

NO WORK, NO INCOME, NO MEDICARE — THE BRIDGING VISA E REGIME

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A number of asylum seekers in Australia who are living in the community and do not meet certain criteria specified by the Government are given a Bridging Visa E (BVE) while their cases are reviewed. The BVE may deny them the right to work or to access education, health services or welfare. They are therefore dependent on friends, family or non-Government organisations, sometimes for considerable periods.

Australian policy concerning asylum seekers, particularly the mandatory detention regime, has been much discussed for more than a decade; there is one aspect, however, little publicised or understood, the operation of the Bridging Visa E (BVE) regime, under which some asylum seekers are placed in a position of enforced poverty. The objective of this article is: to explain the process by which some asylum seekers are deprived of fundamental rights; to determine their number, and the means by which they are able to survive; to consider the rationale of the policy and of its critics; and to reflect on the role of welfare agencies in this context.

While there are detailed analyses and recommendations by support and advocacy groups,¹ the challenge is to bring clarity, precision and a critical perspective to an issue which is veiled by complexity and lack of government accountability.

The complexity of regulations, the range of Temporary Protection Visas and categories of Bridging Visas (A to F), is an issue itself worthy of attention. At least three factors, each with a degree of validity, are relevant. First, the varied background of asylum seekers, international conventions and international law necessarily bring complexity to the issue. The government is dealing with complex human and legal issues.

There are, however, other elements to be considered. The complexity denotes a

legislative and regulatory framework which has been developed piecemeal, often in response to immediate needs, in contrast to a structure that is developed coherently on the basis of mature policy or has undergone a process of codification and simplification.

It is also the case that complexity can serve the purposes of a government seeking to limit access to asylum and to limit criticism. The less that legislation and regulations are understood the less open they are to asylum seekers and the more options for manipulation by government and the public service to achieve desired ends. The provision of discretionary power to the Minister provides an avenue for determinations in favour of individuals, but also adds another layer of potential confusion, capriciousness and lack of consistency to the system. Those questioning this reality may reflect on the venerable record of bureaucracies. For the last years of the White Australia policy, for example, there is surviving documentation of deliberate obfuscation. The refusal to provide precise information on the number and circumstances of Bridging Visa E holders, discussed below, is a further illustration.

ACCESS TO AND DENIAL OF FINANCIAL ASSISTANCE

Financial assistance is available to eligible Protection Visa applicants living

in the community who are unable to meet their most basic needs for food, accommodation and health care. This aid is offered through the Asylum Seeker Assistance Scheme (ASAS). The Scheme is administered by the Department of Immigration and Multicultural Affairs (DIMA) through contractual arrangements with the Australian Red Cross Society and provides up to the equivalent of 89 per cent of the Centrelink Special Benefit (\$155-380 per fortnight, depending on age and family structure).² ASAS includes provision of health care through free access to general and specialist medical practitioners, selected from an approved service provider list. In 2002-03, the Scheme assisted 1,865 clients at a cost of \$9.6 million.³

There are, however, some categories of Protection Visa applicants who do not qualify for ASAS, and are left without basic entitlements. The entitlements denied are the right to obtain paid work, the right to Centrelink (unemployment, disability or special) benefits and access to Medicare. Where a person obtains paid work, contrary to the rules, they may be placed in detention. Adults may be denied access to tertiary education unless they pay full fees, an effective denial of access. There is no access to settlement services funded by DIMA, no access to federally funded English language programs, translating and interpreting services, no access to government housing and related assistance.⁴ There are three categories for such denial.

The first category (impacting on the largest number of asylum seekers) covers those who fail to apply for asylum within a specified period. Those in this category comprise asylum seekers who arrived with valid papers, for example tourist, student or business visas. After their arrival they lodged an asylum application,

but failed to do so within 45 days. The 45 day rule was introduced in 1997.⁵ DIMA Fact Sheet 62 'Assistance for Asylum Seekers in Australia' states that:

no work rights are available to people who have been in Australia 45 days or more in the 12 months before their PV [Protection Visa] application is made.

