



Edmund Rice Centre

Awareness. Advocacy. Action

ERC JUSTICE UPDATES

March 2023 No.86

Dear Friends,

This 86th Edition of ERC Justice Updates, our regular newsletter from the Edmund Rice Centre, on matters relating to human rights, first nations, refugees and people seeking asylum and environmental justice.

May we never forget those in this broken world for whom we strive to make things better. One must never lose hope and continue to hold dear to Blessed Edmund Rice's three main tenets: **COMPASSION
LIBERATION & PRESENCE**

**Know how large your circle of compassion is. Extend it daily.
Never exclude yourself. Stephanie Dowrick**

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.

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

Peace & Blessings

Marita

Communications Project Officer,

Marita McInerney

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



Directors Notes

It has been a whirlwind first month and a bit, in my role as the new Director for the Edmund Rice Centre for Justice and Community Education. It was wonderful in my first month to catch up with a range of significant thought leaders within the First Nations portfolio including Senator Pat Dodson, Peter Yu, Professor Marcia Langton, Professor Tom Calma, (Joe Morrison from the Indigenous Land and Sea Corporation) and others. I also had the opportunity to have dinner with Lagi Seru from the Pacific Climate Action Network in Suva where we discussed a range of exciting opportunities to work together. To be continued.....



'I was told I'd never call Australia home'

Zaki Haidari, Sydney Morning Herald, 8th March 2023

On a bitterly cold day in Hobart 10 years ago, I sat opposite an Immigration Department official who told me: "Don't be happy that you are living in the Australian community. This bridging visa only means you can stay in Australia temporarily." I was warned the government was working to build capacity in offshore detention centres and would send us back when they had more room

available.

I was shocked then, and I am still shocked today at the cruelty of those words, driven by immigration policies that continue to harm people who seek refuge in Australia by sea. I was only 17 and told I would never call Australia home.

It was the first of many experiences I had with the brutality and intransigence of Australia's immigration bureaucracy serving politically driven deterrent policies in breach of the Refugee Convention. It is still unbelievable to me that Australia is a signatory to the 1951 convention yet for years now it has failed its obligations to offer equal protection to people seeking refuge from persecution who arrive by sea.

Since 2013 when the Australian government introduced Operation Sovereign Borders, Australia has ignored its obligations, keeping thousands of people in offshore detention who have been granted protection, or keeping them on temporary protection visas in Australia without the right to study, travel or reunite with family and loved ones.

Many asylum seekers still waiting for a decision to be made, whose applications have been delayed or are held up in long appeal processes, continue to suffer life in limbo on bridging visas with even fewer rights. Some people don't even have the right to work and are forced to go to community centres for food and support.

Read full story:

https://amp.smh.com.au/national/i-was-told-i-d-never-call-australia-home-20230307-p5cq1r.html?fbclid=IwAR1cg0KRDA1o_PQjuUExUjQJHOPUkjPsbmwapO-mxZo4UEoOGAfo2n8FzhA



Pat Dodson, the Albanese government's envoy on reconciliation, has called for immediate action to prevent Indigenous deaths in custody. Credit: Rhett Wyman

'No licence to kill people': Dodson says his government must act on 'national disgrace'

Nick McKenzie and Natalie Clancy, The Age, 5th March 2023

Prime Minister Anthony Albanese's reconciliation envoy has called out his own government over inaction on Indigenous deaths in custody, and issued an impassioned plea for urgent measures that should not be delayed by the looming referendum for the Voice to parliament.

In a powerful intervention, Labor senator Pat Dodson called for the immediate implementation of recommendations of the landmark 1991 royal commission into the issue, blamed the Victorian government for deaths in custody on its watch and demanded criminal charges for private providers over preventable deaths in custody.

Arguing that institutional racism continues to pervade criminal justice systems around the nation, Dodson said the federal government should immediately set up a national Indigenous justice committee, a federal office to oversee state coronial inquests and ensure the provision of Indigenous-tailored health services in jails.

Since the 1991 Royal Commission into Aboriginal Deaths in Custody, on which Dodson served as a commissioner, more than 525 Indigenous Australians have died in police or prison custody.

