

Annual Report 2004-2005

centre for advocacy, support and education for refugees

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Introduction

The Centre for Advocacy, Support and Education Inc. for Refugees (CASE for Refugees) is a community legal centre providing assistance to refugees living in WA. In particular CASE for Refugees assists refugees on Temporary Protection Visas (TPVs) both during the process for permanent protection, and with family reunion applications when permanent protection is granted.

CASE for Refugees is currently the only Community Legal Centre in WA providing specialist legal assistance to refugees. The centre is committed to working towards the protection and promotion of human rights of refugees and asylum seekers, most immediately those who hold or have held Temporary Protection Visas (TPVs). We work closely with ASeTTS (Association for Services to Torture and Trauma Survivors) and CARAD (Coalition Assisting Refugees, Asylum seekers and Detainees) to ensure the needs of the client groups are met. CASE for Refugees has developed a unique model for the provision of human rights advocacy, with its services largely delivered by volunteers, supported by a few part time staff. The strength of our organisation lies largely with the solid support of these volunteers who work in all areas of the organization.

Vision

CASE for Refugees' vision is to achieve equality, access to justice and a commitment to human rights for refugees.

Mission

CASE for Refugees' mission is to strengthen the human rights of refugees, asylum seekers and persons of concern through legal assistance, research, educational initiatives and policy development.

Purpose

CASE for Refugees' purpose is to provide culturally sensitive legal services to refugees, asylum seekers and persons of concern who are disadvantaged in their access to the legal system. We also provide information and education on refugee issues to interested parties.



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Conveners Report

At last year's AGM, I noted that CASE had suffered from chronic under resourcing. Despite that under resourcing, CASE staff and volunteers had performed magnificently in servicing the needs of our TPV holder clients.

Since the last AGM, I am pleased to say that our resourcing issues have been relieved to a certain extent. We were delighted to receive funding from the Public Purposes Trust earlier in the year which will be used to fund an additional part time solicitor's position within the organisation. We have continued to receive assistance in kind from the Uniting Church for which we remain very grateful.

One of CASE's principal funders, the United Nations Voluntary Fund for Victims of Torture sent a representative (Mr James Heenan) to visit our operations in January 2005. This visit required a lot of preparatory work concerning torture statistics, accounts, funding and so on. I would particularly like to express our appreciation to Fiona McGaughey and Julie Beus for the work they carried out (over the holiday period) before and during Mr Heenan's review. Mr Heenan was very impressed with what he saw of CASE's operations and we were subsequently awarded further funding from the UNVFT. Despite an improved funding situation, CASE is still very much reliant on the efforts of its volunteers. Our volunteers show enormous dedication and commitment to the cause and I would again like to take this opportunity to thank each and every one of them for their humanitarian work over the last 12 months.

The excellent success rate achieved with our Afghani and Iraqi clients at either the first instance or review level has resulted in a number of our clients requiring assistance in the area of family reunion visas. This has required additional training by volunteers and we have been able to provide a very effective program of clinics to assist our clients in this area. Clinics have also been held to advise our client group on the recent legislative changes which have allowed some TPV holders to apply for onshore (non humanitarian) visas.

Our staff members have also shown great passion and commitment in the work they have carried out over this last year. Vanessa and Bill make a wonderful team and continue to provide professional assistance at the highest level to a very large and grateful client group. They have been brilliantly assisted by our office administrator, Joanne Day since April this year, and before her by Caro Nye and Steph Chok. On behalf of CASE, I offer my heartfelt thanks to all our staff members for a job well done in difficult circumstances.

Finally, I extend my appreciation to my fellow Board members who have continued to provide good governance for the organisation over the last 12 months. In that time, the Board's capacity has been bolstered by the addition of Sohail Mohideen. We are very fortunate to have a diverse range of skills and experience represented on our Board. The complexities of the accounting and funding arrangements applying to CASE pose a number of challenges for all Board members – it is certainly not an 'easy gig' and all Board members should be congratulated for the time and effort which they have put in to keeping the organisation on track.

Our staff members
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There are a number of reasons to be positive about CASE's future. There have been some legislative and administrative changes which may expand the options open to our clients. The recent decision of the Full Court of the Federal Court in the QAAH case is also likely to be of assistance to our clients from Iraq and Afghanistan. I have no doubt that with the talent, energy and commitment of our staff members, volunteers and Board, we are well placed to look after the needs of our clients into the future.

