

COLLATERAL DAMAGE

The impact of Australian asylum seeker policy on Christmas Islanders (2001-2011)

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Abstract

Since the *Tampa* incident in 2001, Christmas Island has been a central site where Australia's border protection and asylum seeker policies are visible. This article takes four key events over a ten year period to track the impact on Christmas Islanders and on the Islanders' changing attitudes towards asylum seekers, detention and federal government policies. The views of Christmas Islanders are not often heard in public discourse about detention on the island. This article seeks to provide a platform for a snapshot of views and to call for a greater role for Islanders in decisions that profoundly affect their lives.

Keywords

Christmas Island, asylum seekers, community attitudes, critical events

Introduction

Australia's policies of immigration detention, excision, the (so-called) 'Pacific Solution' and most recently, the unsuccessful attempts at a 'Malaysia Solution' and 'Nauru and Manus solutions', have been of concern to human rights bodies and refugee advocates for many years. Important work has been done outlining the detrimental impact on asylum seekers, the erosion of human rights and the undermining of core protections contained in the United Nations' 'Convention Relating to the Status of Refugees' (1951). However, to date, little has been published about the impact of these policies on Christmas Island, a major immigration detention site, and its residents. Indeed, it was concern for the rights and welfare of asylum seekers that took us to Christmas Island (Dimasi as a resident who also conducted doctoral research on the island from 2008 to

2011, Briskman and Fiske as visitors and researchers from 2008 to 2010). We remain primarily concerned with asylum seeker rights but have observed significant changes to the Island over the years that we have been visiting. As we have become more familiar with Christmas Island and its residents we have begun to also focus on the question of their rights as asylum seeker detention escalated. Christmas Island residents were not consulted about the decision to construct a major detention centre on the island. From the initial advice in March 2002 that the centre would be built there have been a range of opinions within the community about asylum seekers, immigration detention and the federal government presence on Christmas Island. These views have changed with key policy developments and events during the past ten years.

This article draws on some primary data gathered through interviews with Christmas Islanders and through ethnographic fieldwork on the island. It is neither possible, nor helpful to speak of the 'Christmas Islander view' as the community is diverse and dynamic. The research is ongoing (for example see Dimasi and Briskman, 2010) and the views presented in this article reflect perspectives that provide some insight into how community sentiments can change in response to key events and experiences. We interviewed and spoke with people who have some direct contact with asylum seekers, as well as those who have no direct contact, but who are nonetheless affected by the presence of the detention industry on the Island.

In this article we first give a brief overview of Christmas Island, of Australia's asylum seeker policy framework (particularly as it pertains to Christmas Island) and then use four asylum seeker events to track the impact on Christmas Islanders and changing attitudes of Islanders over a ten-year period. The events are: the *Tampa* incident and excision in 2001; the opening of the maximum security Northwest Point Immigration Detention Centre (IDC) in 2008; a fatal boat crash in December 2010; and riots in March 2011. Although there have been further events since March 2011, they are beyond the scope of the current research and will be investigated in future projects.

Christmas Island

Christmas Island is an Indian Ocean Territory of Australia located 2,600km northwest of the mainland city of Perth and 350km south of Jakarta. Christmas Island has around 1,200 permanent residents. Approximately 70% are ethnic Chinese, 10% ethnic Malay and 20% Anglo-Australian. While English is the official language on Christmas Island, most public notices are issued in English, Chinese and Malay. Most Chinese and Malay Christmas Islanders are descendants of earlier indentured labourers brought from Singapore and Malaysia to work in the phosphate mining industry. From 1968 to 1981 workers were on three year temporary contract visas, working for considerably lower wages than their mainland Australian counterparts, and were excluded from most rights and protections afforded to Australian workers, including Australian citizenship. Those who agitated for better conditions and rights were at risk of being expelled back to their countries of origin. The Union of Christmas Island Workers (UCIW) is held in high esteem on the island for its long fight for equal rights, wage parity and citizenship for all island workers. The union continues to play a major role on Christmas Island, representing many Islanders who are employed in the phosphate mine, public administration and at the detention centre.

