

# Australia: Child's death exposes impact of privatisation of refugee services

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6 January 2006

It has only recently come to light that Richard Niyonsaba, a two-year-old refugee from Africa, died on November 5, his first night in Australia. His tragic death is yet another example of the Howard government's inhumane treatment of refugees and its policy of systematic cover-up. The government's initial response was to hide the child's death for nearly two months.

The little boy, who suffered from sickle-cell anemia, spent the previous two years with his father Protais Ntiranyi, mother Melida Nsengi and three siblings in a Tanzanian refugee camp, after fleeing war-torn Burundi, where many of their relatives and friends were killed.

On the family's arrival at Sydney airport on November 4, after hours of waiting in new and unfamiliar surroundings, they were met by a caseworker employed by the Australian Centre for Languages (ACL.) Just months earlier, ACL, a private operator, won a multi-million dollar commercial tender from the government to settle newly arrived refugees, replacing the non-profit organisations and volunteer groups that provided the service previously.

The ACL employee, who reportedly spoke the family's language, took them to a flat in Sydney's western suburbs. Both ACL and the government had been notified of the child's serious medical history, including the fact he had been hospitalised for several weeks in Nairobi while the family was en route to Australia. Yet the family was left alone with nothing but instructions to dial 000 on the phone in the event of an emergency.

Ntiranyi woke at 4 a.m. to find his son having convulsions. Frightened and unable to use the phone or speak English, he ran out on to the street crying for help in his native tongue. He was heard by a neighbour, Paul Mochag, a Sudanese refugee, who spoke a different language, but realised that something was seriously wrong. He went into the flat, saw that it was an emergency and rang an ambulance. Sadly, however, the young boy died.

When the first media reports of the tragedy finally appeared at the end of December, Citizenship and Multicultural Affairs Minister John Cobb was forced to make a statement acknowledging the death, and admitting his department's prior knowledge of the child's illness. Nevertheless, he defended the Department of Immigration (DIMIA)'s policies and claimed that the family had been well treated.

It soon emerged that this was not the only instance of maltreatment that DIMIA and ACL had covered up. The media

belatedly reported that on November 4, the same day that Richard Niyonsaba arrived, three African women refugees were sent by bus to Newcastle, a trip lasting several hours. At 1a.m. they were taken to a house and ordered by an ACL caseworker to sign a 12-month lease.

Afraid and unsure of the implications, sisters Princess and Yeah Yeah Gbdeah refused to sign the lease and were denied food vouchers. The third woman, Caroline Nykango from Sudan, gave in, signed the lease and was given a \$50 food voucher. She had never been to a supermarket before, however, and had no idea how to use the voucher. The only food in the house was a bag of rice, some oil and one apple. The women had no toiletries or sanitary products. For five days they cowered in the house, without a return visit by ACL. Finally, in desperation, they ran out in the street, and were driven by a passerby to a nearby church.

Princess said: "There was no food to eat, and she [the ACL employee] didn't show us how to use the stove. We were sick, we were afraid. We told her we didn't want that home, and she said, 'We will not give you the vouchers unless you sign, we will not give you the food.' We were told a case worker would come to see us but no case worker came."

ACL's involvement in refugee resettlement provides a case study in the disastrous consequences of the privatisation of essential services.

The organisation was established in 1987 as a small English language school for international students, with links to a company known as Multicultural Marketing and Management. Within a decade, ACL successfully bid for two-thirds of the Adult Migrant Education Program (AMEP) in New South Wales, sidelining the government provider, Adult Migrant Education Services (AMES), which had built up 50 years' experience.

In 1998, ACL moved into AMES's previous offices and restructured the operation. As a result, 500 jobs were destroyed and the workforce was casualised, working longer hours, receiving less holidays and \$4,000 less per year than AMES teachers.

Three ACL directors had previously worked for DIMIA, while another was the former national director of AMEP. ACL's CEO, Helen Zimmerman, was previously AMES's deputy director. Questions of conflict of interest were raised in the NSW state parliament, but the AMEP takeover became the launching pad for the ACL "success" story. In 1998, *Business Review Weekly* listed it as one of Australia's fastest growing 100 private companies.

