



Edmund Rice Centre
Awareness. Advocacy. Action

ERC JUSTICE UPDATES

July 2022 No.74

Dear Friends,

This 74th Edition of ERC Justice Updates, our regular newsletter from the Edmund Rice Centre, on matters relating to human rights, first nations and environmental justice.

As one faces this ever changing, complex, unjust and unequal world let us always remember Blessed Edmund Rice's three main tenets:

COMPASSION LIBERATION & PRESENCE

My mission in life is not merely to survive, but to thrive; and to do so with some passion, some compassion, some humour, and some style. Maya Angelou

Please note that if you come up against a paywall in any of the articles below - please contact me at: mmcinerney@edmundrice.org and I will send you the full article.

Due to the relocation of the Edmund Rice Centre from Homebush West to Balmain and Annual Leave 'Justice Updates' will not be coming to you during August. It will resume in early September.

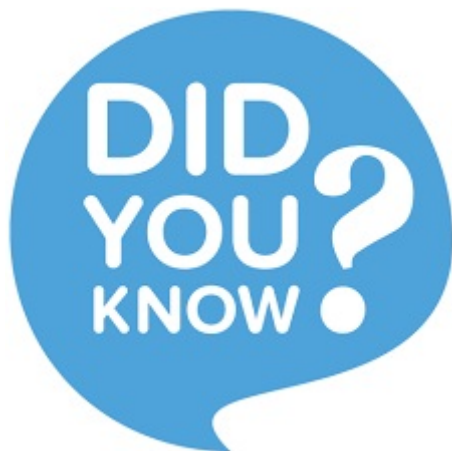
Previous editions are available at <https://www.erc.org.au/newsletters>

Peace & Blessings

Marita

Communications Project Officer,

Aboriginal and Torres Strait Islander readers are advised that there may be articles in this publication with names and images of deceased people.



The recently released *2021 State of Australia's Environment* paints a grim picture: "Overall, the state and trend of the environment of Australia is poor and deteriorating because of increasing pressures from climate change, habitat loss, invasive species, pollution and resource extraction."

Fast facts:

- Habitat loss and degradation are the main threat to species in Australia, with nearly 70% of Australian threatened taxa impacted and 60% of listed threatened species seriously affected. More than 100 Australian species listed under national, state or territory legislation are known to have become extinct since European colonisation.
- ***Of the 7.7 million hectares of land habitat cleared between 2000 and 2017, 7.1 million hectares (93%) were not referred to the Australian Government for assessment under the EPBC Act.***
- Threats to Indigenous heritage from mining are substantial. For example, the Eastern Guruma peoples of the Pilbara estimate that 434 of their heritage sites have been destroyed while a further 285 are very close to current mining areas.
- ***At least 19 Australian ecosystems have shown signs of collapse or near collapse – these ecosystems span the entire Australian continent and include Antarctic and sub-Antarctic ecosystems.***
- The interaction of water regulation and drought conditions resulted in devastating fish death events across the Murray–Darling Basin. With rainfall 70 to 80% below normal in 2018–19, more than 1 million fish died and bird populations declined because of low flow conditions, poor water quality and heatwave conditions in the Menindee Lakes system.
- ***An International Union for Conservation of Nature (IUCN) 2020***

assessment concluded that no World Heritage properties in Oceania have improved their conservation outlook since 2017, and 5 properties, all Australian, had deteriorated: the Great Barrier Reef, the Gondwana Rainforests of Australia, the Greater Blue Mountains Area, the Ningaloo Coast and Shark Bay (Gutharraguda).

- Australia generated 75.8 million tonnes of solid waste in 2018–19. 2.5 million tonnes of plastic waste were generated in 2019–20 of which 84% went straight to landfill.
- *The global annual number of marine heatwave days has risen by 54% over the past century, with 8 of the 10 most extreme marine heatwaves ever recorded occurring after 2010.*
- 11% of coastal dune vegetation has been lost since 2014, mainly because of the 2019–20 bushfires, land clearing and reduced rainfall.
- *The 2019–20 bushfire smoke is estimated to have resulted in 417 excess deaths, hospital admissions for 3,251 cardiovascular and respiratory problems, and 1,305 asthma presentations at emergency departments. This translates to a combined health cost of \$1.95 billion in economic terms.*

Read full report:

<https://soe.dcceew.gov.au/>



A plan to move young inmates from juvenile detention to an adult prison has sparked protest in WA. Credit: AAP

WA government moves boys to adult prison

Michael Ramsey, Perth Now, 20th July 2022

A group of 17 boys in Western Australia have been moved from youth detention to an adult prison with no timeline set for their return.

