

# RACS

REFUGEE ADVICE & CASEWORK SERVICE

ANNUAL REPORT  
2019-2020



ADVOCATING  
FOR JUSTICE





## OUR MISSION

TO ACHIEVE JUSTICE AND DIGNITY FOR REFUGEES THROUGH THE PROVISION OF EFFECTIVE LEGAL SERVICES AND INFLUENTIAL ADVOCACY.

TO ACHIEVE OUR MISSION WE ARE GUIDED BY OUR KEY STRATEGIC GOALS:

### ACCESS TO JUSTICE

To ensure all people seeking asylum and refugees can freely access dedicated, reliable and impartial legal assistance.

### EMPOWERMENT

To enable all people in the protection process to have support and access to a better understanding of their rights and responsibilities.

### STRONG LEADERSHIP

To be a driver of systemic change by leading public discourse on issues affecting people seeking asylum and those recognised as refugees.

### COLLABORATION

To have mutually beneficial partnerships between the corporate and social sector, philanthropic and like-minded organisations and individuals, who all seek to ensure that the right to seek asylum is protected and ensured.



Proudly supported by the University of New South Wales.

We acknowledge the Gadigal people of the Eora Nation, the Traditional Custodians on whose lands we usually work, and pay our respects to Elders past, present and future. We also acknowledge the Traditional Custodians of the various lands on which many of us are working from, due to COVID-19 measures, and we particularly acknowledge the Darug people whose land we share for most of our outreach locations. It always was and always will be Aboriginal land.

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Emil\* and Hassan\* and Emil's children

Emil\* arrived in Australia in 2002, alone, and seeking protection. He found RACS, where his lawyer, Alison, listened to his story and helped him piece together his statement and application for protection.

*"There was a bit of tears in my eyes when I heard [I had been granted a visa]. I remember my RACS lawyer gave me some tissues."* - Emil\*

Incredibly, 15 years later, Emil's father Hassan\* also managed to escape persecution, arriving in Australia and reuniting with his son who missed him greatly.

**Emil immediately knew what to do. He took his father to RACS where lawyers listened to the hardship he had faced over decades and helped him apply for a protection visa.**

*"My sentiments to the people on my case for the kind of help they gave me. They remain in my heart. I will not forget"* - Hassan

\*= details have been changed.

## FORCED TO FLEE

At the end of 2019 it was reported that at least 79.5 million people had been forced to flee their homes<sup>1</sup> – with people fleeing conflict reaching the highest recorded number since World War Two.<sup>2</sup>

Many of these men, women and children came from countries such as Syria, Venezuela, Somalia, Myanmar and South Sudan, which continue to face unrest, instability and violence.

Despite language barriers, lack of financial means, sometimes insufficient documentation and often a history of torture and trauma, those who make it to Australia must prove they are refugees to ensure they are not sent back to danger.

**It is vital they have the support of a lawyer.**

## WHAT WE DO

**We support individuals and families applying for protection in Australia, by providing critical free legal advice, assistance and representation.**

We help people:

- Make applications for protection.
- Apply for work rights.
- Apply for permission to travel.
- Ensure that newly born children are included in an application for protection.
- Appeal if they have been refused protection by the Department.
- Make complaints to the Commonwealth Ombudsman, the United Nations, the Australian Human Rights Commission or the Red Cross.

“The team at Hicksons is delighted to be able to support the work of RACS at the Asylum Seekers Centre. Our lawyers feel a great sense of satisfaction from helping these very vulnerable people to obtain protection in Australia that will hopefully lead to better lives. It helps us understand how lucky we are and supports our desire to give something back.”

– John Kell, Partner, Hicksons



Our outreach services in Auburn, Westmead, Newtown and Parramatta have been vital in ensuring members of the refugee community can reach help. Since COVID-19 restrictions have forced us to work remotely, we have continued to offer our free services via telephone, with interpreters where needed.

Whilst Australia’s refugee policies continue to be both harsh and cruel, we are there for those who so desperately need to find permanent safety.

We **continue to advocate** for justice by:

- Lobbying or making direct representation to Government, regulators, politicians and/or other organisations and bodies.
- Preparing submissions and responses to Government, and organisational inquiries and reviews.
- Providing comments on draft legislation, policies, procedures or other regulatory instruments.



RACS Solicitor Ahmad Sawan

<sup>1</sup> <https://www.unhcr.org/en-au/figures-at-a-glance.html>

<sup>2</sup> <https://www.nytimes.com/2019/06/19/world/refugees-record-un.html>



## WHO WE SUPPORT

We assist financially disadvantaged and vulnerable people seeking asylum and refugees in Australia, including:

- Women who have experienced or fear domestic, family, gender-based or sexual violence
- Members of the LGBTIQ+ community
- Stateless people

- Children who are seeking protection without their parents
- Refugees separated from family members who are hoping to reunite in Australia
- Those on temporary protection visas seeking to re-apply

We support people of all nationalities, religions, sexual and gender identity, irrespective of how they arrived in Australia.