The number of Indigenous people dying in custody each year is much higher now than the period before the royal commission, with an average of 16.6 deaths per year since 1991 compared to 11 deaths per year between 1980 and 1989.

Dodson said the lack of action on the "national disgrace" of Indigenous deaths in custody was "absolutely" on the shoulders of the Albanese government, as was its failure to champion the implementation of royal commission recommendations that are now more than three decades old.

Read full story:

<https://www.theage.com.au/politics/federal/no-licence-to-kill-people-dodson-says-his-government-must-act-on-national-disgrace-20230301-p5cofm.html>



The Voice to Parliament might, for example, give advice on how best to ensure Indigenous Australians are able to vote in elections. Karen Michelmores/AAP

What happens if the government goes against the advice of the Voice to Parliament?

Anne Twomey, The Conversation, February 28th 2023

We asked our readers what they would like to know about the proposed Indigenous Voice to Parliament. In the lead-up to the referendum, our expert authors will answer those questions. You can read the other [questions and answers](#)

If the government disagrees with representations made by the Voice, the short answer is that the government prevails. Governments and parliaments are elected to represent all the people, not just one group of the people. This means they have to take into account a broad range of considerations, including how to manage the budget and the economy, ensure national security and maintain the social wellbeing of the whole country.

Ensuring the government and parliament are better informed

The role of the Voice, if the proposed constitutional amendment is passed, would be to ensure the government and parliament are better informed when making laws or decisions on matters relating to Aboriginal and Torres Strait Islander peoples.

The Voice could make representations about how laws and policies have unintended or perverse consequences, or how they could be made more effective and efficient if they operated in a different way. Any sensible government would take such representations seriously when considering how to make or change laws and policies, because everyone wants better results for Indigenous Australians.

Decisions made with the best will in the world from Canberra can always be improved by listening to the people on the ground who are affected by them. The role of the Voice would therefore be important in improving the quality and effectiveness of laws and government policies. But it could not determine what those laws and policies will be.

We have a democratic system for determining who makes the laws and who forms the government, and that is not going to be changed by the proposed constitutional amendment.

Read full story:

https://theconversation.com/what-happens-if-the-government-goes-against-the-advice-of-the-voice-to-parliament-200517?utm_medium=email&utm_campaign=Latest%20from%20The%20Conversation%20for%20March%201%202023%20-%202557425699&utm_content=Latest%20from%20The%20Conversation%20for%20March%201%202023%20-%202557425699+CID_288a230177542de09b9fe162de9f6ad1&utm_source=campaign_monitor&utm_term=What%20happens%20if%20the%20government%20goes%20against%20the%20advice%20of%20the%20Voice%20to%20Parliament



Auntie Tootsie Daniel, who gave evidence to a court deciding how much Fortescue Metals Group should pay for mining on Yindjibarndi country. Photograph: David Dare Parker/The Guardian

Yindjibarndi elders give evidence in Fortescue compensation hearing

AAP, The Guardian, 7th March 2023

One senior woman, Tootsie Daniel, tells federal court that looking at her country now breaks her heart because 'it's all barren' due to mining

Two senior Yindjibarndi women have told the federal court about their connection to country at a hearing to decide how much compensation Fortescue Metals Group must pay for mining on their land.

Giving evidence in the town of Roebourne, in Western Australia's Pilbara, the Yindjibarndi elder Tootsie Daniel said she was fortunate to learn culture from her old people when she was young.

Daniel said her elders taught her about finding bush foods and medicines. "When I looked at that country it was so beautiful, with wildflowers, it took my breath away," she said on Tuesday.

"It opened our hearts and the old people started singing corroboree songs.

"It was like the country welcomed us, the spirit of the land, our ngurra (country).

"I humbled myself, it brought tears to my eyes it was so beautiful. Now, looking at that same country breaks my heart, it's all barren because of that mining."

Earlier, the Yindjibarndi elder Margaret Read told the court about her people's obligation.

"All Yindjibarndi people must look after our ngurra (country)," a visibly frail Read said, speaking from her hospital bed in Karratha.

