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Between Liberation and Neglect:

“Community-based” Approaches and Neoliberalism in Policies for Asylum Seekers in Australia[1)]

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Introduction: Liberation as neglect?

In Australia, policies for immigrants, refugees and indigenous peoples came under political pressure to cut costs in the name of “efficiency” when the ideology of neoliberalism began to have a strong influence in the 1990s. This tendency has also influenced policies regarding asylum seekers, which have rapidly changed in Australia since 2000. Another important change occurred during the period of Labour governments that lasted from 2007 to 2013: the development of a “community-based” approach for detaining asylum seekers. This approach aimed to release more IMAs[2)] from detention facilities and allow them to stay in local communities until the evaluation of their visa application was completed. Many asylum seekers who were viewed as “low-risk” of escaping or committing crimes

were the targets of this approach (IIDA/JSCM, 2009; Koleth, 2012: 37–48). Refugee support organizations and human rights lobbies mostly welcomed the policy, and a few of the major support organizations for asylum seekers became a part of the policy implementation process.

However, as I argue in this article, the "community-based" approach was used not only to protect the human rights of asylum seekers but also to allow "effective" administration of asylum seekers in terms of cost-cutting. In this article, I will suggest that this approach can be recognized as a variation of the neoliberal "reformation" of migration and the refugee policies that have been promoted since the period of the Howard Coalition government, from 1996 to 2007 (Shiobara, 2010: 49–81, Roumeliotis and Paschalidis-Chilas, 2013: 83–93).

Many studies on the spatial situations of refugees and asylum seekers in contemporary society are influenced by Giorgio Agamben's concept of "bare life" (Agamben, 2003=2007) as it relates to their state of being "exceptions" (Agamben, 2003=2007). Aihwa Ong also referred to Agamben and suggested the existence of the political strategies of neoliberalism, the establishment of zones of "exception" from conventional legal regulations within the states, and the promotion of de-regulation and privatization, or "reformation" (Ong, 2006). A few previous studies on asylum seekers in Australia were inspired by Agamben's argument and introduced the perspectives of spatial and temporal reformation of neoliberalism into their analyses. For example, Jon Stratton explained the infamous asylum seekers policy of the Howard conservative government in the early 2000s as variations of the spatial management of legal exception that promoted economic efficiency in neoliberal states (Stratton, 2011: 131–149). Kristen Phillips also referred to Agamben and analyzed how public policies fragmented asylum seekers' families when they were used to protect women and children by including the detention facilities as the state of exception (Phillips, 2009). In her book published in 2004, Tessa Morris-Suzuki reported that the administration of detention facilities for asylum seekers in Australia was privatized by a group of global security corporations, which abused asylum seekers and violated the human rights

of detainees (Morris-Suzuki, 2004: 113–119). Morris-Suzuki recognized that this was a case of “social deepening of market mechanism”, a process that market mechanisms affect the realms of mentality, controlling bodies, education and social security, which have not been viewed as the product of market mechanisms; she argued that this process would emerge as the “wild zone”, a situation that the state uses its power to exert extra-legal measures over society (Morris-Suzuki, 2004: 13–24).

The previous studies that focused on the spatial characteristics of the asylum seekers’ policy in Australia criticize the situation of detention facilities within which asylum seekers were detained. Therefore, those studies assumed that it would be better to release asylum seekers from detention facilities as a spatial situation of exception into the “normal” situation of local communities to give them “liberation”. The previous studies, however, did not mention that releasing asylum seekers into communities could be another type of strategy of neoliberal spatial governmentality. In this article, I examine the change regarding the “community-based” approach for asylum seekers under the Labour government from November 2007 to September 2013 by documenting research and interviews, and I demonstrate the implication of change in terms of the logic of legitimization, from the protection of human rights to seeking neoliberal “efficiency”.