Graham Castledine

Graham Castledine

Convenor

CASE for Refugees Board of Management

Graham Castledine	Convenor
Rosemary Hudson-Miller	Assistant Convenor
Julie Beus	Treasurer
Lyn Levy	Secretary
Samer Al Janabi	Client representative
Brian Kyme	
Fiona McGaughey	
Sohail Mohideen	
Katrina Williams	
Peter Creighton	

Funding

Core Financial Support

- The United Nations Voluntary Fund for Victims of Torture (UNVFVT)
- Lotterywest
- The Myer Foundation



Supporters

- The Association of Heads of Churches (Migrant Sunday Appeal)

In-Kind Support

- Trinity Uniting Church
- CARAD (Coalition Assisting Refugees, Asylum Seekers and Detainees)
- SCALES Community Legal Centre (Murdoch University of Law School)
- Jacques Giuffre and Uniting Communication



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CASE FOR Refugees Staff

Vanessa Moss- Principal Solicitor

Vanessa Moss graduated from Monash University with a Bachelor of Economics in 1984 and a Bachelor of Laws in 1988. She practiced commercial litigation and insurance law in 2 large national law firms before leaving private practice for Legal Aid. She began advocating for asylum seekers in 1992 soon after the establishment of the Port Hedland Detention Centre. Since that time she has worked as an advocate for Australian Lawyers for Refugees, the Refugee Council of Australia, Legal Aid and in a pro bono capacity. In June 2003 she commenced part-time work at CASE for Refugees as the Solicitor/Project Manager. She finds CASE for Refugees a unique place to work and enjoys working with its dedicated staff and volunteers to promote the human rights of refugees.



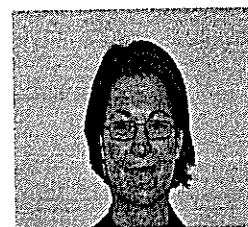
Bill Thomas – Migration Agent

Bill Thomas graduated from the University of WA with a Bachelor of Arts in 1972. He knocked around in a number of jobs and has spent most of his working life in the labour movement. He was an industrial officer and assistant secretary of the Builders Labourers Federation for five years and served as a member of the state parliament for fifteen years. In the Dowding and Lawrence governments he was parliamentary secretary of the cabinet. After the ALP lost government in 1993 he served as chairman of the parliamentary committee on science and technology and was deputy chairman of the joint house anticorruption committee for five years. Since retiring from parliament in 2001 Bill has completed an MA at the University of WA in political science and international relations and qualified as a Migration Agent. He has been working at Case for Refugees since the beginning of 2004.



Joanne Day – Office Administrator

Joanne Day started at CASE for Refugees in April 2005, taking over the position of Office Administrator. Prior to CASE, Joanne worked at Health Services Australia, supervising the corporate/occupational health section of the organisation. Joanne is studying a Bachelor of Social Science in Community Studies and Psychology. Her interest in Human Rights and the plight of refugees led her to CASE for Refugees and she expresses her admiration for the work of staff and volunteers within the organisation and its supporters.



Previous Staff

Steph Chok
Caro Nye

Temporary Office Manager
Office Manager



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CASE FOR Refugees Volunteers

Al Janabi, Samer
 Albahadily, Mohammed
 Al-Haimus, Hiba
 Anderson, Sue Margaret
 Ashford, Megan
 Bannerman, Rahima
 Bayly, Lisa
 Beard, Stephanie
 Berkelaar, Fiona
 Beus, Julie
 Blackburn, Mandy
 Bolger, Audrey
 Bolton, Carol
 Bonifant, Pia
 Bredmeyer, Avianne
 Bryant, Pamela
 Butler, Dorothy
 Campbell, Virginia
 Caporn, Shannon
 Carter, Sonya
 Cavanagh, Emma Jane
 Chan, Lily
 Chaney, Angela
 Chandran, Bhavani
 Chok, Stephanie
 Collins, Ileana G
 Copeland, Anna G.
 Creighton, Peter
 Cross, Rowen Jay
 Cullen, Clare
 Dabala, Donna
 Dawe, Katherine
 Dayeh, Lilly
 De Alwis, Sonali
 Desaubin, Gail
 Dixon, Mieke
 Drouart, Michele
 Duncan, Shirley
 Elton, Jane
 Evans, Jessica
 Fardin, Giovanni
 Flanagan, Sheila
 Fletcher, Clara
 Fox, Annette
 Fragomeli, Kelly
 Gane, Louellyn
 Garcia de Heer, Natalie
 Gaturu, Solomon
 Ghidan, Sam