They can only be granted a bridging visa with a no work condition attached.

Such a person is provided with a BVE without work rights while their application is assessed. If there is no primary decision after six full months on the BVE, he or she may qualify for assistance under ASAS.⁶

The second category covers those released from detention on a BVE, pending assessment of their application for asylum. They are typically people who arrived without valid papers and include a relatively small number of asylum seekers.

The Migration Act 1958, regulation 2.20, provides that release from detention may be granted on the basis of a special need relating to mental or physical health or relating to previous experience of torture or trauma. Others who may be released comprise minors, people over the age of 75 and spouses of Australian residents. Release is conditional on satisfying the Minister for Immigration that there are adequate arrangements in place to support the person in the community.⁷ In many cases, the proposed arrangements are put forward by family or friends of the detainee. In some cases, where there is no such family or friend, welfare agencies and other organisations undertake to provide support.

The third category covers asylum seekers who fail to obtain a favourable primary decision. They have the right to seek merits review from an independent tribunal, either the Refugee Review

Tribunal (RRT) or the Administrative Appeals Tribunal (AAT), depending on the basis for refusal. A case may be also taken to the Federal Court, to the original jurisdiction of the High Court, or to the Minister for Immigration, who may exercise discretion in the public interest under section 417 of the Migration Act. Applicants rejected by the RRT (and who have no other legal reason to be in Australia) have 28 days to depart. Asylum seekers eligible for ASAS lose their entitlement if they seek review by the RRT, with exception in cases of extreme hardship. Appeals beyond the RRT or to the minister result in automatic denial of work and other entitlements. DIMA has discretionary power to continue to pay individual asylum seekers 'special payments' while their cases are at the post-RRT stage or allow an asylum seeker to work where there is a 'compelling need' while the Minister considers a section 417 request.⁸

The number of community based asylum seekers denied government assistance is not known, as DIMA apparently refuses to collect or make data available. Telfer has commented that, in the course of researching her Masters thesis, her approaches to DIMA for information were all unsuccessful. After interviewing the Minister for Immigration, Telfer wrote that 'the Minister gave no indication that de-identified demographic or other data on community based asylum seekers would be made available to researchers or service providers with legitimate data needs'.⁹

McNevin wrote in 2005 that: 'much of the information that service providers related was anecdotal. Where quantitative data do exist they vary in time scale, detail, category of information and purpose from agency to agency. As such, it was not possible to obtain a thorough and

consistent indication of figures across the sector and across a consistent period of time. In addition, there may be some degree of crossover in data where BVE holders access more than one service'.¹⁰

Extensive detailed statistical information is provided by DIMA in its annual report, *Managing the Border: Immigration Compliance*. Thus, during 2004-2005 51,239 bridging visas of various categories were granted; most (26,836) were to individuals in the process of 'making arrangements to depart Australia'; 17,982 'had requested for, or were in the process of making, a request for Ministerial intervention'; 1,184 were 'awaiting merits review'; 1,172 were 'applying for substantive visa'.

As at 30 June 2005, over 20,000 bridging visas were in effect; two separate figures are given in the report — 21,554 (p. 49) and 24,364 (p. 55). It is stated that 33 per cent held a Bridging Visa E, so the number holding these visas was either 7,111 or 8,040. This figure is consistent with the lower end of the estimates given by the organisations working with refugees, their estimates being in the range 8,000 - 10,000.¹¹

There is additional detail of great precision in the report; for example, the number in detention was exactly 1,143 on 30 June 2004, and 862 on 30 June 2005; there were 340 persons under the age of 18 in detention on 30 June 2005. During the course of financial year 2003-2004 exactly 7,492 persons were in detention for some of the year, compared with 8,587 during 2004-2005. It was reported that well over 80 per cent of women and 92 per cent of children 'located in compliance activities' during 2004-2005 were not taken into detention.¹²

Such detailed statistics are available to DIMA, yet it deliberately chooses not to collect or not to make available details on

the number of Bridging Visa E holders who are without work and other rights. This issue has been highlighted by Democrat Senator Andrew Bartlett. On 8 March 2005 in a question on notice he asked Senator Amanda Vanstone, Minister for Immigration and Multicultural and Indigenous Affairs:

What number or percentage of non-detained protection visa applicants have been refused the right to work and access to Medicare in the past 12 months, as a result of the 45 day application limit.