Overview of refugee and humanitarian policies in Australia

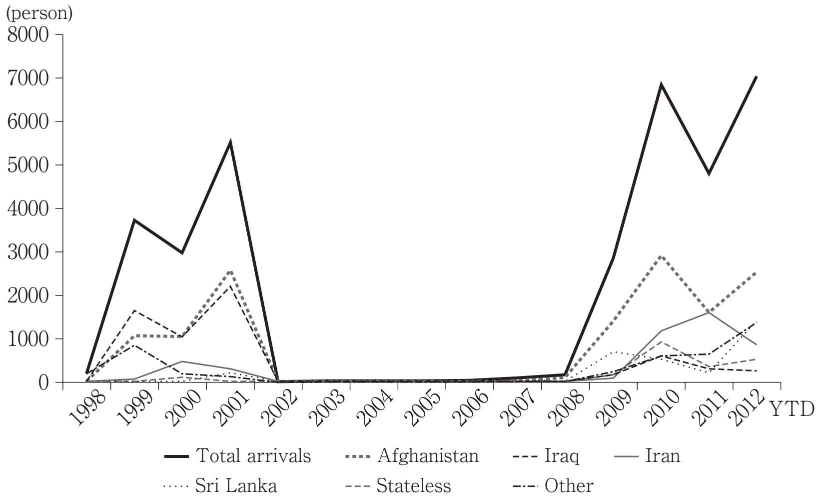
As the Australian federal government abandoned the White Australian Policy and introduced multiculturalism, they started to accept many Non-English speaking background immigrants (Takeda, 1991: 57). During the period of the Whitlam Labour government (1972–75), “boat people” from Vietnam and other Southeast Asian countries arrived, but the government still basically treated them as human resources for Australia. During the period of the Fraser Coalition government (1975–83), the number of refugees who were accepted for “humanitarian reasons” increased, but this did not mean that boat people who arrived in

Australian territory were accepted without limits. Rather, the federal government restricted the number of boat people and increased the permitted number of "air people", asylum seekers who followed the procedures in refugee camps outside Australia and arrived in Australia by airplane, to meet the obligations established by the ratification of the Refugee Convention in 1954 (Takeda, 1991: 92-106). From the periods of the Hawke Labour government (1983-91), the federal government began to prescribe capping the number of visa deliveries each year in both the Migration Program and in the Humanitarian Program.

The Humanitarian Program in Australia can be divided into several categories. In the case of offshore processing for entrants who are applying for asylum outside Australia, there are two options: they may migrate as refugees or as entrants to the Special Humanitarian Program (SHP). In the case of onshore processing for asylum within Australia, bridging visas are issued to asylum seekers, and they wait for the result of the application while staying in local communities. Because these people mainly arrive in Australia by airplane, they are called "Plain Arrivals". In contrast, people who enter Australia via irregular means of entry and apply for asylum are detained in detention facilities while they wait for the result of the application. People who arrive in Australia by boat are called IMAs. The federal government has maintained this mandatory detention policy for asylum seekers, in which all undocumented entrants, including IMAs, are detained in detention facilities as a general rule, since 1992 (USCR, 2002: 5-6).

During the Howard era, the number of IMAs rapidly increased from 1999 to 2002 (Figure 1). This increase triggered the Howard government's draconian policies for IMAs: people who arrived at mainland Australia by boat were not permitted to enter Australia to submit visa applications to the Australian government. The IMAs were sent to offshore processing facilities in the Nauru and Manus regions of Papua New Guinea and detained until their asylum seeking status was decided. This procedure was called the "Pacific Solution" for IMAs. The Howard government also made the Temporary Protection Visa (TPV) process, which was

Figure 1. The number of IMAs who were processed in Australia



（Resource）EPAS, 2012: 25

introduced in 1999, stricter. TPVs were issued to people who arrived and stayed in Australia illegally, such as IMAs, and allowed them to be recognized as refugees. The TVP was not a permanent visa, but it permitted migrants to stay for less than 3 years.

Confusion regarding the asylum policy in the Labour government[3)]

The Kevin Rudd Labour government came into power in November 2007, and the government initially tried to make the asylum seekers' policies of the previous Howard conservative government, which were criticized as being exclusionist and violating the human rights of asylum seekers, more humanistic (Billings, 2011: 280). In February 2008, the government stated that it would abolish the "Pacific Solution" to cease the operation of offshore processing facilities in Nauru and Manus. The TPV was also declared to be abolished in August 2008, and IMAs were able to receive permanent visas when they were recognized as refugees

(Shiobara, 2010: 110-115). However, the number of asylum seekers rapidly increased after 2008 (Figure 1), and as a result, the government had to change its policy quickly (Koleth, 2012: 37). In 2010, visa applications from asylum seekers from Sri Lanka and Afghanistan temporarily stopped being processed to reduce the number of newly arriving IMAs. Julia Gillard, who replaced Rudd as Prime Minster in June 2010, resumed offshore processing of IMAs and made judgments regarding the asylum seeking status of IMAs stricter. In July 2010, the Australian government reached an agreement with the Malaysian government to transfer 800 IMAs who were originally heading to Australia to Malaysia; instead, a total of 4,000 refugees in Malaysia were accepted in Australia over four years. This agreement, which was called the “Malaysian Solution”, was not executed because the Australian High Court invalidated it in July 2011; in the federal parliament, a related bill was rejected by the Opposition (Koleth, 2012: 27-35).