WA's justice department confirmed the boys, aged as young as 14 and mostly Indigenous, had been relocated on Wednesday from Perth's Banksia Hill detention centre to a standalone facility at the nearby Casuarina maximum-security prison.

Officials say the detainees have been destroying property, escaping from their cells, assaulting staff and harming themselves.

They have promised the boys will be kept away from adult prisoners in safe and secure units while repair works are completed at Banksia Hill.

But advocates have called for urgent reform amid a spate of self-harm incidents and after an independent inspector found some boys were spending as little as one hour per day outside of their cells in violation of their human rights.

The grandmother of one of the transferees, whose time at Banksia was described by a judge as one of "prolonged, systematic dehumanisation and deprivation", has said she fears the 15-year-old will take his life at the adult prison.

Department of Justice director-general Adam Tomison said authorities were "left with no option" amid unprecedented destruction and attacks on staff.

"We have been managing emergency conditions at Banksia Hill since September last year, leading to a recent escalation in extreme behaviour and numbers of critical incidents, including detainees breaching their sleeping quarters," Dr Tomison said.

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About 600 past and present detainees have signed up for a planned class action led by Levitt Robinson Solicitors, alleging they suffered inhumane treatment, were excessively restrained and denied access to education.

Read full story:

<https://www.perthnow.com.au/news/crime/wa-government-moves-boys-to-adult-prison-c-7589368>



Outback Family History Facebook Post 25th July 2022

Phil Bianchi

I wish to congratulate Ben Brown on being named International ranger of the year. Many people don't know that his father was the brother of Warri (Warri and Yatungka - last of the nomads). Warri and Yatungka came out of the deserts in 1977, and Ben, his parents and sister Georgina came out of the deserts in 1976.

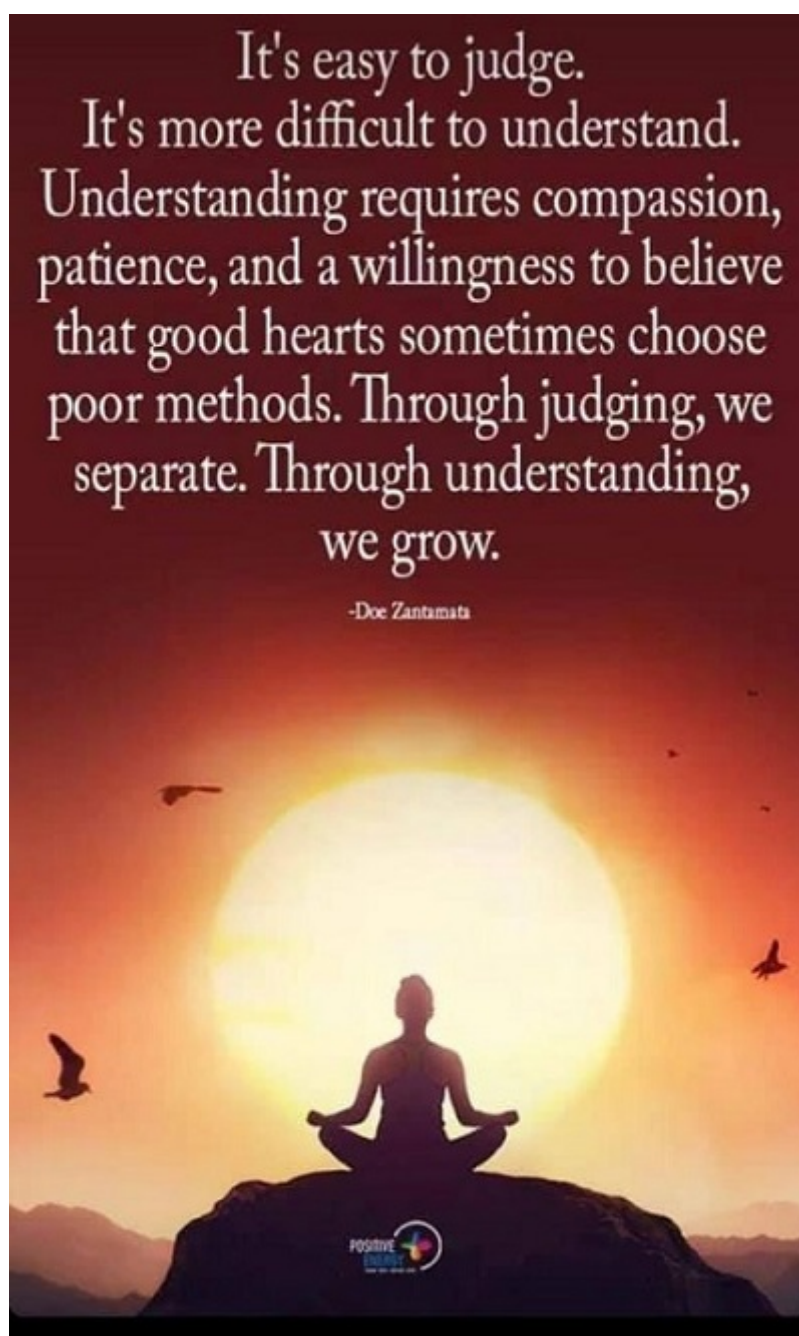
Congratulations Ben on this remarkable achievement, you're an inspiration.