The response given on the 14 June was that the Department did not have 'reliable data':

The Department of Immigration and Multicultural and Indigenous Affairs (DIMA) systems do not provide reliable data on whether Protection Visa (PV) applicants hold visas without work rights or access to Medicare as a result of applying for PV more than 45 days after arrival in Australia. However, DIMA systems as at 28 February 2005 indicate that, some 35 percent of PV applications lodged in the period 1 July 2003 to 28 February 2005 by clients with a Movements Database match, were lodged more than 45 days after date of last arrival.

Senator Bartlett also inquired as to the number who lost ASAS entitlement following lodgement of section 417 request. He was informed that 'statistical reports on this issue are not available from Departmental systems'.¹³

One consequence of the failure to provide reliable data is limitation of informed public discussion; there is also confusion and circulation of inaccuracies. Thus, for example, it has been suggested that 'as many as 95 per cent of people on BVEs have no access to Medicare or work rights'.¹⁴ Other estimates are more carefully measured.

Anna Burke, MHR for Chisholm, has

quoted an estimate for Melbourne approximately 40 per cent of BVE holders without work entitlements.¹⁵ Some of these have relatives or friends who provide support, but the Hotham Mission estimated in 2003 that, in Melbourne, approximately 400 to 500 were without support.¹⁶ In 2005 McNevin estimated that in Victoria 750 to 900 BVE holders have no work rights; this figure includes dependents.¹⁷

Those who are left without work and welfare entitlement rely on charities for their survival. In 2003 Hotham Mission had 247 clients on a BVE, in 2004 212 clients. In February 2004 the Red Cross in Melbourne was supporting 69 BVE holders without entitlements.¹⁸

The Hotham Mission Asylum Seeker Project is the only agency devoted almost exclusively to asylum seekers living in the community. In 2003 it had a budget of \$651,400, of which \$457,000 was spent directly on rent, utilities and emergency relief payments to asylum seekers. In 2005 the Asylum Seeker Resource Centre (ASRC), dealing with all categories of asylum seekers, provided food to over 1,800 asylum seekers per month. The value of food provided was over \$1 million. In addition, 8,000 Met Tickets were provided as was medical care to 300 asylum seekers with no Medicare entitlement.¹⁹ These organisations receive no direct funding from the Commonwealth government, although they, like other charitable bodies, receive donations on a tax deductible basis.

In 2002 the ASRC opened the Bula Bula Health Clinic to meet asylum seekers' medical needs. The largest such service in Australia, it provides for asylum seekers on all types of visas, with a particular commitment to those holding a BVE. The Health Clinic has a part-time practice manager (funded by the Colonial

Foundation) and is staffed by volunteers — four medical practitioners, one psychiatrist, two nurses, one occupational therapist, and four physiotherapists. It has agreements for pathology and radiology services; other costs (mainly medications) are covered from donations.²⁰

In Melbourne over 350 regular volunteers assist the work of the major agencies. Financial assistance is provided by a variety of philanthropic organizations along with a significant number of smaller donations from individuals. In 2003, for example, Hotham Mission received donations from over 1000 individuals, over 20 philanthropic organisations, over 150 congregations from all major denominations, and over 50 schools, businesses and organisations.²¹

The time asylum seekers spend on a BVE without entitlements is not publicly known. The Hotham Mission Asylum Seeker Project (ASP) conducted research in 2003 covering the 203 individual asylum seekers who had accessed their services between February 2001 and February 2003. Asylum seekers completed questionnaires and were interviewed to provide individual case histories.²² This data covers a large number of people and is the best available source on the welfare conditions of asylum seekers who are holders of BVE in Victoria but, in the absence of reliable data on all BVE holders, the extent to which it is representative cannot be established.