Meanwhile, the number of IMAs who arrived in Australia increased during the 2011-2012 financial year, and the number of refugees who were accepted through onshore processing overtook the number of refugees who were accepted via offshore processing and SHP (EPAS, 2012: 22-26). To address this situation, the Report of the Expert Panel on Asylum Seekers proposed some recommendations (EPAS, 2012: 14-47), including the use of a “No Advantage Policy”, a principle that stated that IMAs did not have any advantages beyond the regular processing of asylum seekers. The Expert Panel also recommended for that Australian government collaborate with neighboring countries through the Bali Process.[4] In particular, it emphasized the importance of the collaboration between Indonesia and Malaysia, and the report positively evaluated the “Malaysian Solution”. It also admitted that the detention of asylum seekers in offshore processing facilities in Nauru and Manus was an emergency response that was also effective for restraining IMAs. Additionally, the Expert Panel proposed increasing the number of refugees who were accepted through regular routes, especially those from Southeast Asian Countries.

The Gillard government accepted many of the recommendations, and in September 2012, in keeping with the No Advantage Policy, it made it more difficult for IMAs who were admitted to Australia as refugees to bring their family members into Australia afterwards. The government also tried to strengthen its collaboration with the governments of Southeast Asian countries of asylum seekers left for Australia (DIAC, 2012a: 3–6). The Gillard government then increased the number of migrants who were accepted by the Humanitarian Program from approximately 14,000 in 2011–12 to 20,000 in 2012–13; among those migrants, the number of refugees and SHPs was now 12,000 (DIAC, 2012a: 15–16). Despite these policies, the number of IMAs continued to increase, and in only three months, from January to March 2013, approximately 7,500 IMAs – more than arrived in the year between July 2011 to June 2012 - were accepted as asylum seekers by the Australian government; from July 2012 to June 2013, approximately 18,000 IMAs were accepted as asylum seekers (DIBP, 2013a: 10). Support for the Gillard government decreased because of its unpopular policies, including those related to asylum seekers, and it was predicted that the Australian Labour Party would be defeated by the Coalition in the current government during the federal election of September 2013.

After Rudd became Prime Minster again in June 2013, to regain support for ALP, he enacted more draconian policies for asylum seekers than the Labour government ever did. Rudd announced that the Labour government had sent all of the IMAs who arrived in Australia to offshore processing facilities in Manus and Nauru in accordance with its agreement with the Papua New Guinea and Nauru governments, and that the IMAs were accepted by each country after being admitted as refugees by each government. The policy was announced as a rival to “Operation Sovereign Borders” by the Coalition, which aimed to capture the boats of asylum seekers in the sea and repel by using the operations of the Australian army forces and send the Australian police to other countries to carry out operations for exterminating people smugglers (The Coalition, 2013), As a result, ALP and the Coalition competed with each other over draconian

policies for asylum seekers before the election. Finally, the Rudd government was defeated in the federal election, and the Tony Abbott Coalition government came into power in September 2013.

"Community-based" policies for asylum seekers in the Labour governments

The Rudd and Gillard governments tried to take a more humanitarian approach to their policies for asylum seekers. However, they finally needed to use a draconian approach that was similar to what the Howard government used. The confusion over policies was heavily criticized by the opposition parties and by human rights lobbies and refugee assistance organizations within and outside Australia. However, there was a consistency in asylum seekers' policies during the Labour government period from 2007 to 2013. They promoted "community-based" policies; treatments that released IMAs who were detained in onshore detention facilities into local communities and let them stay there until their application for asylum seeking was evaluated.

The federal Mandatory Detention policy for asylum seekers that began in 1992 was criticized by those who wanted to protect human rights. In particular, during the Howard administration, riots by asylum seekers who were detained in the facilities frequently occurred, and the negative impacts of long-term detainment on the physical and mental conditions of detainees, especially children, gained global attention. Responding to this criticism, the federal government gradually recognized the need for alternatives to detention, and the minor children of asylum seekers were able to temporarily stay in outside detention facilities, including hostels, hospitals and correctional institutions. Community Detention was launched in 2005, Immigration Residential Housing (IRH) started in 2006, and Immigration Transit Accommodation (ITA), which provides facilities for detainees who are expected to be quickly deported outside Australia, was introduced in 2007. Moreover, Bridging Visas, which usually legal immigrants are issued when the visa renewal is in progress,

were introduced for undocumented entrants. In July 2008, the federal government proposed implementing a different policy, which stated that only undocumented entrants and stayers with particular conditions would be forcibly detained in the detention facilities, and others would be released into local communities while they were waiting for the decision regarding their asylum seeking status. This change meant that the government needed to expand the capacities of these alternatives to detention that were located in local communities (IIDA/JSCM, 2009: 9–12). Regarding the "community-based" policies for asylum seekers, in next sections, I will describe IRH, Community Detention and the Bridging Visa E (BVE) for asylum seekers during the period of the Labour government, before September 2013.[5)]