## THE IMPORTANCE OF LEGAL ASSISTANCE



by Alison Ryan, RACS Senior Supervising Solicitor

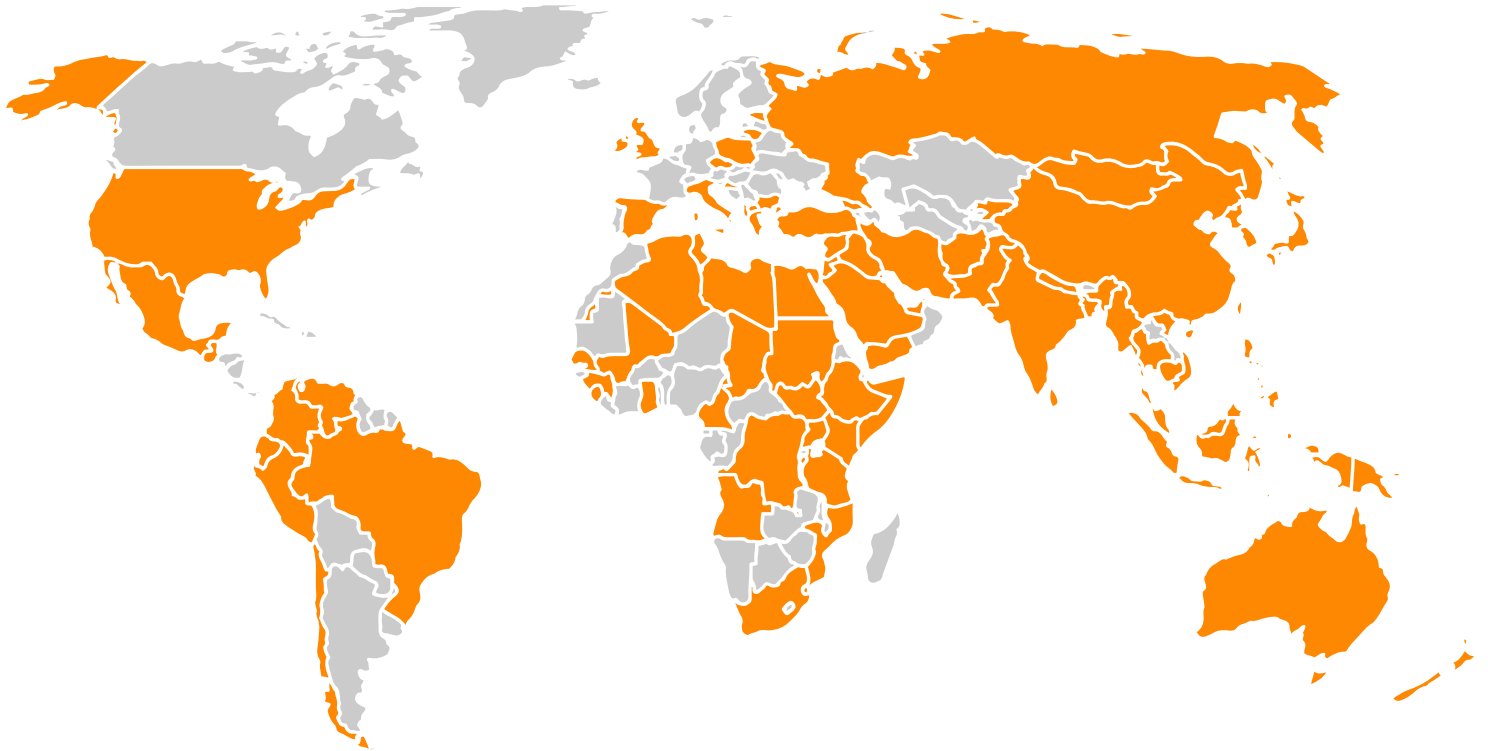
Sometimes we hear of cases where a person is refused a protection visa due to a higher volume of evidence and documentation being needed. Earlier this year we had one such case, where a young man Sayed\* had fled Pakistan\* due to persecution based on his sexuality. These cases rely on people like Sayed needing to prove their sexual orientation, which may include their sexual history as evidence. The questions asked can be incredibly invasive and deeply personal. After being refused, Sayed was desperate to appeal his case.

RACS represented him at the Immigration Assessment Authority (IAA) and thanks to our pro bono partner Norton Rose Fulbright and other RACS volunteers, we were able to include over 20 pieces of evidence in support of his case. Some of the best evidence we obtained from him and from his witnesses was information he knew existed but did not think would be relevant to the Department of Home Affairs, not understanding the depth of what was required of him. It is worrying that so much evidence is required in such cases and shows how critical trusted representation from a lawyer is. In this case, it was the difference between being sent back to harm and remaining in the safety of Australia.

“I found RACS and I didn’t know if they could help me. But as soon as I walked in, it was very different. The lawyers respected me and they made sure that I always understood what the information was.”

– Former RACS Client

**IN 2019-2020 RACS GAVE  
ADVICE TO PEOPLE FROM  
THE FOLLOWING COUNTRIES:**



- |                                  |  |                    |                          |
|----------------------------------|--|--------------------|--------------------------|
| Afghanistan                      | Fiji   | Malaysia           | Solomon Islands          |
| Albania                          | Former Yugoslav Republic of Macedonia (FYROM)  | Mali               | Somalia                  |
| Algeria                          | Georgia  | Mauritius          | South Africa             |
| Angola                           | Ghana  | Mexico             | South Sudan              |
| Australia                        | Greece   | Mongolia           | Spain                    |
| Bangladesh                       | Guatemala                                      | Mozambique         | Sri Lanka                |
| Brazil                           | Guinea   | Myanmar            | Sudan                    |
| Bulgaria                         | India  | Nepal              | Swaziland                |
| Burundi                          | Indonesia                                      | New Caledonia      | Syria                    |
| Cambodia                         | Iran   | New Zealand        | Taiwan                   |
| Cameroon                         | Iraq   | Nigeria            | Tanzania                 |
| Chad                             | Ireland  | Pakistan           | Thailand                 |
| Chile                            | Italy  | Palestine          | Tonga                    |
| China                            | Japan  | Papua New Guinea   | Tunisia                  |
| Colombia                         | Jordan   | Peru               | Turkey                   |
| Democratic Republic of the Congo | Kenya  | Philippines        | Uganda                   |
| Croatia                          | Korea, Democratic People's Republic of (North) | Poland             | United Arab Emirates     |
| Czech Republic                   | Korea, Republic of (South)                     | Russian Federation | United States of America |
| Ecuador                          | Kuwait   | Rwanda             | Venezuela                |
| Egypt                            | Kyrgyzstan                                     | Saudi Arabia       | Vietnam                  |
| England                          | Lebanon  | Scotland           | Western Sahara           |
| Estonia                          | Libya  | Senegal            | Yemen                    |
| Ethiopia                         | Lithuania                                      | Sierra Leone       | Zambia                   |
|                                  |  | Singapore          | Zimbabwe                 |

## PRESIDENT'S MESSAGE

**RACS continues to provide critical legal services to people seeking asylum and the refugee community during this time of crisis. There has never been a greater need for your support.**

The lack of government support for temporary protection visa holders in Australia has resulted in COVID-19 having a considerable and disproportionate impact on the community that we serve. Many refugees and people seeking asylum were employed in low-income, casual positions, and many have now lost their only form of income. With no access to JobSeeker or JobKeeper - and for many no access to Medicare - they have been left at risk of homelessness and destitution. This includes an estimated 16,000 children seeking protection.

**During this time, RACS is providing critical legal services to ensure that people have access to the support, advice and assistance that will allow them to move towards a more secure future.** A number of our dedicated programs, including our Women at Risk and Stateless children's service, are focused on the most vulnerable members of the refugee community, to ensure they are not forgotten during this uncertain time.

The recent DBB16 "Ashmore Reef" decision has meant a number of people seeking asylum, who entered Australia via the Ashmore and Cartier Islands, are being forced to commence the protection process again due to a legal technicality. Events like this further increase the need for critical legal support, and RACS continues to be the only dedicated community

legal service for people seeking protection in NSW.

**Thank you to all our major donors, the University of New South Wales and our individual supporters and volunteers, who have continued to provide much-needed support to RACS this year.** RACS is only able to continue to provide vital services to the refugee community due to your generosity.

I'd also like to thank our Patron, the Honourable Michael Kirby AC CMB, for your on-going patronage and our long-standing Ambassador, Zaki Haidari, for your continued advocacy for people seeking protection.

This year, we were privileged to also welcome Dorothy Hoddinott AO and Hani Abdile, as RACS Ambassadors and I thank them for the incredible work they have achieved already.

**Finally, thank you to the RACS team for your hard work in an incredibly challenging environment.** You have continued to assist vulnerable people without missing a beat, which is a testament to the fact that you always put your client's interests first. All of us who support RACS thank you for your commitment.