Glance, Vivienne
 Goodman, Lisa
 Goodman, Susan
 Graham-Taylor, Carolyn
 Gray, Aaron M.
 Green-Armytage, Maryllis
 Haidari, Rohallah
 Hamsher, Franklyn
 Hardwick, Elizabeth
 Harley, Judith
 Harris, Kate
 Hay, Jennifer
 Hearne, Moira
 Hewett, Andrea
 Higgins, Emma
 Holgate, Matthew
 Hunt, Natalie
 Ife, Gwynneth
 James, Ian
 James, Matt
 Jamieson, Maria A.
 Johnson, Rebecca
 Jones, Sholeh
 Jorek, Michal
 Justins, Esme L.
 Kamalkhani, Zahra
 Kaur, Indra
 Kemp, Sarah
 Kenny, Mary Anne
 Kernohan, David
 Knight, Christine Anne
 Kumar, Prachi
 Lamattina, Maria
 Le Sueur, Marg
 Lealiifano, Sarah Jane
 Lee, Joy
 Leeder, Helen
 Lembo, Sara
 Leong, Kok Fei (William)
 Loo, Tse chee
 Lord, Kristin
 Low, Kym-Wan
 Lynch, Amy
 MacFarlane, Erin
 Macmaster, Amanda
 Markovich, Vivian
 Marr, Heather
 Martens, Jeremy
 Martin, Mary Kathleen
 Masters, Pauline

McComish, Catherine
 McGaughey, Fiona
 McGinniss, John
 McIntosh, Lee
 McKenna, Miriam
 McLeod, Louise
 McNamara, James
 Menck, Kathleen
 Monahan, Sean
 Muirhead, Hannah
 Nye, Caro
 O'Brien, Susan
 O'Donnell, Melissa
 Ondaat, Michael
 Osborne, Janet
 Patel, Talha
 Perera, Osmund
 Perry, Philippa
 Preston Samson, Amy
 Qtaishat, Selina
 Rainbird, John
 Renner, Barbara
 Riggie, Allison
 Robertson, Deborah
 Sargeant, Michael
 Sayed, Diana
 Sayers-Meechan, Paula
 Schulz, Clare
 Shaw, Jean
 Simojoki, Raili
 Slavin, Ariel
 Small, Zdenka
 Spaldin, Mary-Anne
 Suleski, Marina
 Tayba, Farah
 Taylor, Jaswinder
 Teng, Joanne
 Thomas, Larissa
 Trahar, Susan
 Vickery, Nick
 Wake, Katherine
 Warren, Rebecca
 Wedgewood, Yvonne
 Wildoak, Peregrin
 Williams, Katrina
 Woods, Sheila
 Wooller, Geraldine
 Yapp, Shaeron
 Yap, Melanie
 Young, Lucy



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Principal Solicitor/ Project Manager's Report

In the past year CASE for Refugees has continued to struggle with a lack of resources with which to meet the significant demands for assistance from TPV holders in relation to their applications for further protection and to deliver our new services for family reunion.

The Department of Immigration (DIMIA) and the Refugee Review Tribunal (RRT) have continued the processing of applications by Afghan TPV holders (who comprise approximately half of our caseload), with virtually all of DIMIA's negative decisions being overturned by the RRT. At this time last year it was unclear as to whether this would also be the pattern for our Iraqi clients, who comprise the other half of our total caseload. The decisions have in fact followed a similar pattern to that of the Afghan caseload; the majority of the earlier decisions by DIMIA were negative, and there was therefore heavy demand for assistance with applications for review of those decisions by the RRT in the first few months of 2005. Due to our lack of resources we have only been able to offer ongoing representation to a selected number of clients, on the basis of their experience of torture, their financial circumstances, and their ability to self-represent. Bill Thomas, our registered migration agent, has had the conduct of these cases at the RRT. Bill has been employed at CASE for Refugees since January 2004 and is employed 4 days a week. Given the great need for representation at the RRT, Bill has, since the beginning of his employment, volunteered to work an extra 1 – 1 ½ days a week. In spite of this, CASE for Refugees has nevertheless been unable to offer to represent many clients deserving of ongoing representation, many of whom are survivors of torture. All but two of the Iraqi applicants, who we have represented at the RRT, have had their applications favourably decided. Since mid 2005 there has been a change in the pattern of decision making by DIMIA, with many more of the Iraqi cases being accepted. It appears likely that most of our Iraqi clients will, like their Afghan brothers and sisters, be successful in securing further protection visas.