In 1999-2000, ACL worked with the Howard government to

provide a “safe-haven” barracks in Sydney for several thousand refugees from Kosovo and East Timor, who were admitted to the country very temporarily. This became another milestone in the company’s expansion. Through a series of mergers and takeovers, it extended educational services to Asia, Europe and Africa, culminating in a buyout of ACL by Western Australian company IBT Education, resulting in a corporation valued at more than \$600 million.

Central to ACL’s profit and growth has been its ability to position itself advantageously whenever governments have tendered out migrant education or refugee programs. Zimmerman was appointed by the NSW Labor government to its Vocational Education and Training Accreditation Board, a position she will hold until 2008. Meanwhile, federal Education Minister Brendan Nelson appointed her to his Advisory Body on International Education.

In 2005, the Howard government decided to re-tender out the Settlement Grants Program (SGP), for assisting new refugees, and ACL saw the opportunity of another windfall. Since October 1, ACL has been responsible for providing services to almost 400 people in Sydney, Newcastle and Wollongong. To this conglomerate, refugee settlement is just another diversification in its growing portfolio, while for the Howard government it simply means using a profit-making company to cut costs.

The Australian refugee intake of 13,000 in 2005 included more than 8,000 people from African countries. Many have fled war, experienced trauma, and suffered psychological or physical disabilities or escaped from poverty-stricken circumstances. Mercy Refugee Services national coordinator Lorraine Phelan said African refugees were harder to deal with than the Middle European people that many agencies were used to. “They are rural, they are not educated and they have big difficulties with every aspect of adjustment. Their problems are multi-layered and it is obvious that there just aren’t enough services for them.”

Rwandan and Burundian Association spokesperson Frederic Naboya said: “Those people who are coming here, can’t read or write. They’ve never been to a big city, and landing in Sydney is a total shock to them. They probably need 24-hour case managers.”

This is impossible under the government’s cost-cutting regime of outsourcing its responsibility to private companies whose only concern is profit. Independent Council for Refugees Advocacy spokesperson Marion Le commented: “Once you outsource [services] and put a monetary value on them, then the real commitment for care goes and that’s what’s happened in this case. What they do with outsourcing is have contracts with people who will never criticise the government.” She said the child’s death was “totally unacceptable”.

The government’s own guidelines emphasise that a caseworker will only deal with new arrivals briefly, and must get them off the SGP books as rapidly as possible. Other agencies then supposedly pick up the responsibility. But it is obvious that refugees require far more assistance than the general welfare services, themselves run down and often privatised, can provide.

Just three days before Richard Niyonsaba’s death, the Newcastle Refugee Health Clinic wrote to DIMIA accusing ACL of failing in its duty of care. The clinic’s Dr Murray Webber wrote: “They do

not appear to have the resources and staffing levels required and we are extremely concerned about the adverse effect this may have on the health and well-being of newly arrived refugees in our region.” Tragically, this warning was rapidly vindicated.

After years of cover-up, much evidence of terrible mistreatment by private contractors of refugees, immigration detainees and people being deported from Australia, has emerged over the past year. The cases include those of Cornelia Rau, an Australian resident wrongly detained for 10 months, and Vivian Alvarez Solon, an Australian citizen deported to the Philippines.

Once the news broke of the latest outrage, ACL hired a Sydney barrister, Richard Fiora, to represent the company’s interests and conduct a supposed “independent review”. Attempting to repair the damage to its image, ACL spokesperson Jenny Whitmarsh said: “We have commenced a new service and there are some teething problems.” In other words, the child’s death and the family’s plight were seen as an administrative hiccup.

George Newhouse, a lawyer providing advice to the Rwandan and Burundian Association, called for a public and wider investigation. “The case calls for a royal commission, for the government to investigate the circumstances of the case and whether it’s appropriate to contract out essential services. It says to me that DIMIA have not learnt the lessons of Rau and Solon.

“I think contracting out any immigration obligation is fraught with danger and that’s been proved by Rau and now this tragic case. I don’t think they should be contracting out these critical functions where people’s lives are at stake.”

However, the government has made it plain it will not conduct any inquiry into Richard Niyonsaba’s death or the accusations made by the Gbdeah sisters. Nor will there be any reconsideration of the policy of tendering out refugee responsibilities to those who do it on the cheap, and this is bound to create further tragedies.

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