**Chris Yoo,**  
President, RACS  
Management Committee

The RACS Team.





# CENTRE DIRECTOR'S MESSAGE

**Since 2012, there has been no one year the same as the last at RACS, this year proving no exception. FY19/20 RACS has strived to be responsive, supportive and at the forefront, alongside people seeking safety in Australia.**

This year we saw our law reform and advocacy activities grow in momentum. Myself and Zaki Haidari, RACS Ambassador, travelled to Canberra with sector colleagues from the Refugee Council of Australia (RCOA), Jesuit Refugee Service (JRS), Asylum Seekers Centre (ASC) and the Asylum Seeker Resource Centre (ASRC) to meet with members of Parliament, to discuss the very real impact of temporary protection and family separation for the people we assist. This was just days before the Medevac Legislation was repealed, which came at a huge cost to the rights of people in Offshore Processing Centres.

**We were poised to respond to the vast impact COVID-19 had on our nation.** RACS had spent many years prior implementing procedures and developing infrastructure enabling us to work anywhere from Christmas Island to Auburn, NSW, which meant that when work-from-home orders were announced, RACS was in the best position possible. We continued to respond to calls from our community and continued to address significant legal need despite facing a global pandemic.

That said, our community suffered. Most, not eligible for financial supports through JobSeeker or JobKeeper – many that we work with were the first to lose their jobs. We saw Dorothy Hoddinott, RACS Ambassador, rally the community, particularly schools, to ensure children would not be left behind in this crisis.

**The pain in our community, I would say is at its peak. People are unable to be financially supported, unable to visit or reunite with family, still required to meet arbitrary deadlines and are faced with a future of limbo.**

Their temporariness and their exclusion from the Australian community has been made abundantly clear by the Government, with no exception or reprieve. To add to this distress, another Data Breach saw the Federal Court of Australia inadvertently upload full details of people seeking asylum and their case histories, who should have been protected by pseudonyms. RACS spoke out and we continue to offer support to those affected.

**This year we also saw hundreds of people affected by the 'Ashmore Reef Case' be notified that their protection visa applications were invalid.** They would need to re-apply within 7 days of being notified– all whilst many services are closed due to COVID-19. RACS was there.

Since this time we have assisted 135 individuals and families.

In recognition of their tireless efforts, I was supremely proud to see the work of my colleagues celebrated. Hannah Gray, Senior Solicitor was nominated for Lawyer's Weekly 30 under 30 in two categories. And, our Partnership with JRS, The Finding Safety / Women at Risk Service, was awarded Best Project in the NSW Humanitarian Awards.

I was also incredibly grateful for the pro bono support from creative agency, One Rise East. The team supported us with refreshing our branding and website, making it easier for the people we support to access our services, just before COVID-19 hit.

**RACS, like most of Australia, paid witness to the horrific bushfires at the end of 2019 and felt the impacts of a once in a lifetime unprecedented pandemic sweep the nation in early 2020.**

Despite our own adversities, the hardships experienced of those we support has been tenfold. It has been a challenging year in terms of how and where we work, the ramifications of Court proceedings and new deadlines to be met en masse.

**But we rose to the challenge and stood, where we will always stand, strongly alongside all people seeking safety.**



**Sarah Dale,**  
RACS Centre Director &  
Principal Solicitor

## ACHIEVEMENTS

PlusOne Program recipient

Winner – 2020 UTS Alumni Game-changer Award – Law Category



Sarah Dale featuring as part of the UTS Alumni Game Changers bus shelter campaign





The RACS Team working from home, but remaining connected



“[To be] in a country where you can be free and you can express how you feel without feeling scared ... is very important”  
– Former RACS Client

**IN 2019-2020  
RACS  
SUPPORTED  
PEOPLE ON  
OVER 6,000  
OCCASIONS.  
WE HELPED:**

**839 PEOPLE  
THROUGH OUR  
DROP-IN OUTREACH  
SUPPORT PROGRAM  
ACROSS FOUR  
LOCATIONS**

**50 STATELESS  
REFUGEE CHILDREN  
WITH THE PROCESS  
OF APPLYING  
FOR AUSTRALIAN  
CITIZENSHIP**

**86 WOMEN AT  
RISK WHO HAVE  
EXPERIENCED OR  
FEAR VARIOUS FORMS  
OF VIOLENCE**

**76 PEOPLE THROUGH  
OUR JUDICIAL  
REVIEW PROGRAM.**

**SUPPORTING  
WOMEN,  
CHILDREN,  
AND  
FAMILIES**



#### **WOMEN AT RISK PROGRAM: A NEW PROGRAM IN 2020**

**Winner – Best Project NSW, Humanitarian Awards:  
Finding Safety for Women at Risk Program, in partnership  
with the Jesuit Refugee Service**

Through our Women at Risk program, RACS supports women who need to seek protection in Australia, who have experienced or fear they will experience sexual or gender-based violence, or family or domestic violence.

This program usually operates through the only ‘women’s safe space’ dedicated to women and children seeking asylum in NSW, as part of our partnership with the Jesuit Refugee Service. Since the pandemic, we have transitioned to telephone support in line with NSW Government recommendations.

“Baker McKenzie is proud to support RACS. The Women-at-Risk service is a fabulous example of the way in which RACS provides specialist legal services to those most in need. Our lawyers are committed to working with RACS to assist clients who face gendered-violence in their home country. These women have demonstrated amazing resilience in the face of incredible hardship and challenges. They deserve a brighter future.”

– Kate Gillingham, Partner, Baker McKenzie



**Baker  
McKenzie.**



## STATELESS CHILDREN PROGRAM

Children who are stateless are not recognised as citizens of any country, anywhere in the world. Children born in Australia to stateless parents are sometimes given temporary visas, which means as adults, they will be unable to vote and will be charged unattainable full international fees for an Australian university education.

They will need to re-apply for a visa indefinitely every few years, which compounds their stress, insecurity and vulnerability.

RACS' Stateless Children program helps stateless children born in Australia to apply for citizenship, which could alleviate generational issues of statelessness in a family.



## UNACCOMPANIED CHILDREN PROGRAM

Children are particularly vulnerable when they come to a new country seeking asylum, without parents or a guardian. They land in a foreign country alone, often not speaking the language, away from family members and left to manage important decisions surrounding their safety, health, wellbeing and applications for protection.

RACS' dedicated program for unaccompanied children provides long-term legal support for children who arrive in Australia without their parents.



## FAMILY REUNION: NEW PROGRAM IN 2020

In the process of seeking protection, many refugees become separated from their families or are forced to leave their loved ones behind. When this separation is protracted, the trauma they have already experienced can be prolonged.

Refugees who receive permanent protection in Australia may have the chance to be reunited with family members by bringing them here to Australia. However, there are significant barriers to achieving this, particularly without legal support.

RACS' Family Reunion service for people from refugee backgrounds will provide those eligible, with advice about their options to sponsor family members to Australia.



