

# Australia: Biloela residents continue fight to free Tamil refugee family

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For more than two years, people in the rural Queensland town of Biloela have mounted a national campaign—“Home to Bilo”—for the freedom of a Tamil refugee family. Despite a partial legal victory last month, Nadesalingam (Nades) and Kokilapathmapriya (Priya) remain imprisoned, with their two daughters Kopika, 4, and Tharunicaa, 2, on Christmas Island, a remote Australian outpost in the Indian Ocean.

On March 5, 2018 they were snatched out of their home in Biloela in the early hours of the morning by the Australian Federal Police (AFP) and the security firm Serco. Last September, after being detained for 18 months, they were transferred to Christmas Island when a last-minute injunction from their lawyers prevented their immediate deportation back to Sri Lanka.

Biloela is a town of around 6,000 people on the southern edge of the Bowen Basin in Queensland, a large coal-mining region. The campaign waged by the town’s residents has won support across the country and around the world. An online petition for the family’s freedom has nearly reached 300,000 signatures.

One of the leaders of the campaign, Angela Fredericks, spoke to the WSWS after the Federal Court ruled that Tharunicaa, the youngest daughter, was denied procedural fairness last year when then Immigration Minister David Coleman refused to allow her to apply for a visa. The court also ordered the government to pay \$206,000 in legal costs.

While this ruling has not removed the threat of deportation looming over the family’s head, it will enable them, and the “Home to Bilo” campaign, to continue fighting for their freedom.

WSWS: It has been more than a year since our last discussion. Could you give us an update on the campaign?

Angela Fredericks: Within the last year the most stressful moment was in August, when we received a phone call from Priya saying the guards had surrounded

her, separated her from her kids and were deporting them. It was a heart-wrenching evening. Priya had her phone on, so we could still be with her, and that footage showed how a deportation is carried out.

Mercifully, our amazing lawyers managed to get an injunction in place while they were already in the air, which saw them stop at Darwin and taken off the plane. They were then sent to Christmas Island.

There have been three prongs to this campaign from the get-go. There is the legal arm. We have had to continue crowd funding for the lawyers to do their work. The second prong is the public campaign—we are continuing to put pressure on the ministers to use their ministerial discretion to grant the family a visa.

The third prong, which is one of the most important, is sustaining the family. Since they have been on Christmas Island it has been a lot more difficult to do that because we now only have the phone. We can’t do video calls because the internet over there is subpar.

WSWS: What are the conditions like on Christmas Island?

AF: The family has been put in the Phosphate Hill detention site. This is not the site that [Prime Minister] Scott Morrison, prior to the 2019 election, gave a [televised] tour of, showing all the upgrades. They are in a demountable village that is in a stage of disrepair. When they got there it hadn’t been used. It was incredibly dusty and dirty.

They have had to move rooms four times, due to toilets and floorboards breaking, including an incident where Priya fell through the floorboards. When they first arrived they had bunk beds, with Nades and Kopika on the top bunk and Priya and Tharunicaa in the bottom bunk.

It is very basic and not child-friendly. They have a playground, but it is unsafe and roped off. The bedrooms all just open out onto the outdoors. The family has been given two rooms to use, however, due to safety, they all

sleep in one room. No parent wants to sleep somewhere where their two-year-old can just walk outside. So, they are all currently sleeping together in one queen bed, which is quite ridiculous.

The conditions improved through advocacy from their lawyers. Kopika started school this year and they can book the recreation centre twice a week. With no other children there, they could use the cubby house and toys. Mercifully, they did let the girls start swimming lessons, once a fortnight per child.

WSWS: What was it like for the family when the Australian government held 200 evacuees in 14-day COVID-19 quarantine on the island?

AF: All the people being quarantined were in the main detention site, on a separate base. However, the guards would go between the facilities. All the food came out of the facilities housing those in quarantine.

All the Serco guards and staff come over from the mainland, the majority from Sydney. The staff are classed as essential so they don't have to complete the 14-day quarantine. They have no protective gear on, so there is a great deal of stress.

WSWS: In regard to COVID-19, what did you think of the use of emergency powers to ban a refugee protest in Melbourne?

AF: I think we always have to be wary, in crisis times, of governments tightening rules and taking away rights. In that case, all the people who participated were adhering to the rules. They were conducting a safe protest.

It was a violation of the right to protest. What is frustrating is that the unions were allowed to hold a similar-style protest just the day before, with no fines being given. We are saying one lot of humans are allowed to protest, but another lot of humans are not.

I think it has been made very clear that the government does not like us looking into the asylum process. They want to deter people; they want people to give up.

WSWS: Could you describe what the Federal Court ruling was like for those in the campaign?

AF: We found out, on a Tuesday evening, that the ruling would be handed down on the Friday. For lots of us there was a real sick feeling about that. We have had such bad experiences before about these rulings occurring on a Friday, as it goes straight into the weekend.

However, even in talking with Priya I had a good feeling. She always keeps so hopeful, saying no, it is going to be a good response. When the court dismissed the first ground [of appeal], that made us feel the ruling was going to be negative, but the court granted us the

second ground.

The judge ruled that procedural fairness had not been afforded—that the family and the lawyers were never told their case was being looked at and were never given a chance to put in information.

From the very start of this case we watched a very flawed system, starting with the fast-track system for Priya and Nades. We saw the failure of how those assessments were handed down and how no new information can be presented. This judgement meant that a court actually agreed there has been no fairness in their case. It also meant no immediate deportation.

WSWS: Why do you think asylum seekers are targeted in Australia and internationally?

AF: This goes back to the nature of fear. The fear of change, the fear of people who are different. We have seen it time and time again in Australian history—there is a race that we target. You can go back to the White Australia policy. There were the Chinese, then the Greeks and Vietnamese. There is always a group chosen to target. Now it is the Sri Lankans and Indians.

Governments want to keep their power, and fear often drives people to think in terms of needing that protection. That is exactly why we have put such a human face on Priya and Nades. It is trying to show people that they are no different to us. We are all humans. They are just other people and there is nothing to fear.

Every refugee is a person with a story. We easily use blanket statements for this group of extremely vulnerable people. But it always comes back to the question: What causes people to be displaced? For example, we are currently going through COVID-19, which is very likely to cause more displaced people.



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