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Overall, 93% of the clients we have represented at the RRT have had favourable decisions in respect of their applications.

In May 2005 DIMIA undertook their last round of interviews of our clients on TPVs. I understand from DIMIA that their outstanding caseload comprises 15 applicants, whose applications will be considered by DIMIA before the end of October 2005, and a further 54 applicants whose applications will be considered between October 2005 and February 2008. Since June 2005 the practice of DIMIA will be to make favourable decisions on the papers, if possible, and only interview applicants for whom it is not possible to make a favourable decision on the paperwork alone.

As a result of the large numbers of our clients being granted permanent visas, there has been a growing demand for our assistance with family reunion applications. It soon became apparent that this demand was unable to be met by other community legal centres or migrant resource centres. After some consideration the Board made the decision to extend CASE for Refugee's services and provide assistance with family reunion sponsorship to ex-TPV holders. Training of volunteers began in January 2005 and the first family reunion clinic was held in April 2005.



The commencement of the family reunion service was only possible following the conclusion of the very large task of statement taking, which has been a large part of CASE for Refugees' work since its inception. In April this year CASE for Refugees had succeeded in taking statements (of updated claims) from almost all of its clients. This has meant that volunteers previously engaged in statement taking have been available to undertake family reunion work, which is now undertaken on three to four Saturdays of every month. The family reunion work is carried out by teams comprising interviewers and scribes and is supervised by registered migration agents.

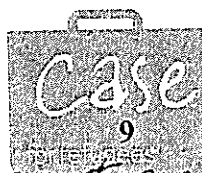
In January 2005 Caro Nye resigned from the position of office manager to move to Frankland with her family. She had been with CASE for Refugees as a volunteer since its inception, and more recently as the part-time office manager once we secured funding for that position. Following Caro's departure, Stephanie Chok, one of our volunteers, agreed to take on this role until we found a replacement for Caro. Stephanie very ably managed the office at a time that was extremely chaotic and busy, with clients often lined up in the hallway to see us with their DIMIA rejections. Gwynneth Ife, another dedicated volunteer, also assisted with office management during this time. Since April 2005 CASE for Refugees has employed Joanne Day for four days a week as office administrator. It is the first time since CASE for Refugees started that we have employed an office administrator on an almost full time basis. This has enabled the office to run more smoothly and efficiently than in the past. Joanne has been responsible for, amongst other things, putting in place systems, policies and procedures that have meant that the work undertaken by our staff and large pool of volunteers is more streamlined and less idiosyncratic!

I wish to thank the staff and volunteers at CASE for Refugees for committing their time, expertise, energy and passion to the cause of our clients. CASE for Refugees is a truly unique place to work. It has been so rewarding to see the achievements that have resulted from what is I believe an outstanding effort, in spite of the chronically under-resourced and humble office from which we work. I know, from the comments of the many clients who walk through the door, how much it has meant to them, to have had the support and assistance from CASE for Refugees during what has been, and still is, a very difficult and anxious part of their journey to find a safe and permanent home.

Vanessa Moss

Principal Solicitor/Project Manager

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Office Report

I began my role as Office Administrator in April 2005, taking over from Caro Nye and Stephanie Chok and all their hard work.

CASE for Refugees has undergone a number of changes in terms of the way the office procedures are organised and maintained. We have had numerous of teams of volunteers working on compliance issues, file reviews and file closure.

Thank you to Terri-Anne Famlonga for conducting an audit of all the client files for compliance and for developing new client intake forms to simplify the processes of client intake and file review.

CASE for Refugees has continued to recruit and train new volunteers throughout the year. In addition to the specific training for new volunteers, we have also taken part in a joint training program with ASeTTS which has so far run three successful training sessions.

In July 2005, CASE for Refugees was successful in securing funding from Lotterywest. This grant will allow us to upgrade our IT infrastructure, purchase new office furniture and equipment and upgrade our telephone system.

We have again this past year, received invaluable support and assistance from Geoff and the team at Uniting Communications, and volunteers Peregrin Wildoak and Jacques Giuffre with our IT network and website.