Of the 203 asylum seekers being supported by the Hotham Mission, 55 per cent had been awaiting a final determination on their applications for four years or more; 29 per cent had been waiting six years or more and 69 per cent of the people studied had not been in detention.²³ Case studies compiled by the Hotham Mission Asylum Seeker Project provide further insight into the extent of destitution

that occurs under the BVE regime. Practically all BVE holders without entitlements are at significant risk, including single mothers, children, heads of families and the elderly.

- In the period 2001-2003 the ASP came into contact with 15 pregnant asylum seeker women with no medical entitlement; there was particular concern over the nutrition of expectant mothers; two had not seen a doctor in the first seven months of pregnancy.
- One man presented with untreated diabetes, his eyes yellow and his face swollen; he said he assumed that there were no health services available to him since losing his Medicare card and income.
- One mother from southern Africa arrived in 2001 with her three children. She spent such money as she had in the first period of her stay in Australia; after her application was denied by the RRT she exercised her right of appeal, whereupon she lost her ASAS entitlement; for a period of more than one year she and her children lived in severe poverty. The Asylum Seeker Project has provided her with basic living assistance and housing, though the family has had to move three times in crisis and church properties.
- A number of single male asylum seekers have never had an income in Australia; a male from the Middle East approached a migration agent within two weeks of arrival in Australia but the agent failed to lodge his application within the required 45 days, leaving him without entitlements for four years. He faced constant homelessness and presented as malnourished and in very poor health.
- A mother from eastern Europe received treatment for cancer while on ASAS benefits; she subsequently lost her

ASAS entitlement and was denied the required six months remission testing.²⁴

GOVERNMENT AND SUPPORT AND ADVOCACY GROUP PERSPECTIVES

From the point of view of government, Australia is generous in its allocation of resources to refugees. Australia is not, however, able to solve the world's refugee problem. In 2002 there were 12 million refugees and another 11 million people of concern identified by the United Nations High Commissioner for Refugees.

Government cannot abrogate its responsibilities and permit a system of self-selection; it faces the task of allocating limited resources effectively and efficiently. Every applicant who manages to reach Australia and is given a place decreases the number of places available to offshore applicants in refugee camps or other circumstances who may be in equal or greater relative need.²⁵

It is the choice of the asylum seeker to come to Australia and, having come to Australia, to live in the community rather than detention while their application is determined. It is wrong to expect support in the community, by the Australian taxpayer, as a right.

Minister Vanstone has stated that the 45-day rule is justified because 'generally, genuine asylum seekers apply for a protection visa soon after arrival'.²⁶ Prior to its adoption, some people were lodging applications only after lengthy periods in the country, or only after their presence was discovered. The 45-day rule was adopted by parliament with the support of the Liberal, National and Country parties and is relatively generous in its provision of time for lodging of applications. In the United Kingdom an application for asylum must be lodged 'as soon as reasonably practicable', which may be interpreted as a matter of hours.²⁷

It is further argued that the BVE regime operates only for a short period, pending determination of the application for asylum. Should the primary decision process be extended beyond six months the asylum seeker may gain access to ASAS benefits.

The Government also highlight the difficulty and cost of the asylum determination process — a task made more difficult by inadequate information and documentation provided by applicant, and by legal representatives drawing out the determination process in cases where there is almost no prospect of success. Lodgement of repeated appeals against adverse protection decisions are seen as an abuse of process.

At times governments have expressed the view that too liberal access to welfare benefits can serve to encourage the entry of economic immigrants in the guise of asylum seekers. It is argued that the relatively tough Australian determination process has resulted in a reduction in the number of 'spurious' asylum claims.

From the perspectives of the support and advocacy groups, an injustice of great magnitude has been perpetrated in Australia.²⁸ A regime is in place which should never have been tolerated in a prosperous, moral, democratic society.