Yuddiy 'Ben' Brown is a Traditional Owner from the Martu lands and supports Warnpuru Aboriginal Corporation Rangers in the remote communities of Patjarr and Warburton - over 900km from Kalgoorlie.

Yesterday, he was named International Ranger of the Year for his work in Pila Nature Reserve by one of the world's leading conservation organisations, The International Union for the Conservation of Nature.

Alongside Parks and Wildlife Service operational staff, Yuddiy conducts fire management, track maintenance and protection of cultural sites, including rock hole cleaning to maintain water sources for native animals including birds, emu, bilby and kangaroo.

Yuddiy's connection to country, his immense knowledge and his cultural history have been invaluable in his work as Ranger Lead in the Goldfields. Congratulations, Yuddiy 'Ben' Brown – what a remarkable achievement.





Mostafa Azimitabar by the window in his room inside Melbourne's Mantra hotel. 'I was in a room for 15 months. We are fighters, and yet we were punished for this with the weapon of politics when we arrived.' Photograph: Moz Azimi

Why I am suing the Australian government over my hotel detention after being brought from Manus Island

Mostafa Azimitabar, The Guardian, 19th July 2022

Medevac was supposed to give us access to medicine and healthcare but forced our bodies into small hotel rooms that we could not escape

For eight years, I felt the invisible sword of the Australian government piercing between my eyes with the message: "You are illegal, you are illiterate."

I was in immigration detention, mostly on Manus Island. I came to Australia seeking safety, and ended up in Melbourne because of the medevac legislation – a bill that was supposed to give us access to medicine and healthcare but forced our bodies into small hotel rooms that we could not escape. I was in a room for 15 months. We are fighters, and yet we were punished for this with the weapon of politics when we arrived.

Trauma is like having a blade inside of you, but you can't find where it is. I find healing instead through connecting with people and fighting for justice. Which is why I am taking this case to court to show that I have a choice but also to bring kindness back to Australia. To show that I appreciate the connection that I have with good Australians.

My story is unique, but I know many Australians know the ugly embodiment of trauma and have experienced their own journey to recovery. For me, it is important to tell the truth about what happened in the prisons and communicate a message of love.

The horrific situation forced me to be creative. I learned to paint with simple tools – coffee and a toothbrush – to challenge how they named me with a number: KNS088.

I used these tools as weapons, even though they were not sharp. The words "you are illiterate, you are illegal" try to imprison me in a different way now.

I can use coffee and a toothbrush to become a finalist for the most prestigious

art prize in Australia, the Archibald prize, but I cannot study art here. If I could study, what could I become?