Read full story:

https://www.theguardian.com/australia-news/2023/mar/07/yindjibarndi-elders-give-evidence-in-fortescue-compensation-hearing?utm_term=6407de1515a6becb70762328ef6746da&utm_campaign=GuardianTodayAUS&utm_source=esp&utm_medium=Email&CMP=GTAU_email



Demonstrators take part in a September 24, 2021 protest in Kabul, Afghanistan demanding the release of billions of dollars in frozen funds from the country's central bank by the United States. (Photo: Haroon Sabawoon/Andalou Agency via Getty Images)

'Victory for the Afghan People' as US Judge Blocks 9/11 Families From Seizing Frozen Assets

Brett Wilkins, Common dreams, February 23rd 2023

"This money belongs to the Afghan people, and no one else," said Afghans for a Better Tomorrow, a coalition of Afghan-American community groups.

A coalition of Afghan-American community organizations on Wednesday welcomed a U.S. federal judge's ruling rejecting a bid by relatives of 9/11 victims to seize billions of dollars in assets belonging to the people of Afghanistan.

In a 30-page opinion issued Tuesday, Judge George B. Daniels of the

Southern District of New York denied an effort by family members of people killed during the September 11, 2001 attacks on the United States to gain access to \$3.5 billion in frozen funds from Da Afghanistan Bank (DAB), the country's central bank.

"The judgment creditors are entitled to collect on their default judgments and be made whole for the worst terrorist attack in our nation's history, but they cannot do so with the funds of the central bank of Afghanistan," Daniels wrote. "The Taliban—not the former Islamic Republic of Afghanistan or the Afghan people—must pay for the Taliban's liability in the 9/11 attacks."

"We support the 9/11 families' quest for just compensation, but believe justice will not be achieved by 'raiding the coffers'... of a people already suffering."

The frozen assets are currently being held by the Federal Reserve Bank of New York in the wake of the Taliban's reconquest of the nation that, under the militant group's previous rule, hosted al-Qaeda leader Osama bin Laden and other figures involved in planning and executing the terrorist attacks that killed nearly 3,000 people. The 9/11 attacks resulted in a U.S.-led invasion and occupation of Afghanistan that lasted nearly two decades, the longest war in American history.

"We are pleased to see that Judge Daniels shares the same assessment we laid out in our amicus brief to the court: That this money belongs to the Afghan people, and no one else," the coalition—Afghans for a Better Tomorrow (AFBT)—said in a statement.

Read full story:

<https://www.commondreams.org/news/frozen-afghan-funds>



NYEIN CHAN NAING/EPA

Amid a worsening refugee crisis, public support is high in both Australia and NZ to accept more Rohingya

Nearly one million stateless Rohingya people who fled brutal ethnic cleansing in Myanmar have been languishing in extremely congested refugee camps in Bangladesh for the past five and a half years.

While the United States recently announced a resettlement program for Rohingya refugees and the UK resettled around 300 Rohingya from the camps prior to 2020 under a now-defunct scheme, this hasn't caused even a dent in the number of people living in the world's largest refugee camp.

No other countries have accepted refugee applications from the camps, but the Bangladeshi Foreign Minister AK Abdul Momen has expressed optimism that a good number of Rohingya may eventually be resettled by the US and others.

Since 2008, Australia has granted visas to just 470 Rohingya under its special humanitarian program – a very small number considering the extreme need.

All of these refugees were accepted into the program from Thailand, Malaysia, Indonesia and other countries in the region. This creates a perverse incentive for Rohingya from the Bangladesh camps to get on rickety boats and make the dangerous sea journey to those countries.

UN figures show a more than 360% surge in the number of Rohingya who boarded boats to try to get to Malaysia and Indonesia last year, with 3,500 making the journey, compared to just 700 in 2021.

In early February, Momen called on Australia to do more to resettle the Rohingya stranded in his country.

Australia is relatively more resourceful, so I think it's high time Australia come forward and resettle some more of those distressed people. [...] Australia has the capacity, it has the resources — there's only a need for a political mindset. According to our new research, there is public support for this to happen. In surveys conducted last year, a majority of Australians and New Zealanders said they have positive views about the Rohingya and support the resettlement of more Rohingya refugees in their countries.

