

The Small Woes of Settlement by Katie Fraser

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When I first started working with African clients six months ago at a Community Legal Centre in Melbourne's western suburbs, I had a slightly sensationalized idea of what I might expect. Disaffected youths picked up for loitering, concealed weapons, and drug possession? Crimes involving gang violence and assault? I suppose I was expecting the kinds of crimes that people parrot about on talk radio. The kinds of crimes that make people nervous when they walk past a group of African "youths" at the station, at the mall or on the street.

Footscray is one of Melbourne's melting pots. It has seen waves of immigrants, from the Vietnamese, to the Chinese, to the Africans. Walking down Nicholson Street, I am often the only white woman, sometimes the only woman not wearing a hijab. Many of the people on the street live further out west, but come to Footscray to socialize and patronize the cut-rate grocery stores, the prices of which are absurdly low. It's like shopping in 1996.

The Footscray Community Legal Centre is just off Footscray's main drag. It is nestled in between other agencies that provide housing and social services. In the nineties it ran a special legal service for new arrivals from Vietnam, and we still have many Vietnamese clients. We also have many clients who are connected with the local mental health hospital and detox clinic.

We've also seen increasing numbers of African clients in the last few years. Many African clients came to us when they were in fairly deep trouble—after they'd been arrested for non-payment of fines, or the day before a court date. We wanted to reach people earlier in the evolution of their legal problem, when it would be easier to solve. We set out to get more African clients so we could get a sense of what the recurring problems were in the community. So we hired two African interpreters to work with us, we put up gaudy yellow posters in all the local African cafes, we opened our doors, and we waited.

My expectations of the kinds of legal issues we might see—crimes of violence, drugs, and conflicts with police—were confounded on the first day. From the start, the bulk of our cases have involved misunderstandings of the way Australian systems work.

To take a simple example, dozens of the cases I've dealt with over the last six months have involved a car accident where our client was uninsured. Insurance is a foreign concept to many new arrivals. The idea of paying a small amount of money to offset the risk that you might have to pay a large amount of money, is economically sophisticated. It's not a system that would

occur to anyone instantaneously, without explanation. Many people also labour under the misapprehension that insurance is very expensive, so they don't purchase third party property damage insurance. When they have an accident, they can be crippled with massive debts. Some clients, eager to do the right thing, have taken out personal loans to pay off the amount they owe, and keep paying for years.

Some of the driving cases I've seen at the Centre have arisen from illegal behaviour—driving while unlicensed. In some ways, this is a crime that's linked to the cost of property and the way our cities are laid out. New arrivals tend to settle in the outskirts of cities, where there is less infrastructure and less public transport. They are also under pressure from Centrelink to get jobs, many of which involve shift work. Some clients have told me they thought that “L” stood for “Licence”, but most of the time clients have acknowledged that they knew that driving without a license was wrong. Clients have explained that they needed to get from Hoppers Crossing to Laverton at 6am to start a shift in a factory, and there was no public transport. Or that they had to pick children up from school, a fifteen minute drive from home.

Many of the clients I have worked with have legal problems arising from an admirable, but oft-misplaced, trust in their friends. In Sudan, there are no banks. If you have extra money and want to save it for a rainy day, you lend it to a friend. Then when you need money, you borrow it back from your friend. But things go wrong when personal relationships like this overlap with legal issues. For example, I have several clients who have borrowed money from or co-signed a loan with a friend. One client felt she owed her friend a favour and lent him her new car for a few months. Unfortunately, her friend incurred thousands of dollars worth of fines—for running red lights and travelling on Citylink without an ETag. But the owner of the car is left to foot the bill. She is struggling to pay off thousands of dollars in fines that she did not incur. And she feels that she can't nominate the driver because of their ongoing financial entanglements.

I have also assisted many clients with legal problems that have arisen from their inability to understand the information government agencies—such as Vic Roads, Civic Compliance, and Centrelink—have given them. The lack of written information in new languages, and the lack of availability of interpreters in new languages (particularly Sudanese languages like Dinka and Nuer) is part of the problem. The unwillingness or inability of agencies to explain complex rules in simple terms is another. And the under-resourcing of settlement agencies that can facilitate understanding of these unfamiliar systems, is a third.

Reading the papers and watching the news in recent weeks, the focus on the serious crimes of young African people has seemed almost comically overblown. Misreporting is in part to blame. In October, some young African men assaulted a police officer in Footscray. This was widely reported in our local media, and levels of fear and mutual mistrust crept upwards. Two days later, a local police officer told me that two other police were assaulted in the area on the same

weekend. Being a police officer is evidently a risky proposition. The other two police suffered at the hands of Anglo-Australian young people. I couldn't find any reports on those assaults; they represent run-of-the-mill, uninteresting violence.

Of course, we're in part to blame for what's in the papers, because newspapers give us what sells. We like to read morality tales, in which there are good guys and bad guys. And it's so much more aesthetically logical if the good guys are white and the bad guys are black.

But this masks the truth of the matter, which is that African-Australians, like other refugees and those born in Australia, desire stability, value family and education, try to build good neighbourhoods, and want to contribute to democratically harmonious communities. In this, very little separates them from us. We know from experience just how difficult it can be to achieve these goals in practice. And trying to build a better life is much more of a battle if you are still struggling to come to terms with the shocks and scars of the recent past.

Australia has one of the highest official refugee intakes in the world. We accept those who are in genuine need, many of whom have been waiting for resettlement for years. Refugees may have faced loss of their homes and all their worldly possessions, torture and violence, separation from family, and years of scraping by in overcrowded refugee camps. Settling these people in Australia undoubtedly presents our community with challenges. We are capable of addressing these challenges, with sufficient resources of goodwill and understanding. We've done it before, with Vietnamese, Bosnian, Serbian, and Cambodian refugees.

Of course, that's not to say that settling refugees is easy. The hard work for us begins at the immigration desks of our airports. The hard work for refugees began long before their planes touched down. That said, the problems new arrivals from Africa face are mostly familiar, day-to-day, and comparatively minor. The solutions—community education, settlement support, tolerance, and patience—are within our reach. And the benefits—for them and for us—are immeasurable.

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