Indicative of the magnitude and genuine level of concern is the growth of support and advocacy groups. In Victoria these include: the Asylum Seeker Assistance Project, Asylum Seeker Resource Centre, Asylum Seeker Welcome Centre, Brigidine Asylum Seeker Project, Dandenong Asylum Seeker Centre, Hotham Mission Asylum Seeker Project, Fitzroy Learning Network, Red Cross Asylum Seeker Assistance Scheme, the Refugee and Asylum Seeker Health Network Victoria, Refugee and Immigration Legal Centre, Victorian

Foundation for the Survivors of Torture, and Wombat Housing and Support Services. In 2002 an alliance of agencies, the Network of Asylum Seeker Agencies Victoria, was formed to promote and protect the human rights of asylum seekers through joint advocacy and lobbying.

A number of perspectives are developed by the support and advocacy groups: some relate to Australia's obligations under international conventions, others to the false assumptions that inform government policy, still others to fundamental human rights, and the short, medium and long term impact on the lives of asylum seekers, many of whom eventually become part of the Australian community.

Voicing the views of the Network of Asylum Seeker Agencies Victoria, McNevin writes that:

Australia is obligated under International legal conventions and recommendations ... to provide for the basic support needs of asylum seekers living in the community, including accommodation, medical care, food, and clothing. It is also explicitly obligated to provide for the provision of health care services to children and pre-natal and post-natal health care for mothers. At present and under the BVE regime, these needs are not being met.²⁹

The withdrawal of ASAS entitlement where the right of appeal is exercised arguably breaches Article 33(1) of the Refugees Convention relating to virtual *refoulement* by the imposition of living conditions which effectively force asylum seekers to return to a country where they would be under threat of persecution.

With regard to the assumptions which provide the rationale for policy, the research undertaken by advocacy groups demonstrates that, in a significant number of cases, determination of status does not occur in the short or even the medium

term. The reality is that many are left in a state of forced destitution for long periods.

The assumption that the 45 day rule provides ample time for legitimate asylum seekers to lodge applications is shown to be false in many cases. Delays beyond the 45 day period can result from:

- misinformation from well-meaning family or community members
- insufficient information or inability to access representation
- migration agents who fail to lodge the application on time
- circumstances changing in their home country while temporarily resident in Australia
- lack of English or understanding of legal or immigration procedures.³⁰

The falsity of arguments based on stereotypes is demonstrated by experience. In opposition to the view that detention is a reasonable option for those unable to support themselves in the community is the reality that, for many asylum seekers, life in closed institutions imposes great psychological costs, costs of greater magnitude than a life of destitution in the community. Those who exhaust the appeal process and are required to leave Australia can have their fares paid if they voluntarily enter a detention centre. Yet such is the fear of detention for individuals in fragile mental health that in some cases agencies are persuaded to raise the very considerable sums for fares so that they can keep their clients in the community prior to their departure.³¹

Those working in close proximity to asylum seekers without entitlements confront the reality of 'ongoing and spiralling difficulties with homelessness, cumulative debt, family breakdown and the exacerbation of existing health problems'.³² Separation and divorce are common, as is dependency on sleeping

pills and medication. In some cases there is irreparable psychological damage.

Asylum seekers may be released from detention on a BVE on the basis of mental or physical illness, pending determination of their asylum application, yet are denied access to government funded health services once in the community. Such release is conditional on an undertaking to provide health care by an individual or organisation, but over time finances may not be available for ongoing care at the level required.

In the long term there is the continuing cost to the individual (who might be an infant or child on arrival) — and to the Australian community which must deal with the psychological problems of individuals granted asylum following years of survival under the BVE (and other) regimes.