Immigration Residential Housing

IRH comprised house-style accommodations that were built on the sites of conventional detention facilities where relatively low-risk families of asylum seekers were permitted to stay. In the case of the Villawood detention facilities that I visited in March 2013, people who stayed in IRH could go outside the detention facilities for shopping and recreation when accompanied by surveillance staff from Serco Australia, a private company that was contracted by the federal government to manage detention facilities in Australia. The IRH tenants received 70 Australian dollars per week and could go shopping at supermarkets in local communities. However, they were not permitted to save this money for the next week, and they could not receive financial assistance from supporters outside the detention facilities. Children of the families in IRH could attend a local school outside the detention facilities, and their families could take their children to school and pick them up.

In August 2013, 535 people stayed in IRH and ITA in Australia (including 122 in IRH) (DIAC, 2013b: 3). In January 2014, the number was 475 (including 66 in IRH) (DIBP, 2013b: 3–4).

Community Detention

Erin Wilson suggested that the role of faith-based organizations (FBOs), especially Christian organizations, was crucial when Community Detention was introduced in 2005 (Wilson, 2011). However, the number of people housed within Community Detention was relatively small: 76 in 2005–06, 143 in 2006–07, and 108 in 2007–08 (IIDA/JSCM, 2009: 23). In March 2009, only 33 of the 357 detainees stayed in Community Detention (IIDA/JSCM, 2009: 8). In October 2010, the Labour government proposed expanding Community Detention and stated that unaccompanied minors and vulnerable family groups who were detained in the conventional detention facilities would be transferred to Community Detention. As a result, the number of people who housed in Community Detention rapidly increased to 2178 in December 2012 and 2723 in March 2013 (Neave, 2013: 111). Afterwards, however, the number of people housed in Community Detention remained stagnant, while the detainees of detention facilities rapidly increased; one of the main reasons for this was the limited capacity of Community Detention.[6)]

Thirteen service providers[7)] known as the National Community Detention Network were contracted by the Immigration Department to set up and manage Community Detention programs. Vulnerable people who were detained in the conventional detention facilities, such as unaccompanied minors, families with children and people with mental health problems, were selected by the Immigration Department and recommended by the Minster for Immigration to be sent to Community Detention. When they were permitted, these people were released from the facilities. Unaccompanied minors were sent to group houses, a special type of Community Detention, where received 24-hour care and lived with other children. Other people stayed in normal Community Detention accommodations were provided case management by service providers. Private housing was used for Community Detention and public housing was not permitted for use. Asylum seekers did not have the freedom to move to a different place to live, but they were not supervised by service provider staff. Instead, service providers were obligated to regularly

contact them and report to the Immigration Department. Asylum seekers who were staying in Community Detention were not issued any visa status and therefore did not have the right to work. They could not use the public social services established for Australian residents, but the service providers provided general medical services within the budget that was contracted by the federal government. Children of the asylum seekers went to school in local communities, and the parents were required to let their children go to school, which the service providers could check at any time.

The Commonwealth Ombudsman's Report in May 2013 also found that Community Detentions were better for the mental health of the detainees than conventional detention facilities were (Neave, 2013: 114-120). One of my informants in the Immigration Department also emphasized that there were relatively few prejudices among or conflicts with local residents regarding asylum seekers who were released to the communities, although there were arguments in the mass media that criticized the expansions of Community Detention. The informant argued that while such criticism emphasized that the Community Detention policy imposed a financial burden on the Australian social security system and that it made housing market conditions for lower-income people tight, these arguments were not valid because people who were staying in Community Detention could not access social security for Australian residents, such as Medicare. To control for the impact of Community Detention on cheap housing markets, Community Detention service providers were unable to use public housing for these accommodations. Additionally, the informant argued that the Immigration Department bore the costs of children attending schools in local communities.

Bridging Visa E

The Bridging Visa E (BVE) was issued to IMAs in conventional detention facilities in Australia who were judged to be low risk in terms of their release into local communities while they waited for the results of their asylum seeking application. BVE holders were free to choose where

to stay in communities, but they had to find accommodations by themselves and were not able to apply for public housing. They had to report to the Immigration Department when they changed their place of residence (DIBP, 2013c). Service providers who were contracted by the government to support BVE holders were obligated to regularly contact them and report to the Immigration Department every month; in this way, the Immigration Department was able to keep track of where BVE holders were staying. BVE holders were not permitted to leave and reenter Australia, and to bring their families from overseas (AHRC, 2013: 2). In January 2014, IMAs who entered Australia before August 13, 2012, were eligible to receive a BVE with work rights (but the Immigration Minister discretionarily decided who received this right) (IIDA/JSCM, 2009: 30). However, IMAs who arrived in Australia from August 13, 2012, to July 19, 2013, could not receive work rights, even if they were issued a BVE. IMAs who entered Australia after July 19, 2013, were not issued a BVE because they were sent to offshore processing facilities in Nauru and Manus (DIBP, 2014b).