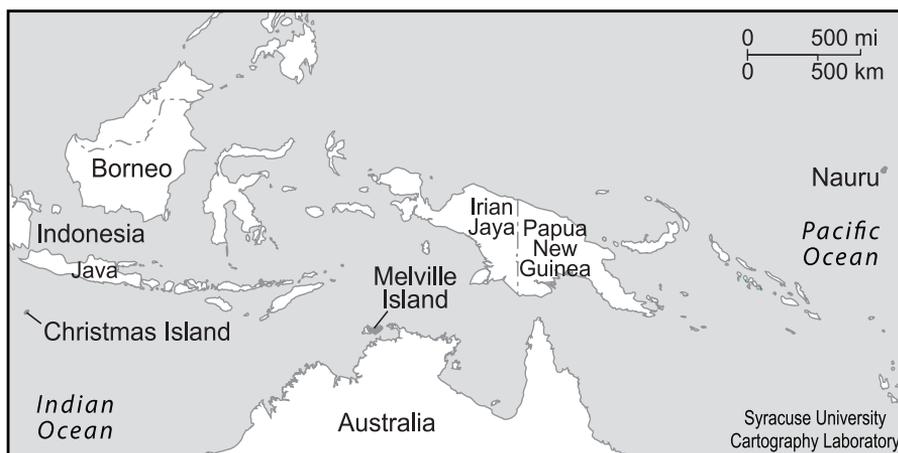


Figure 3: Christmas Island and area north of Australia

Christmas Island's economy has been reliant on phosphate mining. Although there remain considerable reserves of phosphate, much of these reserves are within national parkland (which covers 60% of the island) and cannot be exploited unless the federal government issues new leases. This means that the island's principle source of income is nearing an end. Islanders have tried several innovations to diversify the economy over the years including building a casino aimed at South East Asian gamblers (capitalising on its tax-free status), partnering with the Asia Pacific Space Centre to build a commercial satellite launch facility, and putting considerable efforts into developing and promoting a tourism industry (the island offers unique fishing, diving and bird watching opportunities). The casino failed in 1998 after the Asian Financial Crisis and the Australian government's refusal to reissue a casino license while the space launch facility did not eventuate. Christmas Island's potential as a tourist destination is perhaps more viable than other ventures, but distance and cost have ensured that the industry remains small. Hosting a detention centre was seen by many locals as a way to improve the local economy on island.

Asylum Seeker Policy Framework 1992 – 2001

Like most Western nations that are signatory to the United Nations' 'Convention Relating to the Status of Refugees' (commonly known as 'The Refugees Convention'), asylum-seeking in Australia is a 'hot' political issue, triggering strong opinions both in support of and against asylum seekers, and one which can be decisive in determining which political party will win government at election time. Over the past 20 years successive Australian governments have taken increasingly regressive steps to deter asylum seekers. Mandatory detention for all unauthorised arrivals (those without a valid travel document and visa) was introduced in legislation by a Labor government in 1992. This failed to deter 'boatpeople' and, following a sharp increase in arrivals from an average of 312 people per year between 1989 and 1998 to 3,721 people in 1999 (Phillips and Spinks, 2010), the then Liberal government introduced Temporary Protection Visas (TPVs) in September 1999. TPVs limited the rights of asylum seekers in

many ways, most significantly by prohibiting family reunion. This effectively ensured that families had no opportunity for lawful reunion under the TPV scheme, and resulted in a sharp increase in the rate of women and children making the dangerous journey by boat in order to reunite with husbands and fathers who had come earlier. The 2001 'SIEV X'¹ tragedy in which 353 people (142 of them women and 146 children) drowned while attempting to reach Australia brought the human cost of the TPV regime into sharp relief.

With both detention and TPVs failing to operate as deterrents and with increasing pressure on immigration facilities including frequent acts of self-harm, attempted suicides and hunger strikes, the government desperately needed another deterrent. The opportunity to introduce more restrictive policy measures arose with the *Tampa* event in August 2001. The event also changed the lives of Christmas Islanders significantly as this remote island became a central site in asylum seeker detention policy.

Tampa

In August 2001 the *MV Tampa*, a Norwegian commercial cargo ship en route from Fremantle (Western Australia) to Singapore, responded to a call from Australian Search and Rescue (AuSAR) to attend to an asylum seeker boat that was sinking in international waters. The International Convention for the Safety of Life at Sea obliges the nearest vessel to respond to an emergency distress call. As the closest vessel, the *MV Tampa* diverted its course and picked up 433 asylum seekers. It then turned around and headed for Christmas Island to disembark its passengers. The Australian government, not wanting to trigger obligations under the Refugees Convention, and seizing the opportunity to demonstrate its sovereign capacity to determine entry to its territory, refused permission for the *Tampa* to enter Australian waters. After a tense standoff lasting several days, the *Tampa's* captain (Arne Rinnan) declared that the situation was now a medical emergency. Several asylum seekers on board needed medical assistance and food and water supplies were depleted. Rinnan defied Australia's refusal and steered the *Tampa* into Australian waters. The government responded by deploying Special Air Service (SAS) troops to board and seize control of the *Tampa*. Then Prime Minister, John Howard called an emergency sitting of parliament and rushed through the 'Migration Amendment (Excision from Migration Zone) Act 2001' that declared Christmas Island, Ashmore Reef and the Cartier Islands to be outside the Australian migration zone. The Act was made retrospective and began the policy known as 'excision', which continues, along with mandatory immigration detention, to form the basis of Australia's asylum seeker strategy. Any person arriving in an excised zone is prevented from making any visa application to Australia. Under the current government, the Immigration Minister uses his executive discretionary powers on a case-by-case basis to enable asylum seekers to apply for protection visas. While this currently results in a practise similar to the refugee status determination process for 'on-shore' asylum seekers, seeking asylum from an excised zone remains a matter of ministerial discretion rather than a legal right.