Read full article

https://www.theguardian.com/commentisfree/2022/jul/19/why-i-am-suing-the-australian-government-over-my-hotel-detention-after-being-brought-from-manus-island?utm_term=62d761a3dc204da21878653218929381&utm_campaign=GuardianTodayAUS&utm_source=esp&utm_medium=Email&CMP=GTAU_email



People camped near Kabul airport after the Taliban regained control in 2021. Former Afghan soldiers feel abandoned by countries they served like Australia. Photograph: Andrew Quilty/Agence VU for Le Monde

‘You called us brothers’: Afghans who fought with Australian troops still live in fear of Taliban

Ben Doherty, The Guardian, 10th July 2022

Australian volunteers working to get Afghans to safety say they are frustrated by ‘inefficient’ government response

Almost a year after their country was left by foreign forces to the Taliban, Afghan soldiers who fought alongside Australian troops say they live in constant terror, and have been abandoned by the countries they served.

“We fought on the same battlefield together, against the same enemy. You called us brothers,” one former soldier told the Guardian from hiding. “But now you leave us in this hell. Our lives are hell and we are left alone. We trusted each other; we never thought this would happen.”

The Guardian has spoken to a number of former soldiers who are being hunted by the Taliban, and to Australian volunteers who are trying to get them to safety.

One former commando, Abbas – a pseudonym to protect him and his family – spent 11 years fighting alongside international forces, including Australian troops in Uruzgan province.

He said the joint forces depended upon one another for their lives.

“We ate together with them, slept under the same roof and trained together ... If one of us would be killed, we would sympathise with each other like brothers, and Nato forces would always call us brothers.

“And these forces now leave us like this, alone ... They leave us with our hands tied, in front of the same enemies that we fought against for years.”

Abbas stresses he does not blame the soldiers with whom he fought, but the governments that ordered their troops out so rapidly, without proper consideration for those who fought alongside them.

“I think those countries that said they were strengthening democracy in Afghanistan and talking about peace were lying. They told us ‘we will never leave you alone’. They were here for 20 years, and now they have forgotten us. Every day we despair. We have no food to eat, and we know they, the Taliban, are coming for us.”

Read full article:

https://www.theguardian.com/australia-news/2022/jul/10/you-called-us-brothers-afghans-who-fought-with-australian-troops-still-live-in-fear-of-taliban?fbclid=IwAR2HuYkPTD1-UzBR6owSb_vgeEOoZz_VFGXTyfY4R8rg_OPWm2-C205JPao



Image: iStock

The inexcusable “Immigration Refugee Determination” assessment system requires a deep clean

Aileen Crowe, Pearls & Irritations, July 23rd 2022

The stories of ‘invisible’ refugees who had entered Australia by plane on valid visas seeking protection from their persecutors and encountered

even more unspeakably harsh oppression in this country cast a blot on our culture.

For more than twenty years I have been negotiating with the Department of Immigration to have the claims of people seeking Australia's protection fairly assessed and honourably reviewed. On one occasion I was told, 'it is not about fairness, it's about the law'! Back in 2005, in his inquiry into the detention of Cornelia Rau, Mick Palmer described 'a system preoccupied with process and quantitative, rule-driven operational practice'. This system has since developed into a pervasive, all-consuming toxic culture which demands urgent, radical action.

My research during the past two decades has revealed that decision-makers presented incorrect information, withheld information, or ignored information. They manipulated material to allow them to refuse protection applications. In some cases, there was no interview to clarify anomalies. The brevity of procedures and decisions and the unwillingness of assessors to conduct interviews indicated a lack of interest on the part of the assessor in fairly evaluating claims of persecution and implied a preference for negative outcomes.

When interviews became common practice, support people or advocates, like myself, could attend as observers. Nevertheless, as just one example, I was refused permission to be present with a young couple during their interview. From that moment, as I sat in the waiting area, I knew the interview wouldn't go well. 'Diego' and 'Paola' emerged white-faced. Shocked. They couldn't believe the rudeness of the man. They were embarrassed by the fact that they had been laughed at when responding to questions. They felt totally belittled.