# DEFENDING THE RIGHTS OF PEOPLE WHO CAME TO AUSTRALIA BY BOAT



## RIGHT TO SEEK PROTECTION PROGRAM

In May 2017, 7,500 people seeking asylum were given a strict deadline of 1 October to lodge their applications for protection. For some, the ability to lodge a claim had only been opened a few months prior and for many people there was a rush to complete the lengthy, complex application for protection before the deadline.

RACS is assisting a number of people who, for various reasons, were unable to lodge applications for protection visas before the deadline.

As part of this program, we also support many people on temporary protection visas who were unable to re-apply for another temporary visa before their visas expired.

As people continue to reach the expiry of their temporary protection visas, in the current unpredictable climate of COVID-19, we anticipate seeing more people struggling to re-apply due to unforeseen circumstances.

No matter the circumstance, the implications of failing to lodge a valid protection visa application before an arbitrary deadline are severe – people become unlawful, lose access to Medicare and work rights, and are at risk of being detained and/or returned to danger.

RACS provides ministerial intervention requests, and other forms of advocacy with the Department of Home Affairs, as well as engagement in strategic litigation in collaboration with pro bono partner Hall & Wilcox, and human rights organisations including the Australian Human Rights Commission.

“An independent judiciary is an important check on the power of the executive. It is important that government decisions are made according to law. Providing access to the courts for the most vulnerable in society including asylum seekers, whose very lives may depend on decisions made by government, is fundamental to the rule of law and why assisting RACS is so important to our pro bono practice.”

– Nathan Kennedy, Partner & Head of Pro Bono and Community, Hall & Wilcox



**Hall & Wilcox**  
smarter law





## JUDICIAL REVIEW PROGRAM

The restrictive ‘fast-track’ assessment and removal process was introduced by the Australian Government to assess the claims of people seeking asylum who arrived in Australia by boat.

Worryingly, it lacks a number of fundamental procedural fairness rules and denies people the opportunity to have a full review of decisions made on their case. People who have had their refugee claims refused by this process face great risk of being deported back to danger.

Their only option is to appeal at the Federal Circuit Court, which reviews their case purely on the legalities and procedure, not its merits.

RACS’ Judicial Review program ensures people at this stage of the process receive critical support and representation, giving them another chance at staying safe in Australia.

“Landers has enjoyed partnering with RACS on its Judicial Review program for a number of years. Participating in this program has exposed our lawyers to new experiences and noteworthy litigation in the Federal Circuit Court and Federal Court. Through RACS’ support and network of barristers, lawyers from a wide range of practice areas and levels of expertise have relished the opportunity to provide access to justice to those who would otherwise have had to navigate the complicated area of administrative law alone.”

– Keifer Veloso, Lawyer, Lander & Rogers



**LANDER  
& ROGERS**

## ASSISTANCE TO THOSE AFFECTED BY OFFSHORE PROCESSING

**Before the Medevac Law was repealed in December 2019, RACS supported people held in offshore detention on Nauru and Papua New Guinea to be transferred to Australia for urgent medical treatment. Once in Australia, the Government refers to these people as ‘Transitory people’.**

RACS represented 11 people, many of whom initially arrived in Australia as unaccompanied children, in their transfer to Australia for medical treatment. RACS assisted and consulted with doctors on the transfer of a further 64 people needing assistance.

Heading into 2020, RACS shifted its focus to continue to assist the people we had represented, to ensure that they were receiving the urgent medical treatment they needed in Australia. We also engaged with a growing number of other people who have also been transferred and are without legal assistance.

**Since the arrival of COVID-19, it has been even more critical to assist people who were transferred to Australia for medical treatment and who would likely be at a greater risk from this virus, due to underlying medical conditions.**

As such, we launched our most recent program which assists people to request access to their medical records and better understand their journey and treatment offshore and in Australia; and ultimately seek to be released from detention so they are able to live in safety.

## OUR PATRONS AND AMBASSADORS

**When I visited the RACS office in February this year, I couldn't have imagined where we would be a mere month later. The buzzing office of lawyers relocated from their desks to their homes, but their hard work and dedication to the people they support did not waver.**

Since the start of this pandemic we have seen the rule of law being tested, we've seen the oppression and harm caused by our policies on asylum and refugee applicants and we've witnessed the huge imbalance in burdens and protective entitlements for people seeking asylum and refugees.

These are the times when our human rights lawyers are needed the most and I'm immensely proud of the team at RACS and the support and advocacy they continue to provide to some of the most vulnerable in our communities.

- The Hon. Michael Kirby AC CMG, Patron  
Past Justice of the High Court of Australia (1996-2009)



Michael Kirby and RACS staff outside the RACS office in February 2020

2020 has been a big year for everyone, especially for stateless people, people that still don't have a place to call home, and people scared of being deported to danger. They are all hoping for a miracle so they can call Australia their permanent home. They are living under great financial pressure to not only support themselves but their families as well. Many of these people have been waiting for their application to be processed for over eight years or more. I'm still hoping that we come out of this pandemic with a brighter future. I'm hoping that the Australian government will show their compassionate side and grant us permanent protection, which will allow us to reunite with our loved ones, living in safety together, forever.



- Zaki Haidari, Ambassador  
NSW International Student of the Year 2015

As Ambassador for RACS, I am able publicly to declare my support for the vital work RACS carries out, providing legal advice to refugees and asylum seekers, people who have little access to the law through conventional channels, but who need that access to navigate the complexities of Australia's immigration policies. RACS provides an essential service. This year, I have worked with RACS and the Refugee Council of Australia on their campaign for the extension of the safety net to people on temporary visas during the pandemic, a campaign for basic decency and social justice. I am proud to support RACS for their contribution to a just society.



- Dorothy Hoddinott AO, Ambassador  
Former Principal of Holroyd High School, Officer of the Order of Australia 2008,  
Australian Human Rights Medallist 2014.

Years ago I set foot in Australia. I am grateful it granted me two things that I was hungry for: safety and education. Every human being should be able to access these two important aspects of life. Whilst most of us still live in temporary life, because we are on temporary protection visas, we are grateful because we have RACS, and slowly we are transitioning from numbers to normal human beings. Thank you to our lead lawyers and all the team for working tirelessly.



- Hani Abdile, Ambassador  
Writer and Poet



# IMPACT OF COVID-19 ON REFUGEES AND PEOPLE SEEKING ASYLUM IN AUSTRALIA



## **COVID-19 is impacting all of us around the world. It knows no borders.**

In Australia, the Federal Government has implemented policies to protect public health and support businesses, but refugees on temporary visas and people seeking asylum have not been afforded the same protections.

Thousands of people can't receive JobKeeper or JobSeeker support if they lose their job, including families, potentially affecting up to 16,000 children seeking asylum. Many people are also unable to access Medicare if they get sick. Men and women held in immigration detention can't adequately social distance or protect themselves from infection, and despite the complexities caused by a global pandemic, people must continue to adhere to strict visa conditions and deadlines.