Read full article:

https://theconversation.com/amid-a-worsening-refugee-crisis-public-support-is-high-in-both-australia-and-nz-to-accept-more-rohingya-199504?utm_medium=email&utm_campaign=Latest%20from%20The%20Conversation%20for%20March%202%202023%20-%202558525710&utm_content=Latest%20from%20The%20Conversation%20for%20March%202%202023%20-

[%202558525710+CID_2d371fccebcda9e92118cae3110da4fc&utm_source=campaign_monitor&utm_term=Amid%20a%20worsening%20refugee%20crisis%20public%20support%20is%20high%20in%20both%20Australia%20and%20NZ%20to%20accept%20more%20Rohingya](#)



Maya Angelou Facebook Post 6th March 2023

"I write about being a black American woman, however, I'm always talking about what it's like to be a human being. This is how we are, the species to which we belong. This is what makes us laugh, and this is how we fall and how we somehow, amazingly, stand up again." #MayaAngelou



Storm brewing over Pacific nations as climate and debt crises collide

Cardinal Soane Patita Paini Mafi, Eureka Street, Vol.33 No.4, 6th March 2023

Across the Pacific, people are picking up the bones of their ancestors like shells on the beach. Burial grounds are being washed away by rising tides.

Communities are shoring up seawalls with old tyres.

I was raised on the beautiful island of Tonga. When I was a child, my parents and grandparents would come out every morning to look at the horizon. They would look at the clouds and see the patterns to understand what laid before us that day.

Nowadays, things are different. Children playing and swimming at the beaches see the patterns in the clouds and run back to alert us to a disaster. This is now becoming a regular occurrence.

After storms, I visit my people and I am always lifted by their resilience and their spirit of helping each other. But when I delve deeper, they share their real emotions, which are full of pain, heartache and fear. You see, in the Pacific our people are strong. We are resilient, but even we have our limits. And we have reached our limit.

Nowadays, when I wake up in the morning and look out to sea, I see two clouds. Two dark and looming clouds. One is climate change. This cloud brings rising sea levels, more frequent cyclones and king tides like we have never seen before.

It is joined by another cloud. This one is debt. Increasingly frequent and severe weather means that Pacific Island nations are struggling to rebuild. We feel like we are going backwards.

'We need the Loss and Damage fund to truly listen to Pacific Island communities. It must be accessible to those who need it, and not push countries further into debt that we can ill afford.'

Read full story

<https://www.eurekastreet.com.au/article/storm-brewing-over-pacific-nations-as-climate-and-debt-crises-collide>



Pope Francis: Oceans are God's gift for all generations

Devin Watkins, Vatican News, 6th March 2023

Pope Francis sends a message to the 8th Our Ocean Conference held in Panama, and urges governments across the globe to protect the ocean for the benefit of future generations.

Panama recently hosted the 8th Our Ocean Conference under the theme “Our Ocean, Our Connection” to highlight the importance of knowledge as “the basis of our actions and policies to ensure the protection of our ocean”.

The event took place separately but at the same time as national governments held UN-sponsored, breakthrough talks in New York in which they agreed to a new “High Seas Treaty” to codify conservation efforts of ocean areas beyond national jurisdictions.

Pope Francis sent a message to participants in the Our Ocean Conference held in Panama, on 2-3 March, which was released on Monday and signed by Cardinal Secretary of State Pietro Parolin.

Gift from the Creator for all humanity

In his message, the Pope highlighted the importance of “humility, gratitude, and awe” as we say “Our” ocean.

“Starting from contemplation and study, our understanding of the complex and amazing mechanisms and balances of the oceans allows us to appreciate the role they play for everyone, not just coastal communities.”

He noted that all people depend on the oceans and are rightly considered the “common heritage” of humanity.

The oceans, he added, were given to us “as a gift from the Creator”, and we must therefore work to use them fairly and sustainably in order to pass them on to future generations.

Read full story

<https://www.vaticannews.va/en/pope/news/2023-03/pope-francis-our-ocean-conference-panama-2023-message.html>



Image: Roya Ann Miller/Unsplash.