The number of asylum seekers who were released from detention facilities by being issued a BVE was 823 in 2005–2006, 390 in 2006–2007 and 280 in 2007–2008 (IIDA/JSCM, 2009: 26). However, since 2009, criticism of detention facilities in Australia has increased, stating that these facilities have become worse places to live due to the rapid increase in the number of IMAs detained there, and these critics insisted that it would be difficult for the detention facilities to accept many more IMAs (Neave, 2013: 53–54). In response to these criticisms, in November 2011, the federal government began to issue more BVEs to IMAs in detention facilities and released them into local communities (Koleth, 2012: 36). As a result, from November 25, 2011, to June 30, 2012, 2741 IMAs were issued BVEs (DIAC, 2012ab), and thereafter, the Immigration Department suggested that 100 IMAs would be issued a BVE every month (Koleth, 2012: 40). A staff member of the Immigration Department, whom I interviewed in March 2013, said that 10,000–12,000 BVEs were issued annually. After this, the number of BVE holders continued to increase, and 21,000–23,000 of them resided in

local communities in September–November 2013. In September 2013, the Australian mass media reported that over 21,000 BVE holders were staying in local communities without work rights (AHRC, 2013). Most of the BVE holders who were released into local communities were single male IMAs because unaccompanied minors, families with children and other vulnerable people were sent to Community Detention. In 2012, it was estimated that more than 80 percent of BVE holders were unemployed (Koleth, 2012: 41), and BVE holders who were issued a BVE after August 13, 2012, were not permitted to work. My interviewee in the Immigration Department suggested that this was a result of the No Advantage Policy; the message that suggested people who came to Australia as IMAs had no merit.

BVE holders could access public medical assistance (Medicare) established for Australian residents, but they could not access other social security services. Instead, during the period of the Labour government, they were provided accommodation for their first six weeks, and the Immigration Department gave them 89% of the amount of income assistance from Centrelink to cover their living costs. The service providers that were contracted by the Immigration Department provided BVE holders with an orientation to living in Australia, including how to find accommodations. When service provider caseworkers recognized the need for further support, BVE holders could access such programs as the Asylum Seekers Assistance Scheme (ASAS) and the Community Assistance Support Program (CAS) to continue to receive the same amount for living costs and to receive such support as medical assistance and counseling from the service providers. A few service providers prepared programs that promoted BVE holders’ participation in local activities and their communication with local residents.

Human rights lobbies and refugee support organizations, such as the Australian Human Rights Commission, UNHCR, and Refugee Council of Australia, welcomed the larger number of BVE holders because this arrangement was better than the mandatory detention policy in terms of protecting the human rights of asylum seekers (Koleth, 2012: 36, AHRC

2013)[8]. However, the organizations that welcomed BVEs criticized the fact that many of them stayed in local communities without the right to work (AHRC, 2013: 4). In particular, as described above, the federal government's abolishment of the work rights of asylum seekers who were issued a BVE after August 13, 2013, was criticized as a violation of human rights, and organizations voiced concern about lengthening BVE holders' stays in communities (AHRC, 2013: 12–13).

Many mass media reports regarding BVE holders who were released into local communities emphasized the concerns regarding worsening public security in communities with an increased number of BVE holders, BVE holders becoming homelessness, and frustration with spending government money to support BVE holders. The Immigration Department protested against the mass media when their reports were not true, and the department also tried to enlighten the public regarding this issue in local communities, including by delivering newsletters.

From humanistic treatments to cost-cutting methodology

In 2009, a report by the research committee of the Australian Parliament recommended that among the "community-based" policies, increasing the number of BVEs issued to IMAs in detention facilities, thus releasing them into local communities, was preferred and that Community Detention should be abolished (IIDA/JSCM, 2009: 131). The committee recommended that BVE holders should be able to access sufficient social security and medical services, orientations and counseling when they are released to live in Australian communities (IIDA/JSCM, 2009: 138). The report argued that releasing asylum seekers into local communities by issuing them BVEs was more respectful of their human dignity, maintained more reliance on and compliance with the government, and provided a more "cost effective" alternative than other treatments, including Community Detention (IIDA/JSCM, 2009: 131). However, despite the recommendations of the committee, the federal government first tried to address the increase in the number of IMAs by expanding Community

Detention rather than BVEs; once the capacity of Community Detention could not address the increase in IMAs, the number of BVEs that were issued rapidly increased.

