

KNOW YOUR RIGHTS!

WHEN DEALING WITH AUSTRALIAN BORDER FORCE (ABF)



They are **NOT** the police



They do **NOT** have police powers



They can **ONLY** enforce migration laws

If you do not understand what ABF is saying, say **“interpreter and lawyer please”**. You can also ask to change interpreters.



नमस्ते

U/A

Akkam

здрaво

Hola

வணக்கம்

Xin chào

你好

مرحبًا

zdravo



If ABF stops you on the street...

- **Ask:** “What reason are you stopping me?”
- If ABF does not have any reason, tell them: “You **don’t** have the right to do stop me for no reason”, and walk away.
- If they say they have reasonable suspicion that you do not have a visa, **ask for the reason**. Racial or cultural background is not a good enough reason.
- They can ask for your name, proof of your visa or citizenship. You **don’t** have to answer but they may try to detain you anyway.
- You **can ask** to provide your ID, passport or visa at a later time if you do not have documents on you.
- You **do not** have to answer any other questions that is not a request for identity or your visa status. You can **walk away**.



If ABF comes to your workplace...

- **Ask:** “Do you have a warrant?” If they don’t, you can **say no** to them entering.
- They are looking for people with no visa. They may come with police if investigating a crime.
- If they don’t tell you whether they have a warrant or not, ABF **can come in if someone lets them**. They can also break in to search a workplace. If they enter anyway, **ask an ABF officer to show ID**.
- You should **show them your passport or visa** if they ask for it.
- They **cannot use force on people unless** they are taking someone to immigration detention. If they use force unlawfully, you should **report this** to your lawyer later.



If you are detained by ABF...

...because they think you aren’t an Australian citizen or don’t have a visa, they can take you to immigration detention.

ASK FOR A LAWYER NOW!

ABF must let you call a lawyer from a private space ✓

Do not sign anything unless it has been translated accurately and you have legal advice.



If you get letters or e-mails from ABF or Department of Home Affairs...

Get free legal advice from the organisations below:

Asylum Seeker Resource Centre

☎(03) 9274 9899

MON-TUE-THU-FRI

10am-12.30pm

if detained ✉ legal@asrc.org.au

West Justice Legal Centre

☎(03) 9749 7720

Website: westjustice.org.au

PLANNING FOR IMMIGRATION RAIDS AT YOUR WORKPLACE



Adapted from Black Rose Federation @blackrose_rosanegra

Step 1: Build relationships with your coworkers



Before you can have the trust to challenge immigration raids at your workplace, you will have to build relationships with your coworkers. A simple way to start is talking to them and learning about their lives.

When you develop some rapport, create an online chat to keep in contact outside of work. This is important because then you can communicate comfortably without fear of surveillance from the boss. This groupchat can also be a space to support each other and respond if an immigration raid happens.

Step 2: Know your rights

Learn your legal rights and how to communicate them to Border Force or police. It is also important to be aware of limitations with enforcing your rights as a migrant worker, and know they do not promise you safety. Try to understand what tactics are used to conduct immigration raids and how they can change.



Step 3: Make a plan



When you have developed more trust with your coworkers, you can make a plan if immigration raids happen. Roleplaying responses as a group can be a good way to build confidence and cohesion. A plan can include:

- How you will verify and notify others that an immigration raid is happening.
- How you will protect the most at-risk workers.
- How you will secure entrances and exits.
- How you will notify community allies.
- How you will connect with legal support.
- How you will deal with management.
- How you will respond to Border Force in the neighbourhood.

Step 4: Think bigger

There is a difference between mobilising quickly in a crisis, and organising long-term so you and your coworkers can stand together during hard times. Organising requires workers to learn how to convince each other out of our apathy, fear, hopelessness and isolation – so we can strategise, campaign and win change that benefits all. These are skills that everyone can learn.



Arc Up seeks to unite migrants to fight workplace abuses and the broken visa system. Our free program, **Migrants Building Power**, can support you in getting educated and connected with others who want to get organised.

Find out more or sign up at: arcup.org/migrantpower

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