Our over-burdened planet

Fr Ron Rolheiser, Catholic Outlook.org, 2nd March 2023

Creating the human race may be the single biggest mistake that evolution made. Douglas Abrams writes this in *The Book of Hope*, a book he co-authored with Jane Goodall. While that is a rather despairing view, in the end, this book is a book of hope, though not without it issuing a dire warning: There are now over eight billion people on this planet and already we are using up nature's limited resources faster than nature can replace them. In less than thirty years from now, there will probably be ten billion of us and if we carry on with business as usual, that could spell the end of the earth as we know it.

What do we need to do to turn this around? Goodall and Abrams suggest four things:

First, we must alleviate poverty. When people are hungry and desperate, their thoughts are not on the big picture, namely, the long-range future and the overall good of all humans and the planet. Understandably, their thoughts will be focused on survival and there will be no hesitation in cutting down the last tree to grow food or catching that last fish still alive. Desperation and concern for the big picture generally don't go together.

Second, we must reduce the unsustainable lifestyles of the affluent. Mother earth is not a limitless resource and cannot continue indefinitely to sustain our present lifestyles. Moreover, this is true not just for the lavish lifestyles of the rich, but for all of us in most countries. We haven't faced the fact that everything is limited and hence, we continue to buy in excess, consume in excess, use electrical energy in excess, waste food in excess, use gasoline in excess, and create garbage in excess. This cannot continue much longer. Already millions of desperate refugees on borders everywhere and dramatic shifts in climate most everywhere are telling us that we must make changes, and soon. Our planet is big, but it is finite, and it cannot sustain the limitless demands of unexamined consumption.

Read full Story:

<https://catholicoutlook.org/our-over-burdened-planet/>

Directors Notes (continued)

This week I released [a statement](#) for International Women's Day. We also had a wonderful celebration across our network which included messages from Andree Brown (ERCS Executive Director), Ambassador Stephanie Copus Campbell (Australia's ambassador for gender equality) as well as a wonderful panel discussion involving Daphne McKeough, Maria Timon and Mary Watson Burton. It was clear that from the energy and goodwill in the room as well as across the network with those able to participate that social justice issues including gender equality are important issues for all of us. I'm hoping that along with the commissioning of our new 'home' a month ago - this year will see the Centre and those who make it what it is refresh and reorient ourselves to where we need to be for the future. If the last month is anything to go by we will see remarkable things achieved building on past successes.

First Nations Portfolio

In this first month there has been a lot of focus leading up to the launch of the Yes Campaign in late February. As a centre we made the effort to hold an event across our network to highlight the week of action in the lead up to the launch of the Yes Campaign. I was also in Melbourne for the Allies for Uluru Launch meeting with a range of other organisations including from the corporate world, peak bodies, and key NGOs all with a focus on the constitutional referendum and campaign for the voice. Our wonderful deputy Director for the Centre Daphne McKeough is on the working group taking the agenda forward from from that meeting. We are committed to our support for the Yes vote and see it as an opportunity for a [new beginning](#). This and a range of other initiatives being developed by Darryl, Yasmin and the team suggest we have an exciting year ahead.

Pacific Calling Partnership Portfolio

The COVID-19 crisis is now in large part behind us, however, the impacts of climate change across the Pacific are fast growing in frequency and intensity. Despite the hope brought about by the 2015 Paris Agreement, which aims to limit global warming to 1.5°C by the end of the century, it is projected that current policies around the world will result in approximately 2.7°C warming by 2100. If this projection becomes reality, many communities in the Pacific will

lose their homelands. Our work with the PCP continues to be involved with supporting Pacific climate action networks and other groups we work with to influence decisions including around the current safeguards debate and other important campaigns addressing the The Pacific Calling Partnership has some significant projects scheduled for 2023. These include climate leadership training in the Torres Strait which we have been invited to deliver by Traditional Owners of the islands of Boigu and Saibai; a visit (after 3 years) to Kiribati to meet with our partners and continue to build grassroots climate advocacy capacity; and the organisation of a Pacific Islander delegation to the United Nations annual climate conference (COP28) in Dubai at the end of the year.