In another example, 'Nankunda' had her first opportunity to explain the content of her application form at the Administrative Appeals Tribunal. The documents she originally submitted to support her claims were misinterpreted by the tribunal reviewer who concluded erroneously that those documents were not based on true incidents. The reviewer claimed that Nankunda 'composed her claims using ideas and terminology she found in a random assortment of articles downloaded from the internet'. In her home country, other people had also experienced the kind of persecution that Nankunda had undergone, but rather than indicating that similar incidents occurred in that country, publicly available documentation was used against Nankunda. Her claims were repeatedly called 'implausible'. After receiving the review decision, Nankunda collapsed and was admitted to a psychiatric ward in a public hospital.

When judges in the courts lost the power to decide on the merits of a case of persecution they were restricted only to a finding on whether the tribunal reviewer had made a mistake in law. In addition, judges lost the power to waive the court fee for the person seeking protection who was also not allowed to earn an income because of the 'no work' requirement on their Bridging visa.

Read full article:

<https://johnmenadue.com/the-inexcusable-immigration-refugee-determination-assessment-system-requires-a-deep-clean/>



Black Day for Myanmar as Nation Mourns Executed Democracy Heroes

The Irrawaddy, 25th July 2022

Myanmar people were in a state of shock, anger and grief on Monday as they learned of the junta's hangings of four regime opponents including prominent democracy activists Ko Jimmy and Ko Phyo Zeya Thaw.

In an announcement published in Monday's papers, the junta said simply that "the punishment has been carried out" against the duo and two others for masterminding and being involved in armed resistance and other anti-regime activities. It's believed the executions were carried out during the weekend, as family members met them via video on Friday.

Millions of Myanmar people, including many based overseas, had anxiously followed the cases of leading pro-democracy activists Ko Jimmy and Ko Phyo Zeya Thaw after the junta insisted last month that it would execute them, defying global condemnations and appeals.

The announcement of the execution orders last month triggered a wave of sorrow and fury, as the pair were seen as exemplary freedom fighters against military rule.

Ko Jimmy and Ko Phyo Zeya Thaw had both been political prisoners under previous military regimes and had already given much to the cause of democracy over previous decades, before making the ultimate sacrifice over the weekend.

Read full article:

https://www.irrawaddy.com/news/burma/black-day-for-myanmar-as-nation-mourns-executed-democracy-heroes.html?fbclid=IwAR2zVKCvEOiChLDWAMd3LtLGfKejGAgUPtxoEVQKa-sMP_vGVk3o-6Inswc



Bernard Collaery (left), Joel Hodge and Sister Susan Connelly.

Bernard Collaery's divine intervener

Amy Fallon, *The Saturday Paper* No.408, July 16th – 22nd 2022

The energy behind the campaign to support whistleblower Bernard Collaery was a remarkable 76-year-old nun, Susan Connelly.

When the decision to end his prosecution was announced, one of the first people that whistleblower Bernard Collaery called was a 76-year-old, plain-clothed, straight-talking nun living in a south-western Sydney convent.

Susan Connelly, a sister of St Joseph, the religious congregation founded by the Australian saint Mary MacKillop, may seem like an unlikely ally for the embattled Canberra lawyer who had faced jail time for allegedly revealing spying in Timor-Leste.

But Connelly, who's been a Catholic nun for more than 50 years, was behind much of the public support for his case. She acknowledges that she doesn't resemble a "Midsomer Murders caricature".

"I cried when the news came through," Connelly tells *The Saturday Paper*, in reference to last week's announcement by Attorney-General Mark Dreyfus that Collaery's case would be shelved. "I'm still getting over it, really. It's terrific. Bernard rang not long after [the decision] was announced. He's really happy. So many people have been in touch – I've had about 200 emails."

"We were doing all this, little knowing that our, my, government was working against these people," she says. "[Australia] attempted to diddle, to swindle, one of the poorest countries in Asia. That really, really gets at me."

"We weren't firm friends, but I'd met him on occasion," Connelly says. She

perceives Collaery as “a person of courage and integrity who’s willing to put his whole life – and livelihood – on the line about something that should not have happened, and should not be countenanced.”