The logic behind the legitimization of "community-based" asylum seekers' policies also changed. The 2009 report emphasized that governments needed to consider the human rights of asylum seekers who were released into local communities by providing social security, medical services and accommodation. While the report referred to the merits of the government saving money by outsourcing the program to non-profit organizations, it also suggested that this policy was not always the most effect means of cost cutting. For example, it argued that supplying accommodation for asylum seekers from the private housing market sometimes cost more than if the government maintained its own accommodations (IIDA/JSCM, 2009: 140–141).

However, when the number of asylum seekers rapidly increased, this increase became a controversial political issue, and the Labour government emphasized the No Advance Policy; consequently, the argument for developing support policies for asylum seekers to guarantee their human rights faded from public discourse, and the "cost cutting" benefits of "community-based" approaches was emphasized. As described above, "community-based" policies, such as Community Detention and BVE, were criticized by the mass media because they indulged asylum seekers by spending too much public money. At the same time, the mass media reported that the entrustment costs for Serco Australia to operate conventional detention facilities had increased considerably. Therefore, the federal government tried to legitimize the "community-based" approach by showing that it was more "inexpensive" than conventional detention facilities.

The report of the Expert Panel on Asylum Seekers that was published in September 2012 recommended expanding the "community-based" approach by outsourcing it to the private and non-profit sectors because it was much more cost-effective (EPAS, 2012: 39). The Immigration Department also argued that by using Community Detention

and BVEs, the federal government saved four million dollars per year (Koleth, 2012: 42) and suggested that while Community Detention was quite costly in terms of the initial investment, such as preparing accommodations, the maintenance costs were equal to the costs of the conventional detention facilities (Koleth, 2012: 46–47). The Immigration Minister emphasized that the cost of support for BVE holders was only 20% of that for detainees in conventional detention facilities and that the “community-based” approach did not impose a burden on the social security policy. The view that the “community-based” approach was more “inexpensive” than conventional detention facilities was broadly shared among support organizations.[9)]

However, whether the “community-based” approach was cost effective was controversial. While it was more cost effective for the Immigration Department than conventional detention facilities, the costs of meeting the basic needs of asylum seekers may have been pushed onto local governments and civil society when the services within the detention facilities were outsourced. From this point of view, the state governments of New South Wales and Victoria, two states that many of BVE holder resided, expressed concern regarding the “community-based” approach. Both state governments asserted that the federal government “neglected” asylum seekers by not providing sufficient support for them and that it shifted the burden of the policy’s costs for medical, health, education, security and social welfare onto the state governments (Koleth, 2012: 50). They also criticized the fact that the federal government did not consult enough with the state governments regarding the negative impact on local housing markets when asylum seekers live in public housing (Koleth, 2012: 51). The federal government tried to address these criticisms and emphasized that medical services for BVE holders were covered by Medicare, which was in the federal budget, and that service providers were not permitted to use public housing; in terms of Community Detention, public housing was also not used, and the federal government purposefully did not concentrate the accommodations of these people in specific local areas (Koleth, 2012: 51).

Despite these refutations, it was true that the "community-based" approach imposed quite a burden regarding public services on state governments. According to my interview with staff members of a non-profit organization for migrant support in the northern part of Sydney that was contracted by the state government, since the latter half of 2012, the number of BVE holders who stayed in this region rapidly increased because the federal government contracted with other refugee support organizations to provide accommodations for them. The majority of the BVE holders stayed for relatively long periods with very limited initial assistance and insufficient support. The BVE holders also did not receive enough support from their own ethnic communities in Australia. The organization to which my informant belongs was funded by a grant from the state government, and supporting BVE holders was not one of the contracted jobs. However, when BVE holders came to them for help, they could not refuse. As a result of such situations, state social services and public education were likely to accept more BVE holders, and these BVE holders imposed greater financial burdens on the states.[10)]

An executive member of another non-profit organization that has operated a support program for asylum seekers in NSW since August 2012 contracted by the federal government stated that the number of asylum seekers who were clients of the organization was over 8,000 in September 2013; in August 2013, 800 newly released BVE holders became clients of this organization. The informant argued that this organization supported these BVE holders well, but support was limited overall because only one other organization in NSW was contracted by the federal government and offered support programs for BVE holders.[11)] Therefore, it was estimated that quite a large number of asylum seekers who were released with BVEs and stayed in local communities received insufficient support.