In the view of the critics the system fails to ‘facilitate a dignified transition into the Australian community, or to encourage a degree of self-reliance ... Even if a clear link between the Bridging Visa E and the deterrence of unauthorised entries or spurious asylum claims could be demonstrated, these costs remain unjustified’.³³

A final argument concerns the short-term cost to Australia. A number of agencies involved in a current Right to Work campaign recently conducted a comprehensive skills audit, surveying their clients as to the skills and qualifications that they are willing and able to contribute to the Australian workforce. When the outcome of this research was matched with DIMA’s Migrant Occupations in Demand List, 71 per cent of the 113 asylum seekers surveyed had skills or qualifications listed on the Skilled Occupation List for the General Skilled Migration stream and 45 per cent were listed on the Migration Occupations in Demand List.³⁴ The Asylum Seeker

Resource Centre’s Pamela Curr states that the list of qualified tradesmen and professionals that resulted from the audit ‘reads like a government wish list. We’re seeking skilled migrants for jobs that urgently need doing, and there are already people in the community who are fully qualified to do those jobs, but are being disallowed the right to work by virtue of their visa conditions. It’s a lose-lose situation’.³⁵

LESS ELIGIBILITY

It is commonly considered within the groups sustaining the asylum seekers that the conditions restricting work-rights, welfare and Medicare access were introduced to deter the entry of asylum seekers, or to deter asylum seekers contemplating appeal against a negative determination. The Asylum Seeker Resource Centre’s Martin Clutterbuck states that ‘once the decision is made, they just want you to take it on the chin and go home. Anything past that, and you’re improperly trying to impact the refugee determination process’.³⁶

This policy may be described in terms of the nineteenth century English Poor Law concept of ‘less eligibility’ — whereby conditions in the workhouses were so harsh that they were the last option for the destitute, to be accepted only after all other possibilities were exhausted. Thus seeking asylum in Australia and countries with similar asylum regimes is placed low or lowest on a list of options.

Yet if such a description is accurate, without the role played by Non Government Organisation (NGOs) such as the Asylum Seeker Resource Centre and the Hotham Mission Asylum Seeker Project a policy of ‘less eligibility’ would lose one of its key components. Indeed, if the government loses the option of

keeping a significant proportion of asylum seekers in the community living under conditions of great hardship there might be increasing community pressure for substantive reform.

This perspective posits a delicate (unstated) balance between DIMA and the NGOs and the irony that the most knowledgeable and staunchest critics of asylum policy actually play a role in maintaining the day-to-day viability of what might otherwise become an unviable system.

If the NGOs did not stretch the boundaries of their capacities and capabilities to meet the daily survival needs of asylum seekers denied entitlements, the Government would find itself in a difficult situation. It is because of the community organisations that hundreds of destitute asylum seekers are taken from the streets, housed, provided with

food and medical care. Without the work of these organisations government options would be fewer and the potential for damaging media attention heightened.

The option which presents itself to organisations is to call the government's bluff — to withdraw their aid from community-based asylum seekers in order to force the government to confront the situation that it has created. There is, however, little danger of the bluff being called. When confronted with this option Pamela Curr of the Asylum Seeker's Resource Centre responded, 'that is a moral gamble we cannot take'.³⁷