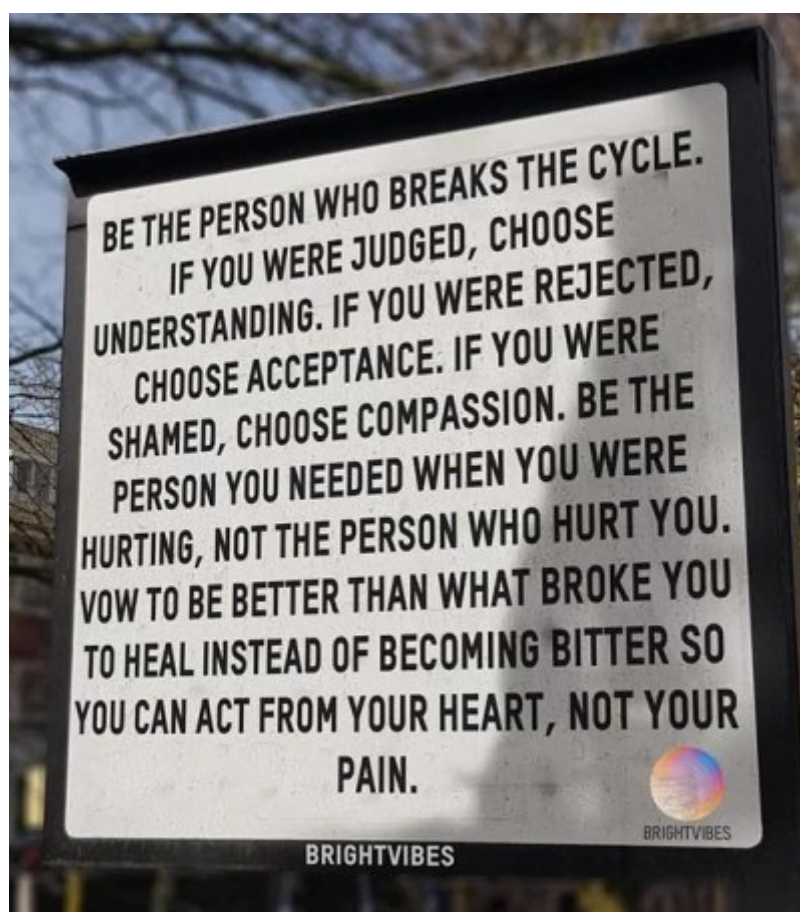
The former ACT attorney-general and his client, an ex-spy known only as “Witness K”, faced prosecution over their alleged role in exposing an Australian espionage operation in the impoverished country dating back to 2004. The charges were revealed in June 2018, and Connelly received a letter from Collaery, 77, about the same time.

“[He] expressed his gratitude for the Sisters of St Joseph, his early teachers, for whom he has great esteem,” she says. He said he would appreciate their support.

Read full story: *

<https://www.thesaturdaypaper.com.au/life/2022/07/16/bernard-collaerys-divine-intervener>

** Please note that if you are not a subscriber you will hit a pay wall. If would like a copy of the full article please email me: mmcinerney@edmundrice.org for full article*





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MESSAGE FROM PACIFIC CALLING PARTNERSHIP TEAM POST PACIFIC ISLANDS FORUM MEETING 18th July 2022

This year's Pacific Islands Forum (PIF) Leaders Meeting in Suva is now over and you can access a copy of the Leaders' formal Communique [here](#).

Among a number of commitments made by PIF Leaders, including Australia, it's worth noting these:

- PIF Leaders agreed to declare a Climate Emergency across the Pacific.
- PIF Leaders welcomed and supported Australia's renewed commitment to climate change priorities.
- PIF Leaders welcomed Australia's interest in hosting a United Nations Framework Convention on Climate Change Conference of the Parties ("COP") in partnership with Pacific Island countries.
- PIF Leaders supported Vanuatu's request to call on the UN General Assembly for a resolution requesting the International Court of Justice to provide an advisory opinion on the obligations of states under international law to protect the rights of present and future generations against the adverse impacts of climate change.

All PIF leaders expressed relief that an Australian government was taking climate change seriously. But the SMH also reported that "behind closed doors, leaders ... have been frustrated that [Australian climate targets] remain below those of the United States and the United Kingdom, and that coal has surged to become Australia's most valuable export...Palau's President Surangel Whipps told The Sydney Morning Herald and The Age that Australia should lock in a 50 per cent reduction target by 2030. Fiji's Prime Minister Frank Bainimarama also told Albanese that while Labor's climate pledge of 43 per cent by 2030, "is a step-up that Fiji has long sought", he had a duty to "every young person in the Pacific to urge [Albanese] to go further for our family's shared future by aligning Australia's commitment to the 1.5-degree target".