Asylum seekers on the *Tampa* were transferred to an Australian military ship and taken to Nauru, a tiny and bankrupt island in the Pacific Ocean, 4000 kilometres north east of Sydney and 42 kilometres south of the Equator. A detention centre was hastily erected and Nauru was paid handsomely for its assistance to Australia (Kazimierz et al, 2007). Until 2008 all subsequent boats intercepted as they entered Australian waters were

pushed back out to international waters if they were deemed seaworthy and, if unseaworthy, the passengers were taken onboard and transported to Nauru or Manus Island in Papua New Guinea. This became known as the 'Pacific Solution'.

Until the time of *Tampa*, asylum seekers on Christmas Island were generally welcomed and supported by the community. Over the years, several asylum boats had transited through Christmas Island, sometimes sailing directly into Flying Fish Cove. Asylum seekers would be brought ashore and the local sports hall would be quickly converted into temporary accommodation for the newcomers. Locals were closely involved in a range of roles with asylum seekers including taking basic details (such as name, country of origin and language spoken), cooking and serving food, organising volleyball matches, taking Muslim asylum seekers to the island's small mosque, finding clothing for those who needed them and talking with people who wanted company. Asylum seekers rarely stayed long; they were soon transferred off the island to detention centres on the mainland or elsewhere. The militarised response to the *Tampa* came as a shock to Islanders and marked a turning point in locals' views on asylum seeking and detention as asylum seeker policy increasingly affected their island community.

During the *Tampa* affair Christmas Island was transformed into a militarised zone as the Howard government sought an 'emergency response' to keep out those on board the *Tampa*, a situation that was well captured by Marr and Wilkinson:

The Island transformed into an armed camp. The army's Hercules transports brought medical and food supplies, ocean-going inflatable zodiacs, an Iroquois helicopter (in pieces) and 120 SAS soldiers to the island. (2003: 117).

The military cordoned off areas of the island, such as the local port, prohibiting all non-authorised people from entering certain zones. The sudden military presence (and associated media) was a shock to the usually relaxed and informal community. Many locals felt affronted by the assertive new presence and were angry about not being able to use areas of the island. They were not consulted about the incursion on the island and were given little information about what was going on. The majority Malay and Chinese locals felt un-nerved when they heard the island was to be excised. A media release from the 'Community of Christmas Island' three days after Prime Minister John Howard's announcement of his intention to excise the island from Australia's migration zone shows the anxiety that several Islanders felt and draws a link between past marginality and contemporary concerns.

There is an underlying sense of mistrust of Australian authorities. Most people try to forget the past and enjoy the Christmas Island life. We are proud to be part of the Australian nation. However at times like this the old mistrust and uncertainty about our status as Australians... Our minds turn on these current events. Anxiety floods the conscious mind. What is this government up to? What will this place become? (Community of Christmas Island, 2001: 2)

The majority view on the island at that time was generally sympathetic to asylum seekers. When the *Tampa* was 'steaming off', approximately 250 Christmas Island residents went to the Cove with banners saying 'Welcome' and 'Let Them Land'. For some, their sympathies were rooted in their own marginality and difference; for others it

was resentment and anger at the militarisation of the island and the disruption to their lives. One Islander of Chinese Malaysian origin said “We were refugees as well so we know enough. We know how they feel in their own country and when they risk their life to come over” (cited in Dimasi and Briskman, 2010: 212).

After eight days, the *Tampa* incident was concluded by the transfer of asylum seekers onto the *HMAS Manora* on September 3rd 2001. Once the asylum seekers were taken to Nauru, the military and associated personnel returned to the mainland and life on Christmas Island resumed as normal. In March 2002, the Islanders were informed by the federal government that an eight million dollar ‘processing facility’ would be built on the island. There was no consultation with the community. This processing facility did not eventuate as the government instead decided to build an Immigration Detention Centre instead. The detention centre was to be built at North West Point, a little used corner of the island far from the settlement, and modelled on a maximum-security prison. This is now the main detention centre on the Island. The eight million dollars set aside for the processing facility was instead used to build a recreation centre for Christmas Islanders. Some Islanders have said they see the recreation centre as a ‘pay off’ for the burden of the IDC. The detention centre was not finished prior to the change of government in 2007, though work progressed on its construction despite the very few numbers of asylum seekers arriving by boat after 2001. In 2002, 2003 and 2004 combined, a total of three boats arrived carrying a total of 69 people (Phillips and Spinks, 2010).