With the fantastic work done by our volunteers, CASE for Refugees has been able to remain open for clients Monday to Friday from 9am to 5pm and Saturday mornings.

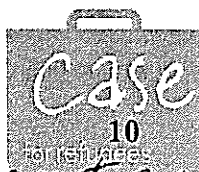
With the fantastic work done by our volunteers, CASE has been able to remain open for clients Monday to Friday from 9am to 5pm and Saturday mornings.



Amy Preston Samson
volunteering at the
CASE office

Joanne Day

Joanne Day
Office Administrator



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Community Service Award

This year CASE for Refugees entered the Temporary Protection Visa Project in two categories of the Department for Community Development Community Service Awards.

CASE for Refugees has been short listed for both entries in the categories of "Working creatively to make a difference" and "Strengthening volunteering". Short listed applicants are requested to provide a further submission detailing how the program /service started and how it has made a positive difference to individuals, families or communities.

The winners of each category will receive \$5,000 from the Awards principal partner Lotterywest, and will be presented with a trophy.

Comments from CASE Volunteers

As a student I have gained an abundance of knowledge and experience that have been invaluable in both grounding and encouraging my goals... nothing beats being a part of an atmosphere of such passion, sincerity and raw guts! Emma Cavanagh
Law student at Notre Dame

Selfishly, CASE has given me the pleasure of meeting and working with many wonderful people. But more importantly, and quite simply, volunteering for CASE has given me back my self respect. I still hope that Australia can give more than lip-service to the ethics of human rights and dignity, but meanwhile, I can live with myself. Helen Leeder

I think that the service CASE provides to law students who are looking for something a bit different to do with their law degree is nearly as great as the service provided to our clients, so thank you again.
Lucy Young

Volunteers Co-ordination and Training

The projects undertaken by CASE for Refugees would not be possible without the strong support of our volunteers. We believe that at CASE for Refugees we have a unique volunteer program which is reflected in the fact that with very little publicity we receive sufficient new volunteer applications to run a training session approximately every 3 months. These volunteers work in all areas of the organisation and undertake tasks including taking detailed client statements to support their application for a further protection Visa, drafting legal submissions, research, interviewing clients at family reunion clinics, coordinating the provision of interpreters and generally assisting with work in the office.

Being a volunteer at CASE is a marvellous experience.
Gwynneth Iff, Volunteer

It is disappointing that we have been unsuccessful in attracting ongoing funding for a volunteer coordinator since Kathryn Choules' contract finished in March 2004. In an organisation that relies heavily on the contributions of volunteers to provide the majority of



its services, the role of volunteer coordinator has been vital. However, we have been fortunate that since March 2004 a handful of our volunteers have taken on roles coordinating various groups of volunteers. Most notably, Gwyneth Ife, who has been a constant presence in the office, using her organisational skills to co-ordinate volunteers for the Saturday clinics, not to mention her many other roles within the organisation.

In the absence of an employed volunteer coordinator Kathryn Choules has continued, until recently, to be responsible, in a volunteer capacity, for the quarterly training of new volunteers. In the last financial year we have over 100 new volunteers. A core component of the training is now undertaken jointly with ASeTTS, Edmund Rice Centre and Women's Health Care Association following the approval of Lotterywest funding. In order to prepare volunteers for their work at CASE they undertake training covering:

- Legal and migration issues
- The 7 day rule and sur place claims
- Legal practice obligations
- Volunteer self care
- Interview techniques
- Working with interpreters
- Working with torture and trauma survivors
- Structure of CASE for Refugees and volunteer roles
- Research

Temporary Protection Visa Project

Since the TPV project commenced CASE for Refugees has assisted over 700 clients and new clients walk in every day. CASE for Refugees' clients are disadvantaged and vulnerable for a number of reasons, including:

- approximately 85% are survivors of torture or have a family member who has suffered torture;
- they tend to have limited English language skills;
- most have little to no income;
- they have limited social security, settlement assistance and associated entitlement; and they may be isolated in Australian society.

Their situation is exacerbated by a fear that they may be sent back to their country of origin, from where they are fleeing persecution. The assistance provided through the TPV project has a significant effect on clients' lives who otherwise would be left with no support to assist them with a difficult application process to remain in Australia.