It is now very clear that climate change is an important component, if not the most important component, in Australia's diplomatic relationship with Pacific Island nations.

This will make it challenging for the Albanese government to navigate

the future of proposed new coal and expansion projects across this nation. It will also mean that Australia faces significant additional pressure to update its climate target ahead of COP27 later this year.

Watch this space!

In hope,

***Corinne Fagueret* (Coordinator PCP) and all of us on the PCP team**



Pope Francis speaking in St. Peter's Basilica on June 5, 2022. | Vatican Media

Pope Francis: The poor suffer the most from heat waves, drought
Courtney Mares, Catholic News Agency, 21st July 2022

As Europe faces record high temperatures and summer wildfires, Pope Francis has pointed out that the poor suffer the most from heat waves, drought, and other environmental extremes.

In a message for the World Day of Prayer for the Care of Creation, the pope said that it is “the poorest among us who are crying out.”

“Exposed to the climate crisis, the poor feel even more gravely the impact of the drought, flooding, hurricanes, and heat waves that are becoming ever more intense and frequent,” Pope Francis said in the message published on July 21.

“Listening to these anguished cries, we must repent and modify our lifestyles and destructive systems. ... The present state of decay of our common home merits the same attention as other global challenges such as grave health crises and wars,” he said.

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In a message: <https://press.vatican.va/content/salastampa/it/bollettino/pubblico/2022/07/21/0547/01107.html#en> for the World Day of Prayer for the

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Read full story:

<https://www.catholicnewsagency.com/news/251842/pope-francis-the-poor-suffer-the-most-from-heat-waves-drought>



Australian Catholic Bishops Conference Social Justice Statement 2022-23

Respect: Confronting Violence and Abuse

Social Justice Sunday 28th August 2022

Respect: Confronting Violence and Abuse points out that the roots of domestic and family violence “lie in the abuse of power to control and dominate others” and that “this stands in contrast to the relationships to which God calls us”.

Our relationships should be “marked by equality and reciprocity rather than domination and violence, respect and freedom rather than coercion and control”.

We know that most often those who suffer violence and abuse in homes and families, in workplaces, and in communities, are women and children while the perpetrators are most often men. We support women in calling for respect in relationships; their lives and those of their children are sacred.

Respect: Confronting Violence and Abuse focuses in a special way on the problem of spiritual violence and abuse. It discusses how religious teachings – including our own – may be manipulated by perpetrators to excuse violence or to exert control over others.

Cultural factors in the Church and in society often also play an important role in the violence and abuse suffered in families, households, communities, and workplaces. This behaviour is sinful.

We believe that respect, dignity and justice, transformation and hope are possible.

The Statement affirms the work being done by faith communities and organisations to support those who experience domestic and family violence and abuse, and to address the drivers and enablers of violence. It points to further ways in which we can all respond to spiritual violence.

Finally, it calls for faith communities to support and believe those going through domestic and family violence and abuse, to hold perpetrators to account and work towards individual and social transformation.

Resources such as the liturgy notes and some promotional material are now available.

All resources will be available on 3 August, 2022 at:

<https://socialjustice.catholic.org.au/2022/06/09/sjs2022-23/>

REFLECTIONS



Song of Hope

Come journey together singing song of hope.
Yet song unsung feeling darkness deep and shared.
Pain intense midst journey of unending night.