Refugees and People Seeking Asylum Portfolio

The government's decision in mid February to change its policy towards TPV and SHEV holders was an important outcome and achievement from many years of hard work by the Centre and in particular Phil Glendenning in lobbying of this compassionate change. As well as our ongoing advocacy to seeing changes that can benefit the remaining 12,000 visa holders who remain outside of the decision, we look forward to rolling out a range of workshops from April with our partners DLA Piper to encourage people to know their rights. We continue to look to expand our register of mentors supporting refugees and their families. If you're interested in mentoring get in contact with us with your details.

Community Education

We were blessed this week with a visit and volunteering of a number of teachers from Waverley College. A rich day of immersion in our work and identifying areas of opportunity to do things together may see some exciting projects, campaigns and other things emerge for the year ahead. I'm certainly keen to have opportunities for further engagement and the opportunity to speak to school leaders and others across our network.

SUPPORT ERC

To support the work of the Centre go to [Donate](#)

REFLECTIONS

POPE FRANCIS' Advice for Lent

Fast from **hurting** words and say kind **words**.

Fast from **sadness**
and be filled with **gratitude**.

Fast from **anger** and be filled with **patience**.

Fast from **pessimism** and be filled with **hope**.

Fast from **worries** and **trust in God**.

Fast from **complaints**
and **contemplate** simplicity.

Fast from **pressures** and be **prayerful**.

Fast from **bitterness**
and fill your heart with **joy**.

Fast from **selfishness**
and be **compassionate** to others.

Fast from **grudges** and be **reconciled**.

Fast from **words**
and be silent so you can **listen**.



Jamberoo Abbey Facebook Post 28th February 2023

Footage of another boat smashed to pieces on rocks on the coast of Calabria flashed across our screens last night, bodies including many children, washed up on the shores, meager belongings strewn across the seascape. Today there will be no mention of the tragedy as the news cycle rolls on. But this morning, we remember them; we pray for those who lost their lives, we pray for those who lost their loved ones, we pray for those rescued facing an uncertain future...and we send love because it matters...

*Somewhere someone needs help.
Send love.
It matters.
If you can't get there yourself,
then take a deep breath.
Breathe in the weight of their troubles.
Breathe out and send all those burdens
into the Light
where sorrows can be held
with the most tender and infinite grace.
Breathe in what you can do.
Breathe out what you can't change.
Spool out a thread of connection,
send courage and calm.
For the nights can be long
and filled with shadows,
and sometimes terrible
unexpected waters will rise.
Somewhere someone needs help.
Send love.
It matters.
~ Carrie Newcomer*



Pace - e - Bene Nonviolence Inspirations

“You do not have to be good. You do not have to walk on your knees for a hundred miles through the desert repenting. You only have to let the soft animal of your body love what it loves. Tell me about despair, yours, and I

will tell you mine. Meanwhile the world goes on. Meanwhile the sun and the clear pebbles of the rain are moving across the landscapes, over the prairies and the deep trees, the mountains and the rivers. Meanwhile the wild geese, high in the clean blue air, are heading home again. Whoever you are, no matter how lonely, the world offers itself to your imagination, calls to you like the wild geese, harsh and exciting—over and over announcing your place in the family of things.” Mary Oliver, *Wild Geese*

***“No, no, there is no going back.
Less and less you are
that possibility you were.
More and more you have become
those lives and deaths
that have belonged to you . . .
Every day you have less reason
not to give yourself away.”***

Wendell Berry

“We must remove the landmines in our hearts which prevent us from making peace. The landmines in the heart are greed, hatred, and delusion. We can overcome greed with the weapon of generosity; we can overcome hatred with the weapon of loving kindness; we can overcome delusion with the weapon of wisdom. Peace-making starts with us.” Maha

Ghosananda

“We will not know our own injustice if we cannot imagine justice. We will not be free if we do not imagine freedom. We cannot demand that anyone try to attain justice and freedom who has not had a chance to imagine them as attainable.” Ursula K Le Guin



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.