Escalation in detention on Christmas Island

When it came to power in November 2007, the Labor government quickly moved to abandon Temporary Protection Visas and the Pacific Solution, but retained excision. In July 2008, the Immigration Minister announced its ‘Key Immigration Detention Values’, which maintained that asylum seekers would be treated humanely but made clear the government’s commitment to mandatory detention, border protection and excision. Asylum seekers arriving in an excised offshore place would now be detained on Christmas Island where their claims would be assessed under a non-statutory refugee status assessment process.

Several sites of detention emerged on Christmas Island. The construction of Northwest Point IDC was completed in 2008. It is modelled on a United States’ ‘supermax’ (ie ‘super maximum secure’) prison, with advanced surveillance, isolatable compounds, multiple perimeter fences, electrified fences, laser sensors, a high security ‘Red Compound’ and other sophisticated technologies of surveillance and control. The IDC was built for 400 detainees, with a ‘surge capacity’ of 800 (by putting bunk beds in each room). The newly elected Labor government pledged that it would not use the centre, but due to increasing numbers transferred the first detainees there in late December 2008. The Northwest Point IDC is used to detain single male asylum seekers. Single male asylum seekers were also detained in Bravo Compound, a collection of dongas (small transportable buildings) surrounded by a high fence. Families, women and unaccompanied minors were held in ‘Construction Camp’, a collection of dongas surrounded by low fencing, which has very limited outdoor areas and no play areas for children. Charlie Compound, another collection of dongas surrounded by fencing, had a variety of uses, most recently to detain people who were to be transferred to Malaysia.

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Throughout multiple visits and extended stays on Christmas Island spanning several years, we observed significant changes on the island. We saw in particular how the detention industry became a dominant presence, in some ways eclipsing much of the local culture. Resentment of the presence of the detention facilities grew significantly. Wherever we went during our field visits – restaurants, shops, offices, or just strolling along the main road – Islanders were keen to voice their concerns about the changes to their island, including the impact of detention on food prices, security, infrastructure, the crab population and housing. In what has long been a close-knit, multicultural and inclusive community where ‘everyone knows everyone’, locals began expressing feelings of alienation, exclusion and fear. By the time we conducted our interviews in 2009, it was clear that many Islanders were extremely frustrated. A long-time resident and business owner Steve Watson is vocal about the impact of immigration detention on the island. He told us:

What it is, is that they (Islanders) don't know them (staff), they don't know who they are, they don't know who's living alongside them like they did before. These people don't have any communications with local life, they work 12 hours, they sleep, they go to work, they go to restaurants. There are 350 of them that live amongst us, not counting the police and others. They constantly change and they don't get service provision from their own companies to give them any respite on their day off. They don't get on the bus to take them on a tour...they just turn up to work, here's the money, eat, sleep and die...then they start drinking, many of those young people start drinking when they knock off at 8 o'clock or 7 o'clock in the morning, in the breezeways of their own accommodation.

What was originally intended to be a single detention centre housing 400 asylum seekers grew to be multiple detention sites housing up to 3,000 asylum seekers (Amnesty International Australia, 2011: 5). The growth in numbers meant a corresponding growth in fly-in/fly-out staff, including security personnel, immigration officers, interpreters, customs personnel, naval officers, Australian federal police officers, doctors, nurses, psychologists, Australian Red Cross staff, recreation volunteers, journalists, photographers, cleaners, maintenance personnel and even a few academics. Visits from various government and non-government monitoring organisations also took place from time to time including the Commonwealth Ombudsman, Australian Human Rights Commission and the United Nations High Commissioner for Refugees. The growth in workers associated with the detention regime on Christmas Island has meant that all available accommodation is fully booked, with many workers housed in dongas; and the restaurants and meeting places all became crowded. The social impact of a substantial increase in the community, almost all of whom are transient, could be seen and felt everywhere. Watson emphasises the resentment this has caused:

It's resentment against the way the government organisations have allowed a breakdown in the community, not morals but the community ways. You don't go into a small community and start building and changing the whole structure. The community has grown, people have been born here, you can't come in, or you shouldn't be able to come in and just destroy that. And basically that's what they're doing.

Watson also talked of the loss of trust in the community:

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you could take your wedding ring off and put your gold chain in the gazebo and go for a swim, and go home without thinking, then oops go back and put it on. That you couldn't even consider doing now. Locals they talk about locking their house now you know, people who have been here for 20 years and that's just disgraceful. It's got nothing to do with the community detainees.

Another long-term Islander, Michael Asims, similarly spoke of how the Commonwealth's emphasis on the detention centre "has changed the social fabric". He saw it as different to when casino workers came to the island, as:

they became Islanders. A lot of them stayed for years, and many of them are still here. And they were family people. Now you have a lot of single people in the fabric of the community.