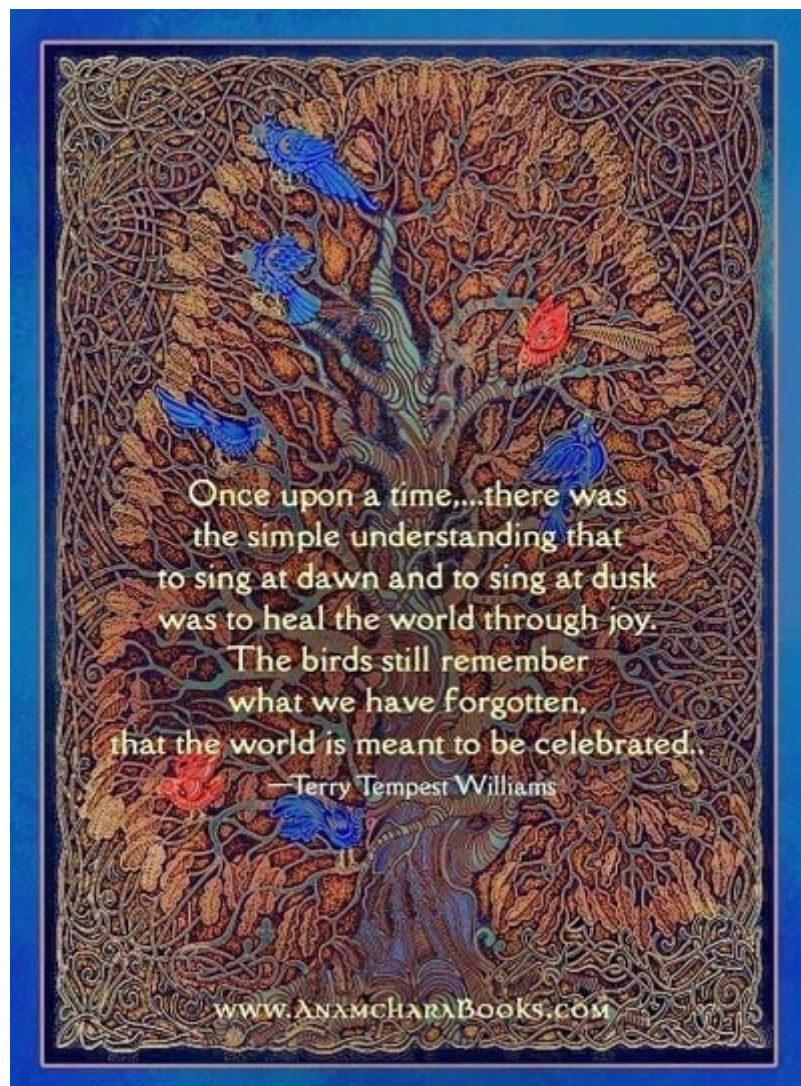
People feeling pain of long calvary journey
Welcome presence of trusted other
Sharing hope midst depth of long felt pain.

Trust learnt, earned from silent, honest, responsive awareness.
People sensing, feeling pain of elders, families, children.

Silence nurtures grounded depth of trust.
Truth welcomed, shared invites
opens all to path of truth and learning.

Seeds of tomorrow's hope sown, nurtured.
Song of hope once silent yet felt so deep
Now shared and sung in journey of new day dawning.

Br Jude Butcher cfc AM PhD



"When the economy is geared to the arming of the heavens rather than the development of the earth, neighbors and nations must learn to cry out their dissatisfaction together." Joan Chittister, OSB

"The real focus of American violence is in the very culture itself, its mass media, its extreme individualism and competitiveness, its inflated myths of virility and toughness, and its overwhelming preoccupation with the power of nuclear, chemical, bacteriological, and psychological overkill. If we live in what is essentially a culture of overkill, how can we be surprised at finding violence in it? Can we get to the root of the trouble? In my opinion, the best way to do it would have been the classic way of religious humanism and nonviolence exemplified by Gandhi." Thomas Merton

"What is Zen? It is simple, so very simple. Infinite gratitude to what is past, infinite service to what is present, infinite responsibility to the future." Zen Master

"In every age, no matter how cruel the oppression carried on by those in power, there have been those who struggled for a different world. I believe this is the genius of humankind, the thing that makes us half divine: the fact that some human beings can envision a world that has never existed." Anne McCarty Braden



We acknowledge the Aboriginal and Torres Strait Islander Peoples of Australia as the traditional owners and custodians of the land. We commit ourselves to actively work alongside them for reconciliation and justice. We pay our respects to the Elders; past, present and future. As we take our next step we remember the first footsteps taken on this sacred land.

The Edmund Rice Centre wholeheartedly supports and endorses the
ULURU STATEMENT FROM THE HEART
and urges all Australians to get behind this wonderful statement.

Our mailing address is:

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