As described above, "community-based" asylum seekers' policies during the period of the Labour government from 2007–2013 were initially introduced as a way to protect the human rights of asylum seekers by replacing the mandatory detention policy. As the number of IMAs rapidly

increased and outgrew the capacity of the conventional detention facilities and Community Detention, the government shifted its policy toward increasing the number of BVE holders released into local communities. The government defended this change by stating that this policy was more cost effective. However, work rights and public support for BVE holders were insufficient, and as a result, the number of IMAs who were "neglected" in local communities increased.

Asylum seekers who were neglected in communities

While the increased number of IMAs after the abolishment of the "Pacific Solution" and TPV during the period of the Labour government has been emphasized, it was thought that there were few asylum seekers during the latter half of the Howard era. However, during the Howard era, approximately 3,000 Plain Arrival asylum seekers came to Australia every year (DIBP, 2013c: 6). The majority of the Plain Arrivals were not placed in detention facilities (DIBP, 2013b: 6); instead, they were placed in local communities. It meant that there were always many asylum seekers waiting for the results of their application for asylum seeking. During the period of the Labour government, the number of Plain Arrivals doubled. Despite this increase, Plain Arrival asylum seekers were less likely to be problematic than IMAs because many of them entered Australia with a legal visa status and stayed in local communities with bridging visas. This means that many Plain Arrivals were legally permitted to work. However, interviews with the staff of support organizations for asylum seekers suggested that although such Plain Arrivals faced difficulties, both the Howard and the Labour governments did not offer sufficient support for them and "neglected" them in the local communities.

In February 2007, during the Howard era, I interviewed an executive staff member of an organization that supported asylum seekers in local communities who were waiting for the results of their visa applications. [12] The informant said that the Plain Arrival asylum seekers in local communities could not access enough public support, and therefore, the

organization voluntarily provided basic medical services, counseling and educational and vocational training. At the time of the interview, it was the only organization that supported Plain Arrival asylum seekers in local communities in NSW. According to the informant, there was no public grant from the federal government for these people, and there were few opportunities to access support from the state government. Approximately 70% of the asylum seekers who were clients of this organization did not have job. Many of them faced serious financial situations or mental health problems.

Since then, more organizations have started to support Plain Arrivals in NSW, and one of them was an FBO that I visited in March 2013. The informant called the clients "community-based asylum seekers".[13)] Most of these clients stayed in NSW and Victoria because Plain Arrivals tended to concentrate in Sydney and Melbourne, both of which had large populations and opportunities for employment, and there were some support organizations available. Some of the Plain Arrivals entered other cities in Australia and moving to Sydney and Melbourne.

Plain Arrival asylum seekers in local communities did not have access to most of the assistance that was available for IMAs with a BVE; they were neglected and received almost no public support (Bottrill, 2012). They often had work rights, but in practice, it was very difficult for them to find jobs because they did not have any qualifications for a career in Australia. They also could not access public English learning programs, such as the AMEP, which new immigrants normally could access. At the time that the interview was conducted, the number of active clients of the FBO was approximately 120, and less than 10% of them worked. Most of the others were unemployed. This FBO voluntarily organized support programs for the Plain Arrival asylum seekers, such as financial assistance, English learning classes, computer classes and activity programs (such as community lunches and excursions). Regarding job search assistance, volunteers taught the clients how to find a job and write a CV. The church did not intervene in the FBO's activities, and non-Christian clients could be supported and were not subjected to

proselytizing. The informant said that the aim of the FBO assistance was to empower asylum seekers in local communities and make them self-reliant. For these purposes, it was very important for them to find a job, although doing so was difficult in practice. In their longest cases, some clients had been supported by the FBO for 7 years, but the standard period of assistance was from 10 months to 2 years.

The "community-based" asylum seekers faced difficulty when they tried to find housing. They were systematically excluded from the public housing policy and, as a result, were in danger of becoming homeless (Bottrill, 2012). Seventy-five percent of the "community-based" or Plain Arrival asylum seekers who were clients of the FBO had a problem finding housing; therefore, the FBO provided accommodation for them. At the time of the interview, 66 people stayed at 18 accommodations, and the organization was trying to negotiate funding for two more accommodations for clients. The FBO's housing program for community-based asylum seekers was the largest in NSW, and other organizations asked it to accept their clients. However, its capacity was quickly overwhelmed, and the accommodations were always full. The FBO informant said that the main reason for such situations being neglected was that asylum seekers were not recognized as Australian citizens or future Australian citizens.