Like Watson, he talks of the differences between the Islanders and the fly-in staff, referring to them as 'cultural differences':

Firstly because they're not Islanders... They have this arrogant attitude, you know. These are backwater hillbillies, we're security people and you see a lot of that. You see a lot of that in the restaurants, in the public areas that you go. This was a very safe community. Right now, it's not very safe. For example, the government says the people in community detention have a curfew. That's not true, you can see groups of men walking around at 10 o'clock at night, people you don't know. They're probably not bad people, but we don't know that.

Azmi, a Malay Islander who lived in the Kampong, complained about the disruption and disrespect that the fly-in detention staff created:

I remember one incident at 12 o'clock at night when you had some bastard singing, nude jumping off jetty in the middle of the night; the whole bloody Kampong can hear it! ... So that's what they (detention staff) were doing and they were taking our boat trailers when we go fishing and just driving them around.

Shire President Gordon Thomson argues that "it's really important that people are welcomed, because instead of local people looking across the room at the stranger and scowling there needs to be an induction, a welcoming." Apart from some volunteering activity of Immigration staff, there have been minimal efforts to organise events where locals and the fly-in/fly-out staff could meet. *The Australian's* journalist, Paige Taylor, also noted the discontent of the fly-in detention staff created when she visited the island in November 2009:

It is not the asylum-seekers who seem to be causing annoyance: almost all are out of sight at the detention centre. It is their minders crowding the shops, the constant presence of unfamiliar faces, the rocketing rents, and the pressure on tourist flights and accommodation. (2009: online)

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The detention centres on Christmas Island certainly injected funds into the island community. By February 2010, the detention industry had displaced the phosphate mine as the largest employer on island (Commonwealth of Australia, 2010). Local Islanders are employed as security and recreation staff, as cleaners and as tradespeople, contracted in to provide services such as electrical repairs and other maintenance. The increased population on the island also means an increase in business for accommodation, restaurants, pubs and shops and has led to much needed investment in infrastructure. School Principal Al Thornton spoke of the high employment generated on the island:

I'm amazed at the number of people in the community working for DIAC [the Department of Immigration and Citizenship] and Serco [the company running the Detention facility]. But not just that, I look around and see the local electricians have employed a couple of extra people. One of the things that people keep forgetting here is that it's only times of boom that all the infrastructure on the island is replaced and repaired. All the other times everything just falls apart, and eventually nothing works.

But the increased economic activity also had the effect of pushing up prices, which, alongside the social changes, fuelled resentment among Christmas Islanders. The '\$10 lettuce' became the symbol of the rising cost of living on the island. Al Thornton criticised the argument that blames the Immigration authorities for the spike in food prices: "I don't blame Immigration Department, I blame the local traders who are ripping us all off". Watson, echoed this view, adding concern for those locals who aren't earning more money from the detention industry but who must pay higher prices due to the extra demand, "the people who are not in business who have to pay their own way, are lost. And again that's another fragment of the community that's had enough".

Sometimes the struggle to meet daily living expenses raises questions for locals about government provisions for asylum seekers and feeling 'left out' or 'left behind' as Islanders. Michael Asims told us:

I struggle to buy two tomatoes at the shop, yet the asylum seekers have a bag of 20. Now of course he's entitled to tomatoes, he's entitled to everything. He's a human being and needs to eat. I'm not anti-asylum seeker. But I get upset because I'd like some of that too thank you... And from being pro-asylum seeker I've now become not so much pro-asylum seeker.

Many of the anti-asylum seeker views that are found on the mainland can also be found on Christmas Island. Thomson spoke of:

the ugly politics on the mainland that is feeding into redneck radio... You know we've got people who ring up and talk about the one apple that went into the bin once, like it's an everyday occasion, that's cited as a reason why we're treating refugees too well.

Following media reports that asylum seekers in detention had MP3 players and even brand new sports shoes and sunglasses (Taylor, 2010), Thomson retorted:

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Well you should wear sunglasses, especially in the tropics, and you can't walk on hot roads in bare feet. So what shoes should they wear? They don't like to see their money, their taxpayers' money being spent on these things. 'It's my money, it's my money'. Well the roads they are driving on is MY money. The schools that their kids are going to is MY money. But I don't see it that way, and I think it's a perverse way of seeing the world.

Detention in remote sites creates and maintains a physical and emotional distance between asylum seekers and 'ordinary Australians'. Although there is limited contact between asylum seekers and Christmas Islanders, the emotional distance is harder to maintain and even strident anti-asylum seeker sentiment contains within it an ambivalence, sometimes out of the economic stimulation and sometimes from concern for asylum seeker welfare, although this is often restricted to children. Thomson told us that:

One of the rednecks whose philosophy is 'give me a machine gun and I'll solve your problems before they get here' stunned me the other day and came and asked me if the kids were being fed properly.

