

Media Release – 5 February 2019

Refugee Advice and Casework Service concerned by allegations of Australian Border Force Officers preventing young Saudi women from making claims for protection

On Monday 4 February Four Corners claimed it had evidence of at least two young Saudi women who had arrived at Sydney Airport in the past two years but were turned back after making their asylum claims clear to Australian officials.

Refugee Advice and Casework Service (RACS) is troubled by these allegations, which could see people seeking safety sent back to danger without receiving access to a fair and just decision-making process or legal advice.

“It is concerning to hear yet another example of the rights of people seeking asylum not being protected and upheld” says Sarah Dale, Principal Solicitor at RACS.

As per The 1951 Refugee Convention, Australia has a legal obligation to allow all people with fears of persecution to seek asylum and ensure they are not returned to harm if found to be refugees.

The act of preventing someone from making an application for protection in Australia is not a new process. It was previously known as ‘screening out’ or ‘enhanced screening’ and was implemented by the Government in 2012-2013 for those who arrived in Australia by boat. It was also widely condemned as a breach of law and the rights of those seeking asylum.

“Enhanced screening affected many people, predominantly from Sri Lanka and Vietnam who were prevented from making an application for protection and immediately returned to their country of origin, shortly after arriving in Australia ” says Sarah.

Concerns around ‘enhanced screening’ include the brevity of interviews to adequately address protection claims, the potential for people to be unaware that they have a right to legal advice and the potential for people not to be able to express their need for protection in this manner, especially after recently fleeing traumatic circumstances.

“It is concerning to see this system now also being applied to those who have arrived by plane.

“Irrespective of how you arrived in Australia, if you hold such fears of persecution, you have the right to make an application for protection in Australia. Irrespective of how you arrive in Australia you have the right to seek asylum” says Sarah.

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