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References

- ¹ See, in particular Asylum Seeker Project, Welfare issues and immigration outcomes for asylum seekers on Bridging Visa E, Melbourne, 2003, available at <http://www.refugeecouncil.org.au/docs/current/_asp_research_jan04.pdf>; A. McNevin, Seeking safety, not charity: a report in support of work-rights for asylum seekers living in the community on Bridging Visa E, 2005, available at <<http://www.ajustaustralia.com/resource.php?act=attache&id=158>>
- ² McNevin, op. cit., p. 8
- ³ DIMA Fact Sheet 62, Assistance for asylum seekers in Australia, at <<http://www.immi.gov.au/facts/62assistance.htm>>
- ⁴ Ecumenical Migration Centre, Entitlements of Refugees and Asylum Seekers in Victoria. Melbourne, Ecumenical Migration Centre — Brotherhood of Saint Laurence, 2005
- ⁵ See <<http://frli.law.gov.au/s97.vts?VdkVgwKey=1997B02697&ViewTemplate=frliview.hts&action=View>>
- ⁶ Ecumenical Migration Centre, op. cit.
- ⁷ McNevin, op. cit., p. 9
- ⁸ *ibid.*, pp. 10, 11, 45; See also response by Senator Vanstone, http://parlinfoweb.aph.gov.au/piweb/view_document.aspx?id=2221141&table=HANSARDS
- ⁹ B. Telfer, Hostility and hospitality: a qualitative analysis of three key perspectives on barriers to and opportunities for community based asylum seekers accessing health services in Australia 2001-2003, M.A. Thesis, School of Public Health and Community Medicine, University New South Wales, 2003, quoted in *ibid.*, p. 7
- ¹⁰ McNevin, op. cit., p. 6
- ¹¹ See, for example, Asylum Seeker Project, op. cit., p. 6; G. Croucher, A chance to contribute: forgone gains to the Australian economy of disallowing asylum seekers the right to work, Network of Asylum Seeker Agencies Victoria, 2006, Summary, available at <http://www.ajustaustralia.com/informationandresources_researchandpapers.php?act=papers&id=68>
- ¹² See Department of Immigration and Multicultural and Indigenous Affairs (DIMIA), *Managing the Border: Immigration Compliance, 2004-2005 Edition*, Commonwealth of Australia, Canberra, 2005, pp. 55, 56, 74, 75.

- ¹³ Question on Notice, Protection Visa Applicants (Senate), iParliament at <http://www.iparliament.com.au/hansard.asp?id=28>; http://parlinfoweb.aph.gov.au/piweb/view_document.aspx?id=2221141&table=HANSARDS
- ¹⁴ See <http://www.ruralaustraliansforrefugees.org/template.php3?area=facts&content=costs> accessed 8 March 2006; See also Senator Andrew Bartlett, 'Working on the issues: refugees', at <http://www.andrewbartlett.com/issuesrefugees.htm>
- ¹⁵ Cited in A. Burke, 'Bridging visa to where?', *Online Opinion: Australia's e-Journal of Social and Political Debate*, 2005, available at <http://www.onlineopinion.com.au/view.asp?article=3708>
- ¹⁶ Asylum Seeker Project, op. cit., p. 6
- ¹⁷ McNevin, op. cit., p. 5
- ¹⁸ *ibid.*, p. 17
- ¹⁹ *ibid.*, p. 41; Asylum Seeker Resource Centre at <http://www.asrc.org.au/>
- ²⁰ See Health, at Asylum Seeker Resource Centre at <http://www.asrc.org.au/>
- ²¹ McNevin, op. cit., p. 41
- ²² Asylum Seeker Project, op. cit.
- ²³ *ibid.*, p. 17
- ²⁴ Asylum Seeker Project, op. cit.
- ²⁵ See 'The Challenge of Refugee Protection', 2002, at http://www.immi.gov.au/refugee/publications/UNHCR_newsletter_2.pdf
- ²⁶ Quoted in Bourke, op. cit.
- ²⁷ Under the British Asylum and Immigration Act 2002 there is a requirement to seek asylum at the first available opportunity on entering the country. See Opinions of the Lords of Appeal at <http://www.publications.parliament.uk/pa/ld200506/ldjudgmt/jd051103/adam-1.htm>; See BBC News, 3 November 2005
- ²⁸ See, for example, Asylum Centre Resource Centre, *Dumped at the Gate: From Detention to Despair*, Dec. 2005, p. 14; available at http://asrc.ewock.com/images/Dumped_at_the_Gate_final.pdf
- ²⁹ McNevin op. cit., p. 43
- ³⁰ Asylum Seeker Project, op. cit., p. 27
- ³¹ Personal communication, Sr. Stancea Vichie
- ³² McNevin, op. cit., p. 5
- ³³ *ibid.*, pp. 5, 13
- ³⁴ Right to work briefing paper, Tear Australia, Melbourne, 2006, available at www.tear.org.au; McNevin, op. cit., p. 43
- ³⁵ Personal communication, Pamela Curr
- ³⁶ Personal communication, Martin Clutterbuck
- ³⁷ Personal communication, Pamela Curr