This ambivalence is in a constant state of flux, at times swinging toward sympathy and concern for asylum seekers and at other times swinging to hostility, suspicion and fear. This is illustrated by two further events: a fatal boat crash on Christmas Island in December 2010 and riots and a series of protests on the island in March and April 2011.

Christmas Island boat tragedy

In December 2010 it appeared that compassion trumped resentment. On December 15th an asylum seeker boat smashed into a rocky cliff face killing more than 50 men, women and children. The crash occurred right in front of the settlement and locals raced to the rocks trying to assist in the rescue with ropes and life jackets while the Australian Navy deployed small, agile high-speed boats to pluck survivors from the sea. Strong swells and inclement weather made both the Navy's and the locals' rescue efforts extremely difficult and Christmas Islanders wept in despair at the tragedy unfolding before their eyes. Islanders and Naval Officers rescued 42 people. On March 5th 2011 the Islanders organised a whole of community memorial service for those not rescued. The March edition of *The Islander* is filled with tributes and testimonies from survivors, Christmas Island community leaders, and Immigration Department staff. Survivors thanked their rescuers and those who helped them in the aftermath. Haidi, a survivor of the accident who lost his brother and sister-in-law and now cares for their child, was effusive in his gratitude to Christmas Islanders:

We'll never forget the kindness and help we got from the Christmas Island people. Everyone who is alive, they know they are owing Christmas Island people for their lives, for their life jackets, for their life. None of us would have survived if the people on the cliff had not given us the life jackets. Some people just heard that we were helped, but I saw it with my eyes. From their heart, they helped us, how much effort they put. I can't make a word sentence, this is too much to appreciate what you have done. We say special thanks for the memorial. Thank you for remembering those we

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lost and putting your heart next to ours, the sad moments we went through, what a great honour (2011: 8)

In two published letters from 22 survivors, the Department of Immigration is thanked, not only for the support and help of the staff, but for “shar(ing) in our sadness”. Serco security staff were also thanked for their tenderness and emotional care; “like family” and Naval and other rescue personnel were commended for their actions. (ibid)

One of the authors (Briskman) attended the Coroner’s Inquest in Perth in late July 2011 when four survivors gave gruelling accounts of the events of December 15th 2010. Although critical of the authorities, including the rescue attempts, the praise for the Islanders had not faded in the intervening months, as one survivor stated:

We owe our lives to the people of Christmas Island, not the Australian navy. The life jackets they threw us made us to survive. They were not thrown from the Navy boat – that came without life jackets. People from the houses – thanks to them – threw life jackets – they saved my life.

At the March memorial service, Brian Lacey, Administrator of Australian Indian Ocean Territories, declared that:

Christmas Island is a place where displaced persons, people made homeless by terrifying and horrific acts of inhumanity, can find safety and care... We are able to care for asylum seekers and refugees and we do our best to do just that.

Julie Graham, a witness to the event, summed up the community’s feelings “For all of us on that day, we were there to help. On that day there were no reffos, no queue jumpers, no clients, there were just people in need” (2011: 9). A highly visible tragedy quickly over-rode any ambivalence or fears among Christmas Islanders. During the boat crash and in the following months, shared trauma and care for people regardless of where they came from or how they came to be on the island became the dominant view. This changed dramatically following the protests and riots of March 2011.

Protests and riots

ON March 11th 2011 approximately 150 men escaped from the IDC, marking the beginning of a series of dramatic protests and riots over the next week. Serco soon lost control of the situation and the Australian Federal Police (AFP) were called in. Christmas Island residents were outraged as what they saw as the ‘last straw’ in the imposition on their island and were particularly concerned about their safety. To placate the Islanders and to reduce a recurrence of detainee protest, many asylum seekers were moved from the island to mainland detention centres, facilities that were growing in number.

Tensions in the IDC had been building over several months and previous negotiations between detainees, Serco and the Department of Immigration had yielded little. Earlier non-violent protests had also achieved insufficient changes (Hawke and Williams, 2011). Detainees were protesting about substantial overcrowding, paucity of information about the progress of their cases and the amount of time people were spending in detention. The Commonwealth Ombudsman issued a report in February 2011 which reflected very

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similar concerns (2011: 11) and which warned of the high risk of a violent protest due to the pressures resultant from detaining 2,000 more people than the facilities were designed for (ibid: 2). On the evening of March 10th 2011 (the night before the breakout) there were 1,841 people detained at Northwest Point IDC (Hawke and Williams 2011: 46). A private consultancy firm, Knowledge Consulting, was contracted by the Department of Immigration to assess and advise about immigration detention on Christmas Island due to concerns about its sustainability. This report was given to the Department in October 2010 and specifically warned that a violent protest was a high risk if detainee concerns were not meaningfully addressed (ibid: 44). Other warnings from the AFP and the Australian Human Rights Commission were also ignored (ibid).

