families, or by government and non-government agencies.

This project is a collaborative pilot study conducted between the New South Wales Asylum Seekers Centre in Sydney, Australia, and the School of Social Work and Policy Studies at Sydney University. The focus of the study is to explore the adjustment, social participation, health and educational status of a small number of refugee children.

There is very little Australian and international research data addressing the long-term issues for children who have a refugee background. The focus of current childcare policy and practice is to eradicate child poverty and provide consistent services to children in need. This study aims to begin an investigation of refugee children as an important subgroup within Australia. The study is explorative in nature and will use qualitative methods to address the child's health and educational status and gain an understanding of the child's experiences in regard to health, education and well-being in the community.

This study draws on literature that discusses the phenomenon of 'the unexpressed', which means the extremes of human experience both at the social and at the individual level that cannot be discussed. This extreme situation must be considered. It is vital not to increase any trauma that the child or parent may have suffered.

About the Speakers:

Phil Glendenning

Director of the Edmund Rice Centre for Justice and Community Education.

Phil is also the National President of Australians for Native Title and Reconciliation (ANTaR), and author of the Australian Citizen's Statement that was the basis for ANTaR's Sea of Hands.

He is Secretary and Executive Committee member of A Just Australia, a national coalition for refugee and asylum seeker rights.

Phil holds an honours degree in Politics and Third World Education, a GradDip (Rel Stud) and a diploma of teaching.

Dr David Corlett

Lecturer in the Department of Politics at La Trobe University.

David has worked as a caseworker and researcher with refugees and asylum seekers for over a decade. He wrote his PhD thesis on Australia's response to asylum seekers and has published articles on this topic.

Nitra Kidson

Co-ordinator of the *Refugee and Immigration Legal Support Project (RAILS)*, based at the Queensland Public Interest Law Clearing House.

Nitra is a lawyer who has specialised in refugee law since 1994, primarily as a solicitor with South Brisbane Immigration and Community Legal Service. Nitra has been involved in numerous policy and law reform activities relating to refugees and asylum seekers, and served as a board member of the Refugee Council of Australia from 1995-1997. In addition, she has been teaching administrative law at Queensland University of Technology for nearly a decade.

Denise Lynch

Lecturer in the School of Social Work and Policy Studies at the University of Sydney.

Denise has been involved in developing curriculum around violence and matters of child protection. Her study leave in 1998 was spent in Guatemala, addressing issues of refugee children. She has also been a field worker in the NSW Department of Community Services. She holds a Bachelor's degree in Social Work and a Master of Criminology.

Fiona Keast

Assistant Coordinator at the Asylum Seekers Centre

Fiona completed Bachelor Arts/Social work at Sydney University in 2000. She worked for 2 years as a Case Manager at Anglicare Migrant Services in their Humanitarian Settlement program, providing initial information and orientation to newly arrived refugees and humanitarian entrants. She spent 6 months volunteering with an asylum seeker social support project in Austria, as well as 4 months in England working with children with disabilities.