These men, women and children are some of the most marginalised people in our communities and they will be feeling the impacts of the pandemic well into the future.

Despite moving from our office desks to working from home, we continue to actively advocate for the rights of people left behind by our Government through a number of initiatives:

1. Helping people meet all of their visa deadlines and re-application dates to ensure they remain in safety in Australia.
2. Regularly contacting the Department of Home Affairs for updates on applications for protection. A visa might mean access to financial support for a person, or release from detention.
3. Providing continued support to people held in detention centres and hotels, including those transferred to Australia from offshore detention.
4. Working with our Ambassadors and sector partners to petition, campaign and lobby the Australian Government.

**“COVID-19 has affected me, my community and my friends. It is hard for people in my situation, because we are not entitled to benefits or services offered to an Australian citizen. Being on a temporary visa means we face challenges every day and we need legal advice, because we're scared. We are scared small things could happen that will affect our visa application.”**

– Zaki Haidari, RACS Ambassador and temporary protection visa holder

# ADVOCATING FOR JUSTICE

Listening to people with lived experience, and hearing what they have to say about the changes that need to happen in refugee policy in Australia, is of the utmost importance to RACS.

Our advocacy continues to be guided by the people we support, and the challenges they face in the Australian Immigration System.

RACS Ambassador Zaki Haidari speaking at the Children, Migration and Right to Health Conference about his experiences seeking protection, as an unaccompanied child.



## CALLING FOR AN END TO TEMPORARY PROTECTION

Refugees who are only granted temporary visas are permanently separated from their families, often struggle to find work and live in constant uncertainty about their futures.

RACS was proud to stand alongside our Ambassador Zaki Haidari in Canberra where he spoke to politicians about the challenges he faces on a temporary protection visa. RACS spoke alongside fellow sector colleagues to promote the need for permanent protection for all people found to be refugees.

## LOBBYING GOVERNMENT AND SUBMISSIONS

RACS made 14 submissions to Parliament and representative bodies over the past financial year, advocating for policy that treats people with dignity and respect, including:

- Calling for the Medevac law to remain, due to the dire need for legitimate access to urgent medical care for people held in offshore detention.
- Commenting on areas of international human rights law where there are gaps in Australia, and on the most appropriate mechanisms for implementing change.
- Calling for urgent reforms to make the family law system safe for victims/survivors of domestic/family violence and to address some of the structural inequalities faced by women and girls seeking asylum.

## NOBODY LEFT BEHIND DURING COVID-19

Advocating for people during COVID-19 has been a particular focus for RACS this year, given the immediate ramifications it's had directly on men, women and children seeking asylum, and refugees on temporary visas.

RACS has continued to lobby, campaign and speak out.

- We joined fellow organisations in repeatedly calling for the release of people from immigration detention and the extension of COVID-19 financial support for all.
- We spoke to media about the increasing challenges for refugee and migrant women on temporary visas, who also face domestic and family violence.
- RACS Ambassador, Dorothy Hoddinott AO, joined fellow educators to call for support for 16,000 children seeking asylum and their families.

**“RACS works on the frontline, witnessing the challenges of people seeking asylum every day. We are in a unique position where we can highlight these challenges to advocate for better policy and practice, ensuring the voices of people seeking asylum are heard.”**



– Ben Lumsdaine, RACS Senior Supervising Solicitor





Dorothy Hoddinott, RACS Ambassador, speaks to the Today Show about the 16,000 children seeking asylum whose families have no access to JobSeeker or JobKeeper support.



Sarah Dale, RACS Centre Director and Principal Solicitor, talks to ABC News about the isolation facing refugee communities due to harsh Government policies.



Vicky Chen, RACS Volunteer and Operations Coordinator and Sarah Easy, RACS PLT, presenting to the Grandmothers For Refugees about the importance of legal support.



Sarah Dale, RACS Centre Director and Principal Solicitor, with Kerry Phelps as they speak at a Wentworth 4 Refugees event, prior to the Medevac repeal.



Hannah Gray, RACS Senior Solicitor, speaking at the 2019 Queer Displacements Conference, the first of its kind in Australia.



Delegation to Canberra including Zaki Haidari, RACS Ambassador, Sarah Dale, RACS Centre Director and Principal Solicitor, the Refugee Council of Australia, the Asylum Seeker Resource Centre and the Jesuit Refugee Service.

# HANI ABDILE: RACS' NEWEST AMBASSADOR

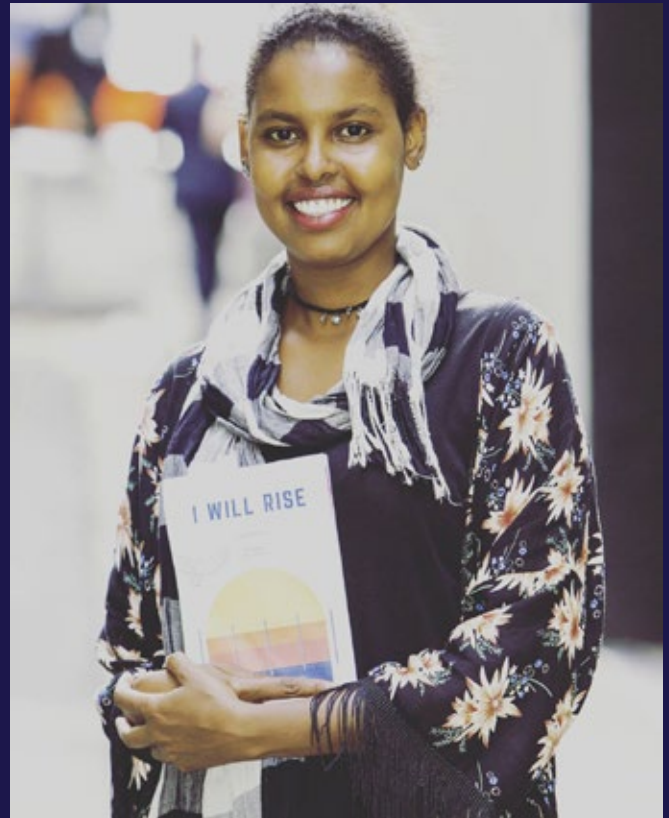
During Refugee Week 2020, we were pleased to announce Hani Abdile as a RACS Ambassador.

RACS has been proud to support Hani with legal assistance for many years. Despite the challenges of being on a temporary protection visa, her achievements continue to grow and grow.

Hani has learnt English, published her first book - a collection of 43 short poems, and started a degree in journalism. She has also received numerous awards for her community work.



“The world is full of hope, it’s full of obstacles and it’s full of great things. With kindness, we can all live in harmony.”



Hani Abdile with her published book of poems.

## HANI'S STORY

“My name is Hani and I’m from Somalia, a country which has faced decades of unrest. I had no choice but to leave.