Following the mass escape, additional AFP Officers were quickly deployed to Christmas Island, Serco was temporarily suspended from duty and the AFP took on responsibility for the security of the IDC. Detainees set fire to several of the tents in one of the overflow compounds of the detention centre and hurled stones at the AFP. The AFP fired tear gas and 'beanbag bullets' at the protesters. After seven days, calm was restored to the detention centre and several hundred asylum seekers were transferred off the island to detention centres on the mainland to ease the over-crowding in the Christmas Island detention centre. Briskman and Dimasi were on the island at the time of the protests and had the opportunity to speak with both escaped detainees and with local Islanders.

While visiting a tourist enterprise, a staff member told of how busy she was, but said: "I wish this was for tourists". At an island function, a detention employee said that, "most asylum seekers are liars and cheats and also want to bring Islam to Australia". In a conversation in a café, one woman expressed her sentiments with passion: "We don't like them... They are taking us over. They are queue-jumpers". At an Island store, one man loudly aired the concern he had about the safety of his daughter. At a nearby business establishment, the manager passionately advocated tougher policies in relation to asylum seekers "Howard's policies were best. This is not the Australian way – Australia for the Australians".

At the centre of the settlement area, where the two principal roads of the island meet, is a roundabout with blackboards for residents to write notices including birthday greetings, items for sale, social gatherings and restaurant specials. The March protests crystallised anti-asylum seeker sentiment in the community. The following words appeared on the blackboard within days:

What are you doing out there?

- *Arson*
- *Theft*
- *Tresspass (sic)*
- *Property damage*
- *Public disturbance*
- *Disrupting international flights*
- *Disobeying police*

Islanders' fears were clearly heightened after the escapes and fires. Some of the fear was a generalised 'fear of the other', but underlying it was also a fear of losing control of their island life. Thomson said that at a community meeting one woman raised the issue of:

these young men roaming the Island and their children, their daughters, were at risk, or potentially at risk, because they are unknown quantities, and the parents feel unhappy about this. They can't do anything about Serco and Immigration Department men wandering around, but we can oppress these refugees.

Thomson recounted an earlier incident that scared some Islanders:

There were a couple of West Papuans who got drunk on release before being sent off to the mainland with their visas... after being locked up for several weeks, or a couple of months. Who got drunk and wandered around the residential blocks, looking in windows and scaring the wits out of people. And I can understand that, you know, some small person, woman, might be afraid when a big black man comes to their door and scares them. Or to their windows, and is looking in.

Thomson is insightful in concluding that:

but that's the way I think about it at the moment, I think that all over the world through the ages there's been people who will welcome strangers and the majority who do not. Because it represents a disturbance to their lives, they're afraid it might affect their relationships with the world. And how people will live.

Ongoing lack of consultation

Although the Department of Immigration provides fortnightly written 'Community Updates' and holds monthly Community Reference Meetings, Islander concerns have been difficult to allay. Concerns focused on asylum seeker protests, the impact of the detention industry on island life and the lack of consultation and information sharing by the government over many years. Asims reflected on the *Tampa* and now. (During *Tampa*) "that was just a harsh policy. What the problem now is that they built a detention centre, with very little consultation, and we wore that".

Asims believes the lack of consultation stems from a lack of respect for the Islanders:

It has to do with respect. The government does not respect the community because they don't ask the community. They are very secretive about what they do. They are so secretive, that we are forced to speculate, and then they complain that we speculate. Well, if you don't tell the community what's going on, we will speculate, don't complain. You know, you have situations where, for example, during the refugee arrival, somebody will go down and take a photograph, for example. And security people and Immigration Department people will come up and almost demand that you stop taking pictures. You say to them 'Am I breaking the law?' They say 'No, I just want you to stop taking them'. Hell! If I'm not breaking the law, then you can't do that! So in your zealotry to protect the rights of asylum seekers, please do not stand in my way.

Briskman, Fiske and Dimasi: Collateral Damage/Christmas Island

They look at this community like hillbillies, 'we can tell them what to do'. Irrespective of what's legal or illegal. All this just builds into a crescendo, where pretty soon, I can tell you, this community is going to explode. I believe that. And it's a shame because the people that are the most local, like me, are pro-asylum seekers.

It's not just about the asylum seeker. It's about the policies of Immigration Department, the management, that people are upset about.