The private and non-profit organizations that operated Community Detention and supported BVE holders were funded by the federal government, but support for Plain Arrival asylum seekers was not provided. Moreover, my informants emphasized that supporting "community-based" asylum seekers was politically sensitive and that they did not receive donations, which limited their support activities. Therefore, the financial situation of these organizations was always tight, and competition for donations was high between these support organizations. The informant criticized the argument that the "community-based" approach for asylum seekers was "inexpensive" because it ignored the fact that financial costs were high for asylum seekers who needed to stay in local communities, and the federal government did not provide enough

support for these asylum seekers.[14)]

Conclusion: The dilemma of liberation versus neglect

The purpose of this article was to examine the “community-based” policies for asylum seekers under the Labour government from 2007 to 2013 to demonstrate the implications of neoliberal reformation for asylum seekers’ policies in Australia. As a result of the analysis, I found clear evidence of a dilemma between the “liberation” of asylum seekers from detention facilities to local communities and “neglecting” them in these local communities by not providing sufficient assistance.

During the period of the Howard conservative government, human rights lobbies and refugee support organizations heavily criticized the bad environment in the detention facilities and the inhumane treatment of the detainees. Thereafter, their treatment improved, and when Labour came into power, the federal government partly disclosed information regarding the detention facilities to emphasize that detainees were being treated properly. However, as a result, the costs of operating conventional detention facilities rose, and a rapid increase in asylum seekers caused these facilities to reach their capacity. Therefore, the “community-based” approach, which released asylum seekers from conventional detention facilities, was acceptable to the Labour government. The human rights lobbies and support organizations that had criticized the government’s mandatory detention policy welcomed this new approach, because they regarded it to provid freedom for asylum seekers by releasing them into local communities. In this way, the “community-based” approach was supported both by the government and the civil sectors.

The “community-based” approach was launched first as an extension of Community Detention. Strictly speaking, Community Detention was a type of detention facility; while freedom of mobility for the residents was limited, the living conditions there and resident support were better. However, as the number of asylum seekers increased, BVE, not Community Detention, became the main method for addressing them. As

a result, a dilemma emerged regarding asylum seekers who were released from conventional detention facilities and Community Detention, in which they were guaranteed an adequate living condition and moderate support (in exchange for limited freedom of mobility), were "neglected" by governments in local communities, where they were guaranteed moderate freedom of mobility and given insufficient support.

On the other hand, the attitudes of the federal government toward Plain Arrival asylum seekers suggested that the "community-based" approach essentially aimed to "neglect" asylum seekers rather than "liberate" them. Many BVE holders were not permitted to work, and in response to their needs, the federal government prepared public support for them. However, unlike IMAs, the federal government did not sufficiently support Plain Arrivals. This meant that the government recognized that many Plain Arrivals had work rights and sufficient freedom of mobility, and therefore, their survivals were responsible for themselves. Additionally, mass media and public interests focused less on the existence of Plain Arrivals than that of IMAs. As a result, the government could "neglect" them easier.

The dilemma of "liberation" versus "neglect" provides a viewpoint from which we can examine polices for asylum seekers in other countries. We should be aware that releasing asylum seekers into local communities can give them "liberation", but at the same time, it might allow the government "neglect" them and not provide sufficient public support. Finding a balance between "liberation" and "neglect" could be an important scale for evaluating asylum seekers' policies in Australia and in other developed countries.

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2) After Tony Abbott came into power in September 2013, the Federal Immigration Department changed the meaning of the term "IMA" from "Irregular Maritime Arrival" to "Illegal Maritime Arrival".

3) See also Shiobara (2013).
4) The Bali Process is an international framework that addresses international crimes, such as people smuggling and human trafficking, and was established in 2002. Over 40 states and international organizations are members, including UNHCR and IOM, and Australia is a co-chair state with Indonesia (http://www.baliprocess.net/).
5) Information provided in interviews with staff members of the Federal Immigration Department (on March 5 and 15, 2013, in Canberra and Sydney) are reflected in the following sections.
6) DIAC (DIBP) *Immigration Detention Statistics Summary*.
7) Australian Red Cross, Life Without Barriers, Anglicare, Adult Multicultural Education Services, Wesley Mission, ACCESS Community Services, Lentara Uniting Care, Mercy Community Services, the Salvation Army, Multicultural Development Association, MacKillop Family Services, Marist Youth Care, Mercy Family Services (DIBP, 2014a).
8) From an interview with an executive member of Organization A on March 14, 2013, in Sydney.
9) Ibid.
10) From an interview with staff members of Organization B on August 5, 2013, in Sydney.
11) From an interview with an executive member of Organization C on September 12, 2013, in Sydney.
12) From an interview with an executive member of Organization D on February 9, 2007, in Sydney.
13) From an interview with an executive member of Organization E on March 12, 2013, in Sydney.
14) Ibid.

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