The journey was long and I spent 8 days on a boat before making it to Christmas Island – the place I would learn to call home.

Life on Christmas Island was a mix of emotions. Sometimes it was great and I could forget the past, but other times it was a fence full of tears. It was challenging, but I had to keep going. The journey was rocky, but I didn’t feel like I was doing it alone.

Even in the darkest of times, I can look back on my time there and appreciate the people who looked out for me - especially RACS who fought for me and helped to guide me through the process of seeking protection in Australia.

Eventually, I was able to leave Christmas Island and come to Sydney, where I found home, family and friends.

As I am on a temporary protection visa, it’s really hard to plan the future.

I hope for the best and prepare for the worst - like a soldier. Many people on these visas will feel the same. You never know when the day will come when your visa might be taken away. But as Maya Angelou says ‘I still rise’. People will rise, it doesn’t matter what happens. There is always hope on the horizon.

My hope is in journalism. I can say with pride and a smile that my dream is coming true and I am studying my second year of journalism at university.

People often ask me how they can help refugees. My answer is to listen to what they have to say. People often want to hear the tragic parts of our stories, but it’s important to acknowledge the other parts of our lives too. RACS was a place that I was heard and supported to rise. That is why I am proud to be a RACS Ambassador.



## PRO BONO PARTNERSHIPS

We are proud to support thousands of people in need every year, but we could not do this important work without the incredible support from a number of Australian law firms, and the lawyers who work there.

RACS' legal team supervises the work of a number of pro bono lawyers, enabling them to assist some of the most vulnerable members of our communities. Lawyers are prepared for the complexity of immigration law through dedicated training, ensuring they are equipped to provide safe and professional support to people in need of protection.

Thank you to the pro bono lawyers from the following law firms who collectively provide up to 254 hours of legal work to RACS every week.

<b>Allens</b>	<b>Hicksons Lawyers</b>
<b>Baker McKenzie</b>	<b>King &amp; Wood Mallesons</b>
<b>Gilbert + Tobin</b>	<b>Lander &amp; Rogers</b>
<b>Hall &amp; Wilcox</b>	<b>Norton Rose Fulbright</b>
<b>Herbert Smith Freehills</b>	<b>Wotton + Kearney</b>

We are also grateful to the 120 barristers and the 9 other law firms who support our Judicial Review Program, ensuring people appealing their case at the Federal Circuit Court receive critical support, paramount to this stage of the process.

## MY PRO BONO JOURNEY



by Angela Tan, RACS Pro Bono Special Counsel, Wotton + Kearney



“It was the statement taking work I did with RACS back in 2015 that inspired me to step out of my usual practice and take on a dedicated pro bono role. Since then, it’s become a real passion of mine.

What really struck me as a commercial insurance lawyer was how transferable my skills were. I was really impressed from the start with the professionalism of RACS and the training and support they provide their lawyers. They were by my side the whole way. Five years later and I am still enjoying supporting RACS and its clients through the Judicial Review program.

There’s no doubt that doing this work has made me a more well-rounded lawyer and it’s made me a better person generally. I think more broadly and more deeply about issues in society. It’s a real privilege to work in this space, to see what I can offer to people more vulnerable than myself, and it’s really made me proud to be a lawyer.

This is easily some of the most personally rewarding and interesting work that I have done in my career.”

**RACS RECEIVED ALMOST  
11,500 HOURS OF PRO  
BONO LEGAL ASSISTANCE  
THIS FINANCIAL YEAR.**

“The work we undertake with RACS clients continues to emphasise the enormous legal and other needs of this client group and the extreme consequences for them if they cannot access support.”

– Michelle Hannon, Partner, Gilbert + Tobin



“Herbert Smith Freehills is proud to work with RACS on a legal clinic providing pro bono support to people seeking asylum in NSW who are eligible to apply for visas. Herbert Smith Freehills’ pro bono practice prioritises vulnerable groups such as people seeking asylum and the firm is committed to working with RACS to making a systemic change to the lives of these clients.”

– Stephen Somerville, Senior Associate – Pro Bono, Herbert Smith Freehills



“Allens welcomes the chance to work closely with RACS to support asylum seekers. Using our legal skills to ensure that those who seek refuge in Australia have adequate access to the legal system is a priority for our firm’s pro bono practice.”

– Nicky Friedman, Director of Community Engagement, Allens



## SOCIAL JUSTICE SECONDMENTS

We are incredibly grateful to Allens, Hall & Wilcox, King & Wood Mallesons and Norton Rose Fulbright who continue to show their commitment to people seeking protection by each providing a secondee lawyer or graduate to RACS, some for more than 6 months at a time.

Secondments to RACS enable solicitors in the early years of their careers to build their skills, knowledge and confidence, whilst providing valuable support to people forced to flee their home countries.

When COVID-19 took us away from our office and into working remotely in isolation, our secondees adjusted swiftly, ensuring that support and advice remained consistent for people at an otherwise very uncertain time.

We thank the following secondees who dedicated their time to RACS and the people we support in 2019-2020:

- Vidhya Karnamadakala from King & Wood Mallesons
- Caley Bawden from Norton Rose Fulbright
- Rhiannon Bell from King & Wood Mallesons
- Nicola Colagiuri from Allens
- Andrew Banks from Hall & Wilcox
- Brodie Purdon from Norton Rose Fulbright
- Ammy Singh from Allens

“Norton Rose Fulbright is deeply proud of and passionate about our pro bono partnership with RACS. Our pro bono secondments not only provide our junior lawyers with legal training run by a talented team at RACS, they are also exposed to a broad spectrum of cross-cultural and often confronting experiences that help shape them into more compassionate and resilient lawyers upon return to the firm. We are very grateful for the opportunities that RACS have given us and we hope to continue to grow our partnership into the future.”

– Gemma Livingston, National Pro Bono Coordinator (Special Counsel), Norton Rose Fulbright



**NORTON ROSE  
FULBRIGHT**

“I was very fortunate to spend 10 months at RACS on secondment, and to get experience across a number of projects, including Women at Risk, Clinic, and Outreach.

RACS’ diverse activities enabled me to develop a range of skills, in a practice area I would not have otherwise experienced. I learnt a huge amount about migration law and practice from RACS’ solicitors, who work exceptionally hard and show so much care for their clients.”

– Caley Bawden, seconded from Norton Rose Fulbright







“An incredibly useful and transferrable skill from my secondment was learning to work efficiently, discerningly and with a bit of imagination – particularly due to the high volume of cases and short timeframes. I also found that building trust and rapport with clients, and the vulnerability that comes with such client relationships, was both humbling and motivating.

Perhaps most importantly, I reflect on how lucky I was to work with a small team of incredible people who constantly shared their expertise, compassion and showed an unflagging work ethic to ensure that the rights of each and every client was upheld. Completing a RACS secondment was absolutely a highlight of both my professional and personal growth.”