Asims also referred to the Immigration Department's community consultation meetings that he does not find helpful. He says he asks "why is it we get the minutes so long after the meeting". The answer was, "They are sent to Canberra for review":

Why? Canberra is not here? These are minutes that we've had. And by the way, I notice that not all the things we've discussed are on the minutes! So they're monitored, they're doctored, that is immoral, that is unethical! So the minutes are designed to reflect the very benign issues but not the really big issues that we discussed at the meeting. So you feel basically that it's a process, they have to tick a box, it's not really meaningful. So you feel like, you know, why do it?

Thomson suggests that:

if you're keeping the record, you're controlling the agenda. And I think that having the scrutiny of the community about what you're doing is a bit of pressure that they [the Immigration Department] are under. I think that they can be more open. They are sensitive to the publicity that surrounds the work they do, they are very careful about what they say and do publicly, and the minutes, it's just another example of Immigration Department trying to protect themselves.

Conclusion

Christmas Island is a small and culturally diverse community with close personal relationships. Its economic marginality puts it in a tenuous position and most Islanders accept that change is inevitable if the island (and their lifestyle) is to remain viable. Most Islanders are willing to accept some intrusion and change to secure their future but immigration detention has come at a cost that few anticipated. The size of the detention industry on Christmas Island grew well beyond the 400 beds initially agreed to and has meant a corresponding increase in the numbers of transient staff and pressures on the island's limited infrastructure. The rapid escalation of detention operations on the island resulted in profound social and political changes and many Islanders are now questioning whether the financial benefits outweigh the social and cultural costs. Islander concerns are generally subsumed within bigger national priorities and their voices are rarely heard in the debate. Efforts by the Department of Immigration to improve relations with locals are typically seen as tokenistic and have done little to allay people's fears that they are losing control over their idyllic island. The detention industry brings a highly securitised and bureaucratised presence. Uniformed police, customs, immigration, security, health and military personnel are not a 'natural fit' with the relaxed, personal and informal culture on Christmas Island. It is difficult to imagine how

the two cultures might be reconciled. It is equally difficult to imagine a significant scaling back of detention operations on the island in the near future. The rights of Christmas Islanders (to self-determination, freedom of movement, access to affordable housing, to preservation of culture) are impacted upon by the government's ongoing commitment to detention on Christmas Island.

What does our ethnography tell us? From a research perspective that advances debates on the formation of community attitudes, it demonstrates how views are influenced through proximity even when there is minimal contact with asylum seekers themselves. The changing attitudes over a ten year period demonstrate how public opinion vacillates and how increased empathy with asylum seekers can have a corresponding impact on attitudes. A great deal of fear and antagonism to asylum seekers results from either negative contact in times of crises or from having experience of asylum seekers mediated by government or media sources. There is an opportunity for both the government and supporters of asylum seekers to influence community opinions and to create a more welcoming environment for asylum seekers. This would be an important contribution to enabling an environment in which Australia's main political parties could review their commitment to mandatory immigration detention without fear of an electoral backlash.

For Islanders, the key issue underlying their concerns is the lack of trust by Islanders for information disseminated by government. Although the federal government has made efforts to improve relationships with the locals and to improve information availability for Islanders, frustration exists that being informed of developments is not the same as having some control over decisions that have a significant impact on Island life.

Endnotes:

¹ SIEV + Suspected Illegal Entry Vessel, a term used by border protection agencies to refer to unidentified boats entering Australian waters that are suspected to be carrying unauthorised immigrants.

² Online at: www.comlaw.gov.au/Details/C2004A00887 - accessed September 2012.

³ The lawfulness of the process used for processing claims made by asylum seekers arriving in excised zones has been brought into question by a successful challenge to the High Court of Australia in November 2010. The implications of this decision are still unfolding. For more see the decision 'M61 /2010E v Commonwealth of Australia; Plaintiff M69 of 2010 v Commonwealth of Australia [2010] HCA 41 (11 November 2010)', archived online at: www.austlii.edu.au/cgi-bin/sinodisp/au/cases/cth/HCA/2010/41.html?stem=0&synonyms=0&query=m61 - accessed September 2012; or for analysis and discussion see Stewart-Weeks, H (2010). However, in August 2012, the federal government was successful in passing legislation to take newly arriving asylum seekers to Nauru and Papua New Guinea. This followed the deliberations of an Expert Panel appointed by government to identify ways to prevent asylum seekers coming by boat. The full report of the Panel can be viewed at: expertpanelonasylumseekers.dpmc.gov.au/sites/default/files/report/expert_panel_on_a_sylum_seekers_full_report.pdf - accessed September 2012.

⁴ Archived online at: www.immi.gov.au/managing-australias-borders/detention/about/key-values.htm - accessed September 2012

⁵ The Department of Immigration has undergone several name changes over the period covered by this paper. For ease of reading we use Department of Immigration or Immigration Department throughout. Publications by the Department are referred to using the Department's proper name at that time, direct quotes from Islanders in which the Immigration Department is mentioned have been edited to Immigration Department for ease of reading.

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