Prior to 1999 people arriving in Australia found to be refugees were granted Permanent Protection Visas and were immediately entitled to all the benefits of permanent residency in Australia. In October 1999 the Federal Government introduced Temporary Protection Visas (TPVs) for people found to be refugees. TPVs are generally valid for 36 months and are generally due for review after 30 months at which

On getting a permanent visa many of our clients make a trip to find/see family members staying in neighboring countries overseas. One of our Afghan clients recently made a trip to Iran to see his siblings and father there. On return to Perth, this particular young man was heard to say "now I know that Perth is my home, and I don't have any grief anymore".

time they have to prove that they still refugees despite the changes in their countries of origin. If the refugee is unsuccessful in their claim for ongoing protection, they can be sent back to their country of origin. CASE for Refugees can address this by providing legal assistance to the clients, ensuring that they have the best possible chance of receiving protection and remaining in WA. The process is very difficult for clients to navigate, particularly given their language limitations. Amnesty International has found that asylum cases are more likely to succeed when the client has legal assistance.¹ CASE for Refugees provides training and mentoring for its few staff and since its inception has trained hundreds of volunteers.

The aim of the TPV project is to assist clients with their application for permanent Protection. To this end, CASE for Refugees hosts information sessions for TPV groups, with the assistance of interpreters; offers free legal assistance to clients and assists them with filling in forms and queries relating to the formalities of the TPV process. Clients are also referred to other refugee support services such as CARAD where appropriate. The strength of the organisation largely lies with the solid support of its many volunteers and a volunteer program designed to provide assistance in a number of specialised areas, such as research, client intake, interviewing teams and RRT Teams.

CASE for Refugees believes the Temporary Protection Visa project has made a positive difference to the lives of the many individuals and families who are often forgotten as being members of our diverse and unique community.

I wish to thank the staff and
volunteers at CASE for
committing their time, expertise,
energy and passion to the cause
of our clients. CASE is a truly
unique place to work.
Vanessa Moss

¹ Amnesty International, United States of America:
Lost in Labyrinth, Detention of Asylum Seekers
39-44, 54-55(1999)

Family Reunion Project

Family reunion clinics have been running on an ongoing basis since April 2005. The family reunion clinics have been run entirely by volunteers, and to date have not yet attracted any funding. This is an extremely important service, in terms of assisting ex TPV holders to be reunited with families from whom they have been apart for many years. It is a natural extension of the TPV project and integral to the successful resettlement of our clients. It has already become apparent that the advocacy provided through this service has been critical to the success of some applications. It was at the instigation of Kathy Wake (law student, migration agent and volunteer extraordinaire) that CASE for Refugees considered offering this service. Kathy has been responsible for the training of volunteers for this service and the overall running of the service, and we are indebted to her for her expertise, energy and passion.

Case Study 1

Mr Z fled the Taliban and Afghanistan for Australia in 1999, leaving his wife Mrs H and their three young sons (then aged 3, 5, and 7) behind. Mrs H followed Mr Z to Australia in 2001. Mrs H was accompanied by her two younger sons but she had to leave the eldest son R (then 9 years old) behind in Afghanistan. When the opportunity came to escape, R was too sick to travel, and so he remained with Mrs H's parents in Afghanistan. On their release from detention, Mrs H and the two younger boys travelled around Australia - from Brisbane to Sydney to Perth - in search of Mr Z. They were finally reunited with Mr Z eight months after their arrival in Australia. The family moved to the South West of WA where Mr Z was working.

Mr Z and Mrs H now had to wait three more years until they got their permanent protection visas and they could take steps to sponsor their eldest son R to Australia. During this time, the family welcomed a new baby girl. The separation from R was of course agonising and it was very difficult to communicate with him.

As soon as they got permanent protection, Mr Z and Mrs H came to CASE and asked for assistance to bring R to Australia. This would usually have been a fairly lengthy (6 - 9 months) and difficult process, but a DIMIA mistake in our favour meant that in this case there was no need to even make an application! When DIMIA grants a visa, they send a letter which lists all family members who are included in the grant. When DIMIA granted the permanent protection visa to Mrs H, they inadvertently included R's name in the grant letter. This meant that R was listed as being a recipient of a Permanent Protection visa, even though R had never been included in a visa application. There is a Federal court precedent which means that if such a mistake is made, then DIMIA will be taken to have granted the visa. So all we had to do was negotiate with DIMIA in Perth to confirm the grant. Once we'd arranged a travel document for R, he was on the plane.