- Vidhya Karnamadakala, seconded from King & Wood Mallesons

KING & WOOD  
MALLESONS  
金杜律师事务所

# THE NEXT GENERATION OF LAWYERS



RACS VOLUNTEERS  
PROVIDED OVER  
**9,000** HOURS OF  
CRITICAL SUPPORT  
IN THE 19/20 FY

Whilst we continue to advocate and defend the rights of those forced to flee, at RACS we also believe it's important to teach future lawyers to work in a human rights framework, ensuring that rights are preserved for all.

## EDUCATION

RACS works closely with universities providing training, expertise and knowledge to students studying law. Whilst COVID-19 has meant that we haven't been able to physically join the classroom, we have ensured that our classes have been able to continue virtually.

This year we provided education opportunities at:

- Macquarie University
- University of Technology Sydney
- Western Sydney University

We are grateful to our Major Supporter, **University of New South Wales**, who has provided free office accommodation to RACS for over half a decade, and whose students complete placements in RACS' Legal Student Volunteering Program.

We are also very appreciative for the support of various law societies who have chosen to support RACS with fundraising and awareness raising events.

**"UNSW Law recognizes the vital assistance RACS provides the refugee community and is proud to be both an ally and partner."**

– Andrew Lynch, UNSW Law Dean of Law





# VOLUNTEERING DURING A PANDEMIC



by Vicky Chen, Volunteer and Operations Coordinator

RACS provides law students the opportunity to build their skills and experience through legal volunteering, whilst providing much needed front-end support, via telephone or in an outreach environment. This financial year we accepted:

- **25 Practical Legal Trainees (PLTs):** Recent, or soon-to-be, law graduates who require 75 days of industry experience in order to gain admission as a lawyer.
- **100 Legal Student Volunteers:** Law students who gain invaluable insight and experience into working in a professional legal practice and career in social justice and human rights.
- **15+ student interns** from University of New South Wales, Macquarie University and the University of Technology Sydney.

As a result of COVID-19, RACS lost the support of over 25 legal student volunteers overnight. During the first two months of lock-down, the invaluable help that law students provide in conducting legal research, fielding client enquiries and relaying crucial legal advice, was felt most by our lawyers who experienced a sudden spike in their workloads.

Fortunately, with lock down measures easing, RACS was able to welcome back some of our PLTs and legal student volunteers. COVID-19 has demonstrated how important PLTs and volunteers are to providing a consistent and sustainable service to our clients.



**PRACTICAL LEGAL  
TRAINEES PROVIDED  
ALMOST 8,000 HOURS  
OF ONE ON ONE  
SUPPORT TO RACS  
LAWYERS AND THE  
PEOPLE THEY ASSIST**


From L-R, Vishal Karnamadakala - RACS Volunteer, Kelly Choo - RACS Volunteer, Shaheen Hoosen - RACS PLT and Amelia Parsonage - RACS Volunteer



# THE POWER OF COMMUNITY

We started the year with an incredible number of people joining events and holding fundraisers. Whilst many events have temporarily moved online, our community's support has not wavered. At a time of financial uncertainty, our donors stood with us and gave what they could. Community advocates continued to use their voices to call for change and community fundraisers young and old, walked and ran, and even called for donations to RACS in lieu of wedding gifts.

**We are so grateful to you, our loyal community, for being passionate about supporting a fairer world for all.**



Horrorshow and Shantan Wantan Ichiban at the Rock4Refugees concert organised by the One Day Crew, Sept 2019.

**“Keep doing the wonderful work that you do. So many refugees are in such desperate situations.”**

– Marion Gevers, RACS donor



RACS Speed Dating event, Feb 2020.



Roseville Uniting Church's Trivia Night, March 2020.



Launch of 'Children and Young People in Asylum & Refugee Processes, Towards Best Practice' with Julian Morrow and Prof Mary Crock, June 2020.



Against Our Oath film screening with Dr Graham Thom, Amnesty International Australia and Dr Helen Young, Nov 2019.



L-Fresh-The Lion, the Bindi Bosses, Mirrah Reflects and others at the Rock4Refugees concert organized by the One Day Crew, Sept 2019.



# THANK YOU TO OUR DEDICATED DONORS AND PARTNERS

**Because of you, thousands of people seeking asylum and refugees in desperate need of help, received crucial legal support.**

Thank you for your generous support, for standing with people who are forced to flee their home countries, and for working alongside us to build a kinder and more compassionate Australia.

## MAJOR PARTNER

University of New South Wales

## FUNDING PARTNERS

Australian Ethical Foundation	Legal Aid NSW
Albert and Barbara Tucker Foundation	Mutual Trust
Asylum Seekers Centre	Neilson Foundation
Australian Communities Foundation	PayPal Gives
Cari Foundation	Petersham RSL Club
City of Parramatta	Planet Wheeler
Club Ashfield	Sidney Myer Fund
Cumberland Council	Sydney Community Foundation
Dooleys Lidcomb Catholic Club	The Danks Trust
James N. Kirby Foundation	The Limb Family Foundation
Jesuit Refugee Service	The Myer Foundation
	The Scully Fund

## LAW FIRM PARTNERS

Allens	King & Wood Mallesons
Baker McKenzie	Lander & Rogers
Gilbert + Tobin	Norton Rose Fulbright
Hall & Wilcox	Wotton & Kearney
Herbert Smith Freehills	
Hicksons Lawyers	

## PRO BONO BARRISTERS

Anna Garsia	Natalie Campbell
Andrew White	Nathan Li
Alison Hammond	Nicholas Olson
Alistair Oakes	Nick Poynder
Chris Peadon	Paul Jammy
Christopher Parkin	Philip Boncardo
Conor Bannan	Rhea Thrift
Ingrid King	Robert Pietriche
Jason Donnelly	Ryan Kornhauser
Julian Brezniak	Stephen Tully
Julian Gormley	Terence Michael Ower
Kon Stellios	

## UNIVERSITY PARTNERS

Macquarie University	University of New South Wales
The University of Sydney	Western Sydney University
The University of Technology Sydney	

## PRO BONO SUPPORTERS

NSW Bar Association	PwC Australia
One Rise East	

## DONORS

Unfortunately we can't list you all individually, but we want to thank you for your incredible support and for putting your trust in us to do this important work. Thank you for making a difference to the lives of refugees and people seeking asylum.

## VOLUNTEERS

Thank you to our legal and non-legal volunteers who donate their time and skills to ensure people forced to flee their homes receive the support they need. You are all incredible and your dedication to RACS and the cause is very much appreciated.