R is now living with his family in Perth. He has his very own bedroom of which he is very proud. He is attending a special school to learn English, prior to joining his brothers at the local school. He likes playing computer games, playing soccer with his brothers and reading stories to his little sister.

Without the assistance of CASE, R's family would not have had access to advice and guidance in respect of the family reunion process, and the mistake which allowed R to come to Australia immediately would never have been spotted.



Case Study 2

Mr E arrived in Australia in 1999, seeking protection from Kuwait. He had been forced to leave behind his wife and 6 children. He was finally granted his permanent protection visa in February 2004, and after five years of separation, was able to take steps to bring his wife and children to Australia, lodging an application with the assistance of his local member of parliament as CASE was not at that time providing assistance with Family Reunion.

Subsequently, Mr E sought the assistance of CASE when this application ran into trouble. DIMIA had made a decision to exclude the eldest child from the application on the basis that he was the step-child and not the natural child of the main applicant, Mr E's wife. This was a blatant error of law. The eldest child was indeed the child of Mr E's previous marriage, but the regulations explicitly allow the inclusion of a step-child in a step-parent's application. We knew that DIMIA had made a mistake but the problem was how to correct it. And how to correct it in time - DIMIA could grant the visas to the other family members at any time. Given that this was a humanitarian visa application, there was no way we could appeal the decision to exclude the eldest child once the grant was made. The eldest child had turned 18 since the application was made, so if he was refused this visa, the only way we could get him to Australia was to rely on his own refugee claims - a very uncertain and lengthy process.

It proved impossible to make direct contact with the responsible DIMIA processing post, Dubai. Emails and faxes went unanswered and telephone calls went through to voice mail. In order to get their attention, we approached and secured the support of the head of DIMIA Onshore Protection in Perth, the Assistant Secretary of DIMIA's Humanitarian Branch in Canberra, the relevant DIMIA Regional Director in Beirut, and the DIMIA Canberra Policy Unit. Shortly thereafter, Dubai reversed its decision in respect of the eldest son.

Without the advocacy and resources of CASE, Mr E would not have been able to identify the DIMIA mistake and ensure that it was corrected. The implications of the mistake were huge - if the grant had been made without the eldest son, that child would have been left behind for at least 2 - 3 years, if not forever. We expect the whole family to be granted their visas shortly.

United Nations Visit CASE for Refugees

Mr James Heenan from the United Nations Voluntary Fund for Victims of Torture (UNVFT) visited ASeTTS and CASE in January 2005 as both organisations receive funding from the UNVFVT and the funding guidelines provide:

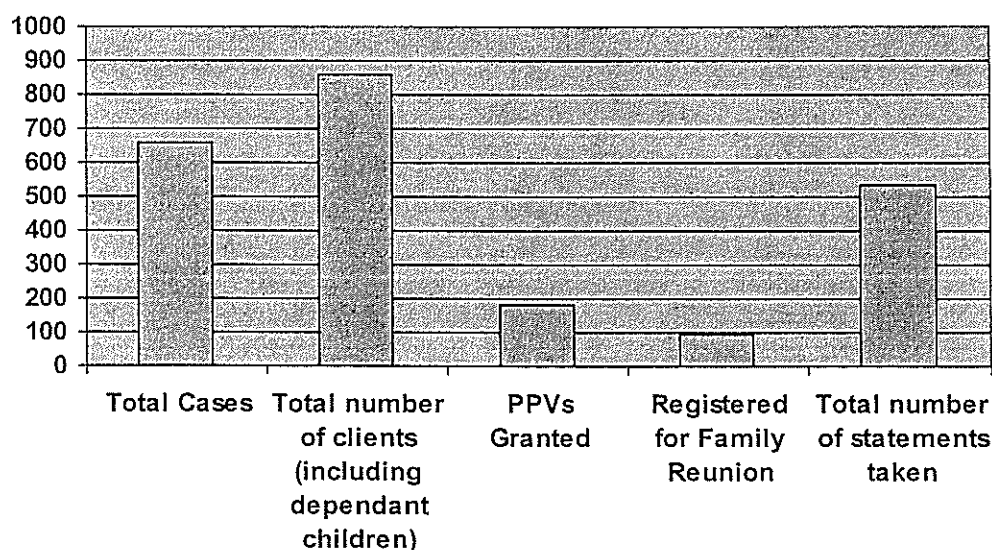
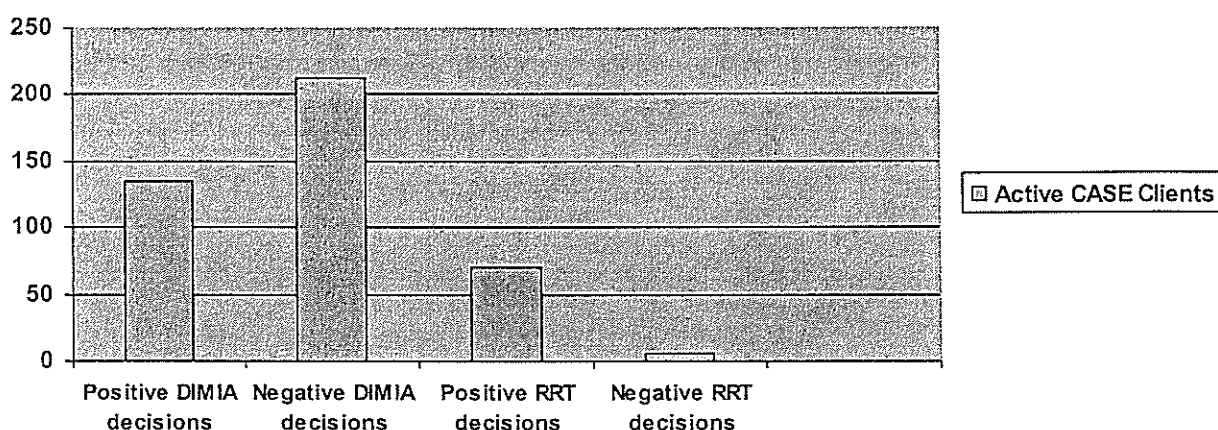
"In order to better understand and evaluate the work done and planned, members of the Board or of the Fund's secretariat may visit a project and meet with staff members of the organization implementing the project and with victims of torture or members of their families assisted with a Fund's grant. The Secretariat will inform in advance the organization concerned that such a visit may take place. A confidential report on this visit will be prepared for consideration by the members of the Board at their annual session."

Mr Heenan spoke with several clients with the assistance of interpreters. The clients represented the mix of CASE for Refugees' clients in terms of ethnicity, age and gender. He met with Vanessa Moss, some board members and attended a lunch with volunteers and board members. Whilst the results of the visit are confidential, it is satisfying to note that CASE for Refugees has been granted an additional \$20,000 (USD) from the UNVFVT for 2005/2006.

Client numbers, agency statistics at a glance

NUMBER OF CLIENTS	
Total clients since commencement	861 (including dependant children)
Current number of active clients (including family reunion, TPV & RRT)	277
TPV Project Clients	134
RRT Clients	48 represented by CASE
Family Reunion Clients	95 registered

Positive and Negative decisions from DIMIA and the Refugee Review Tribunal to date



NB: (Families are usually registered as one case)

CASE for Refugees Funding Report

A number of funding opportunities were pursued in 2004-2005, some of which were successful. As ever, in-kind support from volunteers and Trinity Church, particularly in relation to free office accommodation, remained critical to our continuing operation.

Grants

Funding was gratefully received for the second time from the Myer Foundation and from the United Nations Voluntary Fund for Victims of Torture (UNVFVT), and notification has been received of 2005/2006 funding from the UNVFVT. In early 2005, CASE for Refugees was pleased to be awarded the Law Society of WA's Public Purposes Trust funding for 2005-2006. This funding will be used for solicitor salary and associated costs.

DIMIA's Community Settlement Services Scheme (CSSS) funding was investigated for family reunion work as clients on permanent protection visas are entitled to apply for family reunion and to DIMIA settlement services. However, DIMIA did not feel that this work was aligned to the objectives of the funding. Applications to Anglicare, the Perpetual Foundation and the Mercy Foundation were also unsuccessful.

Fundraising:

Two successful fundraising cinema nights were held and donations were received at public events where CASE for Refugees had a stall, including World Refugee Day. The Entertainment Book, a discount voucher book for restaurants and other entertainment, was for sale from May 2005 with a percentage of the profits for CASE for Refugees. In addition, a donation from The Panel Christmas Wrap was gratefully received as well as personal donations.