**RACS IS A LIFELINE TO REFUGEES AND ASYLUM SEEKERS WHO DESERVE DIGNITY IN LIFE.**

– Vimala Colless, RACS Donor

# RACS MANAGEMENT COMMITTEE



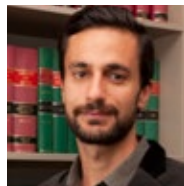
**Chris Yoo**  
President  
Partner, Genesis Capital,  
Managing Director, Purpose Investment  
Partners



**Susan Cowden**  
Committee Member  
Major Gifts Relationship Manager, Youth  
Off The Streets



**David Wiggans**  
Treasurer  
Chief Financial Officer & Company  
Secretary, 24-7 healthcare Pty Ltd



**Daniel Ghezlbash**  
Committee Member  
Associate Professor, Macquarie Law  
School,  
Founder and Director, Macquarie  
University Social Justice Clinic



**Lachlan Murdoch**  
Secretary  
Deputy Chief Executive Officer,  
STARTS



**Ruth Johnstone**  
Committee Member  
Membership Director NSW, Private  
Wealth Network,  
Senior Adviser, Wendy Brooks &  
Partners



**Frances Voon**  
Committee Member  
Executive Manager, Andrew and Renata  
Kaldor Centre for International Refugee  
Law

# THE RACS TEAM

## LEADERSHIP TEAM



**Sarah Dale**  
Centre Director &  
Principal Solicitor



**Ben Lumsdaine**  
Senior Supervising  
Solicitor



**Alison Ryan**  
Senior Supervising  
Solicitor



**Kerrith Sowden**  
Finance & General  
Operations Manager



**Shauna Wolifson**  
Fundraising  
Manager

## LEGAL TEAM



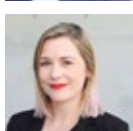
**Sharara Attai**  
Senior Solicitor



**Hannah Gray**  
Senior Solicitor



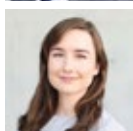
**Arif Hussein**  
Senior Solicitor



**Isobel McGarity**  
Senior Solicitor



**Mitchell Skipsey**  
Senior Solicitor



**Genevieve Howe**  
Solicitor



**Ahmad Sawan**  
Solicitor

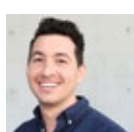
## SUPPORT STAFF



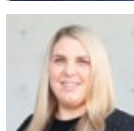
**Vicky Chen**  
Volunteer and  
Operations  
Coordinator



**Emma Davies**  
Senior Marketing &  
Communications  
Officer



**Gabriel Gutnik**  
IT Manager



**Amanda Hall**  
Clinic Coordinator

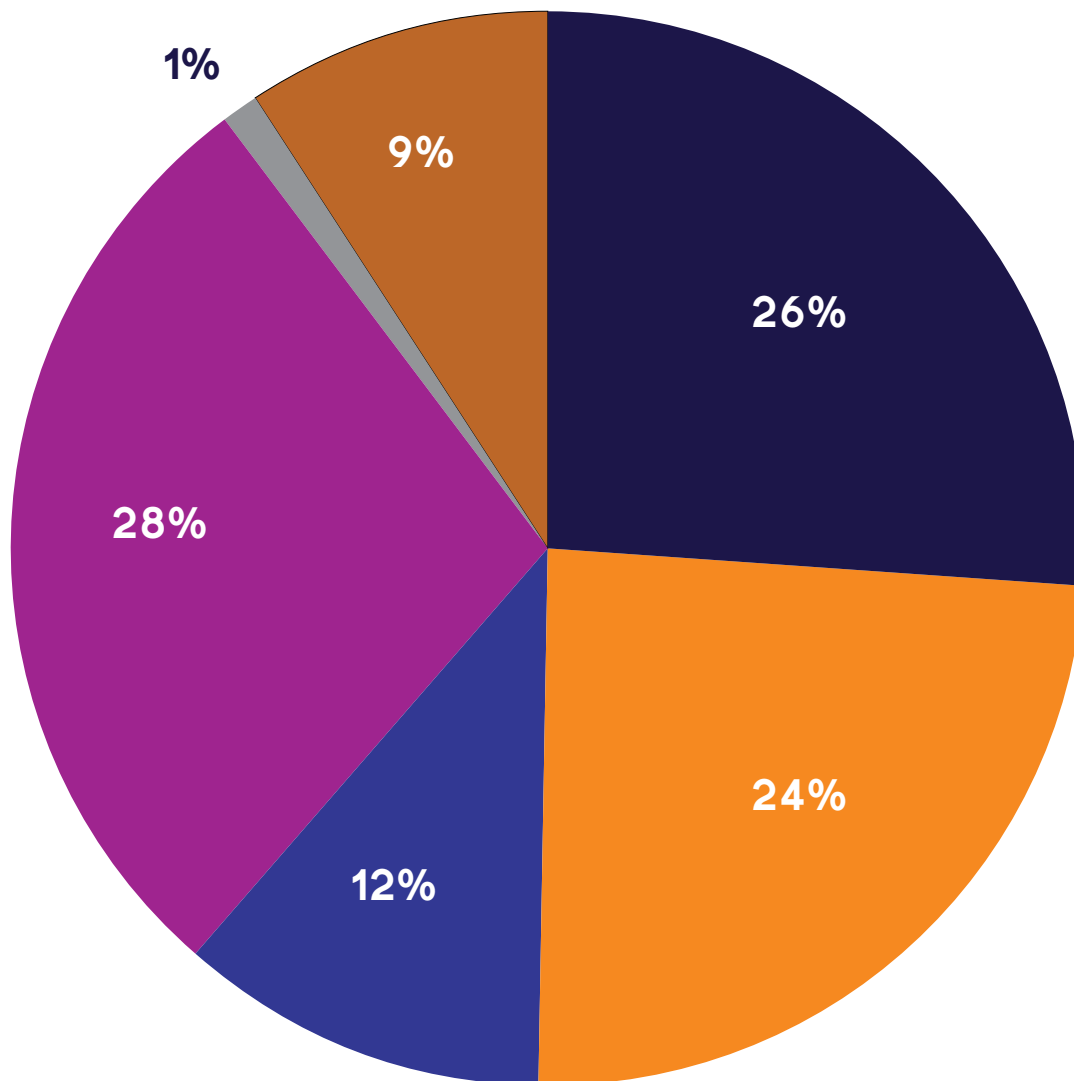


**Uma Ramaprasad**  
Accountant



## RACS FINANCIALS

RACS IS FUNDED BY THE COMMUNITY. 67% OF OUR FUNDING IS THROUGH THE GENEROSITY OF INDIVIDUALS AND PHILANTHROPIC SUPPORTERS.



### FY19/20 FUNDING STREAMS



For our complete financial statement for the year ending 30 June 2020, please visit [www.racs.org.au](http://www.racs.org.au) or visit [www.ACNC.gov.au](http://www.ACNC.gov.au)

# IT IS **LEGAL** TO SEEK ASYLUM

**RACS**  
REFUGEE ADVICE & CASEWORK SERVICE

**Refugee Advice & Casework Service (Aust) Inc.**

**Address:** 30 Botany St, Randwick NSW 2031

**Client Line:** (02) 8355 7227

**Reception Line:** (02) 8317 6500

**Fax:** (02) 8004 3348

**Website:** [www.racs.org.au](http://www.racs.org.au)